

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139 617-349-6100

2022 SEP 14 PM 2: 56

OFFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 194179

		General	<u>Information</u>	
The undersigned	hereby petitions	the Board of Zoni	ng Appeal for the following:	
Special Permit: _	X	Variance: X	Appeal:	
PETITIONER: Ar	derson Porter De	esign C/O Daniel A	<u>nderson</u>	
PETITIONER'S A	DDRESS: 1972 Ma	ssachusetts Avenu	ue 4th Floor, Cambridge, MA 02140	
LOCATION OF P	ROPERTY: <u>8 Wint</u>	<u>er Street , Cambri</u>	dge, MA	
TYPE OF OCCUP	ANCY: Commerc	al	ZONING DISTRICT: Business A Zone	
REASON FOR PE	TITION:			
/Change in Use/C	occupancy//New S	Structure/		
DESCRIPTION	OF PETITIONE	R'S PROPOSAL:		
To construct a ne	ew structure that	violates yard setb	acks.	
Extension of heig	ght into a more re	estrictive district.		
SECTIONS OF ZO	NING ORDINAN	CE CITED:		
Article: 3.000	625	District Boundaries		
Article: 5.000 Article: 10.000		3 (Dimensional Re 'ariance). & 10.40 (
		Original Signature(s):	(Petitioner (s) / Owner)	
			DANIEL P ANDERSO	2
			(Print Name)	N.
		Address: Tel. No.	1972 WASS AVE CHMBK 6173542501	106K 0440

E-Mail Address: dan@andersonporter.com

Date: 9.12.22

BZA APPLICATION FORM -OWNERSHIP INFORMATION

(To be completed by OWNER, signed before a notary, and returned to Secretary of Board of Appeal).

**
I/We 8 Winter Street LLC
(OWNER).
Address: 1 Garfield Circle, Unit 6, Burlington MA 01803
State that I/We own the property located at 8 Winter Street, Cambridge, MA
02141 which is the subject of this zoning application.
The record title of this property is in the name of 8 Winter Street LLC
*Pursuant to a deed of duly recorded in the date May 20, 2020, Middlesex South
County Registry of Deeds at Book 74716, Page 531; or
Middlesex Registry District of Land Court, Certificate No.
Book Page
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 Ozan Dokmecioglu personally appeared before me,
this _20_of, _July_,2022, and made oath that the above statement is true.
CaC. An

My commission expires 10-28-2027

(Notary Seal).

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

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:

The literal enforcement of the provisions of this Ordinance would involve a substantial hardship in that the unusual site shape and lot configuration containing two zoning districts and multiple front yards prevents the practical use of the lot for the allowable residential use and number of units. Base zoning would permit 19 units with an FAR of 1. This is increased by the East Cambridge Housing Overlay which would allow 24 units and an aggregate FAR of 1.75. The requested relief from front and side yard setbacks allows for a sensible configuration of three two-family structures providing six family sized residential units that conform with the dimensional requirements in all other aspects including parking and more than the required open space.

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 is owing to the following circumstances relating to the limitations of the shape of the land. Due to the irregular shape and configuration of the lot with multiple street-facing lot lines. The proposed development is consistent with the residential character of the abutting properties and will not affect generally the zoning district as it otherwise conforms with the uses and dimensions outlined in the ordinance.

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 alteration does not present a substantial detriment to the public good because it is consistent with the zoning district objectives, improves the overall quality of the lot, is consistent with the existing residential uses in the street and does not detract from the neighborhood character. The development greatly improves the traffic pattern and safety of the property and allows continued and improved vehicular access to the abutting residential properties.

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

Relief may be granted without substantially altering the intent of this Ordinance because the proposed project respects the historic development patterns of East Cambridge and good planning principles. The requested GFA and number of units is well below the maximum allowable and the project otherwise works within the overall dimensional requirements of the ordinance. Relief is appropriate given the responsiveness of the project to the concerns and requests of abutting residential neighbors and the existing residential character and use of the neighborhood.

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>8 Winter Street</u>, <u>Cambridge</u>, <u>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:

The proposed project at 8 Winter Street proposes three new two-family residential structures that improve the overall design quality of the property, are in keeping with the area's residential uses and respects the majority of the district's dimensional requirements. The special permit is requested to extend the less restrictive dimensional height regulation of 45' from District BA into District C-1.

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 project proposes to improve the overall patterns of access and egress by replacing approximately 70 linear feet of curb along Third Street removing seven non-compliant parking spaces and increasing the drive access width along the private way, Linehan Court. These improvements reduce congestion and improve both vehicular and pedestrian safety.

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 project either improves or maintains the existing adjacent uses as permitted in the Zoning Ordinance. The proposed project is consistent in use and operation with the surrounding neighborhood and adjacent residential uses.

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 proposed use is residential with limited occupancy and traffic that is less impactful and safer than the current business use and will decrease any nuisance or hazard to the detriment of health, safety or welfare of its occupants or citizens.

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 proposed project will not impair the integrity of the district or otherwise derogate from the intent or purpose of this ordinance as it improves the overall character of the property.

about:blank

The proposed setbacks are consistent with the immediately adjacent structures and the urban character of the surrounding city blocks. The project maintains the existing building setback at Winter Street and provides more than the minimum front yard setback at the private way Linehan Court. The provided landscape open space is more than the minimum open space requirements.

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

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BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Anderson Porter Design

Present Use/Occupancy: Commercial

Location: 8 Winter Street, Cambridge, MA

Zone: Business A Zone

Phone: 617 354 2501

Requested Use/Occupancy: Residential

		Existing Conditions	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		1972	9942	13016.75	(max.)
LOT AREA:		7404	7404	5000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		0.27	1.34	1.75	
LOT AREA OF EACH DWELLING UNIT		0	1246	300	
SIZE OF LOT:	WIDTH	95.3	95.3	50	
	DEPTH	95	95	NA	ļ
SETBACKS IN FEET:	FRONT	21	3.3	29.6'/10' min	
	REAR	NA	4.3'	14.5'/10'min	_
	LEFT SIDE	40.2'	18.4'	 23.4'/10'min	
	RIGHT SIDE	0'	0'	 62.6'/10'min	
SIZE OF BUILDING:	HEIGHT	23.5'	45'	35'/45'	
	WIDTH	43'	36.2'	NA	
	LENGTH	54.5	23.2'	NA	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		0	1913	1325	
NO. OF DWELLING UNITS:		0	6	 24	
NO. OF PARKING SPACES:		14	6	6	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		NA	15'	15'	

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.:

Three freestanding wood frame structures are proposed. Each with two residential units.

- 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'.

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City of Cambridge

MASSACHUSETTS

2033 OCT S8 WALLO, 5

BOARD OF ZONING APPEAL

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

Board of Zoning Appeal Waiver Form

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

Cumbridge, IVIA 02139
RE: Case # BZA - 194179.
Address: 8 Winter St.
□ Owner, □ Petitioner, or □ Representative: Daniel P. Anderson, A
(Print Name)
hereby waives the required time limits for holding a public hearing as required by
Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts,
Massachusetts General Laws, Chapter 40A. The 🗆 Owner, 🗅 Petitioner, or 🗆
Representative further 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.
10/28/2022

Signature

Pacheco, Maria

From:

Dan Anderson <dan@andersonporter.com>

Sent:

Monday, December 12, 2022 4:35 PM

To:

Pacheco, Maria

Subject:

8 Winter - BZA application- request to withdraw

Hi Maria;

My client has requested that our BZA application for 8 Winter be withdrawn.

Thanks,

Dan

Daniel P. Anderson

AndersonPorterDesign

1972 Massachusetts Avenue, 4th Floor Cambridge, MA 02140

o. 617 354 2501 ext. 111 m.617 794 2371

www.andersonporter.com









"Always design a thing by considering it in its larger context - a chair in a room, a room in a house, a house in an environment, an environment in a city plan."

Eliel Saarinen

DEVELOPMENT PROPOSAL: 8 WINTER ST

8 WINTER STREET CAMBRIDGE, MA 02141





ZONING SUMMARY

REVISIONS Description

SPECIAL PERMIT

SITE LOCATION **ABBREVIATIONS** LIST OF SYMBOLS ABOVE FINISHED FOOR CJ CLG CLR CO COL CONC CONT DN CONTROL JOINT EXISTING PARTITION OR PARTITION W/ DOOR TO BE REMOVED CEILING **CLEAN OUT** EXISTING STRUCTURE OR PARTITION TO REMAIN CONCRETE CONTINUOUS NEW STRUCTURE OR PARTITION **EXPANSION JOINT** ELEVATION FINISH ELEVATION ELEC EQ EXIST FC FD ELECTRICAL EQUAL EXISTING FURRING CHANNEL FLOOR DRAIN FIN FINISH GENERAL DETAIL FLOOR GLASS GYPSUM WALLBOARD WALL SECTION HARDWOOD HEATING, VENTILATION AND AIR CONDITIONING **CONTACTS** INTERIOR ELEVATION INSUL MAX MFR MIN MO MTL NIC NTS OC PLAM PLYWD PTD REQ'D INSULATION FINISH TAG MAXIMUM MANUFACTURER Anderson Porter Design DOOR IDENTIFICATION SYMBOL 1972 Massachusetts Ave, 4th Floor MASONRY OPENING METAL NOT IN CONTRACT NOT TO SCALE Cambridge MA 02139 WALL TYPE TAG Dan Anderson WINDOW IDENTIFICATION SYMBOL ON CENTER PLASTIC LAMINATE 617.354.2501 FLOOR FINISH SYMBOL PLYWOOD PAINTED REQUIRED **DUPLEX OUTLET** rain leader GROUND FAULT OUTLET STRUCTURE/STRUCTURAL CAT 5/COAX/DATA UNO VCT WD W/ UNLESS NOTED OTHERWISE VINYL COMPOSITION TILE CARBON MONOXIDE DETECTOR SMOKE ALAM WNDW

WINDOW

COVER SHEET CAMBRDIGE GIS MAP C-2 EXISTING SITE SURVEY ZONING COMPLIANCE ZONING COMPLIANCE PROPOSED LANDSCAPE PROPOSED FLOOR PLANS PROPOSED ELEVATIONS PROPOSED ELEVATIONS TYPICAL UNIT PLANS TYPICAL UNIT PLANS TYPICAL UNIT ELEVATIONS A2.2 TYPICAL UNIT ELEVATIONS A9.0 EXISTING SITE PHOTOS A9.1 3D VIEWS A9.2 3D VIEWS

DRAWING LIST

PROPERTY ADDRESS: CAMBRIDGE, MA 02141 ZONING DISTRICT: BUSINESS A (BA)/RESIDENCE C-1 (RESIDENTIAL USES IN BA FOLLOWS C-2B DIMENSIONAL) PROJECT DESCRIPTION: RESIDENTIAL DEVELOPMENT (6 UNITS)

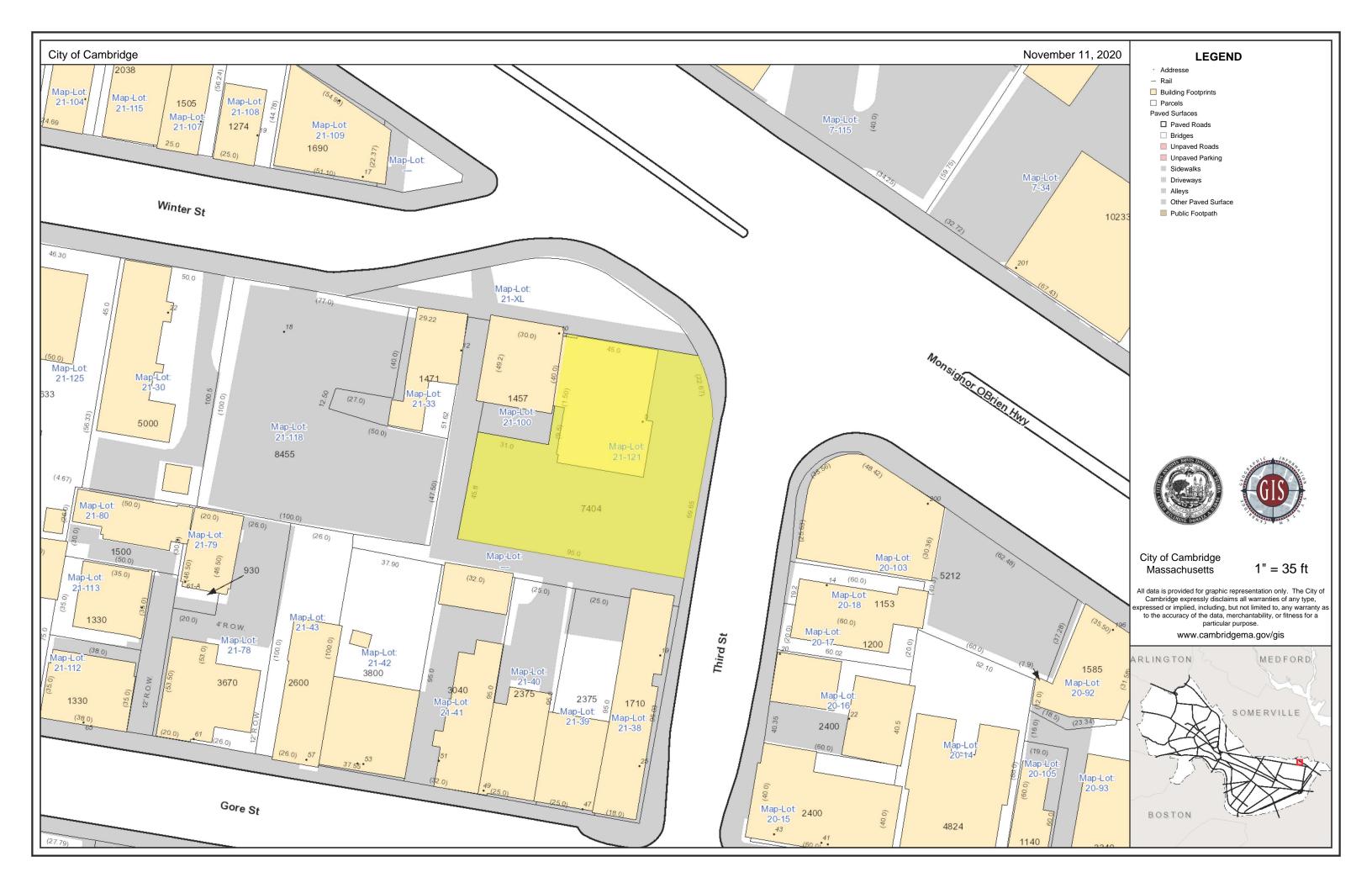
AndersonPorterDesign 1972 Massachusetts Ave, 4th Floor Cambridge, MA 02140 Tel. 617.354.2501 Fax. 617.354.2509

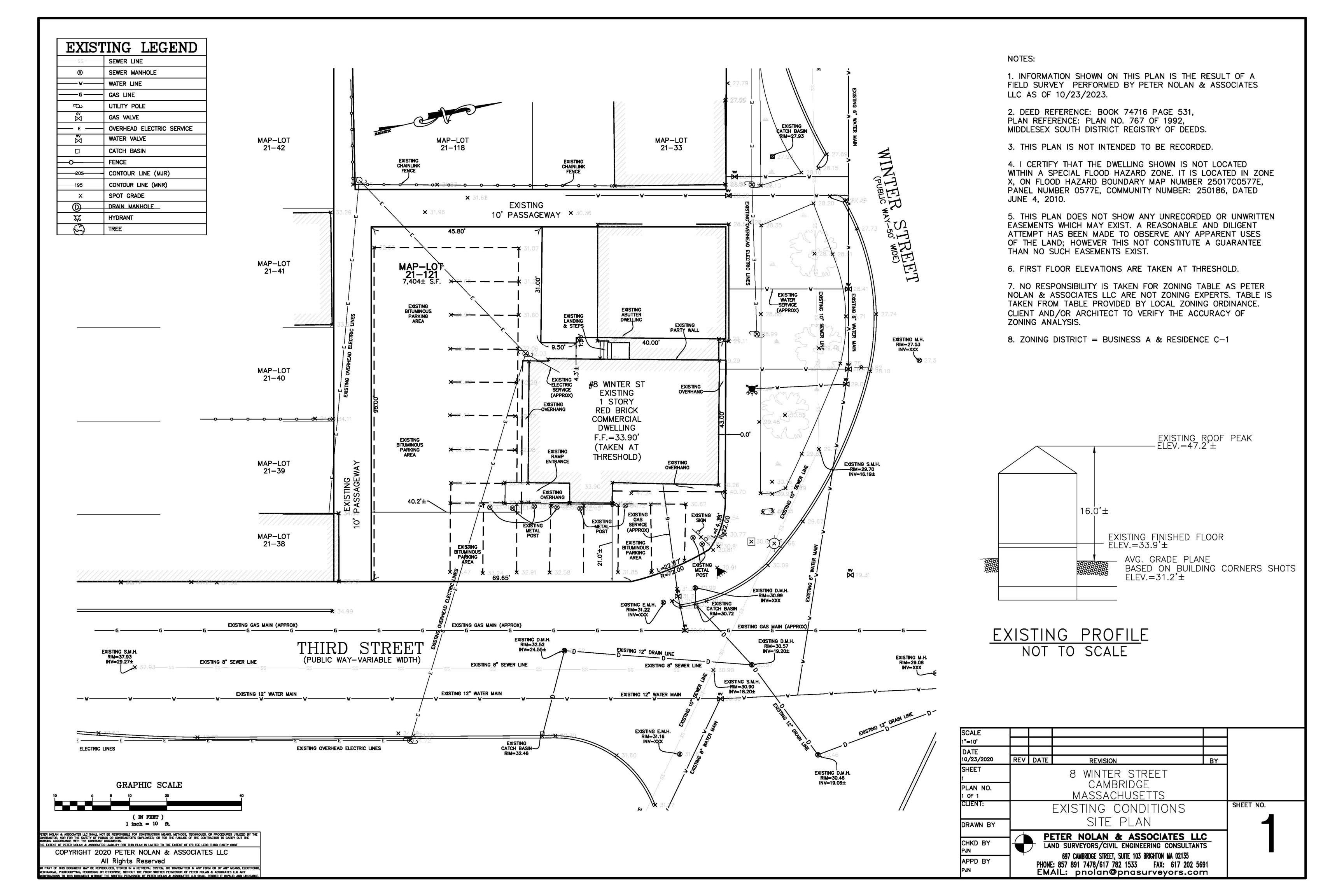
8 WINTER STREET 8 WINTER STREET CAMBRIDGE, MA 02141

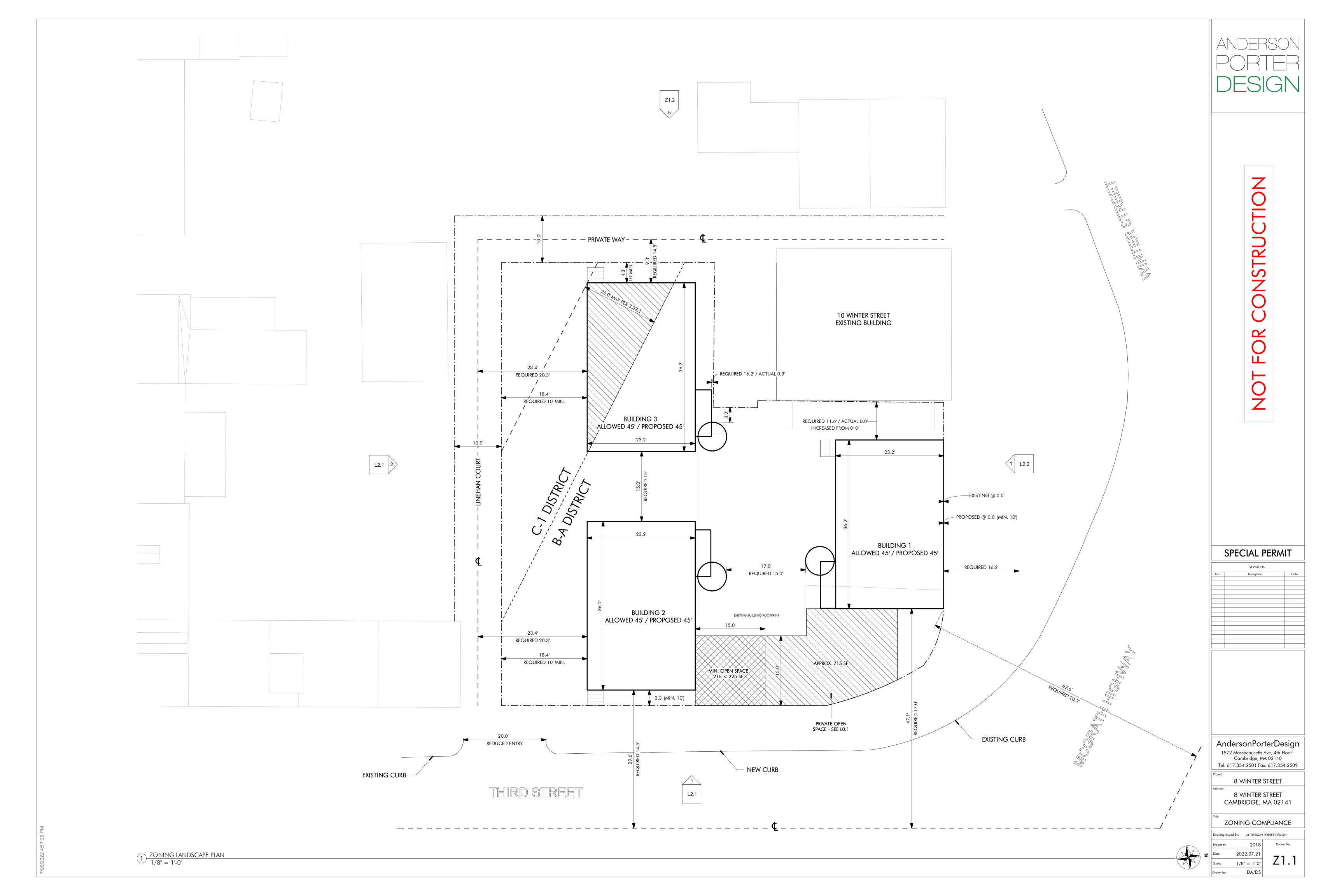
COVER SHEET Drawing Issued By: ANDERSON PORTER DESIGN

2018 2022.07.21 DA/DS

G1.0







PROPOSED T.O. ROOF 75.20'

REVISIONS

AndersonPorterDesign 1972 Massachusetts Ave, 4th Floor Cambridge, MA 02140 Tel. 617.354.2501 Fax. 617.354.2509

8 WINTER STREET 8 WINTER STREET CAMBRIDGE, MA 02141

ZONING COMPLIANCE

2022.07.21

ZONING CHART - CAMBRIDGE ALLOWED / REQUIRED **EXISTING PROPOSED** COMPLIANCE LOT SIZE: ZONE BA/C-1 ZONE BA/C-1 ZONE BA/C-1 ZONE COMPLIES LIMITED IMPACT BUSINESS AND INDUSTRY LIMITED IMPACT BUSINESS AND INDUSTRY MULTIFAMILY DWELLINGS COMPLIES MIN LOT SIZE 5,000 SF COMPLIES $\pm 7,404$ $\pm 7,404$ N/A MIN LOT AREA PER DWELLING UNIT Max # of dwelling Units = Lot Area in District 1 + Lot Area in District 2 $\pm 1,234$ COMPLIES District 1 min. lot area/du District 2 min. lot area/du 600 SF - increased to 300 SF per ECHO Max GFA = (Area District 1 x District 1 FAR + Area District 2 x District 2 FAR)MAX FLOOR AREA RATIO (FAR) Existing GFA/Total Lot Area Proposed GFA/Total Lot Area C-1 (≈1433SF OF LOT): .75 B-A (≈ 5971SF OF LOT): 2.0 (ECHO OVERLAY) COMPLIES AGGREGRATE FAR: 1.75 Max GFA/Total Lot Area (13016.75/7404=1.758)MAX BUILDING HEIGHT C-1: 35' BUILDING 3 - RELIEF REQUESTED 25.3' 45' B-A : 45' MIN. YARD SETBACKS (BUILDING 1) Calculated Actual FRONT (WINTER STREET) 45.0' + 36.2'/2 = 20.3'62.6' RELIEF REQUESTED H+L/4 (to center of street - min. 10' to property line) 0.0' FRONT (THIRD STREET) H+L/4 (to center of street - min. 10' to property line) 47.1' COMPLIES 21.0' 45.0' + 23.2'/2 = 17.0'76.7' COMPLIES 40.2 SIDE 1 H+L/5 45.0' + 36.2'/2 = 16.2'SIDE 2 H+L/50.0' 35.0' + 23.2'/2 = 11.6'8.0' RELIEF REQUESTED MIN. YARD SETBACKS (BUILDING 2) Calculated Actual FRONT (THIRD STRÈET) 35.0' + 23.2'/2 = 14.5'29.6' RELIEF REQUESTED, DOES NOT MEET 10.0' MIN TO PROPERTY LINE H+L/4 (to center of street - min. 10' to property line) N/A H+L/4 (to center of street - min. 10' to property line) 23.4' COMPLIES FRONT (LINEHAN CT) 45.0' + 36.2'/2 = 20.3'53.3' COMPLIES SIDE 1 H+L/5 45.0' + 36.2'/2 = 16.2'55.5' COMPLIES H+L/5 SIDE 2 45.0' + 23.2'/2 = 13.6'Calculated MIN. YARD SETBACKS (BUILDING 3) Actual FRONT (LINEHAN CT) H+L/4 (to center of street - min. 10' to property line) 23.4' COMPLIES N/A 45.0' + 36.2'/2 = 20.3'FRONT (PRIVATE WAY) H+L/4 (to center of street - min. 10' to property line) 35.0' + 23.2'/2 = 14.5'9.3' RELIEF REQUESTED 45.0' + 36.2'/2 = 16.2'H+L/5 0.3' RELIEF REQUESTED SIDE 2 H+L/545.0' + 23.2'/2 = 13.6'54.5' COMPLIES MIN LOT WIDTH

69.65' 69.65' COMPLIES PRIVATE OPEN SPACE, MIN % OF LOT C-1 (\approx 1433SF OF LOT): MIN 30% = 430SF 135SF (50%) MUST CONFORM WITH 15'X15' DIMENSION 1,913 SF Not including balconies or roof decks COMPLIES (15'x15' minimum indicated on Landscape Plan) B-A (\approx 5971SF OF LOT): MIN 15% = 895SF

N/A

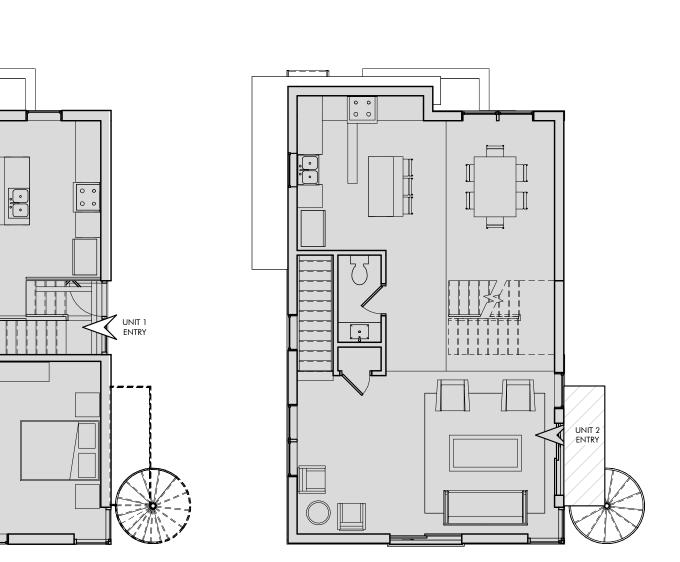
≈750 SF > 215 minimum required

1/DU - 6 PARKING SPACES

PARKING REQUIREMENTS 1 PER DWELLING UNIT FOOTNOTES: BICYCLE PARKING PROVIDED BUT NOT REQUIRED PER 6.103.2 (a)

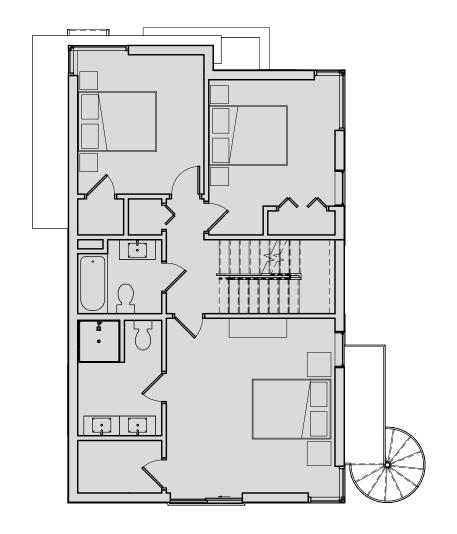
TOTAL REQUIRED

ZONING CHART 12" = 1'-0"

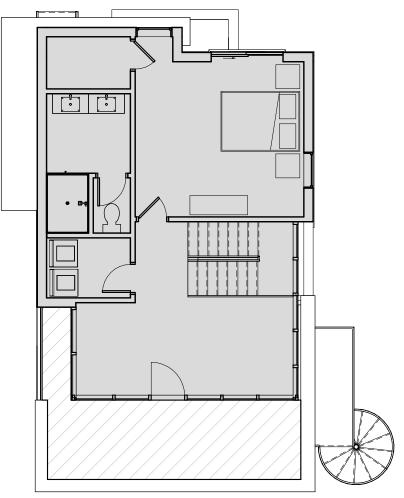


1325SF

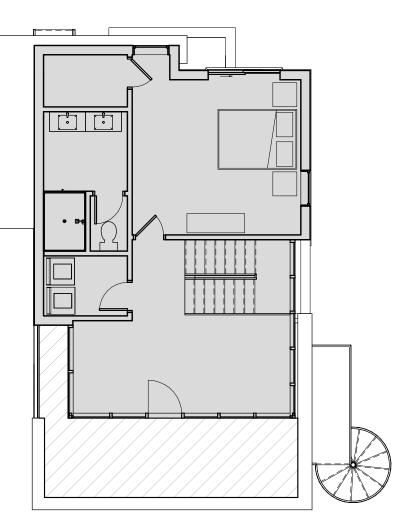




3 TYPICAL LEVEL 3 FLOOR PLAN 1/8" = 1'-0"

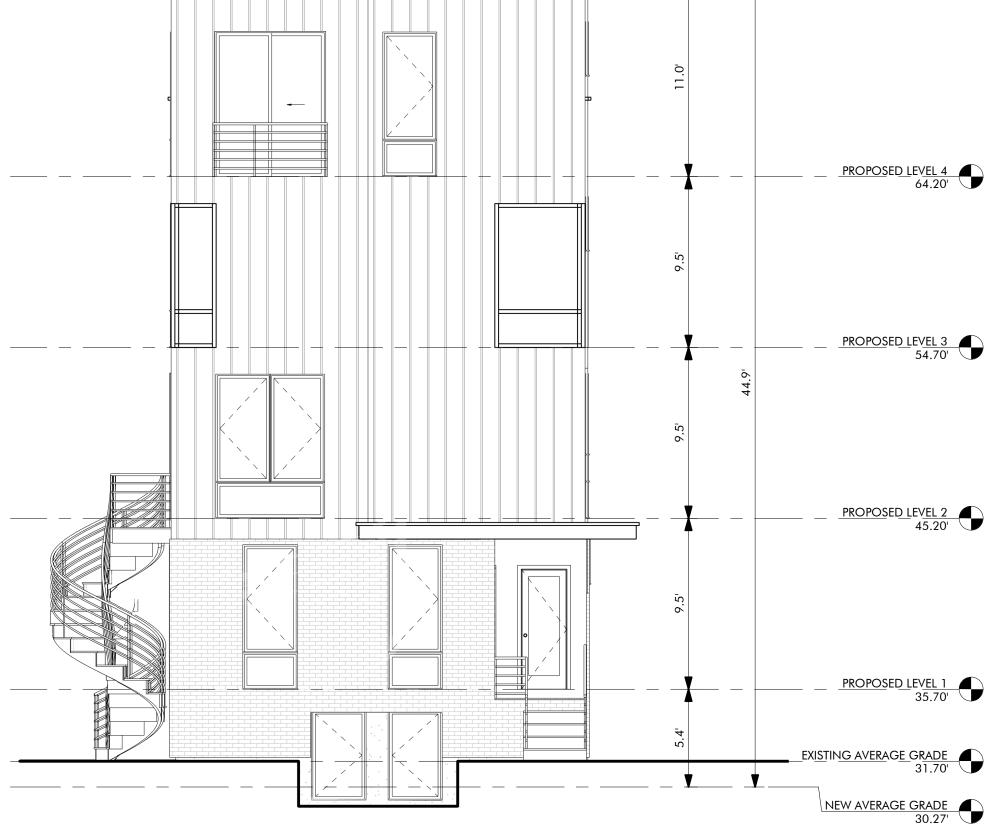


TYPICAL LEVEL 4 FLOOR PLAN
1/8" = 1'-0"



COMPLIES

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PROPOSED ZONING ELEVATION
3/16" = 1'-0"

AREA CALCULATIONS (GFA)

PROPOSED

N/A

838 SF

853 SF

853 SF

770SF

3,314SF

N/A

838 SF

853 SF

853 SF

770SF

3,314SF

N/A

838 SF

853 SF

853 SF

770SF

3,314SF

9,942 SF

PROPOSED

PROPOSED

LEVEL

LEVEL 1

LEVEL 2

LEVEL 3

LEVEL 4

TOTAL

LEVEL

LEVEL 1

LEVEL 2

LEVEL 3

LEVEL 4

TOTAL

LEVEL

LEVEL 1

LEVEL 2

LEVEL 3

LEVEL 4

TOTAL

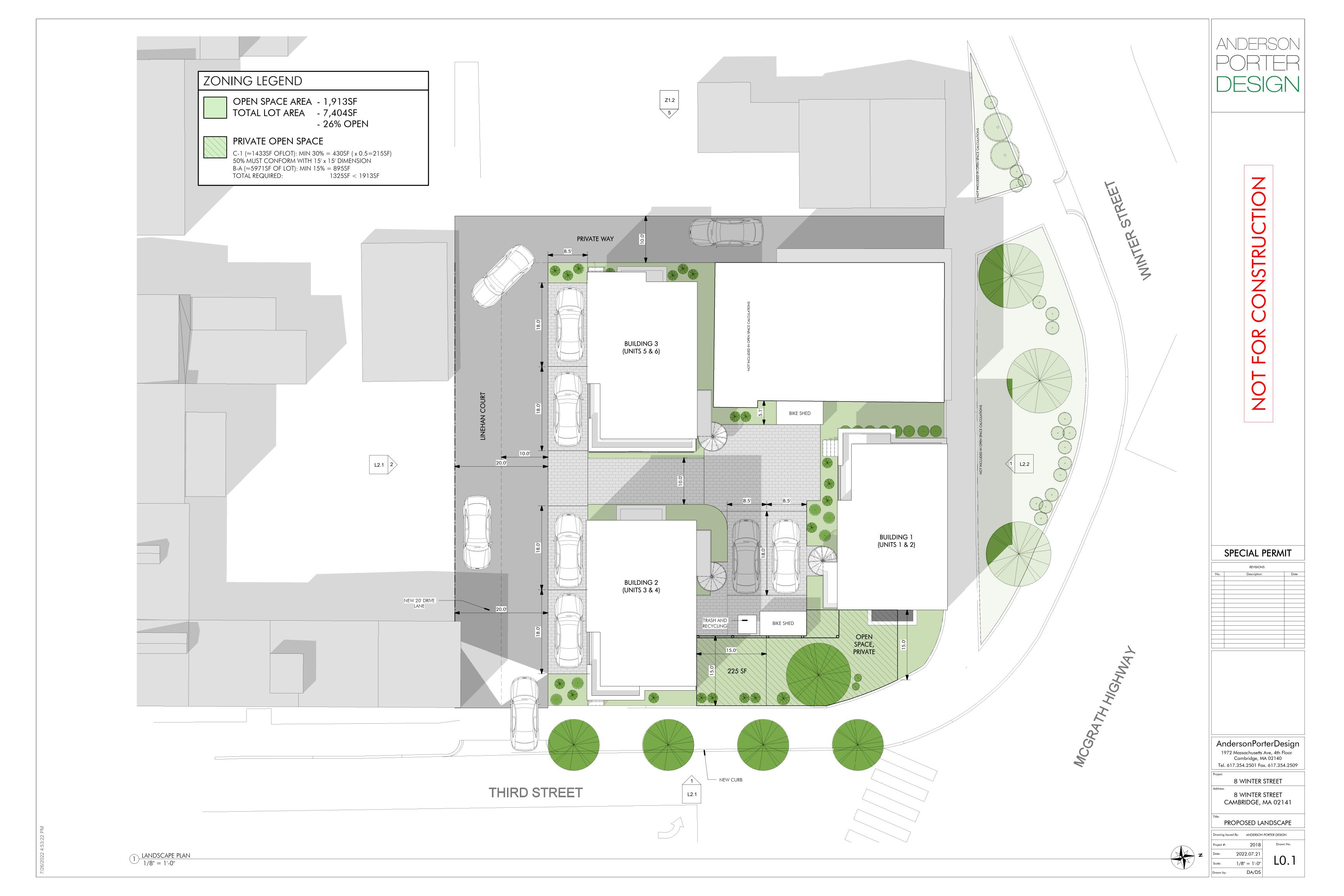
PROJECT TOTAL

LOWER LEVEL

LOWER LEVEL

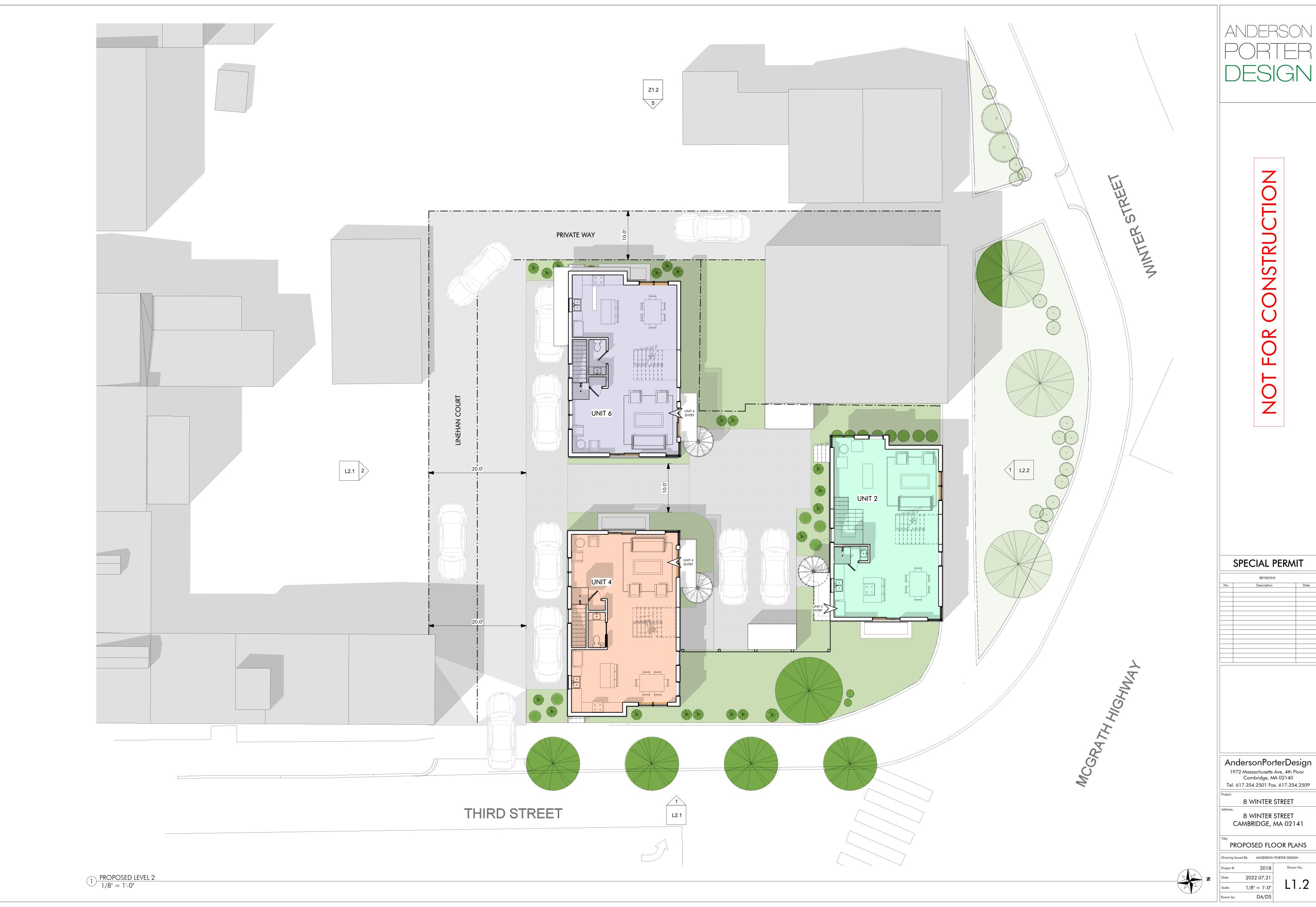
LOWER LEVEL

1) TYPICAL LEVEL 1 FLOOR PLAN 1/8" = 1'-0"

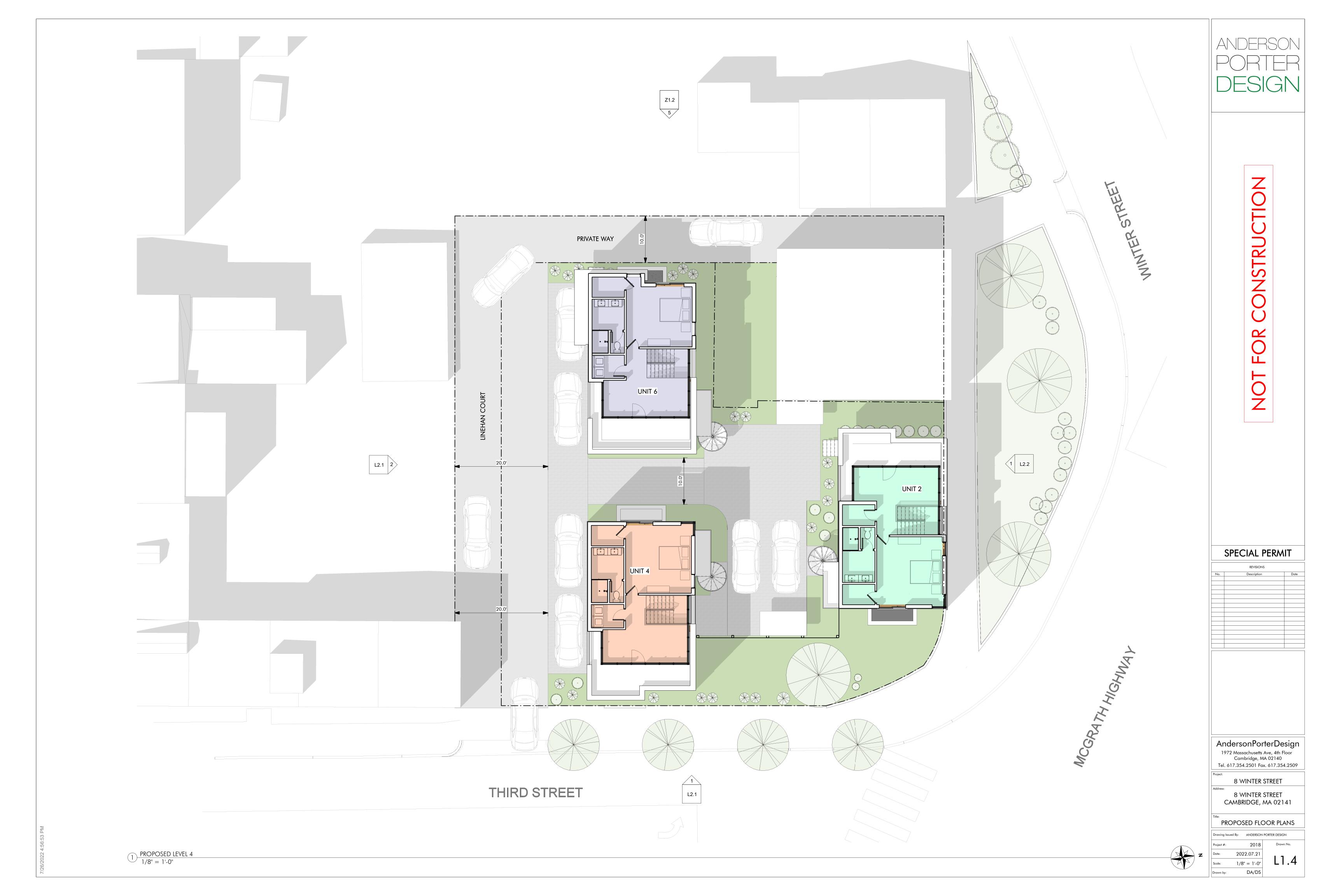


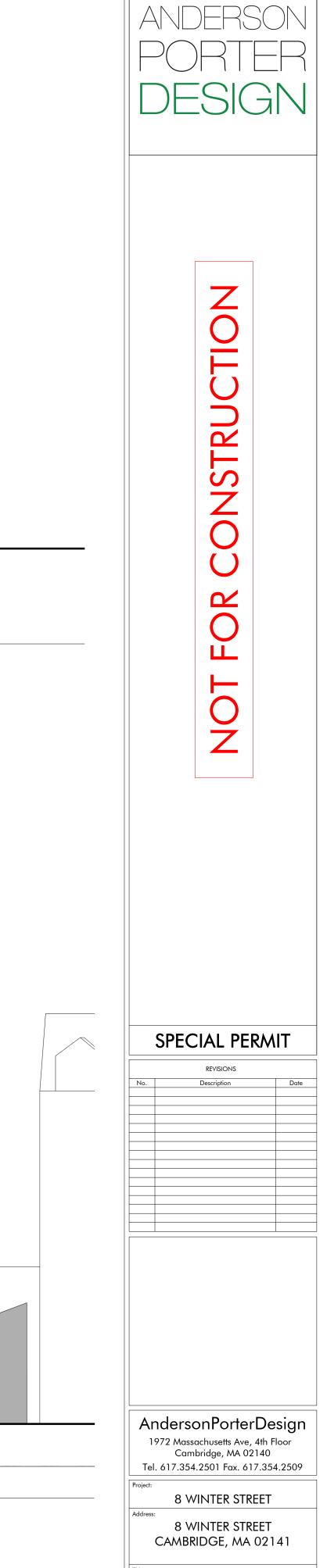












PROPOSED ELEVATIONS

2018 Drawn No.

 $\frac{2022.07.21}{1/8" = 1'-0"} \quad L2.1$

Drawing Issued By: ANDERSON PORTER DESIGN

2022.07.21

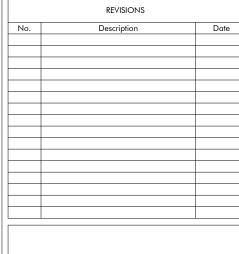
DA/DS

PRIVATE WAY 20.0' $1 \frac{\text{PROPOSED EAST ELEVATION}}{1/8" = 1'-0"}$

THIRD STREET

PRIVATE WAY

 $2 \frac{\text{PROPOSED SOUTH ELEVATION}}{1/8" = 1'-0"}$



AndersonPorterDesign
1972 Massachusetts Ave, 4th Floor
Cambridge, MA 02140
Tel. 617.354.2501 Fax. 617.354.2509

8 WINTER STREET

Address:

8 WINTER STREET

CAMBRIDGE, MA 02141

PROPOSED ELEVATIONS

ving Issu	ed By: ANDI	ERSON I	PORTER DESIGN
ect#:	20	018	Drawn No.
:	2022.07	.21	100
9:	1/8" = 1	'-0"	L2.2

DA/DS



PROPOSED NORTH ELEVATION

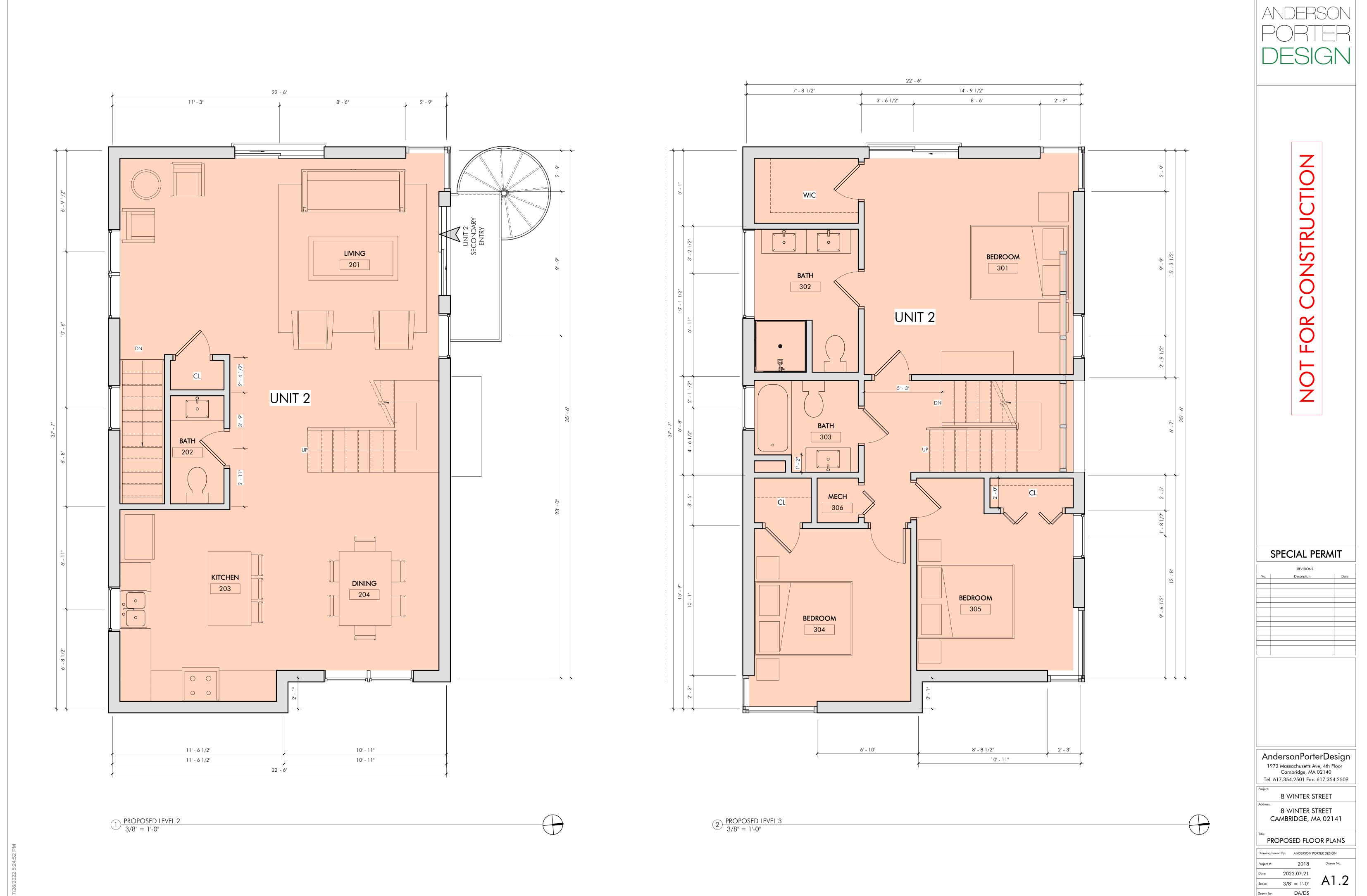
1/8" = 1'-0"



PROPOSED WEST ELEVATION

1/8" = 1'-0"





	REVISIONS	
No.	Description	Date
140.	Description	Dule
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1		

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1972 Massachusetts Ave, 4th Floor
Cambridge, MA 02140
Tel. 617.354.2501 Fax. 617.354.2509

8 WINTER STREET

Address:

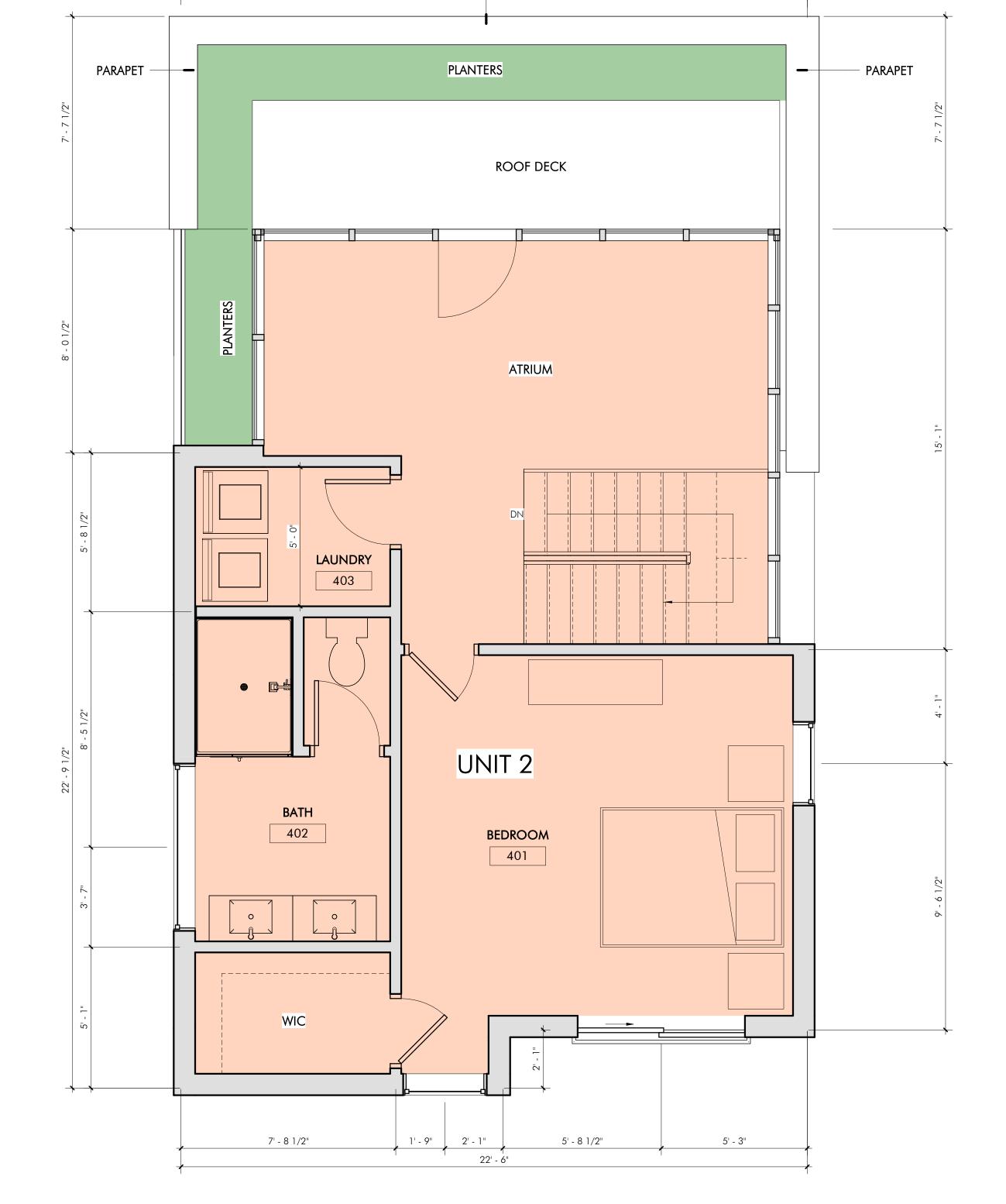
8 WINTER STREET

CAMBRIDGE, MA 02141

PROPOSED FLOOR PLANS

Drawing Issue	ed By:	anderson	PORTER DESIGN
Project #:		2018	Drawn No.
Date:	2022	2.07.21	A 1 C
Scale:	3/8"	= 1'-0"	b.IA

DA/DS



22' - 6"

PARAPET

14' - 9 1/2" 14' - 9 1/2"

7' - 8 1/2"

PROPOSED LEVEL 4

3/8" = 1'-0"

PROPOSED LEVEL 4
64.20'

PROPOSED LEVEL 3
54.70

PROPOSED LEVEL 2
45.20'

PROPOSED LEVEL 1
35.70

AVERAGE GRADE

"NEW" AVERAGE GRADE 29.35'

PROPOSED LEVEL 0 26.20'

	SPECIAL PERM	ECIAL PERMIT	
	REVISIONS		
No.	Description	Da	

AndersonPorterDesign 1972 Massachusetts Ave, 4th Floor Cambridge, MA 02140 Tel. 617.354.2501 Fax. 617.354.2509

8 WINTER STREET 8 WINTER STREET CAMBRIDGE, MA 02141

PROPOSED ELEVATIONS

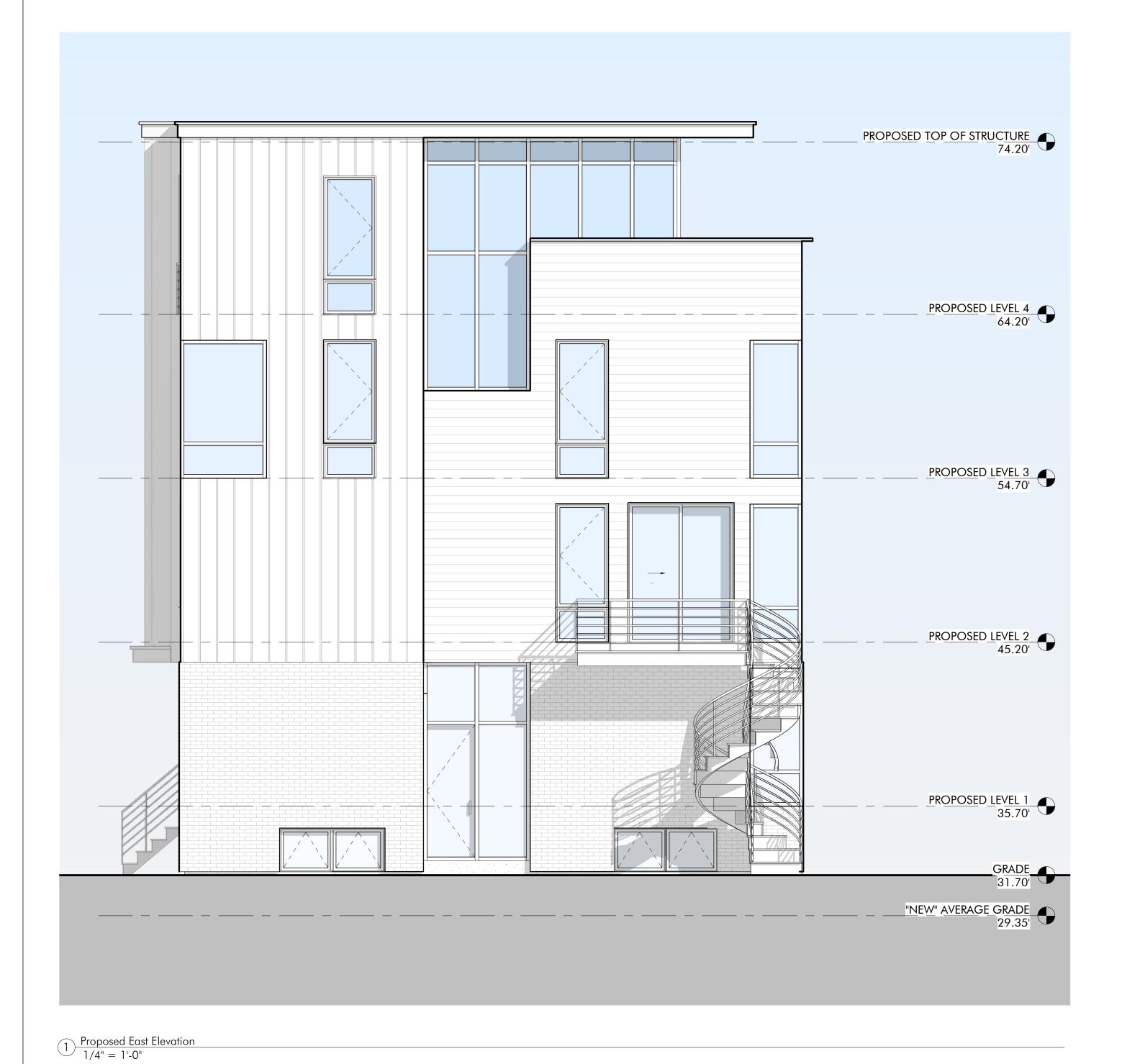
Drawing Issued By: ANDERSON PORTER DESIGN 2018 2022.07.21 $\frac{2022.07.21}{1/4" = 1'-0"}$ A2.1

DA/DS

PROPOSED TOP OF STRUCTURE 74.20' PROPOSED LEVEL 4
64.20' PROPOSED LEVEL 3
54.70' PROPOSED LEVEL 2
45.20 PROPOSED LEVEL 1 35.70' "NEW" AVERAGE GRADE 29.35' PROPOSED LEVEL 0
26.20

2 Proposed West Elevation 1/4" = 1'-0"

Proposed South Elevation 1/4" = 1'-0"



PROPOSED LEVEL 2
45.20 PROPOSED LEVEL 1
35.70 "NEW" AVERAGE GRADE 29.35

Proposed North Elevation

1/4" = 1'-0"

NOT FOR CONSTRUCTION

SPECIAL PERMIT

	SPECIAL PERMIT		
	REVISIONS		
No.	Description	Dat	

AndersonPorterDesign

1972 Massachusetts Ave, 4th Floor
Cambridge, MA 02140

Tel. 617.354.2501 Fax. 617.354.2509

8 WINTER STREET

Address:
8 WINTER STREET
CAMBRIDGE, MA 02141

PROPOSED ELEVATIONS

 Drawing Issued By:
 ANDERSON PORTER DESIGN

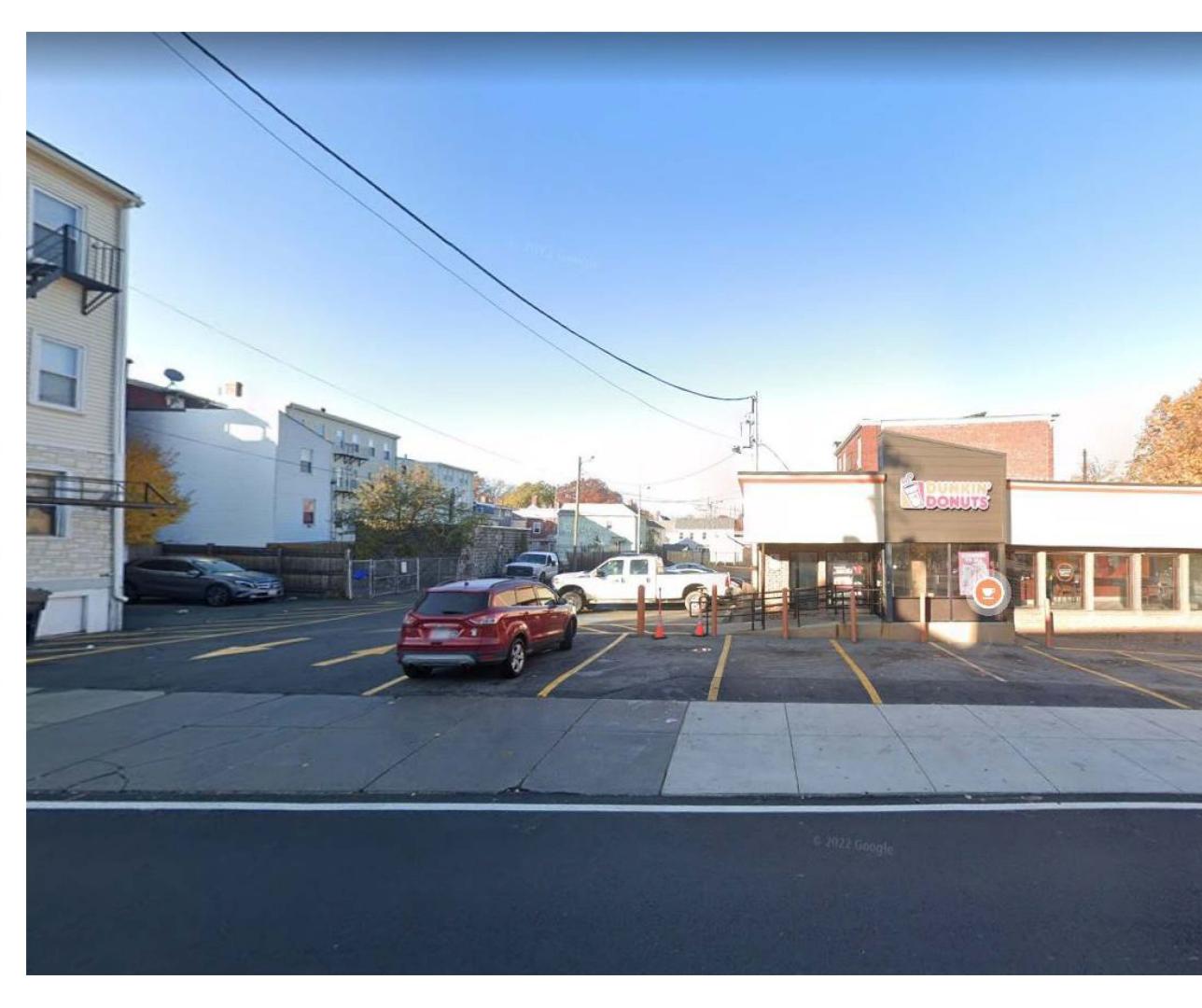
 Project #:
 2018

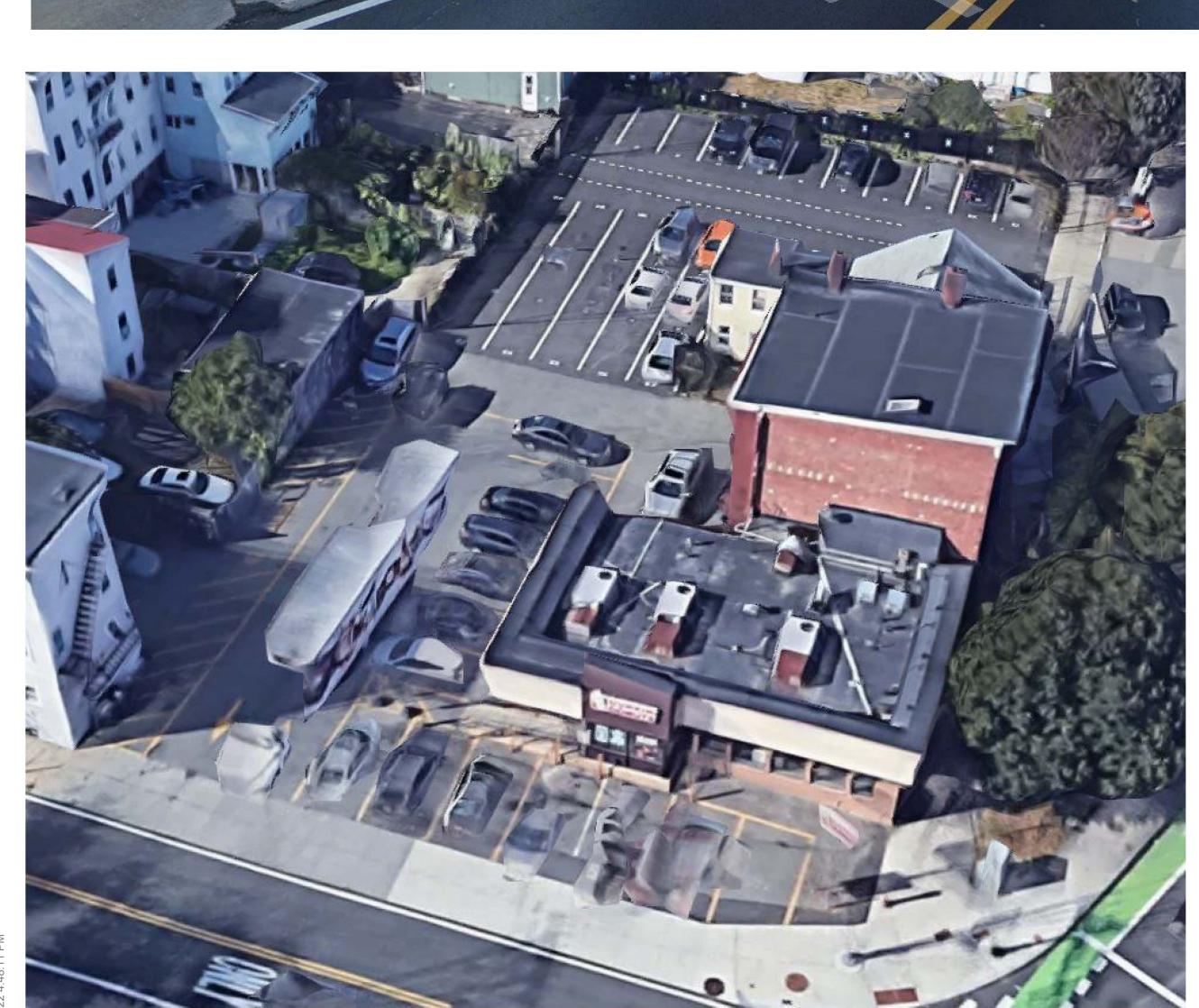
 Date:
 2022.07.21

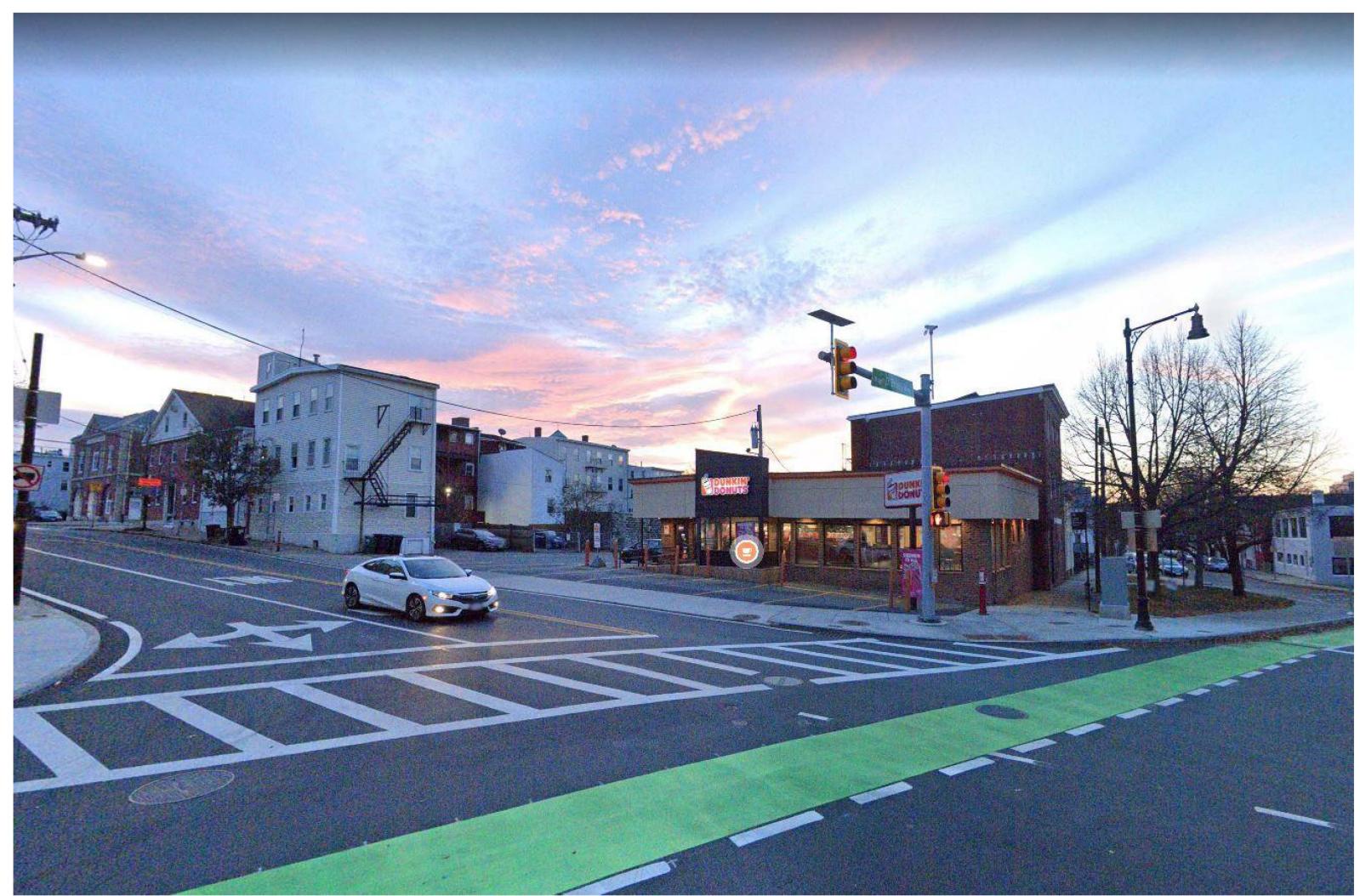
 Scale:
 1/4" = 1'-0"

 Drawn by:
 DA/DS









SPECIAL PERMIT

	REVISIONS	
No.	Description	Date

AndersonPorterDesign 1972 Massachusetts Ave, 4th Floor Cambridge, MA 02140 Tel. 617.354.2501 Fax. 617.354.2509

8 WINTER STREET 8 WINTER STREET CAMBRIDGE, MA 02141





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Cambridge, MA 02140
Tel. 617.354.2501 Fax. 617.354.2509

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3D VIEWS

2022.07.21 A9.1 DA/DS





3 3D View 3

4 3D View 4

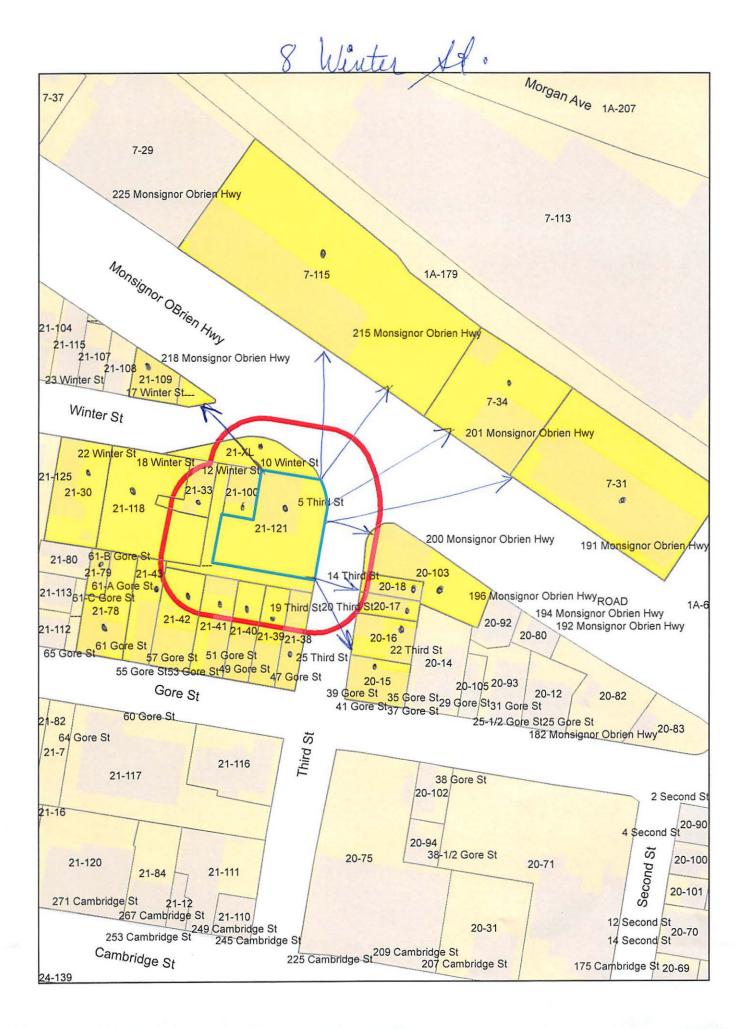
8 WINTER STREET 8 WINTER STREET CAMBRIDGE, MA 02141

3D VIEWS

A9.2 DA/DS



1 3D View 5



8 Winter St.

21-42 CUTONE, ELIO AND MARIO CUTONE 57 GORE ST. CAMBRIDGE, MA 02141-1213

L. J. REALTY CORPORATION 138 WOODSIDE LANE ARLINGTON, MA 02474

20-15

Anderson Porter Design C/o Dan Anderson, Architect 1972 Massachusetts Avenue 4B, Cambridge, MA 02140

21-40 VETRANO, DOROTHY C. A LIFE ESTATE 49 GORE ST CAMBRIDGE, MA 02141 20-18
ALLEN, WILLIAM E. & LOUISE M. ALLEN
14 THIRD ST.
CAMBRIDGE, MA 02141

21-43 CUTONE, ROSEMARIE AND ALFREDO CUTONE, FOR LIFE 57 GORE ST CAMBRIDGE, MA 02141-1213

21-41 FITCH, KARLOTTA A. 51 GORE STREET CAMBRIDGE, MA 02141-1213 21-100 FERRARO, LOUIS, TR. OF 14 TRAPELO ROAD NOMINEE TRUST 64 FLETCHER ROAD BELMONT, MA 02478 21-79 HEILMAN, ETHAN 61A GORE ST CAMBRIDGE, MA 02141

7-115 MONSIGNOR HOTEL, LLC 1359 HOOKSETT RD. HOOKSETT, NH 03106 7-31 NATRAJ HOSPITALITY LLC 14 HILL ST WOBURN, MA 01801

21-38 O'SHEA, JON 19-25 THIRD ST. UNIT#19/1 CAMBRIDGE, MA 02141

21-38 SCHLABACH, KEIKO & KEVIN SCHLABACH 25 THIRD ST., #25/2 CAMBRIDGE, MA 02141 7-34 JOHN FAHIMIAN, LLC 126 ADAMS ST MILTON, MA 02186

21-121 8 WINTER ST, LLC 271 LINCOLN ST, SUITE 10 LEXINGTON, MA 02421

20-16 MEOLA CHRISTINA S & DAMIAN D MEOLA TRS 3 CURRIE CIR LYNNFIELD, MA 01940 21-38 ZHAO, QIN & BEI YU 17 CLELLAND RD LEXINGTON , MA 02421

21-78 CHRISTO RICHARD T NANCY J CHRISTO 61 GORE ST CAMBRIDGE, MA 02141

21-33 JIANG HANCHENG ZHANG YIMING 12 WINTER ST CAMBRIDGE, MA 02141 21-38 WEI, ZHENG GUANNAN WANG 19-25 THIRD ST UNIT 19/2 CAMBRIDGE, MA 02141 20-103 PAC JOINT VENTURE LLC 208-214 MONSIGNOR OBRIEN HWY CAMBRIDGE, MA 02141

21-109 15 WS PROPERTY LLC 271 CAMBRIDGE ST CAMBRIDGE, MA 02141 21-118 18 WS PROPERTY LLC 271 CAMBRIDGE STREET CAMBRIDGE, MA 02141

21-39 PAIK, KENNETH & HANNAH L. SUH 47 GORE ST CAMBRIDGE, MA 02141

21-38 TOMOV, MOMCHIL SLAVCHEV 25 THIRD ST - UNIT 25-1 CAMBRIDGE, MA 02141 21-30 LINDA MOCHI, TRS & PAIGE A. BACCI, NICHOLAS J MOCHI & JENNIFER M MOCHI MOCHI, LEO J & ERICKA L MOCHI 22 WINTER ST CAMBRIDGE, MA 02141 20-17 BALORDI, VIRGINIA A., LOUISE ALLEN & PAUL BALORDI 16 THIRD ST CAMBRIDGE, MA 02141-1210

DEVELOPMENT PROPOSAL: 8 WINTER ST

* 8 WINTER STREET CAMBRIDGE, MA 02141





ZONING SUMMARY

ZONING DISTRICT

PROJECT DESCRIPTION

BUSINESS A (BAI/RESIDENCE C-1 (RESIDENTIAL USES IN BA FOLLOWS C-2B DIMENSIONAL

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CONSTRUCTION

FOR

NOT

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COVER SHEET

EXISTING PARTITION OR PARTITION W/ DOOR TO BE REMOVED EXISTING STRUCTURE OR PARTITION TO REMAIN NEW STRUCTURE OR PARTITION ROOM TAG

WALL SECTION

LIST OF SYMBOLS

INTERIOR ELEVATION FINISH TAG

DOOR IDENTIFICATION SYMBOL WALL TYPE TAG WINDOW IDENTIFICATION SYMBOL (COE) FLOOR FINISH SYMBOL

DUPLEX OLDS ET GROUND FAULT OUTLET

CAT 5/COAX/DATA

STEEL
STRUCTURE/STRUCTURAL
TYPICAL
UNLESS NOTED OTHERWISE
VINYL COMPOSITION TILE
WOOD

ABBREVIATIONS

ABOVE FINISHED FOOR CONTROL JOINT CEILING CLEAR CLEAR OUT COLUMN CONCRETE CONTINUOUS

DOWN EXPANSION JOINT ELEVATION ELECTRICAL

HARDWOOD HEATING, VENTILATION AND AIR CONDITIONIN

INSULATION
MAXIMUM
MANUFACTURER
MINIMUM
MASONRY OPENING
METAL

CONTACTS

ARCHITECT Anderson Porter Design 1972 Massachusetts Ave, 4th Floor Cambridge MA 02139 Dan Anderson

SITE LOCATION

CAMBRDIGE GIS MAP EXISTING SITE SURVEY ZONING COMPLIANCE PROPOSED LANDSCAPE PROPOSED FLOOR PLANS PROPOSED FLOOR PLANS

DRAWING LIST

TYPICAL UNIT ELEVATIONS EXISTING SITE PHOTOS

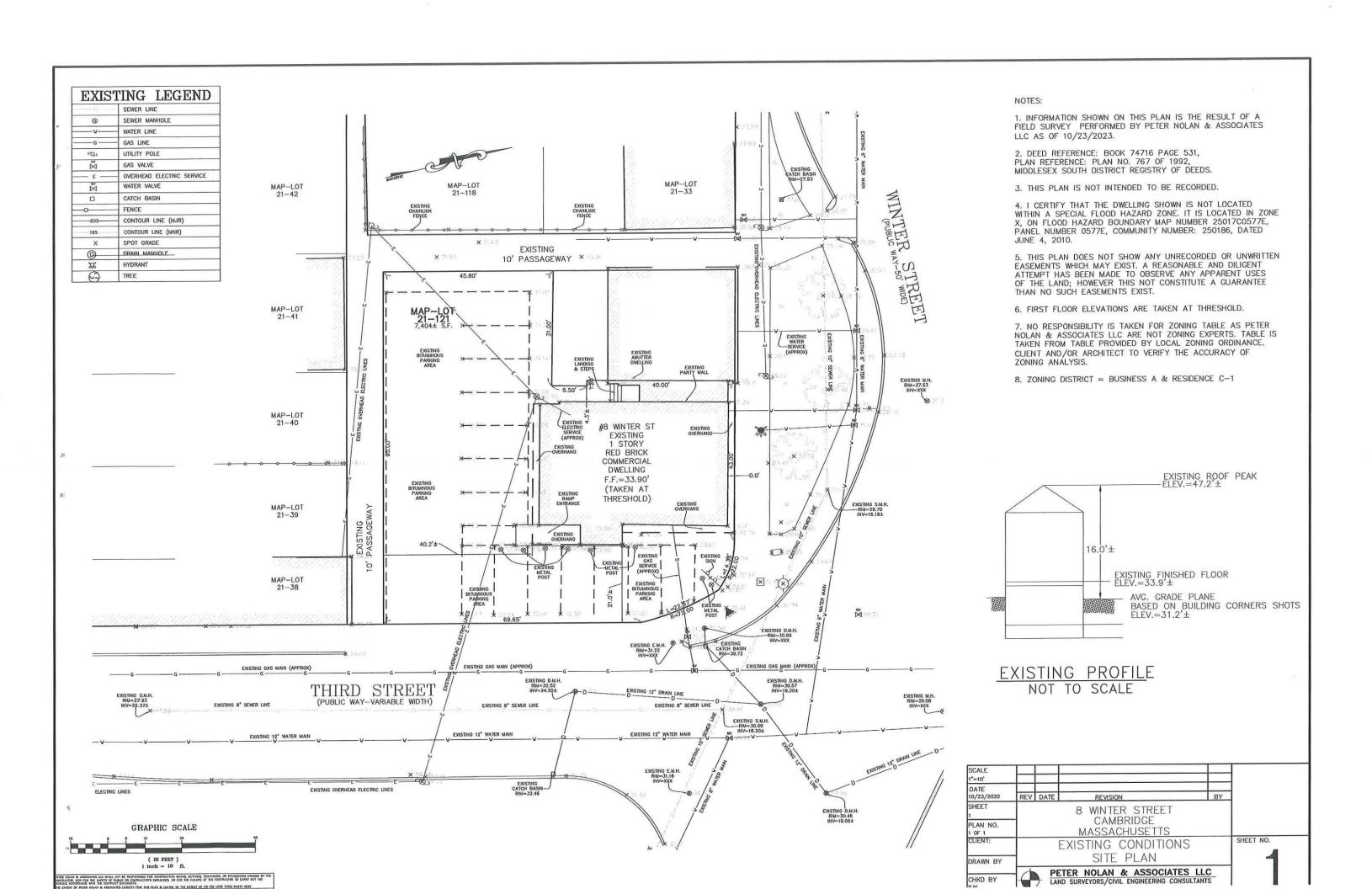
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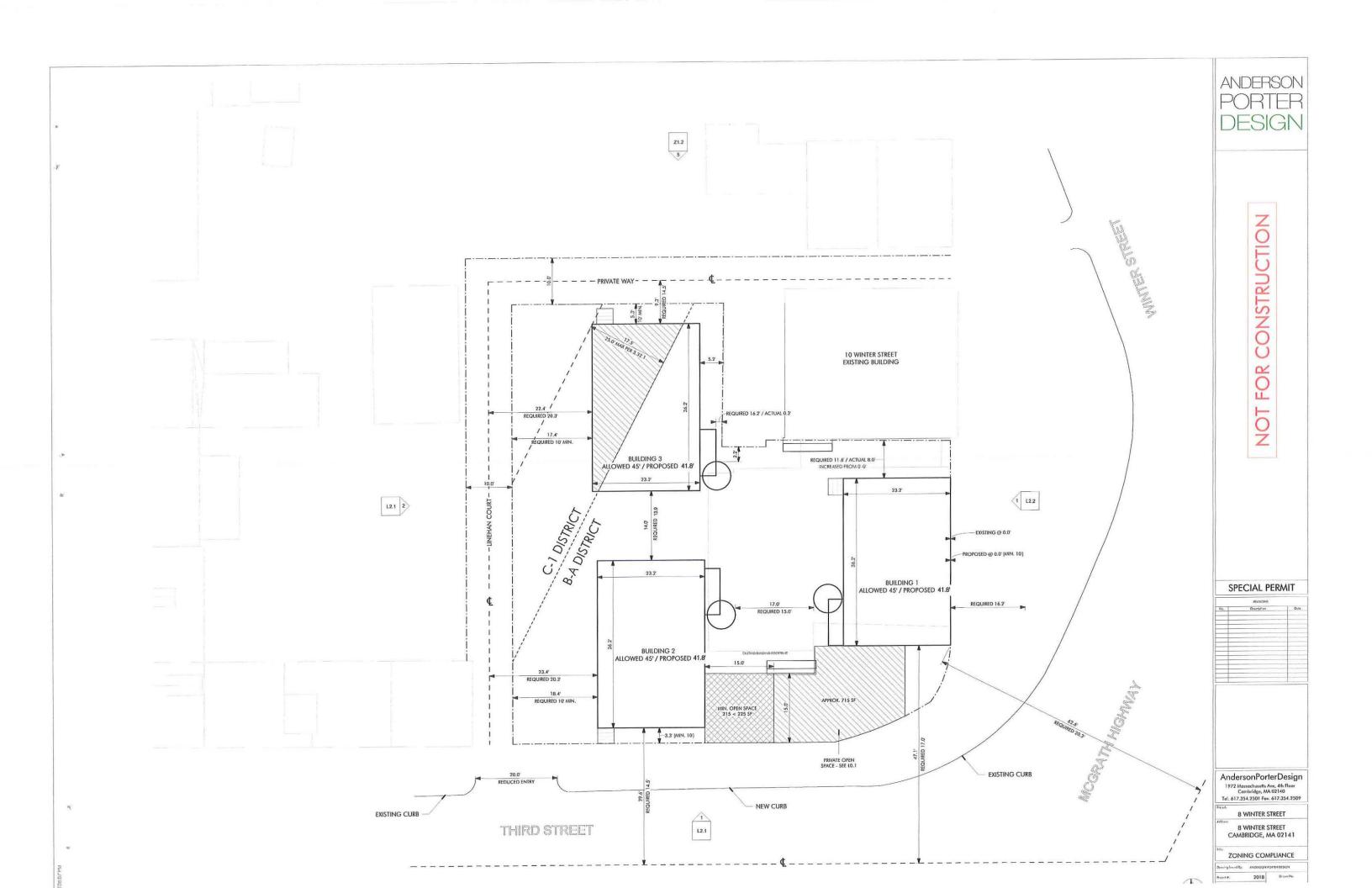
8 WINTER STREET CAMBRIDGE, MA 02141

RESIDENTIAL DEVELOPMENT (6 UNITS)

CITY OF CAMBRIDGE







ZONING CHART - CAMBRIDGE				
LOT SIZE:	ALLOWED / REQUIRED	EXISTING	PROPOSED	COMPLIANCE
ZONE	BA/C-1 ZONE	BA/C-1 ZONE	BA/C-1 ZONE	COMPLIES
USE	LIMITED IMPACT BUSINESS AND INDUSTRY	LIMITED IMPACT BUSINESS AND INDUSTRY	MULTIFAMILY DWELLINGS	COMPLIES
MIN LOT SIZE	5,000 SF	±7,404	±7,404	COMPLIES
MIN LOT AREA PER DWELLING UNIT	Max # of dwelling Units = Lot Area in District 1 + Lot Area in District 2 District 1 min. lot area/du 600 SF - increased to 300 SF per ECHO	N/A	±1,234	COMPLIES
MAX FLOOR AREA RATIO (FAR)	Max GFA = (Area District 1 x District 1 FAR + Area District 2 x District 2 FAR) C-1 (≈14335F OF LOT); .75 B-A (≈ 59715F OF LOT); 2.0 (ECHO OVERLAY) AGGREGRATE FAR: 1.75 Mox GFA/Total Lot Area (13016.75/7404=1.758)	Existing GFA/Total Lot Area .25	Proposed GFA/Total Lat Area 1.34	COMPLIES
MAX BUILDING HEIGHT	C-1: 35' B-A: 45'	25.3'	41.8	BUILDING 3 - RELIEF REQUESTED
MIN. YARD SETBACKS (BUILDING 1) FRONT (WINTER STREET) FRONT (THIRD STREET) SIDE 1 SIDE 2	H+L/4 (to center of street - min. 10' to property line) H+L/4 (to center of street - min. 10' to property line) H+L/5 H+L/5	0.0° 21.0° 40.2° 0.0°	Calculated Actual 45.0' + 36.2'/2 = 20.3' 62.6' 45.0' + 23.2'/2 = 17.0' 47.1' 45.0' + 36.2'/2 = 16.2' 76.7' 35.0' + 23.2'/2 = 11.6' 8.0'	RELIEF REQUESTED COMPLIES COMPLIES RELIEF REQUESTED
MIN. YARD SETBACKS (BUILDING 2) FRONT (THIRD STREET) FRONT (LINEHAN CT) SIDE 1 SIDE 2	H+L/4 (to center of street - min. 10' to property line) H+L/4 (to center of street - min. 10' to property line) H+L/5 H+L/5	N/A	Calculated Actual 35.0' + 23.2'/2 = 14.5' 29.6' 45.0' + 36.2'/2 = 20.3' 23.4' 45.0' + 36.2'/2 = 16.2' 53.3' 45.0' + 23.2'/2 = 13.6' 55.5'	RELIEF REQUESTED, DOES NOT MEET 10.0° MIN TO PROPERTY LINE COMPLIES COMPLIES COMPLIES
MIN. YARD SETBACKS (BUILDING 3) FRONT (LINEHAN CT) FRONT (PRIVATE WAY) SIDE 1 SIDE 2	H+L/4 (to center of street - min. 10' to property line) H+L/4 (to center of street - min. 10' to property line) H+L/5 H+L/5	N/A	Calculated Actual 45.0' + 36.2'/2 = 20.3' 22.4' 35.0' + 23.2'/2 = 14.5' 9.3' 45.0' + 36.2'/2 = 16.2' 1.3' 45.0' + 23.2'/2 = 13.6' 54.5'	RELIEF REQUESTED RELIEF REQUESTED
MIN LOT WIDTH	50'	69.65'	69.65'	COMPLIES
PRIVATE OPEN SPACE, MIN % OF LOT	C-1 (=1433\$F OF LOT); MIN 30% = 430\$F 135\$F (50%) MUST CONFORM WITH 15X15' DIMENSION B-A (= 5971\$F OF LOT); MIN 15% = 895\$F TOTAL REQUIRED 1325\$F	0	1,913 SF Not including balconies or roof decks (15'x15' minimum indicated on Landscape Plan) ⇒750 SF > 215 minimum required	COMPLIES
PARKING REQUIREMENTS	1 PER DWELLING UNIT	N/A	1/DU - 6 PARKING SPACES	COMPLIES

AREA CALCULATIONS (GFA)

BUILDING 1	LEVEL	PROPOSED	
	LOWER LEVEL	N/A	
	LEVEL 1	838 SF	
	LEVEL 2	853 SF	
	LEVEL 3	853 SF	
	LEVEL 4	770SF	
	TOTAL	3,314SF	
BUILDING 2	LEVEL	PROPOSED	
	LOWER LEVEL	N/A	
	LEVEL 1	838 SF	
	LEVEL 2	853 SF	
	LEVEL 3	853 SF	
	LEVEL 4	770SF	
	TOTAL	3,3145F	
BUILDING 3	LEVEL	PROPOSED	
	LOWER LEVEL	N/A	
	LEVEL 1	838 SF	
	LEVEL 2	853 SF	
	LEVEL 3	853 SF	
	LEVEL 4	770SF	
	TOTAL	3,314SF	
PROJECT TOTAL		9,942 SF	

(5) PROPOSED ZONING ELEVATION 3/16" = 1'-0"

NOT FOR CONSTRUCTION

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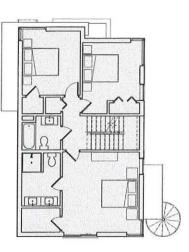
ONING CHART

12" = 1'-0"

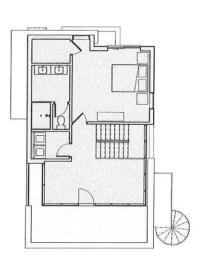
TYPICAL LEVEL 1 FLOOR PLAN
1/8' = 1'-0"

FOOTNOTES: BICYCLE PARKING PROVIDED BUT NOT REQUIRED PER 6.103.2 (a)

2 TYPICAL LEVEL 2 FLOOR PLAN 1/8" = 1"-0"



3 TYPICAL LEVEL 3 FLOOR PLAN



TYPICAL LEVEL 4 FLOOR PLAN
1/8" = 1'-0"

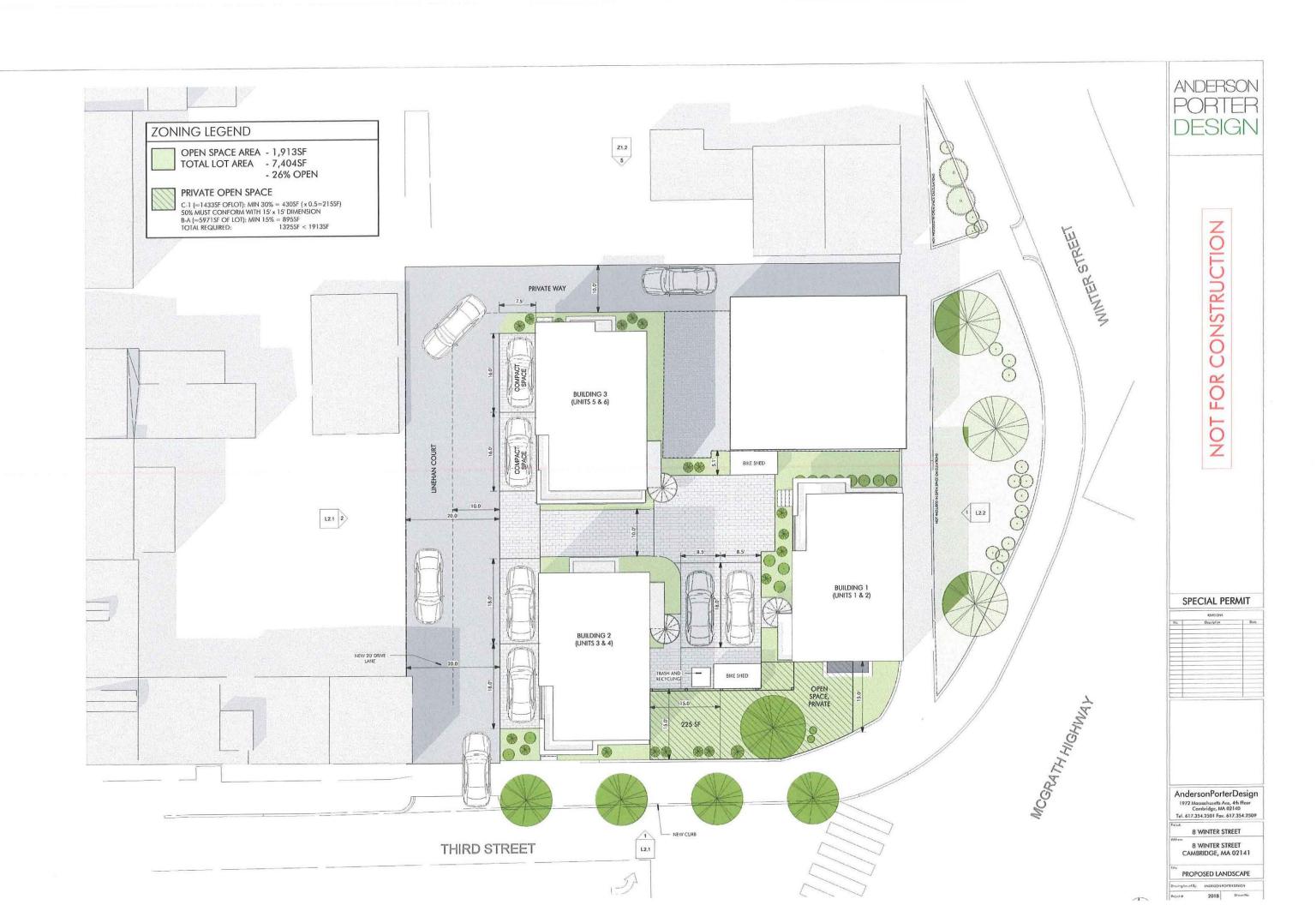


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SPECIAL PERMIT Description

8 WINTER STREET CAMBRIDGE, MA 02141

ZONING COMPLIANCE











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8 WINTER STREET CAMBRIDGE, MA 02141

PROPOSED ELEVATIONS 2018 DramNa



PRIVATE WAY 20.0°

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8 WINTER STREET

8 WINTER STREET CAMBRIDGE, MA 02141

PROPOSED ELEVATIONS

2) PROPOSED WEST ELEVATION 1/8" = 1'-0"



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8 WINTER STREET

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CAMBRIDGE, MA 02141

PROPOSED FLOOR PLANS

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DEVELOPMENT PROPOSAL: 8 WINTER ST

8 WINTER STREET CAMBRIDGE, MA 02141



STEEL STRUCTURE/STRUCTURAL TYPICAL TYPICAL
UNLESS NOTED OTHERWISE
VINYL COMPOSITION TILE
WOOD



ZONING SUMMARY

PROPERTY ADDRESS

SPECIAL PERMIT

ANDERSON

CONSTRUCTION

2 P.

NOT

No.	Description	Defe	
		-	
		-	

LIST OF SYMBOLS EXISTING PARTITION OR PARTITION W/ DOOR TO BE REMOVED EXISTING STRUCTURE OR PARTITION TO REMAIN FINISH ELEVATION ROOM TAG GENERAL DETAIL WALL SECTION INTERIOR ELEVATION FINISH TAG DOOR IDENTIFICATION SYMBOL WALL TYPE TAGE WINDOW IDENTIFICATION SYMBOL (CONT) FLOOR FINISH SYMBOL DUPLEX OUTLET GROUND FAULT OUTLET CAT 5/COAV/DATA

CARBON MONOXIDE DETECTOR



G1.0	COVER SHEET
C-1	CAMBRDIGE GIS MAP
C-2	EXISTING SITE SURVEY
Z1.1	ZONING COMPLIANCE
Z1.2	ZONING COMPLIANCE
10.1	PROPOSED LANDSCAPE
11.0	PROPOSED FLOOR PLANS
L1.1	PROPOSED FLOOR PLANS
11.2	PROPOSED FLOOR PLANS
11.3	PROPOSED FLOOR PLANS
L1.4	PROPOSED FLOOR PLANS
12.1	PROPOSED ELEVATIONS
12.2	PROPOSED ELEVATIONS
A1.1	TYPICAL UNIT PLANS
A1.2	TYPICAL UNIT PLANS
A2.1	TYPICAL UNIT ELEVATIONS
A2.2	TYPICAL UNIT ELEVATIONS
A9.0	EXISTING SITE PHOTOS
A9.1	3D VIEWS
A9.2	3D VIEWS
1	
1	

DRAWING LIST

ZONING DISTRICT:	BUSINESS A (BA)/RESIDENCE C-1 (RESIDENTIAL USES IN BA FOLLOWS C-2B DIMENSIONAL)	
PROJECT DESCRIPTION:	RESIDENTIAL DEVELOPMENT (6 UNITS)	

89 # d hz 100 1101 CITY OF CAMBRIDGE STANFES

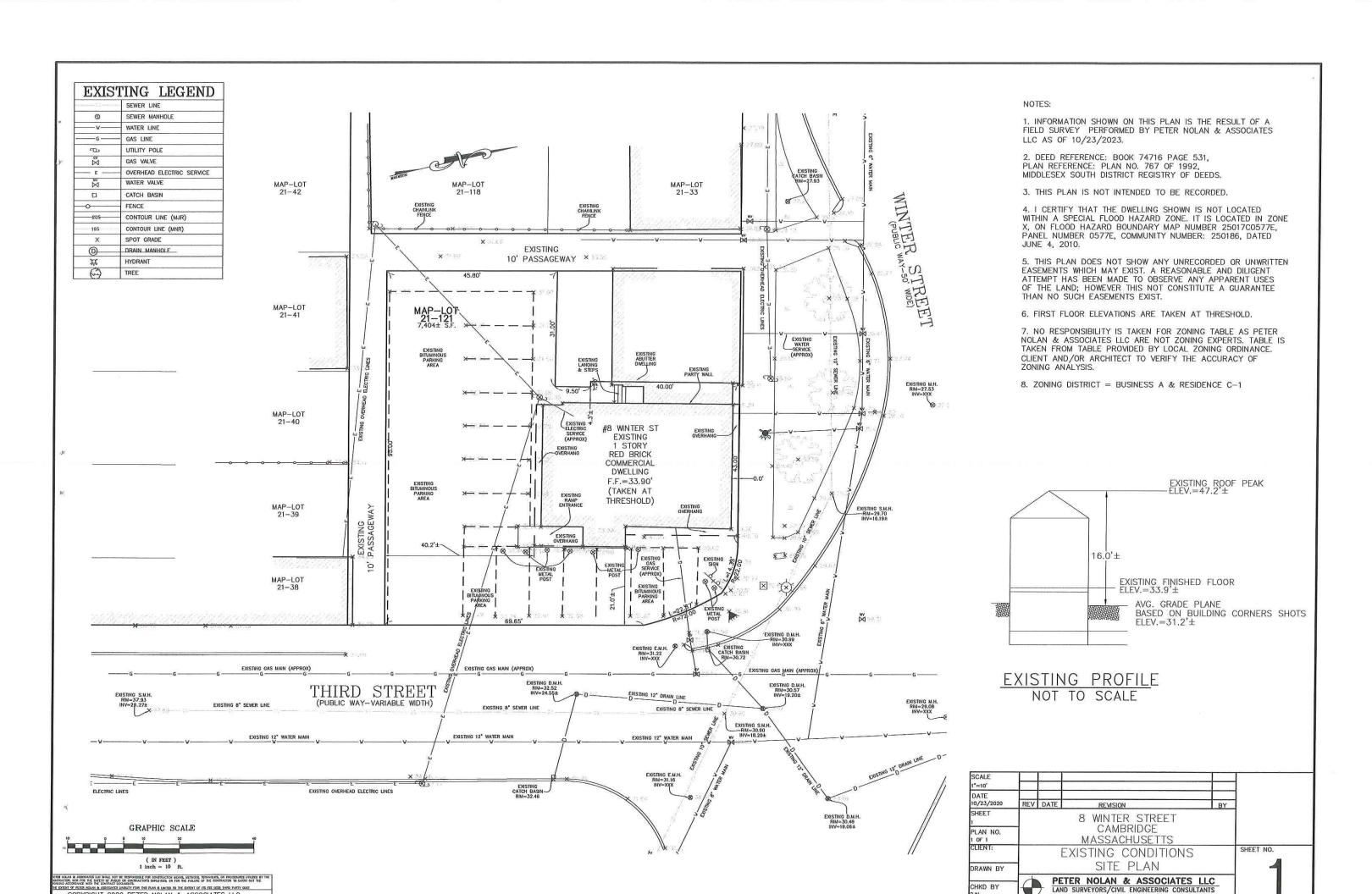
8 WINTER STREET CAMBRIDGE, MA 02141

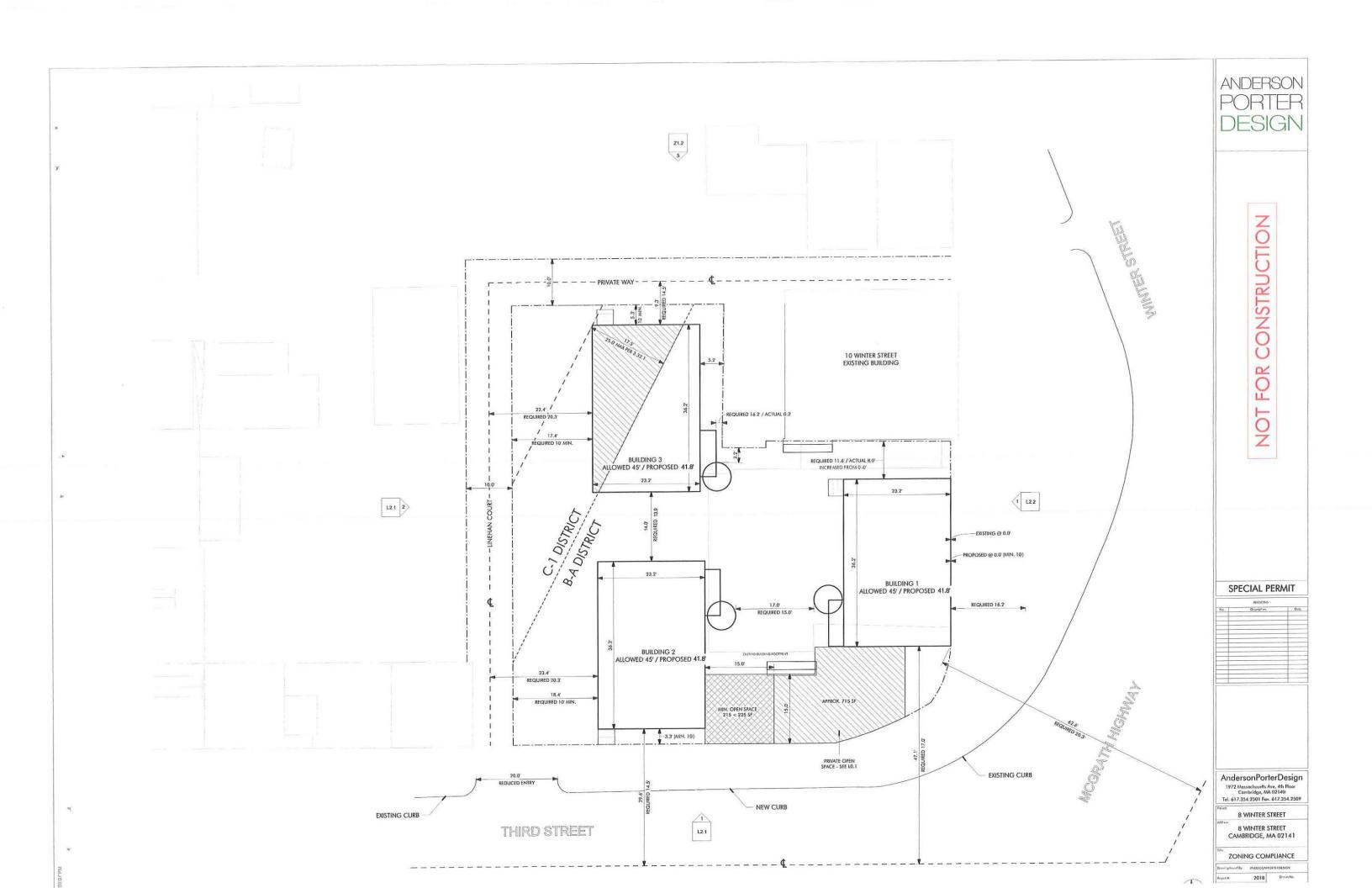
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COVER SHEET







	ZONING CHART - CAI	MBRIDGE		
LOT SIZE:	ALLOWED / REQUIRED	EXISTING	PROPOSED	COMPLIANCE
ZONE	BA/C-1 ZONE	BA/C-1 ZONE	BA/C-1 ZONE	COMPLIES
USE	LIMITED IMPACT BUSINESS AND INDUSTRY	LIMITED IMPACT BUSINESS AND INDUSTRY	MULTIFAMILY DWELLINGS	COMPLIES
MIN LOT SIZE	5,000 SF	±7,404	±7,404	COMPLIES
MIN LOT AREA PER DWELLING UNIT	Mox # of dwelling Units = Lot Area in District 1 + Lot Area in District 2 District 1 min. lot area/du District 2 min. lot area/du 600 SF - increased to 300 SF per ECHO	N/A	±1,234	COMPLIES
MAX FLOOR AREA RATIO (FAR)	Max GFA = (Area District 1 x District 1 FAR + Area District 2 x District 2 FAR) C-1 (≈1433SF OF LOT): .75 B-A (≈ 5971SF OF LOT): 2.0 (ECHO OVERLAY) AGGREGATE FAR: 1.75 Max GFA/Total Lot Area (13016.75/7404=1.758)	Existing GFA/Total Lot Area .25	Proposed GFA/Total Lot Area 1.34	COMPLIES
MAX BUILDING HEIGHT	C-1: 35' B-A: 45'	25.3'	41.8'	BUILDING 3 - RELIEF REQUESTED
MIN. YARD SETBACKS (BUILDING 1) FRONT (WINTER STREET) FRONT (THIRD STREET) SIDE 1 SIDE 2	H+L/4 (to center of street - min. 10' to property line) H+L/4 (to center of street - min. 10' to property line) H+L/5 H+L/5	0.0° 21.0° 40.2° 0.0°	Colculated Actual 45.0' + 36.2'/2 = 20.3' 62.6' 45.0' + 23.2'/2 = 17.0' 47.1' 45.0' + 36.2'/2 = 16.2' 76.7' 35.0' + 23.2'/2 = 11.6' 8.0'	RELIEF REQUESTED COMPLIES COMPLIES
MIN. YARD SETBACKS (BUILDING 2) FRONT (THIRD STREET) FRONT (LINEHAN CT) SIDE 1 SIDE 2	H+L/4 (to center of street - min. 10" to property line) H+L/4 (to center of street - min. 10" to property line) H+L/5 H+L/5	N/A	Calculated Actual 35.0' + 23.2'/2 = 14.5' 29.6' 45.0' + 36.2'/2 = 20.3' 23.4' 45.0' + 36.2'/2 = 16.2' 53.3' 45.0' + 23.2'/2 = 13.6' 55.5'	RELIEF REQUESTED, DOES NOT MEET 10.0' MIN TO PROPERTY LIN COMPLIES COMPLIES COMPLIES
MIN. YARD SETBACKS (BUILDING 3) FRONT (LINEHAN CT) FRONT (PRIVATE WAY) SIDE 1 SIDE 2	H+L/4 (to center of street - min. 10' to property line) H+L/4 (to center of street - min. 10' to property line) H+L/5 H+L/5	N/A	Calculated Actual 45.0' + 36.2'/2 = 20.3' 22.4' 35.0' + 23.2'/2 = 14.5' 9.3' 45.0' + 36.2'/2 = 16.2' 1.3' 45.0' + 23.2'/2 = 13.6' 54.5'	COMPLIES RELIEF REQUESTED RELIEF REQUESTED COMPLIES
MIN LOT WIDTH	50'	69.65'	69.65'	COMPLIES
PRIVATE OPEN SPACE, MIN % OF LOT	C-1 (≈14335F OF LOT): MIN 30% = 4305F 1355F (50%) MUST CONFORM WITH 15X15' DIMENSION B-A (≈ 59715F OF LOT): MIN 15% = 8955F TOTAL REQUIRED 13255F	0	1,913 SF Not including balconies or roof decks (15×15' minimum indicated on Landscape Plan) =750 SF > 215 minimum required	COMPLIES
PARKING REQUIREMENTS	1 PER DWELLING UNIT	N/A	1/DU - 6 PARKING SPACES	COMPLIES

AREA CALCULATIONS (GFA)

	LEVEL	PROPOSED
BUILDING 1	LOWER LEVEL	N/A
	LEVEL 1	838 SF
	LEVEL 2	853 SF
	LEVEL 3	853 SF
	LEVEL 4	770SF
	TOTAL	3,314SF
	LEVEL	PROPOSED
SUILDING 2	LOWER LEVEL	N/A
	LEVEL 1	838 SF
	LEVEL 2	853 SF
BUIL	LEVEL 3	853 SF
	LEVEL 4	770SF
	TOTAL	3,314SF
	LEVEL	PROPOSED
	LOWER LEVEL	N/A
BUILDING 3	LEVEL 1	838 SF
	LEVEL 2	853 SF
	LEVEL 3	853 SF
	LEVEL 4	770SF
	TOTAL	3,314SF
PRC	JECT TOTAL	9,942 SF

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PROPOSED TOP OF ROOF 74.20' AVERAGE BLDG HEIGHT 72.32'

PROPOSED LEVEL 4 64.20

PROPOSED LEVEL 3
54.70

Description

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8 WINTER STREET

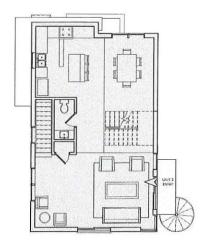
8 WINTER STREET CAMBRIDGE, MA 02141

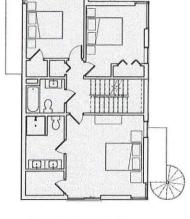
ZONING COMPLIANCE

PROPOSED LEVEL 2 EXISTING AVERAGE GRADE 31.70

5 PROPOSED ZONING ELEVATION
3/16" = 1'-0"

O ZONING CHART



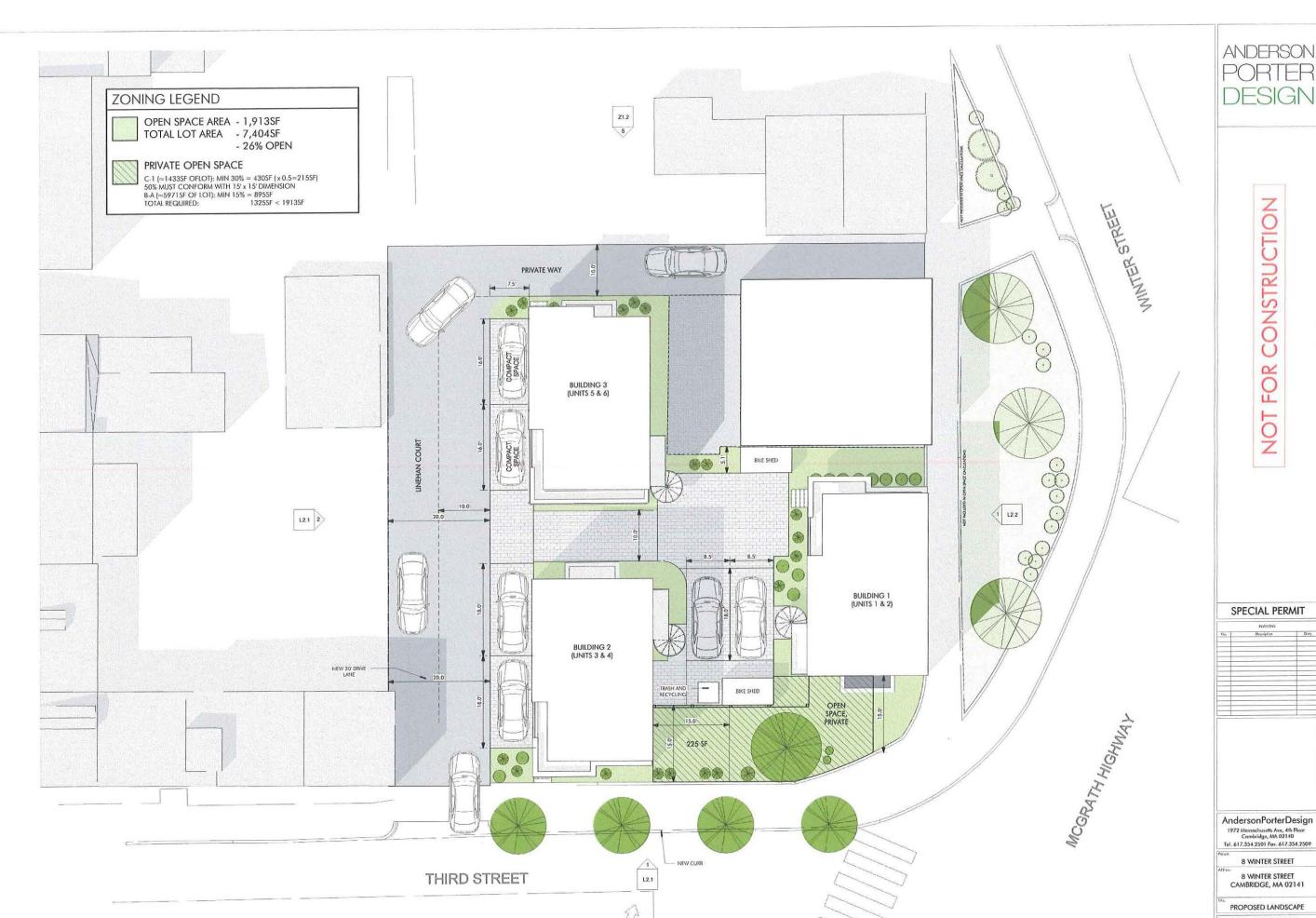


3 TYPICAL LEVEL 3 FLOOR PLAN

TYPICAL LEVEL 4 FLOOR PLAN
1/8" = 1'-0"

TYPICAL LEVEL 1 FLOOR PLAN
1/8' = 1'-0"

2 TYPICAL LEVEL 2 FLOOR PLAN 1/8" = 1'-0"



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PROPOSED EAST ELEVATION
1/8" = 1'-0"



2 PROPOSED SOUTH ELEVATION 1/8" = 1'-0"

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PROPOSED ELEVATIONS

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Project #: 2018 Drawn No.



2 PROPOSED WEST ELEVATION

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PROPOSED ELEVATIONS



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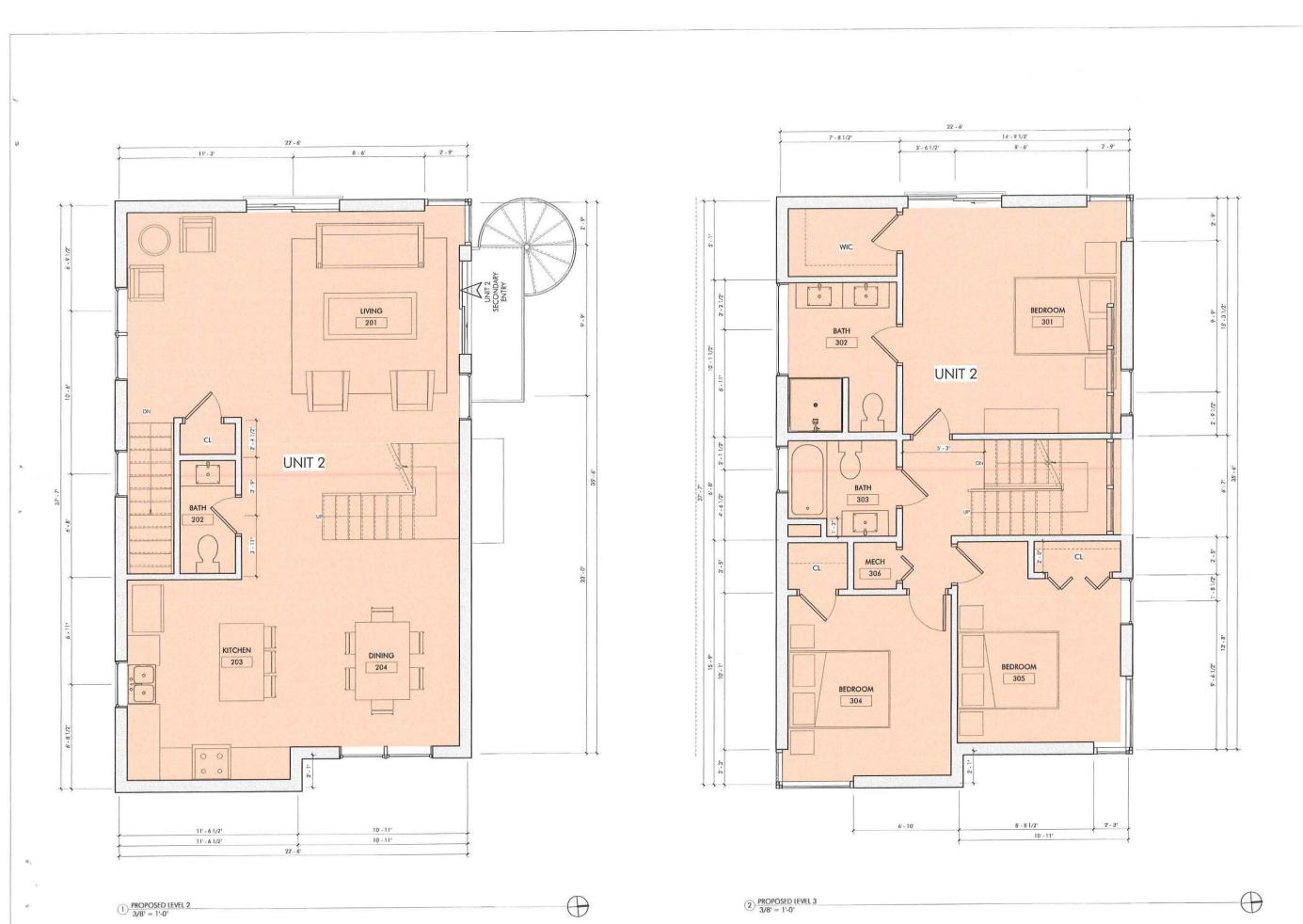
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PROPOSED FLOOR PLANS

(2) PROPOSED LEVEL 1

PROPOSED LEVEL 0



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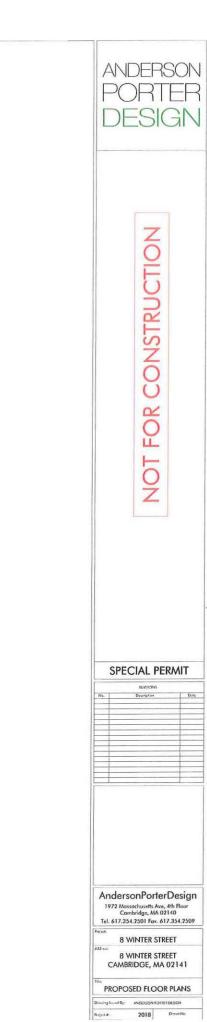
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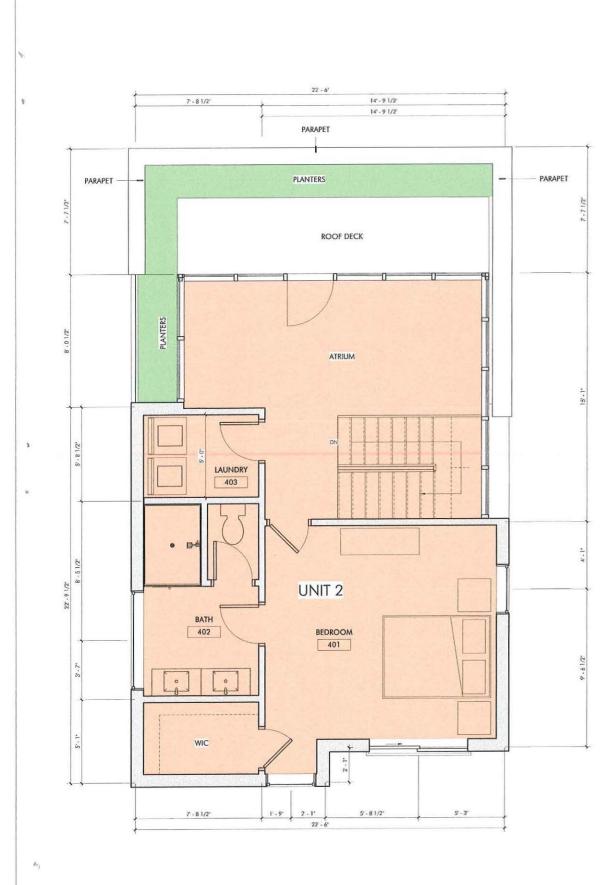
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PROPOSED FLOOR PLANS

2018 D-zvn No.





1) PROPOSED LEVEL 4 $3/8^{\circ} = 1' \cdot 0^{\circ}$

0

PROPOSED TOP OF ROOF 74.20' AVERAGE BLDG HEIGHT 72.32' AVERAGE BLDG HEIGHT 72.32' PROPOSED LEVEL 4
64.20' PROPOSED LEVEL 4 64.20 PROPOSED LEVEL 3 54,70' PROPOSED LEVEL 3
54.70' PROPOSED LEVEL 2 45.20' PROPOSED LEVEL 2 45.20' PROPOSED LEVEL 1 35.70' PROPOSED LEVEL 1 35.70 AVERAGE GRADE
"NEW" AVERAGE GNADE
30.52" 'NEW' AVERAGE GRADE 30.52' PROPOSED LEVEL 0 26.20' PROPOSED LEVEL 0 26.20 Proposed South Elevation
1/4" = 1'-0" Proposed West Elevation
1/4" = 1'-0"

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PROPOSED ELEVATIONS

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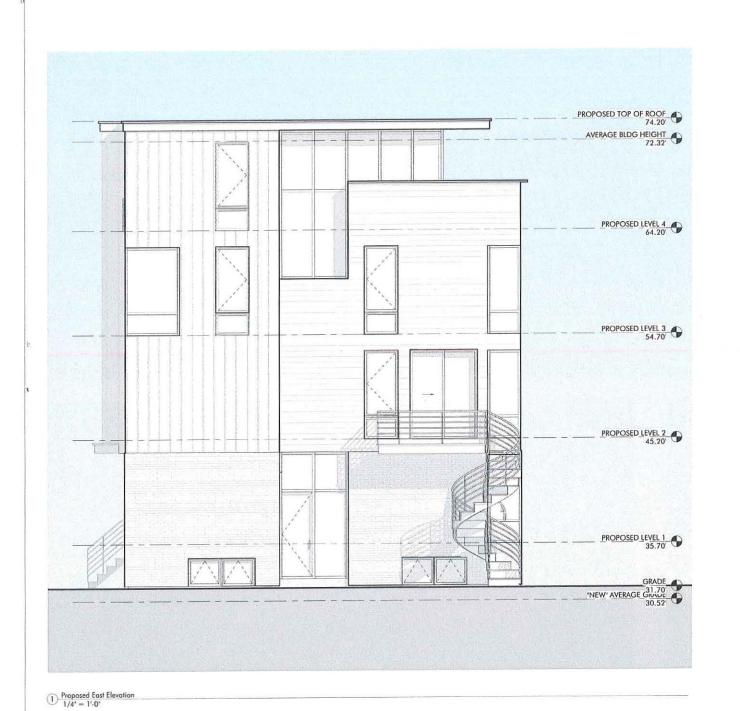
8 WINTER STREET

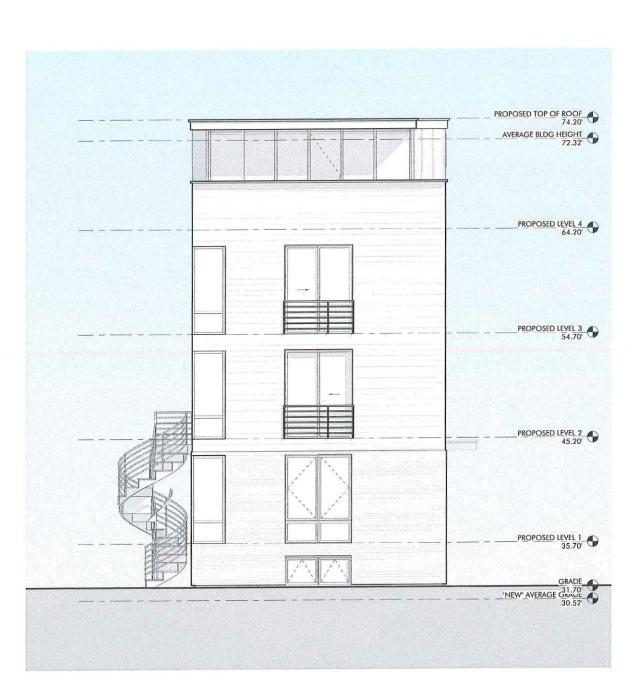
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PROPOSED ELEVATIONS

Desiration of Recommendations

Desiration





Proposed North Elevation
1/4' = 1'-0"





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8 WINTER STREET

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(2) 3D View 2





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8 WINTER STREET

8 WINTER STREET

CAMBRIDGE, MA 02141

3D VIEWS

Descriptment by ANDESCH FORTER DESCRIPTION No. 100 Paris N



1) 3D View 5

Ratay, Olivia

From:

Pacheco, Maria

Sent:

Tuesday, October 25, 2022 8:06 AM

To:

Ratay, Olivia

Subject:

Fw: 18 Winter Street (As it relates to 8 Winter Street Proposal)

Can you please print, scan to the portal and put in file.

Thanks Maria

From: Audrey Cunningham < mommiedear@rocketmail.com>

Sent: Monday, October 24, 2022 9:12 PM

To: Pacheco, Maria <mpacheco@cambridgema.gov>

Subject: 18 Winter Street (As it relates to 8 Winter Street Proposal)

Dear Zoning Board Members,

We, the resident abutters are sending this letter regarding 18 Winter Street as it relates to the proposed development at 8 Winter Street (BZA Case BZA-194179) which all resident abutters conditionally approve per our recent email today to you.

However, we felt it necessary to elaborate on why we request that the edge of the private way abutting the commercial parking lot on 18 Winter Street be protected.

>Historically, over approximately 50 years, there has been a fence blocking vehicles from entering the commercial parking lot through the private way, which was only open to resident abutters. The entrance to the parking lot has always been via Winter Street. The new owner of the parking lot recently removed the long standing fence to allow tandem parking and for his thirty-five plus customers to enter and exit off of Third Street via our private way, without notifying or consulting with us.

>As resident abutters, our only entrance and exit to our property is via Third Street.

>For safety of existing residents and the ones who will occupy the proposed condo development at 8 Winter Street, it is imperative that vehicles related to that commercial business not be allowed to use the private way as a thoroughfare.

>In addition, what is already happening since the fence was removed, vehicles are using the parking lot as a 'cut through' to avoid the traffic signal off McGrath/Obrien Highway to reach Third Street. This is causing a safety issue for those of us who need to access the rear of our property.

>We firmly believe that any and all usage of the roadway for commercial purposes must be prohibited except as is necessary for deliveries, trash removal, etc. relative to the convenience, necessity and well being of the residents who live in the buildings and all abutting resident owners.

This information does not nullify our conditional support for the developer's proposal for 8 Winter Street, but to provide our reasoning for the need to prevent access for commercial use by parking lot customers either by a fence or other effective means.

Thank you,

Audrey Cunningham 49 Gore Street Cambridge, MA 02141

Elio Cutone 57 Gore Street #1 Cambridge MA 02141

Mario Cutone 53-55 Gore Street Cambridge, MA 02141

Hannah and Kenneth Paik 47 Gore Street Cambridge, MA 02141

Hancheng Jiang 12 Winter Street Cambridge, MA 02141

PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL to mommiedear@rocketmail.com

Sent from Yahoo Mail on Android

Pacheco, Maria

From:

Joseph Rose <cambridgemoxie@yahoo.com>

Sent:

Wednesday, October 19, 2022 9:09 AM

To:

Pacheco, Maria

Subject:

BZA-194179 Objection Letter

To The Board of Zoning Appeals,

Thank you as always for taking the time to review neighborhood proposals. I continue to be excited to see that there has been progress to develop the valuable parcel of land on the corner of Third and McGrath with petition BZA-194179. As a gateway parcel into the East Cambridge neighborhood this presents a wonderful opportunity to promote the area in terms of added residences, open space, and retail. As it currently stands, I am opposed to this petition (BZA-194179.)

Lack of Required Hardship: The petition does not show the required hardships in developing the parcel as is.

<u>Detriment to the Public Good:</u> The petition is in a designated business district (BA) and as such should contain some retail component to benefit the community and public good.

Excessive Heights: I was disappointed to see the plans have done nothing to reduce the towering heights of this building in context with the abutting parcels. If the developer decides to keep these as residences, then the heights should be lowered to meet the ordinance height restrictions of 35' to better match the area. There is no need for these to be over 45' tall residences aside from adding a single bedroom on the top floor.

<u>Inadequate Setbacks</u>: The proposal does not meet nearly any of the setback requirements on all sides and actually this revised plan further shrinks the distance for the 10 Winter Street neighbor from the first proposal of 11.2' down to 8.0' (required is 11.6").

<u>Mechanicals</u>: A2.1-A2.2 Proposed elevations don't include mechanicals which as we have seen in the past could detrimentally add to the overall height

In a neighborhood tight with housing and lacking in needed retail, this large parcel presents an opportunity to add several units with retail not simply six large scale homes. As it is currently presented, I remain opposed to this proposal.

Sincerely.

Joe Rose Spring St

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Pacheco, Maria

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To:

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Sent from Yahoo Mail on Android



City c _ambridge

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: ENDER SARICAS	Date:	10/04/22
Address: 8 Winter Street		·*.
Case No. BZA - 194179	3 0,	
Hearing Date: 10/27/22	*	

Thank you, Bza Members

1 (7:03 p.m.)2 Sitting Members: Brendan Sullivan, Wendy Leiserson, Jim 3 Monteverde, Matina Williams and Jason 4 Marshall 5 BRENDAN SULLIVAN: The Board will hear Case No. 6 194179 -- 8 Winter Street. Mr. Anderson? 7 DAN ANDERSON: Mr. Chair, and members of the 8 Board, good evening. Dan Anderson, Partner at Anderson 9 Porter Design. Also a Cambridge resident. I'm here this 10 evening. I believe that Trina Murphy, Representative of the 11 owners of 8 Winter Street, LLC is here as well -- I don't 12 know if she wants to take a second to say hello? If she's 13 not immediately joined, I'm happy to give a little bit of a 14 15 preamble. BRENDAN SULLIVAN: Okay. 16 DAN ANDERSON: All right. So we're here tonight 17 to present a project at 8 Winter Street, which is at the 18 corner of Winter and Third Street, currently the location of 19 the Dunkin' Donuts, which you may be familiar with. 20 We're seeking a variance for violations of yard 21

setbacks, which I'll talk a little bit more about, as well

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as a special permit to extend a 45-foot pipe allowance into a more restricted district.

So this is a Business A Zone predominantly, with a slice of it that cuts through the C-1. Both are subject to the East Cambridge Housing Overlay, and so, therefore have fairly high FAR and lot area per dwelling unit allowance.

I believe that it's 300 square feet per dwelling unit under the ECO, and because they're two separate zoning districts, the bump in BA that would take it to an FAR limit of 2 is slightly reduced because of the lower allowance for FAR in C-1.

So cumulatively, in aggregate it's a 1.75 FAR allowable.

The proposal from the development is not to maximize the lot area per dwelling unit, which would I believe yield about 22 units, or maximize the FAR; we're looking at a 1.2 I believe FAR and a fairly generous lot area per dwelling unit that, if I remember here correctly, is -- anyway, I'll come back to it.

The proposal is instead for 3 two-family dwellings intended for family homeownership, which was feeling to be more in keeping with the neighborhood.

And this has been in conversation with immediate abutters and the East Cambridge community for a while.

We've had numerous meetings with neighbors and abutters, as well as presenting twice to the Planning Board just for review, and twice to the East Cambridge Planning Team for their comments as well.

There's been numerous adjustments made to the project responding to the variety of comments that were presented, and what you have in front of you is the most recent iteration of that.

The lot is -- in addition to being subdivided by two different zoning districts -- is effectively bordered on four sides by either public ways or private ways. So we have multiple frontages -- essentially four front yards and two side yards, as the zoning applies.

And we've reviewed this in-depth I think twice, with Commissioner Ranjit Singanayagam and feel pretty confident that the requests that we're putting forward reflect both the appropriate relief that we're seeking, as well as responding to the comments and feedback in particular from direct abutters.

So this property, as you know, was a Dunkin'

Donuts currently and has existed as pretty much a parking lot with a fairly free-for-all lack of curb cut along Third Street that allows -- requires parking spaces to back out into traffic.

So there are a lot of concerns of abutters about how to manage traffic there, as well as maintaining an appropriately wide travel distance -- two-lane travel distance for a good portion of the private known as Linehan Court.

So we are conforming in all other respects to open space, off-street parking spaces. We are lower than the required height limit.

So where we're asking for the special permit, we're asking to extend an average building height of 41.8 feet into the C-1 District, which would otherwise be 35 feet, but BA, of course, allows 45 feet.

So these are -- again 3 two-family structures.

There are 3 three-bedroom dwellings, and there are 3 four-bedroom dwellings.

Happy to address any questions, but I believe we have a number of written letters of support entered into the file, which is much appreciated. It's been a long series of

conversations.

I think the one piece that has been kind of open in the ownership is making a lot of concessions to it in terms of maintenance and upkeep of that private way.

I think that some of the concerns about how that private way is used and maintained are probably not in the purview of the Board. But anyway, happy at this point to take any questions.

BRENDAN SULLIVAN: Dan, just going back through the relief that you're requesting, so building the structures violates the yard setbacks.

DAN ANDERSON: Right.

BRENDAN SULLIVAN: Then are you still requesting the special permit for the extension of the height into the C-1 District?

DAN ANDERSON: That is correct. Yes.

BRENDAN SULLIVAN: All right.

DAN ANDERSON: So the building shown as Building 3 sits into the C-1 District. I think that if Olivia would possibly share that, or if you refer to the Sheet Z1.1, you can see where the capped area in the building labeled "Building 3" which is the uppermost structure, we're

extending about 16 feet into C-1 with the fourth story.

BRENDAN SULLIVAN: And -- okay, I guess maybe where I'm going with this is why can you not comply with that requirement of -- it's 35 feet, is it not, near the C-1?

DAN ANDERSON: It's 35 feet in the C-1, yes. And so, we're -- we're -- let me say we're partially compliant. So the fourth floor in all these structures is a partial floor. So there's a bedroom, a laundry, a bathroom, and a small sitting/office area that then open out onto a deck.

And so, the -- even the fourth-floor height is not contiguous with the entire footprint of the building. So we're -- we're encroaching into that area not even the 17.5 feet. It's illustrated there, but only a partial portion of that.

So we were asking for the special permit relief that would allow essentially that top-floor unit for that building to remain as that -- as a four-bedroom unit.

BRENDAN SULLIVAN: So basically, you just want to continue the element of the building?

DAN ANDERSON: That's correct. So we can take a look at the elevations and perspective use that illustrate

that.

BRENDAN SULLIVAN: I'm just -- I guess the other question I would ask is did you try in the initial analysis to come up with an as of right development? In other words, not having to come down before the BZA to --

DAN ANDERSON: Yeah.

BRENDAN SULLIVAN: -- seek relief?

DAN ANDERSON: I appreciate that. We were not able to come up with an as of right solution that addressed this building type. In other words, you can see pretty much from the -- well, we could certainly have that Building 3 as a three-story building that would not require the special permit.

But the negotiations around this really revolved around the ability to create safe, vehicular ingress and egress from Linehan Court to Third Street, which was a primary concern of the abutters.

And the program that I was given was to create this as a development for -- initially for four freestanding, two-family structures. And obviously with the constraints of parking, of building separation distance to make all those pieces work, there was not an as-of-right

solution.

We did have buildings closer to Linehan Court, which was not the preference of the abutters on Gore Street.

And we pushed some over, and we also relocated Building 1, which is essentially continuing the zero-lot line setback that the Dunkin' Donuts currently has, while we've detached from the abutter 10 Winter Street to allow for -- although it's not a conforming side yard setback, it's no longer a zero-yard setback. And those changes were made at the request of the Planning Board.

BRENDAN SULLIVAN: Okay. And it appears, obviously, that the site is very challenging. The shape of the lot, obviously, is encumbered by almost all front yard setback requirements and all -- well anyhow.

Any questions by any members of the Board? Jim, any questions at this time?

JIM MONTEVERDE: Yeah. If I start with your sheet Z1.1, could you just point out where you need relief from your various setbacks where you're not compliant? How many instances, please?

DAN ANDERSON: Absolutely. So the first is on Building 1, so starting with the right-hand side of the

1 | sheet.

We are asking to continue the effectively zero lot line setback and are looking also for relief for the side yard setback -- the separation between 10 Winter Street and the structure.

This is ameliorated a little bit because of the park and green space that happens at the intersection of Winter Street and --

JIM MONTEVERDE: Yep.

DAN ANDERSON: -- McGrath Highway but --

JIM MONTEVERDE: Understood.

DAN ANDERSON: -- yep, but requires relief.

JIM MONTEVERDE: Yep.

DAN ANDERSON: Building #2, the short face that faces Third Street, also conforms with the center line of the Street requirement but is less than the 10-foot minimum. I believe that it's at three and a half feet.

JIM MONTEVERDE: Right.

DAN ANDERSON: The front yard setbacks along
Linehan Court are all more than the minimum requirement.

And that's to provide an additional 10-foot driveway in
addition to Linehan Court's private way and allow for

1 parallel parking spaces along the building face. 2 JIM MONTEVERDE: Mm-hm. DAN ANDERSON: So those conform. And then 3 4 Building #3 also has a nonconforming front yard setback at 5 the private way, and then has -- is -- so about five and a 6 half feet off of the property line, which would otherwise 7 require 16 by calculation. 8 And then there is an encroachment of an upper 9 balcony, which takes that down to -closer to I think it's 10 1.5 -- 1.3 feet. It may read as 0.3 there, but 16.2 is the 11 calculated distance. 12 JIM MONTEVERDE: Okay. 13 DAN ANDERSON: So you can see if we -- if I might just add -- if we applied the required setbacks to all these 14 15 buildings, there would be -- we wouldn't be able to comply. 16 I think maybe we could fit one. So --17 JIM MONTEVERDE: Right. So it seems that each of 18 the three buildings requests relief of some type -- relative 19 to setbacks. 20 DAN ANDERSON: That's correct. 21 JIM MONTEVERDE: Right? 22 DAN ANDERSON: Yes. That is indeed correct.

The

1 JIM MONTEVERDE: And then if -- in your Sheet 2 LO.1, the site plan -- do you have parking within five feet 3 of the buildings, the parallel parking? DAN ANDERSON: Parallel parking is adjacent to the 4 5 buildings. 6 JIM MONTEVERDE: Correct. 7 DAN ANDERSON: Yeah. I guess that would -- that 8 -- my apologies; that -- I think that there's a nuance to 9 the parking requirement for one- and two-family structures. 10 I believe it says that it may be nearer than five feet. I'd have to look at the language there, but I don't 11 12 think that we need relief for that. 13 JIM MONTEVERDE: Do you have operable windows 14 along those faces? 15 DAN ANDERSON: We have some operable windows along 16 those faces, but I think that we can make them inoperable if that becomes an issue. But certainly that proximity is 17 18 challenging. 19 JIM MONTEVERDE: And beside all your -- the issues with the 20 required setbacks, can you just talk about the substantial 21 hardship here?

DAN ANDERSON: Yeah. So I appreciate it.

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hardship I think, which was already alluded to, is a very
 1
     challenging site that the literal enforcement of the -- of
 2
    all of the required even minimum setbacks, not just
 3
     calculated setbacks -- and building separation distances
 4
    would really prohibit the effective development of this,
 5
    even at a fairly low density.
 6
               I think we were also looking -- well, I think from
 7
    a hardship standpoint is really just that it's an unusual
 8
     lot with a condition that's atypical of the zoning district,
 9
    with four front yards and challenging geometries, and an
10
    irregularly shaped lot.
11
         JIM MONTEVERDE: Thank you. That's all the questions I
12
13
    have now.
               BRENDAN SULLIVAN: Matina, any questions of the
14
    petitioner at this time or comments?
15
              MATINA WILLIAMS: No, not at this time.
16
               BRENDAN SULLIVAN: Jason Marshall, any comments,
17
    or questions?
18
               JASON MARSHALL: You asked my question, Mr. Chair,
19
    about as of right use. I look forward to public comment.
20
21
    Thank you.
               BRENDAN SULLIVAN: Okay. Wendy Leiserson, any
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questions, or comments at this time?

WENDY LEISERSON: I think I share the question about the as of right development, and also on the hardship piece I'm having trouble understanding the hardship.

I mean, I do understand that this is an interesting lot to try to develop, but there -- you know, as a lot, there are many -- unless there's something the petitioner wants to explain more to me, what's making it difficult is to develop this lot with the program that you were asked to develop, as opposed to -- like there are other kinds of developments or options that wouldn't require this relief.

So I'm still trying to understand why this is a hardship.

BRENDAN SULLIVAN: Yeah. That's my only comment.

In furtherance of that, it seems like there's an awful lot going okay. And, you know, is it maximizing the site?

And I know that it said that the bay zoning will allow for more units, but I'm not sure of that. You'd really have to do a whole analysis of the -- you know, number of units per square foot.

That's one measure, but then once you come into --

you know, height restrictions, setback restrictions and so on and so forth, I'm not sure if that base zoning number holds up. But at any rate, let me open it to public comment.

Any member of the public who wishes to speak should now click the button that says, "Participants," and then click the button that says, "Raise hand."

If you are calling in by phone, you can raise your hand by pressing *9 and unmute or mute by pressing *6, and you'll have up to three minutes in which to comment.

OLIVIA RATAY: "Mom"?

BRENDAN SULLIVAN: Mr. Momchil? Momchil?

MOMCHIL TOMOV: Yes. Momchil, yes. Hi.

BRENDAN SULLIVAN: Yes. So I'm calling on behalf of -- so I'm one of the Trustees of one of the -- in one of the properties that's abutting --

THE REPORTER: Could you give your name for the record, please, your name and address?

MOMCHIL TOMOV: Yes, it's Momchil Tomov. The address is 25 Third Street, and I'm representing the HOA of 25-19 Third Street, so the two buildings. We're abutting the new development.

We actually just found out about this a few -couple weeks ago maybe -- from a neighbor. So apologies
that, you know, some of the issues that I'm bringing up have
already been discussed during those meetings. We were just
not part of them.

So the concern is that -- about Linehan Court, that two-way -- that two-way sort of street that's meant to allow the neighbors on our street to access their parking spaces and their back yards. That -- for it to be a two-way street, this means we will have to do two things.

So one is that our trash bins right now are lined. We put them against the back wall of our building, which is right essentially on Linehan Court.

And right now, that's fine because there's enough space for cars to drive through the parking lot, essentially. But after this development, there will not be enough space essentially for a two-way traffic, and also for us to store our trash bins there.

And the issue is that really there's no other place where we can store the -- where we can keep City-provided trash bins.

And then the second issue is that this also is an

easement for our fire escape. And this has been an issue before where actually trucks, you know, or larger vehicles going through that -- through Linehan Court -- have hit the fire escape and have damaged it before.

So this has been an issue before, and we actually currently are actively looking to figure out how to prevent this. And I feel like essentially because -- restricting traffic to go right where a fire escape is is going to create more of an issue there so.

Yeah, those are our concerns, essentially.

BRENDAN SULLIVAN: Thank you for calling in.

OLIVIA RATAY: Betty Saccoccio?

BETTY SACCOCCIO: I have some issues with them, with the presentation when it says that they have --

BRENDAN SULLIVAN: If you could -- if you could introduce yourself for the record.

BETTY SACCOCCIO: Oh, I'm sorry.

BRENDAN SULLIVAN: Your name and address, please.

BETTY SACCOCCIO: Sure. My name is Betty

Saccoccio, and I live at 55 Otis Street in Cambridge. And I

have some issues with the presenter asking about the private

way as Linehan Court, and what a private way really is, and

how it has been used in the past. 1 2 This has not been used as a right of way for other 3 people, other than the people on Gore Street. So my issue 4 is basically that, and the fact that the buildings are in 5 such a way that they're creating a fluster almost that in 6 order to get to them, and where the parking is designed, 7 makes it hard to reach. Thank you. 8 BRENDAN SULLIVAN: Thank you for calling in. 9 OLIVIA RATAY: Audrey Cunningham? 10 AUDREY CUNNINGHAM: Hi, can you hear me? 11 BRENDAN SULLIVAN: Yes. 12 AUDREY CUNNINGHAM: Okay. First of all, I just 13 wanted to ask if you received our letter from the abutters. 14 BRENDAN SULLIVAN: Yes. 15 AUDREY CUNNINGHAM: You did? 16 BRENDAN SULLIVAN: As a matter of fact it's in 17 front of me. It was sent in today at 11:21. 18 AUDREY CUNNINGHAM: Oh, right. Yeah. Well, yeah. 19 It's -- yes, yes. 20 BRENDAN SULLIVAN: Okay.

AUDREY CUNNINGHAM: It says all that we support

the development with all those conditions. You see the

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1 conditions we wrote? 2 BRENDAN SULLIVAN: Well --3 THE REPORTER: Can you give your address, please? AUDREY CUNNINGHAM: Oh, I'm sorry. I'm at 49 Gore 4 5 Street, Cambridge. 6 BRENDAN SULLIVAN: Let's see. Came in today 7 October 27, 11:21. 8 "Dear Members of the Board, this letter is in 9 regard to the e-mail we forwarded to you about a commercial 10 parking lot adjacent to the proposed --11 AUDREY CUNNINGHAM: No, that's the second one 12 about the parking lot. Did you not get our original one? 13 sent it a couple of days ago. 14 BRENDAN SULLIVAN: On the twenty-fourth? We have 15 that one, yes. 16 AUDREY CUNNINGHAM: So the one --17 BRENDAN SULLIVAN: Okay. 18 AUDREY CUNNINGHAM: -- that details all the --19 BRENDAN SULLIVAN: That as the petitioner has 20 verbally promised and indicated --21 AUDREY CUNNINGHAM: Correct. That's the one. 22 BRENDAN SULLIVAN: Yes, okay. So if -- do you

1 want to speak to that, or do you want me to read it? AUDREY CUNNINGHAM: No, that's -- you can read it 2 if you like. I'm just -- you know, we just -- our main 3 concern is that we have -- you know, all of those conditions 4 5 are met, and that we have at least 20 feet. 6 Because, as it says in the letter, I believe that 7 -- you know, for years we've been using more than 35 feet --8 I mean, I've been here 75 years and my mother before me --9 and we've been able to use that area so we can access our 10 back yards. Because we can't -- we need to -- and that is why the developer agreed to give us at least 20 feet, so we 11 12 could get into our back yards -- you know, swing our car 13 around and back into our back yards. 14 So -- but you can read each condition if you like. 15 BRENDAN SULLIVAN: I will read it into the record. 16 AUDREY CUNNINGHAM: Okay. Great. BRENDAN SULLIVAN: Toward the end of public 17 18 comment, yeah. 19 AUDREY CUNNINGHAM: Thank you. 20 BRENDAN SULLIVAN: Thank you. Yes. 21 OLIVIA RATAY: Jean Spera? 22 BRENDAN SULLIVAN: Who was it?

OLIVIA RATAY: Jean. 1 BRENDAN SULLIVAN: Jean? You may be on mute. 2 Maybe we'll go to somebody else? 3 Somebody wants to speak? Yeah. 4 5 OLIVIA RATAY: Marie Saccoccio? MARIE SACCOCCIO: Good evening. Marie Saccoccio, 6 55 Otis Street in Cambridge. I'm an attorney, and I 7 actually have looked into this project and consulted with 8 Audrey Cunningham and a few others. 9 This truly -- Linehan Court was truly intrical to 10 this entire block. 18 Winter Street, 18 to whatever, 20 11 something, they were all housing. And they would be three 12 [Zoom glitch] deep. That's where that -- the present 13 parking lot is. 14 That was fenced off permanently probably 50 years 15 16 ago. BRENDAN SULLIVAN: Mm-hm. 17 MARIE SACCOCCIO: And probably can dig out some 18 photos to prove that. The fence was continuous -- in fact, 19 it had three rows of barbed wire above the chain-link fence. 20 So it truly was meant so that no one would be passing 21

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through either way.

So whatever easement rights that particularly property owner seems to claim, it was abandoned at least 50 years ago.

As far as my memory is, there was a building once on the corner of Winter and Third. It was probably a three-story brick. The ground level was a bar. It had a bocci yard in the back. Why I say that is Linehan Court was pretty much wide open.

So it was easy access for whoever, you know, had easement rights there. It was easy access and safe access.

And what I was most concerned about with this particular project is I understand it's probably better, because it doesn't have curb cuts surrounding the entire corner. But Building Number 2 is pretty close to the sidewalk so the visibility getting in and out of Linehan Court is not great. I think there's a blind spot there. And that really did concern me.

I understand why -- I mean, I understand why they've positioned the different buildings and -- you know, people do want parking today. So I understand that.

But I also went over Audrey's conditions, and I believe that the present owner has agreed that they would be

essentially caretakers of the easement for snow removal and 1 2 -- you know, upkeep. If this is approved tonight, I would like that to 3 be memorialized so that if there's a new owner next year, 4 5 that that follows with the deed and with the special permit. 6 Thank you. 7 BRENDAN SULLIVAN: Okay. Thank you. 8 OLIVIA RATAY: Jean Spera? 9 BRENDAN SULLIVAN: That's it? 10 OLIVIA RATAY: I quess so. 11 BRENDAN SULLIVAN: That's the sum and substance of 12 the call-ins. 13 Let me go back to Audrey Cunningham's letter dated 14 October 24. 15 "We, the resident abutters support the 16 petitioner's submission under the following conditions, and 17 we request that the Board approve or be contingent on the 18 following conditions in accordance with the site plan and 19 landscape plans included in the application. 20 "First condition, that as the petitioner has 21 verbally promised and indicated in the current plan dated 22 07/21/22 and given that for more than 70 years, the resident

owners who abut the proposed development have freely used the currently existing open space of approximately 35 feet:

There will remain at a minimum a 20-foot easement in order for abutters to easily access their driveways located at the rear of the property.

"Number 2, that the petitioner be fully responsible for all upkeep -- snow and ice removal, trash and any other maintenance that may be necessary for the properties' appearance and safety.

"Any and all usage of the roadway for commercial purposes must be prohibited, except as is necessary for deliveries, trash removal relative to the convenience, necessity, and well-being of the residents who live in the buildings and all abutting resident owners.

"That documented approval by the City Fire,
Police, Traffic and all other safety organizations be
granted before commencement of any and all excavations and
building activity.

"That during excavation and construction, the abutter be fully responsible for diligent loading control of the entire area.

"That during excavation and construction,

residents are allowed to freely enter their property without obstruction.

"That the petitioner be required to install and maintain a fence along the edge of the private way abutting the commercial parking lot on Winter Street in order to prevent vehicles from accessing the private way.

"That the petitioner will reasonably consider input from abutters regarding the aesthetics or the materials to be used on the outside of the buildings."

In response -- some of these are outside of the purview and jurisdiction of the Zoning Board -- that the approvals by the various agencies are proforma and require that before a building permit can be issued, that the maintaining of fences and rodent control and protection from the adjoining properties is all -- again -- part of Inspectional Services' jurisdiction.

The easement we will get into at some point.

There is correspondence from Joe Rose dated

October 19.

"To the Board of Zoning Appeal, thank you for taking the time to view the neighborhood proposals. I continue to be excited to see that there has been progress

to develop the valuable parcel of land at the corner of Third and McGrath, as a gateway parcel to the East Cambridge neighborhood.

"As it currently stands, I am opposed to this petition.

Lack of Required Hardship: The petition does not show the required hardship in developing the parcel as is.

Detriment to the Public Good: The petition is in a designated business district (BA) and as such should contain some retail component to benefit the community and public good.

Excessive Heights: I was disappointed to see that the plans have done nothing to reduce the towering heights of this building in context with the abutting properties. If the developer decides to keep these as residences, then the heights should be lowered to meet the ordinance height restrictions of 35' to better match the area. There is no need for those to be over 45' tall residences, aside from adding a single bedroom on the top floor.

Inadequate Setbacks: The proposal does not meet nearly any of the setback requirements on all sides, and actually this revised plan further shrinks the distance for the 10 Winter

Street neighbor from the first proposed of 11'2" down to 8'0" (Required is 11'6").

Mechanicals: Sheet A2.1-A2.2 Proposed elevations don't

Mechanicals: Sheet A2.1-A2.2 Proposed elevations don't include mechanicals, which as we have seen in the past could detrimentally add to the overall height.

"In a neighborhood tight with housing and lacking in needed retail, this large parcel represents an opportunity to add several units with retail, not simply six large scale homes. As it is currently presented, I remain opposed to this proposal.

"Joe Rose on Spring Street."

There is correspondence from -- oh, Audrey

Cunningham, which I have previously read. There is

correspondence from Virginia Balordi -- B-a-l-o-r-d-i.

"I live at 16 Third Street, directly across from Dunkin' Donuts parking lot. I would like to bring to your attention the problem that the traffic from the parking lot at 18 Winter has caused. There are cars constantly cutting through the parking lot, causing a lot of traffic on Third Street.

"Also, I park in the driveway adjacent to Dunkin' Donuts parking lot and pedestrians constantly walk in back

of my car as I'm backing into my parking space. I've come 1 2 very close to hitting them as they cut through the lot 3 without paying attention. "I've lived here for over 50 years, and there's 4 always been a fence separating the two lots. Taking down 5 6 that fence has caused a big problem. Hopefully, this 7 problem can be remedied. 8 "Sincerely, 9 Virginia Balordi 10 16 Third Street." 11 There is correspondence from Phil -- Mr. Phil 12 Smith on behalf of 18 WS Property, LLC. 13 "Please accept this e-mail in and the attached letter of support for the proposed project at 8 Winter 14 15 Street in East Cambridge. 18 WRS property LLC is an abutter 16 and supports the proposed use and density." And a letter from Phil Smith and Sharmil S. Modi 17 18 -- S-h-a-r-m-i-l S. Modi, M-o-d-i. 19 And another correspondence from Audrey Cunningham referencing the earlier. 20 21 And Mr. Tomov has sent in correspondence, but he

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spoke to that.

That is the sum and substance of the correspondence. I will close the public comment part and send it back to the petitioner.

The only thing, Dan, you said you've had a number of neighborhood meetings. Also did the Planning Board review this also?

DAN ANDERSON: Yes, they did. And were generally supportive. I was hoping that they were -- when I met with them last and we made adjustments based on their comments and input, we were -- we included bicycle parking, which was not of a Band Aided requirement, but was seen as beneficial.

We added some fencing and privacy to block some of the view of the two internal parking spaces from Third Street.

And in that Planning meeting, also had extensive conversations with Traffic and Parking, who were very supportive of this and felt that the overall traffic patterns were beneficial.

They liked the location and widening of a -- or definition of a curb cut at Linehan Court.

They were looking for -- were appreciative of the width there, notwithstanding the fire escape. They felt

that that was adequate and sufficient for emergency vehicle egress to I think even the comment in one of the letters about the traffic background out with the -- you know, essentially long section of no curb with -- I think there was six or seven at least head-in parking spaces that have to back out into Third Street. The comments were generally very supportive.

So I don't know if there's any correspondence or -- since they would have put eyes on this before the hearing. But as is, we were in front of them twice -- in front of East Cambridge Planning Team twice.

The comment came -- did come up then about the inclusion of retail space. We had looked at that with the owner early on and it was difficult to, you know, add the additional parking.

I don't mean to make this all about parking; I know that we've got a recent change about parking requirements for these projects, but from the -- you know, from an alternative development proposal, which I don't have an as of right proposal to show you for a large multifamily building.

But it's pretty clear that that would -- could

very well be constrained by setbacks as well and would be a 1 housing type that in all our discussions with the neighbors 2 just added a lot of bodies and a lot of traffic, and not 3 necessarily long-term residents. So we really --

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OLIVIA RATAY: Mm-hm.

DAN ANDERSON: -- hopefully not myopically but focused on this program with six ownership family-sized units.

I guess what troubles me BRENDAN SULLIVAN: Yeah. to some extent is the lack of correspondence from the Planning Board, and also East Cambridge. And I -- you know, usually they're very active and proactive. And we also welcome and respect their comments.

And I would have liked to have seen something from the East Cambridge Planning Team correspondence, and some kind of guidance in -- you know, giving their thoughts, because we always respect their opinion.

DAN ANDERSON: Sure, I don't --

BRENDAN SULLIVAN: The other thing that concerns me is the use of Linehan Court, and also that private way and the historic use of that, and the ability of the adjoining properties to -- you know, to verse over that have use of that. And now that is called into question.

And what is the legal status of the Court, and also the private way? Are there not easements granted to any of the adjoining properties or not?

DAN ANDERSON: So the -- they are not. It's very ambiguous. There's no documentation in any of the abutting deeds of -- and so in other words the property line does not extend to the center line of the private way. The actual deeds just grant use and access to those private ways.

And as you have in your file, the letters are all coming from the abutters and users of that private way. I think the only concern that was raised was the use of the -- was it 25 or 20 -- that has trash cans there.

And I'm not sure that that's -- was ever intended as the use of that Linehan Court.

But what we ended up with in conversations with neighbors and looked at this with our own traffic studies and in conversation with Traffic and Parking was giving an additional 10 feet of travel, making that effectively two lane.

The, you know, the history of the site is one of parking lot that people basically freely traverse at -- you

know, at will. And this regulates that. It is the intention of the developer to put that maintenance and, you know, increasing width of Linehan Court into perpetuity.

So, you know, I think a lot of the conversations in this have really been about use and access, and traffic and safety. And I think, as I mentioned before, we went from a four-building scheme of eight units down to six, and I think the abutters were appreciative of that.

There is a lot of concern, as you heard from some of the public, about the use of the access of the parking lot to that private way. There was a fence that was removed, and traffic went through. I think this current proposal is accommodating. At the very least, it does not impinge on the use and access of the private ways that have been historically there to the extent that it's possible.

BRENDAN SULLIVAN: Okay. Jim Monteverde, any comments?

JIM MONTEVERDE: No. No further comments than the ones I made before. Thank you.

BRENDAN SULLIVAN: All right. Matina Williams, any comments?

MATINA WILLIAMS: Sorry. My mouse was not moving.

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I don't have any comments at this time. I do agree with the
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     comments that were made by the Board.
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              And I do have an issue with the -- not having the
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     setbacks, especially coming out. I think one of the
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    neighbors had said that the -- to come out, you're really
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    going to have to come out far to see around the building.
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    So that's a little concerning for me.
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              BRENDAN SULLIVAN: Yeah.
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              MATINA WILLIAMS: I understand, because the
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     congestion in Cambridge and somebody zooming around the
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    corner --
              BRENDAN SULLIVAN: Yeah.
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              MATINA WILLIAMS: -- and you're sticking out
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    there.
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              BRENDAN SULLIVAN: Okay.
              MATINA WILLIAMS: That's it, though.
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              BRENDAN SULLIVAN: Okay. Yeah. Now, Jason
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    Marshall any comments?
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              JASON MARSHALL: Yes. Yeah, a few things, Mr.
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    Chair. And Dan, thanks for a thoughtful presentation. And
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    it's clear that there's been a lot of advance work that went
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    into this that we obviously haven't had visibility into.
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But I agree with the Chair that it really would have been helpful to have something in the file from the Planning Board and East Cambridge Planning Team as well. So I'll start there.

But getting into the issue around the easements and rights of way, I feel a lot of hesitance about waiting into wading into those issues. You know, as a Board, we're not equipped to verify who has what private rights over land or not.

I understand the request from neighbors to condition any approval on maintaining rights of way, and it's a completely understandable request. I'm just not sure that's really within the scope of authority of this Board to do that. Those really are issues between land -- property owners and other property owners.

And in my experience, those issues would be resolved privately and at times filed with the Registry, so that it can be tracked over time.

I don't know that we have -- it's really in our scope of authority to do that, and then moreover, as I noted, even if we could, it's -- it makes me uncomfortable to be somehow providing a municipal order that could

interfere with those kinds of rights.

Separately from that, in public comment there was a note about the height of the building and the need to increase the height. And that's something that I pause on as well. And also, like Wendy, I do have some questions about the hardship. And maybe she'll explore that more.

That's all I have for now.

BRENDAN SULLIVAN: Okay. Sort of maybe the devil's advocate on the use of Linehan Court and whatever, but I think you're exactly correct; that in the absence of any documents granting access or easement to adjoining properties, that it would exceed out authority to acquire it.

And that would be onerous, I think, and Draconian to the property rights of the owner of the proposal to impose that. And I think that would exceed our authority. So you're correct on that, Jason.

Wendy, what are your thoughts? And --

WENDY LEISERSON: I agree with a lot of what my fellow Board members have expressed. I was actually scouring the Registry of Deeds to see if I could come up with -- just to satisfy my own curiosity about the ownership

of Linehan Court -- and I did see some City documents and tax title documents.

I have not put it all together yet to -- and as

Jason said, it's not really my role -- but it does look like

there are some documents that might -- the owners might want

to look at to see if they actually do have any existing

rights to use of that private way, and whether that private

way is actually one of the private ways owned by the City or

owned actually privately, to settle this dispute.

With regard to hardship, again, I mean I think this is a -- you know, it comes down to the legal issue. And, you know, Dan, you've obviously put together a very thoughtful proposal.

You've obviously -- you know, spent a lot of time, you and the owners, meeting with neighbors and so I commend all of that. And I'm just bound by the question of has the legal requirement of hardship been satisfied?

And that requirement to me does not -- it's not interpreted as if I want to build a building X size, but can't because of the rules, there's a hardship, right?

Like, that's not how it is. So it's about what does this parcel allow you to build?

And I'm not trying to be disrespectful of your —
the aesthetics that you've put in here or, you know, of the
economics either of the situation or anything. It just
comes down to has that legal requirement been satisfied?
And I still am struggling with that.

BRENDAN SULLIVAN: Yeah. I guess I don't know,
I'm just troubled by -- that they've met the standard for
the hardship as in the proposal, and I guess I would have
liked to have seen an as of right solution, and why we can't
build it to that as of right. And that we need some relief
from the ordinance in order to make this a viable -- now
"viable" obviously, what does that mean?

I guess it probably comes down to dollars and cents -- and so, you've got your acquisition costs, you've got all your other sort of costs -- engineering, architectural, legal -- yadayadayada, so on and so forth, and then you've got your hard costs, which are -- obviously -- construction and then at the end of the day, whatever's left over is whatever is worth our effort. And I guess that's sort of the big question mark is, you know, what makes this thing financially viable?

And, again, I'm troubled by the amount of

requested relief. And I agree it's a challenging site. The Dunkin' Donuts, which I've frequented often, is challenging getting in and out of there, and people coming up -- cars coming up McGrath Highway.

And it's just -- this here will obviously calm the entire area, the retail component of it. I'm not totally satisfied that that would be necessary. And retail, to be honest with you, is not very viable these days. Everybody sort of would like to have a nice -- you know, maybe coffee shop or whatever it may be, you know, that you can walk to or something.

But mom-and-pop or whatever, just not -- tends to be not viable anymore, as you can -- all you have to do is ride around the city and see all these, "For Rent" signs in all of what were retail establishments.

DAN ANDERSON: Appreciate it. Appreciate the thoughts, Mr. Chair. Maybe I can make a suggestion, which is because there's been very productive conversations between the ownership of the property and abutters, I think that they're clearly looking for assurances that could — that are outside of your jurisdiction, and that could easily

be satisfied.

I think that there's a little bit of a chicken and egg there, which is I'm not sure that the owners want to deed additional easement if the project isn't moving forward. That would not work particularly well.

So if -- on that particular light, it might be, you know, enough that there are agreements made that are on record that solidify that it is in fact the intention of the owners to do that.

But we could also take the time to present an -and as of right, maybe not as fully developed as this, but
certainly something that had a unit count, and -- you know,
similar zoning analysis as we get on Z1.1.1, 1.2 and the
preliminary landscape plan such as we're looking at on L1.0
that would give the Board a sense of what was there.

I think that it's likely where retail is probably a nonstarter, office is likely not such a likely piece. And at 7500 square feet. We're not talking about a large property here.

And a 45-foot-high, you know, four-story apartment building would have, you know, a number of very small rental apartment units. And the feeling was that was really not so

much in keeping with the neighborhood.

But it would also give us the opportunity to have the East Cambridge Planning Team and the City Planning Staff weigh in and potentially write a letter.

So that -- if I could ask for a continuance and the ability to navigate some of those right of way easement pieces, if there are some documents that we haven't been able to pull up, I'd certainly appreciate some direction as to where I might find better documentation of the actual ownership of those right of ways, I would appreciate that as well.

BRENDAN SULLIVAN: I think that would be helpful for me, anyhow, and give me more of a comfort zone.

And do other members of the Board agree that a continuance and allow the petitioner an opportunity to number one, go through the letters that are in the file also? You're probably well-versed with all of the meetings. But also, I would like to see something from the East Cambridge Planning Team. That to me is very helpful. Other members of the Board agree with that? Jim?

JASON MARSHALL: Yeah, Mr. Chair. Oh, sorry, this is Jason Marshall. Just want to echo your sentiment and

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     appreciate the approach that Dan laid out. Thank you, Dan.
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               BRENDAN SULLIVAN: Yeah. Okay. And also, I think
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     that the other component would be the special permit of the
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     height going into the residential zone. If you could sort
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     of look at that a second time. The -- we have 10/1 -- I'm
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     sorry, say we have 12/01 or 12/15 or January 12 available.
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     So what -- how soon do you want to come back? So it's
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     December 1, December 15, or January 12, Dan?
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               DAN ANDERSON: I think that -- I would love to
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     come back sooner, but I'm thinking that December 15 is
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     probably the more reasonable time with --
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               BRENDAN SULLIVAN: December 15?
               DAN ANDERSON: Are Board members available?
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               BRENDAN SULLIVAN: Well, that's the next thing.
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     Jim, are you available on the fifteenth?
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               JIM MONTEVERDE: Yes.
              BRENDAN SULLIVAN: Matina, 12/15/22?
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              MATINA WILLIAMS: Yes. I'm available.
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              BRENDAN SULLIVAN: Jason, December 15?
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              JASON MARSHALL: Yes.
                                     That works.
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              BRENDAN SULLIVAN: And Wendy? December 15?
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              WENDY LEISERSON: Just checking. Yes.
                                                       I am
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available.

BRENDAN SULLIVAN: Great. Thank you. So let me make a motion, then, to continue this matter to December 15, 2022, on the condition that the petitioner sign a waiver to the statutory requirement for a hearing -- do you have one already?

DAN ANDERSON: No.

BRENDAN SULLIVAN: No. This is the first time this has been heard. So I would ask that you sign a waiver to the statutory requirement for a hearing and a decision to be rendered, and that such waiver be in the file no later than a week from tonight. And you can get that obviously from Maria or from Olivia, and sign it and send it back to them.

That you change the posting sign to reflect the new date of December 15, 2022, and the time of 6:00 p.m.

Any new submittals not currently in the file be in the file by 5:00 p.m. on the Monday prior to the December 15, 2022 meeting.

On the motion, then, to continue this matter, Jim Monteverde?

JIM MONTEVERDE: In favor of the continuance.

BRENDAN SULLIVAN: Matina Williams? 1 2 MATINA WILLIAMS: In favor of the continuance. 3 BRENDAN SULLIVAN: Jason Marshall? 4 JASON MARSHALL: In favor. 5 BRENDAN SULLIVAN: Wendy Leiserson? 6 WENDY LEISERSON: In favor. 7 BRENDAN SULLIVAN: And Brendan Sullivan yes. 8 [All vote YES] 9 BRENDAN SULLIVAN: On the five -- the affirmative 10 votes of five members, this matter is continued to December 11 15, 2022. See you then. 12 DAN ANDERSON: Thank you, Mr. Chair, and members 13 of the Board for your input. See you then. 14 15 16 17 18 19 20 21 22