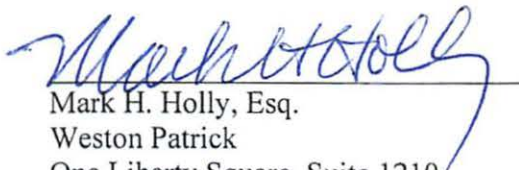


**Date:** May 25, 2021

### Consent

Record title to the property that is the subject of the application submitted by Lubavitch of Cambridge, Inc. (the "Applicant"), 65-67 Banks Street, Cambridge, Massachusetts (the "Property"), stands in the name of Martin Annis pursuant to a deed dated August 11, 1987 and recorded with the Middlesex South Registry of Deeds in Book 18462, Page 480. Martin Annis died on December 20, 2019. The undersigned has filed a petition with the Middlesex County Probate Court to be appointed a personal representative of the estate of Martin Annis (see Docket No. MI20P1635EA) and has entered into a Purchase and Sale Agreement with the Applicant for the sale of the Property.


The undersigned hereby consents to the Applicant filing a petition for a special permit for a change in use/occupancy with the City of Cambridge Board of Zoning Appeals.

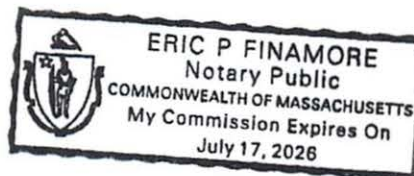
  
Mark H. Holly, Esq.  
Weston Patrick  
One Liberty Square, Suite 1210  
Boston, MA 02109  
(617) 742-9310  
[mhh@westonpatrick.com](mailto:mhh@westonpatrick.com)

### COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 22<sup>nd</sup> day of May, 2021, before me, the undersigned notary public, personally appeared Mark H. Holly and proved to me through satisfactory evidence of identification, which was Personal Knowledge, to be the person whose name is signed on the preceding document and who acknowledged to me that he signed it voluntarily for its stated purpose.

  
Notary Public  
My commission expires: 07/17/2026



## 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 65 Banks 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:**

**As described in Sections B) through E) below, all provisions of the Ordinance will be met in connection with the proposed use, both procedural and substantive, and the use, and any construction work associated therewith, will not be inconsistent with the Urban Design objectives contained in Section 19.30 of the Ordinance.**

**In addition, there is a surfeit of parking on the lot presently, plus a large driveway which will be available for pick up and drop off should any issue develop in the public way (and most parents/families utilizing the facility actually live within walking distance of the property.)**

**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 number of children attending the school/center as part of this temporary arrangement will be a maximum of 38. Besides that, number of children being low in and of itself, this is a neighborhood school. We will be strongly encouraging parents and others to walk their children to and from the school.**

**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 only times when there could be any effect on adjacent uses as permitted by the Zoning Ordinance would be during drop off or pick up. Those will occur once, respectively, each day, and, as noted immediately above, the small number of participants will mean that the amount of time at any adjacent uses could be affected will be very minimal (and the driveway and parking available onsite, as mentioned above, will further facilitate that).**

**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:**

**In addition to the information and reasons provided in items B) and C) immediately above, the proposed use will fill a need for the city, providing a distinct, separate benefit and an essential service.**

**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:**

**As noted above, this use will be a day care center/preschool, in full compliance with all laws**

and regulations of the Commonwealth of Massachusetts applicable thereto, filling a distinct need in the City of Cambridge, and serving numbers of children which intrinsically would not derogate from the intent or purpose of the Zoning Ordinance or the integrity of the zoning district or any adjacent district, or otherwise.

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

**DIMENSIONAL INFORMATION****Applicant:** Lubavitch of Cambridge, Inc.**Present Use/Occupancy:** residential**Location:** 38 Banks St.**Zone:** Residence C-1 Zone**Phone:** 6175476124**Requested Use/Occupancy:** preschool

	<b><u>Existing Conditions</u></b>	<b><u>Requested Conditions</u></b>	<b><u>Ordinance Requirements</u></b>	
<b><u>TOTAL GROSS FLOOR AREA:</u></b>	2,246	2,246	N/A	(max.)
<b><u>LOT AREA:</u></b>	3000	3000	N/A	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup></u></b>	.748	.748	N/A	
<b><u>LOT AREA OF EACH DWELLING UNIT</u></b>	1500	1500	N/A	
<b><u>SIZE OF LOT:</u></b>				
WIDTH	53.54	53.54	N/A	
DEPTH	51.42/63.78	51.42/63.78	N/A	
<b><u>SETBACKS IN FEET:</u></b>				
FRONT	5'-7"	5'-7"	N/A	
REAR	4'-7"	4'-7"	N/A (EXNC)	
LEFT SIDE	3'-8"	3'-8"	N/A (EXNC)	
RIGHT SIDE	11'-3"	11'-3"	N/A (EXNC)	
<b><u>SIZE OF BUILDING:</u></b>				
HEIGHT	26'-10"	26'-10"	N/A (EXNC)	
WIDTH	45'	45'	N/A (EXNC)	
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>	.27	.27	N/A (EXNC)	
<b><u>NO. OF DWELLING UNITS:</u></b>	2	N/A	N/A	
<b><u>NO. OF PARKING SPACES:</u></b>	2	2	Existing	
<b><u>NO. OF LOADING AREAS:</u></b>	0	0	0	
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u></b>	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'.



**SDA**

One Cambridge Street  
Salem, MASSACHUSETTS  
01970 USA

978.741.0410  
schopf@verizon.net

Architecture  
Interior Design  
Master Planning  
Project Management

4-30-21



65-67 Banks St  
 Property Information  
 Property Class TWO-FAM-RES  
 State Class Code 104  
 Zoning C-1  
 Map/Lot 132-80  
 Land Area 3,000 SF

Owner Information  
 Owner(s) ANNIS, MARTIN  
 65-67 BANKS ST.  
 CAMBRIDGE, MA 02138  
 Building Information  
 Residential Building Number 1, Section 1

Living Area 2,246 SF

Parking  
 Open Parking 2

Code Description	Gross Area	Living Area
BAS First Floor	1,123	1,123
DKW Deck Wood	192	
POF Porch, Open	224	
PLUS Upper Story, Finished	1,123	1,123
UBM Basement	1,123	
Total:	3,785	2,246

LOT AREA 3,000 SF  
 BUILDING FOOTPRINT 1,111 SF  
 PORCHES 186 + 23 = 209 SF  
 LOT COVERAGE 1,320 SF  
 $1,320 / 3,000 = .44$   
 FAR 2,246 / 3,000 = .748  
 OPEN SPACE 820 / 3,000 = .27  
 DRIVEWAY SPACE 860 / 3,000 = .287

2  
 A150

## SCHEMATIC SITE PLAN

65-67 BANKS STREET, CAMBRIDGE, MASSACHUSETTS

FRONTAGE 58.54'

SCALE GRAPHIC



4-30-21

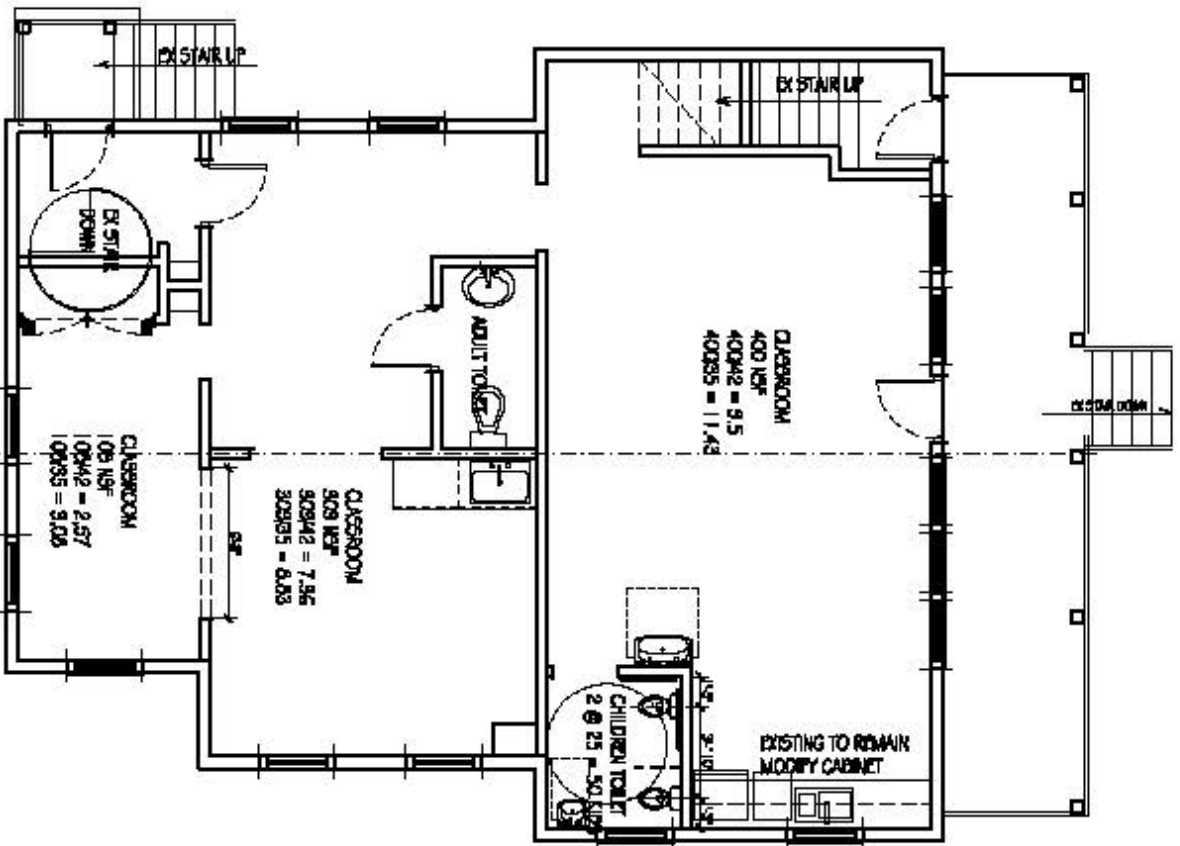


**SDA**  
 One Cambridge Street  
 Salem, MASSACHUSETTS  
 01970 USA

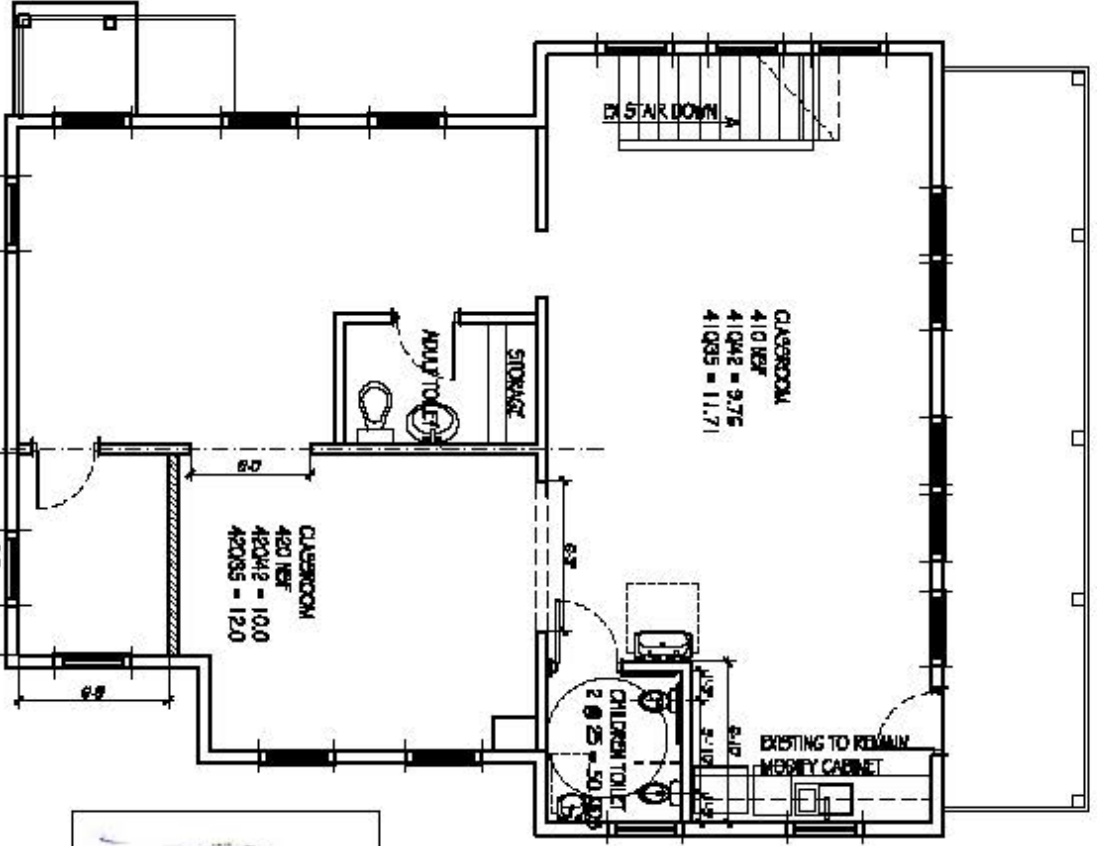
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Architecture  
 Interior Design  
 Master Planning  
 Project Management

1 PROPOSED PLAN FLOOR 1 825 NET CLASSROOM AREA  
 A301 55-67 BAKER STREET, CAMBRIDGE, MASSACHUSETTS



3 PROPOSED PLAN FLOOR 2 929 NET CLASSROOM AREA  
 A301 55-67 BAKER STREET, CAMBRIDGE, MASSACHUSETTS



**SDA**

One Cambridge Street  
 Salem, MASSACHUSETTS  
 01970 USA

978.741.0410  
 schopf@verizon.net

Architecture  
 Interior Design  
 Master Planning  
 Project Management

4-30-21



65 Banks St.



























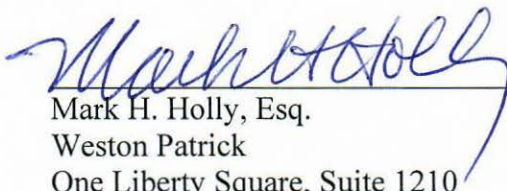




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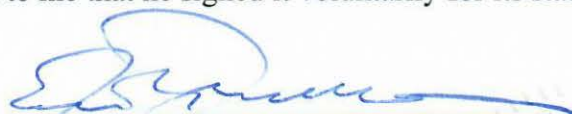
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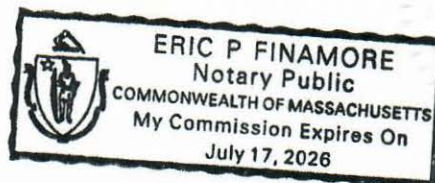
  
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### COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

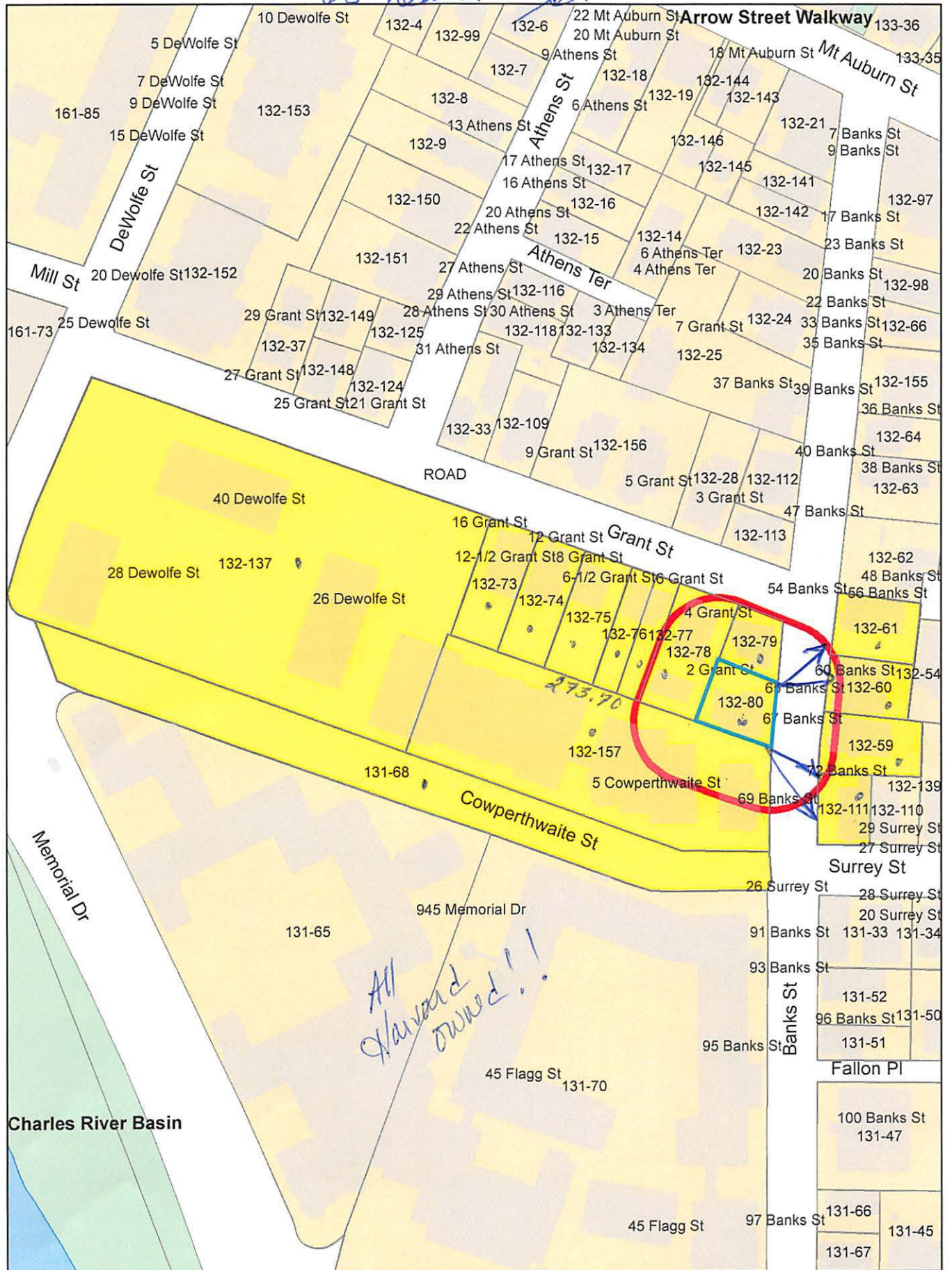
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Notary Public  
My commission expires: 07/17/2026





65 Banks St.



65 Banks St.

Petitioner

131-68 / 132-74-75-76-77-78-79-137-157  
PRESIDENT & FELLOWS OF HARVARD COLLEGE  
C/O HARVARD REAL ESTATE, INC.  
HOLYOKE CENTER, ROOM 1000  
1350 MASSACHUSETTS AVE  
CAMBRIDGE, MA 02138-3895

132-59  
HAWKINSON, JACQUELYN A., TRUSTEES THE  
PARADIS-ALMER INVESTMENT TRS  
91 GRANT ST  
LEXINGTON, MA 02420

LUBAVITCH OF CAMBRIDGE, INC.  
C/O ELKA ZARCHI  
38 BANKS STREET  
CAMBRIDGE, MA 02138

132-73  
KELLER, SUSAN, SARA OSEASOHN &  
C/O HARVARD REAL ESTATE SERVICES  
1350 MASS AVE  
HOLYOKE CTR RM 1017  
CAMBRIDGE, MA 02138

132-61  
LUBAVITCH OF CAMBRIDGE, INC.  
54-56 BANKS ST  
CAMBRIDGE, MA 02138

BRIAN FRIED  
38 BANKS STREET  
CAMBRIDGE, MA 02138

132-80  
ANNIS, MARTIN  
65-67 BANKS ST.  
CAMBRIDGE, MA 02138

132-60  
DIERCKS, GILLIAN R.,  
TRUSTEE CHARLES NOMINEE REALTY TRUST  
64 BANKS ST  
CAMBRIDGE, MA 02138

132-111  
THORGERSON, ERIC J. & ELIZABETH FOOTE  
29 SURREY ST  
CAMBRIDGE, MA 02138