

### **CITY OF CAMBRIDGE**

#### **BOARD OF ZONING APPEAL**

831 Massachusetts Avenue, Cambridge MA 0218822 MAY 19 AM 10: 00

617-349-6100

OFFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

#### **BZA Application Form**

**BZA Number: 173908** 

<u>Genera</u>	<u>l Informa</u>	<u>tion</u>
---------------	------------------	-------------

The undersigned	hereby petitions t	he Board of Zonin	ng App	eal for the followi	ng:
Special Permit: _		Variance:	<u>X</u>		Appeal:
PETITIONER: A	ndrew Miller and	Samantha Miller C	C/O An	drew Plumb	
PETITIONER'S A	DDRESS: 91 Ha	rvey Street, Camb	oridge,	MA 02140	
LOCATION OF P	ROPERTY: <u>96 H</u>	<u>enry St , Cambric</u>	<u>dge, M</u>	<u>IA</u>	
TYPE OF OCCU	PANCY: <u>Two-Fan</u>	<u>nily</u>	Z	ZONING DISTRIC	CT: Residence C Zone
REASON FOR PI	ETITION:				
/"Addition of wind increase the pre-e					lculated building height and therefore
DESCRIPTION	OF PETITIONE	ER'S PROPOSAI	L:		
	d will increase the	e pre-existing non-	-confo	rmity of the calcu	lt. Doing so will increase the calculated lated site yard setbacks. A new cub
SECTIONS OF Z	ONING ORDINA	NCE CITED:			
Article: 5.000 Article: 8.000 Article: 10.000	•	able of Dimension (Alterations of a po Variance).		•	ng structure)
		Original Signature(s):		<u></u>	
				•	Petitioner (s) / Owner) Ol [
				Andrew!	(Print Name)
		Address: Tel. No.		Hanney Street -876-9300 ext. 13	t, sitel Cambridge, MA ozuro
		ICI. INU.	01/	-0/0-3300 せんし し	J

andrew@aamodtplumb.com

E-Mail Address:

Date: 5.17. 2022

#### **BZA Application Form**

#### **DIMENSIONAL INFORMATION**

Applicant: Andrew Miller and Samantha Miller

Present Use/Occupancy: Two-Family

Location:

96 Henry St, Cambridge, MA

Zone: Residence C Zone

Phone:

617-876-9300 ext. 13

Requested Use/Occupancy: Two-Family

		<b>Existing Conditions</b>	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		2,240	2,240	3,000	(max.)
LOT AREA:		3,171	3,171	5,000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>		0.71	0.71	0.6	
LOT AREA OF EACH DWELLING UNIT		3,171	1,585.5	1,800	
SIZE OF LOT:	WIDTH	31.71	31.71	50	
	DEPTH	100	100	N/A	
SETBACKS IN FEET:	FRONT	9.8 to front porch	9.8 to front porch	10	
	REAR	21	23.9	20	
	LEFT SIDE	7.1	6.9	11.29	
	RIGHT SIDE	0	0	11.29	
SIZE OF BUILDING:	HEIGHT	34.25	34.83	35	
	WIDTH	63	63	N/A	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		48%	42%	36%	
NO. OF DWELLING UNITS:		2	2	1	
NO. OF PARKING SPACES:		0	1	1 per DU	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		N/A	N/A	5.83	

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 buildings are proposed 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'.

#### **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 Ordinance requirements for FAR, Open Space, Lot Size and Required Setbacks create preexisting, non-conforming conditions on this property. A literal enforcement would prevent the home owners from making reasonable changes to the existing property that improve the quality of their home and support their growing family. The proposed changes are commonly carried out in comparable properties and it would be a substantial hardship for the Owners if they were prevented from doing so due to the size and shape of their lot.

The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures by not affecting generally the zoning district in which it is located for the following reasons:

The size of the existing lot is a pre-existing, non-conforming condition within this zoning district. Because of this, setbacks overlap with the existing building, and the FAR, SF per dwelling unit and Open Space requirements result in far more restrictive requirements than other comparable properties. If the lot were of the minimum size required by the ordinance, these hardships would not be present.

#### 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 requested relief will have no detrimental impact on the public good because it increases the calculated building height but not the actual building height. There will be no actual change to the height of the building as understood and experienced by the public at large.

Being able to renovate this home as proposed will encourage long-term ownership, and will allow this family to continue to live in this neighborhood for generations to come.

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

The requested relief is consistent with the stated goals and spirit of the Ordinance. The requested relief would result in creating long term, high quality housing on a non-conforming lot.

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

#### BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We Andrew Miller and Samantha Miller
96 Henry Street Address:
State that I/We own the property located at96 Henry Street Cambridge, MA,
which is the subject of this zoning application.
The record title of this property is in the name of Miller, Andrew and Miller, Samantha
*Pursuant to a deed of duly recorded in the date $\frac{07/20/2021}{}$ , Middlesex South County Registry of Deeds at Book $\frac{78287}{}$ , Page $\frac{93}{}$ ; or
Middlesex Registry District of Land Court, Certificate No. N/A
Book N/A Page N/A
Andrew B. Miller SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*  *Written evidence of Agent's standing to represent petitioner may be requested.
Produced Identification: NY. Driver License Commonwealth of MAXXXXIXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
The above-name Andrew B. Miller personally appeared before me,
this 28 of April, 2022, and made oath that the above statement is true.
Danill & Blown Notary
Darrell F Glover  My commission expires 02/01/2025 HH 87544 (Notary Seal).  Jurat DARRELL F GLOVER Notary Public - State of Florida Commission # HH 87544
Notarized online using audio-video communication  Expires on February 1, 2025

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

#### **BZA Application Form**

#### **DIMENSIONAL INFORMATION**

CITY OF CAMBRIDGE INSPECTIONAL SERVICES

Applicant:

Andrew Miller and Samantha Miller

Present Use/Occupancy: Two Family 27 P 12: 23

Location:

96 Henry St., Cambridge, MA

Zone: Residence C Zone

Phone:

617-876-9300 ext. 13

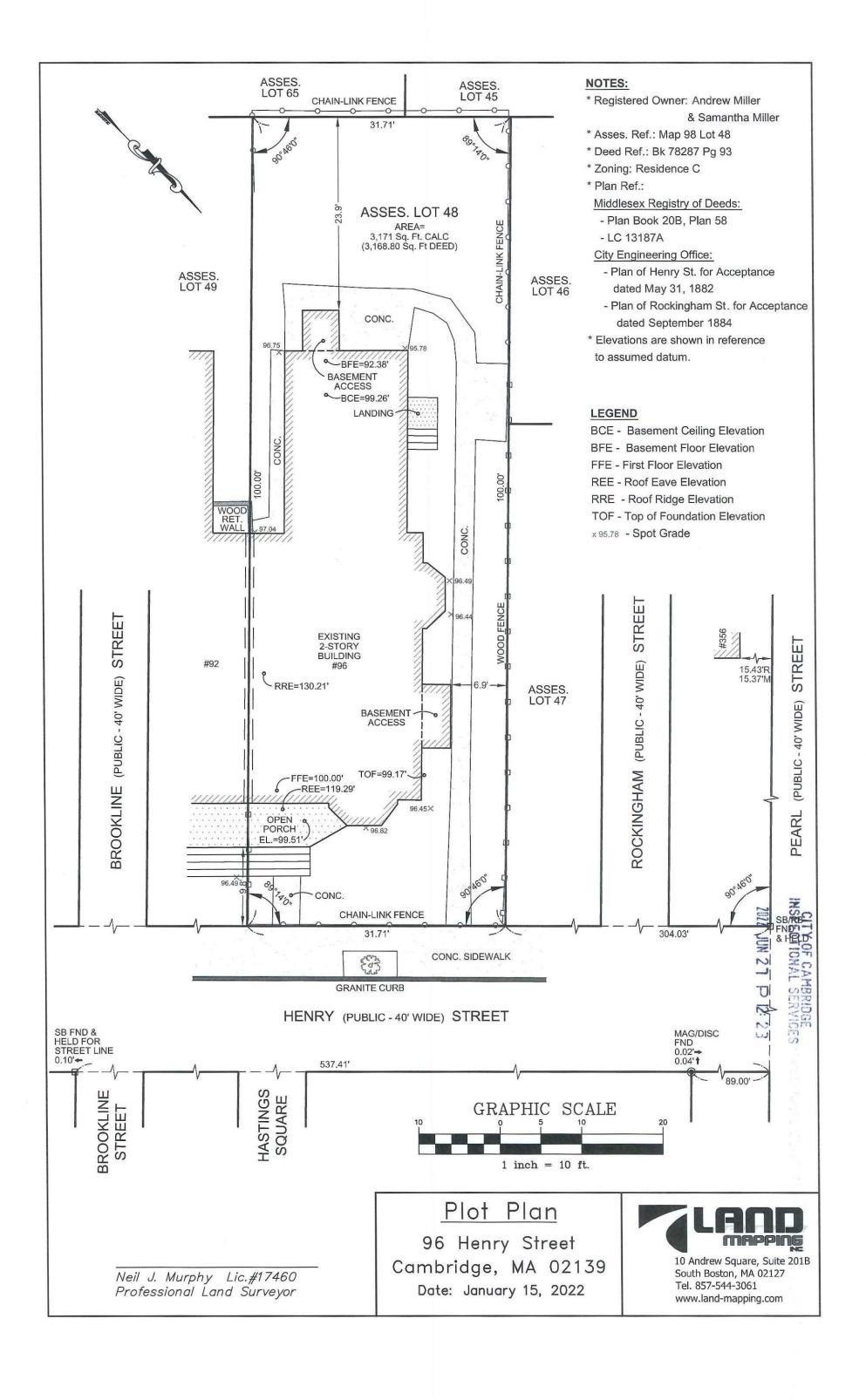
Requested Use/Occupancy: Two-Family

		Existing Conditions	Requested Conditions	Ordinance Requirements	
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LOT AREA:		3,171	3,171	5,000	(min.)
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SETBACKS IN FEET:	FRONT	9.8 to front porch	9.8 to front porch	10	
	REAR	21	23.9	20	- The -
	LEFT SIDE	7.1	6.9	11.29	
	RIGHT SIDE	0	0	11.29	
SIZE OF BUILDING:	HEIGHT	34.25	34.83	35	
	WIDTH	63	63	N/A	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		48%	<del>-42%</del> 40%	36%	
NO. OF DWELLING UNITS:		2	2	1	
NO. OF PARKING SPACES:		0	1	1 per DU	
NO. OF LOADING AREAS:		0 .	0	o	
DISTANCE TO NEAREST BLDG. ON SAME LOT		N/A	N/A	5.83	

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.:

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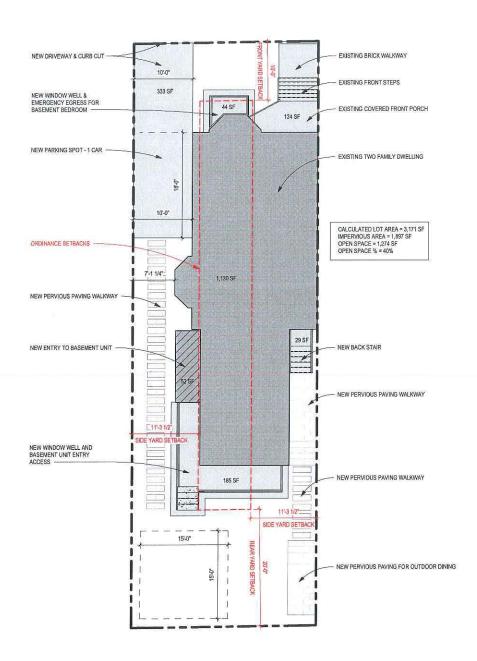


ZONING NOTES	
PARCEL ID:	98-48
DISTRICT:	С
ZONING DESIGNATION:	MULTIFAMILY
ZONING OVERLAY:	N/A
PROPERTY SIZE:	3,171 SF CALC
GOVERINING CODE	IBC 2015

	ORDINANCE	EXISTING	PROPOSED
LOT SIZE	5,000 SF	3,171 SF	3,171 SF
LOT WIDTH	50'	31.71'	31.71'
FRONTAGE SETBACK	14'-1 1/2", NOT LESS THAN 10'	9.8'	9.8'
SIDE (LEFT) SETBACK	11'-3 1/2"	6.9'	7.1'
SIDE (RIGHT) SETBACK	11'-3 1/2"	0'	0'
REAR SETBACK	20'	23.9'	23.9'
OPEN SPACE TO LOT AREA:	36%	48%	40%
PARKING	1	0	1
BULDING HEIGHT	35'	34'-3"	34'-10"
F.A.R.	0.6	0.71	0.71

GROSS SQUARE FOOTAGE	
UNIT 1 - BASEMENT *	127 SF
UNIT 2 - BASEMENT *	1,030 SF
UNIT 1 - FIRST FLOOR	1,144 SF
UNIT 1 - SECOND FLOOR	1,096 SF
TOTAL GROSS SF:	2,240 SF

<sup>\*</sup> EXCLUDED FROM GROSS SF CALCULATION



PROPOSED SITE PLAN

#### MILLER RESIDENCE

96 Henry St, Cambridge MA, 02139

Architect Aamodt Plumb Architects, LLC 91 Harvey Street, Suite 1 Cambridge, MA 02140 Tel: 617.876.9300

Contractor Aamodt Plumb Construction, 91 Harvey Street, Suite 1 Cambridge, MA 02140 Tel: 617.876.9300

Structural Phelan Engineering 76 Carlisle Road Westford, MA 01886 Tel: 978,256,4014

NOT FOR CONSTRUCTION

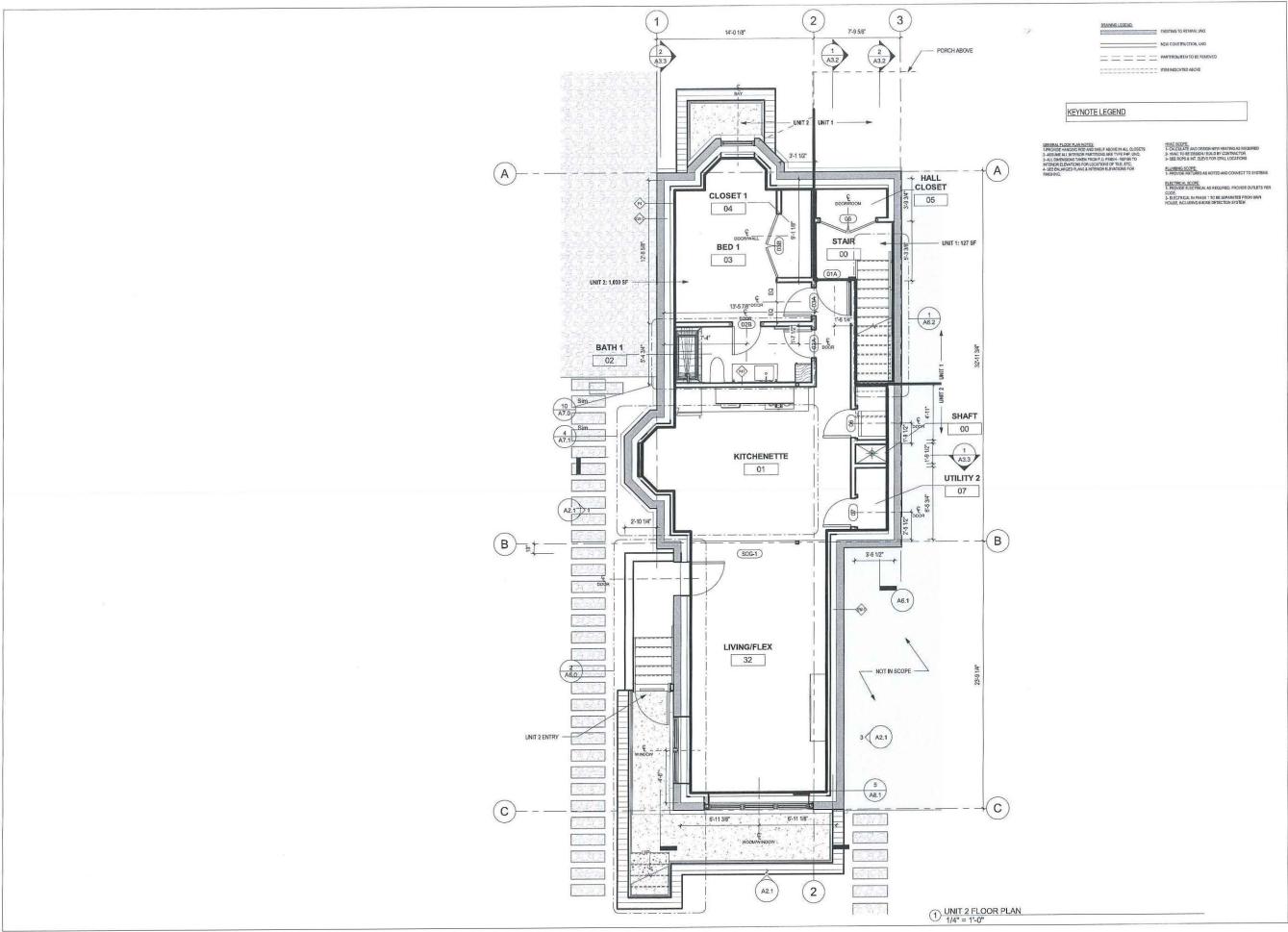


NO, ISSUED FOR

ZONING ANALYSIS

Z0.1

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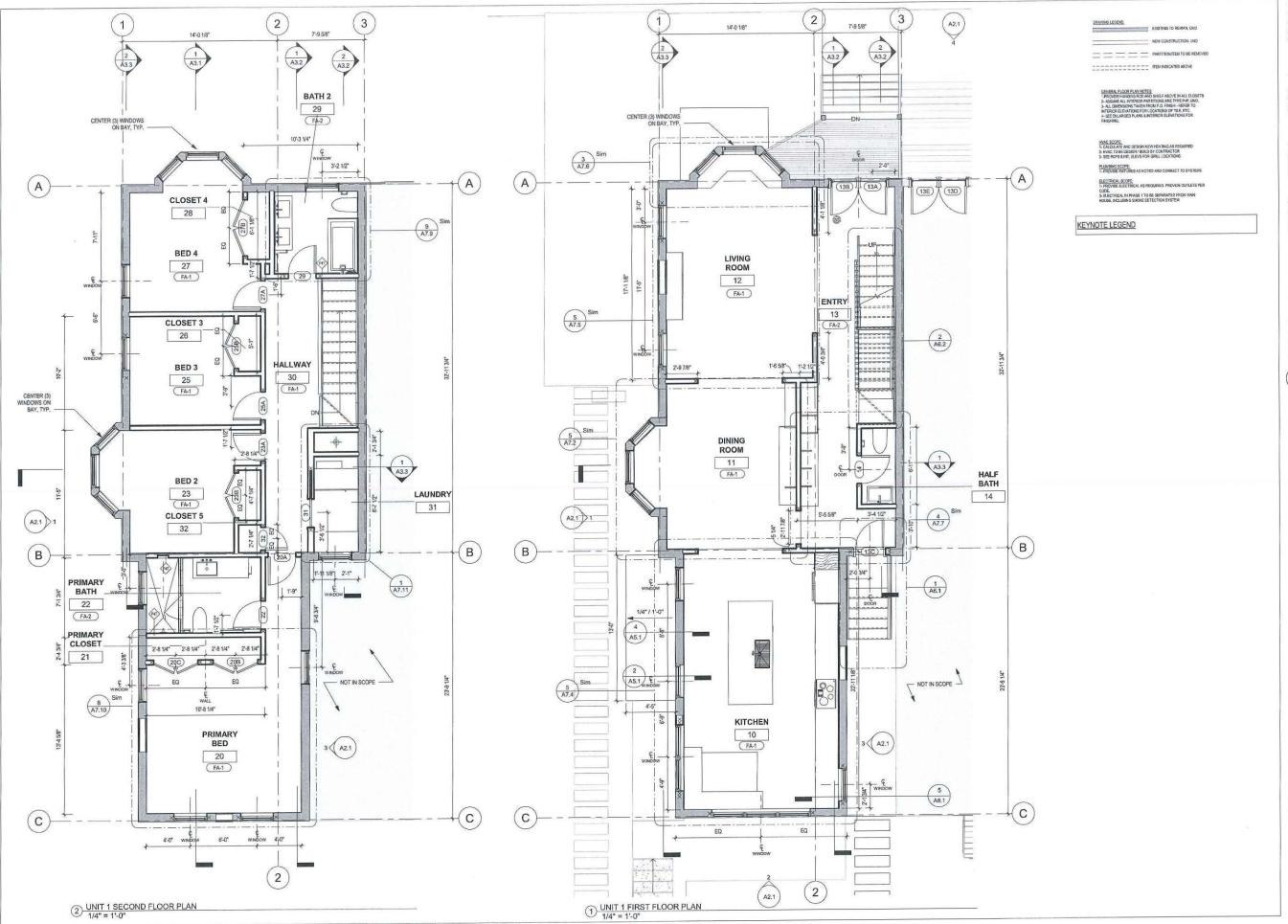
### NOT FOR CONSTRUCTION



NO. ISSUED FOR

**UNIT 2 FLOOR PLANS** 

A1.0



#### MILLER RESIDENCE

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Architect Aamodt Plumb Architects, LLC 91 Harvey Stroot, Suite 1 Cambridge, MA 02140 Tel: 617.876.9300

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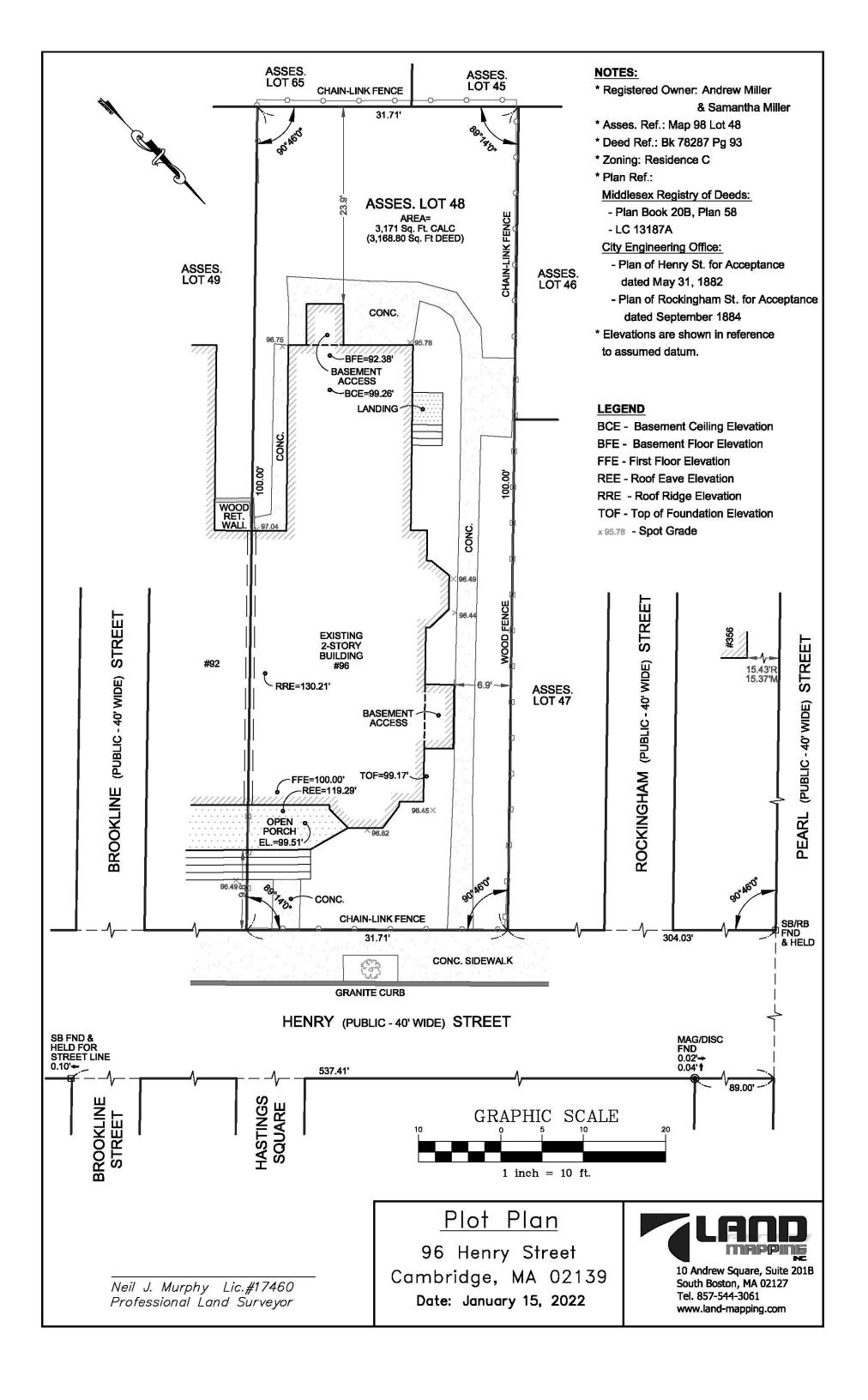
NO. ISSUED FOR

UNIT 1 FIRST AND SECOND FLOOR PLANS

A1.1

© 2022 Aarnodt Plumb Architects,







MILLER
RESIDENCE
96 Henry St, Cambridge MA,
02139

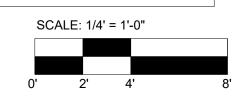
02139

Architect
Aamodt Plumb Architects, LLC
91 Harvey Street, Suite 1
Cambridge, MA 02140
Tel: 617.876.9300

Contractor
Aamodt Plumb Construction,
91 Harvey Street, Suite 1
Cambridge, MA 02140
Tel: 617.876.9300

Structural
Phelan Engineering
76 Carlisle Road
Westford, MA 01886
Tel: 978.256.4014

NOT FOR CONSTRUCTION



NO. ISSUED FOR

DATE

EXTERIOR ELEVATIONS

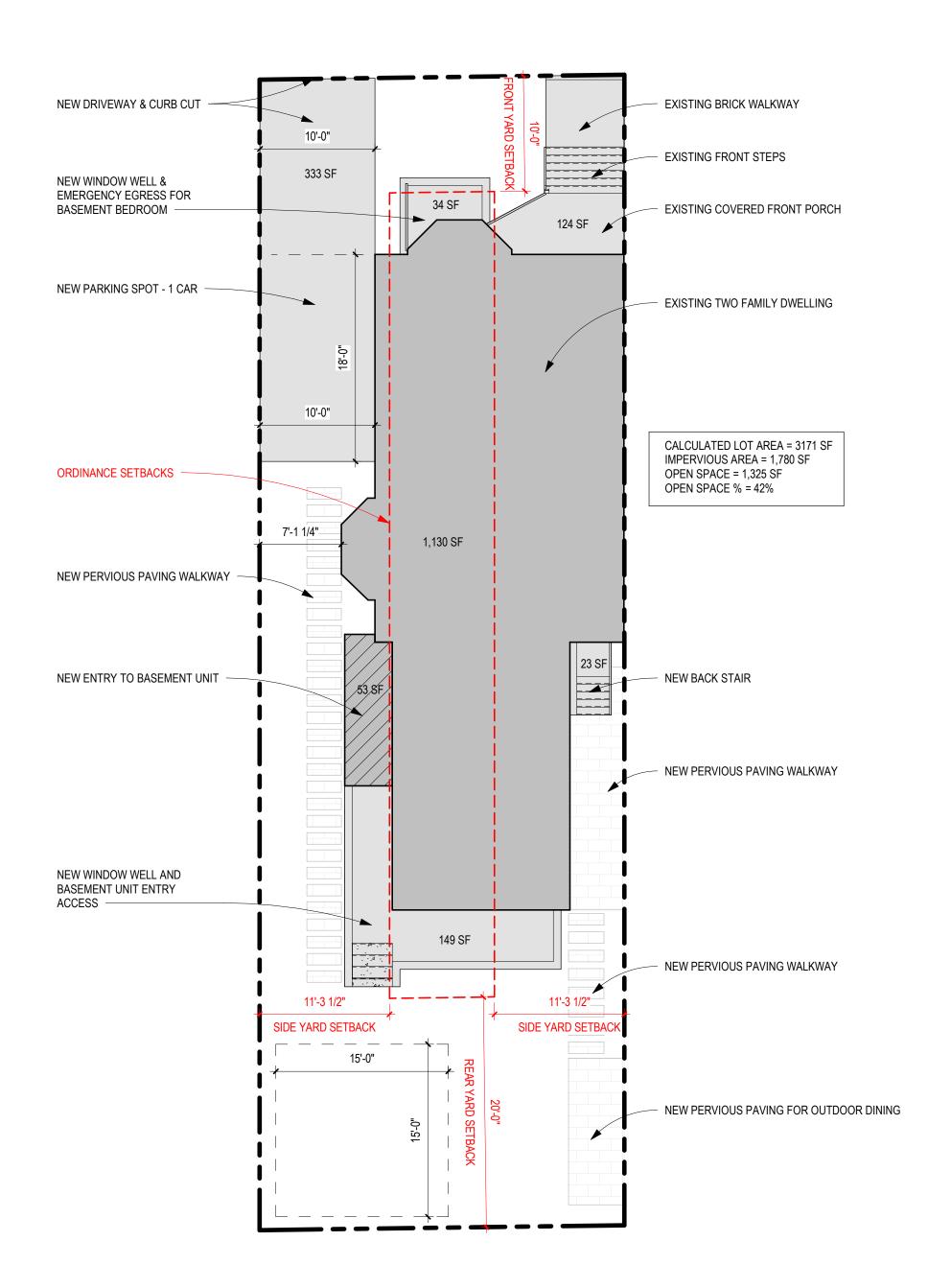
A2.1

ZONING NOTES	
PARCEL ID: DISTRICT: ZONING DESIGNATION: ZONING OVERLAY: PROPERTY SIZE:	98-48 C MULTIFAMILY N/A 3,171 SF CALC

	ORDINANCE	EXISTING	PROPOSED
LOT SIZE	5,000 SF	3,171 SF	3,171 SF
LOT WIDTH	50'	31.71'	31.71'
FRONTAGE SETBACK	14'-1 1/2", NOT LESS THAN 10'	9.8'	9.8'
SIDE (LEFT) SETBACK	11'-3 1/2"	6.9'	7.1'
SIDE (RIGHT) SETBACK	11'-3 1/2"	0'	0'
REAR SETBACK	20'	23.9'	23.9'
OPEN SPACE TO LOT AREA:	36%	48%	42%
PARKING	1	0	1
BULDING HEIGHT	35'	34'-3"	34'-10"
F.A.R.	0.6	0.71	0.71

GROSS SQUARE FOOTAGE	
UNIT 1 - BASEMENT *	127 SF
UNIT 2 - BASEMENT *	1,030 SF
UNIT 1 - FIRST FLOOR	1,144 SF
UNIT 1 - SECOND FLOOR	1,096 SF
TOTAL GROSS SF:	2,240 SF

<sup>\*</sup> EXCLUDED FROM GROSS SF CALCULATION



1 PROPOSED SITE PLAN 1/8" = 1'-0"

# MILLER RESIDENCE

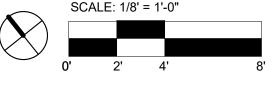
96 Henry St, Cambridge MA, 02139

Architect
Aamodt Plumb Architects, LLC
91 Harvey Street, Suite 1
Cambridge, MA 02140
Tel: 617.876.9300

Contractor
Aamodt Plumb Construction,
91 Harvey Street, Suite 1
Cambridge, MA 02140
Tel: 617.876.9300

Structural
Phelan Engineering
76 Carlisle Road
Westford, MA 01886
Tel: 978.256.4014

NOT FOR CONSTRUCTION



NO. ISSUED FOR

DATE

ZONING **ANALYSIS** 

GENERAL FLOOR PLAN NOTES:

1-PROVIDE HANGING ROD AND SHELF ABOVE IN ALL CLOSETS

2- ASSUME ALL INTERIOR PARTITIONS ARE TYPE P4P, UNO.

3- ALL DIMENSIONS TAKEN FROM F.O. FINISH - REFER TO
INTERIOR ELEVATIONS FOR LOCATIONS OF TILE, ETC.

4- SEE ENLARGED PLANS & INTERIOR ELEVATIONS FOR
FINISHING.

HVAC SCOPE:

1- CALCULATE AND DESIGN NEW HEATING AS REQUIRED
2- HVAC TO BE DESIGN / BUILD BY CONTRACTOR
3- SEE RCPS & INT. ELEVS FOR GRILL LOCATIONS

PLUMBING SCOPE:
1- PROVIDE FIXTURES AS NOTED AND CONNECT TO SYSTEMS

ELECTRICAL SCOPE: 1- PROVIDE ELECTRICAL AS REQUIRED. PROVIDE OUTLETS PER CODE.
3- ELECTRICAL IN PHASE 1 TO BE SEPARATED FROM MAIN HOUSE, INCLUDING SMOKE DETECTION SYSTEM

 $\begin{pmatrix} 2 \\ A3.2 \end{pmatrix}$ - PORCH ABOVE  $\begin{pmatrix} 1 \\ A3.2 \end{pmatrix}$ 14'-0 1/8" 7'-9 5/8" ACCESSORY UNIT PRIMARY UNIT HALL CLOSET 05 04 DOOR/WALL PRIMARY UNIT: BED 1 127 SF 00 03 ACCESSORY UNIT: 1,030 SF BATH 1 02 SHAFT 00 **KITCHENETTE** 01 UTILITY 2 07 ( A2.1 ) B B SOG-1 LIVING/FLEX 32 - NOT IN SCOPE ACCESSORY APARMENT ENTRY C A6.0

A2.1

1 BASEMENT FLOOR PLAN 1/4" = 1'-0"

# MILLER RESIDENCE

96 Henry St, Cambridge MA, 02139

EXISTING TO REMIAN, UNO

PARTITION/ITEM TO BE REMOVED

\_\_\_\_\_ ITEM INDICATED ABOVE

KEYNOTE LEGEND

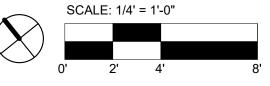
NEW CONSTRUCTION, UNO

Architect
Aamodt Plumb Architects, LLC
91 Harvey Street, Suite 1
Cambridge, MA 02140
Tel: 617.876.9300

Contractor
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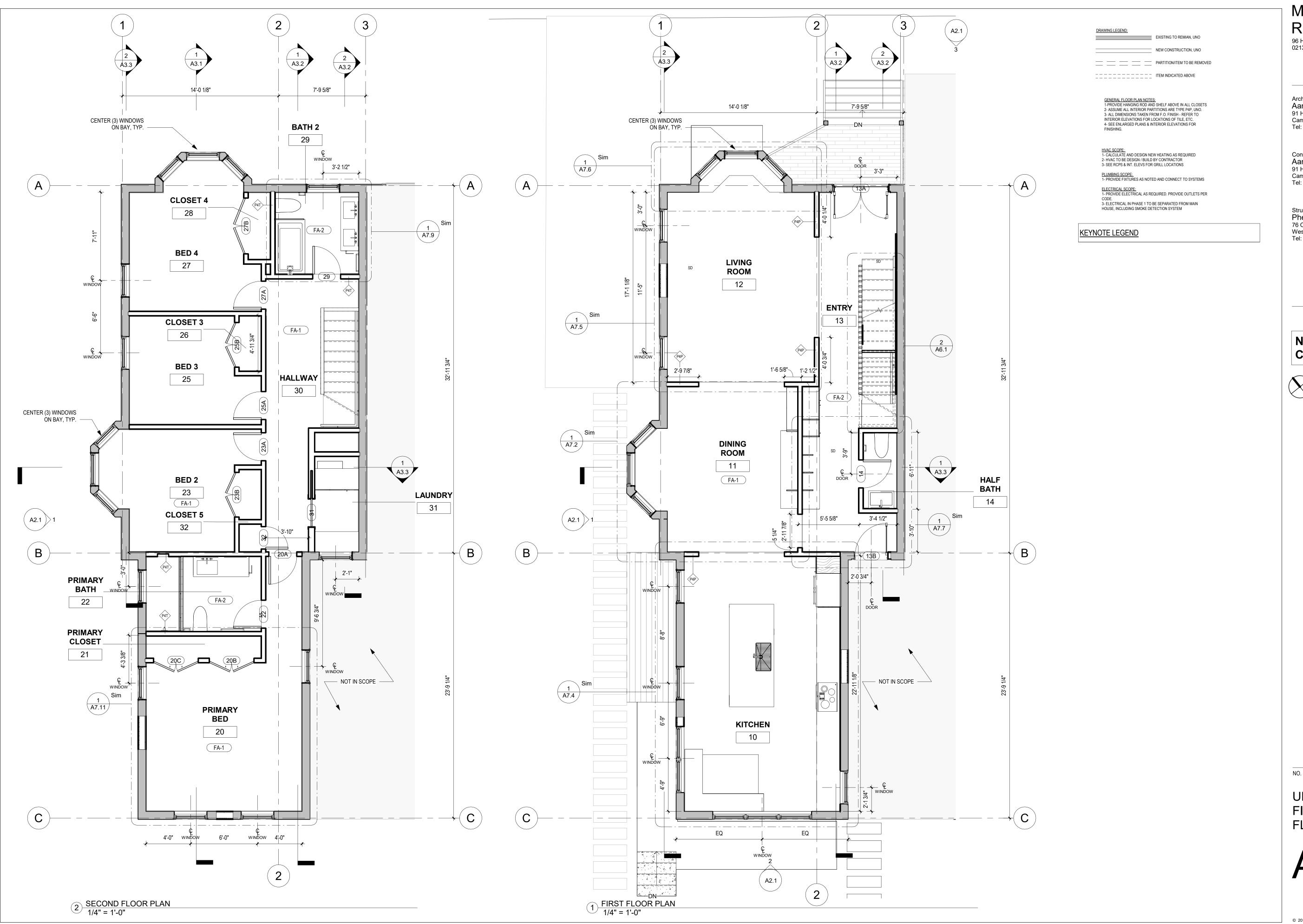
NOT FOR CONSTRUCTION



NO. ISSUED FOR

UNIT 2 FLOOR PLAN

DATE



## MILLER RESIDENCE

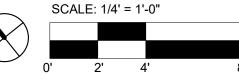
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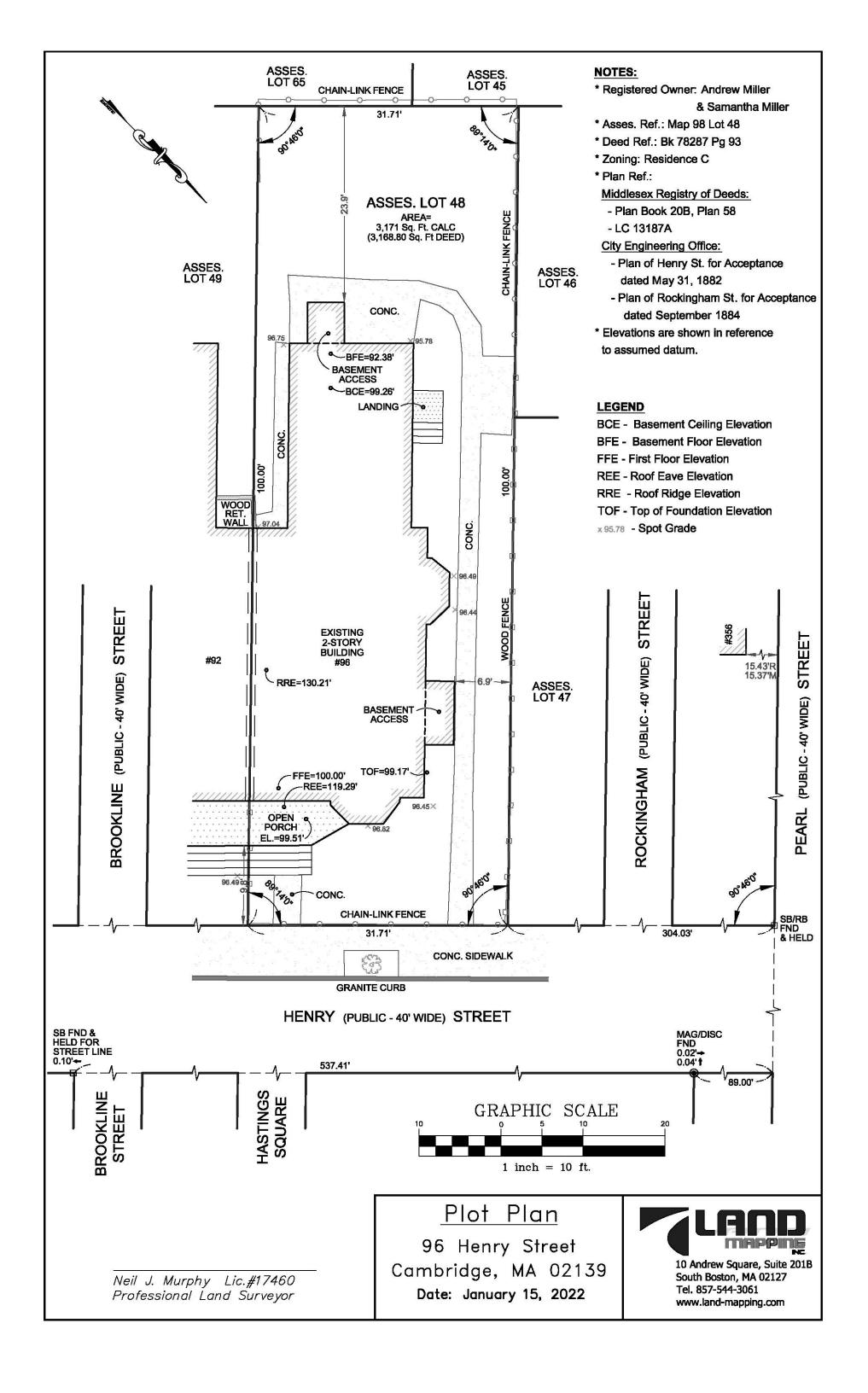
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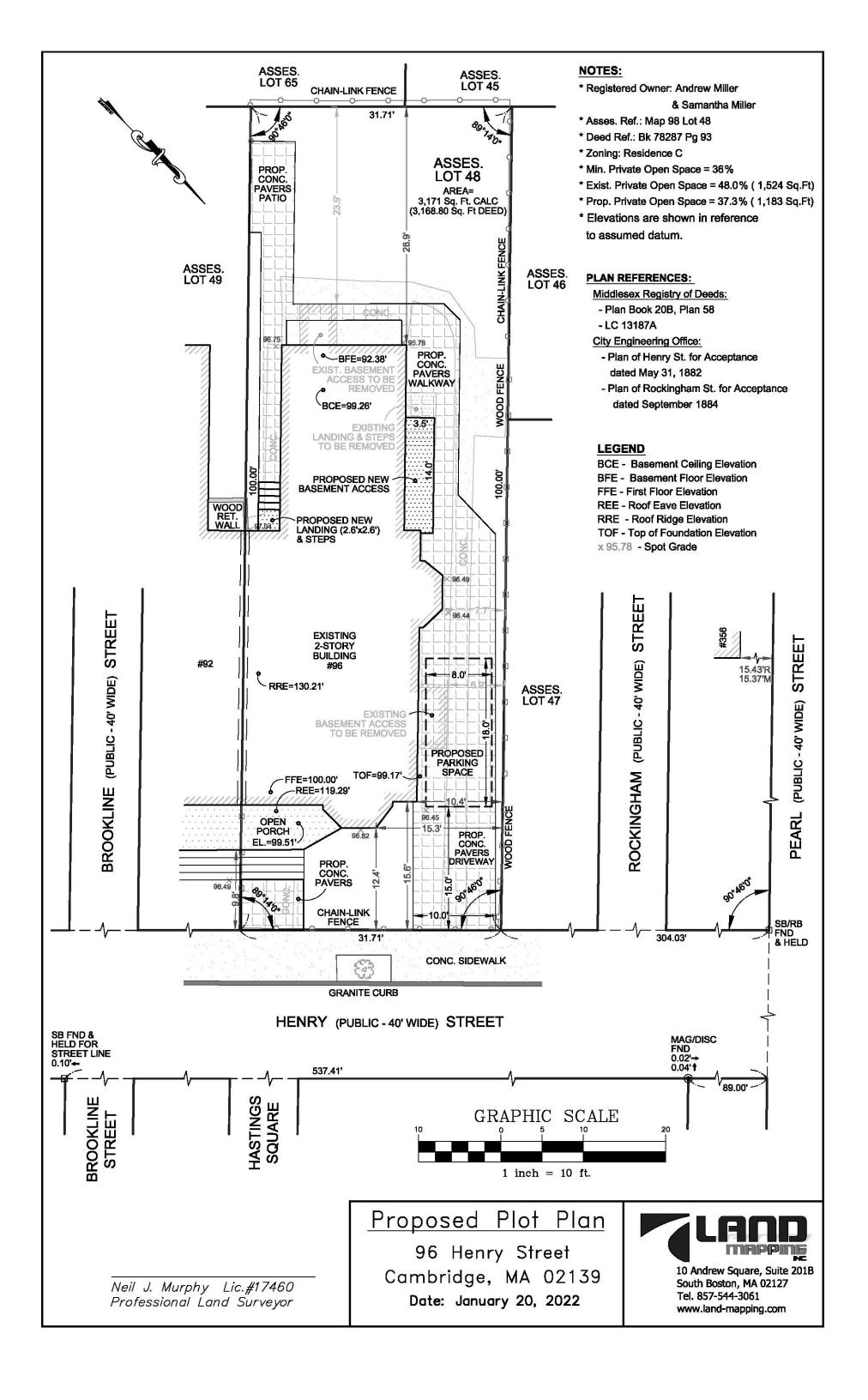


NO. ISSUED FOR DATE

UNIT 1 FIRST & SECOND FLOOR PLANS

A1.1



















# MILLER RESIDENCE 96 Henry St, Cambridge MA, 02139

Architect
Aamodt Plumb Architects, LLC
91 Harvey Street, Suite 1
Cambridge, MA 02140
Tel: 617.876.9300

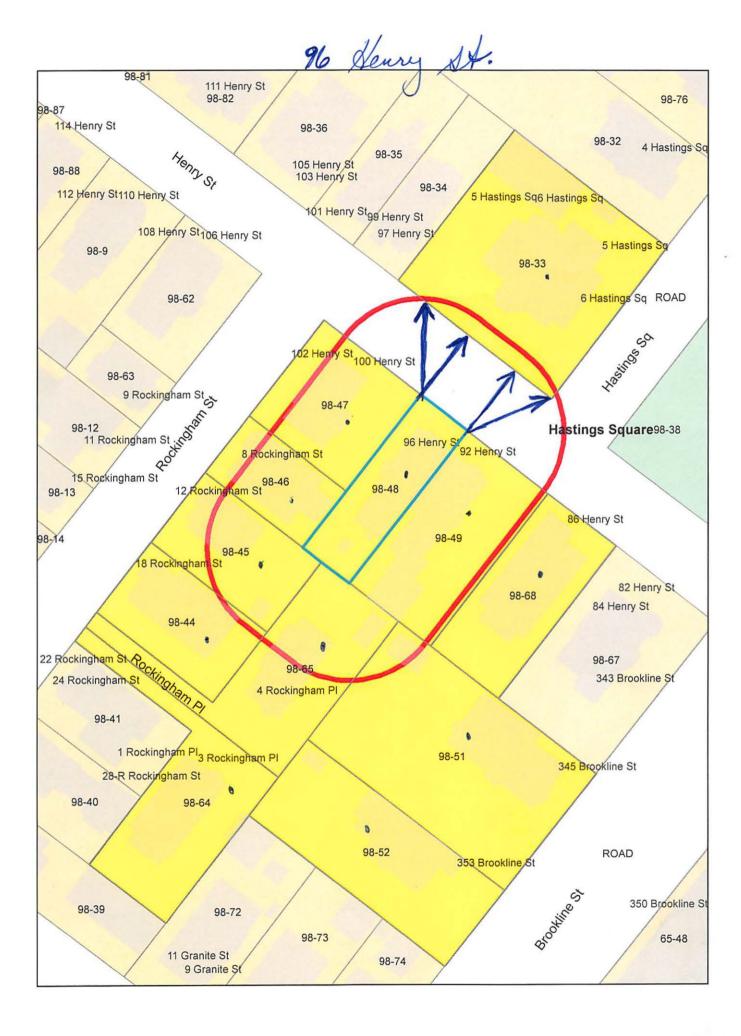
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Cambridge, MA 02140
Tel: 617.876.9300

Structural
Phelan Engineering
76 Carlisle Road
Westford, MA 01886
Tel: 978.256.4014

**NOT FOR** CONSTRUCTION

NO. ISSUED FOR

EXISTING CONDITIONS PHOTOS



98-46 8 ROCKINGHAM STREET LLC, C/O BLOCK PROPERTIES LLC, 1330 BOYLSTON ST., STE 600 CHESTNUT HILL, MA 02467

98-47 ROBERTS, MARGARET A. A LIFE ESTATE 100 HENRY ST CAMBRIDGE, MA 02139

98-65 SMITH, ST. JOHN, JR. 58 MOSSDALE RD JAMAICA PLAIN, MA 02130

98-68 ZERVAS, T. NICHOLAS 86 HENRY ST., UNIT #2 CAMBRIDGE, MA 02139

98-68 ASHLEY KATHERINE C & ADAM BIDWELL 86 HENRY ST - UNIT 3 CAMBRIDGE, MA 02139 96 Heury ST.

98-44
WEI, NANCY J. & JESSE L. WEI
18 ROCKINGHAM ST

CAMBRIDGE, MA 02139

98-52 JORDAN, KATHLEEN A., TR. THE KATHLEEN A. JORDAN 2017 FAM TR 353 BROOKLINE ST CAMBRIDGE, MA 02139

98-49 MILLER, STEVEN E. & SALLY BENBASSET 92 HENRY ST CAMBRIDGE, MA 02139-4727

98-68 SOTO, PEPITA 265 MAIN ST RIDGE FIELD PARK, NJ 07660

98-48 MILLER ANDREW & SAMANTHA 96 HENRY ST CAMBRIDGE, MA 02139 ANDREW PLUMB
91 HARVEY STREET – SUITE 1
CAMBRIDGE, MA 02140

98-64 DUWEL, AMY E. & J. CARL PALLAIS 1-3 ROCKINGHAM PL CAMBRIDGE, MA 02139

98-51 JONES, BENNETT AND DANIEL W. JONES TRS. OF NEFER TRUST 345 BROOKLINE ST CAMBRIDGE, MA 02139

98-33 DELUCIA RUSSELL J & ROBIN L BRENNER 6 HASTINGS SQ CAMBRIDGE, MA 02139

98-45 BRINKMAN, CAMILLA M. & DAVID R. BRINKMAN 12 ROCKINGHAM ST CAMBRIDGE, MA 02139-4734 TO: Zoning Board & Other Involved Parties

FR: Sally Benbasset & Steven Miller

DT: June 15, 2022

We live in 92/94 Henry Street – the attached other half of the building that contains 96 Henry Street: super abutters!

We have lived here for over 45 years, raising our family and watching the neighborhood go through many changes.

We have been briefed by the new owners of 96 Henry of their plans for renovation. We have no objections to their proposed alterations. In fact, we believe the changes will make the entire building better.

And we welcome the inclusion of another young family into the neighborhood.

Sincerely,

Sally Benbasset Steven Miller Sally Benbasset

92/94 Henry St.

## 96 Henry Street Renovation

Jennifer Longendyck 100 Henry Street Cambridge, MA 02139

June 6, 2022

To Whom It May Concern,

I am writing in support of the home renovation project at 96 Henry st, Cambridge MA. As my next door neighbor in the area for many years, we have a long standing relationship with the Miller family and believe their project is being done responsibly and professionally as a positive addition to the neighborhood. I encourage the approval of the board.

Lougendy de

Warm Regards,

Jen Longendyck

Lisa Ziegler-Chamblee 110 Henry Street Cambridge, MA 02139

June 17, 2022

Cambridge Zoning Ordinance/Inspections Department 831 Massachusetts Avenue Cambridge, MA 02139

To Whom It May Concern:

It has come to my attention that 96 Henry Street, a house several doors down from my own, will be under renovation. I have known Andrew Benbasett-Miller and his family, who will be residing at 96 Henry Street, since I was a child, growing up in Cambridge myself. I support the work they plant to do, including digging window wells and adding a side entrance at 96 Henry Street. We need more families in Cambridge who will be supportive to our city, our public schools and promote a diverse quality of life in Cambridge, just as Andrew and his family will do.

Thank you for your attention.

Sincerely,

Lisa Ziegler-Chamblee



### 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:	Haron	Troyan (Print)	sky	_ Date: _6	/13/22
Address:	96	Henry	AA.	·	
Case No	BZA	-173908	, ——		
Hearing I	Date:	30/22			
m i					

Thank you, Bza Members