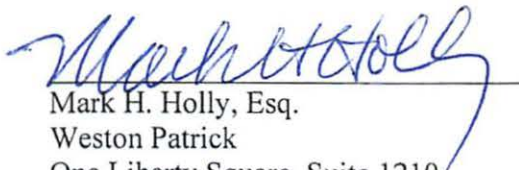


Date: May 25, 2021

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.


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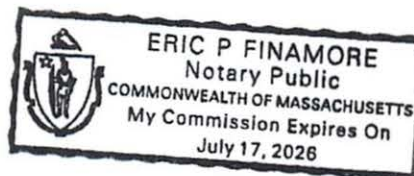

Mark H. Holly, Esq.
Weston Patrick
One Liberty Square, Suite 1210
Boston, MA 02109
(617) 742-9310
mhh@westonpatrick.com

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 22nd 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

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	2,246	2,246	N/A	(max.)
<u>LOT AREA:</u>	3000	3000	N/A	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	.748	.748	N/A	
<u>LOT AREA OF EACH DWELLING UNIT</u>	1500	1500	N/A	
<u>SIZE OF LOT:</u>				
WIDTH	53.54	53.54	N/A	
DEPTH	51.42/63.78	51.42/63.78	N/A	
<u>SETBACKS IN FEET:</u>				
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)	
<u>SIZE OF BUILDING:</u>				
HEIGHT	26'-10"	26'-10"	N/A (EXNC)	
WIDTH	45'	45'	N/A (EXNC)	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	.27	.27	N/A (EXNC)	
<u>NO. OF DWELLING UNITS:</u>	2	N/A	N/A	
<u>NO. OF PARKING SPACES:</u>	2	2	Existing	
<u>NO. OF LOADING AREAS:</u>	0	0	0	
<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'.



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: Menachem Rashin Date: 06/24/21
(Print)

Address: 65 Banks Street

Case No. BZA-121039

Hearing Date: 7/15/21

Thank you,
Bza Members

June 30, 2021

BZA-121039

To Whom it May Concern,

I am writing this letter to express my support for the Preschool of the Arts Harvard Square school expansion. As a resident of Cambridge as well as parent of a child who attends the school, we feel this expansion will help to continue to build the already wonderful community that has been created. Students and parents of POTA truly love this community and this expansion will only add value to the neighborhood.

Thank you for your time.

Sarah and Michael Mendelson



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

65 Banks St.



















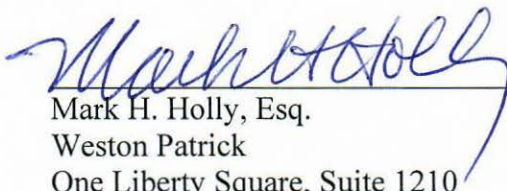




Consent

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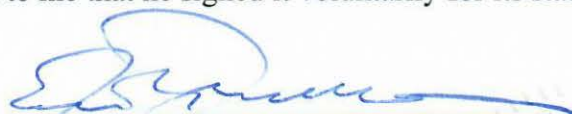
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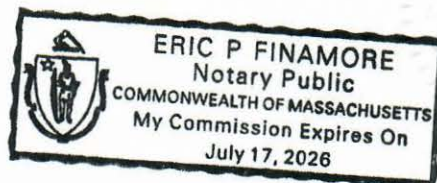

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COMMONWEALTH OF MASSACHUSETTS

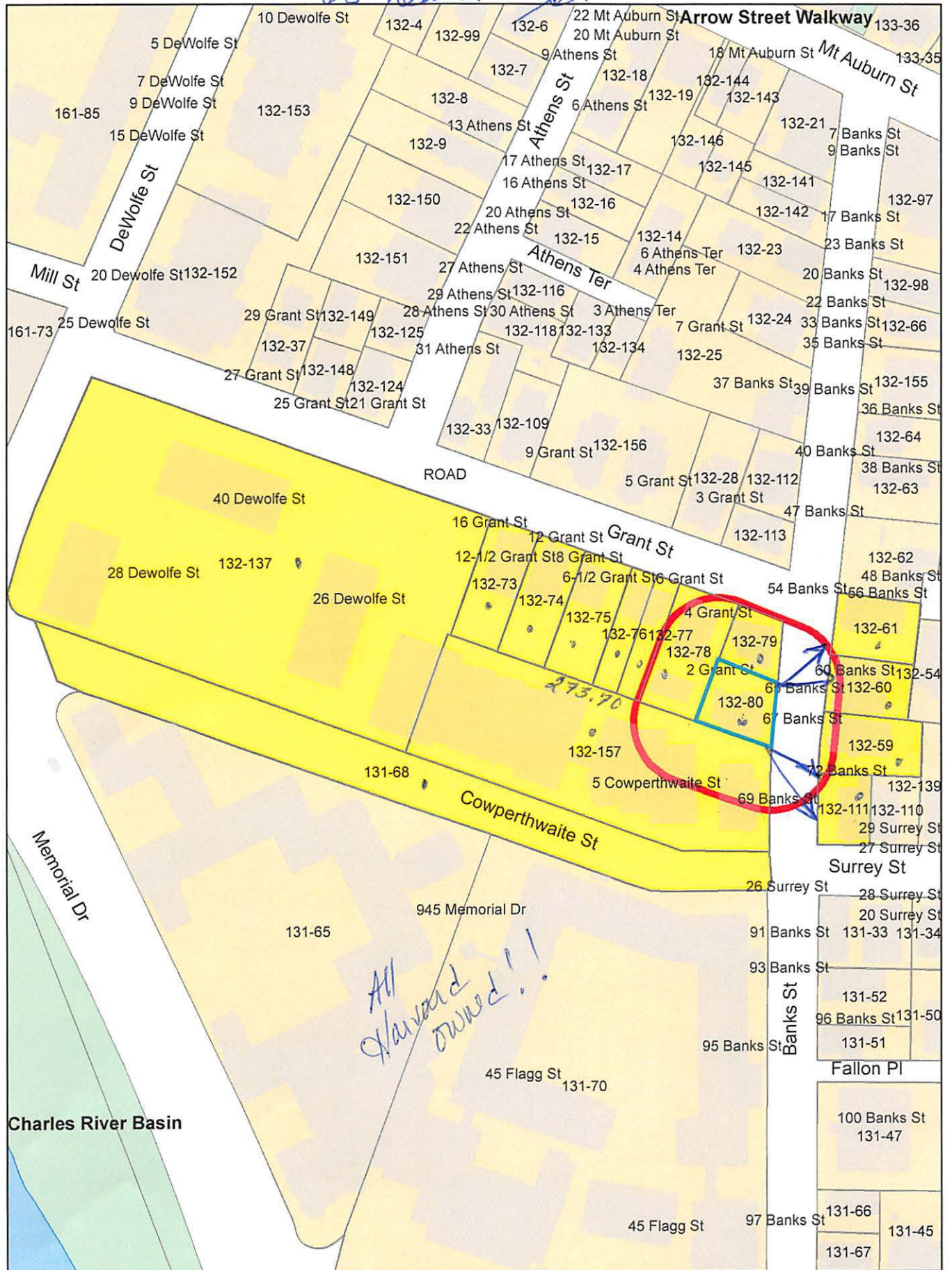
Middlesex, ss.

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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

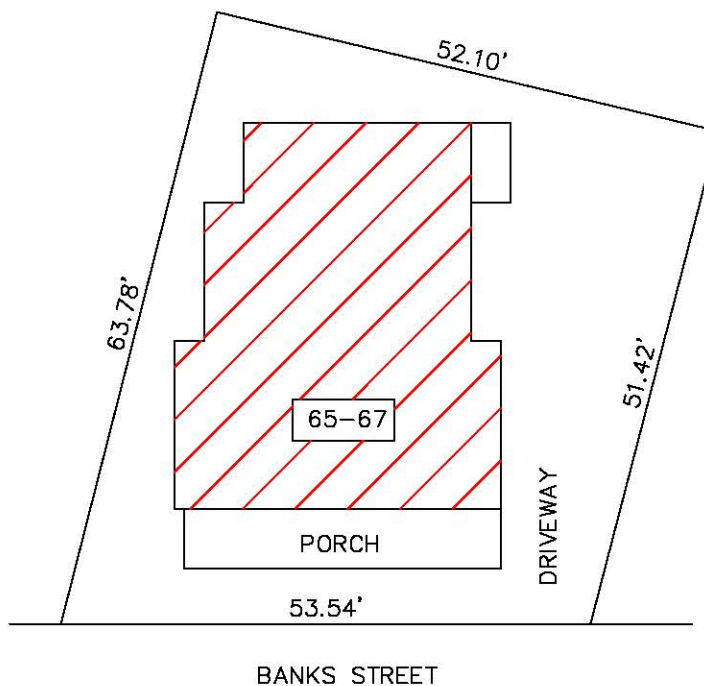
132-61
LUBAVITCH OF CAMBRIDGE, INC.
54-56 BANKS ST
CAMBRIDGE, MA 02138

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



DEED REF:18462-480


PLAN REF:22-16

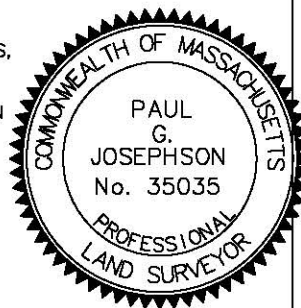
CERTIFICATION MADE TO:CENTURY BANK & TRUST CO

I HEREBY CERTIFY THAT THE DWELLING SHOWN ON THIS PLAN IS LOCATED ON THE GROUND APPROXIMATELY AS SHOWN AND CONFORMED TO THE DIMENSIONAL REQUIREMENTS OF THE ZONING BY-LAWS OF THE TOWN/CITY OF CAMBRIDGE, MASS. WHEN CONSTRUCTED OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. GENERAL LAWS CHAPTER 40A SEC. 7.

I ALSO CERTIFY THAT THE BUILDING(S) SHOWN HEREON DO NOT LIE WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA AS DEFINED ON THE F.E.M.A. FLOOD HAZARD BOUNDARY MAP FOR THE TOWN/CITY OF CAMBRIDGE, MASS.

THIS PLAN WAS NOT MADE FROM AN INSTRUMENT SURVEY AND IS FOR MORTGAGE PURPOSES ONLY. FURTHERMORE, IT IS NOT TO BE USED FOR THE PHYSICAL ESTABLISHMENT OF PROPERTY LINES AND/OR CERTIFICATION OF FENCES, PLANTINGS, PAVED AREAS, UTILITIES, SHEDS, ETC., OR THE CONSTRUCTION OF ADDITIONAL STRUCTURES ON THE LOT. ANY STRUCTURES/PAVED DRIVEWAYS ON LOCUS OR ABUTTING AND LOCATED NEAR PROPERTY LINES REQUIRE AN INSTRUMENT LOCATION TO DETERMINE ANY POSSIBLE ENCROACHMENTS. CERTIFICATION IS RESTRICTED TO RESIDENCE AREA OF LOT.

THIS CERTIFICATION IS BASED UPON THE LEGAL DESCRIPTION(S) OF THE PREMISES SHOWN HEREON WHICH WERE PROVIDED BY THE CLIENT, COUNTY, TOWN PUBLIC RECORDS, LINES OF OCCUPATION AND DOES NOT PURPORT TO REVEAL ANY INCONSISTENCIES AND/OR ENCROACHMENTS WHICH MAY BE DISCOVERED WITH A FULL AND COMPLETE TITLE SEARCH, EXAMINATION OF ABUTTING DEEDS, OR INSTRUMENT SURVEY. NO CERTIFICATION IS HEREBY MADE WITH RESPECT TO ANY OTHER PROVISIONS OF SAID BY-LAW.
PN Associates, Inc. 



President

Date

11/10/20

MORTGAGE INSPECTION

PLOT PLAN

IN

CAMBRIDGE, MASS.

Scale 1" = 30'


P.N. ASSOCIATES, INC.

310 Oak Street
Shrewsbury, MA

508-958-2914
Fax 508-519-9198



GRAPHIC SCALE



A horizontal line with vertical tick marks at intervals of 1 unit. The line is labeled '0' at the left end, '5' at the fifth tick mark, and '10' at the tenth tick mark.



1 FRONT AND LEFT SIDE VIEW
A151 65-67 BANKS STREET. CAMBRIDGE, MASSACHUSETTS SCALE 1/8"=1'-0"



2 RIGHT SIDE PARTIAL REAR VIEW
A151 65-67 BANKS STREET. CAMBRIDGE, MASSACHUSETTS SCALE 1/8"=1'-0"

©SCHOPF DESIGN ASSOCIATES 2021

1	1-25-21	FIELD MEASURE
No.	Date	CIRCULATION

Architect	1-25-21
Date	VARIES
Scale	21-04
Job No.	ms
Drawn By	ms



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: Menachem Rashin Date: 06/24/21
(Print)

Address: 65 Banks Street

Case No. BZA-121039

Hearing Date: 7/15/21

Thank you,
Bza Members

Dear Commissioner,

We are writing to express our support (and eagerness!) for the new Cambridge Preschool of the Arts class at 65-67 Banks St. POTA is such an incredible gem of a school and an absolute bedrock of our Cambridge community. When we first found ourselves looking for daycares, we were somewhat dismayed at how few options there were (and how oversubscribed they were) in our part of Cambridge. Finding a daycare option so that I could return to work was by far the biggest worry of my pregnancy (and continues to be a topic of conversation for any new parent I come across in the area). We were so lucky to find POTA Harvard Square. Our two young children have been pupils almost since birth, and have been cared for so lovingly by the wonderful POTA staff as long as they can remember. It's not only an excellent daycare, but such a wonderful school for them, teaching them about their home and their community. We will often be out as a family in Cambridge and have a location pointed out to us by our toddler, like the fire station to which his class brought a Thanksgiving pumpkin pie, the food bank to which his class donated canned goods, or the construction site at which he and his friends marvelled for hours. He is so comfortable calling Cambridge home and POTA is a big part of that. I know we will be so happy to have POTA as part of the community long after our kids have graduated to the Cambridge Public Schools. We need more POTA!

Thank you,
Haining Gouinlock and Brendan Corcoran
15A Ellsworth Avenue, Cambridge, MA, 02139

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