1



CITY OF CAMBRIDGE BOARD OF ZONING APPEAL *** Avenue, Cambridge MA 02139

BZA Number: 211571

General Information

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

Special Permit: X

Variance: _____

Appeal: _____

PETITIONER: Daniel P Anderson C/O Anderson Porter Design

PETITIONER'S ADDRESS: 1972 Massachusetts Avenue, Cambridge, Massachusetts 02140

LOCATION OF PROPERTY: 8 Winter Street, Cambridge, MA

TYPE OF OCCUPANCY: Commercial

ZONING DISTRICT: Business A/Residence C-1 Zone

REASON FOR PETITION:

/New Structure/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Request for dimensional requirements allowed in zoning district BA to extend into district C1 per Section 3.32.1. Rules for Interpretation of District Boundaries.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 3.000 Section: 3.32.1 (District Boundaries). Article: 5.000 Section: 5.31-5.33 (Table of Dimensional Requirements). Article: 10.000 Section: 10.40 (Special Permit).

> Original Signature(s):

(Petitioner (s) / Owner)

DANIEL P ANDERSON

(Print Name)

Address: Tel. No. E-Mail Address:

6177942371 dan@andersonporter.com

Date:

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

DOILMECIOG MANABER

NATIONARY PILL

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 Middleber

The above-name Ozan Dokmecioglu personally appeared before me, this 20 of, July ,2022, and made oath that the above statement is true.

My commission expires 10-28-2027 (Notary Seal).

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

(ATTACHMENT B -PAGE 3)

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 , Cambridge, MA</u> (location) would not be a detriment to the public interest because:

A) Requirements of the Ordinance can or will be met for the following reasons:

The proposed project at 8 Winter Street includes eighteen new residential units in a new structure in keeping with the area's surrounding residential uses and the intent of the East Cambridge Housing Overlay. The proposed building respects the district's dimensional requirements with the request to extend the less restrictive dimensional requirements allowed in District BA into the more restrictive District C-1. Including but not limited to the portions of four units that extend over the district boundary.

B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

The 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 isolating the drive access width along the private way, Linehan Court. These improvements reduce congestion and improve both vehicular and pedestrian safety. No off-street parking is proposed.

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. The proposed increased paving width at Linehan Court meets the access requirements for emergency vehicles and ensures access to abutting properties.

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 reduced 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. The project complies with all zoning dimensional requirements of Article 5.

D)

C)

r

about:blank

E)

For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

The 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. The proposed project is an inclusionary housing project which increases available affordable housing in the city in keeping with the intent of the ordinance. The provided landscape and private open space meets the minimum open space requirements and proposed new landscape and street trees will further enhance the street frontage.

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

Y

about:blank

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Daniel P Anderson Present Use/Occupancy: Commercial

Location: 8 Winter Street, Cambridge, MA Zone: Business A/Residence C-1 Zone

Phone: 6177942371 Requested Use/Occupancy: Residential

		Existing Conditions	<u>Requested</u> <u>Conditions</u>	<u>Ordinance</u> <u>Requirements</u>	
<u>TOTAL GROSS FLOOR</u> AREA:		1972	16,921	16,921	(max.)
LOT AREA:		7404	7404	5,000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: 2		0.27	2.28	2.28	
LOT AREA OF EACH DWELLING UNIT		0	462.75	300	
<u>SIZE OF LOT:</u>	WIDTH	69.65	69.65	50	
	DEPTH	95	95	NA	
SETBACKS IN FEET:	FRONT	21	10'	10'	
	REAR	35.3	 20.6	7.8	
	LEFT SIDE	40.2	15.6	 13.8	
	RIGHT SIDE	0	10	10	
SIZE OF BUILDING:	HEIGHT	25.3	34.5/44 (avg 39.25)	35/45	
	WIDTH	38.5	69.75	NA	
	LENGTH	51'	72.5	NA	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		0	2529	1326	
<u>NO. OF DWELLING</u> <u>UNITS:</u>		0	18	20.8	
NO. OF PARKING SPACES:		14	0	0	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		NA	NA	10 min	

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.:

No other occupancies or buildings on the same lot

- 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'.**



CT

CERAMIC TILE

FTG FOOTING CUB COLUMN UTILITY BOX FUB FLOOR UTILITY BOX

MFR MANUFACTURER

MO MASONRY OPENING

MIN MINIMUM MISC MISCELLANEOUS

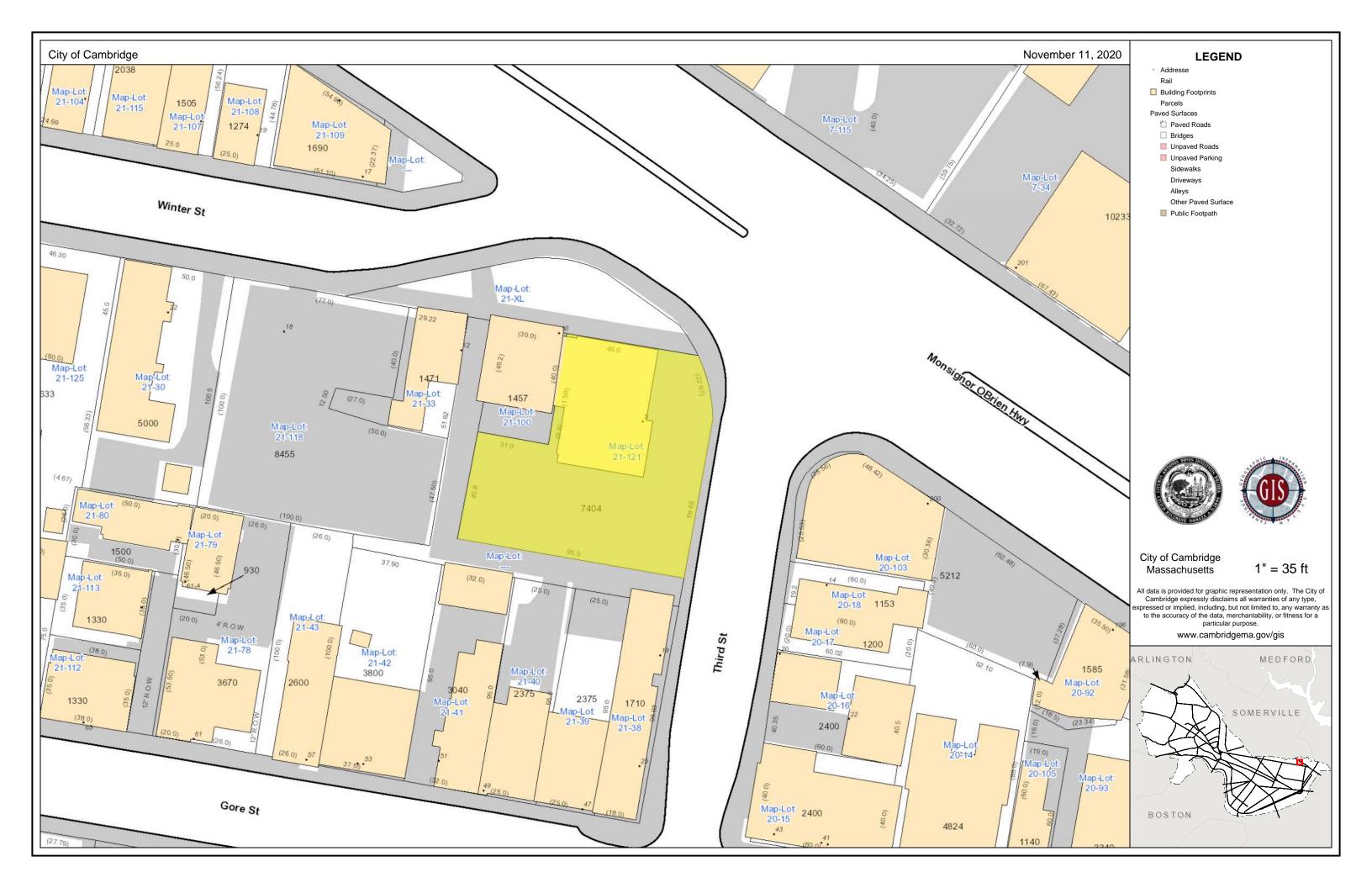
MTL METAL

CORE N	W/ WC	WITH WATER CLOSET
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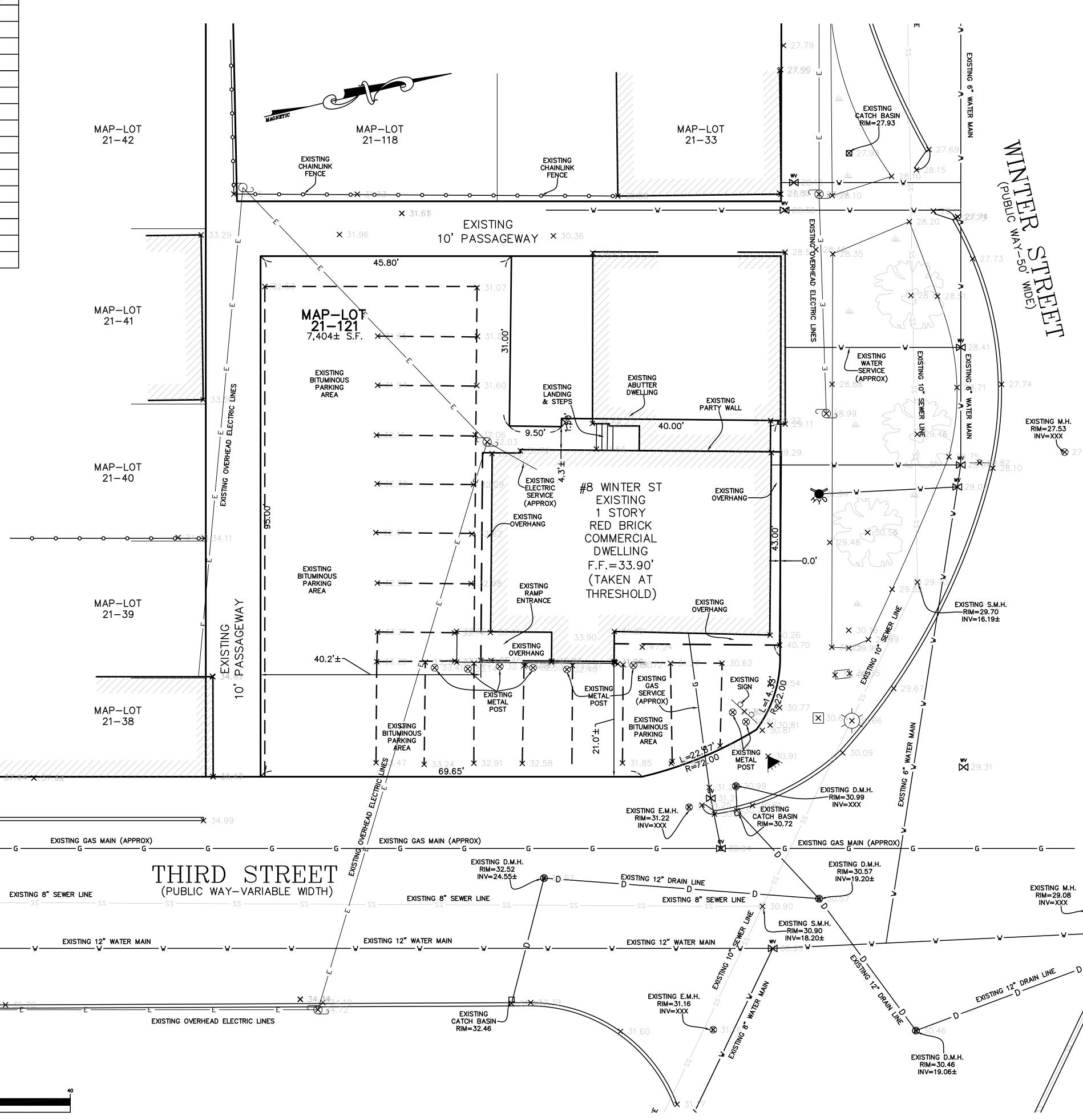
Newton, MA 02458 Edmond Spruhan 617.816.0722

COVER SHEET
CAMBRDIGE GIS MAP
EXISTING SITE SURVEY
PROPOSED LANDSCAPE
ZONING COMPLIANCE
ZONING COMPLIANCE
PROP. FLOOR PLANS (NET)
PROPOSED ELEVATIONS
PROPOSED ELEVATIONS
EXISTING SITE PHOTOS
3D VIEWS

		ANDERSON PORTER DESIGN
		NOIDNISOD UO BODENISOD UO NOIDNISOD UO
PROJECT SUMMARY		
PROPERTY ADDRESS:	8 WINTER STREET CAMBRIDGE, MA 02141	
ZONING DISTRICT:	BUSINESS A (C-2B DIMENSIONAL)/RESIDENCE C-1	
PROJECT DESCRIPTION:	RESIDENTIAL DEVELOPMENT (18 UNITS) NEW CONSTRUCTION	AndersonPorterDesign 1972 Massachusetts Ave, 4th Floor Cambridge, MA 02140 1972 Massachusetts Ave, 4th Floor Cambridge, MA 02140 1015 Teisette B WINTER STREET Address: B WINTER STREET CAMBRIDGE, MA 02141 Title: Drawing Issued By: 2023.02.17 Drawing Issued By: 2023.02.17 Scale: Drawn by:



EXIS'	TING LEGEND
22	SEWER LINE
S	SEWER MANHOLE
w	- WATER LINE
G	- GAS LINE
പ	UTILITY POLE
CV X	GAS VALVE
— е —	- OVERHEAD ELECTRIC SERVICE
₩ ×	WATER VALVE
	CATCH BASIN
	- FENCE
205	- CONTOUR LINE (MJR)
195	CONTOUR LINE (MNR)
Х	SPOT GRADE
D	DRAIN_MANHOLE
Ķ	HYDRANT
	TREE



1 inch = 10 ft. PETER NOLAN & ASSOCIATES LLC SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, OR PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE SAFETY OF PUBLIC OR CONTRACTOR'S EMPLOYEES; OR FOR THE FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORKING ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE EXTENT OF PETER NOLAN & ASSOCIATES LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COST COPYRIGHT 2020 PETER NOLAN & ASSOCIATES LLABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COST COPYRIGHT 2020 PETER NOLAN & ASSOCIATES LLABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COST ON PART OF THIS DOCUMENT MAY BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING OR OTHERWISE, WITHOUT THE PRIOR WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY MODIFICATIONS TO THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY

(IN FEET)

GRAPHIC SCALE

EXISTING S.M.H. RIM=37.93

INV=29.27±

ELECTRIC LINES

NOTES:

1. INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY PETER NOLAN & ASSOCIATES LLC AS OF 10/23/2023.

2. DEED REFERENCE: BOOK 74716 PAGE 531, PLAN REFERENCE: PLAN NO. 767 OF 1992, MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS.

3. THIS PLAN IS NOT INTENDED TO BE RECORDED.

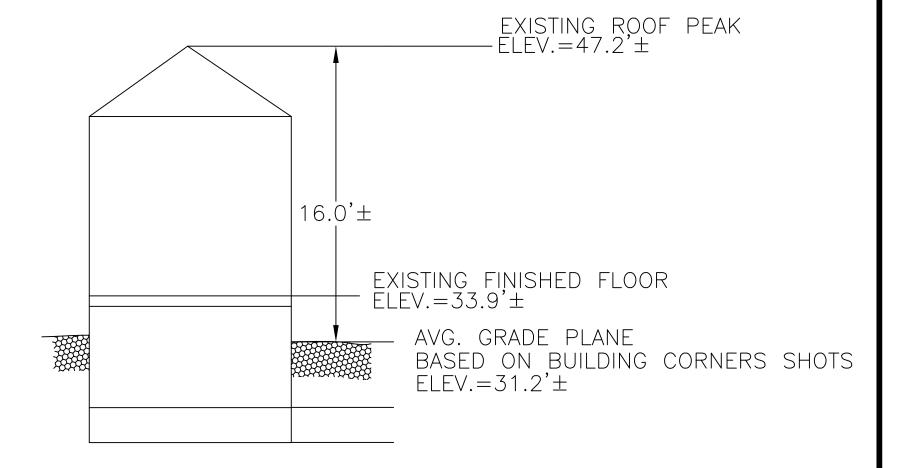
4. I CERTIFY THAT THE DWELLING SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE X, ON FLOOD HAZARD BOUNDARY MAP NUMBER 25017C0577E, PANEL NUMBER 0577E, COMMUNITY NUMBER: 250186, DATED JUNE 4, 2010.

5. THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT USES OF THE LAND; HOWEVER THIS NOT CONSTITUTE A GUARANTEE THAN NO SUCH EASEMENTS EXIST.

6. FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.

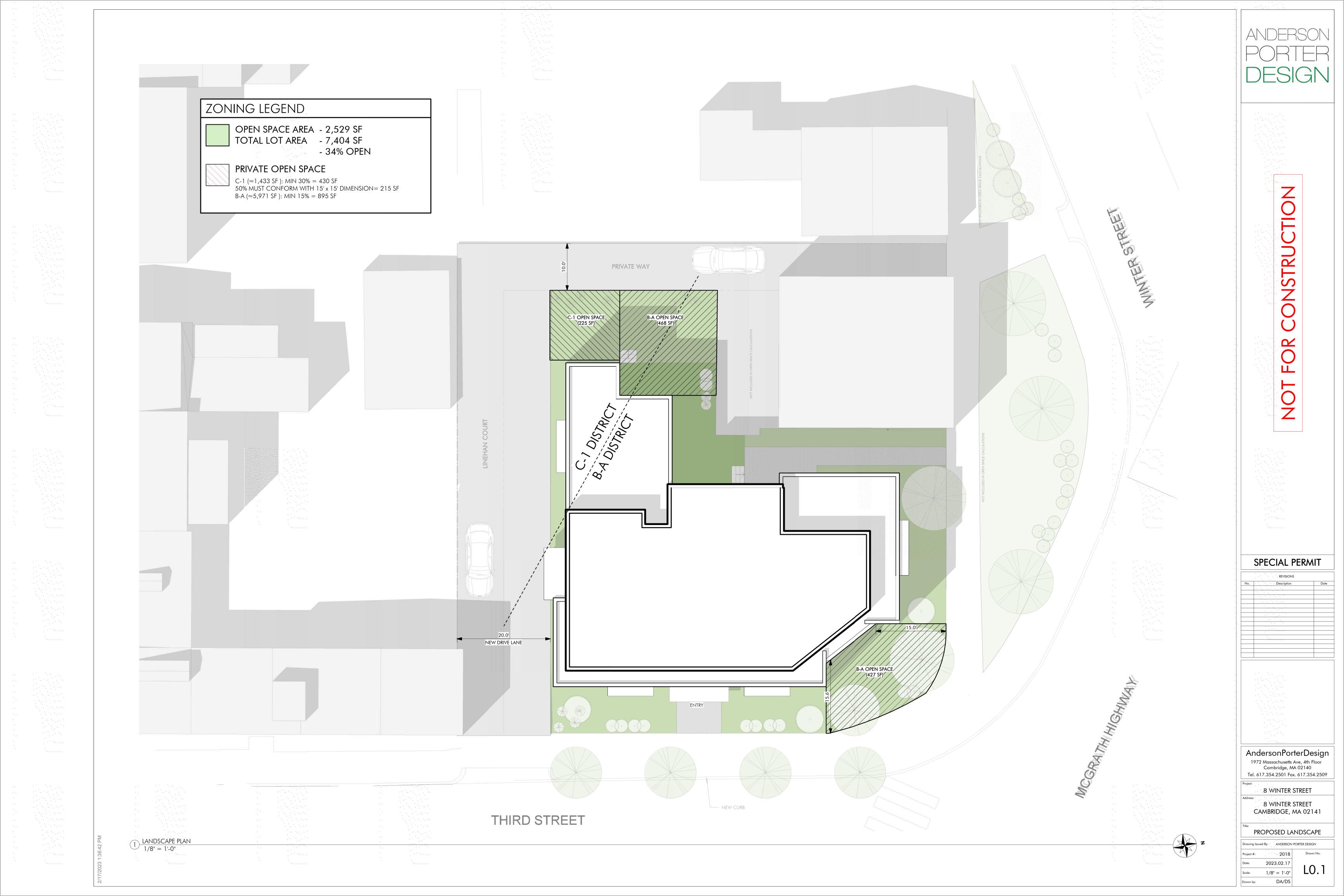
7. NO RESPONSIBILITY IS TAKEN FOR ZONING TABLE AS PETER NOLAN & ASSOCIATES LLC ARE NOT ZONING EXPERTS. TABLE IS TAKEN FROM TABLE PROVIDED BY LOCAL ZONING ORDINANCE. CLIENT AND/OR ARCHITECT TO VERIFY THE ACCURACY OF ZONING ANALYSIS.

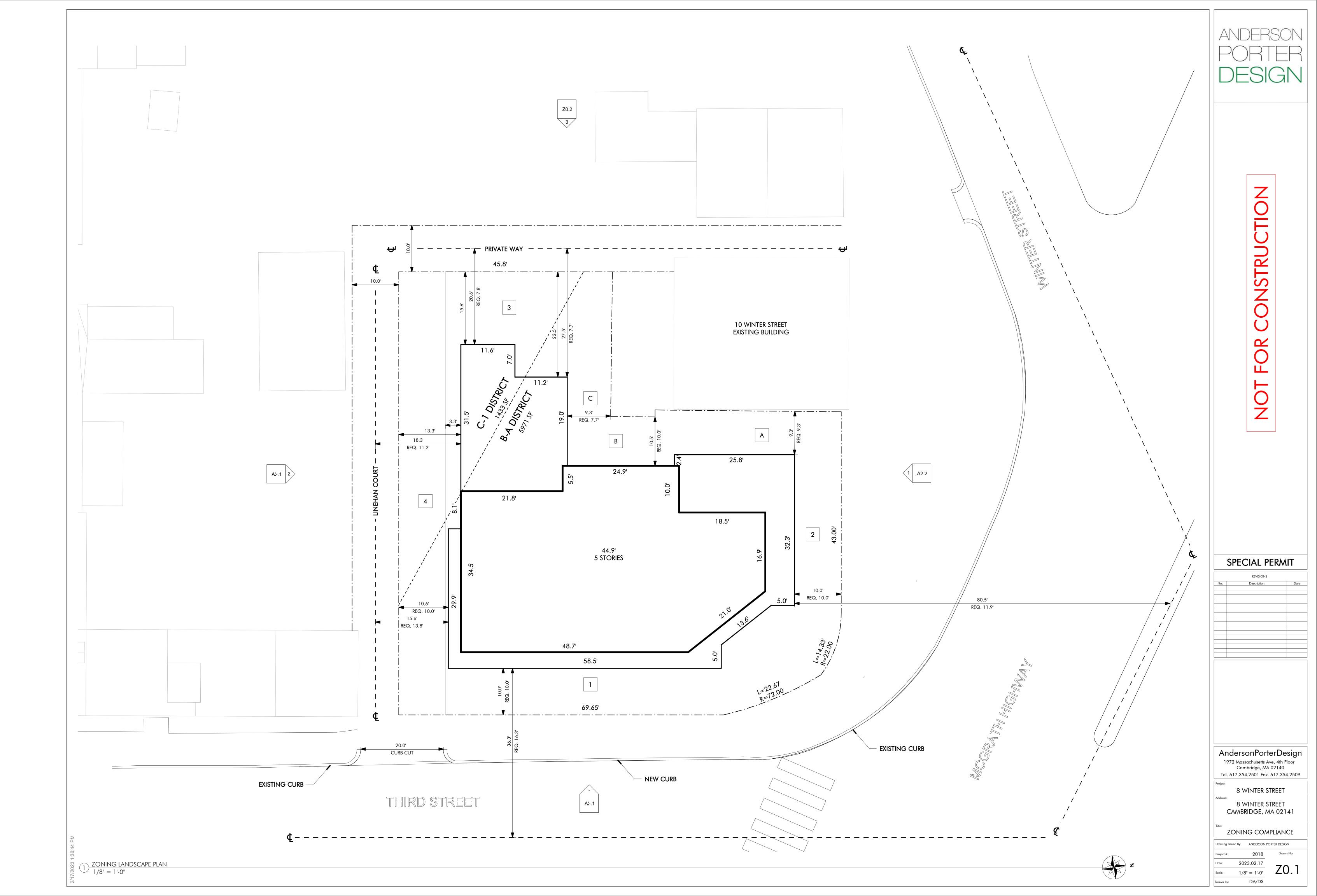
8. ZONING DISTRICT = BUSINESS A & RESIDENCE C-1

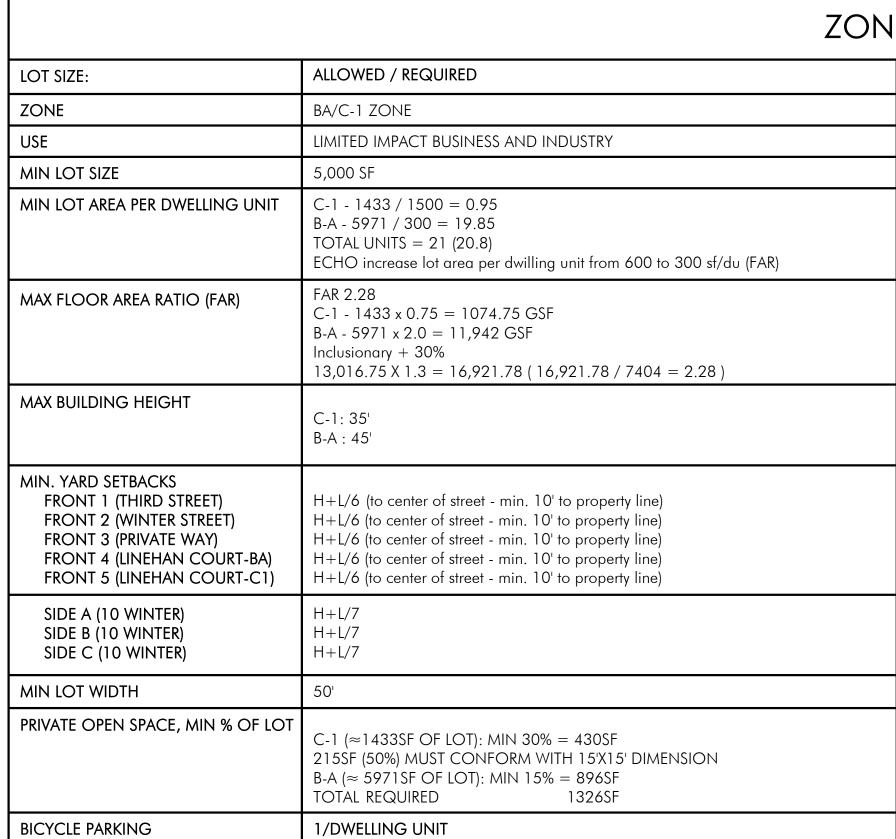




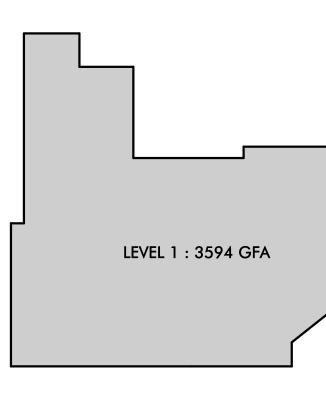
SCALE 1"=10'					
DATE					
10/23/2020	REV	DATE	REVISION	BY	(
SHEET 1			8 WINTER STREET	Ē	
PLAN NO.			CAMBRIDGE		
1 OF 1		MASSACHUSETTS			
CLIENT:		EXISTING CONDITIONS SHEET NO.			
DRAWN BY			SITE PLAN		
CHKD BY PJN APPD BY PJN			TER NOLAN & ASSOCIA ND SURVEYORS/CIVIL ENGINEERING 697 CAMBRIDGE STREET, SUITE 103 BRIGHTON : 857 891 7478/617 782 1533 FAX: AIL: pholan@phasurvey	CONSULTANTS MA 02135 617 202 5691	

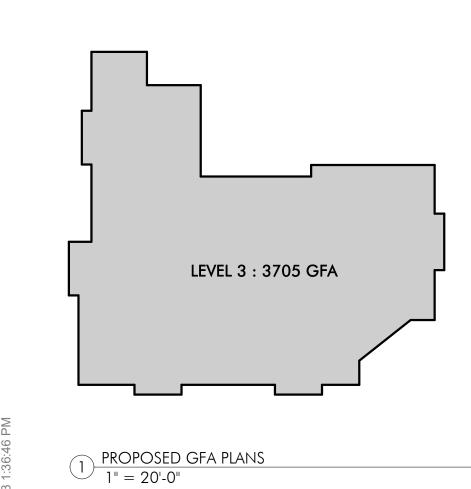


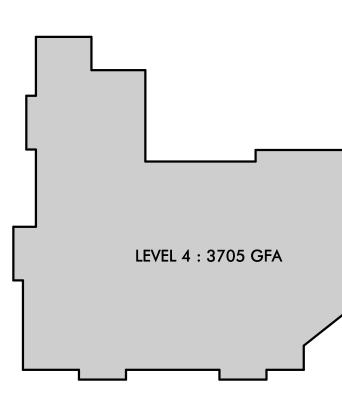












V	ING CHART - CAMBRIDO	GE	
	EXISTING	PROPOSED	COMPLIANCE
	BA/C-1 ZONE	BA/C-1 ZONE	COMPLIES
	LIMITED IMPACT BUSINESS AND INDUSTRY	MULTIFAMILY DWELLINGS	COMPLIES
	±7,404	±7,404	COMPLIES
	N/A	16 Units 462.75 sf/du (7404/16) < 300	COMPLIES
	FAR 0.27 (1,972/7,404 = 0.266)	FAR 2.28 (16,921/ 7404 = 2.28)	COMPLIES
	25.3'	44.0'/34.5' (AVG. HEIGHT = 39.25')	COMPLIES
	21.0' 0.0' 40.4' 45.3'	$\begin{array}{c c} \mbox{Calculated} & \mbox{Actual} \\ 39.25' + 58.5'/6 = 16.3' & 10.0' \\ 39.25' + 32.3'/6 = 11.9' & 10.0' \\ 35.00' + 11.6'/6 = 7.8' & 20.6' \\ 45.00' + 38.0'/6 = 13.8' & 15.6' \\ 35.00 + 31.5'/6 = 11.1' & 18.3' \\ \end{array}$	COMPLIES MIN. 10.0' COMPLIES
	0' 4,3' N/A	$\begin{array}{rrrrrrrrrrrrrrrrrrrrrrrrrrrrrrrrrrrr$	COMPLIES COMPLIES COMPLIES
	69.65'	69.65'	COMPLIES
	0	2,529 SF Not including balconies or roof decks. (15'x15' minimum indicated on Landscape Plan)	COMPLIES
	N/A	16 PARKING SPACES (1/DU) LONG TERM	COMPLIES



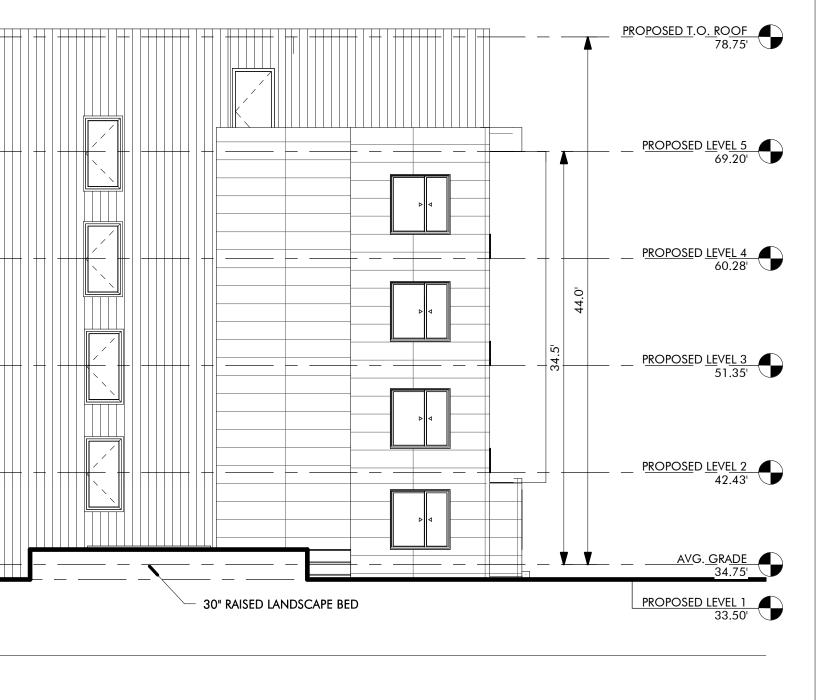
 $\bigcirc \frac{\text{PROPOSED BUILDING HEIGHT (REAR)}}{1/8" = 1'-0"}$

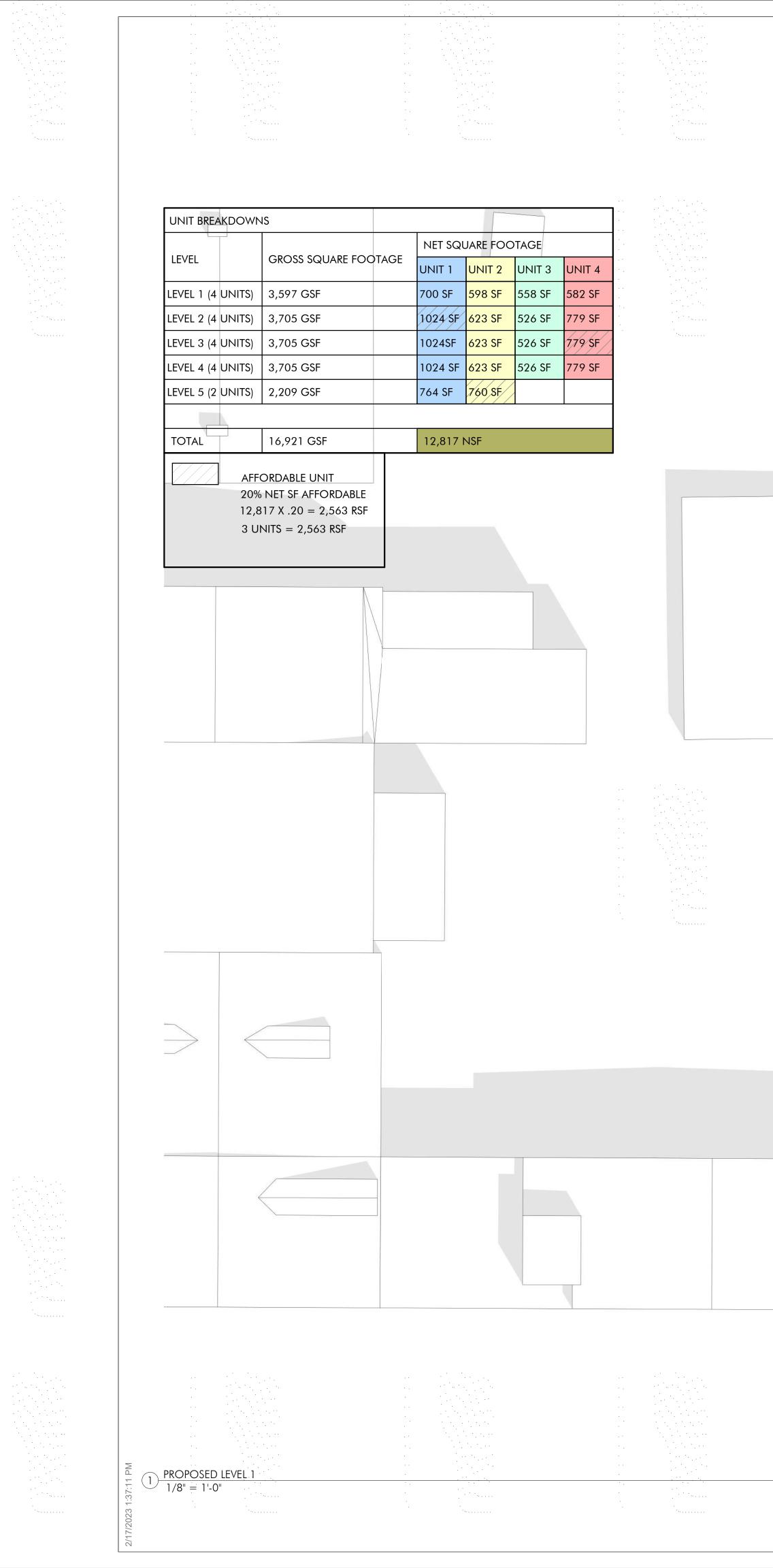
GROSS FLOOR ARE	A SCHEDULE
LEVEL	AREA
PROPOSED LEVEL 1	3597 SF
PROPOSED LEVEL 2	3705 SF
PROPOSED LEVEL 3	3705 SF
PROPOSED LEVEL 4	3705 SF
PROPOSED LEVEL 5	2209 SF
TOTAL	16921 SF













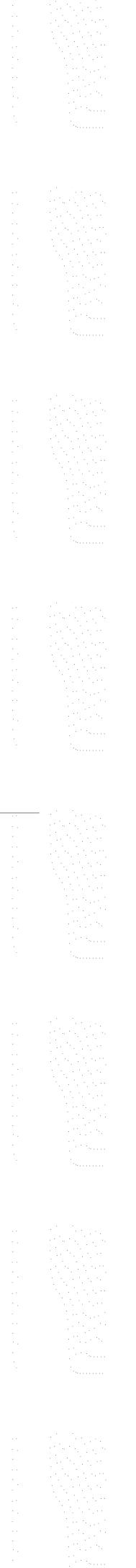


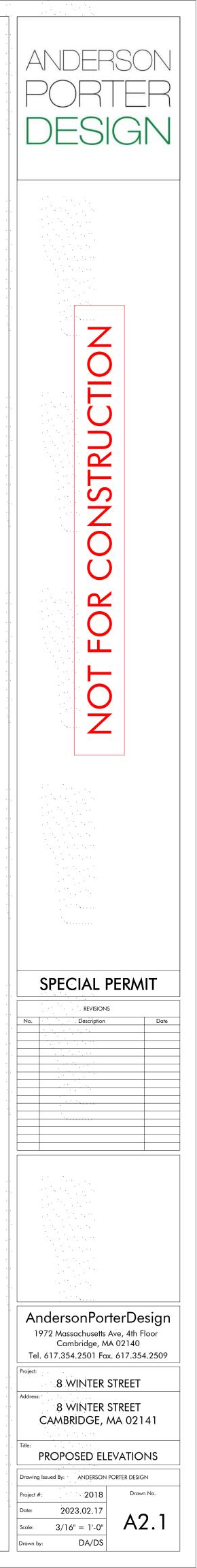


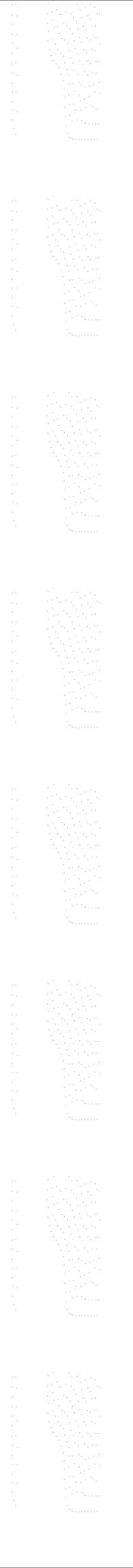














3/16" = 1'-0"

DA/DS

Drawn by:





7/2023 1:35:17 PM



NOT FOR CONSTRUCTION

SPECIAL	PERMIT
REVISION	15
No. Description	Date
AndersonPo	rterDesign
1972 Massachusetts Cambridge, N	
Tel. 617.354.2501 Fc	
oject:	
8 WINTER	STREET
Idress: 8 WINTER	STREET
CAMBRIDGE,	
,	
EXISTING SITI	
awing Issued By: ANDERSON	I PORTER DESIGN
oject #: 2018	Drawn No.
tte: 2023.02.17	
ale:	A9.0

Author



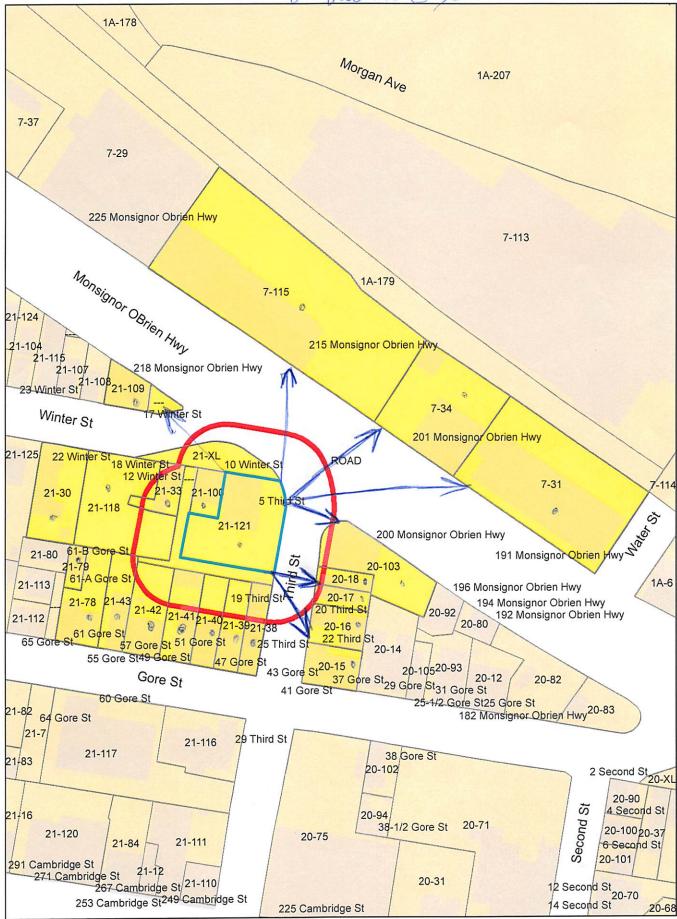




1972 Massachusetts Ave, 4th Floor Cambridge, MA 02140 Tel. 617.354.2501 Fax. 617.354.2509

3D VIEWS		
Drawing Issued By:	ANDERSON	PORTER DESIGN
Project #:	2018	Drawn No.
Date: 20	23.02.17	
Scale:		A9.1
Drawn by:	DS	

8 Winter Street



1

20-18 ALLEN, WILLIAM E. & LOUISE M. ALLEN 14 THIRD ST. CAMBRIDGE, MA 02141

21-41 FITCH, KARLOTTA A. 51 GORE STREET CAMBRIDGE, MA 02141-1213

21-40 VETRANO, DOROTHY C. A LIFE ESTATE 49 GORE ST CAMBRIDGE, MA 02141

7-31 NATRAJ HOSPITALITY LLC 14 HILL ST WOBURN, MA 01801

21-38 SCHLABACH, KEIKO & KEVIN SCHLABACH 25 THIRD ST., #25/2 CAMBRIDGE, MA 02141

21-33 JIANG HANCHENG ZHANG YIMING 12 WINTER ST CAMBRIDGE, MA 02141

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

20-103 PAC JOINT VENTURE LLC 322 MYSTIC AVE MEDFORD, MA 02155

21-38 TOMOV, MOMCHIL SLAVCHEV 25 THIRD ST - UNIT 25-1 CAMBRIDGE, MA 02141 20-15 L. J. REALTY CORPORATION 138 WOODSIDE LANE ARLINGTON, MA 02474

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

Winter St.

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

7-115 MONSIGNOR HOTEL, LLC 1359 HOOKSETT RD. HOOKSETT, NH 03106

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

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

21-38 ZHAO, QIN & BEI YU 17 CLELLAND RD LEXINGTON , MA 02421

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

ANDERSON PORTER DESIGN C/O DAN ANDERSON, ARCHITECT 1972 MASS AVENUE – 4B CAMBRIDGE, MA 02140

21-100 FERRARO, LOUIS, TR. OF FOURTEEN TRAPELO RD NOMINEE TR 64 FLETCHER ROAD BELMONT, MA 02478

21-79 HEILMAN, ETHAN 61A GORE ST CAMBRIDGE, MA 02141

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

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

20-16 MEOLA CHRISTINA S & DAMIAN D MEOLA TRS 3 CURRIE CIR LYNNFIELD, MA 01940

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

21-38 WEI, ZHENG GUANNAN WANG 19-25 THIRD ST UNIT 19/2 CAMBRIDGE, MA 02141

20-17 BALORDI, VIRGINIA A., LOUISE ALLEN & PAUL BALORDI 16 THIRD ST CAMBRIDGE, MA 02141-1210



Planning Team

A Neighborhood Organization for the Betterment of East Cambridge

March 31, 2023

Dan Anderson 1972 Massachusetts Ave, 4th Floor Cambridge, MA 02140

RE: 8 Winter Street (Dunkin Donuts Site)

Dear Mr. Anderson:

At the March 22, 2023 East Cambridge Planning Team (ECPT) regular meeting, Anderson Porter Architects present a plan to redevelop 8 Winter Street, currently occupied by Dunkin Donuts. Presenting was Dan Anderson of Anderson Porter Architects and present were Ozan Dokmecioglu, Ender Saricay, and Trina Murphy of DND Homes. The proposal was to demolish existing Dunkin Donuts building and construct a 5-story, 16,921 square foot building with a 35' height except for two units which would be at 45'. The building would contain 18 residential units. As we understand the project, it is in two different zoning districts and would require a special permit for two or three units.

After the presentation, the ECPT member present, including many of the abutters, deliberated on the proposal. The abutters present proposed having the building side setback on Winter Street removed and the building abut the sidewalk. This would have the effect of widening the easement between the building and the abutters. Members present stated they would support zoning relief for the side setback as it would help relieve egress hardships for the abutters. There was also a sentiment that the first project was preferred over the current project as the current project seem to overwhelm the site and will exasperate the current parking problems on Winter and Gore Streets.

A motion was made based largely on the concerns of the abutters, "ECPT oppose the proposed project at 8 Winter Street based on the presentation given on 3/22/23. ECPT remains willing to work with the developer to devise a mutually acceptable solution for the abutter's egress." The vote was unanimous.

Very truly yours,

G. D.K

Charles T. Hinds President, ECPT

CC: Ozan Dokmecioglu (<u>ozan.dokmecioglu@dnd-homes.com</u>) Ender Saricay (<u>ender.saricay@dnd-homes.com</u>) Trina Murphy (<u>trina.murphy@dnd-homes.com</u>)

March 21, 2023

We, the residential abutters to 8 Winter Street share a common set of concerns regarding the construction plans by DND Homes LLC. We have voiced these concerns to the owner, pre-construction manager, and architect of DND Homes, but have not received adequate commitment to address these matters. While we understand that their current plans fall within "as of rights" construction, our concerns as residential abutters are for serious and substantial changes to the use and presence to the neighborhood.

Our primary concerns include:

- A. Maintaining sufficiently wide and safe access to our properties (wide enough to accommodate the fire escape and 2 car widths, requiring at least 25 ft)
- B. A plan to manage traffic patterns, including a zone for deliveries and loading/moving trucks
- C. No commercial thoroughfare through the private way
- D. A plan to manage both their trash and recycling bins, as well as accommodating the bins of 19-25 Third St
- E. Agreement on who is responsible for plowing the shared roads and driveways and that any plowing will not impede our access (i.e., they do not pile up snow and block us in)
- F. Privacy considerations for neighbors who will now have high-rise windows peering into properties
- G. Greenspace between residential neighbors along Linehan Court, to lessen the visual impact of a high-rise concrete building

Prior to/During the Construction:

- 1. Given how old most of the surrounding buildings are, all of this excavation/drilling in such close proximity might compromise the structural integrity of the foundation, walls, etc. We would like an impartial third-party surveyor/architect to evaluate the plans to ensure our 200+ year old buildings don't fall apart during construction
- 2. Inform the abutters on the process for appropriate and expeditious redress if unexpected damages do arise
- 3. Ensure that private way remains accessible during construction as this is the sole point of egress for several homes
- 4. Comprehensive plans in place for rodent/pest control during construction

We insist on written assurances that these matters are appropriately resolved and are binding for ongoing and future proprietors of 8 Winter Street.

The signed (Alphabetical):

Gina Balordi (16 Third St) Audrey Cunningham (49 Gore St) Elio Cutone (53-55 Gore St) Mario Cutone (53-55 Gore St) Karlotta Fitch (51 Gore St) Linda Ford (57 Gore St) Mirta Miranda (79 Gore St) Kenneth Paik (47 Gore St) Dana Pollick (34 Winter St) Kevin Schlabach (25 Third St, Unit 2) Hannah Suh (47 Gore St) Momchil Tomov (25 Third St Unit 1) Qin Zhao (19 Third St Unit 3)



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

BZA

POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: <u>FNDER SALICAJ</u>	Date:	03/25/23
Address: 8 Winter ft.		•
Case No. 211571	¥	
Hearing Date: 4/13/23		

Thank you, Bza Members

Pacheco, Maria

From: Sent: To: Subject: Dan Anderson <dan@andersonporter.com> Friday, April 7, 2023 10:08 AM Pacheco, Maria 8 Winter St 211571

Dear Board of Zoning Appeal;

We are writing to request a continuance for the special permit application 211571 for 8 Winter St. The project has been reviewed by the East Cambridge Planning Team and we are requesting additional time to respond to their comments.

Regards, 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



City of Cambridge

MASSACHUSETTS

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

RE: Case # Address:

□ Owner, □ Petitioner, or □ Representative:

(Print Name)

erson

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 Downer, 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.

Date: 4/10/2023

Signature

Pacheco, Maria

From: Sent: To: Subject: Dan Anderson <dan@andersonporter.com> Monday, May 22, 2023 5:34 PM Pacheco, Maria 8 Winter continuance request

Hi Maria; I'd like to request a continuance for the following case scheduled for Thursday. 211571 – 8 Winter St Please send any documents that may need to be signed for continuance. Best, Dan

Daniel P. Anderson

AndersonPorterDesign 1972 Massachusetts Avenue, 4th Floor Cambridge, MA 02140

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

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Eliel Saarinen

April 13, 2023

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* * * * 1 (8:01 p.m.) 2 Sitting Members: Brendan Sullivan, Jim Monteverde, Matina 3 Williams, Wendy Leiserson, and Andrea 4 Hickey 5 BRENDAN SULLIVAN: Okay, the Board will now hear 6 Case No. 211571 -- 8 Winter Street. 7 DAN ANDERSON: Good evening. 8 BRENDAN SULLIVAN: Dan. 9 DAN ANDERSON: Mr. Sullivan. 10 BRENDAN SULLIVAN: Yep. 11 DAN ANDERSON: I've stuck around to be here to 12 request a continuance for No. 8 Winter Street. We had a 13 successful meeting with ECPT and have been following up with 14 abutters but have been asked to look at some alternatives 15 for that project. And so, I respectfully request a 16 17 continuance. BRENDAN SULLIVAN: Okay. Any particular date, 18 19 Dan? DAN ANDERSON: So I said yes to the twenty-fifth 20 for Third Street. It actually turns out to be my wife's 21 birthday, so I'm in trouble. Could we look for a date after 22

April 13, 2023

1	that?
2	BRENDAN SULLIVAN: I'm sorry. Your wife's
3	birthday is when?
4	DAN ANDERSON: May 25.
5	BRENDAN SULLIVAN: So after that would be June 15?
6	Well, okay, you don't want to do the twenty-fifth.
7	DAN ANDERSON: Well, you know, yeah. Since I'm
8	already committed to one, I'm not sure that I'm going to get
9	in any trouble. So let's say that May 25, and I'll go for
10	Double Jeopardy.
11	BRENDAN SULLIVAN: Okay. So let me continue this
12	it's a case not heard. You'll pay for this, but anyhow.
13	DAN ANDERSON: Yeah, understood.
14	BRENDAN SULLIVAN: All right.
15	Let me make a motion, then, to grant the
16	continuance to May 25, 2023 on the condition that the
17	petitioner change the posting sign to reflect the new date
18	of May 25,2023 and that any new submittals not currently in
19	the file be submitted by 5:00 p.m. on the Monday prior to
20	the May 25, 2023 hearing.
21	On the motion, then, to continue this matter, Jim
22	Monteverde?
1	

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April 13, 2023

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1	JIM MONTEVERDE: In favor.
2	BRENDAN SULLIVAN: Andrea Hickey?
3	ANDREA HICKEY: Yes, in favor.
4	BRENDAN SULLIVAN: Wendy Leiserson?
5	WENDY LEISERSON: Yes, in favor.
6	BRENDAN SULLIVAN: Matina Williams?
7	MATINA WILLIAMS: Yes, in favor.
8	BRENDAN SULLIVAN: In favor.
9	[All vote YES]
10	BRENDAN SULLIVAN: So the matter is continued
11	until May 25, 2023. See you then.
12	DAN ANDERSON: Thank you very much.
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May 25, 2023

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* * * * * 1 2 (6:56 p.m.) Sitting Members: Jim Monteverde, Wendy Leiserson, Matina 3 Williams, Stephen Ng, and Zarya Miranda 4 JIM MONTEVERDE: This is Case No. 211571 -- 8 5 Winter Street. And we have a letter from Dan Anderson of 6 Anderson Porter Design saying, "I'd like to request a 7 continuance for the following case scheduled for this 8 evening." And then what date do we have? Same thing, July 9 10 13? And since all the Board members were available 11 that time for the previous one, unless someone says 12 something, I'll assume they're all available for this case 13 as well? Anybody have any issues with that? Any Board 14 15 member? No? Okay. Let me make a motion, then, to 16 continue this matter to July 13, 2023, on the condition that 17 the petitioner change the posting sign to reflect the new 18 19 date of July 13, 2023 and the time at 6:00. Also, in furtherance that the petitioner sign a 20 waiver of the statutory requirement for a hearing. Said 21 waiver can be obtained from Maria Pacheco or Olivia Ratay 22

May 25, 2023

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1 with Inspectional Services.

	-
2	We ask that you sign it and return it to us by a
3	week prior to July 13. Failure to do so will de facto cause
4	this Board to give an adverse ruling on this particular
5	case. We would ask that you sign it and get it back to us.
6	This will allow us to hear the case on July 13.
7	Also, if there are any new submittals or changes
8	to the drawings, that those be in our file by 5:00 p.m. on
9	the Monday prior to July 13, 2023.
10	And also, if there are any changes to the
11	dimensional form and potentially the supporting statement
12	also be changed and submitted along with the new documents.
13	On the motion, then, to continue this matter until
14	July 13, Steven?
15	STEVEN NG: In approval.
16	JIM MONTEVERDE: Thank you Matina.
17	MATINA WILLIAMS: In approval.
18	JIM MONTEVERDE: Wendy?
19	WENDY LEISERSON: In approval.
20	JIM MONTEVERDE: And Zarya?
21	ZARAYA MIRANDA: In approval.
22	JIM MONTEVERDE: And Jim Monteverde in favor.

May 25, 2023

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1	
1	[All vote YES]
2	JIM MONTEVERDE: That's five in favor. Thank you.
3	We have a one-minute break before we start. Mike, is that
4	true, or not? No, 6:30.
5	(BREAK)
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A Neighborhood Organization for the Betterment of East Cambridge

May 25, 2023

Cambridge Board of Zoning Appeal 831 Mass Ave Cambridge, MA 02139

RE: 8 Winter St (BZA-211571)

Dear Chair Brendan Sullivan; Vice Chair Jim Monteverde; Members Hickey, Ng, and Wernick; and Associate Members Agate, LaRosa, Leiserson, Miler, Miranda, and Williams:

At the April 26, 2023 East Cambridge Planning Team (ECPT) regular meeting, Dan Anderson, Anderson Porter Architects, presented a revised plan to redevelop 8 Winter Street, currently occupied by Dunkin Donuts. Ozan Dokmecioglu, Ender Saricay, and Trina Murphy of DND Homes, representing the 8 Winter Street redevelopment project, were also in attendance. The proposal was to demolish the existing Dunkin Donuts building and construct a 5-story, 16,921 square foot building with a 35' height except for two units which would be at 45'. The building is proposed to contain 18 residential units. This revised version moves the building away from the abutters to the lot line on Winter St. This would create an approximately 26' distance between the abutters lot line and the new proposed building on 8 Winter Street. This would help alleviate the hardship abutters would encounter entering and exiting their parking spaces and create a green space buffer.

After the presentation, the ECPT members present, including many of the abutters, deliberated on the proposal. Members present stated they would support zoning relief for the side setback as it would help relieve vehicle egress hardships for the abutters. The wider space is essential for abutters to being able to access their driveways.

Subsequent to the discussion, the following motion was unanimously passed supporting the project: "The ECPT supports the "option 2" proposal (attached) for the development at 8 Winter Street, including the variances on Winter and Third Streets, as long as it results in at least a 25' opening on Linehan Court."

Very truly yours,

G. n.K

Charles T. Hinds President, ECPT

CC: Ozan Dokmecioglu (<u>ozan.dokmecioglu@dnd-homes.com</u>) Ender Saricay (<u>ender.saricay@dnd-homes.com</u>) Trina Murphy (<u>trina.murphy@dnd-homes.com</u>)

