

# **CITY OF CAMBRIDGE**

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2022 FEB 10 PM 4: 35 OFFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

BZA Number: 161353

# **BZA Application Form**

# General Information

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

Special Permit: X

Variance: X

Appeal: \_\_\_\_\_

PETITIONER: Debra and Rich Thompson C/O Adam Glassman, R.A. / GCD Architects

PETITIONER'S ADDRESS: 2 Worthington Street , cambridge, MA 02138

LOCATION OF PROPERTY: 49 Sargent St., Cambridge, MA

TYPE OF OCCUPANCY: Residential Single Family

ZONING DISTRICT: Residence B Zone

# **REASON FOR PETITION:**

/New Structure/

# DESCRIPTION OF PETITIONER'S PROPOSAL:

Construction of a new single family house to replace the existing obsolete single family structure that has low ceilings, non-code compliant stairs, and numerous structural deficiencies. Also, maintain the existing garage.

To maintain existing driveway which is not conforming to setback.

# SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000Section: 5.31 (Table of Dimensional Requirements).Article: 6.000Section: 6.44.1(b,g) (Driveway Requirements).Article: 10.000Section: 10.20 (Verienze) & Sec. 10.40 (Special Permit)

Article: 10.000 Section: 10.30 (Variance). & Sec. 10.40 (Special Permit).

Original Signature(s):

(Petitioner (s) / Owner)

ADAM J. GLASSMAN, R.D. (Print Name) WANNOTON ST. COMBEIDEZ 02138

Address: Tel. No. E-Mail Address:

617-412-8450 ajglassman.ra@gmail.com

Date:

#### BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/WeDebra Thom	npson
	1
Address:	gent Cambridge MA 02140
	yi a she
State that I/We of	own the property located at49 Sargent Cambridge MA 02140,
which is the subj	ject of this zoning application.
The record title	of this property is in the name of
F	Richard and Debra Thompson Revocable Trust
*Pursuant to a de	eed of duly recorded in the date $\frac{6/18/2021}{}$ , Middlesex South
	of Deeds at Book, Page; or
	ry District of Land Court, Certificate No.
BOOK	Page
	Debra Shompson
	SIGNATURE BY LAND OWNER OR
	AUTHORIZED TRUSTEE, OFFICER OR AGENT*
*Written evidence	e of Agent's standing to represent petitioner may be requested
Common altheory of N	Massachusetts, County ofMiddlesex
Commonwealth of M	lassachusetts, County of
The above-name	Debra Thompson personally appeared before me,
	Nary 2022, and made oath that the above statement is true
enus <u></u> or <u></u> or	
	Carrie J. Richald Motary
	Carrie J. Richards
My commission exp	pires January 22, 2027 (Notary Seal).

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

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# **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:

1) The existing house is past its useful life both structurally and functionally, and needs to be either completely modernized or removed and replaced from the ground up. The various substantial upgrades required to such a small house would result in the demolition and resonstruction of so much of the existing structure, that the most sensible and practical approach is to replace the entire outdated structure with a modest new single family house on what is a non-conforming lot.

2) Even with substantial conforming renovations, the existing house cannot safely or comfortably accomodate a family on account of its small size, non code compliant stairs, inadequate framing and low head heights.

3) If relief is not granted in this case, then renovations to the existing house would still result in substandard housing per low ceiling heights, non-code compliant and unsafe stairs at all levels, a deficient structural system, and lack of comfortable space.

4) Any new owner of this property would need to alter so much of the existing structure for safety, comfort and basic modern upgrades, that a rebuild of this property would be the logical conclusion.

The hardship is owing to the following circumstances relating to the soil conditions, shape or
 b) topography of such land or structures and especially affecting such land or structures by not affecting generally the zoning district in which it is located for the following reasons:

The wedge shape lot and the required setbacks, combined with a centrally located healthy tree with a diameter exceeding 8" which cannot (and should not) be removed, and the right side driveway make impossible the ability to build a completelly conforming structure.

### C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

The proposed new single family house design will have no negative impact whatsoever on the neighborhood. The scale and character of the neighborhood will remain unchanged. There will be no loss of privacy, no increase in noise or light pollution. No shadows will be cast on the abutting properties. There will be no loss in off street parking. The existing house is currently considered a local oddity so the proposed design would improve and enhance the streetscape. Building height and usable open space will remain conforming.

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

Although the proposed design requires zoning relief for non-conforming front and left side setbacks and excessive FAR, the proposed design actually increases the size of the existing footprint by a modest 60 SF, usuable open space and pervious surface area remain essentially unchanged, and most importantly, pulls the house away from all the existing non-comforming setbacks at shared lot lines and in the front. Additionally, the existing GFA is 1,817.0 for 2 levels, and the proposed GFA on floors 1 and 2 is a total of 2,192.0 GFA, only a difference of 375.00 GSF. While our total GFA is 2,740 SF, that includes 548.0 GSF comprised of a covered front entry porch, a partially covered rear deck, and part of an unfinished attic space only accessible by a pull down stair. The proposed design is modest, tasteful, and is an aesthetic improvement for the neighborhood in addition to providing a functional but not extravagent single family house on an unusual and difficult lot.

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

# **BZA Application Form**

## 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 <u>49 Sargent St , Cambridge, MA</u> (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:

While the existing driveway to remain does not meet the 5'0" required setback from the right side lot line, it neither has nor will have any negative impacts on the direct abutters or the neighborhood in any way.

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 existing driveway has and will have no impact on egress or traffic.

**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:

The existing driveway has and will have no adverse impacts on the use or development of the adjacent uses.

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 existing driveway to remain would create no nuisance or hazard or detrimental effects of any sort of the citizens of the City because it would reduce neither the privacy not the quality of life for the abutters or anyone else.

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:

The existing driveway has and will have no impact on the scale or character of the existing house or neighborhood.

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

# **BZA Application Form**

### **DIMENSIONAL INFORMATION**

# Applicant:Debra and Rich ThompsonLocation:49 Sargent St., Cambridge, MAPhone:617-412-8450

 Present Use/Occupancy:
 Residential Single Family\_

 Zone:
 Residence B Zone

 Requested Use/Occupancy:
 Residential Single Family

		Existing Conditions	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
<u>TOTAL GROSS FLOOR</u> AREA:		1,817.00	2,800.00 TOTAL GFA (INLC 608 GFA ATTIC & COVERED PORCH)	2,487.50	(max.)
LOT AREA:		4,975.0	4,975.0	5,000.00	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>		.37	.55	.50	
LOT AREA OF EACH DWELLING UNIT		4,975.00	No Change	2,500.00	
SIZE OF LOT:	WIDTH	62.75	No Change	50.0'	
	DEPTH	103.32	No Change	NA	
SETBACKS IN FEET:	FRONT	2'-10" TO HOUSE	2'-0" TO FRONT PORCH / 6'-0" TO HOUSE	15'-0"	
	REAR	63'-8"	41'-2"	25'-0"	
	LEFT SIDE	4'-0" TO HOUSE	7'-11.5" TO HOUSE / 4'-3" TO DECK	7'-6"	
	right Side	10'-10"	12'-6"	12'-6"	
SIZE OF BUILDING:	HEIGHT	23.1'	35.0'	35.0'	
	WIDTH	33'-6"	42'-0"	NA	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		.41 (with 15'x15')	.35 (with 15'x15')	.20 (with 15'x15')	
<u>NO. OF DWELLING</u> <u>UNITS:</u>		1	1	1	
NO. OF PARKING SPACES:		2	1	1	
NO. OF LOADING AREAS:		0	NA	NA	
DISTANCE TO NEAREST BLDG. ON SAME LOT		36'-9" to detached garage	19'-7"	10'-0"	

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

Existing wood frame detached garage, new house to be wood frame

- 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'.







# **PROPOSED STREET VIEW**



**49 SARGENT STREET EXISTING VIEWS** 



GCD ARCHITECTS Adam J. Glassman, R.A. 2 Worthington St Cambridge, MA 02138 Tel. 617-412-8450 ajglassman.ra@gmail.com www.glassmanchungdesign.com

# PERMIT SET

Drawing Title:

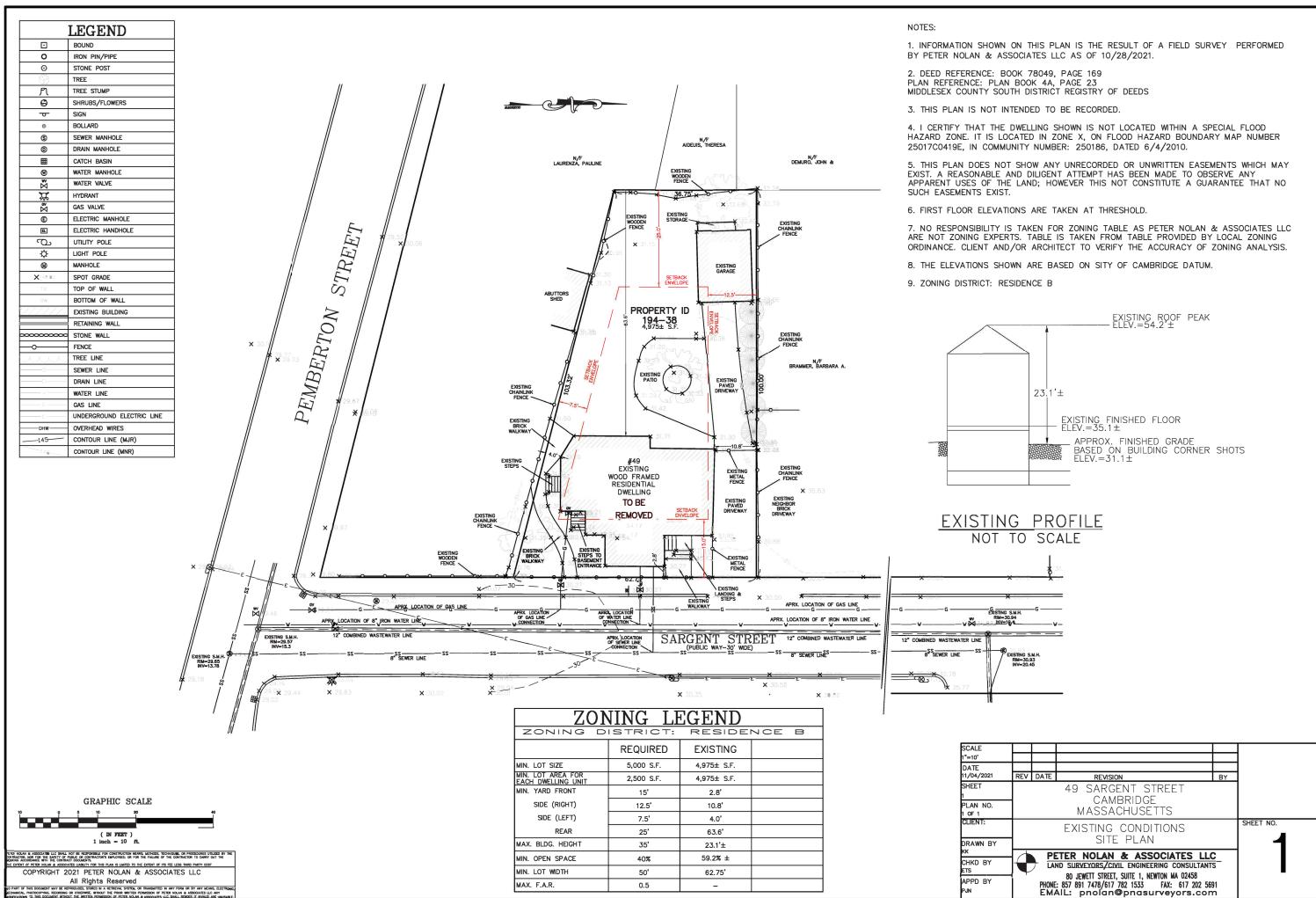
# EXISTING HOUSE PHOTOS

Scale: As Noted

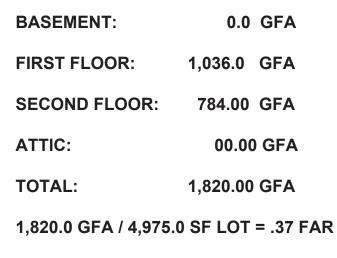
Drawing No.

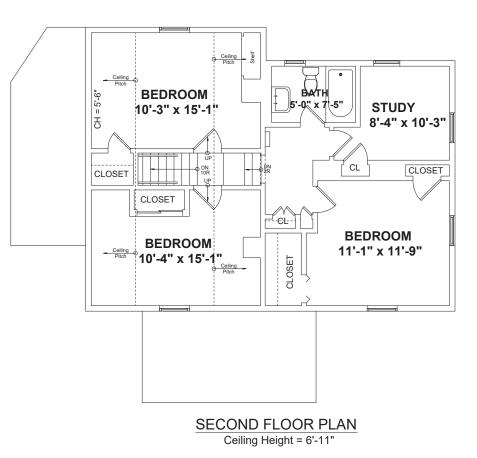
Job No.: A152.00

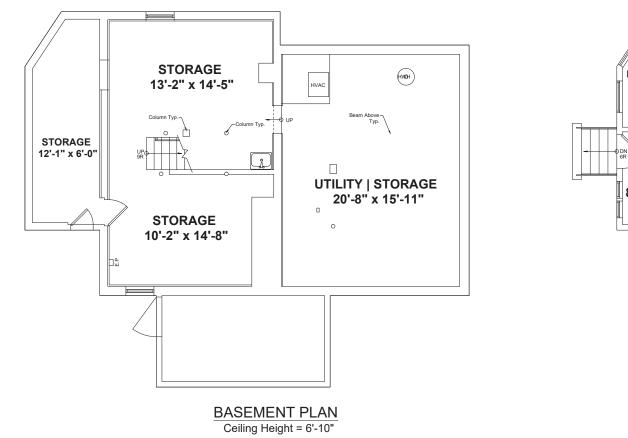


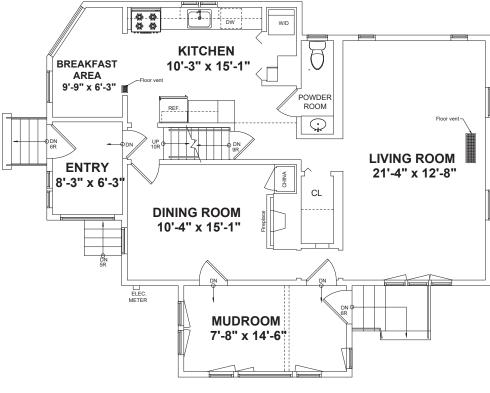












FIRST FLOOR PLAN Ceiling Height = 7'-2"



# GCD ARCHITECTS

Adam J. Glassman, R.A. 2 Worthington St Cambridge, MA 02138 Tel. 617-412-8450 ajglassman.ra@gmail.com www.glassmanchungdesign.com



Drawing Title:

# EXISTING PLANS

Scale: As Noted Job No.: A152.00 Date: 18 JAN 2022 Drawing No.

D1.0



Front Elevation

**Right Elevation** 





GCD ARCHITECTS Adam J. Glassman, R.A. 2 Worthington St Cambridge, MA 02138 Tel. 617-412-8450 ajglassman.ra@gmail.com www.glassmanchungdesign.com

# PERMIT SET

Drawing Title:



Scale: As Noted

Drawing No.

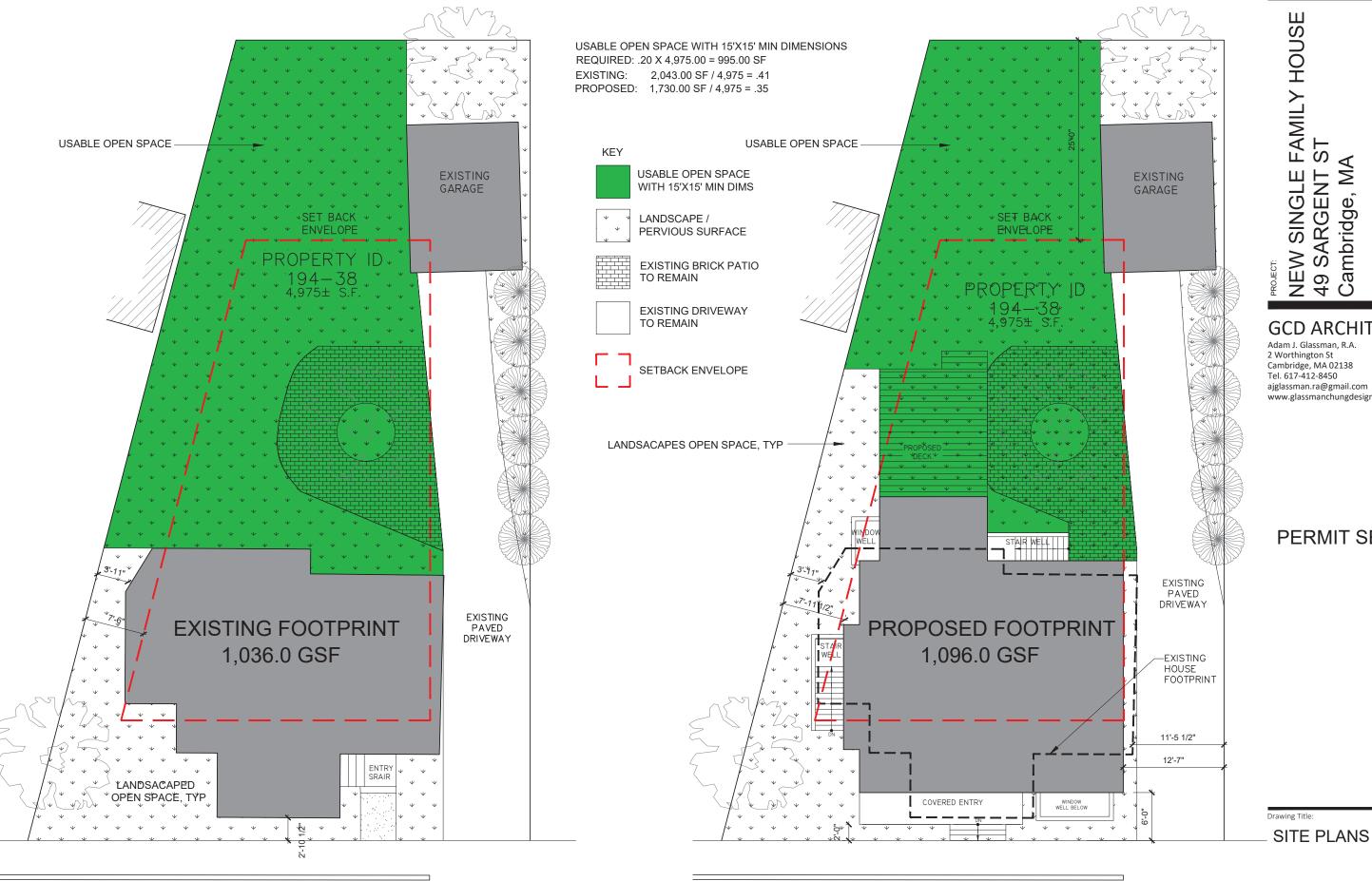
Job No.: A152.00

Date: 18 JAN 2022

D2.0







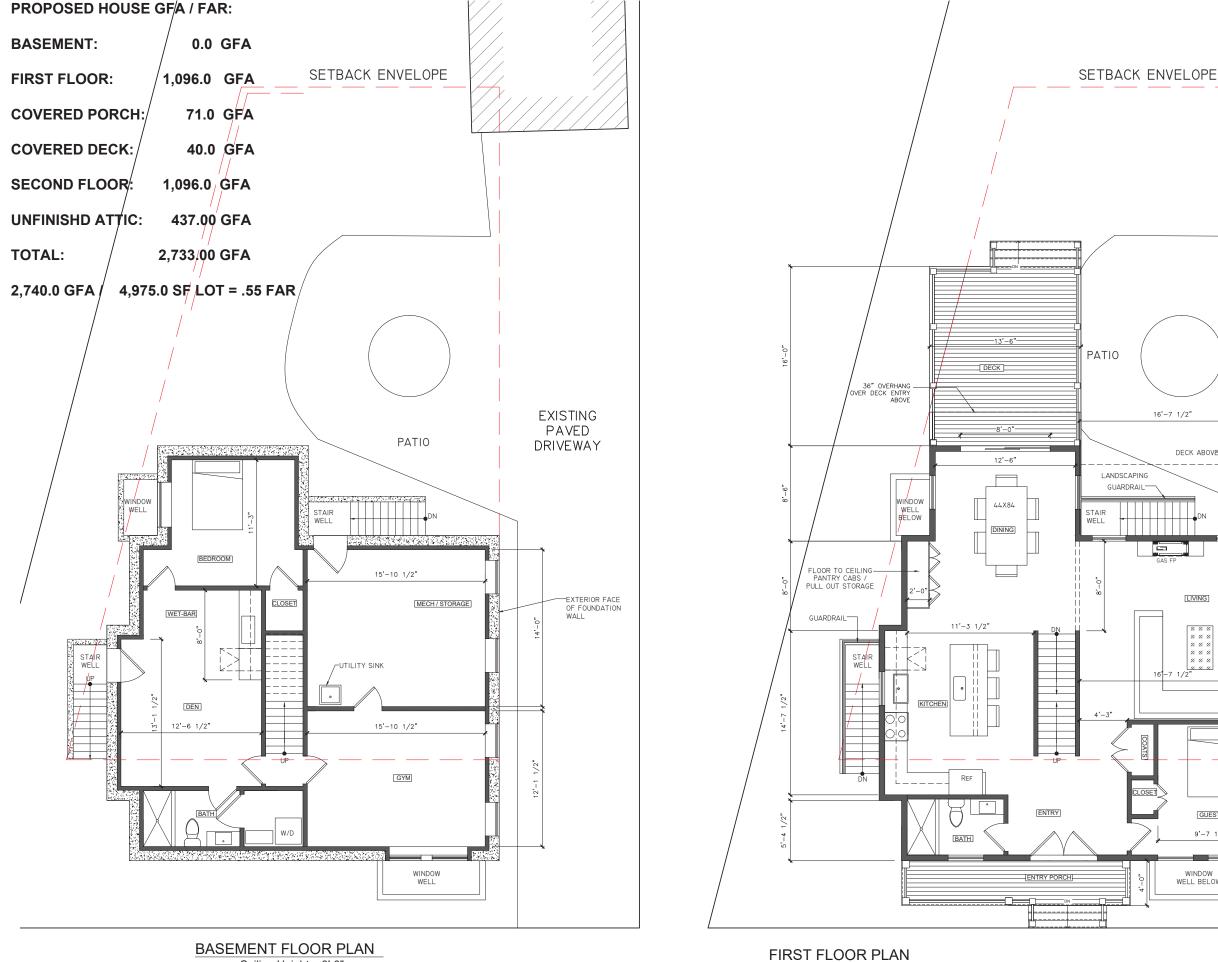
# **GCD ARCHITECTS**

Cambridge, MA 02138 Tel. 617-412-8450 ajglassman.ra@gmail.com www.glassmanchungdesign.com

# PERMIT SET

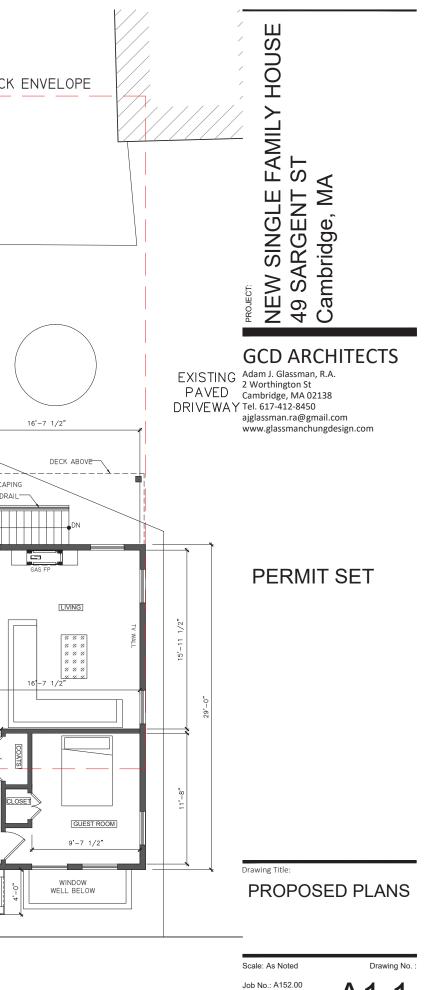


Scale: As Noted Drawing No. Job No.: A152.00 \_1.0 Date: 18 JAN 2022



Ceiling Height = 8'-0"

Ceiling Height = 9'-0"



Date: 18 JAN 2022

A1.1



Date: 18 JAN 2022

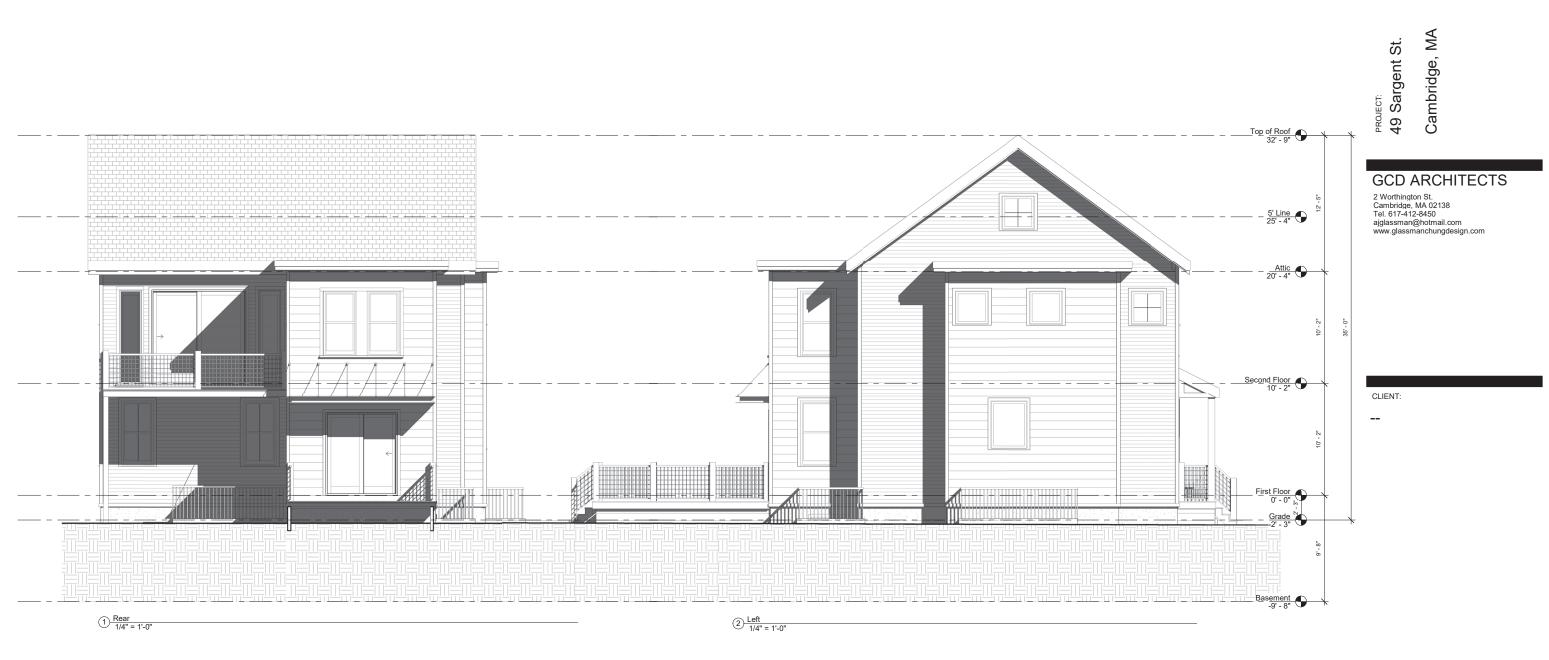




Drawing Title:

# Proposed Elevations

Scale:	1/4" = 1'-0"	Drawing No.:
Job. #:	2022-121	
Date:	1/31/2022	AZ.I





Drawing Title:



Scale:	1/4" = 1'-0"	Drawing No.:
Job. #:	2022-121	
Date:	1/31/2022	AZ.Z





1 Front Right View





③ Front Left View



## GCD ARCHITECTS

2 Worthington St. Cambridge, MA 02138 Tel. 617-412-8450 ajglassman@hotmail.com www.glassmanchungdesign.com

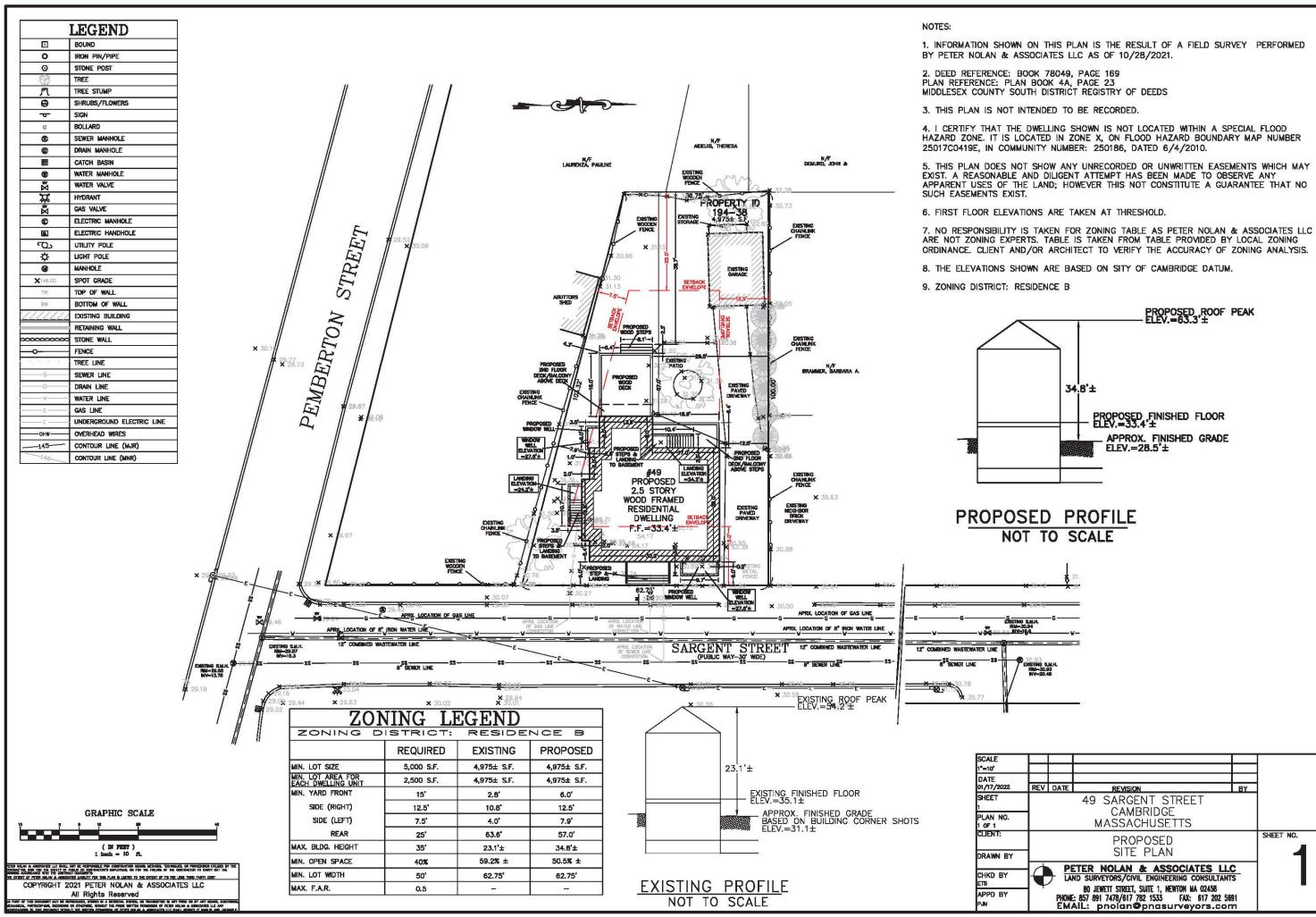
CLIENT:

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Drawing Title:

3D views

Scale:		Drawing No.:
Job. #:	2022-121	
Date:	1/31/2022	A3.1



REV	DATE	REVISION	BY	
		49 SARGENT STREET		
]		CAMBRIDGE MASSACHUSETTS		
		PROPOSED SITE PLAN		SHEET NO.
	P	ETER NOLAN & ASSOCIATES I	LC	
<b>F</b>		ND SURVEYORS/CIVIL ENGINEERING CONSULTA BO JEWETT STREET, SUITE 1, NEWTON MA 02458		
	PHONE	: 857 891 7478/617 782 1533 FAX: 617 202 AIL: pnolan@pnasurveyors.c	5691 om	

05 February 2022

To:

**Cambridge Board of Zoning Appeals** 

831 Mass Ave.

Cambridge MA 02139

Dear Cambridge BZA,

I am writing to express my support for the relief sought for the proposed single-family house at 49 Sargent Street in Cambridge MA.

I have reviewed the plans. The design is tasteful, modest and it compliments the neighborhood very well. It will be extremely functional for a family; it is not an extravagant design.

The proposed design, though non-conforming due the very unusual and non-conforming lot, poses no greater detriment to the neighborhood than the existing non-conforming house which is not representative of the character of our neighborhood, and it is also in need of substantial reconstruction. In fact, the proposed design will be a major aesthetic and functional improvement over the structure that currently stands, and we encourage the BZA to grant the requested relief.

Sincerely, Pauline Rausenga (a 70 yr, resident) [NAME] Pauline Laurenza [ADDRESS] 210 R. Pemberton St., Cambridge, MA 02140 [DATE] Sincerely

[NAME]

[DATE]

2/9/22

Rengal grave to be adopted a set

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13 February 2022

To:

Cambridge Board of Zoning Appeals

831 Mass Ave.

Cambridge MA 02139

Dear Cambridge BZA,

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The proposed design, though non-conforming due the very unusual and non-conforming lot, poses no greater detriment to the neighborhood than the existing non-conforming house. The proposed design will be an aesthetic and functional improvement over the structure that currently stands, and we encourage the BZA to grant the requested relief.

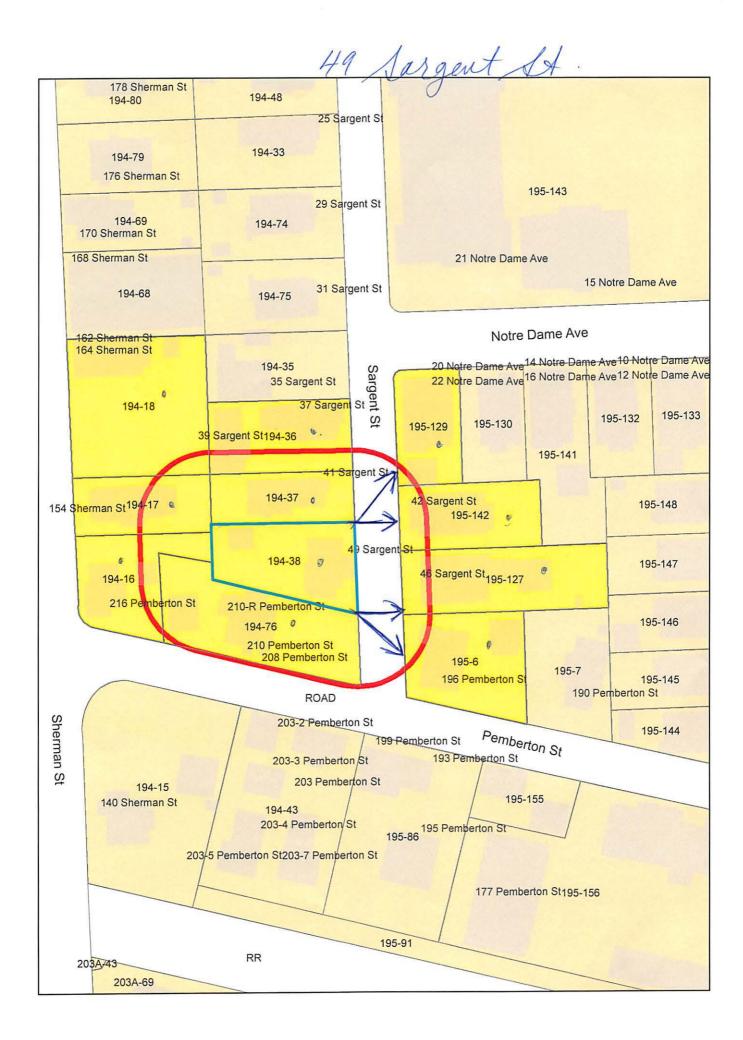
My support is contingent upon the garage/out building remaining on the current footprint.

Sincerely,

Barbara Anderson Brammer

41 Sargent Street

2/13/2021



194-36 IMBRIGLIA, NICHOLAS 37-39 SARGENT ST., #37/3 CAMBRIDGE, MA 02139

195-127 EARLE, JOHN H. III, KAREN M. CRUSCO & KELLIE EARLE 46 SARGENT ST CAMBRIDGE, MA 02140-2530

194-36 PORCELLS, JOAN T 37-39 SARGENT ST., #39/2 CAMBRIDGE, MA 02140

194-36 NENOPOULOS KATHERINE M MOSCATEL GREGORY JOHN 37 SARGENT ST UNT 1 CAMBRIDGE, MA 02140

194-76 LAURENZA, PAULINE 210 R PEMBERTON ST CAMBRIDGE, MA 02140-2516

194-16 AIDEUIS, RICHARD J., JR., TRS THE AIDEUIS FAMILY REALTY TRT 216 PEMBERTON ST CAMBRIDGE, MA 02140 49 Sargent St.

194-36 MEHR, SAMUEL ALEX 37-39 SARGENT ST. UNIT#39/1 CAMBRIDGE, MA 02140

195-142 BERRY, MICHAEL & STEPHANIE JACK 42 SARGENT STREET CAMBRIDGE, MA 02140

194-17 DEMURO, JOHN & PATRICIA LANGE 154 SHERMAN ST. CAMBRIDGE, MA 02140

194-18 ANDERSON GAYLE & DOUGLAS O ANDERSON TRS 162-164 SHERMAN STREET REALTY TRUST 164 SHERMAN ST CAMBRIDGE, MA 02140

194-36 YANG BO & CHENGXING LU 65 THORNBERRY RD WINCHESTER, MA 01890

194-37 BRAMMER, BARBARA A. 41 SARGENT ST CAMBRIDGE, MA 02140-2529

INCI

GCD ARCHITECTS C/O ADAM GLASSMAN, ARCHITECT 2 WORTHINGTON STREET CAMBRIDGE, MA 02138

194-38 THOMPSON RICHARD L III DEBRA L THOMPSON 49 SARGENT ST CAMBRIDGE, MA 02140

195-6 CYR, ELAINE T. 196 PEMBERTON ST CAMBRIDGE, MA 02140-2516

195-142 MANSINGHKA, VIKASH 42 SARGENT ST., #1 CAMBRIDGE, MA 02140

195-129 GIBBS, LEONA C. TRUSTEE OF THE LEONA GIBBS 2014 FAMILY TRT 24 NORTE DAME AVE CAMBRIDGE, MA 02139



# 49 Sargent Ave BZA

Kellie DeJon <kelliedejon@yahoo.com> Thu, Mar 3, 2022 at 1:18 PM To: "ajglassman.ra@gmail.com" <a jglassman.ra@gmail.com>, "thompson\_tx@yahoo.com" <thompson\_tx@yahoo.com>

### Dear Debra,

First I am very sorry that this is late, but I am writing to express my support for the proposed singlefamily house at 49 Sargent Street in Cambridge MA.

I have reviewed the plans and the design is tasteful and modest.

The proposed design poses no greater detriment to the neighborhood. We are thrilled to welcome Debra and Rich to the neighborhood and excited as they seem very nice and want to make their home here.

A few concerns that I have:

- The beautiful tree that is in the backyard is hard to see if will remain in the plans. It's a healthy tree that has been with the home for many, many years. Not sure what the plans are but would love to see it still standing after the renovation.

- Most of the homes in the neighborhood were built over 50 years ago and I have concerns with all the heavy machinery how this may impact the shifting and or cracking in different areas of our homes.

Kellie DeJon 46 Sargent St.

----- Forwarded Message -----

From: Debra Thompson <thompson\_tx@yahoo.com> To: bbrammer@comcast.net <bbrammer@comcast.net>; kelliedejon@yahoo.com <kelliedejon@yahoo.com>; jjlfamily7@msn.com <jjlfamily7@msn.com>; mjaberry@gmail.com <mjaberry@gmail.com>; stephanie.j.jack@gmail.com <stephanie.j.jack@gmail.com> Sent: Saturday, February 5, 2022, 03:54:21 PM EST Subject: Fw: 49 Sargent Ave BZA

Good morning:

I hope all of you are staying warm and dry. It was nice seeing most of you last weekend as we shoveled out from the first storm. We feel so blessed to have you as neighbors.

Please see attached our final submission packet for the city and a letter of support template.

Would you please take the template and either sign a copy - or edit as you see fit - then email me back by next week? You could also copy the text and send me an email of support with your contact information (which is probably easiest). We are going to try and have everything in hand for the hearing scheduled for early March.

Thanks - and let me know if you have any questions.

Debra (and Rich) Thompson 49 Sargent Street (512) 413-5589

----- Forwarded Message -----

[Quoted text hidden]

### 2 attachments

49 Sargent St Support Letter.docx
 13K

2022\_0131 49 SARGENT BZA PLANS\_ELEVATIONS\_PHOTOS 11x17.pdf 5840K



# 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:	(Print)	Date:	3/8/22
Address:	49 Aargent St.	÷	•
Case No	132A.161353		
Hearing Date	3/24/22		

Thank you, Bza Members