

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: ROBERTO AMAYA & NATERCIA AMAYA - KARLA TINKJIAN (DESIGNER)

PETITIONER'S ADDRESS: 97-97A SIXTH ST, CAMBRIDGE, MA, 02141

LOCATION OF PROPERTY: 97 SIXTH ST, CAMBRIDGE, MA, 02141

TYPE OF OCCUPANCY: 2 UNIT DWELLING ZONING DISTRICT: RESIDENCE C-1 ZONE

REASON FOR PETITION:

<u> X </u> Additions	<u> </u> New Structure
<u> </u> Change in Use/Occupancy	<u> </u> Parking
<u> </u> Conversion to Addi'l Dwelling Unit's	<u> </u> Sign
<u> </u> Dormer	<u> </u> Subdivision
<u> </u> Other: _____	

DESCRIPTION OF PETITIONER'S PROPOSAL:

THE PETITIONER IS REQUESTING VARIANCE DIMENSIONAL RELIEF (SET BACKS, FLOOR AREA RATIO, OPEN SPACE) TO CONSTRUCT
A THIRD FLOOR ADDITION TO A PRE-EXISTING NON-CONFORMING TWO UNIT DWELLING UNIT. THE OWNER WOULD LIKE TO ADD
ADDITIONAL LIVING SPACE FOR AS EXISTING GROWING FAMILY.


SECTIONS OF ZONING ORDINANCE CITED:

Article 5.000 Section 5.31 (TABLE OF DIMENSIONAL REQUIREMENTS).

Article 8.000 Section 8.22,3 (NON-CONFORMING STRUCTURE)

Article 10.000 Section 10.30 (VARIANCE)

Applicants for a **Variance** must complete Pages 1-5
Applicants for a **Special Permit** must complete Pages 1-4 and 6
Applicants for an **Appeal** to the BZA of a Zoning determination by the
Inspectional Services Department must attach a statement concerning the reasons
for the appeal

Original Signature(s): 
(Petitioner(s)/Owner)
ROBERTO AMAYA & NATERCIA AMAYA
(Print Name)

Address: 97-97A SIXTH ST, CAMBRIDGE, MA, 02141

Tel. No.: (617) 388-9190

E-Mail Address: natercia.amaya@icloud.com

Date: 12/18/2019

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 Roberto And Natercia Amaya
(OWNER)

Address: 97 97th SIXTH ST CAMBRIDGE MA 02141

State that I/We own the property located at 97 97th SIXTH ST, which is the subject of this zoning application.

The record title of this property is in the name of Roberto Amaya And Natercia Amaya

*Pursuant to a deed of duly recorded in the date 10-29-1992 Middlesex South County Registry of Deeds at Book 22554, Page 184; or Middlesex Registry District of Land Court, Certificate No. _____ Book 22554 Page 184.


SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

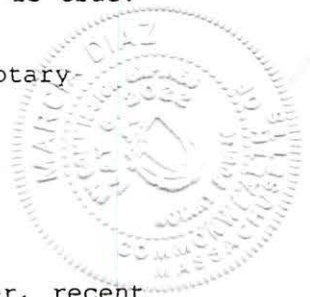
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name Roberto Amaya personally appeared before me, this 17 of Dec, 2019, and made oath that the above statement is true.

Marcia Diaz Notary

My commission expires May 8, 2022 (Notary Seal).



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

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS

RECEIVED

1953-1954

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DEPARTMENT OF THE HISTORY OF ARTS

RECEIVED



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 ADDITION OF UNIT 2 INTO THE 3RD FLOOR WILL PROVIDE ADDITIONAL LIVING SPACE FOR AN EXISTING GROWING FAMILY.

- B)** 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 EXISTING NON-CONFORMING LOT AND 2-FAMILY DWELLING UNIT ARE JUST ABOVE THE MAXIMUM ALLOWABLE FAR. THEREFORE REQUIRES ZONING RELIEF.

ADDITION ON NEW WALL AND ROOF WILL MATCH THE MASSING OF EXISTING STRUCTURES THROUGHOUT THE NEIGHBORHOOD.

- C)** **DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:**

- 1)** Substantial detriment to the public good for the following reasons:

NO NEW TRAFFIC, AIR, LIGHT OR NOISE POLLUTION WILL BE CREATED.

THERE WILL BE NO LOSS OF PUBLIC STREET PARKING.

THERE WILL BE NO LOSS OF PRIVACY FOR THE ABUTTERS. THE PROPOSED BUILDING MASSING WILL REMAIN SIMILAR TO WHAT ALREADY EXIST IN THE IN THE NEIGHBORHOOD, NO MAJOR IMPACT WILL OCCUR.

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

THE THIRD FLOOR ADDITION WHICH MATCHES OTHERS IN THE AREA WILL NOT IMPACT THE INTEGRITY OF THE DISTRICT OF PURPOSE OF THE ORDINANCE DUE TO THE MINIMAL IMPACT THAT IT WILL HAVE IN THE AREA.

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

BZA APPLICATION FORM
DIMENSIONAL INFORMATION

APPLICANT: ROBERTO & NATERCIA AMAYA - KARLA T. (DESIGNER) **PRESENT USE/OCCUPANCY:** 2-FAMILY MULTIFAMILY

LOCATION: 97-97A SIXTH ST, CAMBRIDGE, MA, 02141 **ZONE:** RESIDENCE C-1 ZONE

PHONE: (617) - 388 9190 **REQUESTED USE/OCCUPANCY:** 2- FAMILY

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		<u>2.656</u>	<u>3.536</u>	<u>1.058</u>	(max.)
<u>LOT AREA:</u>		<u>1.410</u>	<u>NO CHANGE</u>	<u>5.000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:²</u>		<u>1.88</u>	<u>2.50</u>	<u>0.75</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(min.)
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	<u>30'0"</u>	<u>NO CHANGE</u>	<u>50'0"</u>	(min.)
	<u>DEPTH</u>	<u>47'0"</u>	<u>NO CHANGE</u>	<u>N/A</u>	
<u>Setbacks in Feet:</u>	<u>FRONT</u>	<u>2'0"</u>	<u>NO CHANGE</u>	<u>10'0"</u>	(min.)
	<u>REAR</u>	<u>0</u>	<u>NO CHANGE</u>	<u>20'0"</u>	(min.)
	<u>LEFT SIDE</u>	<u>8'0"</u>	<u>NO CHANGE</u>	<u>7'6"</u>	(min.)
	<u>RIGHT SIDE</u>	<u>6"</u>	<u>NO CHANGE</u>	<u>7'6"</u>	(min.)
<u>SIZE OF BLDG.:</u>	<u>HEIGHT</u>	<u>21'0"</u>	<u>32'0"</u>	<u>35'0"</u>	(max.)
	<u>LENGTH</u>	<u>47'0"</u>	<u>47'0"</u>	<u>N/A</u>	
	<u>WIDTH</u>	<u>17'0"</u>	<u>17'0"</u>	<u>N/A</u>	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:³</u>		<u>54% 37%</u>	<u>64% 37%</u>	<u>30%</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>		<u>2</u>	<u>NO CHANGE</u>	<u>2</u>	(max.)
<u>NO. OF PARKING SPACES:</u>		<u>2</u>	<u>NO CHANGE</u>	<u>2</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>		<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

THERE ARE NO OTHER OCCUPANCIES OR ADJACENT BUILDING EXIST ON SAME LOT. PROPOSED CONSTRUCTION TYPE WILL BE C
CONVENTIONAL AND ENGINEERED WOOD FRAME CONSTRUCTION OVER CONCRETE/MASONRY FOUNDATION TO MATCH THE
EXISTING STRUCTURE.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

BZA

POSTING NOTICE – PICK UP SHEET

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

Name:

Manaf
(Print)

Date:

1-24-20

Address:

97 Sixth St.

Case No.

BZA-017236-2019

Hearing Date:

2/13/20

Thank you,
Bza Members

Pacheco, Maria

From: dawnandkatie <dawnandkatie@comcast.net>
Sent: Saturday, February 1, 2020 3:15 AM
To: Pacheco, Maria
Subject: BZA-017236-2019

My name is Dawn Morton and Rita McCarthy we live at 241 and 245 Charles st Cambridge MA, 02141. We would like to write a comment about case #BZA-017236-2019. We do not have any problem with the addition of 97 Sixth st, Cambridge MA 02141.

Thank you
Dawn Morton
Rita Mccarthy

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution capable smartphone

February 7, 2020

Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Re: BZA Case No. 017236-2019
97 Sixth Street

Dear Members of the Board of Zoning Appeal,

I wish to express my support for the variance being sought by the Amaya family to construct a third story addition to their home at 97 Sixth Street. The proposed work seems quite reasonable and will improve the visual character of this stretch of Sixth Street. I urge the Board to grant this variance.

Thank you for considering my views in this matter.

Sincerely yours,

Roberto Amaya & Patricia Amaya
Name

97 Sixth St. Cambridge Ma. 02141
Address

I support the variance application to construct a third story addition to the home at 97 Sixth Street.

Chris Bellow
Name

257 Charles Street
Address

Rita McCarthy
Name

245 CHARLES ST., CAMBRIDGE
Address

Dawn Horton
Name

241 CHARLES ST., CAMBRIDGE
Address

N MacDougall
Name

81 Gⁿ St, Cambridge
Address

Christine Johnsen
Name

81 6th St Cambridge
Address

MARGARET DINES
Name

96 SIXTH ST, CAMB
Address

Gileen Toomey
Name

90B Sixth St., Camb.
Address

Anam Chaudhary
Name

93 Sixth St, Cambridge.
Address

Name

Address

Name

Address



CAMBRIDGE CITY COUNCIL

Timothy J. Toomey, Jr.
City Councillor

February 13, 2020

Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Re: BZA Case No. 017236-2019

Dear Members of the Board,

I wish to express my support for the variance application filed by Natercia and Roberto Amaya, to allow for the addition of a third floor at their home at 97 Sixth Street.

Natercia, Roberto and their children have lived in their East Cambridge home for nearly thirty years. They have been exemplary and valuable members of the community. For the past twenty-two years, they have been integral members of the Vicentino Committee which provides financial assistance to people with disabilities, day care centers, and senior citizens in their native villages in El Salvador. The committee also provides toys for children every Christmas.

Since first moving into 97 Sixth Street in 1992, they have found their growing family becoming cramped and the proposed new floor would allow their family to continue living in Cambridge long-term.

As a direct abutter and neighbor, I am in support of this project and I urge the Board of Zoning Appeals to grant their application for a variance. Thank you for considering my thoughts on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Toomey Jr.", is written over a faint, larger version of the same signature.

Timothy J. Toomey Jr.
City Councillor



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2020 FEB 14 AM 10:13
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Board of Zoning Appeal Waiver Form

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

RE: Case # 017236-2019

Address: 97 Sixth St,

☒ Owner, ☐ Petitioner, or ☐ Representative: NATERCIA AMAYA
(Print Name)

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: 2/13/2020

Amaya
Signature



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: <http://www.cambridgema.gov/Historic>

Bruce A. Irving, *Chair*; Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director*
Joseph V. Ferrara, Chandra Harrington, Elizabeth Lyster, Caroline Shannon, Jo M. Solet, *Members*
Gavin W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

Jurisdiction Advice

To the Owner of Property at 97 Sixth Street

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

- ☐ Old Cambridge Historic District
 - ☐ Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
 - ☐ Avon Hill Neighborhood Conservation District
 - ☐ Half Crown – Marsh Neighborhood Conservation District
 - ☐ Harvard Square Conservation District
 - ☐ Mid Cambridge Neighborhood Conservation District
 - ☐ Designated Landmark
 - ☒ Property is being studied for designation: East Cambridge NCD Study Area
(City Code, Ch. 2.78., Article III, and various City Council Orders)
CHC application required at this location during one-year study period. CHC will contact owner about application procedures.
 - ☐ Preservation Restriction or Easement (as recorded)
 - ☐ Structure is fifty years or more old and is therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). See the back of this page for definition of demolition.
 - ☐ No jurisdiction: not a designated historic property and the structure is less than fifty years old.
 - ☐ No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
- Staff comments: _____

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials SLB

Date February 25, 2020

Received by Uploaded to Energov

Date February 25, 2020

Relationship to project BZA 017236-2019

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139
Ph: 617/349-4683 or TTY: 617/349-6112
<http://www.cambridgema.gov/Historic>

* * * * *

(7:56 p.m.)

Sitting Members: Constantine Alexander, Janet Green, Andrea
A. Hickey, Jim Monteverde, and Slater
Anderson

CONSTANTINE ALEXANDER: The Chair will now call
Case Number 017236 - 97 Sixth Street. Anyone here wishing
to be heard on this matter?

KARLA TINKIJIAN: My name is Karla Tinkijian. I'm
an architectural designer.

THE REPORTER: Could you spell your name, please?

KARLA TINKIJIAN: K-a-r-l-a last name T-i-n-k-j-i-
-a-n.

NATERECIA AMAYA: Naterecia Amaya, from 97 Sixth
Street. I am the homeowner.

THE REPORTER: Could you spell your name, please?

NATERECIA AMAYA: Yes. Okay. First name is N-a-
t-e-r-c-i-a. Last name is A-m-a-y-a.

THE REPORTER: And your address.

NATERECIA AMAYA: 97 Sixth Street, Cambridge,
02141. And I'm the owner.

CONSTANTINE ALEXANDER: Thank you.

1 ANDREA HICKEY: Sixth Street.

2 CONSTANTINE ALEXANDER: Mr. Rafferty, are you here
3 on Sixth Street?

4 JAMES RAFFERTY: I guess I could be. Okay, I
5 apologize. I didn't realize you wanted me to do this.
6 Okay, James Rafferty.

7 ANDREA HICKEY: Do you need a minute to -- okay.

8 JAMES RAFFERTY: No, no, I'm familiar. I've
9 spoken with -- she's a friend of a good friend of mine, and
10 we've had some consultation, and I did say I would be here
11 tonight, and I would be happy to provide some direction. So
12 James Rafferty, R-a-f-f-e-r-t-y, with the applicant this
13 evening.

14 And -- have you identified yourself?

15 KARLA TINKIJIAN: Yes.

16 CONSTANTINE ALEXANDER: Yes, she did.

17 JAMES RAFFERTY: Wonderful.

18 KARLA TINKIJIAN: Karla.

19 CONSTANTINE ALEXANDER: At the outset. I mean,
20 you're well aware in person what the requirements for a
21 variance are. And you know full well that the relief being
22 sought departs significantly -- in my opinion -- quite

1 significantly from the requirements needed for the variance.

2 So I think you should address your comments as to
3 why -- focus at least on why the petitioner meets the legal
4 standards for a variance, with regard to getting a third
5 floor, a third-story on the structure.

6 JAMES RAFFERTY: Well it's an issue involving an
7 increase, and that comes about as a result of the full third
8 floor. We looked -- when they came and we discussed this, I
9 made mention of the fact that the more popular third-floor
10 addition are dormers, and could they explore doing a dormer?
11 They might fare better.

12 And then you reached some conclusion about dormers
13 that made it impractical, and maybe you could just explain
14 why the dormer approach didn't work, briefly?

15 KARLA TINKIJIAN: Because of the head height on
16 the side.

17 CONSTANTINE ALEXANDER: What?

18 KARLA TINKIJIAN: The head height for the dormer -
19 -

20 CONSTANTINE ALEXANDER: Oh.

21 KARLA TINKIJIAN: -- it wasn't enough to reach up.

22 CONSTANTINE ALEXANDER: Because the dormer doesn't

1 work doesn't mean that you're therefore entitled to add a
2 whole new story. I mean, the fact of the matter is right
3 now, the requirements for the ordinance are -- FAR is 0.75.

4 KARLA TINKIJIAN: Mm-hm.

5 CONSTANTINE ALEXANDER: You're at 2.5, you're at
6 1.88 now. You'd go to 2.5, should we grant your relief.
7 That's more than three times that the permissible FAR. And,
8 as you know, the hardship is not -- has got to run with the
9 land.

10 It's got to be whoever owns, occupies the
11 structure. You want to do it, and that's totally
12 understandable, to add more living space. That's just for
13 you. Doesn't mean that the structure couldn't adequately be
14 -- it could be adequate for someone else who doesn't have a
15 family, or whatever.

16 And, you know, we have to apply, as Mr. Rafferty
17 knows, a legal standard. And the standard also requires
18 that your hardship is -- what's the words -- is due to --

19 KARLA TINKIJIAN: From starting low?

20 CONSTANTINE ALEXANDER: -- it's due to -- wherever
21 I can find it -- soil conditions, shape or topography of
22 such land or structures.

1 I don't know why if you have a hardship, and I
2 don't think you do, in my opinion, I don't know why it's
3 relating to the soil conditions shape, the topography of
4 such structure, and especially affecting such structure, but
5 not affecting generally the zoning district in which it's
6 located.

7 This is a very small home, and so, it's just not
8 any new thing -- to my mind at least -- unique situation.
9 It's only unique for you.

10 And I don't -- can't speak, only for myself, and I
11 may very well be outvoted by my Board members, I have no
12 objection -- you know, I sympathize with what you want to
13 do. But our ordinance, and our law in Massachusetts and
14 such, we have to apply that. And I -- I don't see how you
15 stand here.

16 JAMES RAFFERTY: Right. So I recognize the legal
17 issues presented in the application, and it does represent
18 an increase in the allowable FAR. It is somewhat of a
19 unique circumstance involving the size of the lot and the
20 location of the structure on the lot.

21 What the applicant and her family have been trying
22 to do is to allow the next generation of her family to live

1 in the building.

2 So the hardship is admittedly personal on one
3 level, but it also has to do with the way the house is
4 currently constructed, they're just not able to access the
5 third floor to take advantage of the attic floor.

6 So it would fall into the category of the unique
7 circumstances affecting the structure, and the fact that
8 what's being proposed enjoys the support of the abutters,
9 and the fact that this is not a developer seeking to
10 building a house to sell condos, this is a family that has
11 lived here for 30 years.

12 They have an enviable reputation in the
13 neighborhood and for philanthropic work in their community -
14 - the El Salvadoran community in particular, and they're
15 raising their family with a set of values that they would
16 like them to remain in the home.

17 So that's the reason for the application.
18 Frankly, that's why it's enjoyed the support it has from
19 abutters.

20 CONSTANTINE ALEXANDER: As I said, I'd be -- on a
21 personal level, I'm highly sympathetic. But I also have an
22 obligation to apply the law.

1 JAMES RAFFERTY: I understand. And I -- if there
2 was consensus around that way of thinking, I don't know if
3 the Board would entertain a continuance if there's a way to
4 scale this back?

5 CONSTANTINE ALEXANDER: Well, I know how --

6 ANDREA HICKEY: I can say we meet a consensus. I
7 share the same reservations that you do about the ask being
8 a really big ask.

9 CONSTANTINE ALEXANDER: Then why don't we vote?
10 You want to --

11 JAMES RAFFERTY: Might I advise --

12 CONSTANTINE ALEXANDER: Yep.

13 JAMES RAFFERTY: -- what that means? So --

14 CONSTANTINE ALEXANDER: Adding a second floor,
15 it's not the first time she's been before us, this Board.

16 JAMES RAFFERTY: Okay. If the Board were willing,
17 the applicant would request a continuance to allow a time to
18 work with the architect to see if there could be a --

19 CONSTANTINE ALEXANDER: As you know, and I'm not
20 sure it's required, I learned recently -- but we'd like to
21 have the same five members present and we'll reconvene the
22 case.

1 JAMES RAFFERTY: Yeah.

2 CONSTANTINE ALEXANDER: So I'll --

3 JAMES RAFFERTY: Would you consider this a case
4 heard, though?

5 ANDREA HICKEY: Is this a case heard?

6 JAMES RAFFERTY: We really haven't discussed the
7 case.

8 CONSTANTINE ALEXANDER: Well, I think we've got --

9 ANDREA HICKEY: I think it's heard.

10 JAMES RAFFERTY: Okay, fine.

11 CONSTANTINE ALEXANDER: Okay. Well, first of all
12 how much time would you like to continue the case? Then
13 we'll see if we can accommodate which one?

14 JAMES RAFFERTY: Me?

15 CONSTANTINE ALEXANDER: No, the team.

16 ANDREA HICKEY: Realizing that we'll need new
17 plans if you're proposing something new.

18 JAMES RAFFERTY: Right. We'll get there.

19 KARLA TINKIJIAN: I need some time to work on
20 that.

21 JAMES RAFFERTY: Six to eight weeks, is that
22 right?

1 KARLA TINKIJIAN: That's -- eight weeks.

2 JAMES RAFFERTY: Eight weeks?

3 CONSTANTINE ALEXANDER: What are we looking at,
4 Sisia?

5 SISIA DAGLIAN: Well, we can't reconvene the same
6 Board until April anyway.

7 KARLA TINKIJIAN: Okay.

8 SISIA DAGLIAN: So April 16 would be the first --

9 CONSTANTINE ALEXANDER: April 16? I'm in. Work
10 for everybody?

11 JAMES RAFFERTY: Yep.

12 KARLA TINKIJIAN: Yes.

13 JAMES RAFFERTY: Please hold.

14 KARLA TINKIJIAN: We'll revise the plans.

15 JAMES RAFFERTY: Is that -- that's -- is that the
16 Patriot's Day weekend? I don't know --

17 KARLA TINKIJIAN: I don't know if I'm away.

18 CONSTANTINE ALEXANDER: It can't be Thursday --
19 it's got to be Thursday night.

20 SISIA DAGLIAN: It's the Thursday before.

21 JAMES RAFFERTY: But is it the week of Patriot's
22 Day?

1 JANET GREEN: Easter Monday is the Monday before.

2 JAMES RAFFERTY: Okay, then I'm -- good, I'm away
3 that week.

4 CONSTANTINE ALEXANDER: We can push it up to two
5 weeks back.

6 JAMES RAFFERTY: No, no, I'm away the week of the
7 twentieth, and I know I'm away the Patriot's week. So yes.

8 SLATER ANDERSON: As am I.

9 CONSTANTINE ALEXANDER: Really, where are you
10 going?

11 SLATER ANDERSON: I'm going to Ireland.

12 JAMES RAFFERTY: Ireland? Nice.

13 CONSTANTINE ALEXANDER: You! Okay.

14 SLATER ANDERSON: Sixteenth.

15 CONSTANTINE ALEXANDER: Sixteenth. The Chair
16 moves that we continue this case as a case heard until 7:00
17 p.m. on April 16, subject to the following conditions -- Mr.
18 Rafferty knows these by heart:

19 That the applicant signs a waiver of time for
20 decision, and we have it right there. That just is to go
21 around legal issues waiting too long.

22 Two, that the posting sign that you have up right

1 now should be either get a new one, or modify what you have,
2 to reflect the new date and the new time, 7:00 p.m. April
3 16, and that new or modified sign must be maintained for the
4 fourteen days before April 16, as you did for this --
5 tonight's hearing.

6 And lastly, to the extent there are new plans, and
7 I suspect there will be, those new plans and a new or
8 modified dimensional form must be in our files no later than
9 5:00 p.m. on Monday before April 16. That's to allow us
10 time to review the plans and have a learned discussion, and
11 when we meet again.

12 KARLA TINKIJIAN: Okay.

13 CONSTANTINE ALEXANDER: So All those in favor of
14 continuing the case on this basis, please say, "Aye."

15 THE BOARD: Aye.

16 [All vote YES]

17 CONSTANTINE ALEXANDER: Five in favor, we'll see
18 you on April 16.

19 COLLECTIVE: Thank you.

20
21
22

CITY OF CAMBRIDGE

Massachusetts

BOARD OF ZONING APPEAL

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

April 15, 2020

Roberto Amaya & Natercia Amaya
97-97A Sixth Street
Cambridge, MA 02141

RE: 97 Sixth Street – BZA-017236-2019

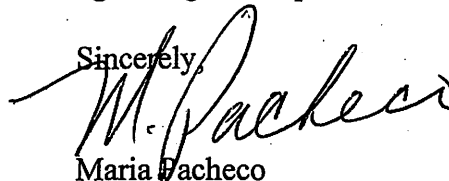
Dear Mr. & Mrs. Amaya,

I am writing to you in regard to your above up-coming Board of Zoning Appeal Hearing.

At this time the City will not be holding any non-essential public meetings due to the COVID-19 Pandemic and the City Manager's closure of all City buildings to non-essential business. On April 3, 2020, the Governor signed into law Chapter 53 of the Acts of 2020 ("Act"), which extends all land use permitting deadlines until after the State of Emergency is lifted. In light of the extensions provided for in the Act and the closure of City buildings, at this time the Board of Zoning Appeal will be rescheduling all public hearings in accordance with the extensions permitted under the Act. You will receive notice of the new date, once the hearing is rescheduled.

Thank you for your patience and understanding during this unprecedented time.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Pacheco', written over the word 'Sincerely,'.

Maria Pacheco
Administrative Assistant

Pacheco, Maria

From: Natercia Amaya <natercia.amaya@icloud.com>
Sent: Wednesday, June 24, 2020 6:19 PM
To: Pacheco, Maria
Subject: Case BZA-017236-2019

To whom it may concern,

We are writing to request a continuation and date change of our boarding zone meeting regarding the Case BZA-017236-2019. We are requiring more time in order to adjust our plans for possible construction. Please let us know if you need any further information from us to proceed.

Best,
Natercia & Roberto Amaya
97 sixth Street Cambridge
617-388-9190

Sent from my iPhone

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: _____ Variance: X

2019 DEC 19 PM 12:10
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

PETITIONER: ROBERTO AMAYA & NATERCIA AMAYA - KARLA TINKJIAN (DESIGNER)

PETITIONER'S ADDRESS: 97-97A SIXTH ST, CAMBRIDGE, MA, 02141

LOCATION OF PROPERTY: 97 SIXTH ST, CAMBRIDGE, MA, 02141

TYPE OF OCCUPANCY: 2 UNIT DWELLING ZONING DISTRICT: RESIDENCE C-1 ZONE

REASON FOR PETITION:

<u>X</u> Additions	_____ New Structure
_____ Change in Use/Occupancy	_____ Parking
_____ Conversion to Addi'l Dwelling Unit's	_____ Sign
_____ Dormer	_____ Subdivision
_____ Other: _____	

DESCRIPTION OF PETITIONER'S PROPOSAL:

THE PETITIONER IS REQUESTING VARIANCE DIMENSIONAL RELIEF (SET BACKS, FLOOR AREA RATIO, OPEN SPACE) TO CONSTRUCT
A THIRD FLOOR ADDITION TO A PRE-EXISTING NON-CONFORMING TWO UNIT DWELLING UNIT. THE OWNER WOULD LIKE TO ADD
ADDITIONAL LIVING SPACE FOR AS EXISTING GROWING FAMILY.

SECTIONS OF ZONING ORDINANCE CITED:

Article 5.000 Section 5.31 (TABLE OF DIMENSIONAL REQUIREMENTS).

Article 8.000 Section 8.22.3 (NON-CONFORMING STRUCTURE)


Article 10.000 Section 10.30 (VARIANCE)

Applicants for a Variance must complete Pages 1-5

Applicants for a Special Permit must complete Pages 1-4 and 6

Applicants for an Appeal to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

Original Signature(s):



(Petitioner(s)/Owner)
ROBERTO AMAYA & NATERCIA AMAYA

(Print Name)

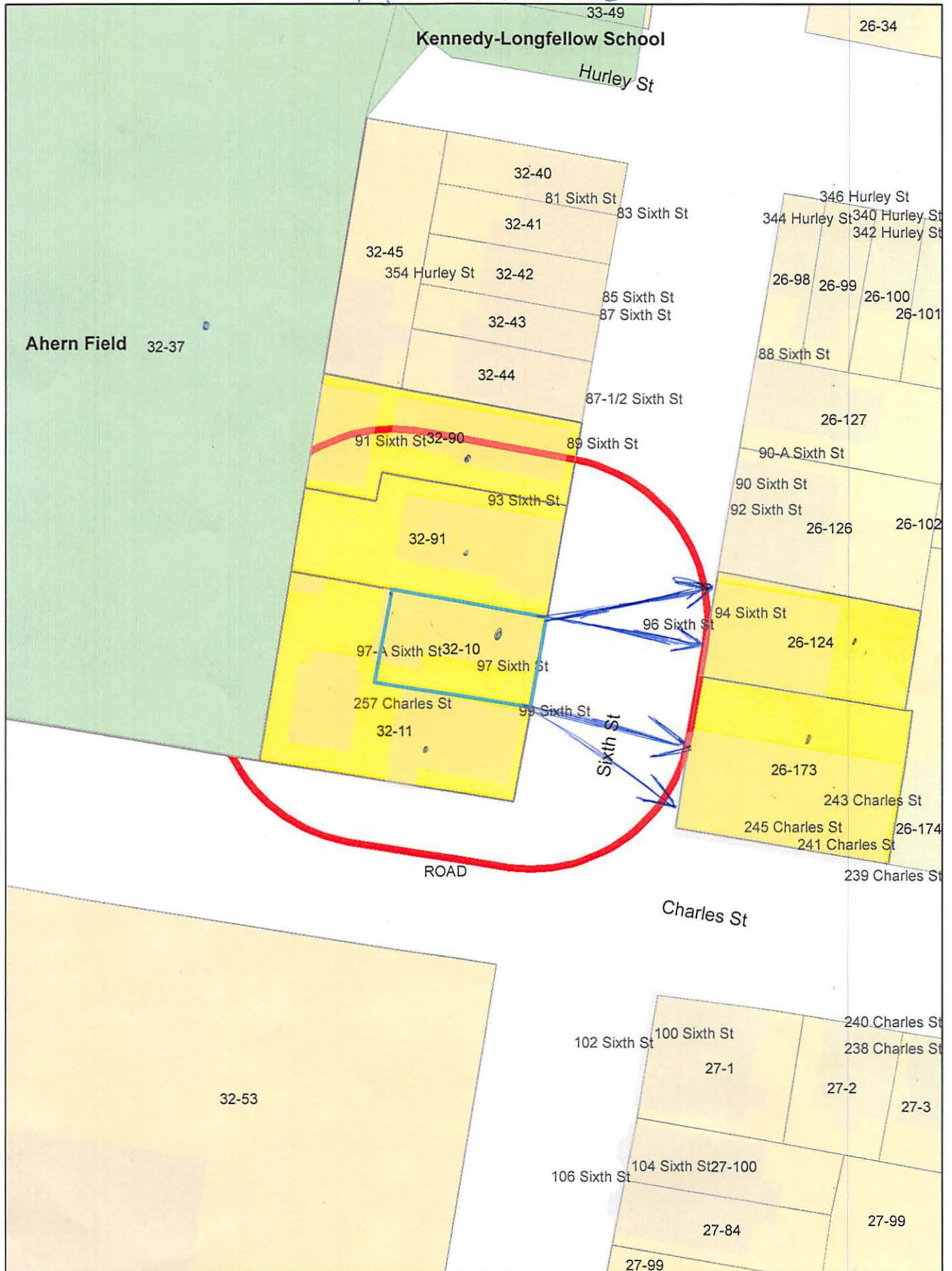
Address: 97-97A SIXTH ST, CAMBRIDGE, MA, 02141

Tel. No.: (617) 388-9190

E-Mail Address: natercia.amaya@icloud.com

Date: 12/18/2019

97 Sixth St.



97 Sixth St.

Petitioner

32-90
DAVIS, JANE E. & LUCIANO F. BOGLIONE
1404 ORCHARD ST
ALEXANDRIA, VA 22302

32-11
BELLEW, CAROLE K. A LIFE ESTATE
257 CHARLES STREET
CAMBRIDGE, MA 02141

32-10
AMAYA, ROBERTO & NATERCIA AMAYA
97 SIXTH STREET
CAMBRIDGE, MA 02141

32-37
CAMBRIDGE CITY OF
THE JOHN J AHERN PLAYGROUND
RECREATION DEPT
51 INMAN ST
CAMBRIDGE, MA 02139

32-37
CITY OF CAMBRIDGE
C/O NANCY GLOWA,
CITY SOLICITOR

DERBY SQUARE ARCHITECTS
C/O KARLA TINKJIAN, DESIGNER
478 TRAPELO ROAD
WALTHAM, MA 02452

32-37
CITY OF CAMBRIDGE
C/O LOUIS DePASQUALE,
CITY MANAGER

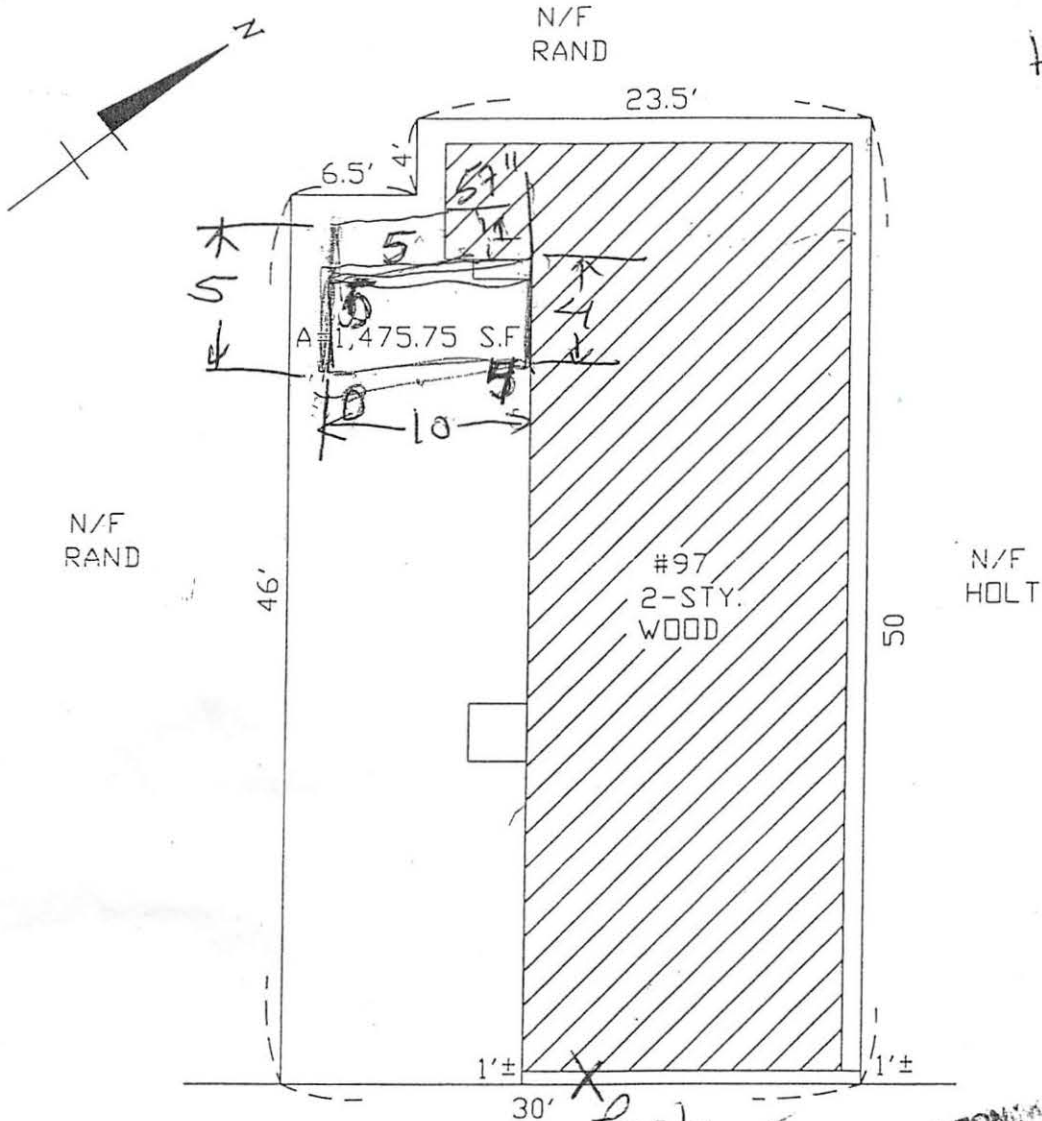
26-173
MCCARTHY, RITA R., TRUSTEE LAWRENCE G.
MORTON, JR & DAWN M. MORTON
245 CHARLES ST
CAMBRIDGE, MA 02141

32-91
CHAUDHARY, ARUN & MINAKSHI S. CHAUDHARY
93 SIXTH ST
CAMBRIDGE, MA 02141

26-124
DINES, MARGARET M.
96 SIXTH STREET
CAMBRIDGE, MA 02141

Window 30"

Height 21'
1st floor
9'



97 SIXTH STREET

SUBMITTED TO THE BOARD OF ZONING APPEAL
FOR CASE NO. 9041

NOTE:

THIS PLOT PLAN IS NOT TO BE USED FOR PROPERTY LINE DETERMINATION. THIS CERTIFICATION IS MADE TO: CITIZENS MORTGAGE CORPORATION AND BECOMES NULL AND VOID UPON ANY FUTURE CONVEYANCE. I HEREBY CERTIFY THAT I HAVE EXAMINED THE PREMISES AND THE BUILDINGS ARE LOCATED ON THE GROUND AS SHOWN. I FURTHER CERTIFY THAT THE PRINCIPAL BUILDING SHOWN DID CONFORM TO THE DIMENSIONAL ZONING LAWS OF CAMBRIDGE WHEN CONSTRUCTED. I HEREBY CERTIFY THAT THE PROPERTY IS NOT LOCATED IN AN ESTABLISHED FLOOD HAZARD AREA F.I.R.M. MAP No.250082
REVISION DATE: JULY 2, 1992

PAUL J. FINOCCHIO P.L.S. No.36115

DATE

6/30/03

PLOT PLAN OF LAND IN CAMBRIDGE, MA



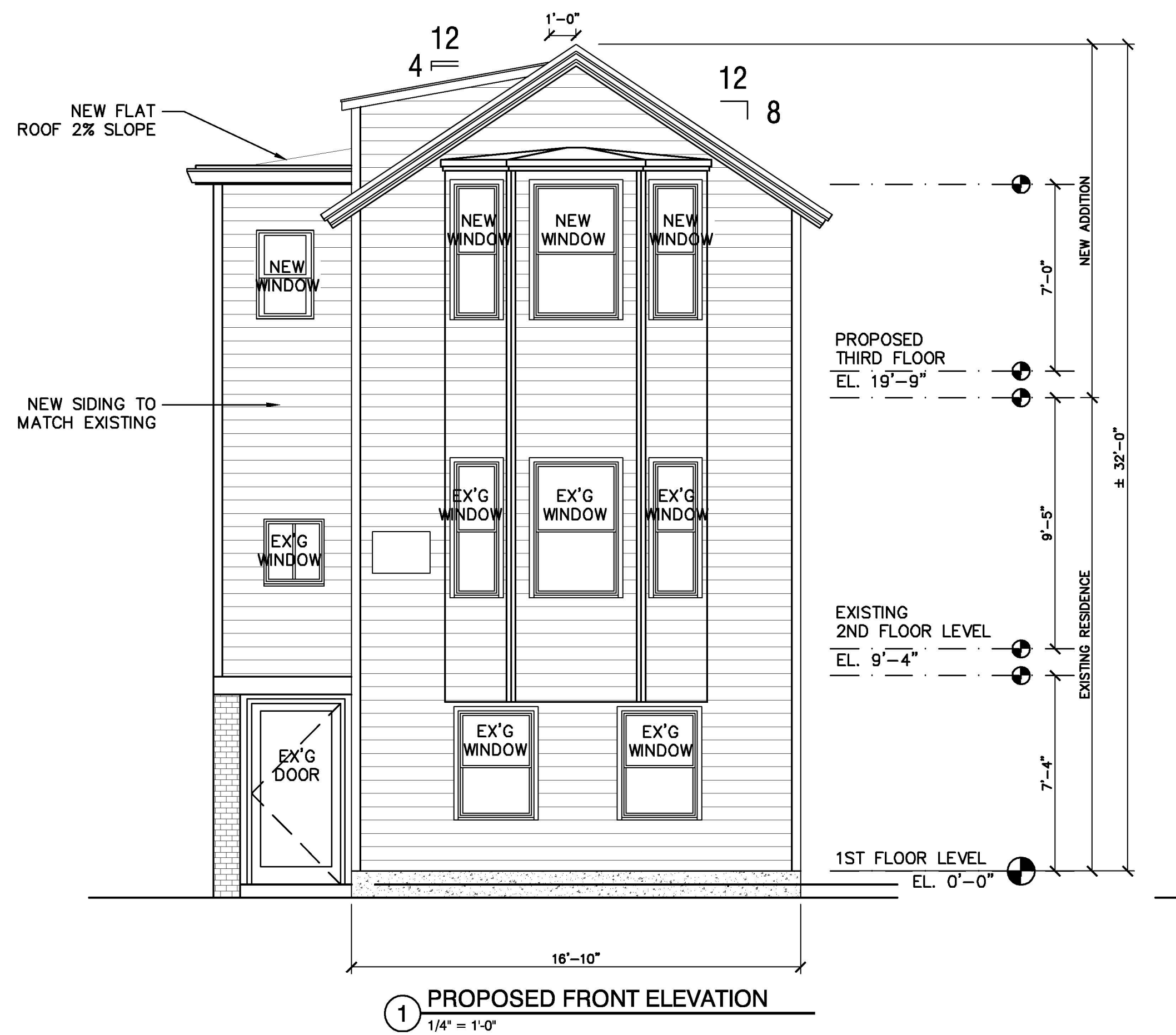
PREPARED BY:
PJF & ASSOCIATES
11 GLEASON ST. MEDFORD, MA.
PAUL J. FINOCCHIO-P.L.S.
(781)395-7662

SCALE: 1" = 10'

DEED REF.: BK.22554PG. 184

DATE: JUNE 30, 2003

FILE No.: 21-536-03(F18798L)



RESIDENTIAL RENOVATION

97-97A 6TH STREET,
CAMBRIDGE, MA 02141

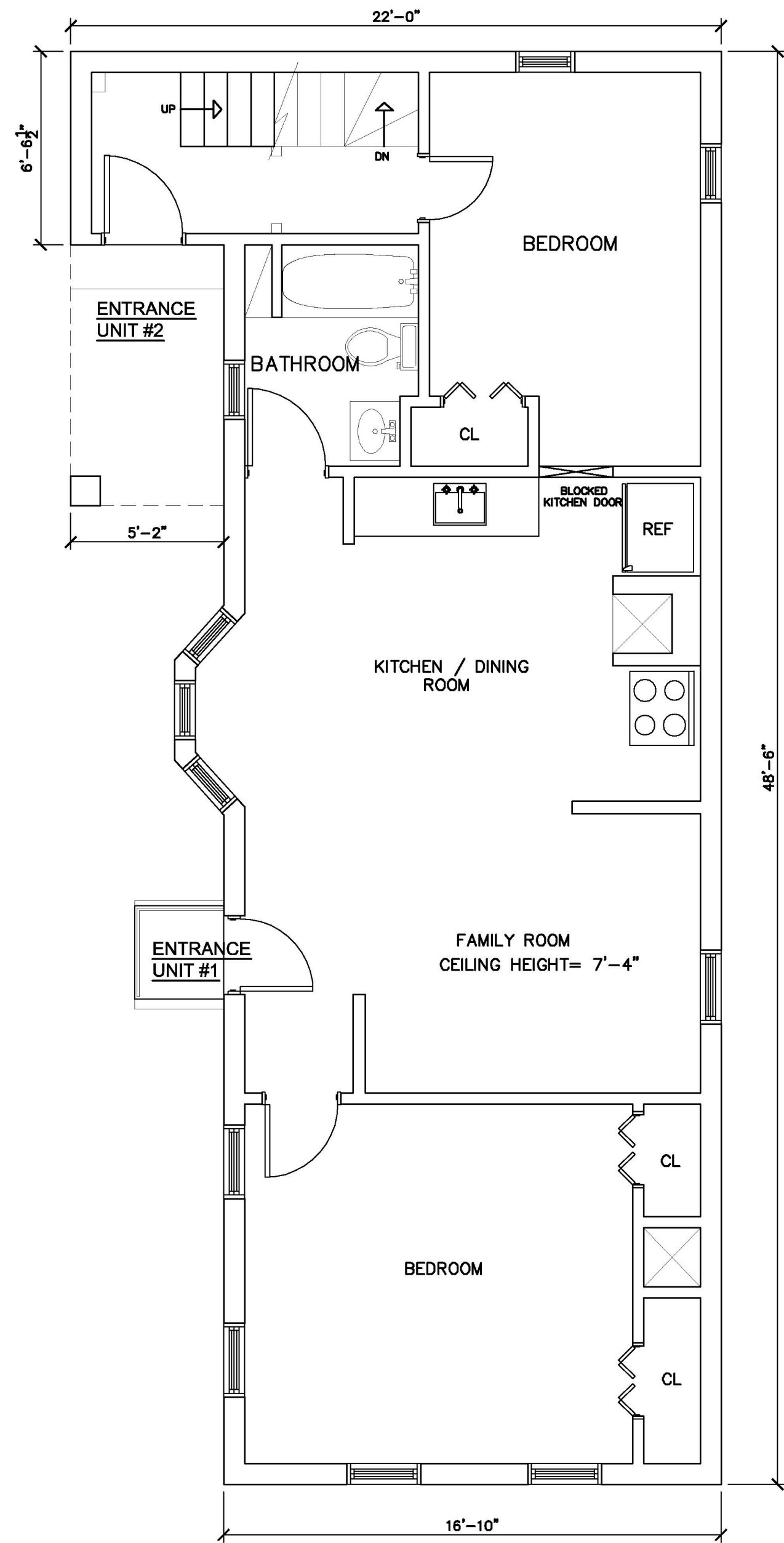
PROPOSED ELEVATIONS AND 3D IMAGES

REVISIONS:

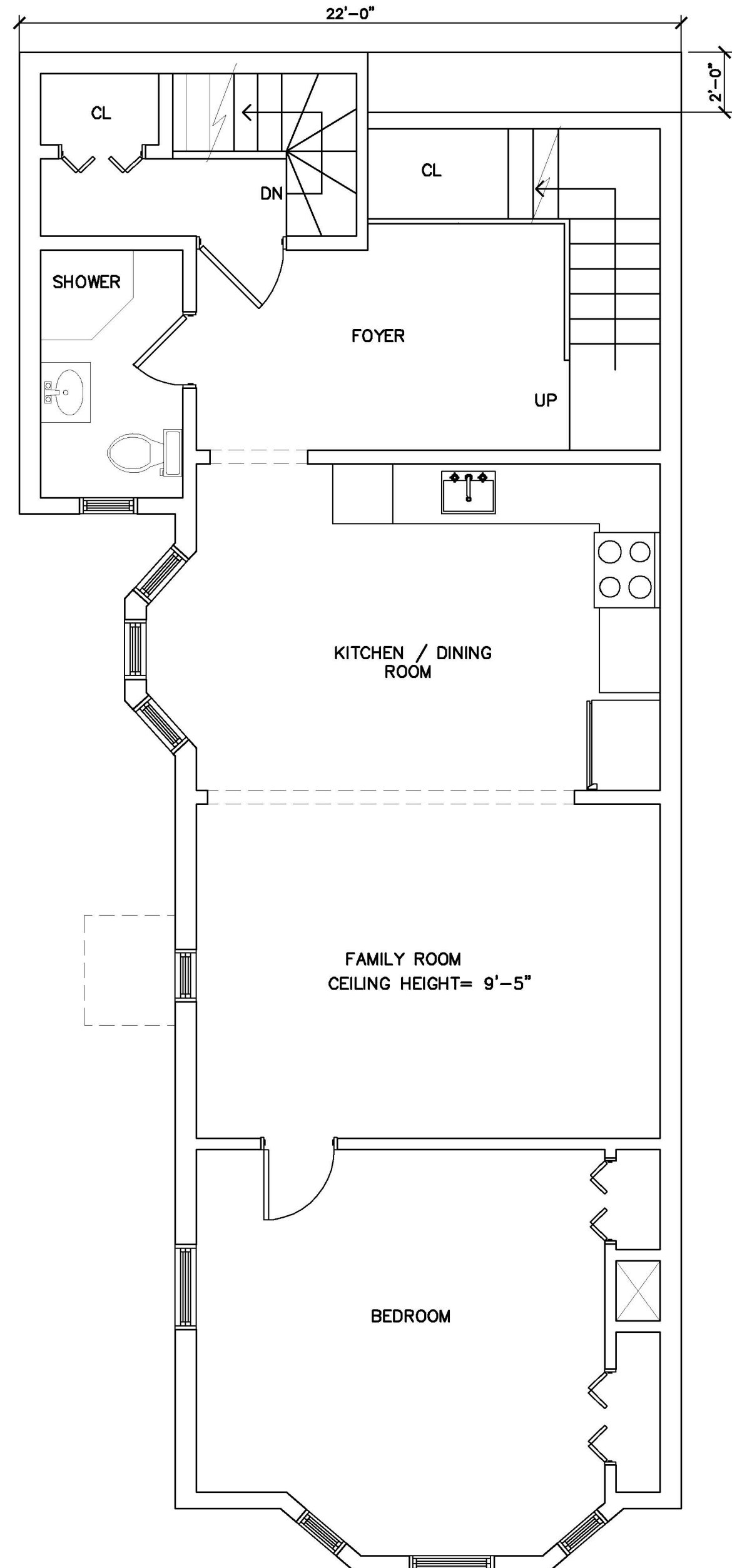
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DATE: 12/18/19
SCALE: AS NOTED
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CHECK: KT

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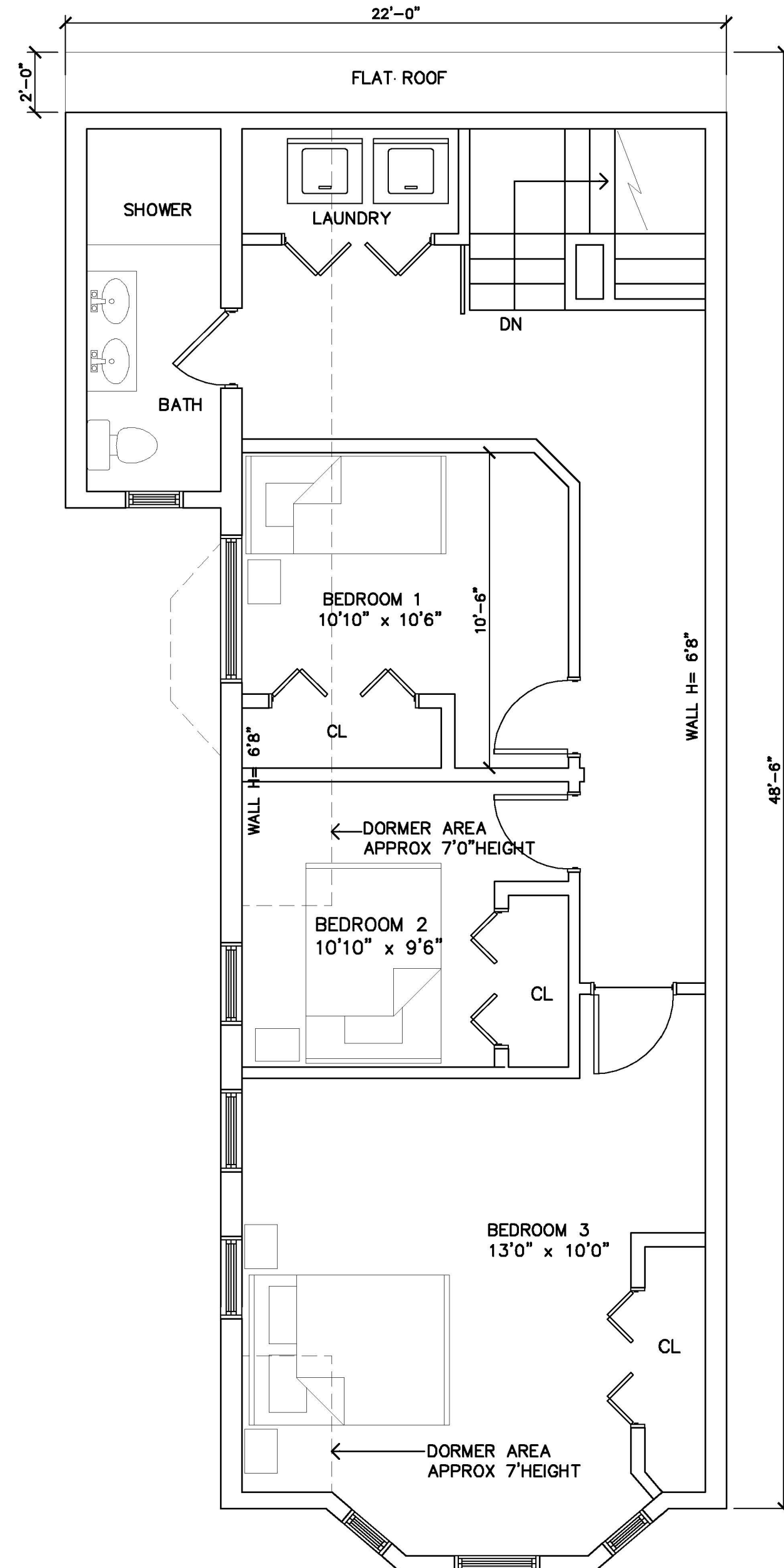
A3



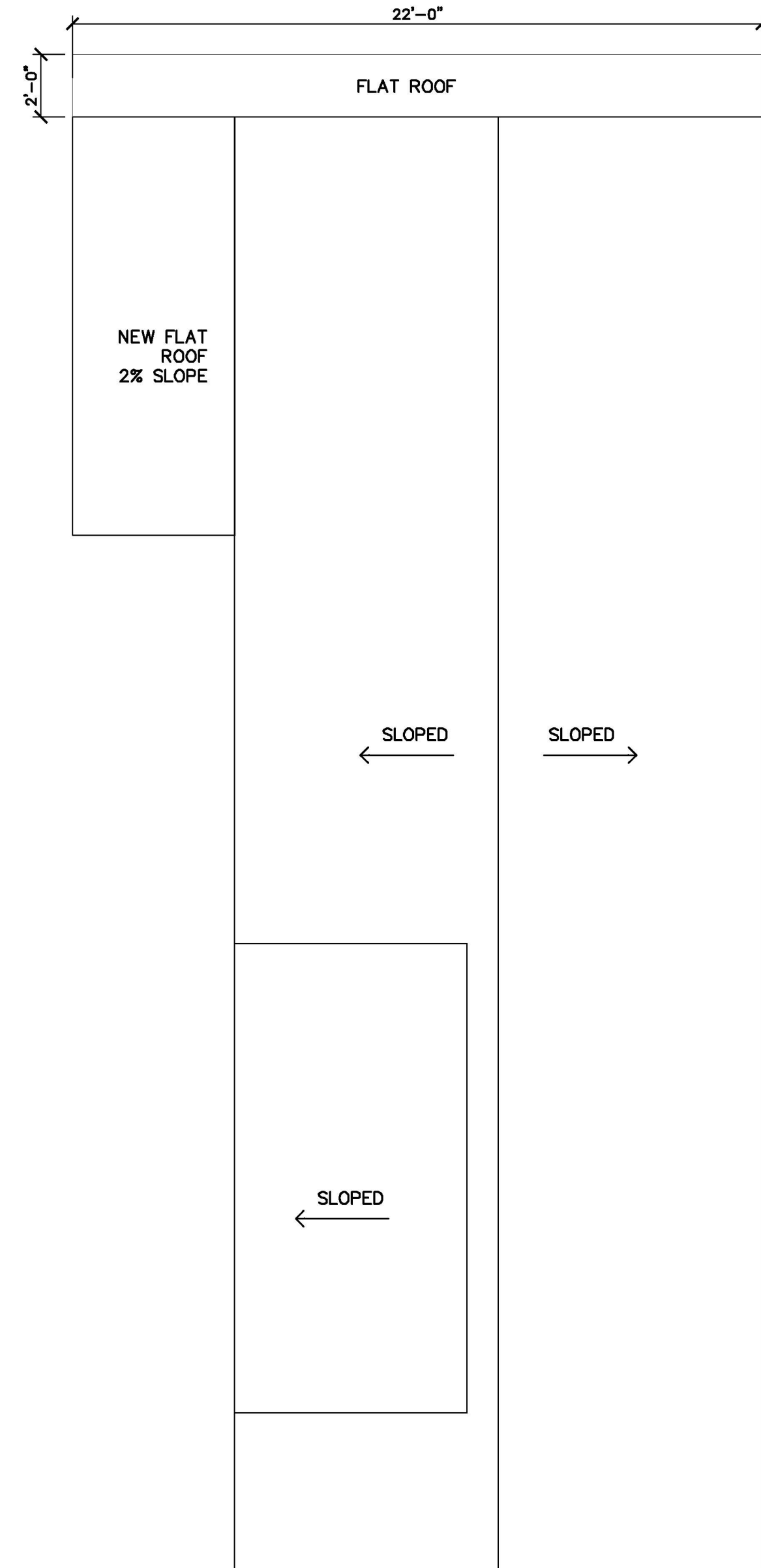
1 EXISTING FIRST FLOOR
1/4" = 1'-0"



2 PROPOSED SECOND FLOOR
1/4" = 1'-0"



3 PROPOSED 3RD FLOOR
1/4" = 1'-0"



4 PROPOSED ROOF PLAN
1/4" = 1'-0"

RESIDENTIAL RENOVATION

97-97A 6TH STREET,
CAMBRIDGE, MA 02141

EXISTING/PROPOSED FLOOR PLANS

REVISIONS:

PROJECT
NUMBER:
DATE: 12/18/19
SCALE: AS NOTED
DRAWN: KT
CHECK: KT

DRAWING NUMBER:

A2

PROPOSED RESIDENTIAL RENOVATION

2 FAMILY DWELLING

97-97A SIXTH STREET, CAMBRIDGE , MA 02141



PROJECT DIRECTORY:

CLIENT:	ARCHITECTURAL DESIGNER:
ROBERTO & NATERCIA AMAYA	KARLA TINKJIAN,
NATERCIA.AMAYA@CLOUD.COM	LEED AP
97-97A SIXTH STREET, CAMBRIDGE	KARLANTINKJIAN@GMAIL.COM
MA 02141	WALTHAM, MA 02452
Cell: (617) 388-9190	Cell: (617) 212-9996

PROJECT INFORMATION:

EXISTING TOTAL GROSS FLOOR AREA (GFA): 2,656 SQ.FT.
PROPOSAL (GFA) = 3,526 SQ.FT.
TOTAL ADDED SQUARE FOOTAGE: 870 SQ.FT.
TOTAL SQUARE FOOTAGE OF THE WHOLE BUILDING (WITH ADDITION): 3,526 SQ.FT.
EXISTING SQUARE FOOTAGE FOR UNIT #1: 846 SQ.FT.
PROPOSED SQUARE FOOTAGE FOR UNIT #2: 1,775 SQ.FT.
EXISTING HEIGHT: 21'-0"
PROPOSED HEIGHT: 32'-0" (11'-0" HIGHER)

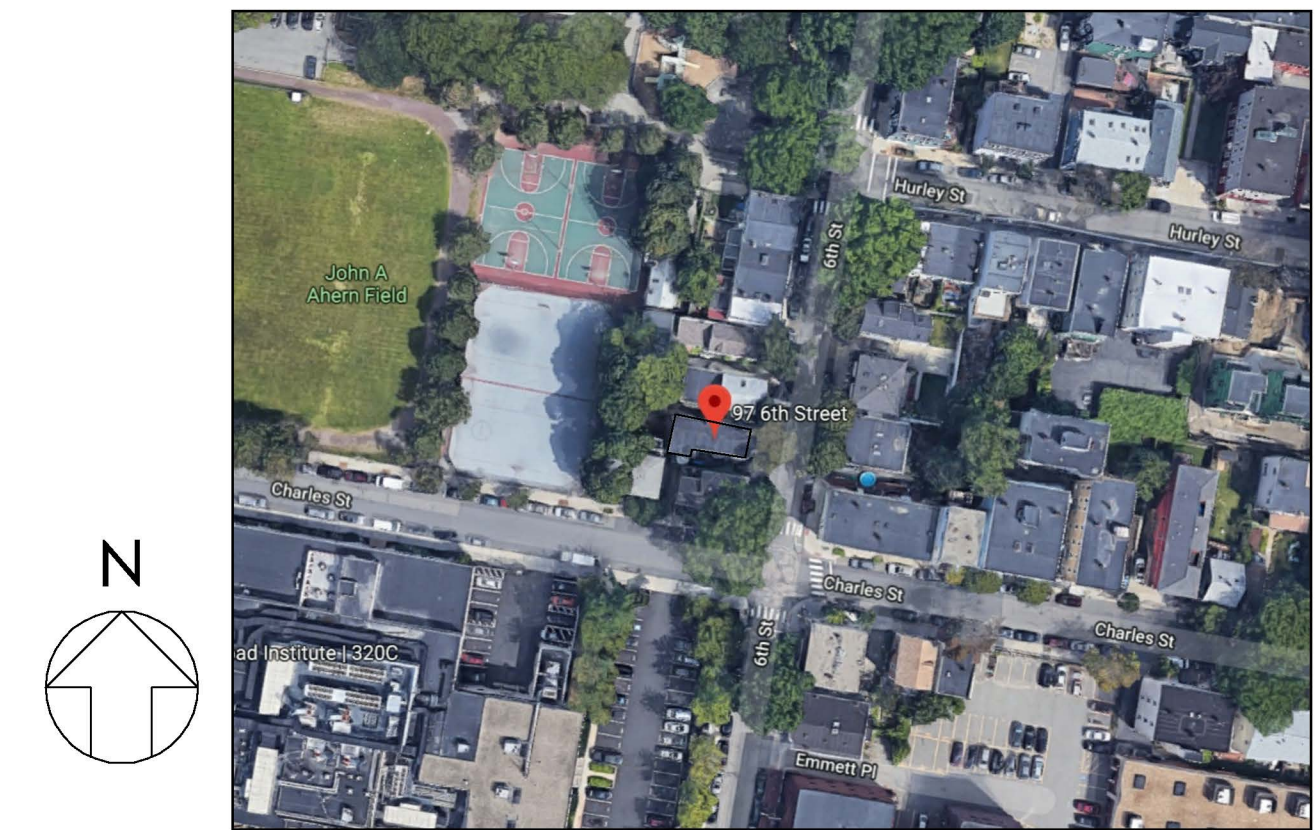
FAR = EXISTING = 1.88
PROPOSED = 2.50

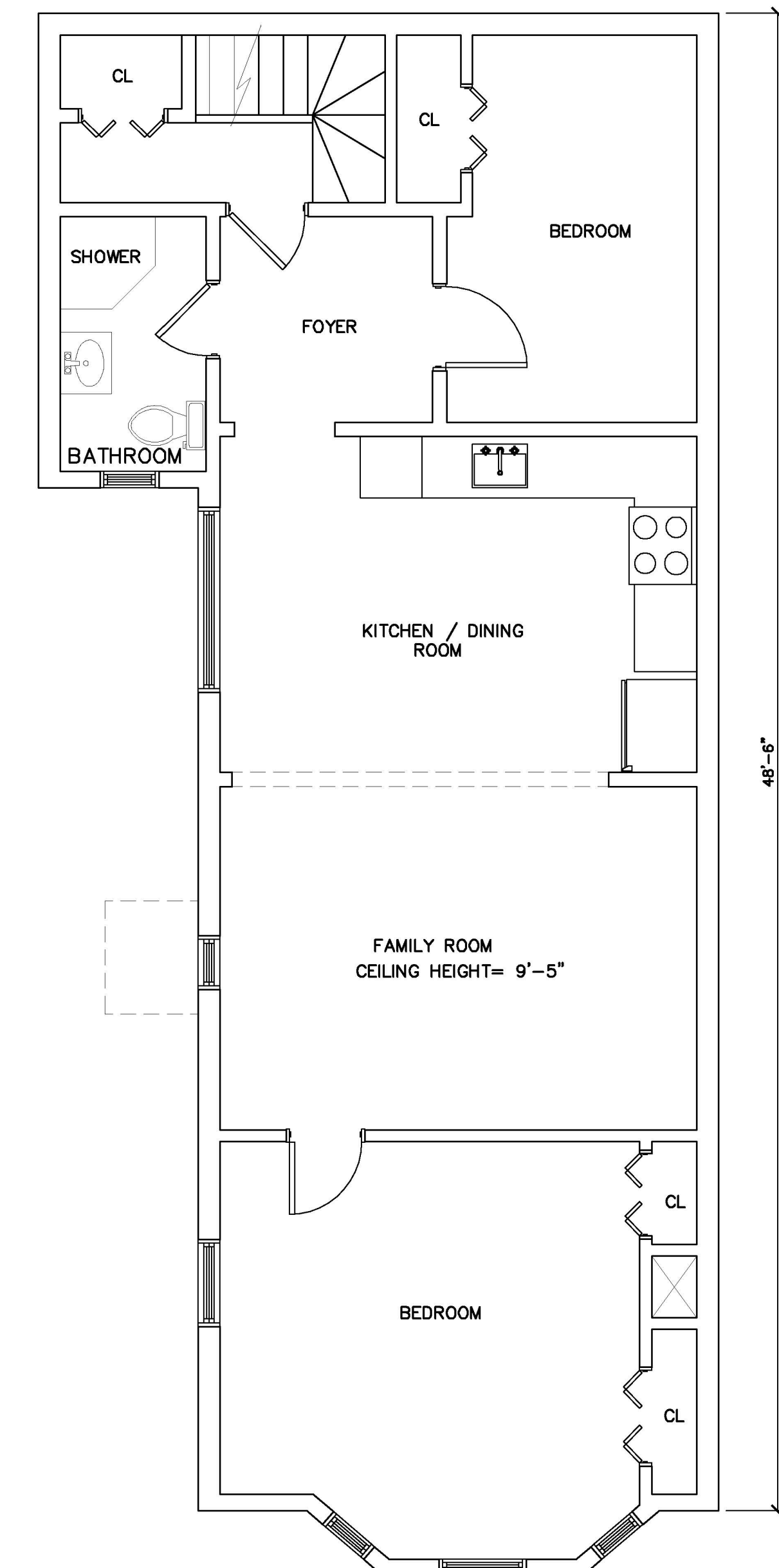
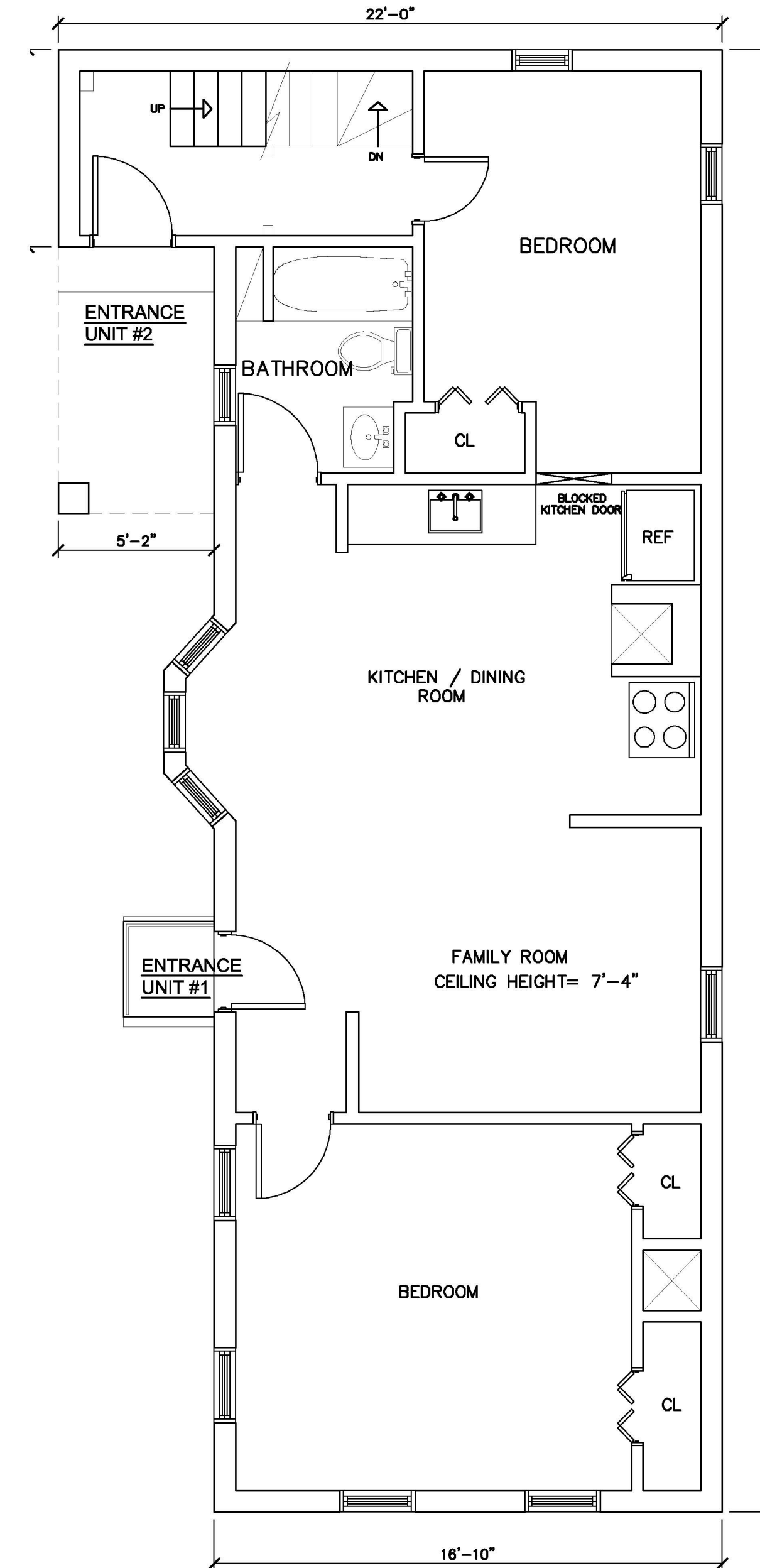
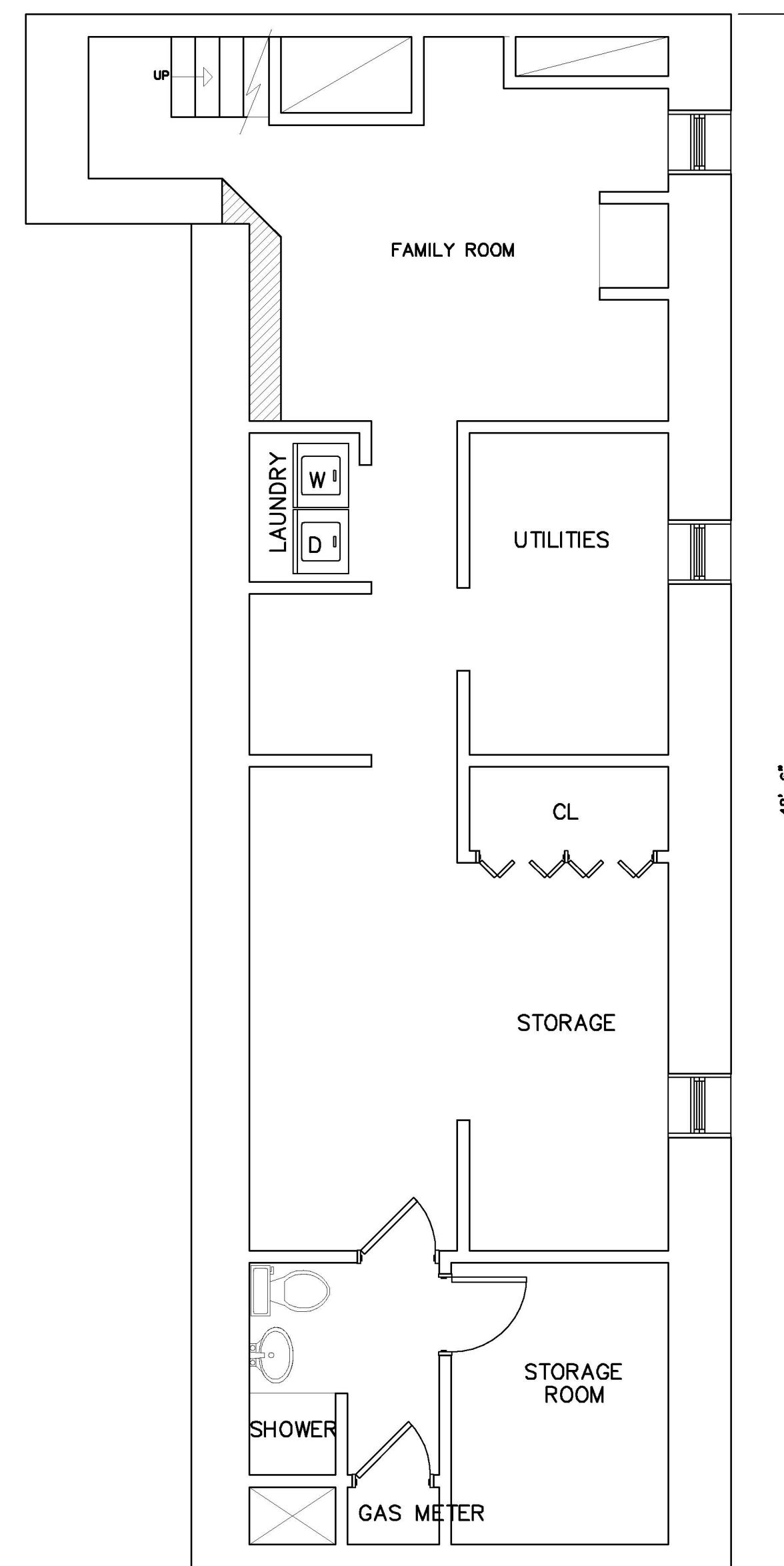
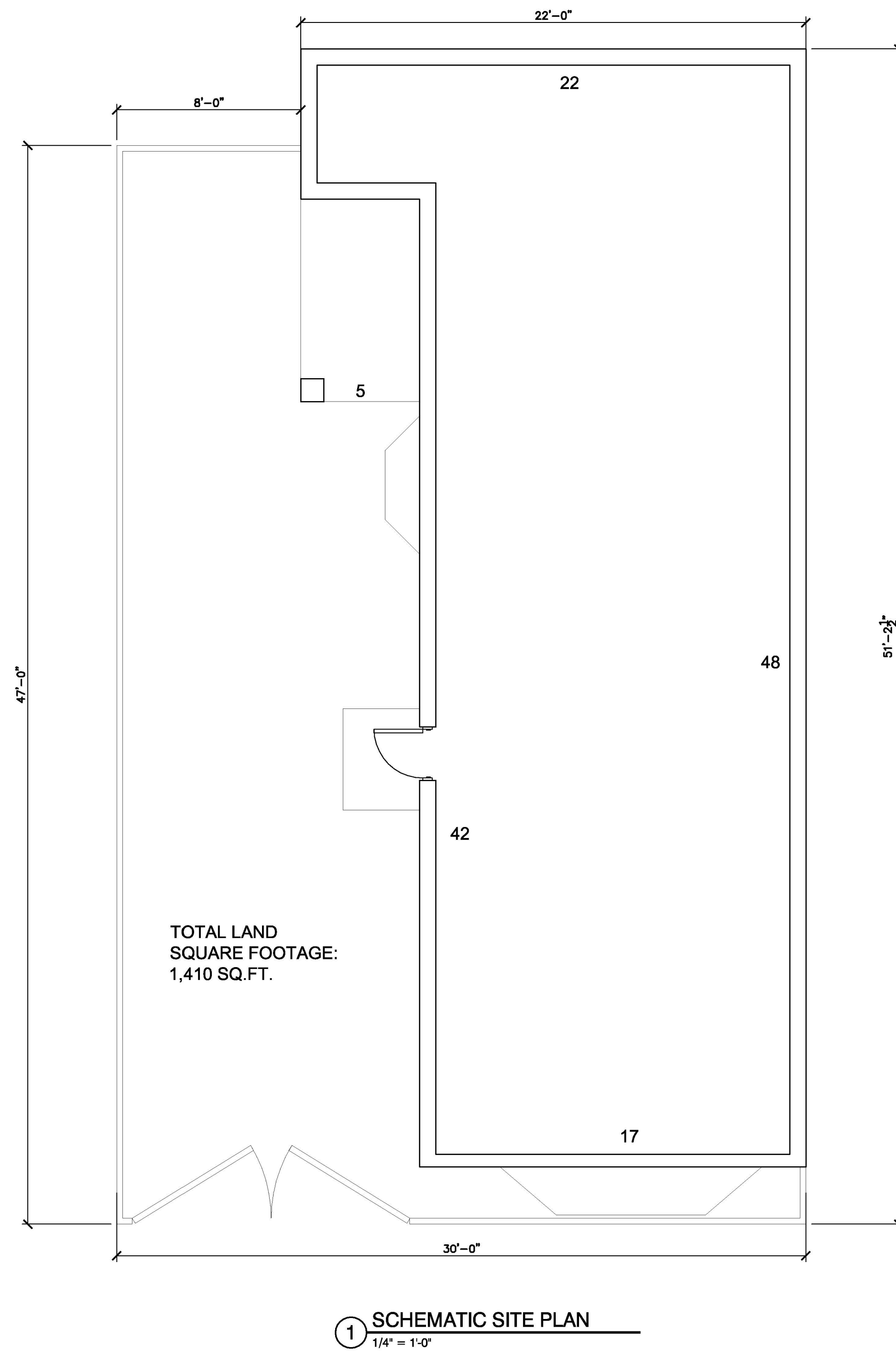
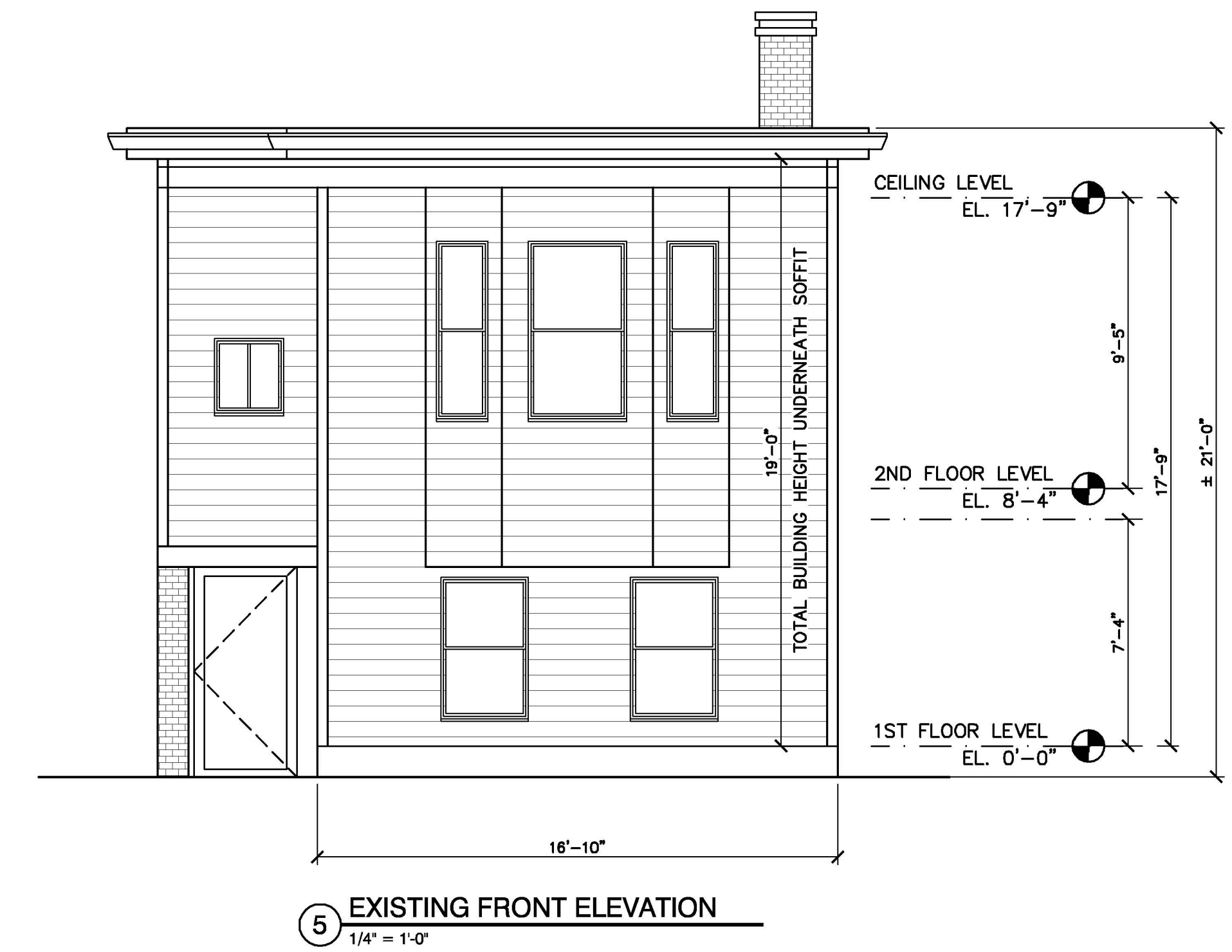
DRAWING INDEX

ARCHITECTURAL

- | | |
|----|-----------------------------------|
| CS | COVER SHEET |
| A1 | EXISTING FLOOR PLANS & ELEVATIONS |
| A2 | EXISTING/PROPOSED FLOOR PLANS |
| A2 | PROPOSED ELEVATIONS AND 3D IMAGES |

LOCUS PLAN

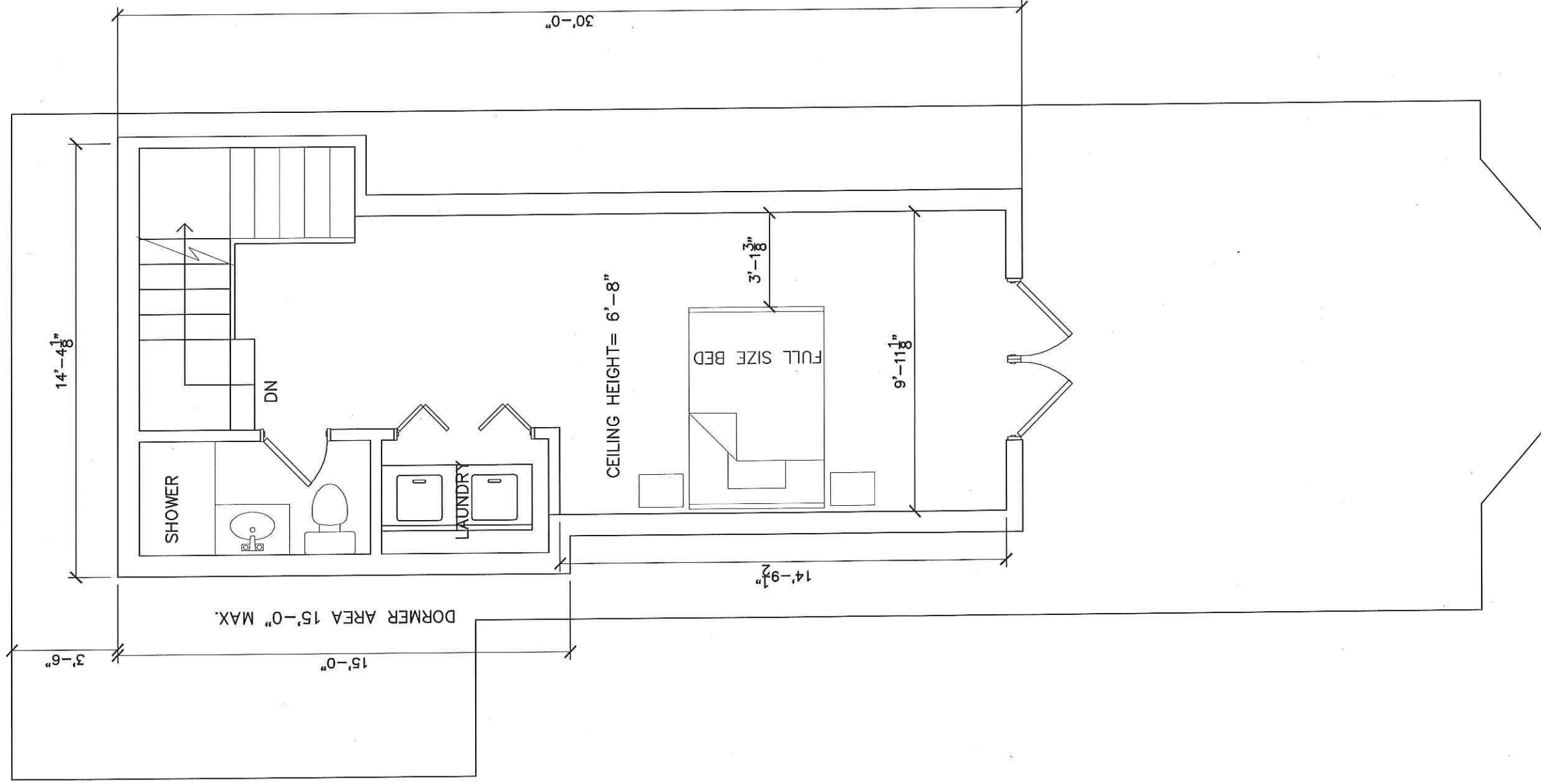




97 SIXTH ST.
BZA-017236-2019

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

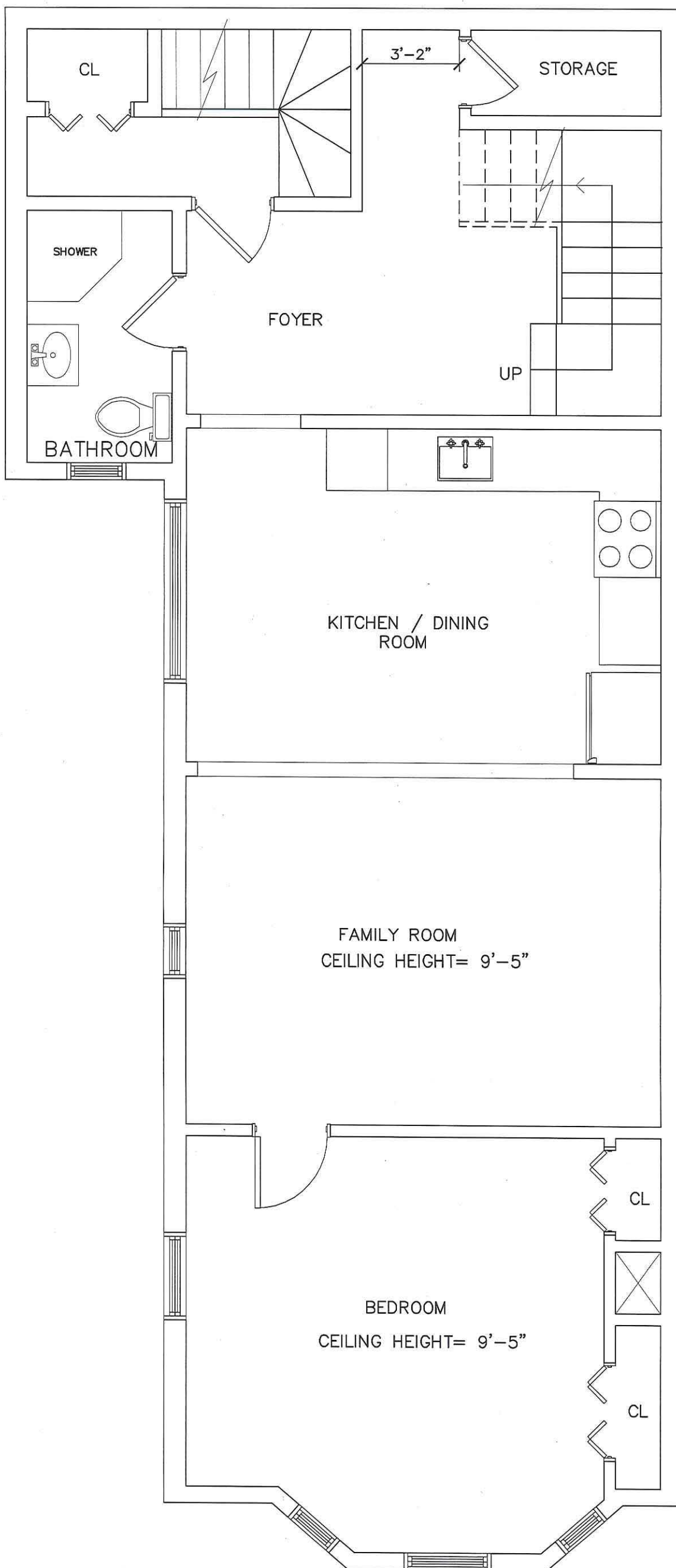
2020 JUN 30 A 9:05



PROPOSED ATTIC FLOOR PLAN

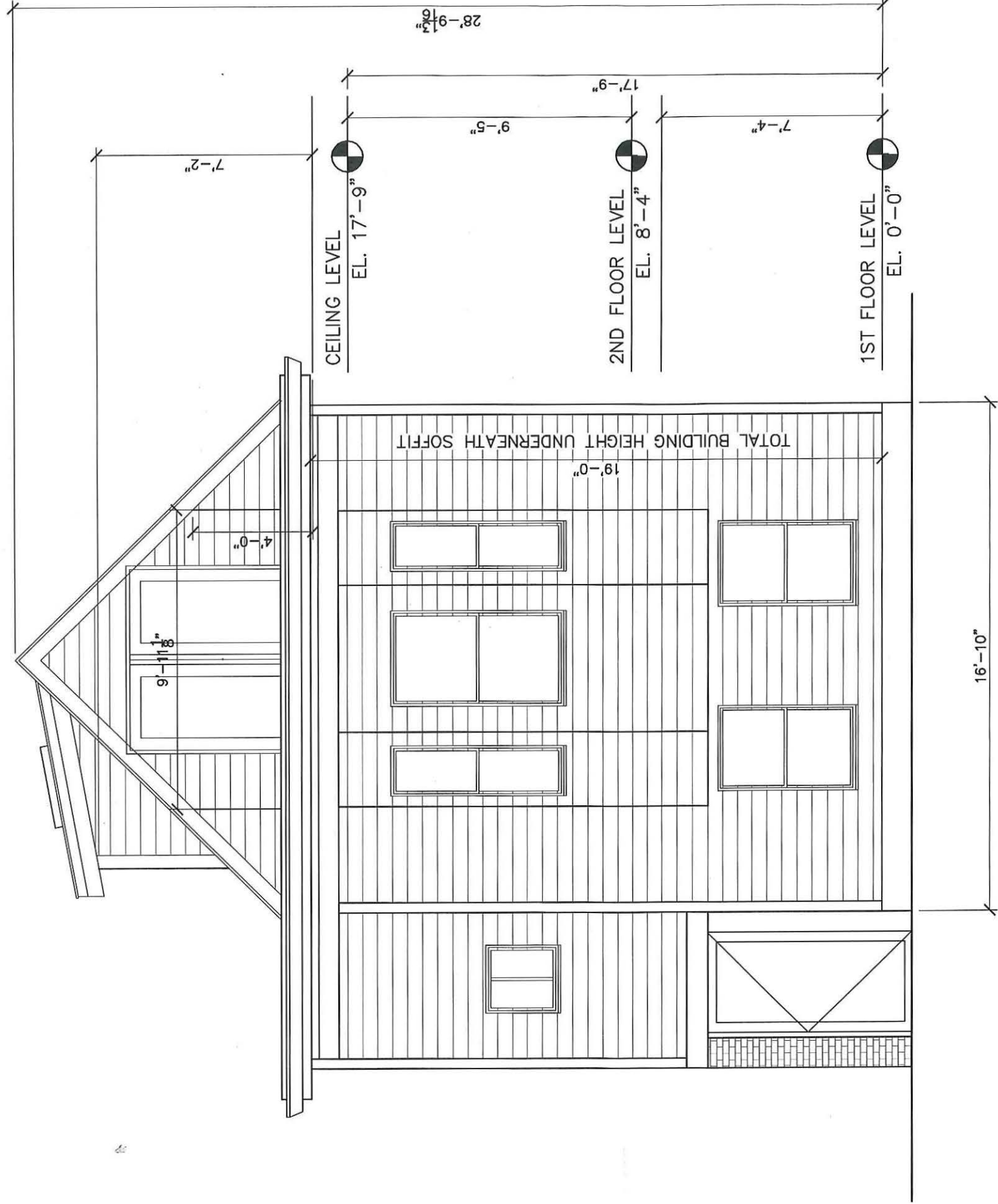
3/16" = 1'-0"

TOTAL ADDED SQUARE FOOTAGE: 375 SQ.FT.



PROPOSED 2ND FLOOR PLAN

3/16" = 1'-0"



PROPOSED FRONT ELEVATION SCHEMATIC