

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2021 JUN -2 PM 3:11

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 124207

General Information

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

Special Permit: X Variance: X Appeal:

PETITIONER: Vikas Saini and Julia Ann Croston C/O James J. Rafferty

PETITIONER'S ADDRESS: 907 Massachusetts Avenue, Cambridge, MA 02139

LOCATION OF PROPERTY: 63 Chilton St., Cambridge, MA

TYPE OF OCCUPANCY: Single Family

ZONING DISTRICT: Residence B Zone

REASON FOR PETITION:

/Additions/ /Conversion to Additional Dwelling Units/ /Parking/

DESCRIPTION OF PETITIONER'S PROPOSAL:

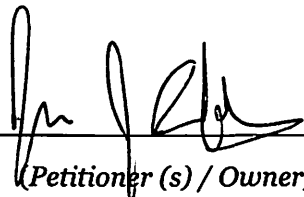
Petitioner seeks to construct non-conforming addition to existing single family structure.

Petitioner seeks to allow for the addition of an accessory dwelling unit and to allow for the continued use of a parking space that does not conform to the location requirements of Article 6.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 4.000 Section: 4.22 (Accessory Dwelling Unit).
- Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
- Article: 6.000 Section: 6.41(c) (Parking in Front Setback).
- Article: 8.000 Section: 8.22.3 (Non-Conforming Structure).
- Article: 10.000 Section: 10.30 (Variance). & Sec. 10.40 (Special Permit).

Original
Signature(s):



(Petitioner (s) / Owner)

James J. Rafferty, Attorney for Petitioner

(Print Name)

Address:

6/1/2021

Tel. No. 617.492.4100
E-Mail Address: jrafferty@adamsrafferty.com

Date: 6/1/21

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

Vikas Saini and Julia Ann Croston
(Owner or Petitioner)

Address: c/o James J. Rafferty 907 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 63 Chilton Street

the record title standing in the name of Vikas Saini and Julia Ann Croston

whose address is 63 Chilton Street, Cambridge MA 02138
(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book 54898 Page 549 or _____ Registry

District of Land Court Certificate No. _____ Book _____ Page _____

Vikas Saini Julia Ann Croston
(Owner)

=====

On this 12th day of April, 2021 before me, the undersigned notary public, personally appeared Vikas Saini & Julia Ann Croston proved to me through satisfactory evidence of identification, which were MAD, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Jayden Ddhir
Notary Public
Commonwealth of Massachusetts
My commission expires May 16, 2025

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 of the provisions of this Ordinance would prevent the Petitioner from making any modifications to this home.

- 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 by not affecting generally the zoning district in which it is located for the following reasons:

The Hardship is directly related to the shape and size of the lot and the age and layout of the building.

- 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 modifications conform to the height, front setback, lot area per dwelling unit and open space requirements, and do not exceed the extent of the existing rear setback violations.

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

The proposed structure is consistent with the size and use of surrounding structures in the 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

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 63 Chilton 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:

Article 4.22 allows for the creation of accessory dwelling units where, as in this case, the existing dwelling has been in existence as of February 2019, it exceeds 1,800 sf of Gross Floor Area, and the proposed accessory unit does not exceed 900sf or 35% of the structure.

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 established neighborhood character contains numerous residential uses which do not contain off street parking.

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 addition of an accessory dwelling unit will not adversely affect adjacent uses in the neighborhood.

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 addition of an accessory unit will neither adversely affect the health, safety and/or welfare of the people living or working in the building nor the citizens of Cambridge.

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 addition of an accessory dwelling unit to this single family structure is not out of character with the 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:** Vikas Saini and Julia Ann Croston**Present Use/Occupancy:** Single Family**Location:** 907 Massachusetts Avenue**Zone:** Residence B Zone**Phone:** 617.492.4100**Requested Use/Occupancy:** Single Family w/ accessory dwelling unit

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	2,682	3,682	3,343.5	(max.)
<u>LOT AREA:</u>	7,410	no change	5,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	.36	.5/35	.497	
<u>LOT AREA OF EACH DWELLING UNIT</u>	7,410	3,705	2,500	
<u>SIZE OF LOT:</u>				
WIDTH	75	no change	50	
DEPTH	88-111	no change	N/A	
<u>SETBACKS IN FEET:</u>				
FRONT	21.7'	17.7'	15'	
REAR	16.5'	16.5' (plus new .33' insulation)	25'	
LEFT SIDE	16.4	17.8-8.75'	7'6" (sum of 20')	
RIGHT SIDE	23.4	27.75-20'	7'6" (sum of 20')	
<u>SIZE OF BUILDING:</u>				
HEIGHT	21'	34-35'	35'	
WIDTH	52.9'	no change	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	66.1%	54%	40%	
<u>NO. OF DWELLING UNITS:</u>	1	2	2	
<u>NO. OF PARKING SPACES:</u>	1	no change	1	
<u>NO. OF LOADING AREAS:</u>	0	no change	N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	N/A	N/A	N/A	

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.

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



A-5

Left Side Elevation

SCALE: 1/8" = 1'-0"
DATE
OF ISSUE: 4.8.20.

The Saini Croston Residence
63 Chilton St
Cambridge, MA

Amacher and Associates Architects

237 Mt Auburn St., Cambridge, MA 02138
www.amacher-associates.net

Phone: 617 354-8707





A-6

East Elevation

SCALE: 1/8" = 1'-0"
DATE
OF ISSUE: 4.28.21.

The Saini Croston Residence
63 Chilton St
Cambridge, MA


Amacher and Associates Architects

237 Mt Auburn St., Cambridge, MA 02138
www.amacher-associates.net

Phone: 617 354-8707





A-7	North Elevation	The Saini Croston Residence 63 Chilton St Cambridge, MA	Amacher and Associates Architects 237 Mt Auburn St., Cambridge, MA 02138 www.amacher-associates.net Phone: 617 354-8707	
	SCALE: 1/8" = 1'-0" DATE OF ISSUE: 4.28.21.			



A-8

West Elevation

SCALE: 1/8" = 1'-0"
DATE
OF ISSUE: 4.28.21.

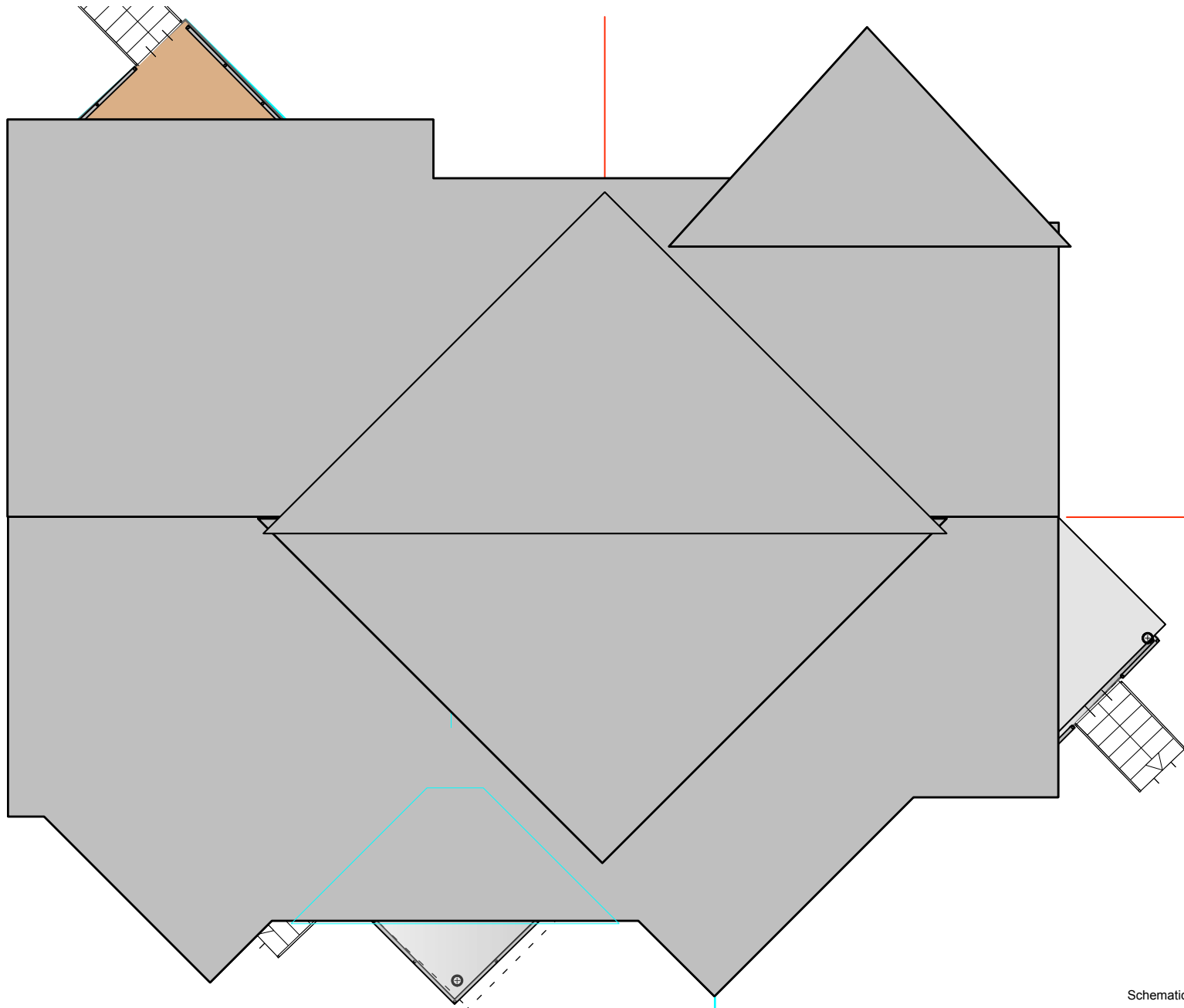
The Saini Croston Residence
63 Chilton St
Cambridge, MA

Amacher and Associates Architects


237 Mt Auburn St., Cambridge, MA 02138
www.amacher-associates.net

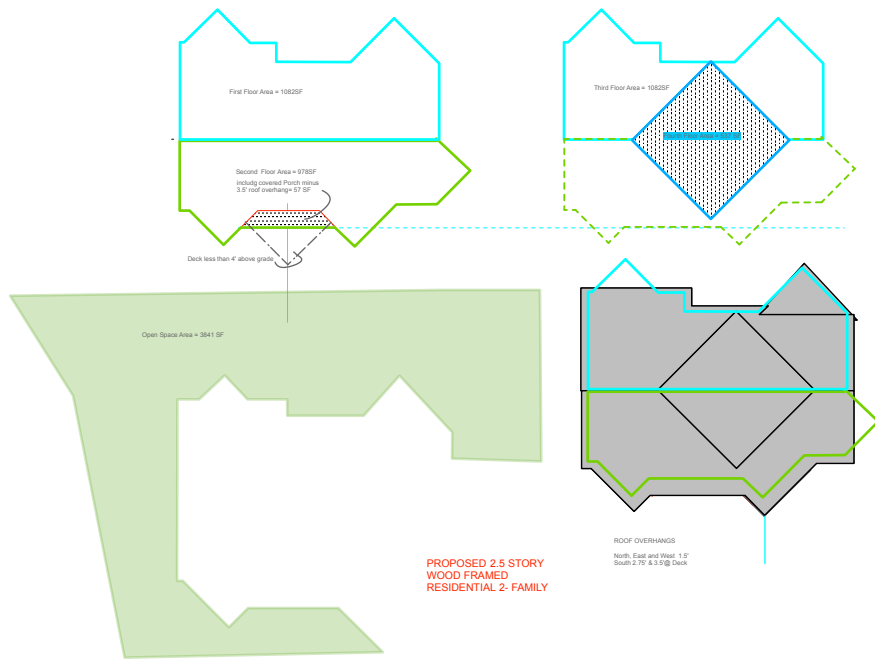
Phone: 617 354-8707




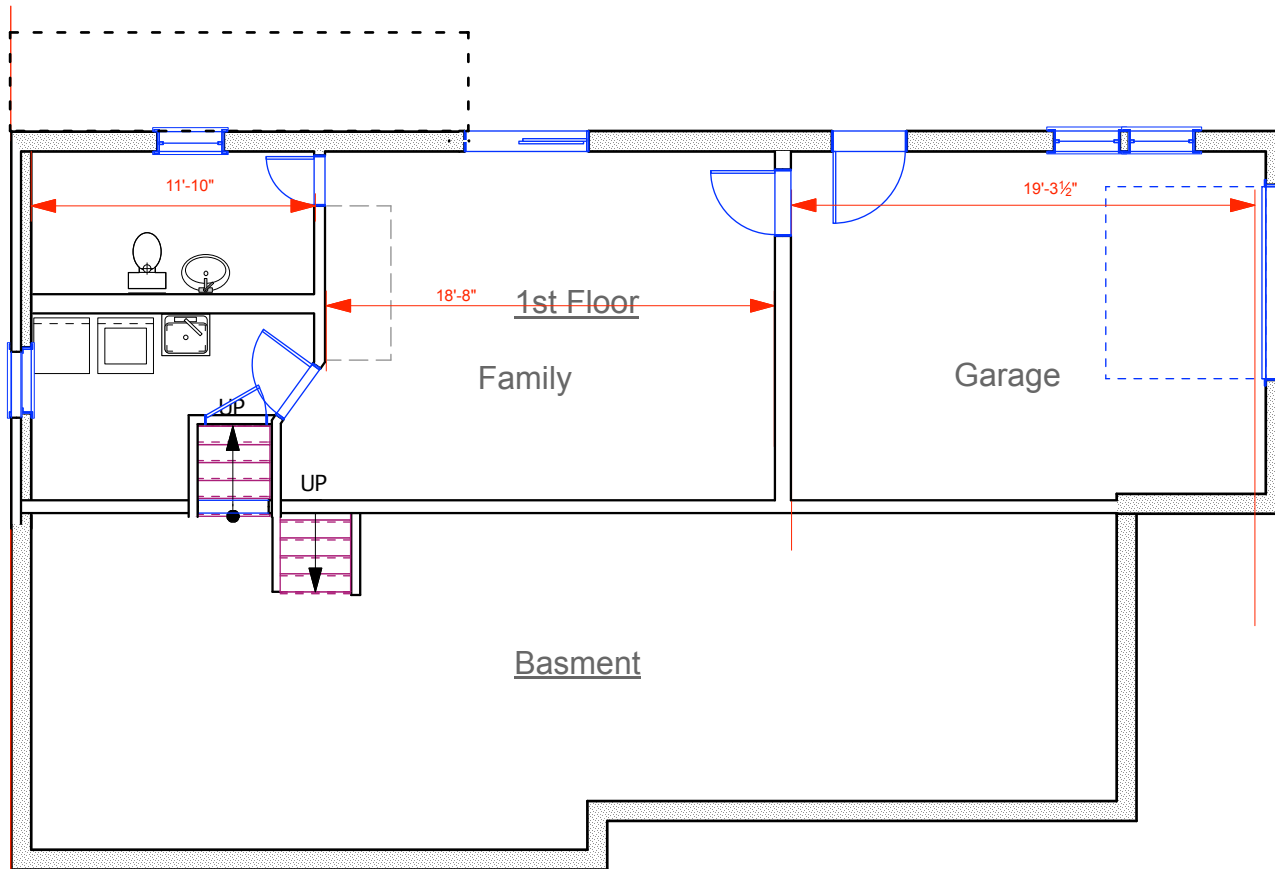


Schematic Plans, not for construction

A-9	ROOFS	The Saini Croston Residence 63 Chilton St Cambridge, MA	Amacher and Associates Architects 237 Mt Auburn St., Cambridge, MA 02138 www.amacher-associates.net Phone: 617 354-8707	
	SCALE: 3/32" = 1'-0" DATE OF ISSUE: 4.8.21.			



A-12	Floor Areas	The Saini Croston Residence 63 Chilton St Cambridge, MA	Amacher and Associates Architects 237 Mt Auburn St., Cambridge, MA 02138 www.amacher-associates.net Phone: 617.354-8707	
	SCALE: 1"=20' DATE OF ISSUE: 4.8.21.			



D-1

Exstg 1st Flr
& Basment

SCALE: 1/8" = 1'-0"
DATE OF ISSUE: 4.8.21

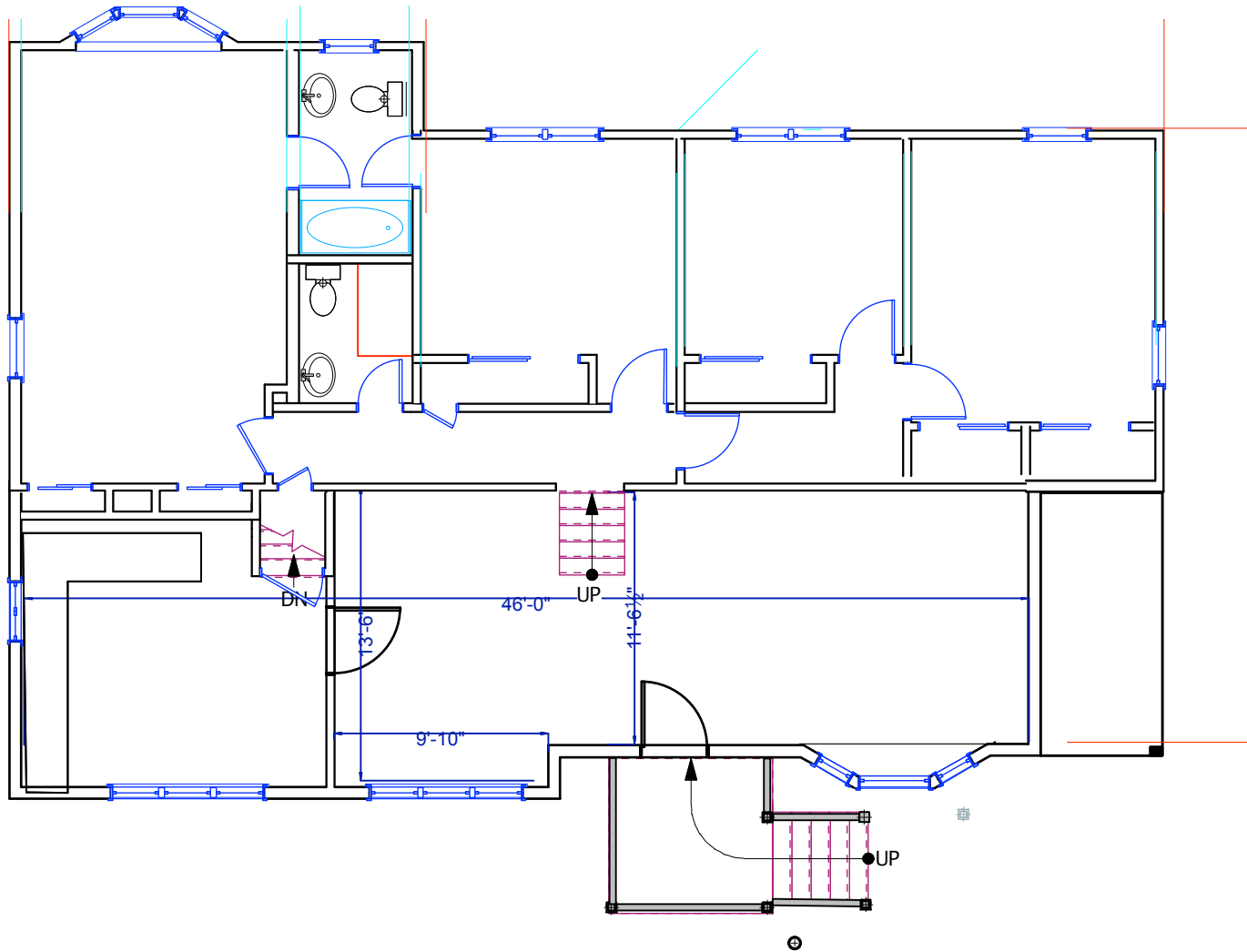
The Saini Croston Residence
63 Chilton St
Cambridge, MA

Amacher and Associates Architects

237 Mt Auburn St., Cambridge, MA 02138
www.amacher-associates.net

Phone: 617 354-8707





D-2

Exstg 2nd &
3rd Flrs

SCALE: 1/8" = 1'-0"
DATE
OF ISSUE: 4.8.21

The Saini Croston Residence
63 Chilton St
Cambridge, MA

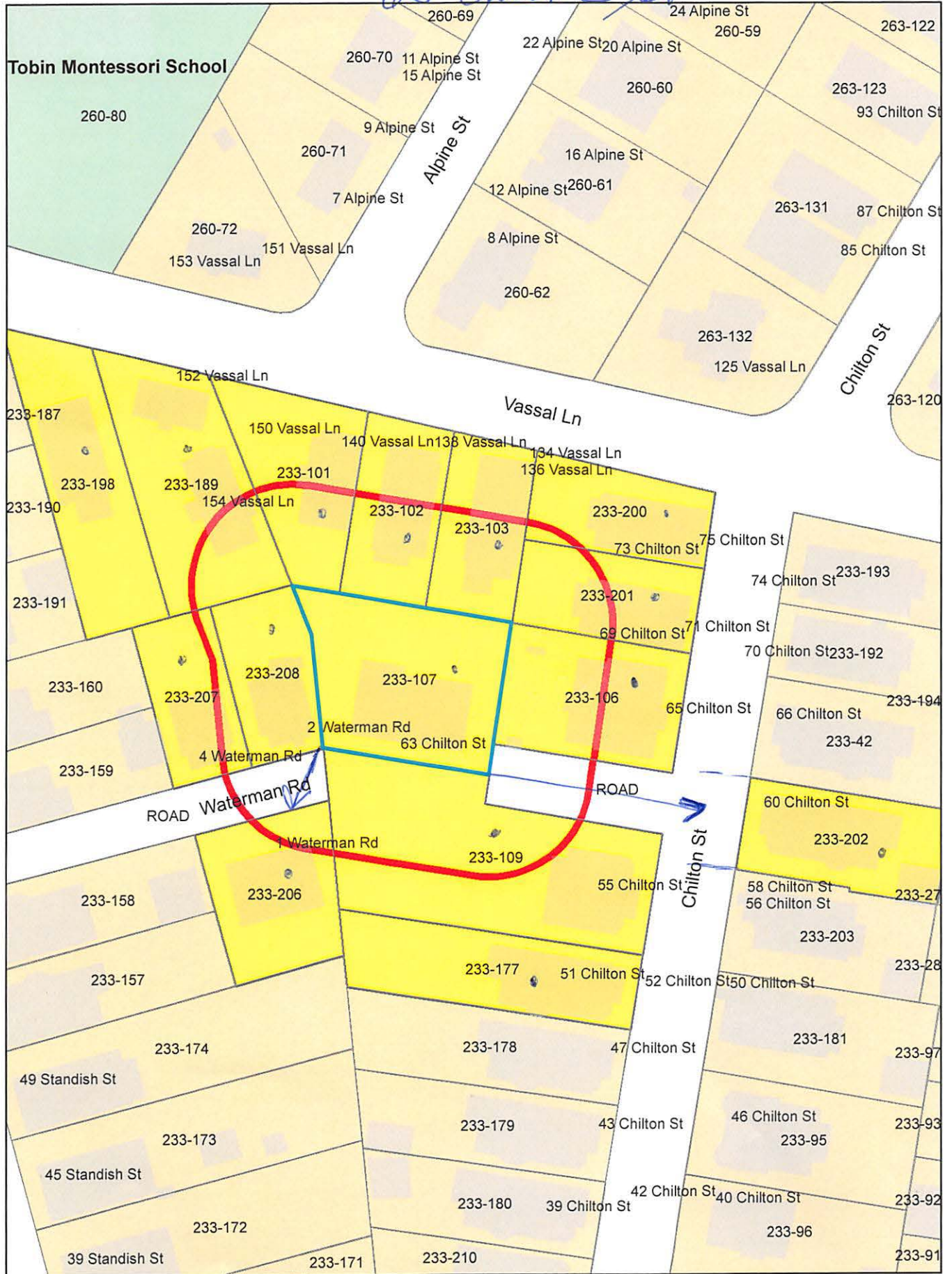
Amacher and Associates Architects

237 Mt Auburn St., Cambridge, MA 02138
www.amacher-associates.net

Phone: 617 354-8707



63 Chilton St.



63 Chilton St.

Petitioner
JAMES J. RAFFERTY, ESQ.
907 MASS AVENUE – 3RD FL.
CAMBRIDGE, MA 02138

233-106
VNA CARE HOSPICE, INC.
120 THOMAS ST.
WORCESTER, MA 01615

233-107
SAINI, VIKAS & JULIA ANN CROSTON
63 CHILTON ST
CAMBRIDGE, MA 02138

233-200
TURNBULL, KENNETH M.
73-75 CHILTON ST., #1
CAMBRIDGE, MA 02138

233-202
MARSHALL, JASON R. & ALISON O. MARSHALL
60 CHILTON ST., #2
CAMBRIDGE, MA 02138

233-103
MANNA, MARIE & JAMES M. MCCREIGHT
136 VASSAL LN., #136
CAMBRIDGE, MA 02138

233-206
MAGILL, CARROLL & CAMERON WU
TRS OF THE MARIE I SOUSA REV TRUST
10 GIBSON ST
CAMBRIDGE, MA 02138

233-177
BARFIELD, THOMAS J.
51 CHILTON ST., #2
CAMBRIDGE, MA 02138

233-202
BUCKLEY, CHRISTOPHER J. & LISA M. ROBERTS
60 CHILTON ST., UNIT #1
CAMBRIDGE, MA 02138

233-207
ROACH, TIMOTHY M. & ANDREA C. KRAMER
4 WATERMAN RD
CAMBRIDGE, MA 02138

233-208
NAHAS, JENNIFER M.
2 WATERMAN RD
CAMBRIDGE, MA 02138

233-101
POMA, ALLEN M. & LISA M. POMA
150 VASSAL LA
CAMBRIDGE, MA 02138

233-177
HOUBART, GILBERTE
51 CHILTON ST., UNIT #3
CAMBRIDGE, MA 02138

233-200
TURNBULL, KENNETH M.
73-75 CHILTON ST., UNIT #2
CAMBRIDGE, MA 02138

233-109
CARROLL, SEAN MICHAEL &
JESSICA ANN BRYANT
55 CHILTON ST., #3
CAMBRIDGE, MA 02138

233-109
BURTON, BRENDA F.,
TR. OF BRENDA F. BURTON REVOCABLE TRUST
55 CHILTON ST. #2
CAMBRIDGE, MA 02138

233-109
NELSON, NICHOLAS C. & SARAH M. KLIONSKY
55 CHILTON ST., #1
CAMBRIDGE, MA 02138

233-102
SAINI, VIKAS & VEENA C. SAINI
140 VASSAL LN., #1
CAMBRIDGE, MA 02138

233-102
HASLETT, NANCY F. A LIFE ESTATE
140 VASSAL LN 2
CAMBRIDGE, MA 02138

233-201
BOOMER, TIMOTHY L.
69-71 CHILTON ST., #69
CAMBRIDGE, MA 02138

233-201
BOUTAUD, FREDERIC
TR. OF THE BOUTAUD FAMILY REALTY TRUST
5 FULTON RD
LEXINGTON, MA 02420

233-198
YESSELMAN, JAY
160 VASSAL LN
CAMBRIDGE, MA

233-202
MEEHAN, SUSAN N,
TRS THE SUSAN N. MEEHAN 2020 REV TR
60 CHILTON ST UNIT 3
CAMBRIDGE, MA 02138

233-189
KENTON SCOTT
152 VASSAL LN
CAMBRIDGE, MA 02138

233-189
RUTHERFORD MATTHEW S &
BRIDGET M TR RUTHERFORD FAMILY TRUST
154 VASSAL LN
CAMBRIDGE, MA 02138

233-177
BARFIELD, THOMAS J.
51 CHILTON ST., UNIT #1
CAMBRIDGE, MA 02138

EXISTING LEGEND

SS	SEWER LINE
⊙	SEWER MANHOLE
W	WATER LINE
G	GAS LINE
⊕	UTILITY POLE
⊗	GAS VALVE
E	OVERHEAD ELECTRIC SERVICE
⊕	WATER VALVE
□	CATCH BASIN
○	FENCE
205	CONTOUR LINE (MJR)
195	CONTOUR LINE (MNR)
X	SPOT GRADE
⊙	DRAIN MANHOLE
⊕	HYDRANT
⊕	TREE

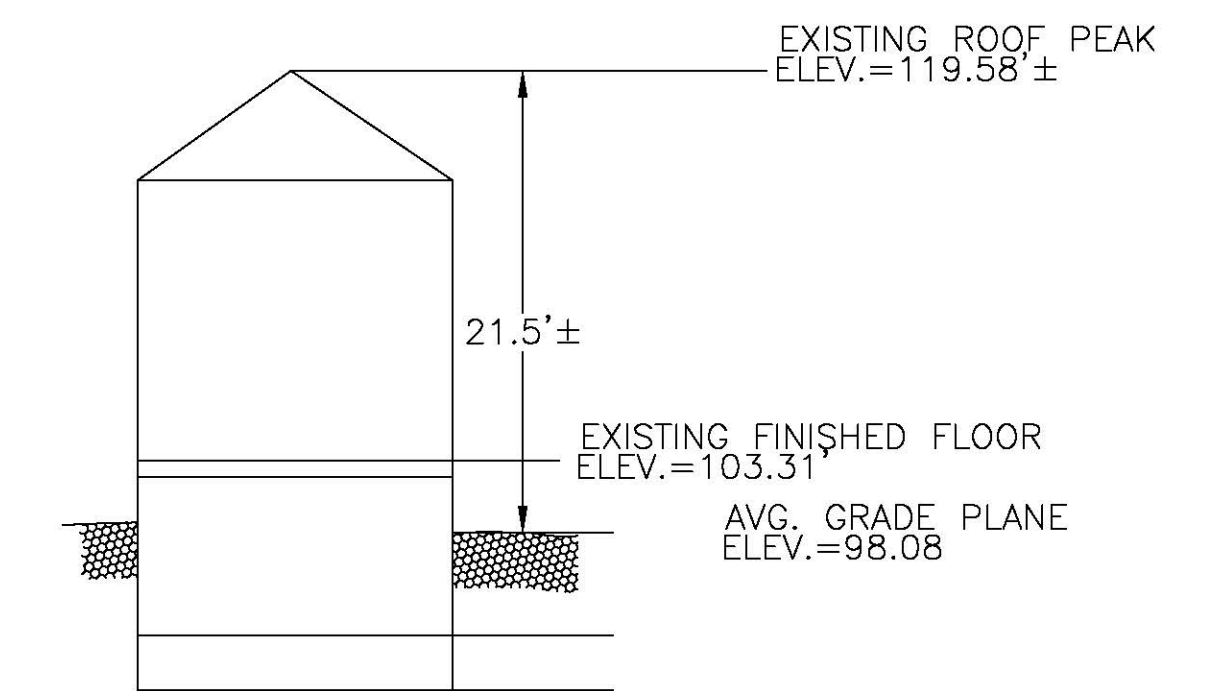
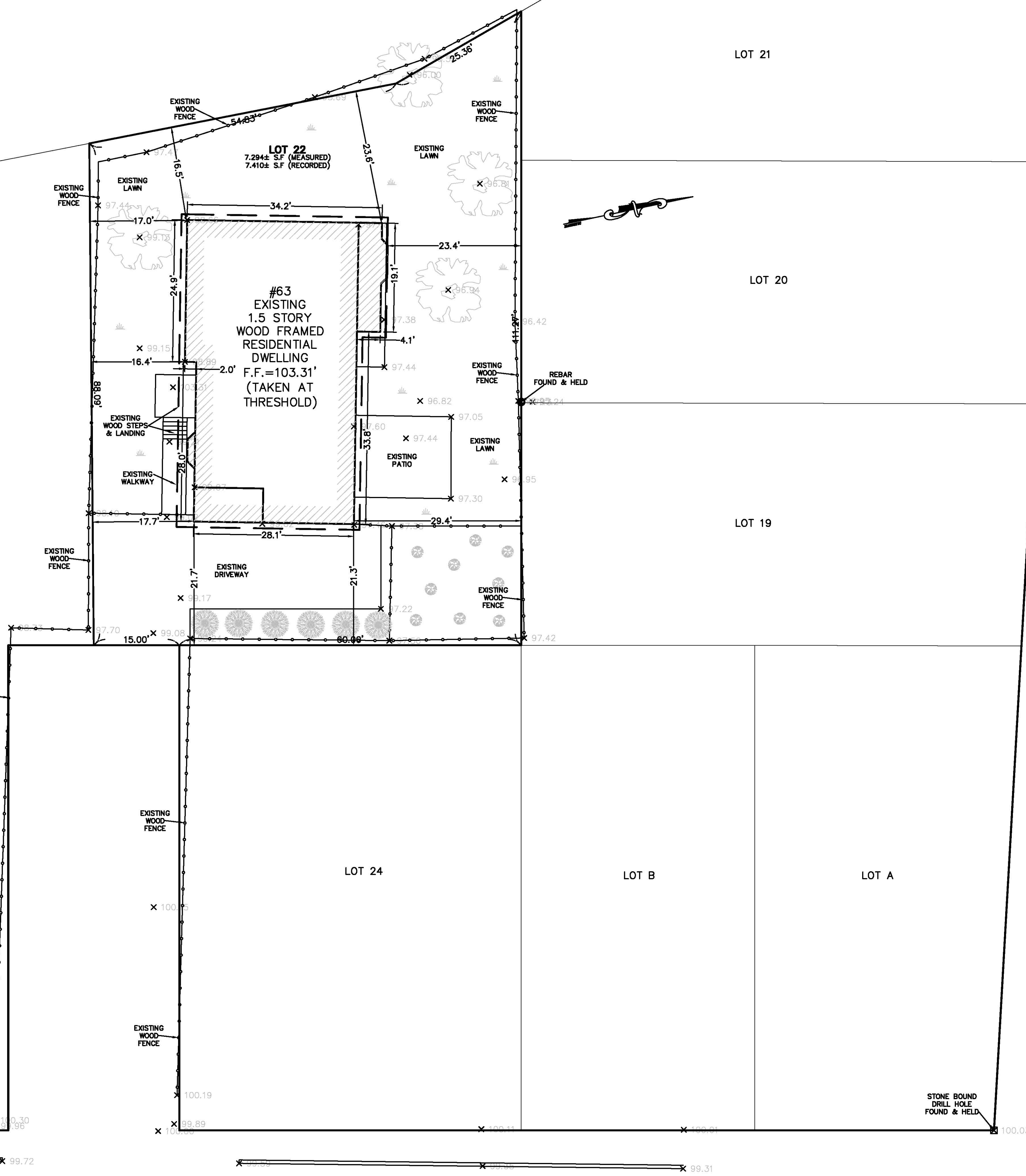
ZONING LEGEND

ZONING DISTRICT: RESIDENCE B			
	REQUIRED	EXISTING	COMPLIANCE
MIN. AREA	5,000 S.F	7,410± S.F.	YES
MIN. YARD FRONT	15'	21.3'	YES
SIDE (RIGHT)	7.5'	23.4'	YES
SIDE (LEFT)	7.5'	16.4'	YES
REAR *	27.8'	16.5'	EXISTING NON-COMFORMING
MAX. BLDG. HEIGHT	35'	21.5'±	YES
MIN. OPEN SPACE	40%	66.1%	YES
MIN. LOT WIDTH	50'	75'	YES
MAX. F.A.R.	0.5	-	-

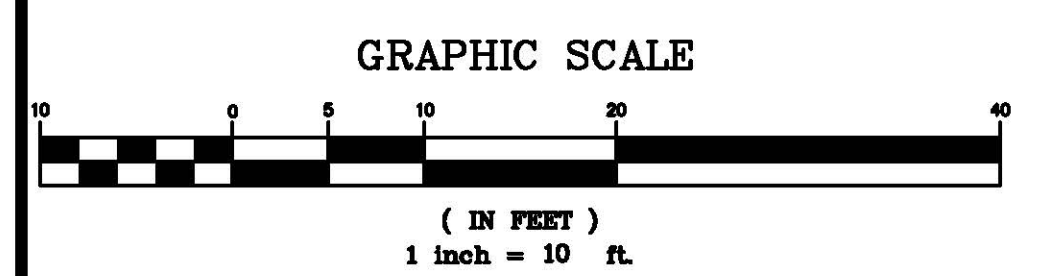
* In Residence A-1, A-2, and B districts, no building may be nearer the rear lot line than twenty-five (25) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds one hundred (100) feet, up to a maximum of thirty-five (35) feet.

NOTES:

1. INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY PETER NOLAN & ASSOCIATES LLC AS OF 02-23-2017.
2. DEED REFERENCE BOOK 54898 PAGE 549, MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS.
3. THIS PLAN IS NOT INTENDED TO BE RECORDED.
4. I CERTIFY THAT THE DWELLING SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE X, ON FLOOD HAZARD BOUNDARY MAP NUMBER 25017C0419E, PANEL NUMBER 0419E, COMMUNITY NUMBER: 250186, DATED JUNE 4, 2010.
5. THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT USES OF THE LAND; HOWEVER THIS NOT CONSTITUTE A GUARANTEE THAN NO SUCH EASEMENTS EXIST.
6. FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.



EXISTING PROFILE
NOT TO SCALE



CHILTON STREET
(PUBLIC WAY-50' WIDE)

SCALE	1"=10'
DATE	2/28/2017
REV	DATE REVISION BY
SHEET	1
PLAN NO.	1 OF 1
CLIENT:	63 CHILTON STREET CAMBRIDGE MASSACHUSETTS
DRAWN BY	PLOT PLAN OF LAND
CHKD BY	PETER NOLAN & ASSOCIATES LLC LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS
APPD BY	697 CAMBRIDGE STREET, SUITE 103 BRIGHTON MA 02135 PHONE: 857 891 7478/617 782 1535 FAX: 617 202 5691 EMAIL: pnolan@pnasurveyors.com

SHEET NO.
1



EXISTING LEGEND

SS	SEWER LINE
⊙	SEWER MANHOLE
W	WATER LINE
G	GAS LINE
U	UTILITY POLE
⊗	GAS VALVE
E	OVERHEAD ELECTRIC SERVICE
⊗	WATER VALVE
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-205	CONTOUR LINE (MJR)
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X	SPOT GRADE
⊙	DRAIN MANHOLE
⊗	HYDRANT
⊗	TREE

ZONING LEGEND

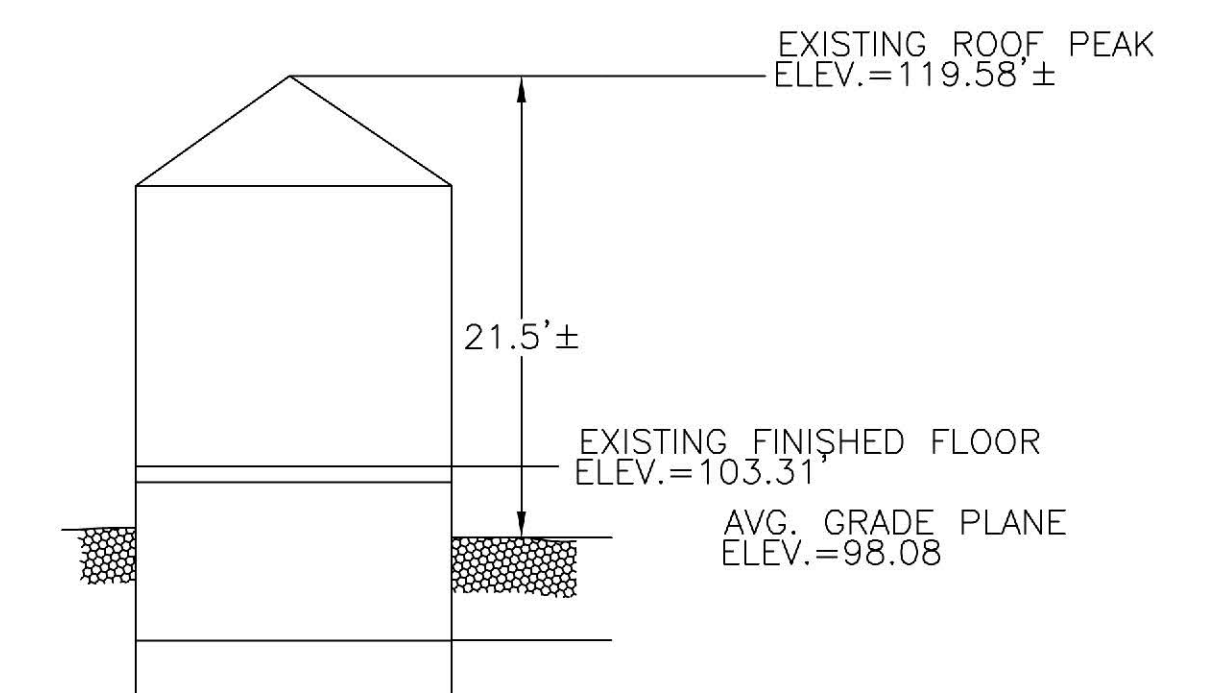
ZONING DISTRICT: RESIDENCE B			
	REQUIRED	EXISTING	COMPLIANCE
MIN. AREA	5,000 S.F.	7,410± S.F.	YES
MIN. YARD FRONT	15'	21.3'	YES
SIDE (RIGHT)	7.5'	23.4'	YES
SIDE (LEFT)	7.5'	16.4'	YES
REAR *	27.8'	16.5'	EXISTING NON-COMFORMING
MAX. BLDG. HEIGHT	35'	21.5'±	YES
MIN. OPEN SPACE	40%	66.1%	YES
MIN. LOT WIDTH	50'	75'	YES
MAX. F.A.R.	0.5	—	—

* In Residence A-1, A-2, and B districts, no building may be nearer the rear lot line than twenty-five (25) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds one hundred (100) feet, up to a maximum of thirty-five (35) feet.

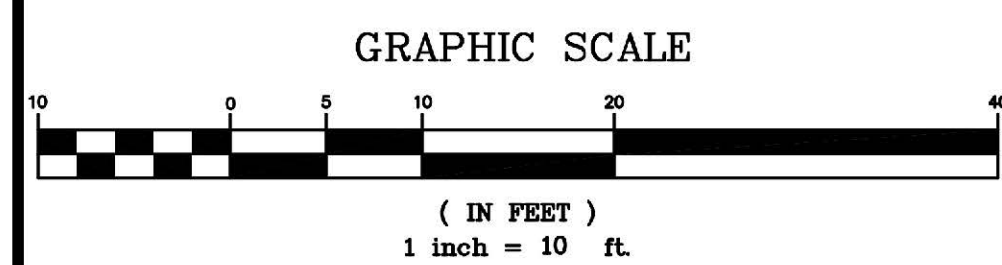
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6. FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.

1 Proposed over Survey



EXISTING PROFILE
NOT TO SCALE

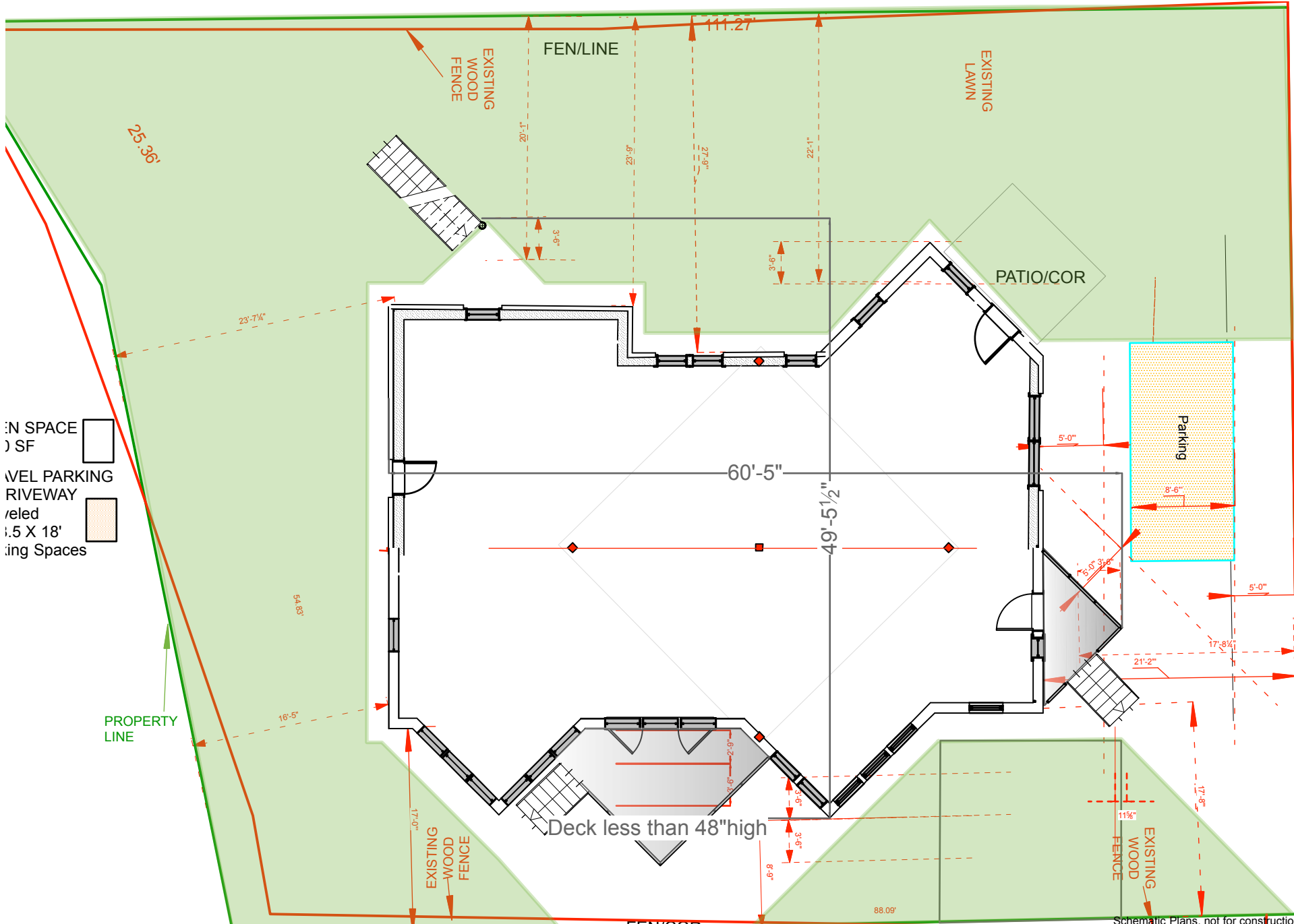


CHILTON STREET
(PUBLIC WAY-50' WIDE)

SCALE	1"=10'
DATE	2/28/2017
SHEET	1
PLAN NO.	1 OF 1
CLIENT:	63 CHILTON STREET CAMBRIDGE MASSACHUSETTS
DRAWN BY	PLOT PLAN OF LAND
CHKD BY	PUN
APPD BY	PUN

PETER NOLAN & ASSOCIATES LLC
LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS
697 CAMBRIDGE STREET, SUITE 103 BRIGHTON MA 02135
PHONE: 857 891 7478/617 782 1533 FAX: 617 202 5691
EMAIL: pnolan@pnasurveyors.com

SHEET NO.
1



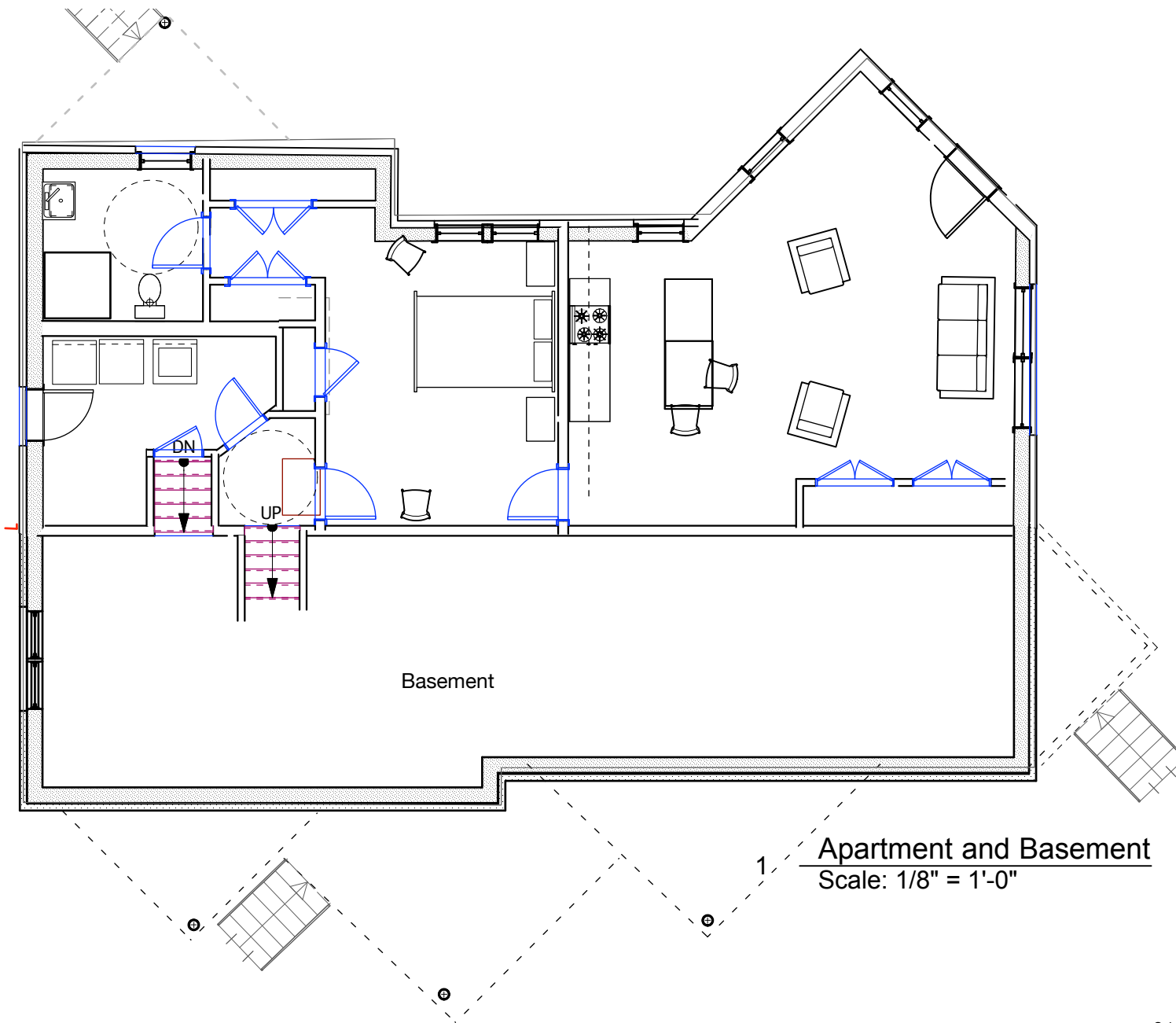
A-1

Proposed Site Plan
 SCALE: 3/32" = 1'-0"
 DATE OF ISSUE: 4.28.21.


The Saini Croston Residence
 63 Chilton St
 Cambridge, MA

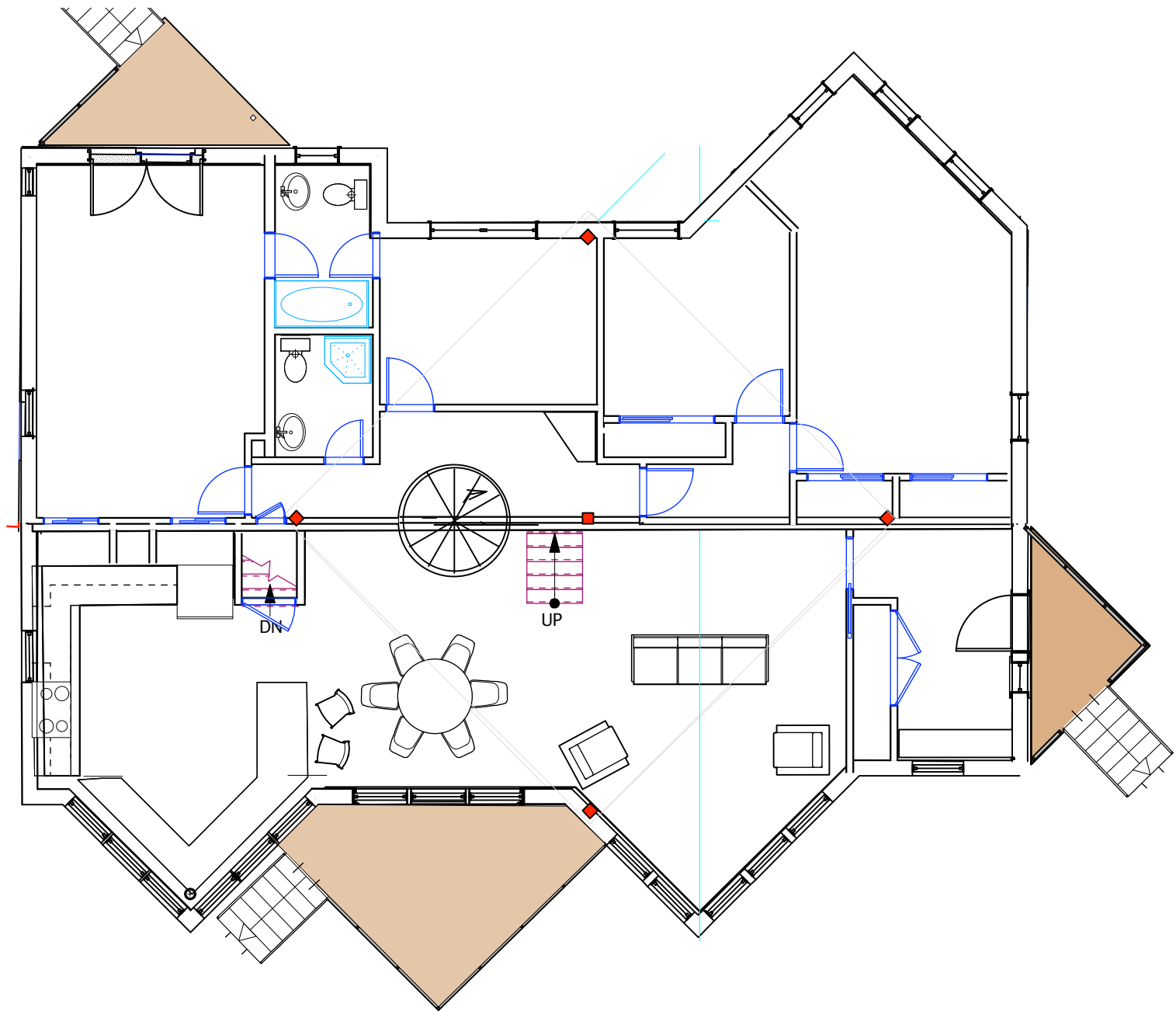
Amacher and Associates Architects
 237 Mt Auburn St., Cambridge, MA 02138
 www.amacher-associates.net
 Phone: 617 354-8707





Schematic Plans, not for construction

<h1>A-2</h1>	Basement & First Floor	The Saini Croston Residence 63 Chilton St Cambridge, MA	Amacher and Associates Architects 237 Mt Auburn St., Cambridge, MA 02138 www.amacher-associates.net Phone: 617 354-8707	
	SCALE: 1/8" = 1'-0" DATE OF ISSUE: 4.8.21.			



A-3

2nd & 3rd Floors

SCALE: 1/8" = 1'-0"
 DATE OF ISSUE: 4.8.20.

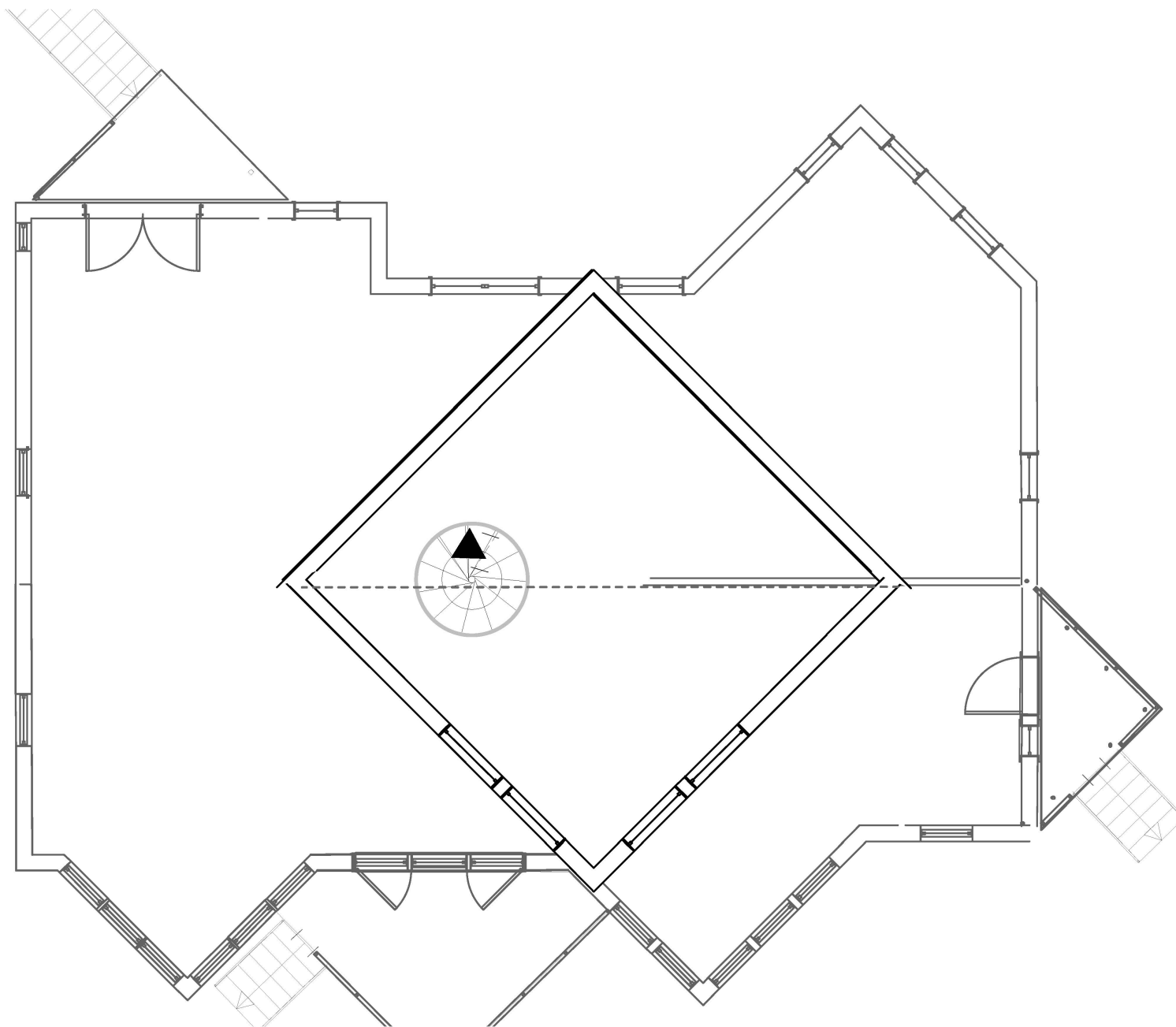
The Saini Croston Residence
 63 Chilton St
 Cambridge, MA

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www.amacher-associates.net

Phone: 617 354-8707





Schematic Plans, not for construction

A-4

**4th Flr over
3rd & 2nd Flrs**

SCALE: 1/8" = 1'-0"
DATE
OF ISSUE: 4.8 .21.

The Saini Croston Residence
63 Chilton St
Cambridge, MA


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www.amacher-associates.net

Phone: 617 354-8707





A-5	Left Side Elevation	The Saini Croston Residence 63 Chilton St Cambridge, MA	Amacher and Associates Architects 237 Mt Auburn St., Cambridge, MA 02138 www.amacher-associates.net Phone: 617 354-8707	
	SCALE: 1/8" = 1'-0" DATE OF ISSUE: 4.28.20.			