



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

BZA APPLICATION FORM

Plan No: BZA-017258-2020

GENERAL INFORMATION

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 : B ZONING DISTRICT : Residence B Zone

REASON FOR PETITION :

Parking

DESCRIPTION OF PETITIONER'S PROPOSAL :

Special permit application for shared driveway under mutual easement with our neighbors at 41 Magoun St. We intend to record the mutual easement with the Registry of Deeds once we receive the permit. Variance for relief from parking dimensions/size allocation and to park within frontyard setback.

SECTIONS OF ZONING ORDINANCE CITED :

Article 6.000	Section 6.43.6 (Common Driveway). S.P.
Article 6.000	Section 6.44.1.C (Front Yard Parking). V
Article 6.000	Section 6.34 (Size Allocation). V
Article 6.000	Section 6.42 (Dimensions of Parking). V
Article 10.000	Section 10.30 (Variance) & 10.40 (Special Permit).

Original Signature(s) :

James P. Robertson
(Petitioner(s) / Owner)
James Paul Robertson
(Print Name)

Address :

45 MAGOUN ST
CAMBRIDGE, MA 02140

Tel. No. :

617 953 2270

E-Mail Address :

judithrobertson829@mac.com

Date :

2/12/2020

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, 20 19, 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> ¹
TOTAL GROSS FLOOR AREA:	_____	_____	_____ (max.)
LOT AREA:	_____	_____	_____ (min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²	_____	_____	_____ (max.)
LOT AREA FOR EACH DWELLING UNIT:	_____	_____	_____ (min.)
SIZE OF LOT:			
WIDTH	_____	_____	_____ (min.)
DEPTH	_____	_____	_____
Setbacks in Feet:			
FRONT	_____	_____	_____ (min.)
REAR	_____	_____	_____ (min.)
LEFT SIDE	_____	_____	_____ (min.)
RIGHT SIDE	_____	_____	_____ (min.)
SIZE OF BLDG.:			
HEIGHT	_____	_____	_____ (max.)
LENGTH	_____	_____	_____
WIDTH	_____	_____	_____
RATIO OF USABLE OPEN SPACE TO LOT AREA: ³	_____	_____	_____ (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 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:

A literal enforcement would involve a substantial hardship, both financially, logistically, and due to other Cambridge ordinances. First, it would require us to move the sides of each of our homes inwards several feet to create full size parking spaces. This would be exorbitantly expensive. In addition, this would make our homes uninhabitable for a substantial period of time, for both the owners of 41-43 and 45 Magoun St of each and tenants in 41-43 Magoun St. Another alternative would be to physically move both homes, but then it would violate setback requirements on the other side of each home. Second, placing the parking lot in the backyard would involve substantial logistical hardship and ability to comply with other Cambridge ordinances. Our backyards are lower in elevation and in a flood zone. Attempting to create a parking lot there would involve significant expense for proper drainage, so as to avoid flooding in the yards of our abutments behind. It would also require both owners to rebuild or move our back decks, which would also be prohibitively expensive and could violate setback requirements. Lastly, both properties have several very large, old (approx 75-100 years old, >6" caliper) trees in the backyards providing shade to multiple homes and a significant amount of vegetation. A parking lot there could require removal of those trees (violating Cambridge ordinances), or could cause damage to them due to proximity to moving cars that might bang them, or a parking lot reducing rain water infiltrating the ground near the trees. This would make for a dangerous situation for the owners and several abutments.

- 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 hardship owes to the shape and topography of the land and structures of the two lots. Residence B zoning district encompasses many neighborhoods across Cambridge. Zoning ordinances call for at least 50' of lot width and 5,000 square feet of lot size, but our lots were designed with only 40' of width on 4,000 square feet. This means homes on Magoun St were built close to each other. These non-conforming elements make it exceptionally difficult to meet the traditional requirements for off-street parking.

- C) *DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:***

- 1)** Substantial detriment to the public good for the following reasons:

Relief will not involved substantial detriment to the public good but will actually provide a clear and obvious benefit. It will remove four cars from the street in the space of one car. It will also increase safety for a number of reasons (see comments in Special Permit application and letters of support from abutments across the street). We have support of our neighbors for this project. In addition, our neighborhood is full of driveways/parking spaces in the front and side of homes, not in the backyards (see images). Adding parking spots to the backyard to create a full five spots would turn the backyard into a parking lot, impact vegetation and tree coverage, and derogate the nature of the neighborhood. Surrounding properties typically do not have parking in the back; they are typically in the front and side of the house.

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

The general intent of the ordinances mentioned, as articulated in Article 1.30, are to lessen congestion on streets, to improve safety, and to facilitate the provision of open space, among other things. Relief will not derogate from that purpose but in fact enhance and enable it. First, this project will reduce congestion by removing four cars from the street in the equivalent street parking space of just one or at most two cars. Second, it will improve safety for the property owners involved (see below), as well as residents across the street who value having an empty space in front of their driveway to safely back out of their driveways (see letter), and those driving down the street, many of whom use it as an artery to avoid Mass Ave traffic. Third, by providing relief, significant amounts of open space in the backyard will be preserved. A note on safety: 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 (see image). It was extremely stressful to deal with the aftermath and resistance from the insurance company. The parking spaces 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, and in fact, help achieve some of the main goals of the Cambridge ordinances, as specified above.

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

BZA APPLICATION FORM

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 a 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 and application.

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 (see letters from neighbors). Moreover, we have already spoken with our abutters, who 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 (see image). It was extremely stressful to deal with the aftermath and resistance from the insurance company. The parking spaces 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" mentioned in the ordinance), that would need to be moved or 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:** Residential

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

PHONE: _____ **REQUESTED USE/OCCUPANCY:** Residential

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

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

Shared driveway (made with pervious material) under mutual easement between both homes.

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 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02139
617 349-6100

2020 FEB 18 AM 11:26

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Plan No: BZA-017258-2020

BZA APPLICATION FORM

GENERAL INFORMATION

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 : B ZONING DISTRICT : Residence B Zone

REASON FOR PETITION :

Parking

DESCRIPTION OF PETITIONER'S PROPOSAL :

Special permit application for shared driveway under mutual easement with our neighbors at 41 Magoun St. We intend to record the mutual easement with the Registry of Deeds once we receive the permit. Variance for relief from parking dimensions/size allocation and to park within frontyard setback.

SECTIONS OF ZONING ORDINANCE CITED :

Article <u>6.000</u>	Section <u>6.43.6 (Common Driveway). S.P.</u>
Article <u>6.000</u>	Section <u>6.44.1.C (Front Yard Parking). V</u>
Article <u>6.000</u>	Section <u>6.34 (Size Allocation). V</u>
Article <u>6.000</u>	Section <u>6.42 (Dimensions of Parking). V</u>
Article <u>10.000</u>	Section <u>10.30 (Variance) & 10.40 (Special Permit).</u>

Original Signature(s) :

James P. Robertson
(Petitioner(s) / Owner)
James Paul Robertson
(Print Name)

Address :

45 MAGOUN ST
CAMBRIDGE, MA 02140

Tel. No. :

617 953 2270

E-Mail Address :

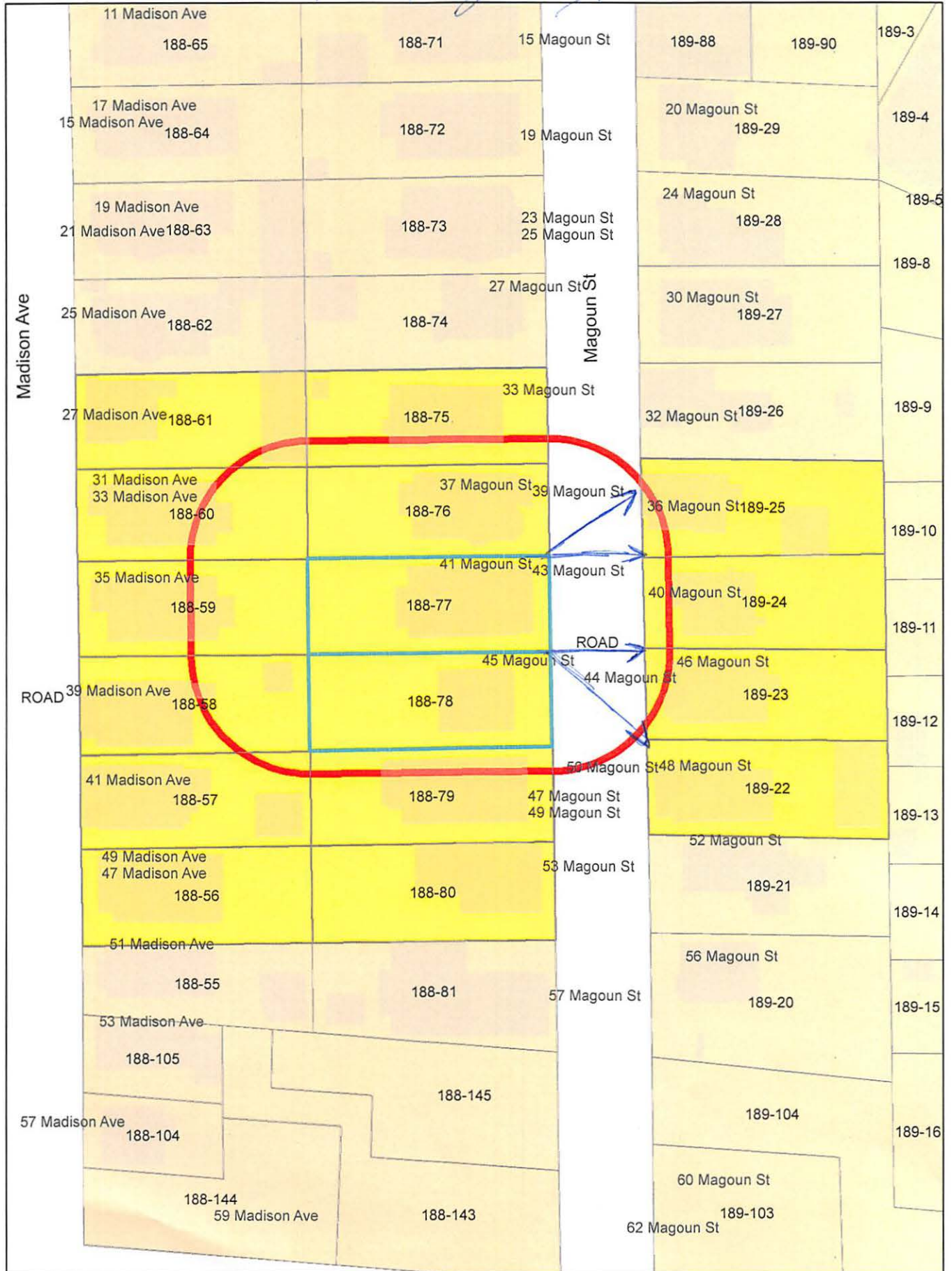
judithrobertson829@gmail.com

Date :

2/12/2020



45 Magoun St.



45 Magoun St.

Petitioner
JAMES PAUL ROBERTSON
45 MAGOUN STREET
CAMBRIDGE, MA 02140

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

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

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

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

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

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

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

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

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

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

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

188-57
41 MADISON AVENUE LLC
10 DRAPER ST, UNIT NO. 23
WOBURN, MA 01801

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

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

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

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

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

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

January 8, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

We submit this letter in support of our neighbors across the street at 41-43 Magoun St and 45 Magoun St, in their application to secure a curb cut, shared driveway, and parking spaces.

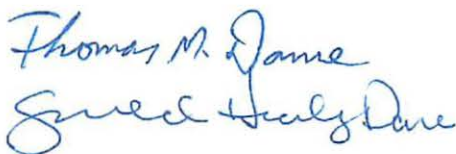
We live and own the property across the street at 40 Magoun St. We have lived here for many years.

This plan will help our neighbors to access their vehicles more safely off the busy street and will be beneficial to us as well. When we exit our driveway, we often must back out and make a wide turn onto Magoun St. With cars parked across the street, it is difficult to do so quickly and safely, especially with oncoming traffic (traffic is especially busy during rush hours, as people cut around Mass Ave lights). Given that the area in front of the proposed curb cut will be free of a parked vehicle, it will open up more space for us to exit our driveway, thus increasing safety and livability.

We also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. We support them here. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community.

As such, we hope you may approve their request.

Thank you,

The block contains two handwritten signatures in blue ink. The first signature is 'Thomas M. Dame' and the second is 'Geraldine Healey-Dame'. Both are written in a cursive, flowing style.

Thomas Dame and Geraldine Healey-Dame
40 Magoun St
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

February 22, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors Neheet Trivedi and Kate McGovern at 41-43 Magoun St, and Judy and Paul Robertson at 45 Magoun St, in their applications to secure a curb cut, shared driveway, and parking spaces.

We live diagonally across the street. My wife and I just gave birth to our first child several months ago. We are lucky to have off-street parking, so it is safe and easy for us to enter and the exit the car with our newborn. I understand the difficulties faced by our neighbors across the street with a young child. Cars come down the street very fast, making it unsafe for them to enter and exit their car with their daughter.

Their concerns are real and I think it would improve the safety of the neighborhood if the city allowed them to have a curb cut and driveway on their property. I support them in their efforts and wanted to share this with you as you consider their application, and I hope you approve their request.

Thank you,



Richard Ho
32 Magoun St APT 1
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

February 22, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I own the three-unit building at 37-39 Magoun St, which abuts 41-43 Magoun St. I have had an opportunity to meet and speak with one of the petitioners, Neheet Trivedi, about the project and see where the driveway would be built. I support this project. The driveway will make it safer for the petitioners at both 41-43 and 45 Magoun St to enter and exit their vehicles; will remove cars from the road thus providing more parking to residents; and will enable the neighbors to move to electric vehicles, thus making the air cleaner.

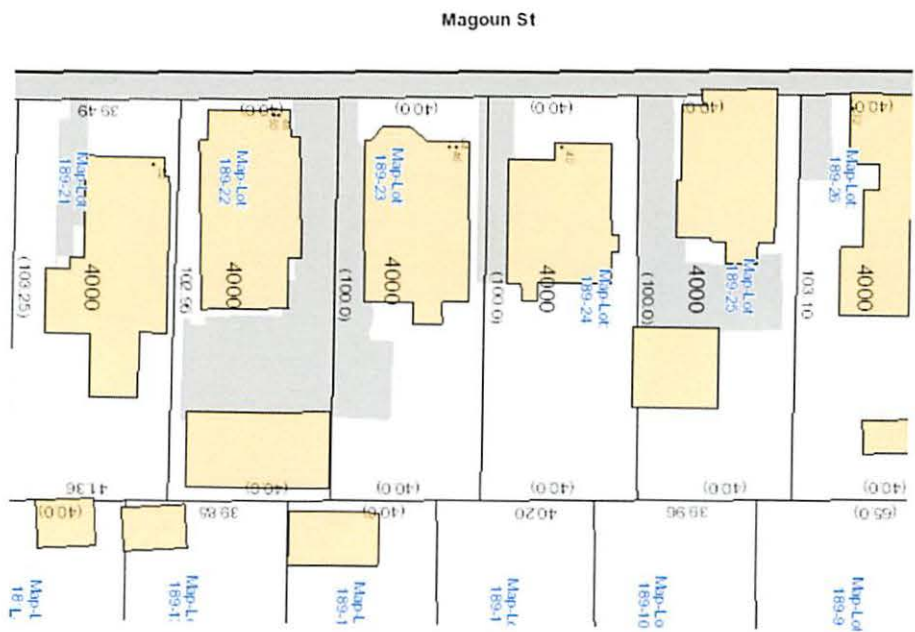
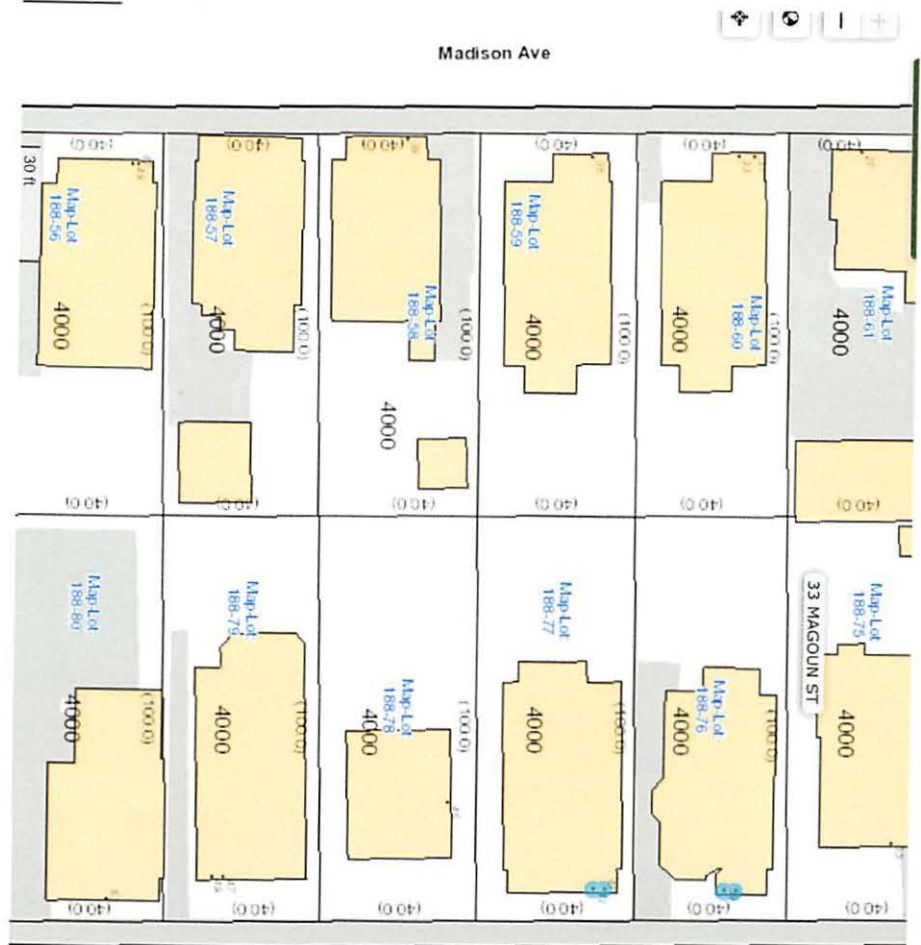
I also understand a small tree may need to be moved, replaced with another, or removed, and that the petitioners may need to park in the front yard setback. I am comfortable with both and believe the benefit to the community and these residents is great enough to support the project.

Thank you,

A handwritten signature in blue ink, appearing to read 'RM', with a long horizontal flourish extending to the right.

Richard Manders
Owner, 37-39 Magoun St
Cambridge, MA 02140

Mail correspondence to:
Senne Management
PO Box 380790
Cambridge, MA 02238



Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

January 8, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors across the street at 41-43 Magoun St and 45 Magoun St, in their application to secure a curb cut, shared driveway, and parking spaces.

I live and own the property across the street at 46 Magoun St. I have lived here for many years.

This plan will help our neighbors to access their vehicles more safely off the busy street and will be beneficial to me and residents in my building as well. When we exit our driveway, we often must back out and make a wide turn onto Magoun St. With cars parked across the street, it is difficult to do so quickly and safely, especially with oncoming traffic (traffic is especially busy during rush hours, as people cut around Mass Ave lights). Given that the area in front of the proposed curb cut will be free of a parked vehicle, it will open up more space for us to exit our driveway, thus increasing safety and livability.

I also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. I support them here. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community. I have tenants in my building and this will open up more street parking for them.

As such, I hope you may approve their request.

Thank you,



Moussa Yehia
46 Magoun St
Cambridge, MA 02140

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





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 Date: 5/5/19

Address: Geri Healey-Dame

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

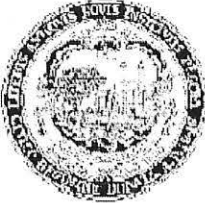


disapproval

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:

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



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

Desrosiers Life Estate

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:

11/6/19

Address:

PO Box 410072

Cambr., MA 02141

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:

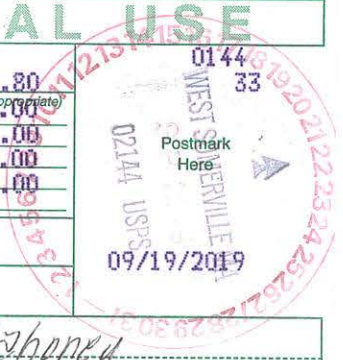
Signed:

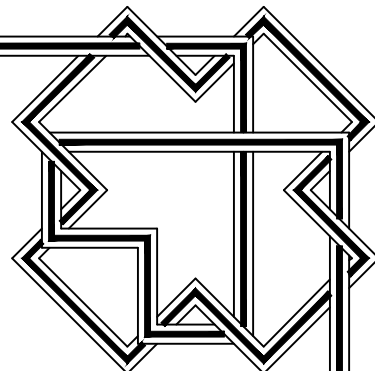
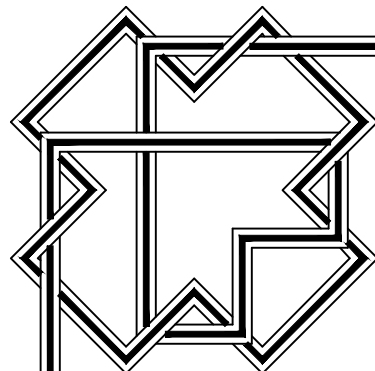
Date:

Address:

7019 0700 0000 6713 4410

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
<i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
CAMBRIDGE, MA 02140	
Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.85
Sent to	
Ms. Alvin V. Mahoney	
Street and Apt. No., or PO Box No.	
39 Madison Ave	
City, State, ZIP+4®	
Cambridge, MA 02140	
PS Form 3800, April 2015 PSN 7530-02-000-9047	
See Reverse for Instructions	





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

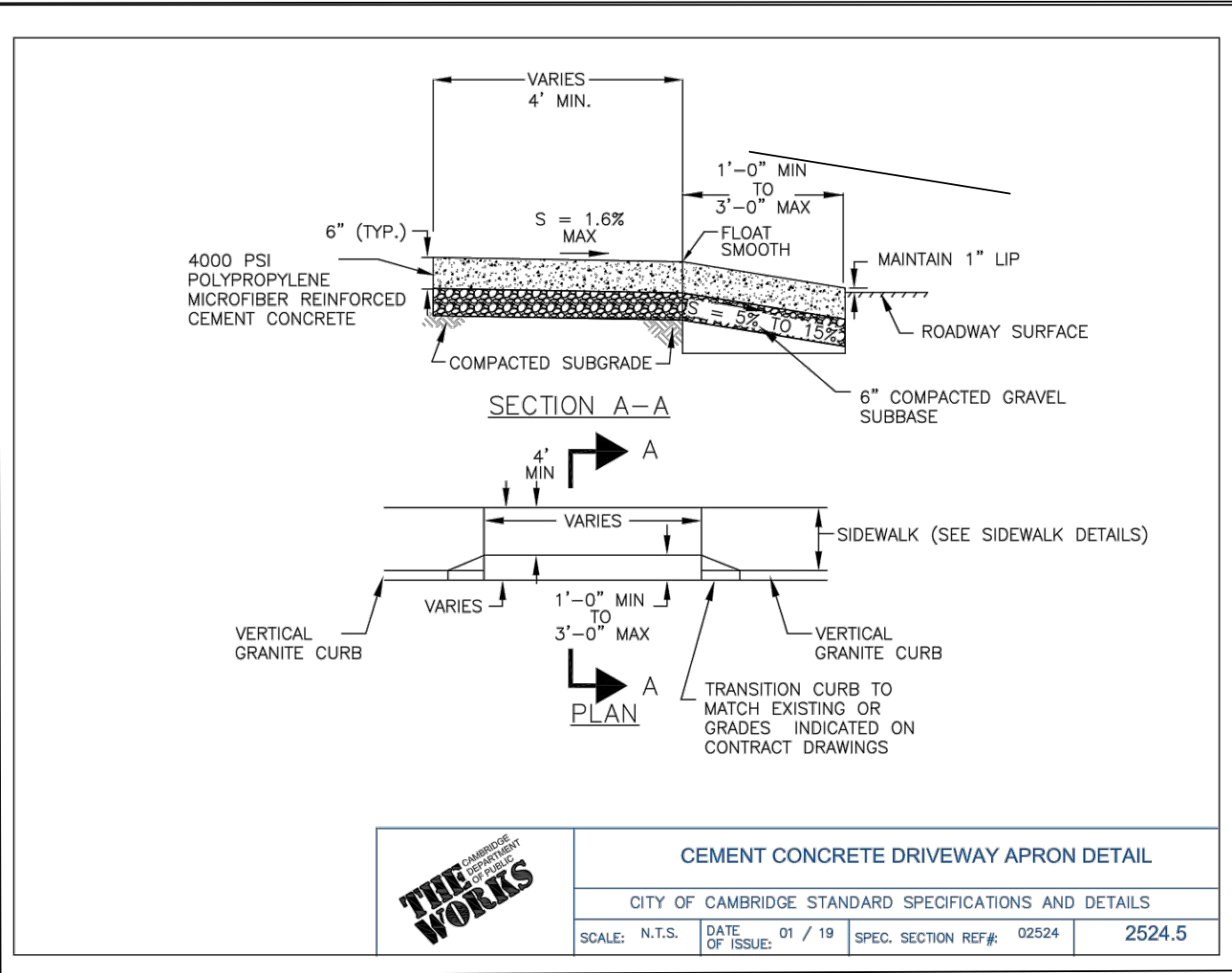
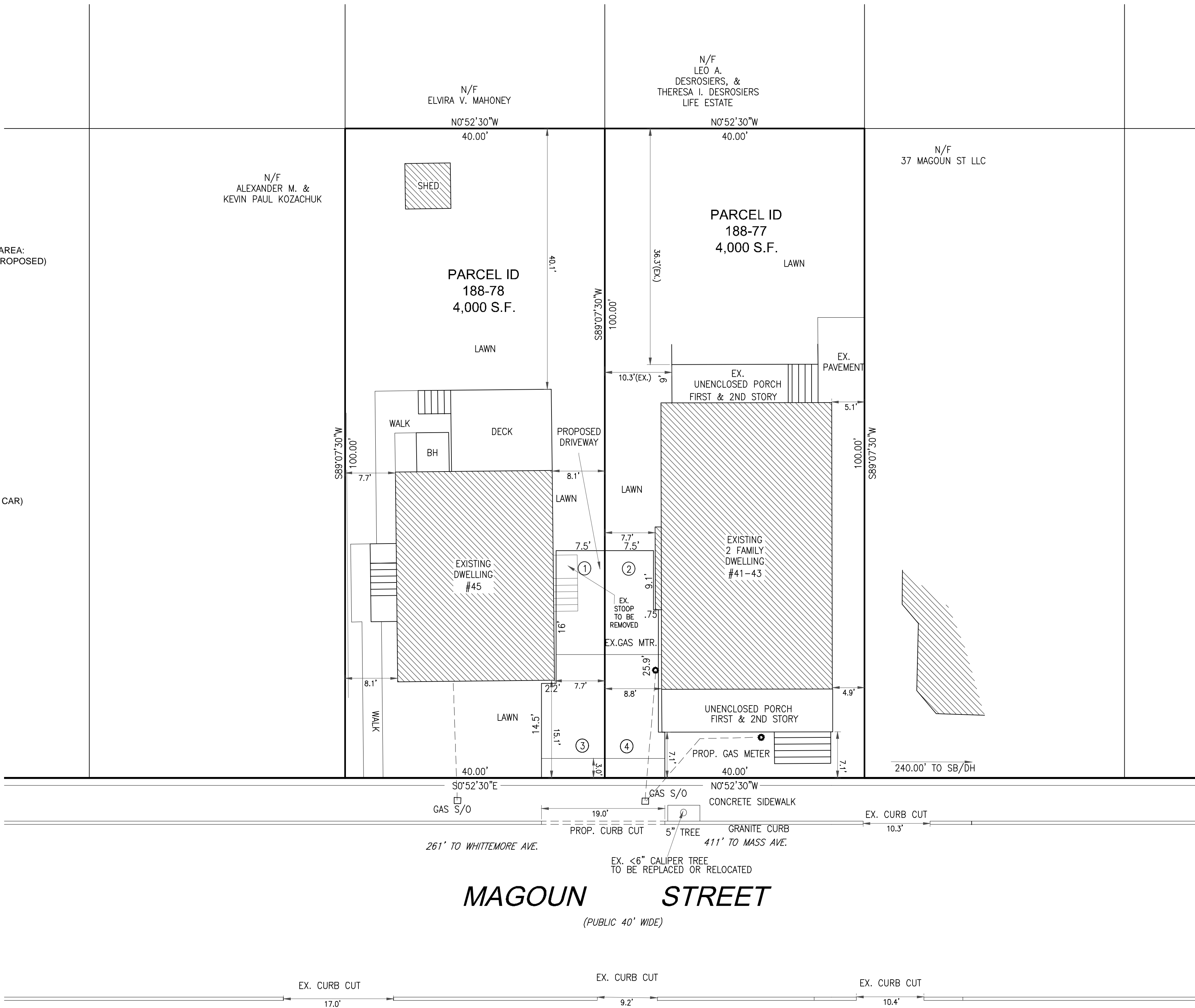
N/F
ELVIRA V. MAHONEY
N0°52'30"W
40.00'

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

N/F
LEO A.
DESROSIER, &
THERESA I. DESROSIER'S
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 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 19' CURB CUT. SPOTS 1&3 FOR 45 MAGOUN. A SPOTS 2&4 FOR 41 MAGOUN

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 = 7.1'
REAR = 36.3'
LEFT SIDE = 7.7'
RIGHT SIDE = 4.9'

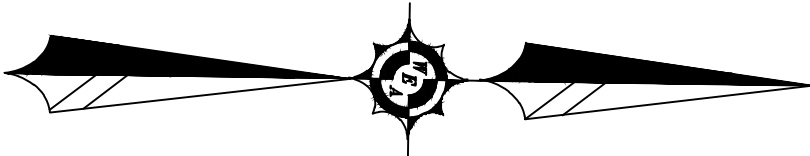
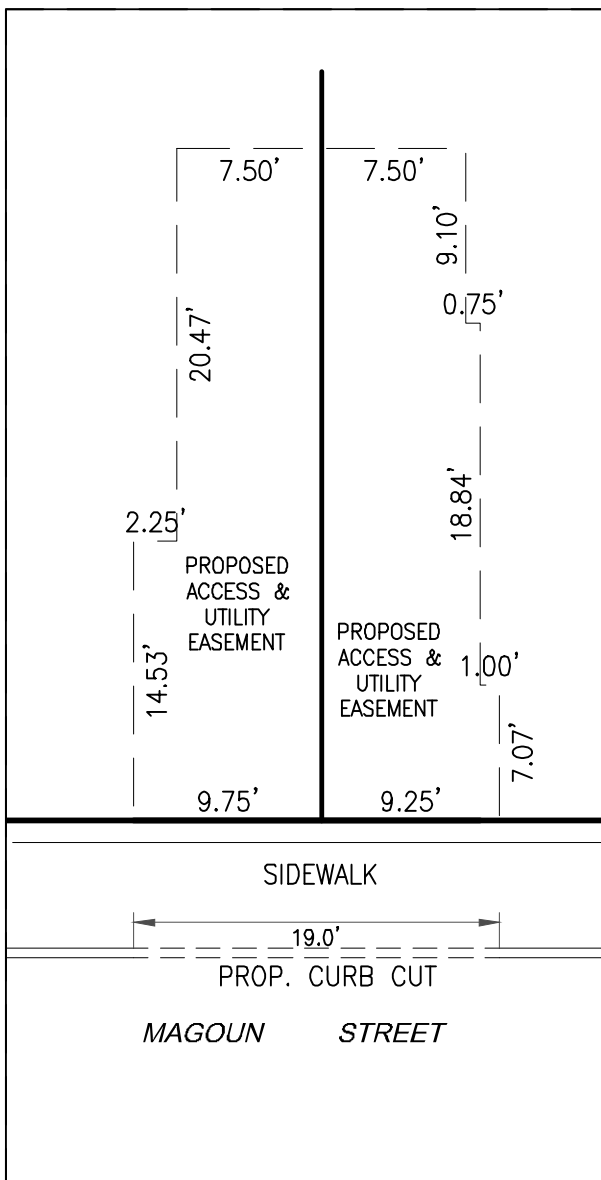
BUILDING HEIGHT:
29'±
(NO CHANGE PROPOSED)

USEABLE OPEN SPACE:
2,499 S.F.

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

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

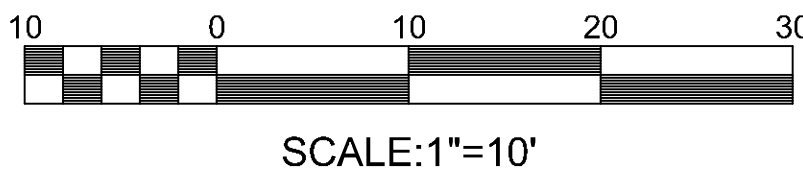
EASEMENT DETAIL
1"=10'



SPECIAL PERMIT
PLAN OF LAND
IN
CAMBRIDGE , MASS.

PREPARED FOR
NAHEET TRIVEDI & JAMES ROBERTSON
SCALE: 1"=10' JANUARY 4, 2020

WEBBY ENGINEERING ASSOCIATES, INC.
ENGINEERS & LAND SURVEYORS
180 COUNTY ROAD - PLYMPTON, MA.
02367 TEL. 1-781-585-1164





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: 3/6/20
(Print)

Address: 45 Magoun St.

Case No. BZA-017258-2020

Hearing Date: 3/26/20

Thank you,
Bza Members



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2020 MAR 19 AM 10:19

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Board of Zoning Appeal Waiver Form

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

RE: Case # BZA-017258-2020

Address: 45 Magoon St.

☒ Owner, ☒ Petitioner, or ☐ Representative: Judith and Paul Robertson
(Print Name)

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: 3/16/20

Judith M. Robertson
Paul Robertson
Signature



Neheet Trivedi <neheet@gmail.com>

summary of your rec. re: tree/curb cut 41-43/45 Magoun St

Putnam, Andrew <aputnam@cambridgema.gov>

Thu, Mar 19, 2020 at 10:58 AM

To: Neheet Trivedi <neheet@gmail.com>

Cc: "Lefcourt, David" <dlefcourt@cambridgema.gov>, "Shea, TJ" <tshea@cambridgema.gov>

Hi Neheet,

The plan you sent is consistent with the discussion we had on site. I had conducted some hand excavation at the edge of the tree well and did not expose any roots. I do not anticipate any significant roots (2" or greater) being uncovered during excavation but if there is you will to contact myself or the City Arborist before proceeding.

Thanks,

Andrew Putnam

From: Neheet Trivedi <neheet@gmail.com>

Sent: Thursday, March 19, 2020 9:36 AM

To: Putnam, Andrew <aputnam@cambridgema.gov>

Subject: summary of your rec. re: tree/curb cut 41-43/45 Magoun St

Hi Andrew,

Thanks for coming by on Wednesday last week to discuss the curb cut and the tree with me and my neighbor, Paul. As discussed, I'm sending this to document your feedback and recommendation on the curb cut proposal at 41-43 and 45 Magoun St. If you could kindly respond acknowledging if I've captured this accurately or if am missing anything, I'd greatly appreciate it.

The existing tree does not need to be cut down, moved or replaced. To provide some space for root structure, the curb cut plan should end about one foot away from the edge of the existing dirt area around the tree. The transition curb slab (the one that slopes up from the street to meet the vertical granite) would start there and go until the front of the tree. At the time of the construction, the contractor should check to make sure no other major root structures extend beyond one foot to the left from the dirt area. I've found a similar example around the corner, and have drawn up what this would look like in the attached here.

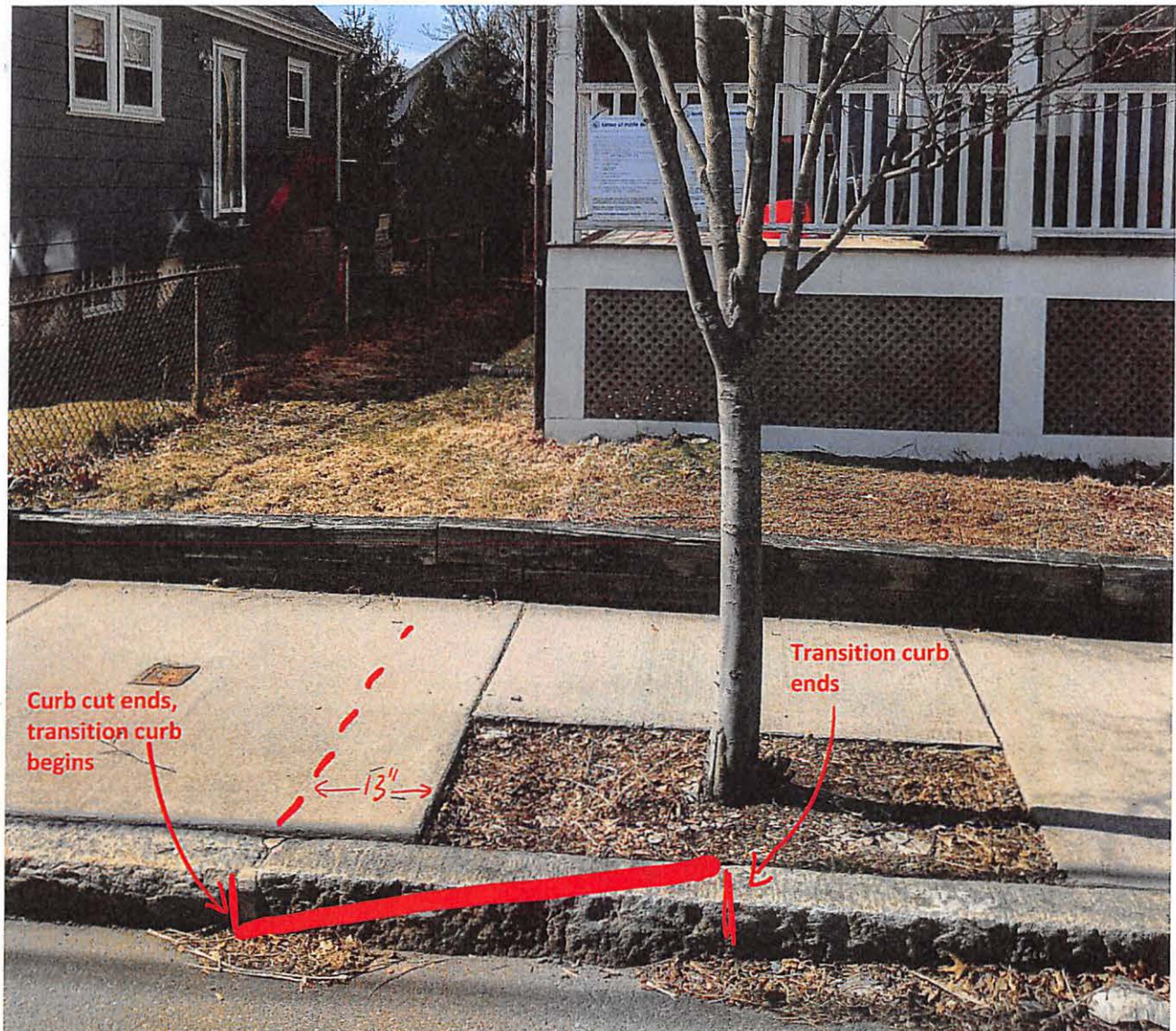
Thank you,

Neheet

Tree plan for curb cut at 41-43 and 45 Magoun Sts.



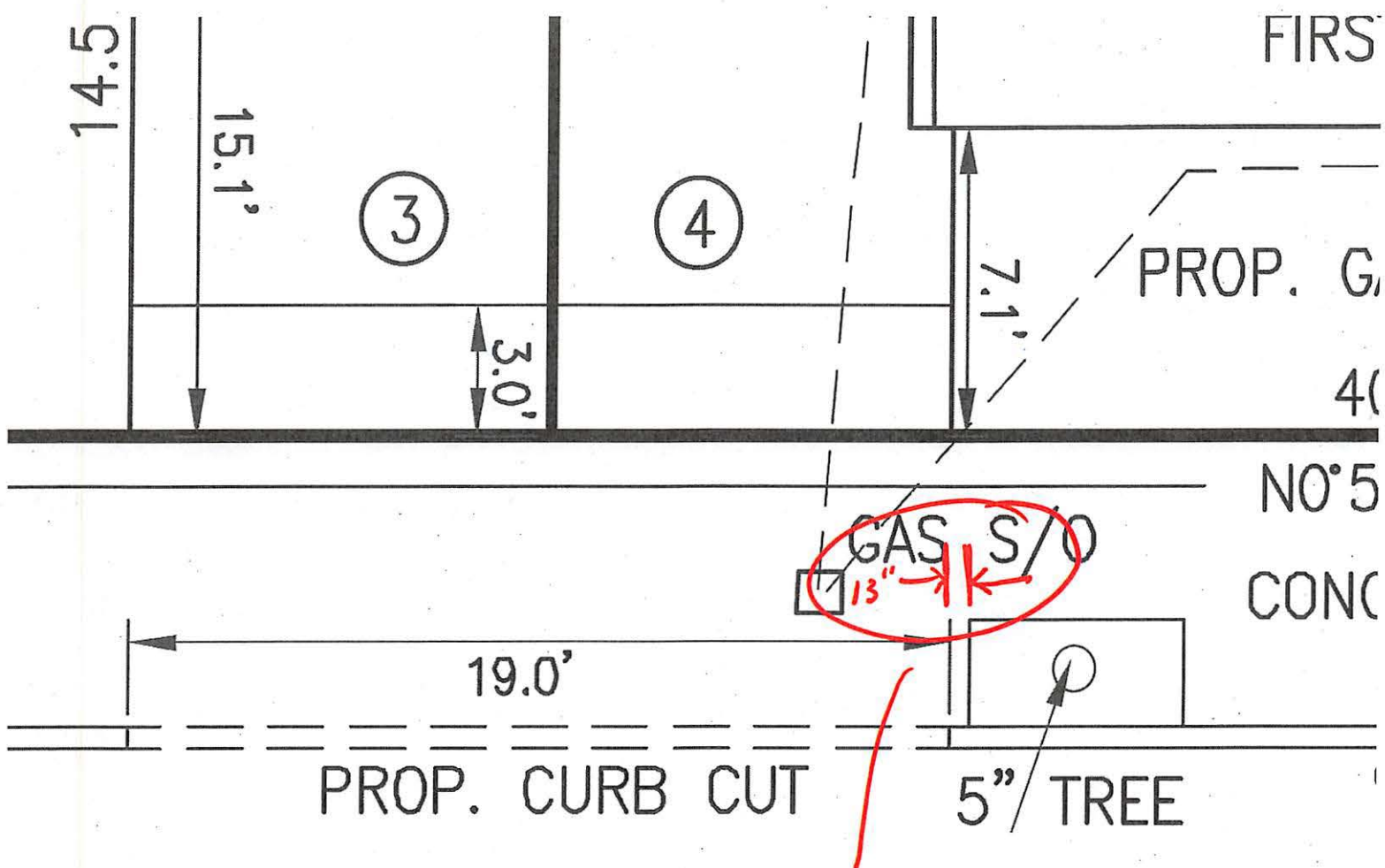
Similar example nearby at 32 Whittemore Ave. Curb cut ends about one foot from the dirt area around the tree. Transition slab/curb starts there and ends directly in front of tree.



Curb cut to end 13 inches from edge of dirt area around tree. Transition curb to start there and end in front of the tree.

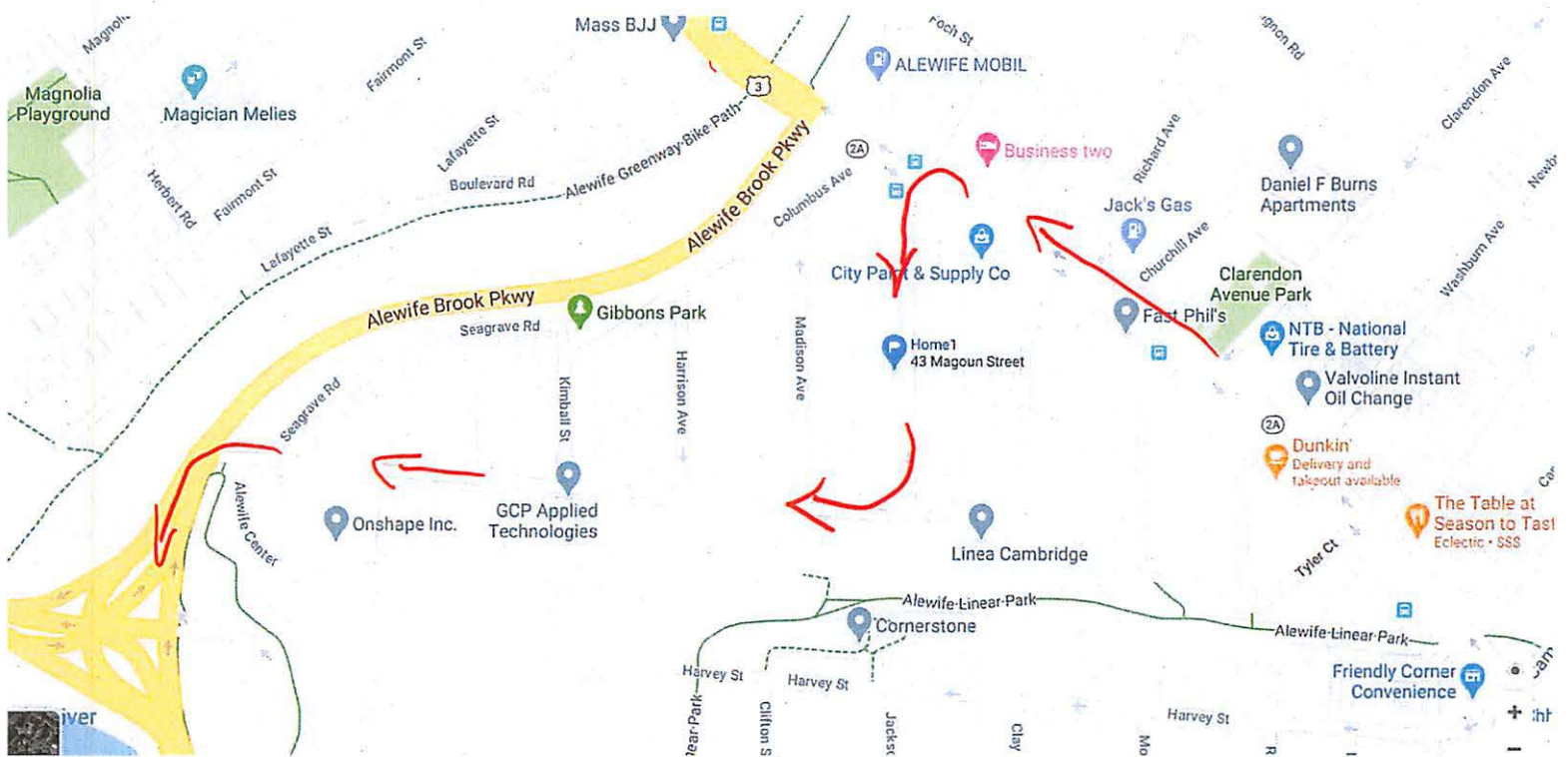


Curb cut to end 13 inches from edge of dirt area around tree. Transition curb to start there and end in front of the tree.



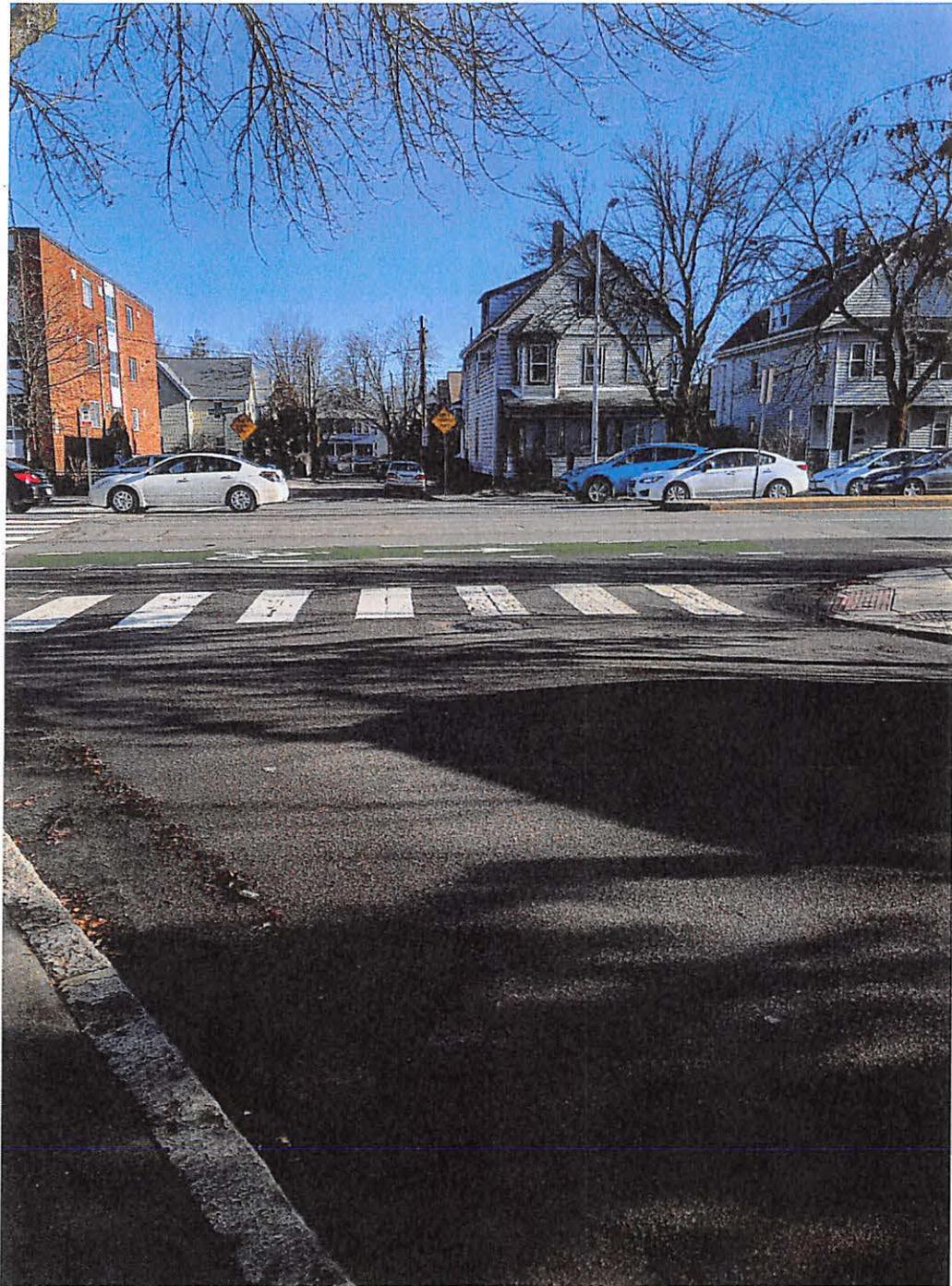
Curb cut to end 13 inches from edge of dirt area around tree.

Drivers bypass Mass Ave and Alewife Brook Pkwy traffic light/intersection by turning on Magoun St





Mass Ave near Alewife Brook Pkwy suffers from extreme traffic during rush hour. Northbound traffic gets backed up quite far.



There is an opening on Mass Ave that allows cars to turn onto Magoun St. Many rush hour commuters use this as a way to avoid waiting for the traffic light at the street corner.



Magoun St is straight and long, which results in drivers speeding down the street during rush hour.

**Additional letters of support for
curb cut and driveway at 41-43
and 45 Magoun St.**

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

January 8, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

We submit this letter in support of our neighbors across the street at 41-43 Magoun St and 45 Magoun St, in their application to secure a curb cut, shared driveway, and parking spaces.

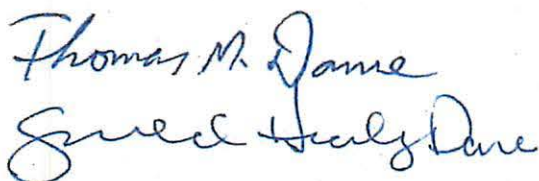
We live and own the property across the street at 40 Magoun St. We have lived here for many years.

This plan will help our neighbors to access their vehicles more safely off the busy street and will be beneficial to us as well. When we exit our driveway, we often must back out and make a wide turn onto Magoun St. With cars parked across the street, it is difficult to do so quickly and safely, especially with oncoming traffic (traffic is especially busy during rush hours, as people cut around Mass Ave lights). Given that the area in front of the proposed curb cut will be free of a parked vehicle, it will open up more space for us to exit our driveway, thus increasing safety and livability.

We also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. We support them here. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community.

As such, we hope you may approve their request.

Thank you,

The block contains two handwritten signatures in blue ink. The first signature is 'Thomas M. Dame' and the second is 'Geraldine Healey-Dame'.

Thomas Dame and Geraldine Healey-Dame
40 Magoun St
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

January 8, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors across the street at 41-43 Magoun St and 45 Magoun St, in their application to secure a curb cut, shared driveway, and parking spaces.

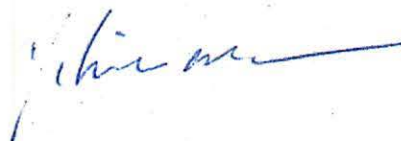
I live and own the property across the street at 46 Magoun St. I have lived here for many years.

This plan will help our neighbors to access their vehicles more safely off the busy street and will be beneficial to me and residents in my building as well. When we exit our driveway, we often must back out and make a wide turn onto Magoun St. With cars parked across the street, it is difficult to do so quickly and safely, especially with oncoming traffic (traffic is especially busy during rush hours, as people cut around Mass Ave lights). Given that the area in front of the proposed curb cut will be free of a parked vehicle, it will open up more space for us to exit our driveway, thus increasing safety and livability.

I also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. I support them here. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community. I have tenants in my building and this will open up more street parking for them.

As such, I hope you may approve their request.

Thank you,

A handwritten signature in blue ink, appearing to read 'Moussa Yehia', with a long horizontal stroke extending to the right.

Moussa Yehia
46 Magoun St
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

February 22, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors Neheet Trivedi and Kate McGovern at 41-43 Magoun St, and Judy and Paul Robertson at 45 Magoun St, in their applications to secure a curb cut, shared driveway, and parking spaces.

We live diagonally across the street. My wife and I just gave birth to our first child several months ago. We are lucky to have off-street parking, so it is safe and easy for us to enter and the exit the car with our newborn. I understand the difficulties faced by our neighbors across the street with a young child. Cars come down the street very fast, making it unsafe for them to enter and exit their car with their daughter.

Their concerns are real and I think it would improve the safety of the neighborhood if the city allowed them to have a curb cut and driveway on their property. I support them in their efforts and wanted to share this with you as you consider their application, and I hope you approve their request.

Thank you,



Richard Ho
32 Magoun St APT 1
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

February 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors Neheet Trivedi and Kate McGovern at 41-43 Magoun St, and Judy and Paul Robertson at 45 Magoun St, in their applications to secure a curb cut, shared driveway, and parking spaces.

I own and live at 33 Magoun St. Most if not all of us on this street have off-street parking and I believe it would be fair for our neighbors to have it as well.

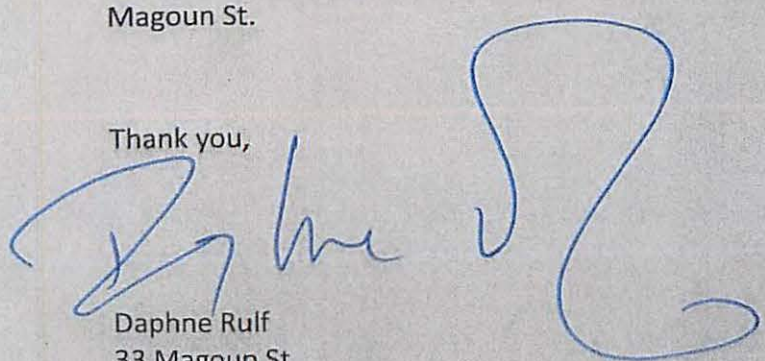
There is a real concern around safety. I have seen how busy this street has become over the last several decades, with traffic cutting around the Mass Ave and Alewife Brook Parkway intersection during rush hours. Cars drive down the street at often dangerous, high rates of speed, putting residents in danger. Given that the petitioners either have young children or are seniors, having off-street parking will make it considerably more safe for them to enter and exit their vehicles. It also makes it safer for anyone driving down the street, including us on Magoun St.

I also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. I support them. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community.

Lastly, our neighbors will be able to move to electric vehicles, improving the environment.

As such, I hope you may approve their request, to the benefit and our neighbors as well as all of us on Magoun St.

Thank you,



Daphne Rulf
33 Magoun St
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

February 22, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I own the three-unit building at 37-39 Magoun St, which abuts 41-43 Magoun St. I have had an opportunity to meet and speak with one of the petitioners, Neheet Trivedi, about the project and see where the driveway would be built. I support this project. The driveway will make it safer for the petitioners at both 41-43 and 45 Magoun St to enter and exit their vehicles; will remove cars from the road thus providing more parking to residents; and will enable the neighbors to move to electric vehicles, thus making the air cleaner.

I also understand a small tree may need to be moved, replaced with another, or removed, and that the petitioners may need to park in the front yard setback. I am comfortable with both and believe the benefit to the community and these residents is great enough to support the project.

Thank you,

A handwritten signature in blue ink, appearing to read 'RM', with a long horizontal flourish extending to the right.

Richard Manders
Owner, 37-39 Magoun St
Cambridge, MA 02140

Mail correspondence to:
Senne Management
PO Box 380790
Cambridge, MA 02238

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

February 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors Neheet Trivedi and Kate McGovern at 41-43 Magoun St, and Judy and Paul Robertson at 45 Magoun St, in their applications to secure a curb cut, shared driveway, and parking spaces.

I have been a long-time Cambridge resident, and have lived at 47-49 Magoun St for several decades. Most if not all of us on this street have off-street parking and I believe it would be fair for our neighbors to have it as well.

There is a real concern around safety. I have seen how busy this street has become over the last several decades, with traffic cutting around the Mass Ave and Alewife Brook Parkway intersection during rush hours. Cars drive down the street at often dangerous, high rates of speed, putting residents in danger. Given that the petitioners either have young children or are seniors, having off-street parking will make it considerably more safe for them to enter and exit their vehicles. It also makes it safer for anyone driving down the street, including us on Magoun St.

I also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. I support them. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community.

Lastly, our neighbors will be able to move to electric vehicles, improving the environment.

As such, I hope you may approve their request, to the benefit and our neighbors as well as all of us on Magoun St.

Thank you,



Alexander and/or Kevin Kozachuk
47-49 Magoun St
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

February 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors Neheet Trivedi and Kate McGovern at 41-43 Magoun St, and Judy and Paul Robertson at 45 Magoun St, in their applications to secure a curb cut, shared driveway, and parking spaces.

I have been a long-time Cambridge resident, and have lived at 56 Magoun St for several decades. Most if not all of us on this street have off-street parking and I believe it would be fair for our neighbors to have it as well.

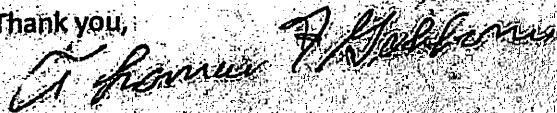
There is a real concern around safety. I have seen how busy this street has become over the last several decades, with traffic cutting around the Mass Ave and Alewife Brook Parkway intersection during rush hours. Cars drive down the street at often dangerous, high rates of speed, putting residents in danger. Given that the petitioners either have young children or are seniors, having off-street parking will make it considerably more safe for them to enter and exit their vehicles. It also makes it safer for anyone driving down the street, including us on Magoun St.

I also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. I support them. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community.

Lastly, our neighbors will be able to move to electric vehicles, improving the environment.

As such, I hope you may approve their request, to the benefit and our neighbors as well as all of us on Magoun St.

Thank you,



Thomas Gibbons
56 Magoun St
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

February 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors Neheet Trivedi and Kate McGovern at 41-43 Magoun St, and Judy and Paul Robertson at 45 Magoun St, in their applications to secure a curb cut, shared driveway, and parking spaces.

I have been a long-time Cambridge resident, and have lived at 57 Magoun St for several decades. Most if not all of us on this street have off-street parking and I believe it would be fair for our neighbors to have it as well.

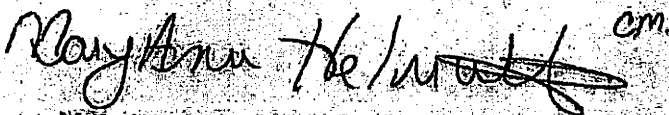
There is a real concern around safety. I have seen how busy this street has become over the last several decades, with traffic cutting around the Mass Ave and Alewife Brook Parkway intersection during rush hours. Cars drive down the street at often dangerous, high rates of speed, putting residents in danger. Given that the petitioners either have young children or are seniors, having off-street parking will make it considerably more safe for them to enter and exit their vehicles. It also makes it safer for anyone driving down the street, including us on Magoun St.

I also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. I support them. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community.

Lastly, our neighbors will be able to move to electric vehicles, improving the environment.

As such, I hope you may approve their request, to the benefit and our neighbors as well as all of us on Magoun St.

Thank you,

A handwritten signature in dark ink, appearing to read "Mary Ann Helmuth", with a small "cm." written to the right.

Mary Ann Helmuth
57 Magoun St
Cambridge, MA 02140

As a North Cambridge resident who cares about my neighborhood, I approve of a curb cut and installation of a driveway / off-street parking at the residences of 41-43 Magoun St, Cambridge, MA and/or 45 Magoun St, Cambridge, MA.

[illegible]

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-017258-2020

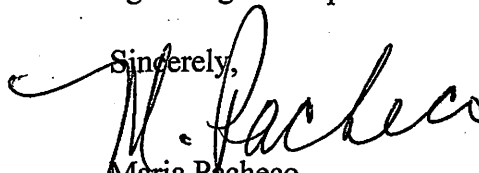
Dear Mr. & Mrs. Robertson,

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,

A handwritten signature in black ink, appearing to read 'M. Pacheco', written over the word 'Sincerely,'.

Maria Pacheco
Administrative Assistant

* * * * *

(7:18 p.m.)

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

CONSTANTINE ALEXANDER: Moving on, the next case
is 017258 -- 45 Magoun Street.

And again, the petitioners -- this is another
variation if you will of the continued case for the same
address, with the petitioners aware of the need to continue
this case as well, and as I said before, have been advised
as to the requirements regarding maintaining signs for the
continued case, and for the time deadlines for submission of
modified plans, specifications or the like.

So the Chair moves that we continue this case
until 7:00 p.m.

BRENDAN SULLIVAN: 7:15.

CONSTANTINE ALEXANDER: 7:15, oh I'm sorry -- and
in my mind I said 7:00 -- 7:15 p.m. on April 23. I'll take
a roll call vote. Brendan?

BRENDAN SULLIVAN: Brendan Sullivan, yes.

CONSTANTINE ALEXANDER: Andrea?

ANDREA HICKEY: Andrea Hickey, yes.

1 CONSTANTINE ALEXANDER: Jim?

2 JIM MONTEVERDE: Yes.

3 [All vote YES]

4 CONSTANTINE ALEXANDER: And the Chair votes yes as
5 well. This case is continued until April 23, 7:00 p.m.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

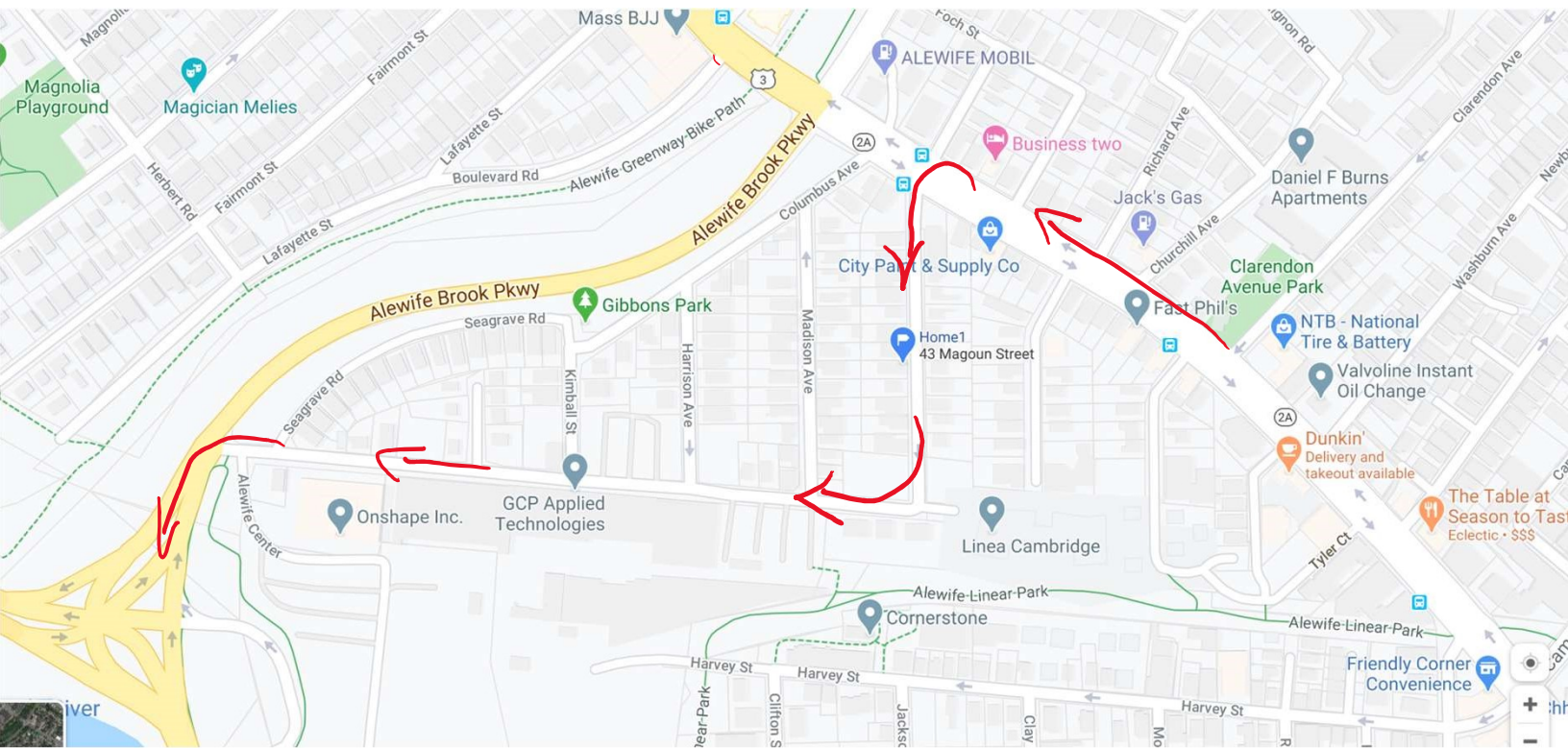
22

Cambridge BZA Presentation 7/9/20: 41-43 and 45 Magoun St shared driveway proposal

Main purpose:

- Safety
- Electric vehicles
- Maintain existing tree coverage

Drivers bypass Mass Ave and Alewife Brook Pkwy traffic light/intersection by turning on Magoun St





Mass Ave near Alewife Brook Pkwy suffers from extreme traffic during rush hour. Northbound traffic gets backed up quite far.



There is an opening on Mass Ave that allows cars to turn onto Magoun St. Many rush hour commuters use this as a way to avoid waiting for the traffic light at the street corner.



Magoun St is straight and long, which results in drivers speeding down the street during rush hour.

Paul and Judy Robertson's vehicle was hit while parked in front of their house (45 Magoun St). This exemplifies the danger of entering and exiting parked vehicles on this street, especially for parents and their children, and seniors.



We have spoken with and gained the support of our neighbors

- 9 abuttor support forms
- 8 letters of support from Magoun St residents, including
- 2 letters from neighbors across the street who also would like driveway to increase their safety
- 9 others in N. Cambridge signed petition in support (including 2 on Magoun St)
- Letter from Superintendent of Urban Forestry and Landscape with feedback that tree does not need to be removed or moved for driveway

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

January 8, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

We submit this letter in support of our neighbors across the street at 41-43 Magoun St and 45 Magoun St, in their application to secure a curb cut, shared driveway, and parking spaces.

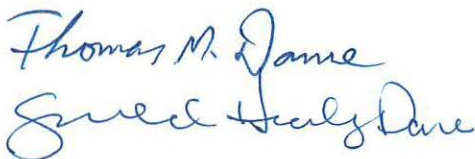
We live and own the property across the street at 40 Magoun St. We have lived here for many years.

This plan will help our neighbors to access their vehicles more safely off the busy street and will be beneficial to us as well. When we exit our driveway, we often must back out and make a wide turn onto Magoun St. With cars parked across the street, it is difficult to do so quickly and safely, especially with oncoming traffic (traffic is especially busy during rush hours, as people cut around Mass Ave lights). Given that the area in front of the proposed curb cut will be free of a parked vehicle, it will open up more space for us to exit our driveway, thus increasing safety and livability.

We also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. We support them here. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community.

As such, we hope you may approve their request.

Thank you,

The block contains two handwritten signatures in blue ink. The first signature is 'Thomas M. Dame' and the second is 'Geraldine Healey-Dame'. Both are written in a cursive, flowing style.

Thomas Dame and Geraldine Healey-Dame
40 Magoun St
Cambridge, MA 02140

Cambridge Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

January 8, 2020

Dear Cambridge Board of Zoning Appeal and Cambridge City Council:

I submit this letter in support of our neighbors across the street at 41-43 Magoun St and 45 Magoun St, in their application to secure a curb cut, shared driveway, and parking spaces.

I live and own the property across the street at 46 Magoun St. I have lived here for many years.

This plan will help our neighbors to access their vehicles more safely off the busy street and will be beneficial to me and residents in my building as well. When we exit our driveway, we often must back out and make a wide turn onto Magoun St. With cars parked across the street, it is difficult to do so quickly and safely, especially with oncoming traffic (traffic is especially busy during rush hours, as people cut around Mass Ave lights). Given that the area in front of the proposed curb cut will be free of a parked vehicle, it will open up more space for us to exit our driveway, thus increasing safety and livability.

I also understand as a part of their proposal, they must request a special permit and variance to park in the space between their houses and in the front yard setback. I support them here. This will help remove as many cars from the street as possible and have them parked on the owner's property, to the benefit of the entire community. I have tenants in my building and this will open up more street parking for them.

As such, I hope you may approve their request.

Thank you,



Moussa Yehia
46 Magoun St
Cambridge, MA 02140

(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

(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



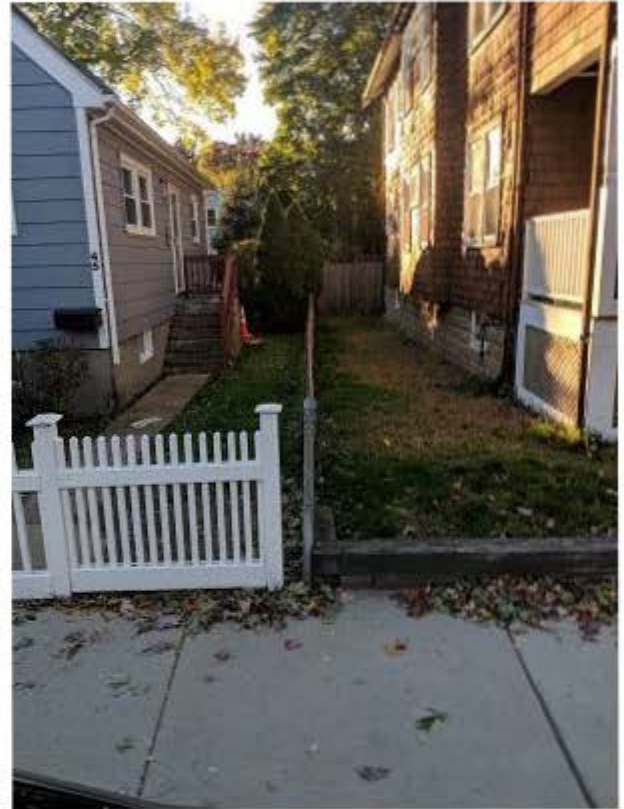
19-21 Kimball St with 2
Seagrave Rd

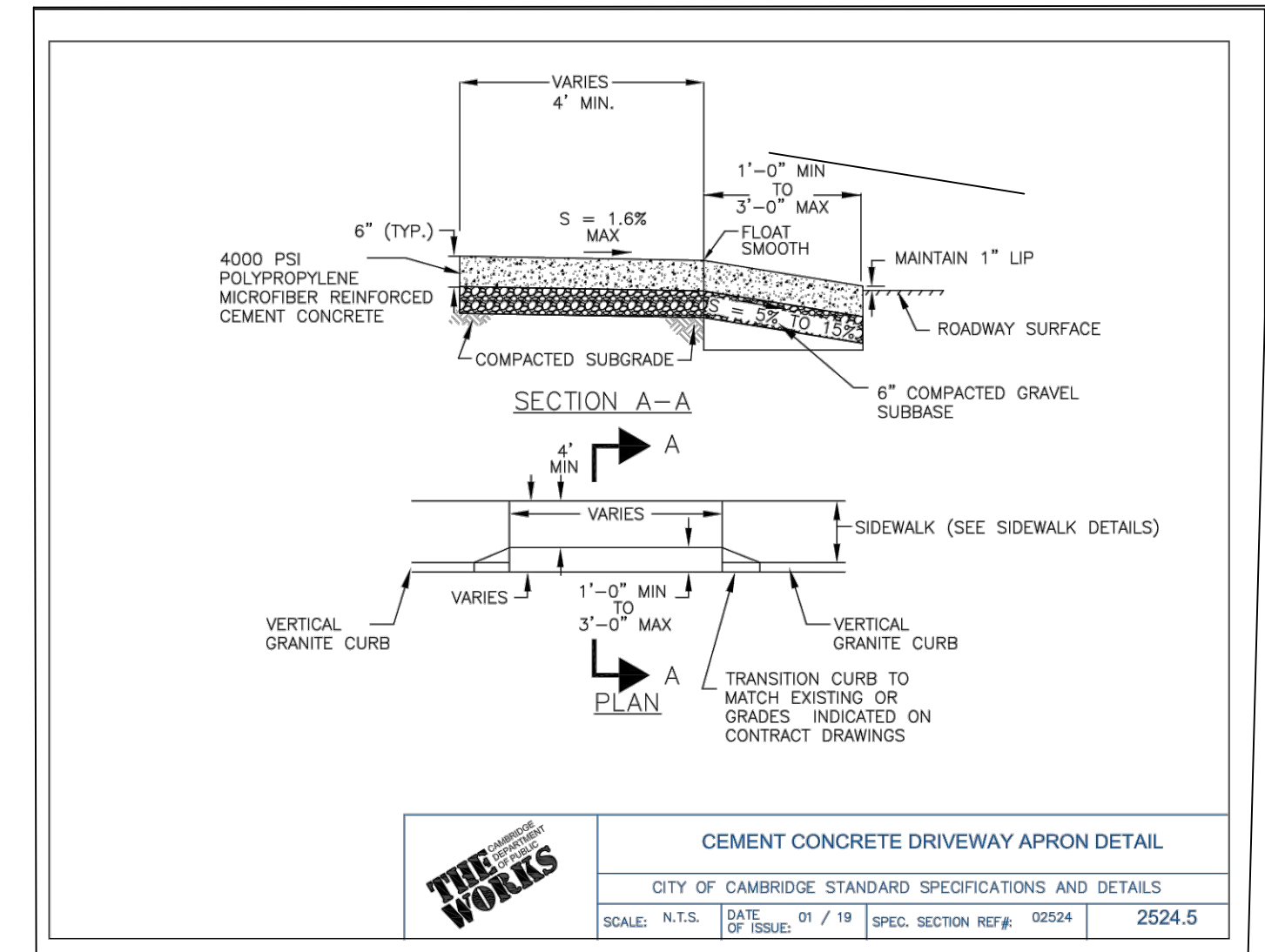
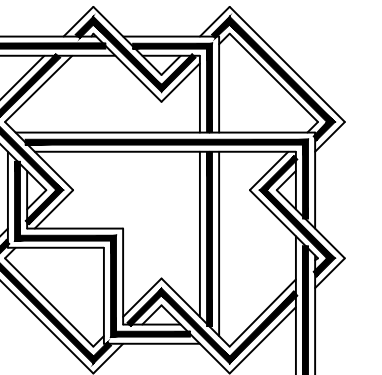


8-10 Columbus with 3
Madison Ave

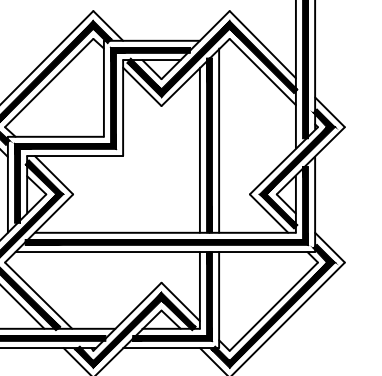
Appendix

Images of proposed driveway location





SCALE:1"=10'



summary of your rec. re: tree/curb cut 41-43/45 Magoun St

Putnam, Andrew <aputnam@cambridgema.gov>

Thu, Mar 19, 2020 at 10:58 AM

To: Neheet Trivedi <neheet@gmail.com>

Cc: "Lefcourt, David" <dlefcourt@cambridgema.gov>, "Shea, TJ" <tshea@cambridgema.gov>

Hi Neheet,

The plan you sent is consistent with the discussion we had on site. I had conducted some hand excavation at the edge of the tree well and did not expose any roots. I do not anticipate any significant roots (2" or greater) being uncovered during excavation but if there is you will to contact myself or the City Arborist before proceeding.

Thanks,

Andrew Putnam

From: Neheet Trivedi <neheet@gmail.com>**Sent:** Thursday, March 19, 2020 9:36 AM**To:** Putnam, Andrew <aputnam@cambridgema.gov>**Subject:** summary of your rec. re: tree/curb cut 41-43/45 Magoun St

Hi Andrew,

Thanks for coming by on Wednesday last week to discuss the curb cut and the tree with me and my neighbor, Paul. As discussed, I'm sending this to document your feedback and recommendation on the curb cut proposal at 41-43 and 45 Magoun St. If you could kindly respond acknowledging if I've captured this accurately or if am missing anything, I'd greatly appreciate it.

The existing tree does not need to be cut down, moved or replaced. To provide some space for root structure, the curb cut plan should end about one foot away from the edge of the existing dirt area around the tree. The transition curb slab (the one that slopes up from the street to meet the vertical granite) would start there and go until the front of the tree. At the time of the construction, the contractor should check to make sure no other major root structures extend beyond one foot to the left from the dirt area. I've found a similar example around the corner, and have drawn up what this would look like in the attached here.

Thank you,

Neheet

Tree plan for curb cut at 41-43 and 45 Magoun Sts.



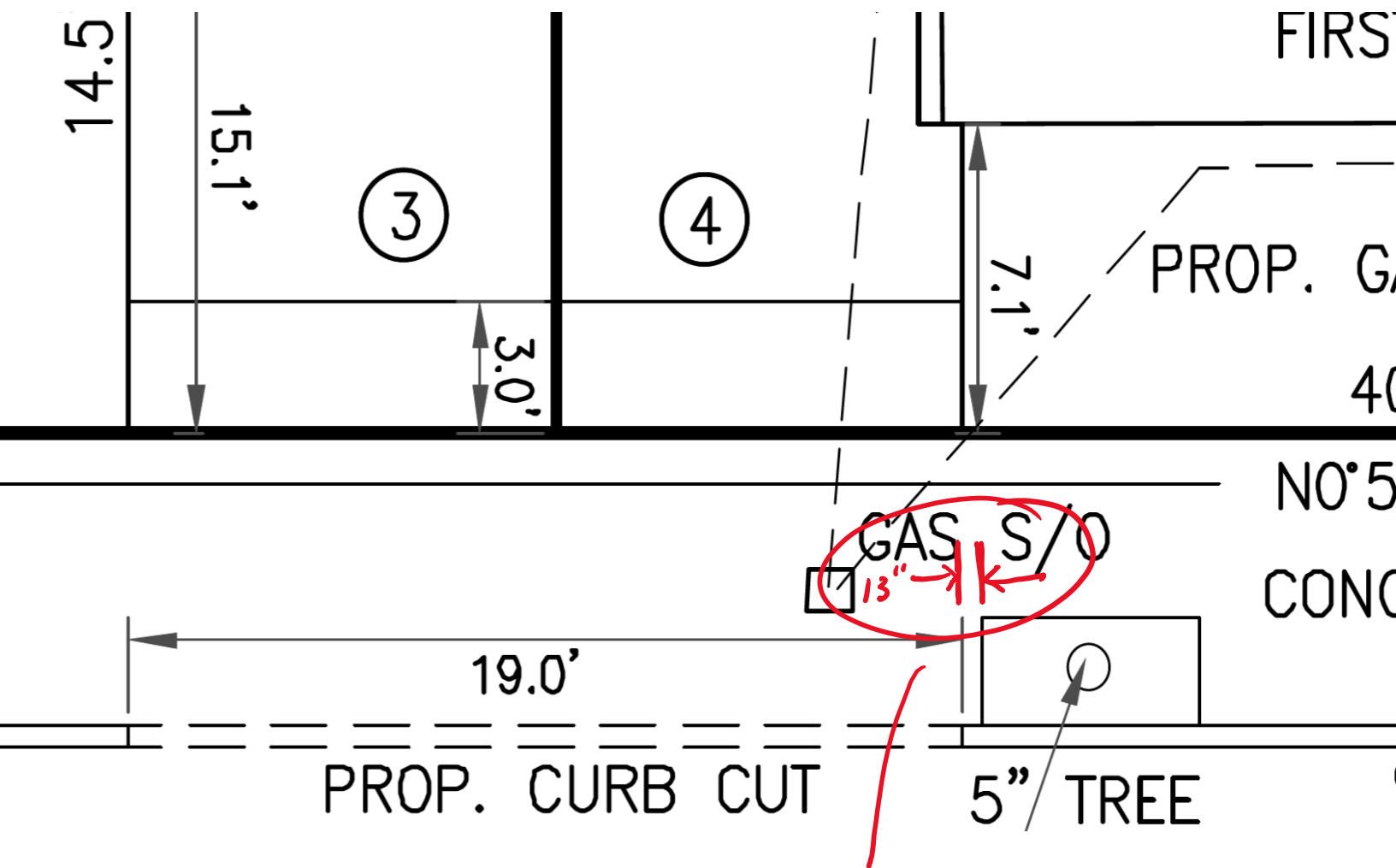
Similar example nearby at 32 Whittemore Ave. Curb cut ends about one foot from the dirt area around the tree. Transition slab/curb starts there and ends directly in front of tree.



Curb cut to end 13 inches from edge of dirt area around tree. Transition curb to start there and end in front of the tree.



Curb cut to end 13 inches from edge of dirt area around tree. Transition curb to start there and end in front of the tree.



Curb cut to end 13 inches from edge of dirt area around tree.

LM GENERAL INSURANCE COMPANY

Westborough Claim Office
FOR SUPPLEMENTS ONLY CALL
1-508-389-3139
FOR OTHER QUESTIONS CALL 1-
800-332-3226
114 Turnpike Road
Westborough, MA 01581
Phone: (508) 389-3139

Claim #: 040752369-0003
Workfile ID: 813722f3

Estimate of Record

Written By: BRENDAN BUTLER, License Number: 13441, 9/11/2019 3:11:28 PM
Adjuster: NEGRON, ADELITA, (508) 621-1464 Business

Insured:	NICOLE MADDEN	Owner Policy #:	Claim #:	040752369-0003
Type of Loss:	Liability	Date of Loss:	08/23/2019 12:00 AM	Days to Repair: 9
Point of Impact:	08 Left Qtr Post (Left Side)	Deductible:		

Owner (Claimant):	Inspection Location:	Appraiser Information:	Repair Facility:
Judith Robertson 45 Magoun St Cambridge, MA 02140-1616 (617) 953-2270 Cellular judithrobertson829@mac.com	103 FELTON ST WALTHAM, MA 02453-4139 Field	Brendan.Butler@LibertyMutual.com (508) 389-3139	Three Sons auto Body 103 Felton St Walyham, MA 02453 (781) 891-9797 Evening

VEHICLE

2014 KIA Sorento SX Limited AWD 4D UTV 6-3.3L Gasoline Gasoline Direct Injection White

VIN:	5XYKWD77EG520921	Production Date:	10/2013	Interior Color:	
License:	1RJ297	Odometer:	74286	Exterior Color:	White
State:	MA	Condition:			

TRANSMISSION

Automatic Transmission
4 Wheel Drive

POWER

Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Heated Mirrors
Power Driver Seat
Power Passenger Seat
Memory Package

DECOR

Dual Mirrors

Air Conditioning

Intermittent Wipers

Tilt Wheel

Cruise Control

Rear Defogger

Keyless Entry

Steering Wheel Touch Controls

Rear Window Wiper

Telescopic Wheel

Climate Control

Dual Air Condition

Navigation System

Backup Camera

Parking Sensors

Home Link

CD Player

Auxiliary Audio Connection

Premium Radio

Satellite Radio

SAFETY

Drivers Side Air Bag

Passenger Air Bag

Anti-Lock Brakes (4)

4 Wheel Disc Brakes

Traction Control

Stability Control

Front Side Impact Air Bags

Head/Curtain Air Bags

Hands Free Device

Xenon Headlamps

SEATS

Bucket Seats
Reclining/Lounge Seats
Leather Seats
Heated Seats
Rear Heated Seats
Ventilated Seats

WHEELS

Chrome Wheels

PAINT

Three Stage Paint

OTHER

Fog Lamps
Rear Spoiler
Signal Integrated Mirrors

Work Order # _____

Eversource is Hereby Authorized To Install A Gas Service Supply Pipe To Enter the Premises Located At:Street 41-43 Maynard StBusiness Name: 41-43 Maynard St LLCTown/City CambridgeOwner's Name: Nehcet TayedTelephone Number 415-967-1225Mail Address: 41 Maynard STREETI Hereby Agree To Pay \$ 1,500 For This Service Line.City Cambridge State MA Zip 02146Owner * Date *Co. Rep. Matt McLaughlin Date 9/27/19The terms of this Agreement are contained on both sides of this application.This Order Void If Not Completed Or Renewed Within 90 DaysProject Nature: Resi 2 Comm _____ Ind _____ Apt _____

Condo _____ Other _____

New Const _____ Main Req _____

Maximum CFH - 500 Rate Class B320 1001 20 1001

New Load No. Cust. Annual MCF No. Cust. Annual MCF

Annual 2 _____Seasonal 1 _____Total 2 _____Revenue 2 _____Description: -Route existing service on private property. Move riser 70' to front of home on left side of front stairs also move gas meters outside to new riser location.

Main Const. Est. Info.: (w/attached Plan or Sketch)

Existing Main: Length _____ Size 1/2" Type CS Press 1" (60) Year 2000

New Main: Length _____ Size _____ Type _____ Press _____ Year _____

Methods of Inst. _____

Ledge/Boulders _____

Gravel/Sand _____

Paving _____ X _____ Ft. _____ Inch Depth _____ Loam/Seed _____ X _____ Ft.

Other _____

Service Const. Est. Info (w/attached Plan or Sketch)

No. of Service 1 Length Ea. ~20' Size 0.5" w/ 0.5" ODRType of Installation Condo _____ Downtown _____ Insert _____ Meter Relocation ✓

Paving _____ X _____ Ft. _____ Inch Depth _____ Loam/Seed _____ X _____ Ft.

Date Needed ASAP Minimum R.O.R. _____ Control # _____Matt McLaughlin
Sales Preparer

Dig Safe Coordinates: _____

Analysis-Design

Premark Completed: Yes ☐ No ☐

Owner may request a specific location for the installation of the gas metering equipment and the Gas Company will consider this request, but the Gas Company reserves the right to determine the location for installation of such equipment.

In the event that the Owner fails to fulfill any of the Owner's obligations pursuant to this Application, or in the event that any of the Owner's representations set forth in this Application are not in fact true, then the Gas Company shall have the right to suspend or terminate its obligations pursuant to this Application, and shall also retain all other rights it may have in law and equity.

This Application is subject to all applicable provisions of the Gas Company's Terms and Conditions, as in effect from time to time, and which are filed with the Massachusetts Department of Public Utilities.

Owner is responsible for restoration of lawn and driveway.

If additional charges are required, Owner will be notified and will have the option of cancelling the installation of the Service Line.

However, if the owner shall fail to take gas service from Eversource following the installation of the service line, the owner shall reimburse Eversource for all costs associated with construction of that line, provided that any amounts previously paid by the owner for that construction shall be deducted from the calculation of additional charges.

This Application is not effective between the two parties and is not binding upon the Gas Company until approved and accepted by the Gas Company and the Owner has tendered all

payments due and evidence of security due to the Gas Company.

Owner hereby authorizes the Gas Company or any of its agents to enter upon the premises described on the reverse side, for the purpose of reading meters, inspecting, repairing or replacing equipment.

Owner warrants that he hold proper title to that strip of land, from the street to the meter, in which the Service Line is installed. If required by the Gas Company, Owner agrees to execute the Gas Company's standard form of easement in favor of the Gas Company concerning the area where the Service Line is installed.

Owner warrants and represents that to the best of Owner's knowledge there are no hazardous substances or materials, as defined under State or Federal law, located in the area where the Service Line is to be installed, and agrees to indemnify the Gas Company from any claims arising from the alleged presence of any such hazardous substances or materials.

Owner shall, prior to the date set for the installation of said Service Line, mark out any private utilities (including, but not limited to, underground electric, sewer, water and septic lines and systems) which are located on the premises where the Service Line is to be installed. Owner agrees that the Gas Company shall not be liable, and Owner shall release the Gas Company and hold the Gas Company harmless, regarding any damage to such private utilities in the event Owner fails to accurately designate the location of those utilities.

Acknowledged and Accepted By Customer: _____

Date _____

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

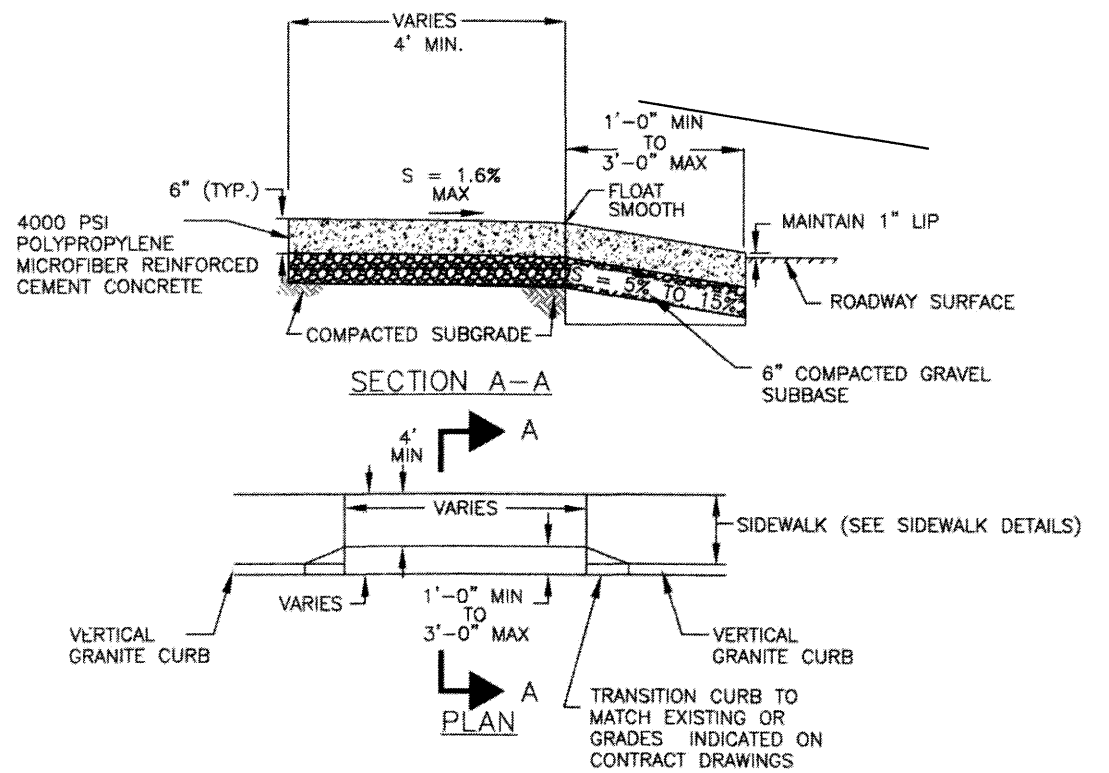
PARCEL ID
188-78
4,000 S.F.

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

N/F
37 MAGOUN ST LLC

N/F
ELVIRA V. MAHONEY

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



CEMENT CONCRETE DRIVEWAY APRON DETAIL				
CITY OF CAMBRIDGE STANDARD SPECIFICATIONS AND DETAILS				
SCALE: N.T.S.	DATE OF ISSUE: 01 / 19	SPEC. SECTION REF#:	02504	2524.5

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 19' CURB CUT. SPOTS 1&3 FOR 45 MAGOUN. A SPOTS 2&4 FOR 41 MAGOUN

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 = 7.1'
REAR = 36.3'
LEFT SIDE = 7.7'
RIGHT SIDE = 4.9'

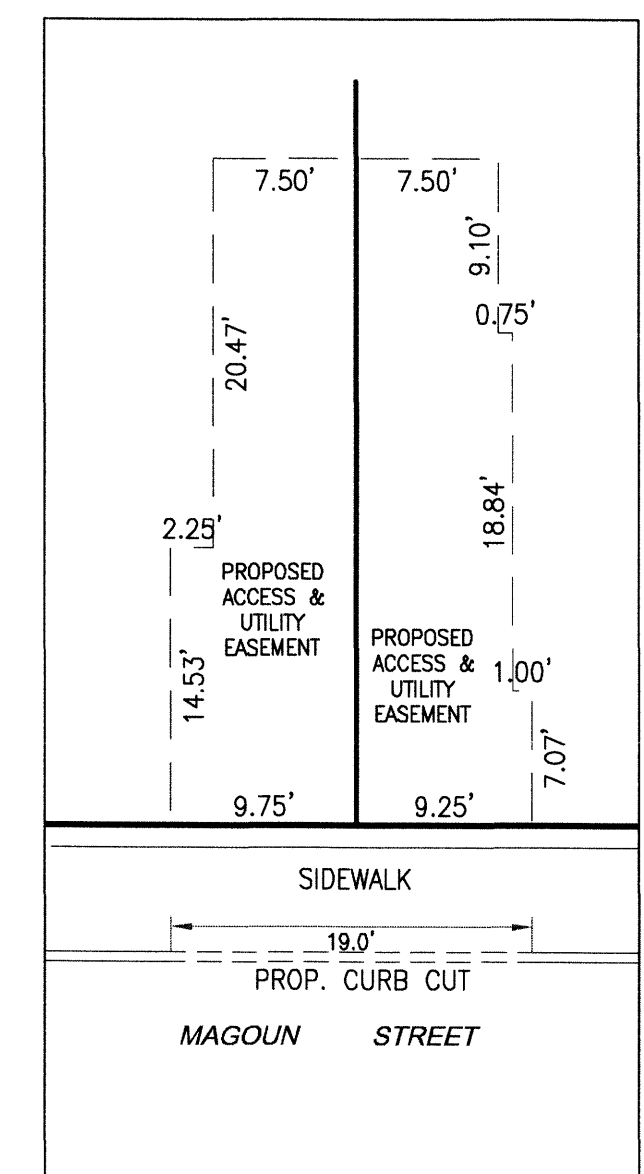
BUILDING HEIGHT:
29'±
(NO CHANGE PROPOSED)

USEABLE OPEN SPACE:
2,499 S.F.

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

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' JANUARY 4, 2020

WEBBY ENGINEERING ASSOCIATES, INC.
ENGINEERS & LAND SURVEYORS
180 COUNTY ROAD - PLYMPTON, MA.
02367 TEL. 1-781-585-1164

