

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2020 OCT 15 PM 2:48
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 96057

General Information

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

Special Permit: X

Variance: X

Appeal:

PETITIONER: Patrick Mascai and Molly Wolf C/O Sean D. Hope Esq

PETITIONER'S ADDRESS: 907 Massachusetts Avenue, Cambridge, MA 02139

LOCATION OF PROPERTY: 9 Oakland St Cambridge, MA

TYPE OF OCCUPANCY: Residential Single Family

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

/Additions/ /New Structure/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner requests a Special Permit to add a mudroom addition to an existing non-conforming dwelling;

Petitioner requests Variance relief to construct a new structure (detached dwelling) with two garage parking spaces as follows 1) building within the front and side yard setbacks and 2) exceeding the allowable Floor Area Ratio;

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 5.000 Section: 5.31 (Table of Dimensional Regulations).
- Article: 8.000 Section: 8.22.2.C (Non-conforming Structures).
- Article: 10.000 Section: 10.30 (Variance).
- Article: 10.000 Section: 10.40 (Special Permit).

Original
Signature(s):

Sean D. Hope Esq

(Petitioner (s) / Owner)

Sean D. Hope

(Print Name)

Address: 907 Massachusetts Avenue
Cambridge, MA 02139

Tel. No. 617-492-0220
E-Mail Address: sean@hopelegal.com

Date: 10/15/2020

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 Patrick M. Mascia and Molly E. Wolf
(OWNER)

Address: 9 Oakland St Cambridge MA 02139

State that I/We own the property located at 9 Oakland St. Cambridge MA which is the subject of this zoning application.

The record title of this property is in the name of Patrick M. Mascia and Molly E. Wolf

*Pursuant to a deed of duly recorded in the date 2/28/2019, Middlesex South County Registry of Deeds at Book 72283, Page 220; or Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Patrick Mascia
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 Patrick Mascia and Molly E. Wolf personally appeared before me, this 01 of October, 2020, and made oath that the above statement is true.

Marian Aguilera Notary

My commission expires 10-16-2026 (Notary Seal).



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

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:

A literal enforcement of the Ordinance would be a substantial hardship to the Petitioners because they reside at 9 Oakland street and their lot extends a full block to Oak Street such that there are two front yards and multiple side yards. Presently the Oak street frontage is underutilized creating the appearance of a vacant lot which is inconsistent with the pattern of development on the street and in the Inman Square neighborhood.

Granting the requested relief will allow Petitioners' to construct a detached dwelling with covered garage parking that will fill the empty portion of the lot and provide additional housing for Petitioner's aging parents and visiting extended 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 by not affecting generally the zoning district in which it is located for the following reasons:

The hardship is owing to the long and narrow (30' wide frontage) shape of the lot that extends a full block such that any practical building would likely need setback relief in order to create functional family layout consistent with modern living standards. Further, the rear portion of 9 Oakland street lot has a history of being used for vehicle parking which has a negative impact on the street-scape. The proposed new dwelling will have a setback similar to adjacent properties on both Oak Street and Oakland Street and preserve much needed green space in the interior of the lot which benefits storm water drainage reducing the burden on city infrastructure.

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:

Desirable relief may be granted without detriment to the public good because the proposed detached dwelling is consistent with the character of development on the street and will support Petitioners' future plans to occupy the dwelling for extended and aging family. Further the proposed number of dwellings on the lot (two total) is allowed by the ordinance in the Residence C-1 zoning district and the exceedance of the floor area ratio (1,609sf) is not greater than the typical single family dwellings in the district.

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

The relief requested is consistent with the intent and purpose of the Ordinance, specifically section 1.03, that calls for the most rational use of the land throughout the city. The proposed dwelling will activate an underutilized portion of Oak street frontage with much needed renovated housing and add to Cambridge's housing stock of lead free family friendly dwellings.

***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

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 9 Oakland St , Unit 2 , Cambridge, MA (location) would not be a detriment to the public interest because:

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

With the requested relief the requirements of the ordinance will be satisfied.

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:

No congestion, hazard, or substantial change in the established neighborhood character will result from approval of the mudroom addition because it will make the house more energy efficient and will not negatively impact privacy of the adjacent property.

C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

The continued operation of or the development of adjacent uses will not be adversely affected because the district contains numerous single and multi-family dwellings and the proposed mudroom is a standard feature for family sized dwellings. Additionally, the mudroom is naturally shielded from the public way so the front façade of the dwelling will remain unchanged.

D) Nuisance or hazard would not be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

The continued operation of or the development of adjacent uses will not be adversely affected because the district contains numerous single and multi-family dwellings and the proposed mudroom is a standard feature for family dwellings. Additionally, the mudroom is naturally shielded from the public way so the front façade of the dwelling will remain unchanged.

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 mudroom addition will not impair the integrity of the district and is consistent with the intent of the ordinance by allowing for the renovation and modernization of Cambridge's older housing stock.

***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

DIMENSIONAL INFORMATION

Applicant: Patrick Mascai and Molly Wolf

Present Use/Occupancy: Residential Single Family

Location: 907 Massachusetts Avenue

Zone: Residence C-1 Zone

Phone: 617-492-0220

Requested Use/Occupancy: Residential Two Dwellings

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	1,751sf	3,360sf	2,503sf	(max.)
<u>LOT AREA:</u>	3,337sf	3,337sf	5,000sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	.52	1.01	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>	3,337sf	1,699sf	1,500sf	
<u>SIZE OF LOT:</u>				
WIDTH	35.5'	35.5'	50'	
DEPTH	109.6'	109.6'	n/a	
<u>SETBACKS IN FEET:</u>				
FRONT	.5'	.5/5'	10'	
REAR	66.3'	66.3'/5'	20'	
LEFT SIDE	1.9'	1.9'/5'	7.5'	
RIGHT SIDE	1.8'	1.8'/5'	7.5'	
<u>SIZE OF BUILDING:</u>				
HEIGHT	33.1'	33.1'/32.3'	35'	
WIDTH	43.6'	47.7'/34.6'	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	75%	49%	30%	
<u>NO. OF DWELLING UNITS:</u>	1	2	2	
<u>NO. OF PARKING SPACES:</u>	2	2	2	
<u>NO. OF LOADING AREAS:</u>	n/a	n/a	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	0'	26.8'	10'	

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

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

November 16, 2020

To the City of Cambridge Board of Zoning Appeal
Via e-mail to Maria Pacheco (mpacheco@cambridgema.gov)

Re: 9 Oakland Street, BZA # 96057

We are neighbors and abutters of the 9 Oakland Street, Cambridge project, and are writing in opposition to both the Variance and Special Permit applications for the following reasons. We are Richard Krushnic and Susan Markowitz of 20 Oak Street, Janet Slemenda of 12 Oak Street; Seth Goldfine of 8 Oak Street, Valerie Philippon of 6 Oak Street, Alex Yi of 15 Oak Street, and Matt and Annie Kelly of 13 Oakland Street.

Variance- garage & apartment :

For the reasons below, we request that the BZA deny the variance relief to build within the front and side yard setbacks and to exceed the FAR.

1. **Side yard setback:** The proposal intrudes on adjacent properties in an historically crowded neighborhood, harming the privacy, light, air, and shadow conditions on the neighbors. The new building crowds the neighbors' existing buildings, specifically to the north of 9 Oakland. The side yard setback variance should not be approved. 9 Oak would be particularly harmed because it has very little window area on its sunny south side; the vast majority of its window space on its abutting north side, and would suffer on the diminution of its natural light. 13 Oakland and 15 Oak would also lose visibility as they exit and enter their driveway, as the proposed structure would create more of a 'tunnel' for the driveway obstructing the view of pedestrian and vehicle traffic on Oak Street.
2. **Front yard setback:** as the lot fronts on 2 streets, both frontages must provide the zoning required 10' front yard setback. Reduction of the front yard setback is not necessary for the proposal as the new building could be accommodated by maintaining the 10' setback, reducing the private yard space. The front yard variance should not be approved.
3. **Garage fronting street:** the City Urban design Guidelines contained in the zoning ordinance do not advocate placing parking or garages along the street. A garage fronting a street is inconsistent with the use pattern of the neighborhood and City—houses face the street, not garages; and certainly not a double garage. It would be an anomaly and set a terrible precedent for similar requests that come before the Board in the future. The more typical configuration in the district and City is to place a single car-width driveway adjacent to a lot line, with as much length as the lot allows, to allow tandem parking if more than one car is to be parked. This option has not been presented and should be explored as a compliant alternative. The garage fronting the street should not be approved.
4. **Parking in the front yard setback:** the ordinance prohibits parking within the front yard. If the proposed 5' front setback is allowed, parking will have been permitted within the front yard. Placing the garage 5' from the property line should not be allowed.
5. **Apartment:** The application says the reason for the new apartment above the garage is to house aging parents. The proposal is not consistent with housing for an aging resident, placing living space on the second floor and sleeping space on the third floor, accessible by stair. Typical aging-in-place housing would have all living space on one floor and ideally at the ground floor, not requiring use of a stair or the future elevator depicted. The plans do not suggest the proposed building is for aging parents, but rather for use as a separate dwelling on the lot. The variance requesting FAR in excess of the allowed should not be approved.
6. **FAR-** the requested FAR of 1.01 is well beyond the allowed maximum of 0.75 (approximately 35% over the allowed). This shows that the proposal is asking for too much new building area for the lot, to the detriment of the neighborhood and well beyond the allowed FAR. The actual area of new building, including the 1 parking space shown excluded from the area calculation, would have an even greater FAR. Too much building is proposed, and a variance to exceed the floor area ratio should not be granted. 15 Oak would be especially damaged by the three stories provided by the excessive FAR because it would be significantly shaded by the new structure; currently, 15 Oak is never shaded. 20 Oak, across the street, would lose first floor morning sunlight during winter months.

7. Neighborhood outreach: Prior to filing the application for zoning relief, the proponents invited neighbors from 10, 12 and 20 Oak Street to their house to hear of the proposal and see preliminary plans. Other abutters and neighbors were notified of the project by hand-carried letter. Neighbors from 12 Oak spoke to the proponents and described what they knew of the house and lot's history, including history of a previous similar development proposal; and expressed concern about the garage, the apartment above the garage, and overall size of the proposed new building. Then neighbors from 8, 12, 15, and 20 Oak Street and 13 Oakland Street met in an in-person and Zoom meeting to discuss the project. All of them agreed to the concerns listed herein. Subsequently, neighbors at 6 Oak Street also agreed to all of these concerns. Neighbors informed the proponents that there were numerous concerns, and requested a meeting; but no meeting was arranged prior to the filing of the petition. There was no follow-up by the proponents with any of the neighbors to address neighbors' concerns and the application was filed.

Following the filing, neighbors from 12, and 20 Oak Street and 13 Oakland Street zoomed with the proponents, and informed them of all of these concerns (except the concerns in point 9 below), and informed them of all of the neighbors who agreed to all of the concerns. The meeting included mention of plan alternatives listed in point 8 below, which would lessen the impact on neighbors. Neighbors indicated that they would not object to construction that could be done under existing zoning by right. Since that meeting, no alternative plans that addressed any of the neighbor's concerns were prepared or discussed with neighbors by the proponents. As no alternative plans were proposed by the proponents in response to the neighbors' concerns, we request that the variance be denied.

8. Look at alternative plans to lessen impacts on the neighbors: other options for new space and functions have not been presented to demonstrate that the current proposal is the only feasible plan. Neighbors pointed out to the proponents that other options might include:
- o Adding a single wide driveway for parking instead of a garage with building beside and/or over it.
 - o Renovating/extending the existing building without a separate new building for the additional square footage.
 - o Creating a basement accessory apartment for extended use.

9. Disputable statements contained in the Supporting Statement For A Variance:

- a. "A literal enforcement... would be a substantial hardship...": The Statement says a literal enforcement would involve a substantial hardship. We do not agree that there is any hardship to the proponents that would warrant zoning relief. It is a small lot, typical throughout the district, that may not be able to contain all the proposed changes—that is a reality, not a hardship. The proposal may be asking for more development than the lot and neighborhood can support. In purchasing the property, the owners could and should have been aware of constraints and neighborhood concerns regarding the expansion. This includes previous similar plans submitted to the BZA circa 2012 by the previous owner who renovated the building, subsequently withdrawn amid neighborhood opposition. We made the current proponents aware of this history.

There is no financial hardship, as the proponents purchased the property for \$1.99 million in 2019. The owners, a professional couple, have the means to achieve their stated goals almost anywhere in Cambridge without imposing undue demands on this lot and neighborhood. While proponents are interested in having aging parents live in the proposed structure, there are other options listed above (no. 8) that would not require zoning relief and would not be detrimental to neighbors. The proposed design, with bedroom on the third floor, and only a hypothetical elevator, does not seem particularly well suited for elderly parents.

- b. Statement, in further discussing the hardship rationale, calls the lot "under-utilized street frontage creating the appearance of a vacant lot." We strongly disagree with this description. This portion of the lot has never been built on and was used by previous long-term owners as a backyard and vegetable garden that provided much needed green space; it was a welcome benefit to the neighborhood and not a negative condition as implied by the application. Previous owners destroyed the garden space to create the paved driveway now existing, lessening the lots ability to drain rainwater and replacing vegetation by cars. This portion of the lot has never been under-utilized, nor perceived by neighbors as a vacant lot.
- c. "The hardship is owing to the long and narrow.....shape of the lot." While modest in width, the lot affords sufficient space for changes to be accomplished within the zoning ordinance requirements. This proposal has not

explored or demonstrated why the plan presented is the only plausible option.

- d. "...and add to Cambridge's housing stock of lead free family friendly dwellings." The existing house would have been made lead free in its last major renovation. Any new or renovation construction would be required to be lead free as well. This statement is not unique or a rationale for approval of this proposal.

Special Permit- mudroom addition

For the reasons below, we request that the BZA deny the special permit to add a mudroom addition.

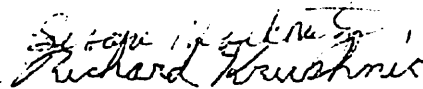
1. Side yard setback: The bathroom and mudroom proposed will encroach on the side yard setback and will impact the abutter's privacy, light and air circulation. If this fence were removed, the impact would be increased on the neighboring lot. We request that the special permit be denied.
2. Look at alternative plans to lessen impacts on the neighbors: We pointed out these options to the proponents. Options might include:
 - o Deleting the half bath to reduce the mudroom addition's width
 - o Accommodating some or all of the mudroom within the current building's existing footprint
 - o Reducing the addition to comply with setback requirements
3. Disputable statements contained in the Supporting Statement For A Special Permit
 - a. "Proposal would not be detrimental to the public interest because the requirements of the Ordinance can or will be met." This is an inaccurate statement as the proposed addition would be detrimental. The proposed mudroom does not comply with the 7.5 foot side yard setback dimensional requirement, proposing a 5 foot setback instead. This will affect the immediate neighbors directly and detrimentally as the existing neighboring buildings were built at or near their property lines, so the new addition will be too close to the existing neighboring homes impacting their access to sunlight, air, and view.

Summary:

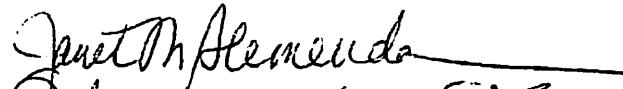
The proposal asks for too much development on the lot. It would infringe on the neighbors' side yards; place a garage facing the street; reduce the front yard setback and further crowd the street; and block sunlight and view of traffic. There is no hardship involved with this application, simply an over-reaching of the lot's capacity for building. Neighborhood outreach wasn't fully undertaken, and didn't benefit from neighborhood input. Namely, this proposal is substantively the same plan a previous owner proposed in 2012, and therefore is drawing essentially the same neighborhood opposition now. The applications for the special permit and variance should be denied.

Sincerely,

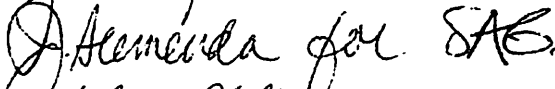
Richard Krushnic--20 Oak Street
Susan Markowitz--20 Oak Street



Janet Siemenda--12 Oak Street



Seth Goldfine--8 Oak Street



Valerie Philippon--6 Oak Street



Alex Yi--15 Oak Street



Matt Kelly--13 Oakland Street
Annie Kelly--13 Oakland Street





9 Oakland Street variance and special permit request-
neighbors OPPOSED in bold underlined typeface

Pacheco, Maria

opposed

From: Jacqueline King <jackiedeeking50@gmail.com>
Sent: Monday, November 16, 2020 12:10 PM
To: Pacheco, Maria
Subject: ZBA-96057

To: Zoning Board of Appeals
Regarding: ZBA-96057
Date: November 15, 2020

Dear Members of the Zoning Board,

We have spoken with neighbors on Oak Street about the case before you, ZBA-96057. As long-time Cambridge residents, we are very familiar with the Inman Square area. We visit and shop in the neighborhood frequently. We believe that the proposal tries to put too much on the site. Oak Street is extremely dense as it is. The proposed double garage right on the street is particularly offensive and out of tune with the street. We are bothered by the owners' unwillingness to discuss with neighbors any of the latter's suggested alternatives. We do not think the variance should be approved.

Thank you,
Jacqueline King, 40 Essex St, Cambridge, MA 02139
Jonathan King, 40 Essex St, Cambridge MA 02139

Pacheco, Maria

oppose

From: Phyllis Bretholtz <pbretholtz@gmail.com>
Sent: Monday, November 16, 2020 11:11 AM
To: Pacheco, Maria
Subject: Oppose 9 Oakland St. BZA #96057

*Please disregard/delete the letter I sent a few minutes ago and consider only the letter below.
In appreciation.
Thank you.
Phyllis Bretholtz*

mpacheco@cambridgema.gov

To the City of Cambridge Board of Zoning Appeal
Regarding BZA # 96057

I have been a resident at 65 Antrim Street for 39 years. I know the Inman Square neighborhood very well and oppose the request for a variance at 9 Oakland Street. The owners insist the only way they can meet all their needs is by increasing their FAR by 35%. The property is much too small to accommodate such a large construction. The construction will also include a two-car garage right on the street that is completely non-conforming to the neighborhood. In response, the neighbors have suggested three alternatives that would allow the proponents to meet their needs without building beyond their setback limit and creating undue harm to the neighbors. The owners have refused to negotiate. Why are the proponents' needs more important than their neighbors? Why are they allowed to tell their neighbors to live with the detrimental effects that they are creating when in fact the proponents have other as-of-right options to meet their needs. Why not ask the neighbors if there is any way to compromise? In my opinion, the proponents have not engaged in a respectful process and are acting in an unnecessarily entitled way.

Thank you for your consideration.

Phyllis Bretholtz
65 Antrim Street
Cambridge, MA 02139

pbretholtz@gmail.com



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: _____

(Print)

Date: _____

Address: _____

Case No. _____

Hearing Date: _____

Thank you,
Bza Members

DIMENSIONAL INFORMATION

Applicant: Patrick Mascai and Molly Wolf

Present Use/Occupancy: Residential Single Family

Location: 907 Massachusetts Avenue

Zone: Residence C-1 Zone

Phone: 617-492-0220

Requested Use/Occupancy: Residential Two Dwellings

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	1,751sf	3,360sf 3405 sf	2,503sf	(max.)
<u>LOT AREA:</u>	3,337sf	3,337sf	5,000sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	.52	1.01 1.02	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>	3,337sf	1,699sf	1,500sf	
<u>SIZE OF LOT:</u>				
WIDTH	35.5'	35.5'	50'	
DEPTH	109.6'	109.6'	n/a	
<u>SETBACKS IN FEET:</u>				
FRONT	.5'	.5/5'	10'	
REAR	66.3'	66.3'/5'	20'	
LEFT SIDE	1.9'	1.9'/5'	7.5'	
RIGHT SIDE	1.8'	1.8'/5'	7.5'	
<u>SIZE OF BUILDING:</u>				
HEIGHT	33.1'	33.1'/32.3'	35'	
WIDTH	43.6'	47.7'/34.6'	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	75%	49%	30%	
<u>NO. OF DWELLING UNITS:</u>	1	2	2	
<u>NO. OF PARKING SPACES:</u>	2	2	2	
<u>NO. OF LOADING AREAS:</u>	n/a	n/a	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	0'	26.8'	10'	

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.

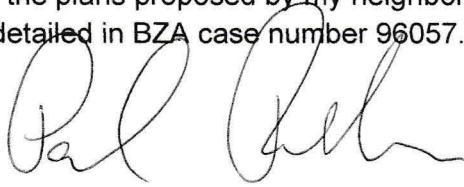
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2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

Date:

To the Cambridge Board of Zoning Appeals:

I have seen the plans proposed by my neighbors Molly Wolf and Patrick Mascia of 9 Oakland Street and detailed in BZA case number 96057. I am not opposed to this construction project.

Signature:

A handwritten signature in cursive script, appearing to read "Paul Bell".

Printed Name: Inman Square Hardware

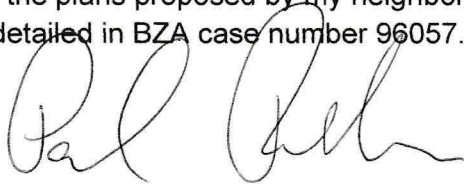
Address: 1337 Cambridge St. Cambridge MA

Date:

To the Cambridge Board of Zoning Appeals:

I have seen the plans proposed by my neighbors Molly Wolf and Patrick Mascia of 9 Oakland Street and detailed in BZA case number 96057. I am not opposed to this construction project.

Signature:

A handwritten signature in cursive script, appearing to read "Paul Bell".

Printed Name: Inman Square Hardware

Address: 1337 Cambridge St. Cambridge MA

Date:

To the Cambridge Board of Zoning Appeals:

I have seen the plans proposed by my neighbors Molly Wolf and Patrick Mascia of 9 Oakland Street and detailed in BZA case number 96057. I am not opposed to this construction project.

Signature:



Printed Name: Inho L. Kwon. / Top cleaners

Address: 1300 Cambridge st.
Cambridge MA 02139

Date:

Dear Cambridge Board of Zoning Appeals -

We have reviewed the plans for 9 Oakland Street, being filed by Molly Wolf and Patrick Mascia for BZA application 96057. We support this project.

Name: Odete Silva

Address: 26 Oak Street
Cambridge, MA 02139

Signature:

Odete Silva

November 15, 2020

City of Cambridge
Board of Zoning Appeals
831 Massachusetts Ave
Cambridge, MA 02139

Andrew Groleau & Emily Gianetta
11 Oakland Street
Cambridge, MA 02139
andrewgroleau1@gmail.com
emily.gianetta@gmail.com

Re: BZA Application 96057 (9 Oakland - Mascia & Wolf)

Dear Cambridge Board of Zoning Appeals:

We have reviewed the plans for 9 Oakland Street filed by Molly Wolf and Patrick Mascia for BZA application 96057. We write to confirm that we support the proposed plan.

We would like to add that from a policy perspective, approval of this plan serves the important goal of supporting young couples that seek to set down roots and raise their families in Cambridge, which is difficult enough as it is. Whether the proposed structure is used for an aging parent, a childcare provider, or some combination of the two, it is meant to address a very real hardship. Thus, the proposed plan should be approved.

Should you have questions, we can be contacted at the email addresses above.

Sincerely,

Handwritten signatures of Andrew Groleau and Emily Gianetta. The signature on the left is for Andrew Groleau and the signature on the right is for Emily Gianetta.

Andrew Groleau & Emily Gianetta

Date:

Dear Cambridge Board of Zoning Appeals -

We have reviewed the plans for 9 Oakland Street, being filed by Molly Wolf and Patrick Mascia for BZA application 96057. We support this project.

Name:

Sandra Gomes

Address:

24 Oak Street Cambridge, MA 02139


Signature:

A handwritten signature in black ink, appearing to be 'Sandra Gomes', written in a cursive style.

Date: 11/11/20

To the Cambridge Board of Zoning Appeals:

I have seen the plans proposed by my neighbors Molly Wolf and Patrick Mascia of 9 Oakland Street and detailed in BZA case number 96057. I am not opposed to this construction project.

Signature: 

Printed Name: Jose Palhares

Address: 24 OAK st Cambridge Mass 02139

PROJECT

New Dwelling for:

**MASCIA-WOLF
RESIDENCE**

9 Oakland St
Cambridge, MA, 02139

ISSUES / REVISIONS

Date	Description
9 OCT 20	BZA SUBMISSION

NOT FOR CONSTRUCTION

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DRAWING TITLE

Site Plan

SCALE

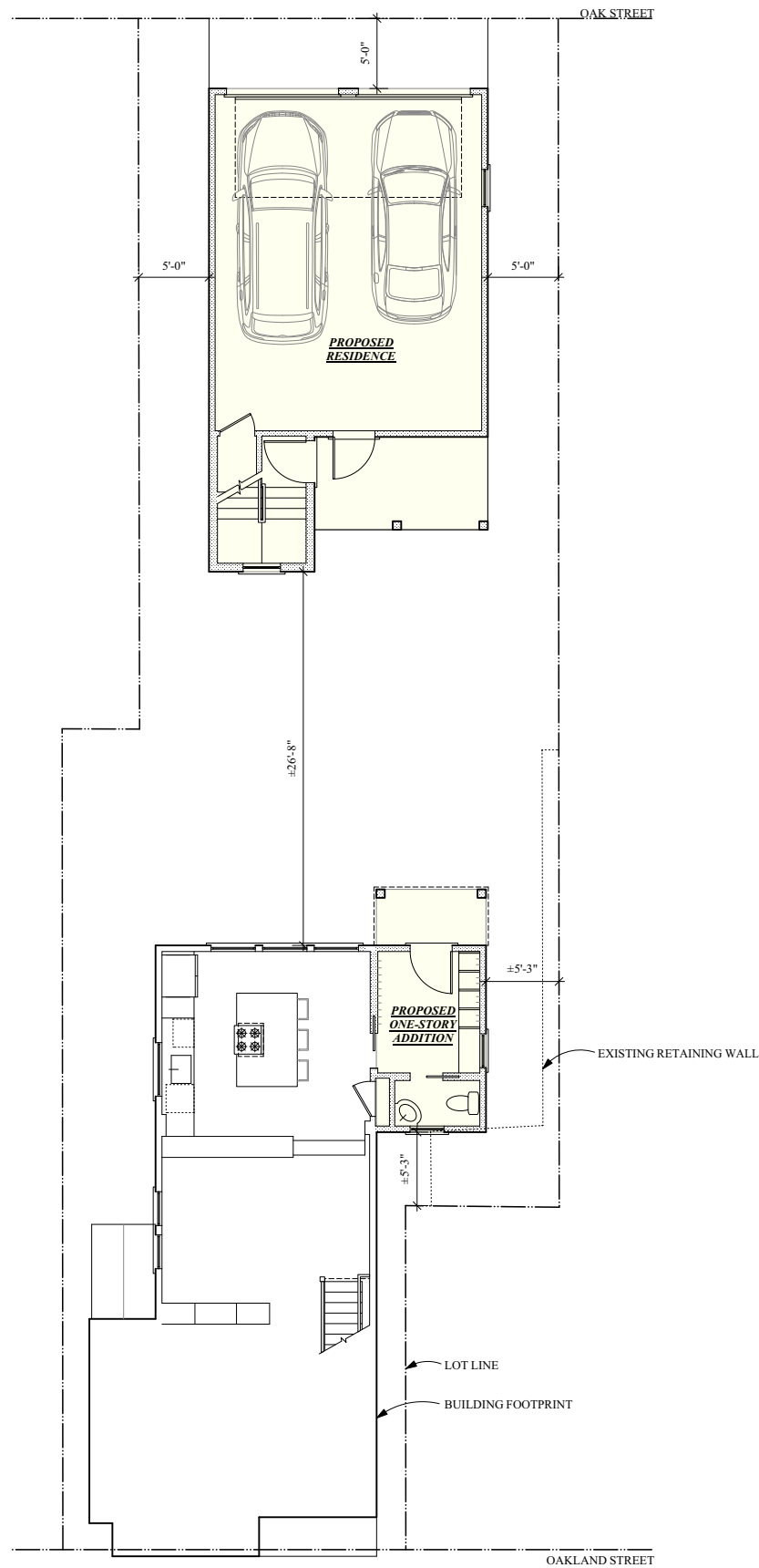


DATE

October 9, 2020

SHEET NUMBER

SD-1



1 SITE PLAN

PROJECT

New Dwelling for:

MASCIA-WOLF
RESIDENCE

9 Oakland St
Cambridge, MA, 02139

ISSUES / REVISIONS

Date	Description
9 OCT 20	BZA SUBMISSION

NOT FOR CONSTRUCTION

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DRAWING TITLE

First, Second and Third
Floor

SCALE

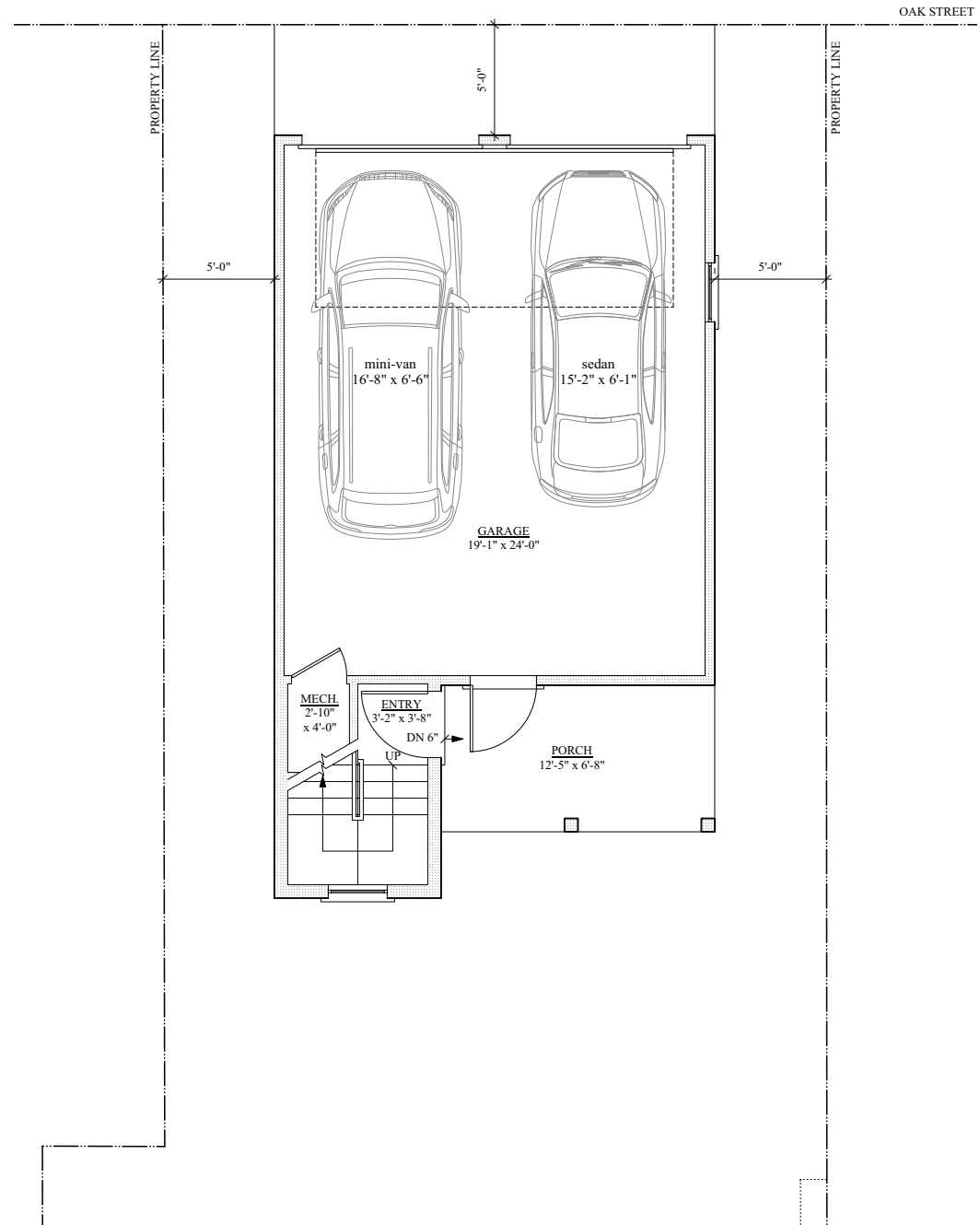
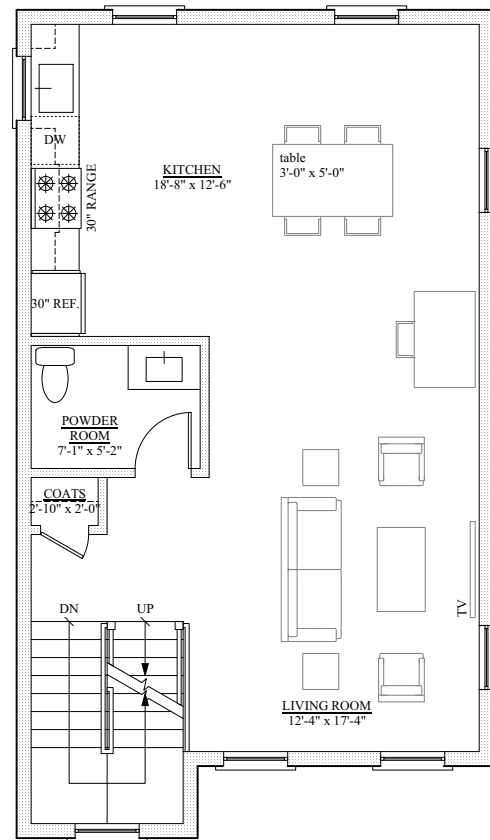
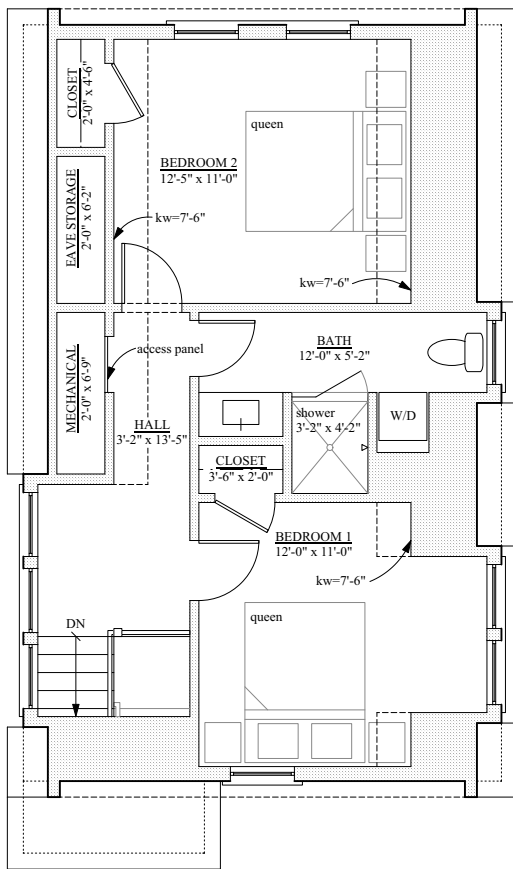


DATE

October 9, 2020

SHEET NUMBER

SD-2



PROJECT

New Dwelling for:

MASCIA-WOLF
RESIDENCE

9 Oakland St
Cambridge, MA, 02139

ISSUES / REVISIONS

Date	Description
9 OCT 20	BZA SUBMISSION

NOT FOR CONSTRUCTION

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DRAWING TITLE

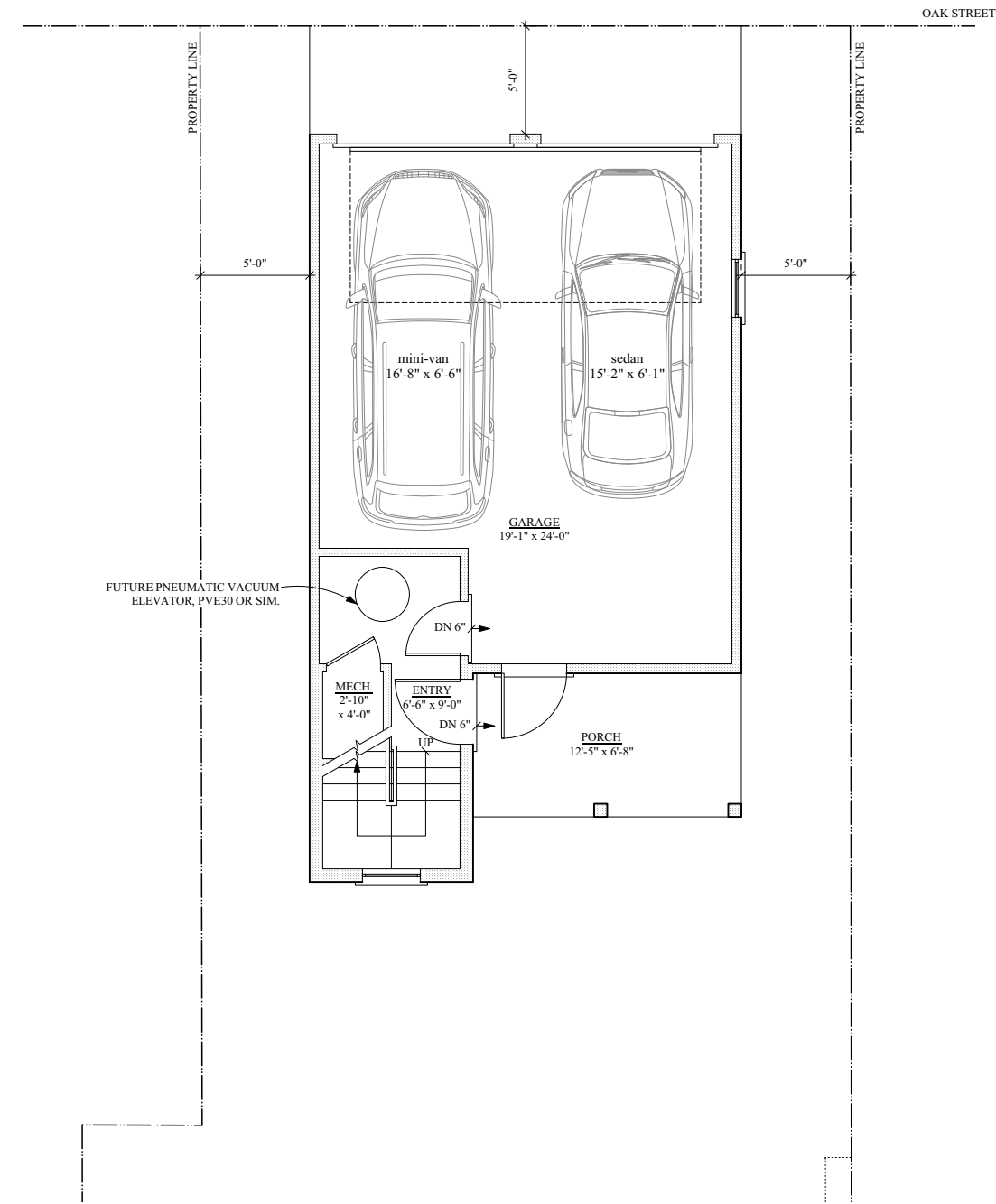
First, Second and Third
Floor w/ Future Elevator
SCALE



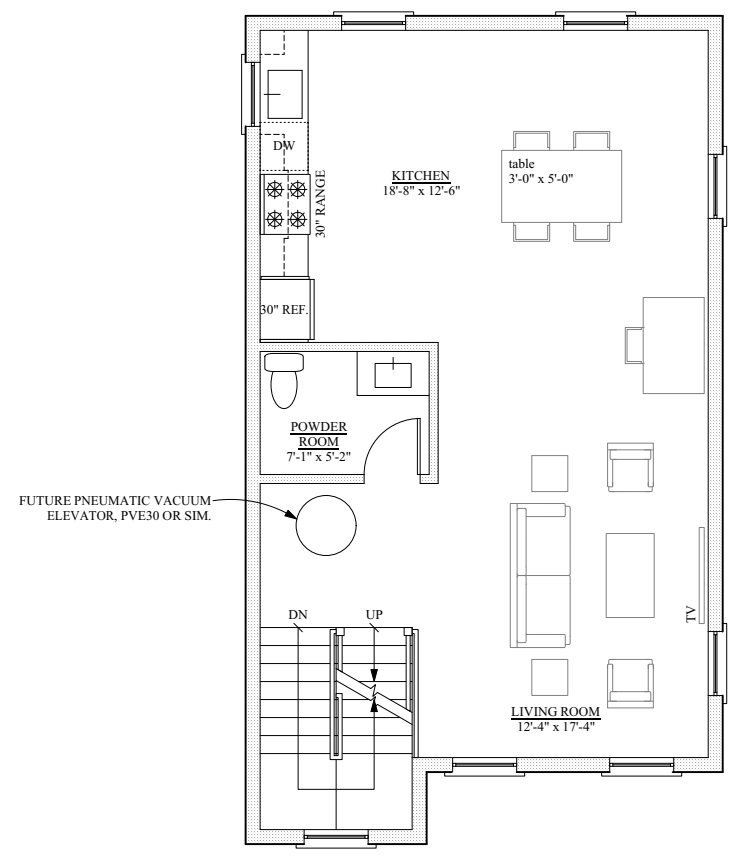
DATE
October 9, 2020

SHEET NUMBER

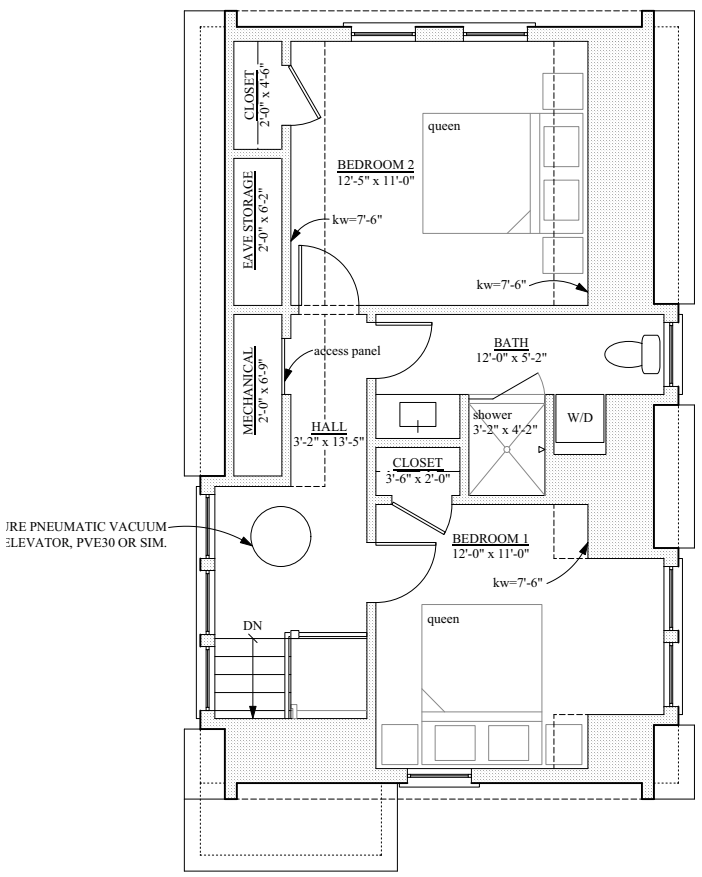
SD-3



1 FIRST FLOOR w/ FUTURE ELEVATOR



2 SECOND FLOOR w/ FUTURE ELEVATOR

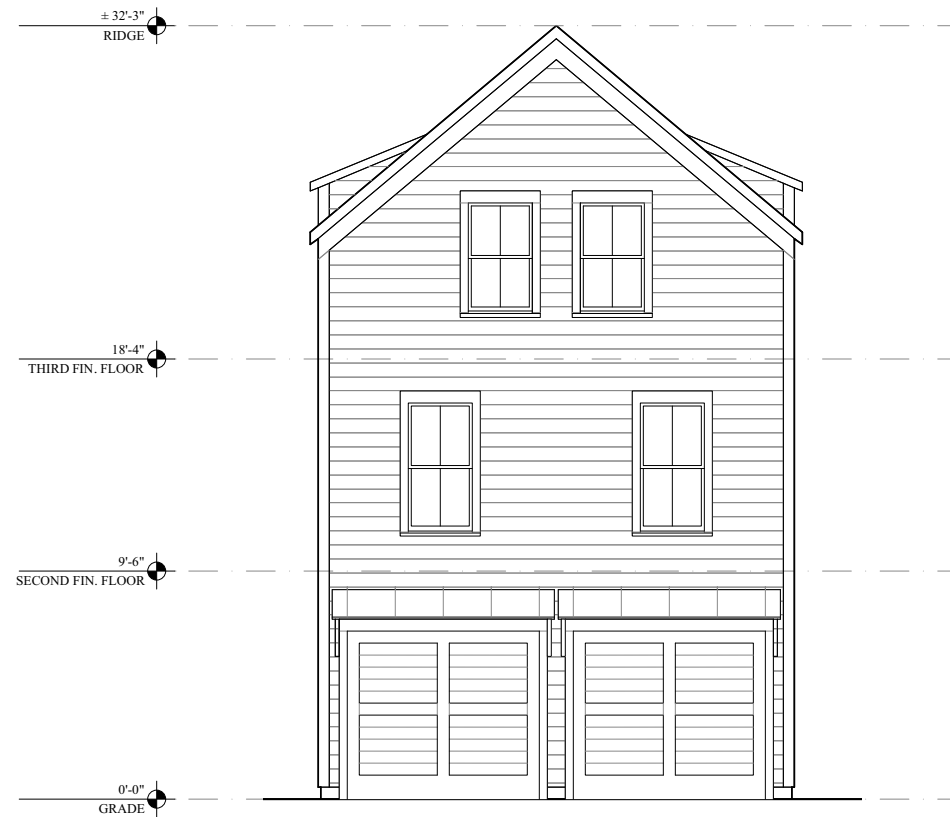


3 THIRD FLOOR w/ FUTURE ELEVATOR





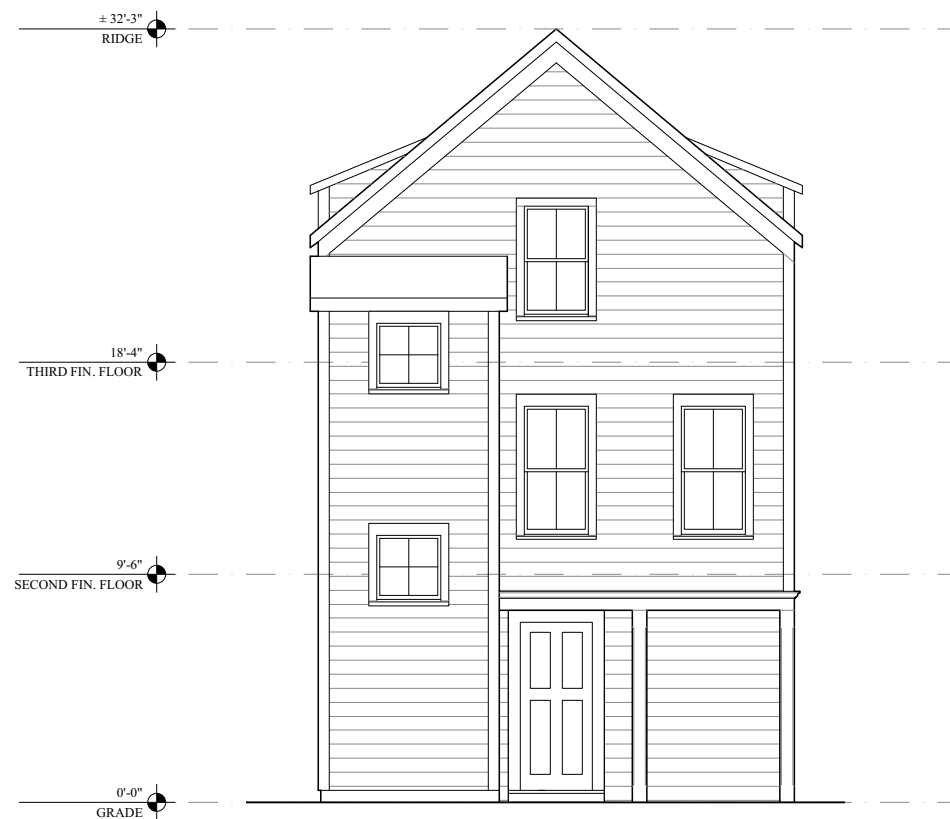
3 NEW DWELLING NORTH ELEVATION



1 NEW DWELLING EAST ELEVATION



4 NEW DWELLING SOUTH ELEVATION



2 NEW DWELLING WEST ELEVATION

FRANK SHIRLEY
ARCHITECTS

40 Pearl Street t: 617.547.3355
Cambridge MA 02139 f: 617.547.2385
www.frankshirleyarchitects.com

PROJECT

New Dwelling for:

MASCIA-WOLF
RESIDENCE

9 Oakland St
Cambridge, MA, 02139

ISSUES / REVISIONS

Date	Description
9 OCT 20	BZA SUBMISSION

NOT FOR CONSTRUCTION

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DRAWING TITLE
New Dwelling Elevations



DATE
October 9, 2020

SHEET NUMBER
SD-4

PROJECT

New Dwelling for:

MASCIA-WOLF
RESIDENCE

9 Oakland St
Cambridge, MA, 02139

ISSUES / REVISIONS

Date	Description
9 OCT 20	BZA SUBMISSION

NOT FOR CONSTRUCTION

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DRAWING TITLE

First, Second and Third
Floor GFA

SCALE

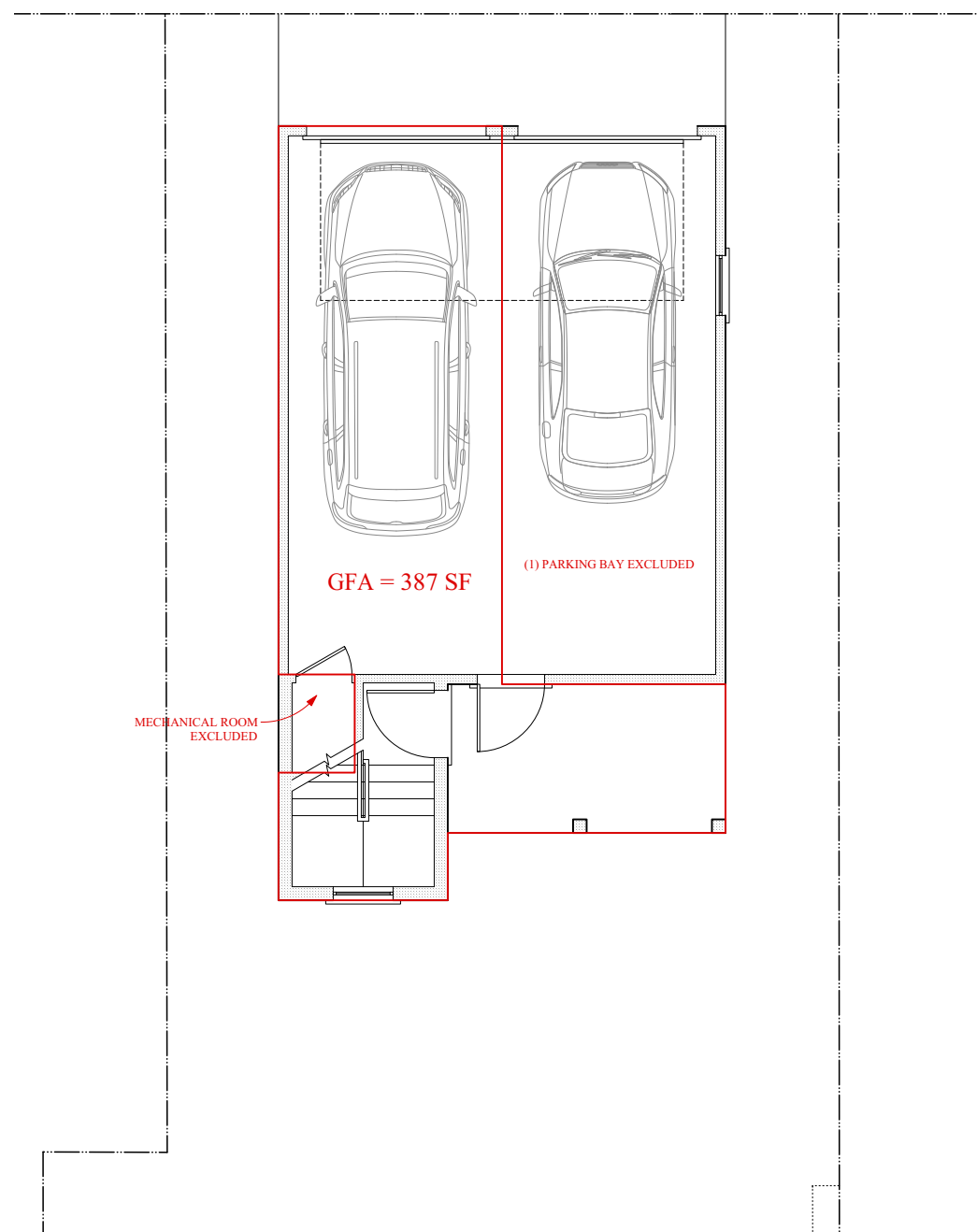


DATE

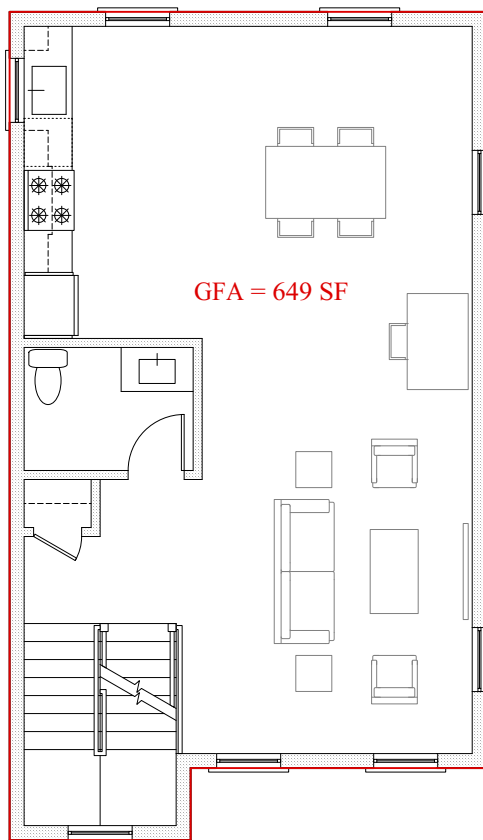
October 9, 2020

SHEET NUMBER

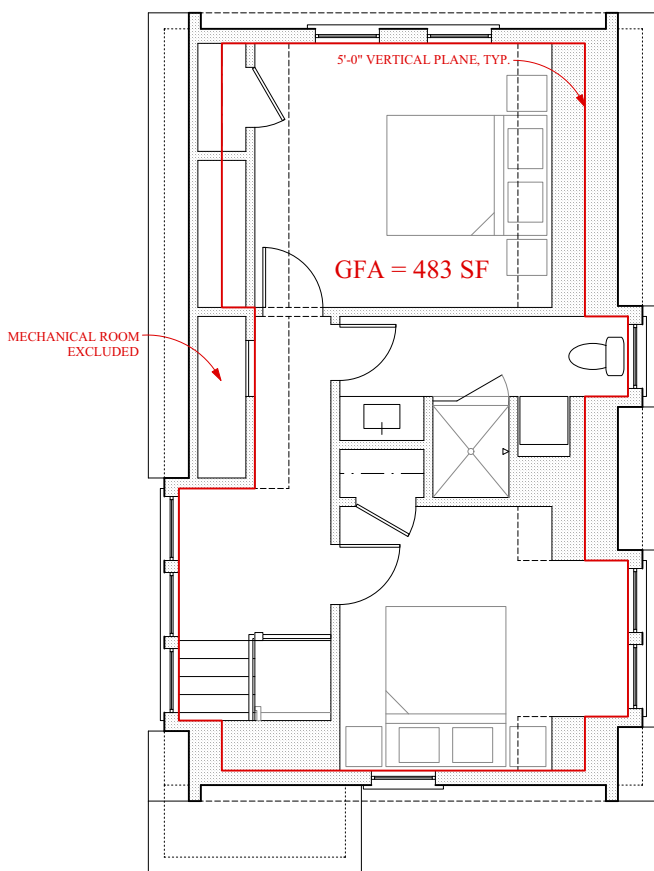
SD GFA



1 FIRST FLOOR GFA



2 SECOND FLOOR GFA



3 THIRD FLOOR GFA

GFA CALCULATIONS	
GARAGE	387 SF
SECOND FLOOR	649 SF
THIRD FLOOR	483 SF
NEW DWELLING GFA	1,474 SF





1 LANDSCAPE PLAN
NOT TO SCALE

FRANK SHIRLEY
ARCHITECTS

40 Pearl Street t: 617.547.3355
Cambridge MA 02139 f: 617.547.2385
www.frankshirleyarchitects.com

PROJECT

New Dwelling for:

MASCIA-WOLF
RESIDENCE

9 Oakland St
Cambridge, MA, 02139

ISSUES / REVISIONS

Date	Description
1 OCT 20	BZA SUBMISSION

NOT FOR CONSTRUCTION

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DRAWING TITLE

Landscape Plan

SCALE

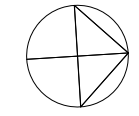
NOT TO SCALE

DATE

October 1, 2020

SHEET NUMBER

SD SITE



Date: 11/15/2020.

Dear Cambridge Board of Zoning Appeals -

We have reviewed the plans for 9 Oakland Street, being filed by Molly Wolf and Patrick Mascia for BZA application 96057. We support this project.

Name: MAYA TATEYAMA

Address: 24 Oak Street, Cambridge MA

Signature: 

Date: 11-7-2020

To the Cambridge Board of Zoning Appeals:

I have seen the plans proposed by my neighbors Molly Wolf and Patrick Mascia of 9 Oakland Street and detailed in BZA case number 96057. I am not opposed to this construction project.

Signature: Domenico DiPattorone

Printed Name: DOMENICO

Address: 10 OAKLAND ST. CAMBRIDGE

Date: 11/9/2020

To the Cambridge Board of Zoning Appeals:

I have seen the plans proposed by my neighbors Molly Wolf and Patrick Mascia of 9 Oakland Street and detailed in BZA case number 96057. I am not opposed to this construction project.

Signature: Giovanni Berlanda Scorza

Printed Name: GIOVANNI BERLANDA-SCORZA

Address: 7 OAKLAND ST. CAMBRIDGE, MA

Community Outreach Summary
9 Oakland Street BZA Variance 96057
9/8/20 through 11/15/20

Outreach by the numbers:

- Ten (10) one-on-one of in-person meetings
- One (1) large group neighborhood Zoom meetings
- Twenty-eight (28) email chains
- Eleven (11) hard copy letters sent to neighbors

Detailed breakout:

Date	Names/Address	Notes
9/8/2020	Susan Markowitz and Richard Krushnic (20 Oak)	Emailed to ask for meeting
9/12/2020	Susan Markowitz and Richard Krushnic (20 Oak)	Met in person Requested shadow study (completed)
9/13/2020	Ella Lesatele and Talanoa Lesatele (10 Oak)	Emailed to ask for meeting
9/13/2020	Emily Gianetta and Andrew Groleau (11 Oakland)	Emailed to ask for meeting
9/17/2020	Emily Gianetta and Andrew Groleau (11 Oakland)	Met in person
9/19/2020	Ella Lesatele and Talanoa Lesatele (10 Oak)	Met in person
9/15/2020	Giovanni Berlanda and Katia Bertoldi (7 Oakland)	Emailed to notify about upcoming BZA submission (several exchanges)
9/21/2020	Valerine Phillipon (6 Oak)	Emailed to notify about upcoming BZA submission (no response)
9/21/2020	Seth Goldfine (8 Oak)	Emailed to notify about upcoming BZA submission (no response)
9/21/2020	Janet Slemenda and Jim Monteverde (12 Oak)	Emailed to notify about upcoming BZA submission
9/24/2020	Susan Markowitz and Richard Krushnic (20 Oak)	Received email requesting to discuss plans with neighbors
9/24/2020	Susan Markowitz and Richard Krushnic (20 Oak)	Printed and left copy of shadow study as requested

9/27/2020	Larissa and Brett Nigro (9 Oak)	Emailed to notify about upcoming BZA submission
9/27/2020	Janet Slemenda and Jim Monteverde (12 Oak)	Met in person to share plans
9/28/2020	Linda Brown (14 Oak)	Left physical letter in mailbox with application and contact information, invitation to meet (no response)
9/28/2020	Valerie Phillipon (6 Oak)	Left physical letter in mailbox with application and contact information, invitation to meet (no response) - <i>second attempt</i>
9/28/2020	Seth Goldfine (8 Oak)	Left physical letter in mailbox with application and contact information, invitation to meet (no response) - <i>second attempt</i>
9/28/2020	Alexander Yi and family (15 Oak)	Left physical letter in mailbox with application and contact information, invitation to meet (no response)
9/28/2020	Dominic and Anna (12 Oakland Street)	Left physical letter in mailbox with application and contact information, invitation to meet
9/28/2020	Matt Kelly and family (13 Oakland)	Left physical letter in mailbox with application and contact information, invitation to meet (no response)
9/28/2020	Jim Monteverde (12 Oak) CC: Janet Slemenda, Susan Markowitz, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerie Phillipon, Talanoa Lesatele and Alexander Yi	Received email request for electronic version of building plans (discussed plans not finalized)
9/28/2020	Susan Markowitz (20 Oak) CC: Janet Slemenda, Jim Monteverde, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerie Phillipon, Talanoa Lesatele and Alexander Yi	Received email request for as-of-right square footage and parking
10/1/2020	Jim Monteverde (12 Oak)	Received second request for electronic version of building

	CC: Janet Slemenda, Susan Markowitz, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerie Phillipon, Talanoa Lesatele and Alexander Yi	plans (again, mentioned plans not finalized)
10/3/2020	Susan Markowitz (20 Oak)	Neighborhood meeting held (Pat and Molly not invited to join)
10/8/2020	Jim Monteverde (12 Oak) CC: Janet Slemenda, Susan Markowitz, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerie Phillipon, Talanoa Lesatele and Alexander Yi	Received third request for electronic version of building plans (again, mentioned plans not finalized)
10/13/2020	Jim Monteverde (12 Oak) CC: Janet Slemenda, Susan Markowitz, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerie Phillipon, Talanoa Lesatele and Alexander Yi	Pat/Molly emailed group that application was submitted
10/15/2020	Jim Monteverde (12 Oak) CC: Janet Slemenda, Susan Markowitz, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerie Phillipon, Talanoa Lesatele and Alexander Yi	Request for application
10/16/2020	Jim Monteverde (12 Oak) CC: Janet Slemenda, Susan Markowitz, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerie Phillipon, Talanoa Lesatele and Alexander Yi	Pat and Molly provided BZA application number
10/19/2020	Jim Monteverde (12 Oak) CC: Janet Slemenda, Susan Markowitz, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerie Phillipon, Talanoa Lesatele and Alexander Yi	Pat and Molly forwarded copy of application to group
10/24/2020	Giovanni Berlanda (7 Oakland)	Emailed regarding plans
10/24/2020	Susan Markowitz (20 Oak)	Hosted meeting not including Pat and Molly
10/24/2020	Susan Markowitz and Richard Krushnic (20 Oak)	Emailed requesting zoom meet with Molly and Pat

10/28/2020	Molly Wolf, Patrick Mascia (9 Oakland) Janet Slemenda (12 Oak) Susan Markowitz, Richard Krushnic (20 Oak) Matt Kelly (13 Oakland) Giovanni Berlanda (7 Oakland)	Group Zoom meeting Request made for GIS map (completed)
10/28/20	Matt Kelly (13 Oakland)	Email to offer to meet to discuss concerns mentioned during Zoon call (<i>no response</i>)
10/29/20	Susan Markowitz, Richard Krushnic (20 Oak)	Received email with neighbors talking points from meeting
10/31/2020	Valerie Phillipon (6 Oak)	Left another letter to share plans - <i>third attempt</i>
10/31/2020	Seth Goldfine (8 Oak)	Left another letter to share plans - <i>third attempt</i>
10/31/2020	Alexander Yi (15 Oak)	Left another letter to share plans - <i>second attempt</i>
11/3/2020	Matt Kelly (13 Oakland)	Emailed to offer to meet to discuss concerns mentioned during group Zoom call (<i>no response</i>)
11/1/2020	Giovanni Berlanda (7 Oakland)	Email exchange
11/2/2020	Jim Monteverde (12 Oak) CC: Janet Slemenda, Susan Markowitz, Richard Krushnic, Larissa Nigro, Brett Nigro, Linda Brown, Matt Kelly, Seth Goldfine, Valerine Phillipon, Talanoa Lesatele and Alexander Yi	Emailed GIS map as requested by neighbors
11/3/2020	Linda Brown (14 Oak)	Left another letter to share plans - <i>second attempt</i>
11/4/2020	Bryan Brown (14 Oak)	Email exchange
11/5/2020	Jim Monteverde and Janet Slemenda (12 Oak)	Emailed notifying that sign posted, offered in-person meeting

11/5/2020	Larissa and Brett Nigro (9 Oak)	Emailed notifying of final plans (no response)
11/6/2020	Inman Hardware Store	Met to review plans
11/7/2020	Top Cleaners	Met to review plans
11/7/2020	Jim Monteverde and Janet Slemenda (12 Oak)	Met understand concerns
11/7/2020	Dominic and Anna (12 Oakland)	Met to review plans
11/7/2020	Giovanni Berlanda (7 Oakland)	
11/11/2020	Jose Perhule (24 Oak)	Met to review plans
11/15/2020	Jim Monteverde and Janet Slemenda (12 Oak)	Emailed to let them know we are proceeding with BZA hearings
11/15/2020	Susan Markowitz and Richard Krushnic (20 Oak)	Emailed to let them know we are proceeding with BZA hearings

* * * * *

(9:22 p.m.)

Sitting Members: Constantine Alexander, Brendan Sullivan,
Slater Anderson, Matina Williams and Laura
Wernick

CONSTANTINE ALEXANDER: The Chair will now call
our last case on our agenda, Case Number 96057 -- 9 Oakland
Street #2. Anyone here wishing to be heard on this matter?

[Pause]

SLATER ANDERSON: Hold for Sean.

SEAN HOPE: Good evening, Mr. Chair. For the
record, my name is Sean Hope. Are you guys hearing
feedback?

CONSTANTINE ALEXANDER: Yeah. It's a little bit
soft. Can you speak louder, or maybe Sisia can turn up the
volume, I don't know.

SEAN HOPE: Sure. It looks like [3:30:21 audio
unclear] on the Zoom and I hear an echo. Oh boy. Hold on,
let me see, okay. Good evening Madam Chair and members of
the Board.

For the record, Attorney Sean Hope, Hope Legal Law
Offices in Cambridge. I'm here on behalf of the petitioners

1 and owners of 9 Oak Street. We have Molly Wolf and Patrick
2 Mascai. We also have Project Architect Frank Shirley, and I
3 thank you for hearing us this evening.

4 So this is an application requesting a special
5 permit and a variance. For the record, the special permit
6 is to add a mudroom to an existing nonconforming, single-
7 family dwelling. And the variance is related to constructing
8 a second, detached structure that requires setback, front
9 and side yard as well as FAR relief.

10 I'd like to go through some of the site
11 conditions, and some of the proposal highlights before I
12 turn it over to the architect to walk through the plans.

13 The lot is approximately 3337 square feet, located
14 in the C-1 District in a residential neighborhood behind the
15 Inman Square commercial thoroughfare. The lot width is
16 narrow. This is somewhat a unique lot, in that it actually
17 -- the lot expands a full block going from Oak Street all
18 the way to Oakland Street. And the lot width is narrow on
19 both of those frontages.

20 So the minimum lot width in the district is 50
21 feet, and the lot on Oak Street is almost half of the
22 minimum at 24.5 feet, and a little more than half on Oakland

1 Street. So these are both very narrow lots, and that is
2 also owing to some of the nature of the hardship.

3 This condition where a lot extends a full block is
4 very rare to the surrounding streets, and is also pretty
5 rare in the district. This is still one lot, and so if you
6 look at the lot, you would think the front is on Oak Street,
7 and the rear is on Oakland Street. But if you look at it,
8 because it expands a full block, you actually have two
9 frontages.

10 And so, if you look at the existing streetscape,
11 the idea that there is asphalt and parking and not another
12 residential structure is unique to the lot, and so part of
13 what we are contending with is how do we best develop the
14 lot in such a way that the lot is consistent with the
15 streetscape, and also manages the petitioner's needs?

16 So from an Urban Design perspective, you rarely
17 see vacant or empty lots that are abutting the street in
18 Cambridge. And so, in many ways, this proposal that seeks
19 relief to fill the structure with an additional house in a
20 residential district we feel makes a lot of sense in terms
21 of the context of the street, the neighborhood, and also,
22 the goals of the city.

1 So some of the --

2 FRANK SHIRLEY: [3:33:31 indiscernible]

3 SEAN HOPE: Excuse me? Can you hear me? Hello?

4 SLATER ANDERSON: I can hear you, Sean.

5 MATINA WILLIAMS: I can hear you, Sean.

6 CONSTANTINE ALEXANDER: I can hear now.

7 SEAN HOPE: Okay. I will speak louder, I
8 apologize. So in terms of the proposal highlights, the lot
9 area per dwelling unit allows for two structures -- two
10 detached structures -- on this site, so that a second
11 structure is within the lot area per dwelling unit.

12 I'd like to just point out to the Board that
13 section 1.03 in the preamble of the ordinance calls for the
14 most rational use of land in the city.

15 And I would contend that having an empty lot
16 that's meeting the street in a residential district is not
17 the most -- is not the highest and best use or rational use,
18 and I believe that a dwelling such as the one proposed is
19 consistent with the intent and purpose of the ordinance.

20 And also, you know, there are several houses on
21 Oak and Oakley Street specifically that don't -- the ones
22 that don't have driveways have very similar setbacks,

1 challenges in terms of front yard setbacks and side yard
2 setbacks.

3 So when we go through the proposal, I would like
4 the Board to also look at the conditions on the adjacent
5 lots -- specifically the ones that don't have curb cuts and
6 driveways. And you'll notice that there's a consistency
7 throughout.

8 And then lastly, before I turn it over to the
9 architect, I would just like to talk to the Board about the
10 hardship. And the hardship is owing to the narrow and long
11 shape of a lot, such that a normal structure to accommodate
12 the typical household family unit can't be constructed
13 without zoning relief.

14 Some of the letters in opposition to the proposal
15 seem to and can that just by adhering to the ordinance, that
16 a viable and practical structure could be proposed without
17 relief.

18 In our analysis looking at the lot, that's just
19 zoning fiction. Oftentimes, as the Board recognizes, zoning
20 can be an accrued instrument, and when the Board issues
21 variances approvals, it's usually based on that there's a
22 hardship that would result from adhering strictly to the

1 ordinance.

2 We did look at the as-of-right options. We can
3 discuss those further in the proposal. I've always
4 counseled clients and start off to see what can be done as-
5 of-right.

6 In this case, there cannot be a feasible and a
7 habitable -- I would say more functional structure -- to be
8 built to adhere to all the setbacks and primarily setbacks
9 in FAR, because of the narrowness and the shape of the lot.

10 So if you accept the premise that a practical
11 structure can't be built without zoning relief, then the
12 question for this evening is what is the appropriate relief
13 to be able to accommodate a habitable structure, given the
14 petitioner's needs, the context of the neighborhood and the
15 patterns of the development that have existed on Oak and
16 Oakman Street.

17 I would now like to turn it over to the Project
18 Architect to walk you through the plans.

19 CONSTANTINE ALEXANDER: Before you do that, Sean,
20 you are quite aware I assume -- I'm sure you are -- there is
21 substantial neighborhood opposition to what is being
22 proposed. You're also, obviously, aware that this is a very

1 -- you're talking about, you're right, a narrow lot, but
2 it's tucked in between two other buildings.

3 And you're going to have a -- and you're talking
4 about doubling the size of the structure. You're going to
5 go from -- right now the FAR is 0.52, which is compliant
6 with our ordinance, which has a limit of 0.75.

7 You're proposing to go to 1.02, which is almost 50
8 percent in excess of what our ordinance says. I'm sorry, I
9 can't find support the relief that's being sought. I'm only
10 one of five, but I think this is the wrong project for the
11 wrong street, and certainly the wrong lot.

12 And all I've heard in the material as to why a
13 substantial hardship, is a hardship to the current owners of
14 property. And you know well that the hardship has to be a
15 hardship that runs with the property, and so anyone who owns
16 the property will have this hardship.

17 So I'm -- you know, I'll be happy to hear Mr.
18 Shirley, but I have strong misgivings about granting relief
19 here, and I plan to vote no with regard to the variance.

20 SEAN HOPE: And Mr. Chair, I understand your
21 point, and I would just --

22 CONSTANTINE ALEXANDER: I'm sorry, Sean, you've

1 got to -- you're very faint. I can't hear you again.

2 SEAN HOPE: Excuse me, sorry. Mr. Chair, I would
3 just ask if you could please hold a judgment until we
4 present the full presentation. But I do understand your
5 point. Just a point of clarification, we are not doubling
6 the size of an existing structure. So there is an existing,
7 nonconforming structure and there's a mudroom -- small
8 mudroom being attached to that.

9 We are proposing a 1500 -- approximately 1500
10 square foot additional structure that would be on Oakland
11 Street that is now asphalt parking and paved surfaces.

12 So I think to the extent that a 1500 square foot
13 house that is much in keeping with the other houses that are
14 on Oakland Street, I just think the context of it is
15 something that I would like the Board to look at. But if --
16 so that's one.

17 Also two, you know, when we look at the allowable
18 FAR on the lot, and this is what the -- this is to me part
19 of the hardship is what's left to remain is something that
20 wouldn't be practical if we didn't have the additional FAR
21 relief that we're asking for.

22 But why don't I -- I'll turn it over to the

1 architect and we will walk through this and see if we can
2 maybe understand -- help explain the rationale somewhat.

3 FRANK SHIRLEY: Good evening, can everybody hear
4 me okay?

5 [Pause]

6 Mr. Chair?

7 BRENDAN SULLIVAN: You might raise your voice a
8 bit, if you could.

9 CONSTANTINE ALEXANDER: Yeah, it's --

10 FRANK SHIRLEY: Okay.

11 CONSTANTINE ALEXANDER: It's very hard to hear
12 you, sir.

13 FRANK SHIRLEY: Yeah. I think there's some issues
14 with the Zoom connectivity tonight. If I can be heard now,
15 first thank you, Mr. Chair and the Board for hearing our
16 matter this evening.

17 My name is Frank Shirley, with Frank Shirley
18 Architects. I'm the architect on the project. My office is
19 in Central Square. And I'll move right in to the slideshow
20 that's going forward.

21 So the image that we're looking at here, on this
22 first slide, the blue house is the home of Patrick and

1 Molly, the petitioners. A one-story addition is proposed
2 off the left-hand corner of that blue house, which we'll
3 review later. The -- on the left-hand image, the paved
4 parking in the foreground, which can hold up to four cars,
5 is the open site in which a new dwelling is proposed.

6 The gray house to the right is -- to the right of
7 the parking is 9 Oak, an abutter. And the group of cane
8 structures, so the bay structures to the left, the abutters
9 are 11-15.

10 If we could go to the next slide? Okay. So here
11 is the -- existing conditions. North is up on this page,
12 and Oak Street is to the left, and Oakland Street is to the
13 right. The existing house, the blue house that you saw on
14 the prior slide, is hatched. In the right hand side, you
15 can see it's right at the street front.

16 And in the left-hand side, if you look to the
17 rather large rectangle shown, you know, that is the point A.
18 It's marked there, point A -- parking.

19 Next slide?

20 CONSTANTINE ALEXANDER: Thank you.

21 FRANK SHIRLEY: Okay, so in this image, this is
22 the site plan of the proposed changes. And I just see -- my

1 apologies, but the north arrow is incorrect on that image.
2 The north arrow should be pointing up, not to the right. So
3 north is up on the page, as it was on the prior plan.

4 So what you are seeing here in the shade of blue
5 are the proposed changes. The blue rectangle on the
6 existing house is a proposed one-story mudroom addition.
7 And the proposed polygon on the left-hand side is the new
8 building that we are proposing.

9 Next slide, please?

10 And this is just a kind of quick example of kind
11 of the landscape intent of the -- of Molly and Patrick, what
12 they'd like to do to the site and to make it kind of an
13 urban voices in this open space area.

14 Next slide, please?

15 Okay. So all of this is now the -- we're going to
16 move in to the proposed mudroom addition, which is circled
17 in red. Okay.

18 Next slide, please?

19 Okay. So if we -- in this image, we're looking
20 now at the existing house and mudroom -- [yeah, that's
21 helpful, thank you.] So the kind of gray walls define the
22 new mudroom, and existing obviously is below that.

1 The existing house is quite modestly sized. The
2 first floor is approximately 740 square feet gross. The
3 first floor presently consists of three rooms; a living room
4 stair hall, which is to the right, a breakfast room, which
5 is right in the middle there, and the kitchen area.

6 There is no area for the family coats and shoes or
7 kids' gear and backpacks, et cetera. There is no bathroom on
8 the first floor. The need for both is, in my opinion, clear
9 and reasonable. Patrick and Molly, the petitioners, are
10 putting down roots in our city with their first child, who
11 will be a native Cantabridgian due in about a month, so
12 that's pretty cool.

13 I personally am a parent to teenagers, and I
14 understand the importance of having a dedicated area for
15 everything from baby carriers to school backpacks, to
16 baseball caps and winter boots.

17 This proposed mudroom is too small for that, it's
18 not going to hold everything, but at least it can hold some
19 things. I also understand the need for a first floor powder
20 room. Without one, visiting friends and guests have to be
21 directed upstairs to use the family's bath, and that is to
22 no one's preference.

1 Next slide, please?

2 [Pause]

3 Nope. Yup, that's it. And now we're looking at
4 two elevations of the house; the one-story component of both
5 those elevations is the proposed mudroom. Everything else
6 is the existing house. There are no changes planned to the
7 house, other than this mudroom off of the north corner of
8 the existing house.

9 It gets to -- you know, predictably, it's one
10 story. It doesn't increase the existing nonconformity on
11 the lot for setbacks. And the proposed setbacks of this
12 mudroom are roughly 3.5 feet greater than the house's
13 current side yard setbacks, which are on both sides under
14 two feet.

15 If we can go to the next slide?

16 All right. So now transitioning here, this is --
17 the building circled in red is the proposed residence. So
18 we'll start the discussion of the new building. I'd like to
19 stay on this slide for a little bit to talk about it. I
20 think as you can see, as Sean pointed out, 9 Oakland, the
21 lot, extends fully between two parallel streets, Oak and
22 [3:46:55 indiscernible].

1 I believe in this neighborhood only 11-15 Oak is
2 the only other residential lot on these streets that does
3 this. And for what it's worth, it has dwellings fronting on
4 both streets. 11-15 is in an abutter to the north.

5 My client would like to build a new dwelling here
6 to serve multiple needs for their family, which they are on
7 this evening and certainly can discuss further if the Board
8 would like to hear them.

9 The goals for the building -- primary goals --
10 provide one parking space for each dwelling, and provide a
11 two-bedroom dwelling itself.

12 The building's siting, which Sean mentioned and
13 wanted me to talk more about: So there's a strong precedent
14 on both Oak and Oakland for the houses to sit on or near the
15 property line. And so, siting is common in urban
16 neighborhoods. It creates a street wall that preserves open
17 space behind the buildings.

18 And at 9 Oakland, my client's property, there's an
19 existing single-family house that sits tightly on one end of
20 the lot, leaving accessible lot fronting on Oak Street.

21 In this proposal, we have opted to place the
22 building five feet from the Oak front yard, front yard

1 setback, and to maintain kind of these siting precedence
2 elsewhere on the street and on Oakland, and -- which is also
3 actually quite near but slightly more than the most
4 immediate abutter, 9 Oak, which is to the south.

5 Summary of reasons for this are several. It
6 relates to the prevalent siting in the neighborhood, it
7 eliminates the chance of a car being parked in front of the
8 building. It reduces paving on the lots.

9 And perhaps most importantly, at least -- you
10 know, from my vantage point -- it increases the contiguous,
11 pervious open space between buildings. This space can also
12 -- this, you know, larger, contiguous base can also be
13 enjoyed by the abutters.

14 Perhaps the importance of this approach can be
15 best exemplified by the immediate abutters to the south, 9
16 Oak and 7 Oakland. Both houses sit very close to their
17 front property lines, creating a more common open area
18 between them. And in fact, both houses have organically
19 opened up onto this shared open space over time.

20 I'm not sure if it's possible for the moderated to
21 go back to slide 1 just really quickly, because I think that
22 would show that. Yeah. So if we look on the right hand

1 image, there -- again, the blue house is the petitioner's
2 houses.

3 The gray house, and then the green house behind
4 it, those two houses, 9 Oak and 7 Oakland, sit right on
5 their front yard setbacks. So they had this shared,
6 contiguous open space between them and you can see how both
7 buildings have opened up onto those -- the green building
8 now has this kind of glassy façade and steps leading out
9 into that open area, and the gray building has, you know,
10 porches at both floors and stairs leading into the open
11 area.

12 And that's -- you know, that's to be expected.
13 And that is one of the primary reasons why we thought siting
14 the buildings as such would create that exact same
15 environment.

16 And it's not only for example at 9 Oak and 7
17 Oakland so they enjoy that larger, contiguous open space,
18 but abutters do too. I mean, my client certainly does, and
19 -- well, actually to the, I believe to the south of them is
20 a commercial space on Cambridge Street. So that doesn't
21 really -- they don't get to enjoy it.

22 But in general, creating a larger contiguous space

1 can have real benefit that you can see organically people
2 move toward just in the way they've modified their buildings
3 at the time.

4 Okay, enough on that slide. Maybe go back to the
5 -- no, let's go to slide 9, and what would be the next slide
6 in the presentation.

7 [Pause]

8 There we - one more please, if you don't mind.
9 Yeah, thank you. So these are the floor plans -- the
10 proposed floor plans of the new dwelling. First-floor plan
11 is on the right, second-floor plan center, third-floor plan
12 on the left.

13 The first floor plan consists of two parking bays.
14 The building is 20 feet wide, so it's 30-foot wide lots at
15 Oak, with a five-foot setback proposed on the side yard. So
16 it leaves a 20-foot wide building on the exterior dimension,
17 which provides, arguably a minimally acceptable, sufficient
18 room to park two vehicles.

19 The second floor is against the dwelling, which is
20 a kitchen and a living room and a powder room, as you can
21 see.

22 And the third floor, which is under a roof --

1 which is why it kind of looks kind of irregular, because
2 except where we have dormers, there are -- you know, we're
3 showing where the walls actually provide useable height. So
4 it's two bedrooms that share a bathroom at the third floor.

5 I'm trying to think. I think that's -- yeah,
6 that's -- yeah, go to the next slide, please, if that's
7 okay? Thank you.

8 So these are the elevations showing at the top
9 right is the front elevation. That's what looks out onto
10 Oak. Directly below that is the rear elevation that would
11 face Patrick and Molly's house. Top left is the elevation
12 looking north, that would be facing the 11-15 Oak abutter.
13 And then the bottom left is what faces 9 Oak.

14 Go ahead and go to the next slide, please? Thank
15 you.

16 So this is just a GIS map of the neighborhood.
17 You can see Oakland Street labeled. Oak Street is to its
18 left. The two red polygons that you see kind of in the
19 middle of page, the tiny one is the mudroom addition. The
20 larger one is the proposed house.

21 And I think this -- I think there are several
22 things to note on this. First of all, the number of project

1 yards that are shared between abutting properties, how
2 commonplace that is -- again, between 7 Oakland and 9 Oak
3 you can see.

4 Actually on 14 and 20 Oak to -- in a similar way
5 share those, and up and down the street. Again, that kind
6 of shared, open use of the space I think is an asset to the
7 enjoyment of living in this neighborhood, while maintaining
8 the street front along the streets.

9 You can see the overall neighborhood density. The
10 9 Oakland is arguably within this view perhaps the least
11 dense lot in the entire neighborhood. It's -- you know,
12 it's a neighborhood -- it's an urban neighborhood.

13 You can look on both streets again and kind of
14 notice -- like, on Oakland Street how strong the street
15 [3:54:50 indiscernible] to how close all the buildings
16 front on the street. Similarly on Oak.

17 And as you look at this plan -- and Sean talked
18 about this much more eloquently than I am going to be able
19 to -- our site is kind of the missing tooth in the
20 neighborhood. And putting a modest dwelling here is
21 contextually appropriate.

22 Okay, next slide, please, if you may?

1 So these are just a couple of context photos. I'm
2 sure everyone's visited the site, but just so everyone
3 knows. So these are looking straight down Oak Street. So
4 the image on the left is standing just basically at
5 Cambridge Street looking due north up Oak Street.

6 And then the other image is going right down near
7 close to the Somerville line and looking to the south.

8 Just to give you a little bit more context, on the
9 left-hand image, the brick building is a commercial
10 building, and it fronts on Cambridge.

11 The set of green rowhouses there, that is 6-12 Oak
12 Street. 9 Oak is the first gray house on the right-hand
13 side, and it is the immediate abutter. And then you can see
14 the triple deckers on the same side of the street two lots
15 down from our site.

16 On the right hand side -- the triple deckers are
17 now in the foreground -- that's probably not going to be set
18 in this image.

19 Can you go maybe to the next image? Yes.

20 BRENDAN SULLIVAN: This is Brendan Sullivan. You
21 know, I think the point they're trying to make, Mr. Shirley,
22 is that what you're trying to do is -- you keep mentioning

1 precedent. And yet all of the -- the neighborhood was all
2 built prior to zoning. And then zoning comes along, and
3 then obviously establishes parameters for development.

4 It is probably the most densely populated and
5 overdeveloped area in the city -- that's all the way through
6 East Cambridge.

7 Then they came along, and even though it is C-2,
8 said, "You, that's not a good idea to replicate that, and to
9 continue that pattern of development where it's just no
10 setbacks, and it's really cheek to jowl."

11 And so, I don't buy the argument that, you know,
12 though there's precedent there for this type of development
13 we should continue that. And I think that -- again --
14 Attorney Hope had mentioned in his opening remarks about,
15 you know, 1.30 the purpose -- I know you had mentioned,
16 Sean, that you encouraged the most rational use of land
17 throughout the city.

18 If you read that paragraph, it also says, "to
19 provide adequate light and air, " which I think detracts
20 from the abutting property. If you build this, it does
21 detract from the light and the air.

22 "To prevent the overcrowding of land, to avoid

1 undue concentration of population. Further, to encourage
2 the most rational use of land throughout the city, including
3 an encouragement of appropriate economic development." I
4 don't think that this is it.

5 And, you know, to continue showing examples of how
6 the area is developed, you don't convince me. Because
7 obviously they did not exempt this area from zoning. They
8 basically encumbered this area with the zoning ordinance.
9 And until -- unless there is an extreme case to vary the
10 ordinance, you know, it should comply with it.

11 Again, the hardship I don't see the hardship. And
12 in reading the readings, they really are of a personal
13 nature. It's not related to the soil shape or topography,
14 which is not -- even though it's a vacant lot, there's
15 nothing unusual about the soil conditions, as pointed out.
16 There's nothing unusual about the shape of the lot, which is
17 rectangular, or the topography, which is flat.

18 So you can continue on, but I'm not convinced.

19 SEAN HOPE: Mr. Sullivan, could I just make a
20 couple of comments based on your comments? And I do
21 appreciate --

22 CONSTANTINE ALEXANDER: Sean, we can't hear you.

1 SEAN HOPE: Okay.

2 BRENDAN SULLIVAN: You have to speak up, Sean.

3 SEAN HOPE: I will speak louder. I'm not sure why
4 my sound is -- so a couple of points. So I would argue that
5 the shape of the lot is unique. It is not a true rectangle.
6 It has jogs in it. So it almost has five -- four or five,
7 depending on how you count it -- side yard setback.

8 I would also say the shape also extends to the
9 fact that it goes for a full block, which -- although it's
10 not the only lot on the street, it is a unique condition.

11 Part of the petitioner's rationale is for
12 multigenerational living. And I have heard the Board talk
13 about unique to the petitioners, but I do believe
14 multigenerational living is becoming much more common, due
15 to the way that people operate, the cost of housing and how
16 families are living together. So I would say that it's a
17 combination of the shape of the lot.

18 Now, also, if the lot did not allow for two units,
19 I would understand the Board's -- fully understand that the
20 zoning said, "You can't have two units, we want to have two
21 units, too bad for you." That's not what the ordinance says.
22 The ordinance allows for two units, and so --

1 BRENDAN SULLIVAN: But Sean, wait a minute, that's
2 only one measure. That's only one measure to say the lot
3 area per dwelling unit.

4 SEAN HOPE: I fully understand that. I'm just
5 saying.

6 BRENDAN SULLIVAN: And then you start with the
7 setbacks. And then the open space.

8 SEAN HOPE: Understood. But we did --

9 BRENDAN SULLIVAN: And then all of a sudden, you
10 know, you come down to, "Well, we can't -- it won't support
11 two units."

12 SEAN HOPE: Well, um--.

13 BRENDAN SULLIVAN: So again, the lot area per
14 dwelling unit is only one measure.

15 SEAN HOPE: Understood.

16 LAURA WERNICK: Can I hear a little bit more from
17 the petitioner? I don't -- maybe I missed it. But how are
18 they intending to use this? What's the purpose?

19 SEAN HOPE: Molly or Patrick, would you either be
20 willing to speak to that?

21 MOLLY WOLF: Sure. My name is Molly Wolf, with
22 Patrick Mascai.

1 LAURA WERNICK: Again, you have to speak really
2 loudly.

3 MOLLY WOLF: Sorry. My name is Molly Wolf, and my
4 husband Patrick Mascai. Thank you for taking the time to
5 hear our case tonight. We purchased the 9 Oakland Street
6 property in February 2019, and we've rented in Cambridge
7 together for a long time before that.

8 As Sean and Frank mentioned, we got married last
9 summer and we're growing our family. We're expecting our
10 first kid shortly. We purchased the property with the goal
11 of kind of creating a multigenerational home, and because of
12 the flexibility we hoped it would provide.

13 When we thought about building a multigenerational
14 home, I think we have a couple reasons in mind, the first
15 being elder care. We're anticipating that at least one
16 parent will be living with us soon -- specifically my mother
17 and we -- our hope is, we'd be hoping that she could live on
18 the property with us.

19 We actually -- in one of the drawings that we
20 submitted to the Board; we did put a place for an elevator
21 shaft to be added in the future. She doesn't need one right
22 now, but it would be something we could add in the future.

1 The second being live-in child care. We're hoping
2 to have many kids. We both work extremely long hour, full-
3 time jobs, and we would be hoping to have someone who could
4 live with us to help provide child care.

5 The third would be that Patrick's family lives in
6 Ohio, and it's very difficult for them to come to Boston to
7 pay for the hotels or Airbnbs around here, so a place for
8 them to stay.

9 And then the mudroom is essentially, in addition
10 to the second structure, would be a more practical entrance
11 for our family to enter the main home from the Oak Street
12 side, which is where we generally tend to park and enter the
13 home from.

14 LAURA WERNICK: I have to say I'm pretty torn on
15 this one, because right now you have a parking -- you know,
16 double parking space there. So the footprint is already not
17 used for grass or recreation in any way. It does seem to be
18 overbuilt -- I mean, to have a two-bedroom unit on that site
19 seems a lot, in addition to your house.

20 I do feel in terms of the streetscape, there's
21 some positive things about -- as, I can't remember, I think
22 it was Mr. Shirley said filling in the empty gap there.

1 So I think that this could be potentially be made
2 reasonable. I do have -- it does seem like this could also
3 be -- you could end up with multiple people in that house.

4 And this lot -- maybe not you but in the future,
5 all of a sudden, we have two, a place that could be rented
6 out and could have multiple people in there, and all of a
7 sudden you have much more density. The way you're
8 suggesting it's use I think could be appropriate, but I
9 think the potential for misuse is pretty darn high.

10 So I can kind of see both the petitioners'
11 desires, and I think they're reasonable, but it does leave
12 it -- the possibility of it being -- becoming dense in a way
13 that detracts from the neighborhood. So I think there is a
14 -- what's being expressed here is kind of concern about
15 misuse of the opportunity.

16 FRANK SHIRLEY: Thank you.

17 SEAN HOPE: Okay, thanks.

18 LAURA WERNICK: So I guess I'd be much more
19 comfortable if you did the same thing with just a studio
20 apartment or a potential one bedroom.

21 CONSTANTINE ALEXANDER: Thank you, Laura. Any
22 other questions from members of the Board before I open this

1 up to public testimony?

2 MATINA WILLIAMS: With the -- piggybacking what
3 Laura said, is there any way to make it all one bedroom?

4 SEAN HOPE: That's a really good question. So
5 when we looked at what the as-of-right -- and Frank, please
6 correct me -- when you look at the as-of-right viability,
7 what additional square footage would be left over staying
8 within the 0.75, I think we came up with approximately 600
9 square feet. Is that thereabouts?

10 Frank, you're on mute.

11 FRANK SHIRLEY: I'm sorry, yes. If we were to
12 build a completely as-of-right building -- that would be
13 setbacks and FAR GFA -- the proposed building would have an
14 area of about 615 square feet. That's what could be built,
15 completely as-of-right.

16 SEAN HOPE: Right. So that could likely be a
17 studio or a one bedroom, a very tight one bedroom -- more
18 likely a studio on top of parking, if we kept the
19 arrangement of parking. I think one of the goals was to
20 change the experience on Oakland Street from asphalt and
21 parking to something more residential.

22 And so, although there has been -- there were

1 opposition comments to the garage parking for aesthetic
2 reasons, part of that was to be able to contain the parking
3 and for this to feel much more residential -- this portion
4 of the lot.

5 So I would say that if the Board felt that --
6 agreed that a residential structure would improve the
7 streetscape and make it feel more residential, but was
8 bothered by how much square footage we were requesting, I
9 think that I can't speak for the petitioners, but in terms
10 of what's possible, a 600 square foot structure would keep
11 us within the 0.75.

12 I don't know if that would achieve the
13 petitioner's goals for multigenerational living. They'd
14 have to speak to that.

15 CONSTANTINE ALEXANDER: Slater, do you have any
16 questions you want to ask?

17 SLATER ANDERSON: No questions.

18 CONSTANTINE ALEXANDER: Okay. I will now close
19 public -- I mean, I will open the matter up to public
20 testimony. Any member of the public who wishes to speak
21 should now click the icon at the bottom of your Zoom screen
22 that says, "Raise hand." If you're calling in by phone, you

1 can raise your hand by pressing *9 and unmute or mute by
2 pressing *6.

3 I'll wait a moment or two, see if Sean has anyone
4 who wishes -- who's calling in who wishes to speak?

5 SEAN O'GRADY: Yes, Gus, you do have speakers.
6 Mr. Scorza?

7 GIOVANNI BERLANDA SCORZA: Sorry, maybe -- I'm
8 sorry, is that my name you're trying to spell?

9 SEAN O'GRADY: Yes, I think so.

10 GIOVANNI BERLANDA SCORZA: So my name is -- my
11 first name is Giovanni Berlanda, Scorza is my last name.
12 I'm the owner of the property south of the petitioner's
13 house. I'm in 7 Oakland Street. I have already stated this
14 in writing, but I am supporting the request.

15 I've been enjoying living in this building for the
16 last five years -- 10 years in the neighborhood. I like the
17 neighborhood. I lived for five years on Hawthorne Street,
18 which is just down the road from Oak. And I have always
19 seen this empty lot as an unusual thing in the neighborhood.

20 So I don't have any problem seeing a new building
21 being constructed there. It would be very noticeable from
22 my kitchen, which is what the architect showed for the green

1 building with a lot of grass. But I think it will be a
2 completing piece of the neighborhood. Thank you.

3 CONSTANTINE ALEXANDER: Sean, and anybody else?

4 SEAN O'GRADY: Richard Trosnik? Krushnik, I'm
5 sorry.

6 RICHARD KRUSHNIK: Yes. Can you hear me?

7 SEAN O'GRADY: Yes. Go ahead.

8 RICHARD KRUSHNIK: Okay. So the -- you have our
9 letter from eight of the surrounding residents, and then
10 Corinne a couple houses down the street sent something in
11 this morning saying she also wanted to sign on to our
12 letter.

13 We were concerned about the garage. We didn't
14 like having the garage right on the street. There is no
15 garage on the street anywhere on the block. There's no
16 garage at all on the street. And we were concerned about
17 the community process.

18 Patrick and Molly were very good about informing a
19 wide swath of the community about their intentions, which is
20 very good. And in that sense, they were very transparent
21 and complete in the information they've provided, and very
22 responsive.

1 But when we issued our concerns, they did not want
2 to discuss our concerns. We suggested alternatives that
3 might be less impactful to the neighborhood, which we wanted
4 to discuss and encourage the presentation of alternatives
5 that we could discuss.

6 We also indicated that we would not object to
7 anything they did as-of-right, but they were unwilling to
8 discuss any of that with us. So that bothered us quite a
9 bit. We didn't feel that was really what qualifies as
10 community outreach.

11 Just noting in terms of possibility, we realize it
12 is very tight. We respect their wishes and objectives. But
13 I would like to note that there's 14 tandem driveways on the
14 block on one side of the house, just like on the house next
15 to them -- on both sides, actually -- where people park one
16 car behind the other and so on.

17 That is the standard method of parking on the
18 block, and they could do that right here. They could have a
19 tandem -- still have two cars. They could have a second
20 story built above, you know, the driveway. They could have
21 a two-story structure with a, you know, what they're showing
22 is two cars so one of those could be -- you know, useable

1 building space on the first floor with the tandem driveway
2 next door. And they could have a second floor.

3 And I don't know, maybe we'd even be willing to go
4 a little over 600 square feet or whatever. But we're not
5 given the opportunity to discuss that or consider that. And
6 I'd just also like to note that, you know, we're not really
7 pleased about the five feet on the front. Three of the four
8 surrounding houses there have in excess of 10 feet on the
9 front. 14, 20 and 15 have that on Oak Street.

10 But they're right, there are a number of houses on
11 the street that have five-foot setbacks, but three of the
12 four right in front of them there actually have an excess of
13 10 feet.

14 And while, you know, obviously it would be nicer -
15 - we can understand they like to have more of the yard
16 space, it's very reasonable in a way, but we still would
17 prefer that it stayed at 10 feet.

18 What else did I want to say? Oh, well, I don't
19 know. You know, we're not experts on hardship, but -- so
20 maybe we misunderstand what that's supposed to mean, but to
21 us -- I mean, the fact that when they bought the lot a
22 little over a year and a half ago, they knew what they were

1 buying, they knew what the zoning allowed. They paid almost
2 \$2 million dollars for it. I mean, so we're having a little
3 hard time seeing the hardship.

4 And also, we're not questioning what they want to
5 do, but on the other hand it seems a little -- I mean, is
6 this really the best option for elder people who are getting
7 frail to have the bedrooms on the third floor?

8 One of the options we suggested was using their
9 basement space, adding on to their existing structure. You
10 know, there are other ways you could accomplish their goals.
11 I mean, maybe they have a special reason for wanting a
12 special -- a separate structure, which there's nothing wrong
13 with that, but bottom line it just seems like too much for
14 the space, and we're not exactly sure how the city defines,
15 "hardship" but it seems to us that this probably does not
16 fit the definition. We don't really see the hardship.

17 Thank you.

18 CONSTANTINE ALEXANDER: Thank you. Sean?
19 Anybody else?

20 SEAN HOPE: Yes. Seth Goldfein, would you like to
21 speak?

22 SISIA DAGLIAN: Go ahead.

1 SETH GOLDFINE: I'll speak just very briefly
2 because I think Richard covered a number of concerns that I
3 had, and you folks have all had a long night. I live at 8
4 Oak Street. I've lived there for somewhere north of 35
5 years now.

6 There was a lot of talk about streetscape today,
7 tonight, and just to very quickly reiterate, I think the
8 notion of putting double -- you know, double door parking
9 garage within five feet -- you know, with just the five-foot
10 setback is entirely inconsistent with what goes on in the
11 neighborhood.

12 And again, I won't -- Richard touched on other
13 concerns I had, but I just wanted to underscore that. Thank
14 you.

15 CONSTANTINE ALEXANDER: Thank you. Sean?

16 SEAN O'GRADY: And Janet, did you want to speak?

17 JANET SLEMENDA: Yes. Janet Slemenda, I live at
18 12 Oak Street. I wanted to say that Richard again spoke
19 pretty much what everybody in the neighborhood is thinking,
20 but we were very concerned at our house about the community
21 outreach. We thought it was a bit hollow in that there was
22 no give and take.

1 And part of community outreach is listening to the
2 concerns of the neighborhood, which were pretty extensive
3 and being responsive. But what we really heard was, "This
4 is what we really want, and we're asking all of you to give
5 to our cause" sort of thing. So that is one thing.

6 And the other -- the thing I just wanted to
7 mention -- was that everyone speaks about this open site as
8 being a bad thing, and it's really a wonderful thing for the
9 neighborhood.

10 And I've been here for 34 years, and looking at
11 that space across the street, and it was a beautiful,
12 beautiful garden for many years. And what changed is not
13 Molly and Pat, but the previous owners, who turned it into
14 paving. It wasn't ever paving; it was always green.

15 So I just wanted to let you guys all know that it
16 wasn't this urban blight that it's been suggested it is.
17 And I appreciate what Richard and Seth brought up, as some
18 of my points that I was going to bring up. So thank you
19 very much for listening.

20 CONSTANTINE ALEXANDER: Thank you too. Sean?

21 SEAN O'GRADY: No, I see no other speakers.

22 CONSTANTINE ALEXANDER: Okay, thank you. We will

1 close public testimony. We are in receipt of a substantial
2 -- well, a correspondence, which is both pro and con.

3 But people who are opposed to the project, and who
4 have written detailed letters for the most part, and some of
5 them have already spoken today, like Mr. Krushnik... the
6 occupants of 20 Oak Street, 12 Oak Street, 8 Oak Street, 6
7 Oak Street, 15 Oak Street, 13 Oakland Street.

8 We've had letters of opposition from a Jacqueline
9 and Jonathan King, who reside at 40 Essex Street, a letter
10 from Phyllis Eretholtz, E-r-e-t-h-o-l-t-z, who resides at 65
11 Antrim Street; a letter from Shelly Rieman, R-i-e-m-a-n, who
12 resides at 201 Franklin Street; another letter of opposition
13 from Rachel Wyon, W-y-o-n, who resides at 283 Sydney Street.
14 And then we have letters of support, they're really almost
15 not a letter, they're a little two-line, I'll read it in a
16 second if I can get there. It says, "I have seen the place
17 to put --" I'm sorry. "I have seen the plans proposed by my
18 neighbors, Molly Wolf and Patrick Mascia of 9 Oakland Street
19 and detailed in BZA Case Number 96057. I am not opposed to
20 this construction project."

21 Not the detail that we received for those who are
22 opposed -- the same letter, it's a form from a Domenico --

1 Mr. Domenico, who resides at 10 Oakland Street; I can't read
2 the handwriting -- "Maya Yama", it looks like... no, Tiate
3 yama, T-i-a-t-e Y-a-m-a, who resides at 24 Oak Street; from
4 another person who resides at 24 Oak Street, a Jose Fajales
5 (phonetic), if I've got it right; and another at 24 Oak
6 Street -- a Sandra Gomez. And there are a few more too.

7 But they're all, as I said, forms that are just
8 someone just signed. And there are two or three more.

9 So we have letters of support and letters of
10 opposition. And that's it for public testimony.

11 Sean, do you wish to say anything further before
12 we go into the Board takes up the case on its merits?

13 SEAN HOPE: Yes, I think --

14 CONSTANTINE ALEXANDER: You're very soft, Sean, we
15 can't hear you.

16 SEAN HOPE: I apologize, I'm not sure. I haven't
17 had this issue before with Zoom, so -- so based on the
18 comments from the Board, and from the feedback heard this
19 evening from testimony, it sounds like the proposal that we
20 presented is too large for the neighborhood, but it does
21 sound like a more modified, modest proposal that needed less
22 relief and that would be less impactful might be something

1 that could have some support.

2 And so, what I would ask the Board is, if we -- if
3 the Board would be willing to consider a continuance, again,
4 so that we could possibly modify the structure in such a way
5 that we could take into account some of the suggestions of
6 the neighborhood -- it would be a much smaller and much more
7 reduced -- we could, we could -- it is possible to fit
8 within the FAR. Setbacks on a narrow lot are always a
9 challenge.

10 That said, we -- it's very clear that the -- based
11 on the Board's comments and on the feedback from the
12 neighborhood, the proposal we presented is not palatable.
13 And so, I would respectfully request that we could get a
14 continuance from the Board to see if we could continue the
15 neighborhood dialogue, take in the feedback from the Board
16 in terms of what the neighborhood needs, the density that's
17 existing, and to see if we can come up with something that
18 is compatible with those feedback that we heard this
19 evening.

20 CONSTANTINE ALEXANDER: Well I -- speaking only
21 for myself, I'm never opposed to neighbors speaking to
22 neighbors and trying to resolve disagreements. So I would

1 be proposed (sic) to -- I would be amend to continuing this
2 case. It would be a case heard. So we would have to get
3 the same five of us who are sitting here tonight to hear
4 that case.

5 And the case will not be heard -- the previous
6 case to yours, we only had room -- the first time we had an
7 opening was January 14. So we're talking about not
8 something very quickly.

9 Sisia, what would be the next time we could meet?
10 Then I'll see if the Board members meet that schedule?

11 SISIA DAGLIAN: Now we're looking at February 11.
12 Everything else before that --

13 CONSTANTINE ALEXANDER: February 11?

14 SISIA DAGLIAN: -- before that has three or four
15 cases being heard as continued.

16 CONSTANTINE ALEXANDER: Okay. February 11 I'll go
17 around the room. Are people available? Sean? I mean,
18 Brendan? I'm sorry.

19 BRENDAN SULLIVAN: Brendan Sullivan, yes.

20 CONSTANTINE ALEXANDER: You're available?

21 BRENDAN SULLIVAN: Yes.

22 CONSTANTINE ALEXANDER: Slater?

1 SLATER ANDERSON: I should be available February
2 11, yes.

3 CONSTANTINE ALEXANDER: Okay. Laura?

4 LAURA WERNICK: I believe I'm available on that
5 date.

6 CONSTANTINE ALEXANDER: Matina?

7 MATINA WILLIAMS: I should be available on that
8 date.

9 CONSTANTINE ALEXANDER: And I can be available as
10 well. So I will make a motion to continue this case until
11 February 11. By the way, in the past -- this is mainly for
12 the benefit of the Board members -- we've been hearing the
13 continued cases at 7:00 and the regular agenda starting at
14 6:00, which means we've got to break it up, and that was the
15 result of the pandemic -- all the dislocation it caused.

16 Starting in February, we have no continued cases.
17 So I'm going to move that we continue this case and other
18 continued cases in February and thereafter to 6:00 p.m. So
19 we'll do it like we used.org; we'll start with the continued
20 cases at 6 p.m. and then move on to the regular agenda.

21 So with that in mind, the Chair moves so we
22 continue this case as a case heard until 6:00 p.m. on

1 February 11, subject to the following conditions:

2 1) That the petitioner sign a waiver of time for
3 decision, so that we can meet the requirements of state law.
4 If that wavier is not signed and delivered to the
5 Inspectional Services Department by one week from today,
6 this petition will be dismissed. So you must -- Sean,
7 you're very familiar with this, obviously -- you must get
8 that form, get it signed, get it to the Building Department
9 by one week from today.

10 SEAN HOPE: Okay.

11 CONSTANTINE ALEXANDER: That's the first
12 condition. The second is that a new sign be posted or the
13 current sign be modified with a sign that should be posted
14 and should be maintained for the 14 days prior to February
15 11, just as the petitioners did for the 14 days prior to
16 tonight's hearing.

17 And lastly, to the extent -- and there will be, I
18 assume -- there are new plans, revised plans, dimensional
19 forms and the like, they must be in our files, or the
20 Building Department files, no later than 5:00 p.m. on the
21 Monday before February 11. All those in favor of continuing
22 the case on this basis?

1 BRENDAN SULLIVAN: Brendan Sullivan, yes to
2 continuing. I would ask one other thing, that in your
3 exercise is that you come forward with a plan showing what
4 you can do as-of-right.

5 SEAN HOPE: Okay.

6 BRENDAN SULLIVAN: So yes to the continuance.

7 CONSTANTINE ALEXANDER: And Sean, you've made note
8 of that? So that whatever you're going to file by 5:00 p.m.
9 before February 11, that they include this information or
10 this -- that Brendan has just requested?

11 SEAN HOPE: Yep, we'll have it in the --

12 CONSTANTINE ALEXANDER: Slater?

13 SLATER ANDERSON: I agree to the continuum.

14 CONSTANTINE ALEXANDER: Okay. Laura.

15 LAURA WERNICK: I agree to the continuance as
16 well.

17 CONSTANTINE ALEXANDER: Matina?

18 MATINA WILLIAMS: I agree with the continuance.

19 CONSTANTINE ALEXANDER: And the Chair agrees as
20 well.

21 [All vote YES]

22 Case continued until February 11 at 6:00 p.m.

1 Thank you.

2 COLLECTIVE: Thank you very much.

3 CONSTANTINE ALEXANDER: That's all she wrote.

4 [10:23 p.m. End of Proceedings]

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Pacheco, Maria

oppose

From: Corine Bickley <enablerehab@gmail.com>
Sent: Wednesday, November 18, 2020 6:21 AM
To: Pacheco, Maria
Subject: Opposing letter to ZBA-96057

To the City of Cambridge Board of Zoning Appeal
Re: BZA # 96057

I am Corine Bickley, the owner/resident of 75 Oak Street and also owner of 77 Oak Street, Somerville, a neighbor of the 9 Oakland Street project. I live three houses down across the street from the proposed project and I oppose the Variance and Special Permit applications.

I was unable to attend the meetings that neighbors of Oak Street and Oakland Street had last week. However, I have read their letter of opposition and agree with all of the points in the letter. In particular, I am upset about the two-car garage being placed so close to the street. No other neighbor on our block has a garage on the street. Single wide driveways for tandem parking are common on the entire block. Furthermore, any construction should be set back at least 10 feet, similar to 15 Oak Street, next door, and 14 Oak Street and 20 Oak Street across the street.

Please add my name to the letter in opposition to the 9 Oakland St project signed by the following neighbors:

Richard Krushnic- 20 Oak St. Cambridge
Susan Markowitz - 20 Oak St. Cambridge
Janet Slemenda - 12 Oak St. Cambridge
Seth Goldfine -8 Oak St. Cambridge
Valerie Phillippon - 6 Oak St. Cambridge
Alex Yi - 15 Oak St. Cambridge
Matt Kelly - 13 Oakland St. Cambridge
Annie Kelly- 13 Oakland St. Cambridge

Thank you.
Corine Bickley, 75 and 77 Oak Street, Somerville

Pacheco, Maria

Oppose

From: AmyRugel <amyrugel@comcast.net>
Sent: Tuesday, November 17, 2020 6:00 PM
To: Pacheco, Maria
Subject: 9 Oakland BZA #96057

To the City of Cambridge Board of Zoning Appeal
Re: BZA #96057

I have lived in Cambridge for 45 years- the last 14 years at 1010 Memorial Dr. I am writing to oppose the request for a variance at 9 Oakland St.

The increased FAR of 35% is a huge request. In addition, the 2 car garage facing the street is not at all in keeping with the rest of of the street.

The other houses all have driveways with tandem parking. This would be a much better fit for this new construction. It would also allow for a front door to face Oak St- nicer than the entryway being placed in the rear of the house. At least three of the four houses next to the property on Oak St have set backs of 10 feet or more. So why should this non conforming garage be allowed to be set back only 5 feet?

Neighbors have suggested three alternatives to the proponents' proposal. The proponents, however, have been unwilling to entertain any of these options. They are only willing to consider their original proposal. I don't think this process shows respect for the neighbors.

The proponents are asking a lot, but not willing to negotiate at all.

For these reasons I do not think the proponents are ready to get a variance.

Thank you.

Sincerely,
Amy Rugel
1010 Memorial Dr 14E
Cambridge

Sent from my iPhone

From: Corine Bickley <enablerehab@gmail.com>
Sent: Thursday, November 19, 2020 6:15 AM
To: Pacheco, Maria
Subject: Re: Opposing letter to ZBA-96057

To the City of Cambridge Board of Zoning Appeal
Re: BZA # 96057

I am Corine Bickley, the owner/resident of 75 Oak Street and also owner of 77 Oak Street, Somerville, a neighbor of the 9 Oakland Street project. I live three houses down across the street from the proposed project and I oppose the Variance and Special Permit applications.

I was unable to attend the meetings that neighbors of Oak Street and Oakland Street had last week. However, I have read their letter of opposition and agree with all of the points in the letter. In particular, I am upset about the two-car garage being placed so close to the street. No other neighbor on our block has a garage on the street. Single wide driveways for tandem parking are common on the entire block. Furthermore, any construction should be set back at least 10 feet, similar to 15 Oak Street, next door, and 14 Oak Street and 20 Oak Street across the street.

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Seth Goldfine -8 Oak St. Cambridge
Valerie Phillippon - 6 Oak St. Cambridge
Alex Yi - 15 Oak St. Cambridge
Matt Kelly - 13 Oakland St. Cambridge
Annie Kelly- 13 Oakland St. Cambridge

Thank you.
Corine Bickley, 75 and 77 Oak Street, Somerville

On Wed, Nov 18, 2020 at 6:20 AM Corine Bickley <enablerehab@gmail.com> wrote:
To the City of Cambridge Board of Zoning Appeal
Re: BZA # 96057

I am Corine Bickley, the owner/resident of 75 Oak Street and also owner of 77 Oak Street, Somerville, a neighbor of the 9 Oakland Street project. I live three houses down across the street from the proposed project and I oppose the Variance and Special Permit applications.

I was unable to attend the meetings that neighbors of Oak Street and Oakland Street had last week. However, I have read their letter of opposition and agree with all of the points in the letter. In particular, I am upset about the two-car garage being placed so close to the street. No other neighbor on our block has a garage on the street. Single wide driveways for tandem parking are common on the entire block.

Furthermore, any construction should be set back at least 10 feet, similar to 15 Oak Street, next door, and 14 Oak Street and 20 Oak Street across the street.

Please add my name to the letter in opposition to the 9 Oakland St project signed by the following neighbors:

Richard Krushnic- 20 Oak St. Cambridge
Susan Markowitz - 20 Oak St. Cambridge
Janet Slemenda - 12 Oak St. Cambridge
Seth Goldfine -8 Oak St. Cambridge
Valerie Phillippon - 6 Oak St. Cambridge
Alex Yi - 15 Oak St. Cambridge
Matt Kelly - 13 Oakland St. Cambridge
Annie Kelly- 13 Oakland St. Cambridge

Thank you.

Corine Bickley, 75 and 77 Oak Street, Somerville



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2020 NOV 23 PM 2:44
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 # BZA-96057

Address: 9 Oakland St. #2

Owner, Petitioner, or Representative: PATRICK MASCIU
(Print Name)

hereby waives the required time limits for holding a public hearing as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A. The Owner, Petitioner, or Representative further hereby waives the Petitioner's and/or Owner's right to a Decision by the Board of Zoning Appeal on the above referenced case within the time period as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A, and/or Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C. §1455(a), or any other relevant state or federal regulation or law.

Date: 11/20/20

[Signature]
Signature

Personal Statement
9 Oakland Street BZA Petition Number 96057

Thank you for taking the time to consider our petition. Our names are Molly Wolf and Patrick Mascia. Our home is 9 Oakland Street in the Wellington-Harrington neighborhood of Cambridge. We purchased our home in February 2019. Prior to moving here, we rented a condo together in Central Square. We were married last summer, and we are expecting our first child in December. Molly grew up in the great Boston area, and her family is based locally. Patrick grew up in Ohio, where his family still resides.

We are writing to provide the Board with context as to why we chose to make this house our home, and our rationale for pursuing this construction project.

We both work full-time. Molly works at MGH. Patrick's job requires consistent travel. We considered moving to the suburbs, but we ultimately chose to live in Cambridge to minimize our commutes so that we can maximize family time.

Our top priority in choosing a house in Cambridge was flexibility. There are a few reasons for this, all of them having to do with our need for a multigenerational home.

First, we anticipate having at least one parent will live with us in the near future. This will most likely be Molly's mother, as, unfortunately, Molly's father has an end-stage terminal illness. Costs for residential elder care exceed \$10,000 per month, and many elder care options are currently not safe. It's not clear if or when they will be safe again. You can see that the new structure is designed in a way that would allow us to add an elevator if it is needed. It is currently not needed for our situation.

Second, we anticipate having live-in childcare. Local daycare rates can exceed \$3000 per month per child. God willing we will have more than one child, and the cost of daycare will become prohibitive.

Third, Patrick's parents hope to frequently visit their grandchildren from Ohio for extended stays. They cannot afford to stay at area hotels.

The mudroom addition will allow us to better accommodate all of the gear that comes with a young, growing family. It will also provide a more practical entrance from the Oak Street side of the property where the parking is located.

In our home search, the oddity of this empty lot immediately struck us as having the potential to allow us to meet these interests while living in Cambridge. Notably, we cannot meet these interests by building an as-of-right structure.

Of course, these needs are not unique to our family. More aging in place options are needed, and childcare costs are only rising. Were we to move at some point in the future, another family would benefit from these additions to the home.

We recognize that this is a tight neighborhood and narrow parcel. Understanding this, we have spent significant time on neighborhood outreach. We have reached out directly to every neighbor at least twice. We have met individually with every neighbor who has been willing to

meet. We also purposefully chose a Cambridge-based architect to ensure our team has experience working in tight local neighborhoods.

Our proposal meets several stated interests of the city, namely, it adds multigenerational housing, fits the character of the neighborhood, and preserves off-street parking.

In closing, we would express our deep appreciation for those neighbors that have been open to meeting and particularly for those that provided encouragement along the way. We are grateful.

Thank you for your time and consideration,

Molly and Patrick

1 * * * * *

2 (6:04 p.m.)

3 Sitting Members: Constantine Alexander, Brendan Sullivan,
4 Matina Williams and Jason Marshall

5 CONSTANTINE ALEXANDER: With that, I will call the
6 first continued case, Case Number 96057 -- 9 Oakland Street
7 #2. Anyone here wishing to be heard on this matter?

8 SEAN HOPE: Good evening Mr. Chairman and members
9 of the Board. For the record, Attorney Sean Hope, Hope
10 Legal Law Offices in Cambridge. I'm here on behalf of the
11 petitioners, and we submitted a continuance request in the
12 file. And we would like to be continued to a date in March.
13 I believe there is a hearing date on March 25.

14 And the backdrop is after -- since the previous
15 hearing, we have met with some neighbors and abutters about
16 a revised proposal. We believe that we have come up with a
17 proposal that would be supported by the neighbors, but it
18 has differing relief than our original application.

19 And to avoid any issues of a repetitive
20 prevention, we would like to be continued to the March 25
21 date. That would also allow us sufficient time to submit
22 and application. And we have been in contact with Maria

1 Pacheco at ISD, so that we believe that we can file an
2 application and then also have it heard the same evening.

3 CONSTANTINE ALEXANDER: It's my understanding,
4 Sean, that on March 25, assuming -- and we will continue
5 this case until March 25, we will hear the new file -- the
6 new filed case. We grant the relief, we'll quickly dismiss
7 -- I'll assume you withdraw the continued case, since you no
8 longer need it.

9 On the other hand, if for some reason we deny
10 relief on March 25, then it's your option; we'll proceed
11 with the continued case at that time. Do I have it right?

12 SEAN HOPE: That is correct.

13 CONSTANTINE ALEXANDER: Okay. One of the issues
14 with that is this is a case heard, and we need the first of
15 the five members who were sitting when we first heard this
16 case in November to attend. So I don't know. Sisia, do you
17 know?

18 SISIA DAGLIAN: I do not, because Laura and Slater
19 were on there.

20 CONSTANTINE ALEXANDER: Okay.

21 SISIA DAGLIAN: Matina, you were on there too.

22 CONSTANTINE ALEXANDER: So we'll continue it until

1 that time.

2 If for some reason -- it's actually Laura Wernick
3 and Slater Anderson -- cannot be there at that meeting, we
4 may have to continue that case further, again assuming that
5 we have denied relief in your new filed case.

6 So the Chair moves -- is that okay with you Mr.
7 Hope?

8 SEAN HOPE: Yes. Just to clarify, you bring up
9 the idea that if we can't have the same five Board members
10 on the twenty-fifth that we might have to continue again
11 because it's a case heard?

12 CONSTANTINE ALEXANDER: Well, it will be your call
13 if the case -- if we don't have all five. Let's say we have
14 only four --

15 SEAN HOPE: All right.

16 CONSTANTINE ALEXANDER: You can -- it'll be up --
17 if you want to continue so you'll have five members voting,
18 and that increases your odds of success, this Board has
19 always accommodated that kind of request, because the
20 problem originates with the Board itself. It can't get all
21 the numbers together. So we'll not make a decision at that
22 point.

1 But yeah, the idea would be that we would then
2 further continue the case -- again, this assumes we don't
3 grant relief in the new filed case.

4 But we'll continue the case into a date when all
5 five members who are there for the original case can attend,
6 and it's convenient for you and your client as well, let's
7 just say.

8 SEAN HOPE: Yes. I understand. And yes, we're
9 agreeable to that.

10 CONSTANTINE ALEXANDER: Okay. All right. The
11 Chair moves that we continue this case as a case heard until
12 7:00 p.m. on March 25?

13 SISIA DAGLIAN: Mm-hm.

14 CONSTANTINE ALEXANDER: March 25, subject to the
15 following conditions:

16 One, that the petitioner signs a waiver of time
17 for a decision, and that has already been done since the
18 petitioner had to do that for this hearing tonight. That's
19 been satisfied.

20 The second condition is that a new posting sign,
21 or a modified posting sign, must be maintained, which
22 discloses the new date -- March 25 -- and the new time --

1 7:00 p.m. -- and it has to be posted for the 14 days
2 required for the original posting, as it also is required by
3 our zoning ordinance.

4 And lastly, to the extent that there are new
5 plans, revised plans, specifications, specific information
6 that is not in our files now, that information must be in
7 our file no later than 5:00 p.m. on the Monday before the
8 March 25 hearing.

9 If that is not done, we will not hear the case on
10 March 25. And we'll either dismiss it or further continue
11 it. But we all worry about that when the time comes.

12 All those in favor? Brendan?

13 BRENDAN SULLIVAN: Brendan Sullivan, yes to the
14 continuance.

15 CONSTANTINE ALEXANDER: Matina?

16 MATINA WILLIAMS: Matina Williams, yes to the
17 continuance.

18 CONSTANTINE ALEXANDER: Jim?

19 JIM MONTEVERDE: I believe I've recused myself
20 from this one.

21 BRENDAN SULLIVAN: Jim has recused himself from
22 this one.

1 CONSTANTINE ALEXANDER: I'm sorry?

2 BRENDAN SULLIVAN: Jim has recused himself from
3 this one.

4 CONSTANTINE ALEXANDER: I thought -- okay, you
5 recused yourself. Okay. Who are we now missing?

6 SISIA DAGLIAN: Slater and Laura are not here on
7 the phone.

8 CONSTANTINE ALEXANDER: They aren't?

9 SISIA DAGLIAN: No. So Jason and Alison will have
10 to --

11 CONSTANTINE ALEXANDER: We need one more vote.
12 I'm going to vote to continue the case. We need three.

13 BRENDAN SULLIVAN: Jason.

14 CONSTANTINE ALEXANDER: Have they -- they haven't
15 had a vote. Jason?

16 SISIA DAGLIAN: Jason? Okay, Alison?

17 CONSTANTINE ALEXANDER: Alison? I think we read
18 Alison.

19 JASON MARSHALL: Let me come off video. I mean,
20 am I on? I didn't think I was on this case, but if you need
21 me to vote for a continuance, I can do that.

22 CONSTANTINE ALEXANDER: Yeah. That's all we need.

1 And that's okay.

2 JASON MARSHALL: Okay.

3 CONSTANTINE ALEXANDER: You're not on this case.

4 JASON MARSHALL: All right. Jason Marshall, yes
5 for the continuance.

6 CONSTANTINE ALEXANDER: Okay. Do we have the
7 necessary votes?

8 [THREE VOTE YES]

9 Case is continued until March 25, subject to the
10 all five members who were here for the original case are
11 available and sitting that night.

12 Thank you, Sean.

13 SEAN HOPE: Thank you.

14

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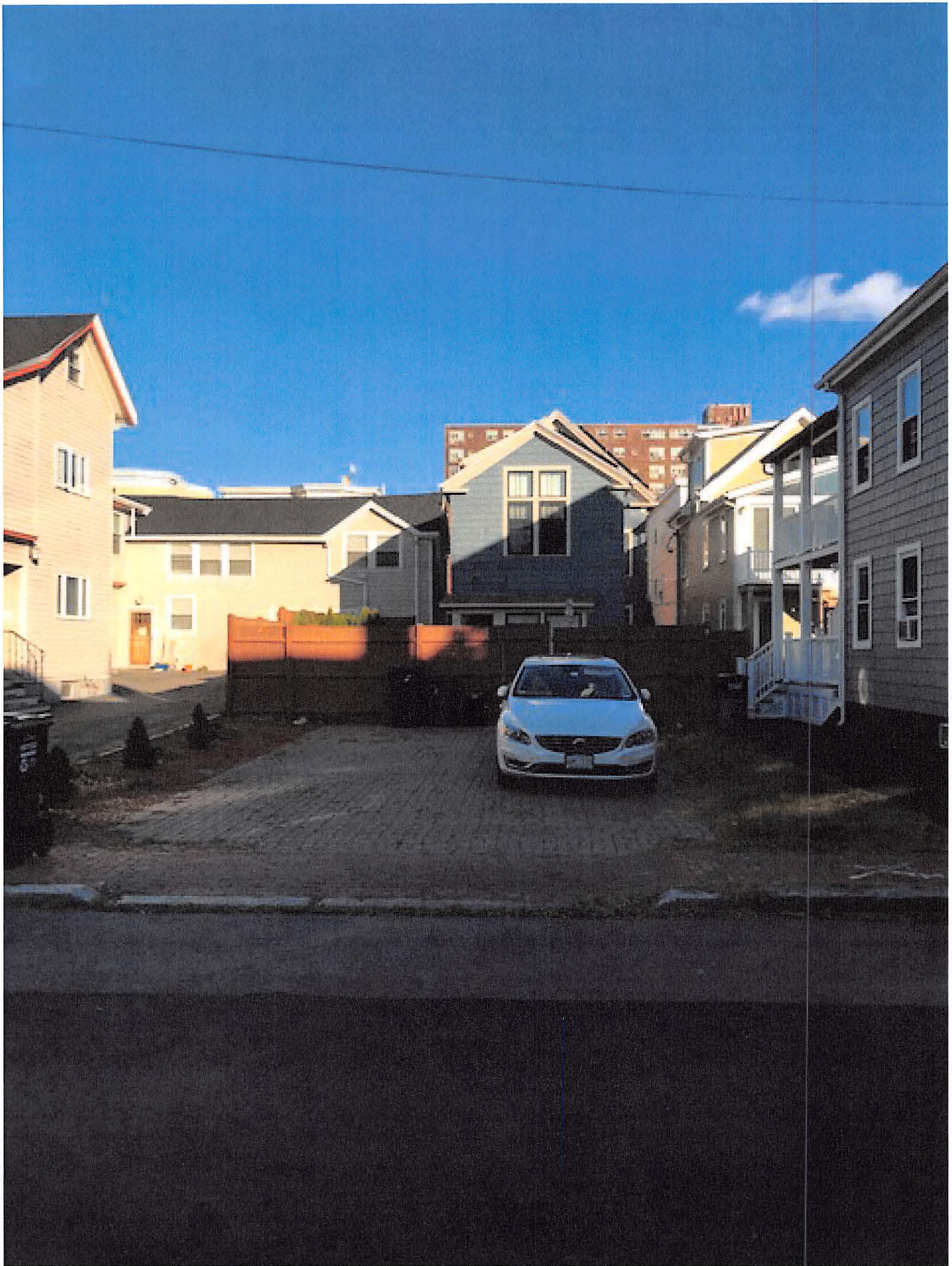
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9 Oakland St
Cambridge, Massachusetts
Google
Street View



Pacheco, Maria

From: Stephanie Boye <stephanieboye921@gmail.com>
Sent: Sunday, October 18, 2020 3:36 PM
To: Pacheco, Maria
Cc: Walter Popper; Fleet Hill
Subject: Special Permit request for 22 Longfellow Road

To the Board of Zoning Appeal,

As the owner of 15A Lowell Street and direct rear abutter to Walter Popper and Dorothy Fleet Hill, I am delighted to write in support of their special permit application. I have reviewed the architectural drawings and give them my full endorsement to renovate their two-family house in the manner proposed.

Sincerely,
Stephanie Boyé

Sent from my iPhone

Pacheco, Maria

From: Myrna Putziger <msputziger@comcast.net>
Sent: Sunday, October 18, 2020 11:20 AM
To: Pacheco, Maria
Subject: BZA-91563, 22 Longfellow Road, Special Permit for Walter Popper and Dorothy Fleet Hill

Ladies and Gentlemen,

I am writing in support of the pending application by Walter Popper and Dorothy Fleet Hill for a Special Permit to make small exterior changes to their home at [22 Longfellow Road](#). I am a resident on Channing Street, one block from Longfellow Road, and regularly walk on the streets in my neighborhood. I know Longfellow Road very well. It is a street which has benefited from continuing investment by its homeowners. The exterior renovations which these applicants propose will not in any way be detrimental to the neighborhood or the existing structure. To the contrary, I'm confident that the renovations will enhance the neighborhood.

I have lived on Channing Street for 24 years. Before moving to Cambridge, I served as the chairperson of the Zoning Board of Appeals in Cohasset. In that role I came to believe that permitting reinvestment in non-conforming properties is a useful tool for neighborhood preservation. I sincerely hope you share that view and will grant the Special Permit sought in Case BZA-91563.

Myrna Putziger
3 Channing Street

PROJECT

Additional Information to:

MASCIA-WOLF
RESIDENCE

9 Oakland St
Cambridge, MA, 02139

ISSUES / REVISIONS

Date	Description
1 OCT 20	BZA SUBMISSION

NOT FOR CONSTRUCTION

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DRAWING TITLE

First Floor Plan

SCALE

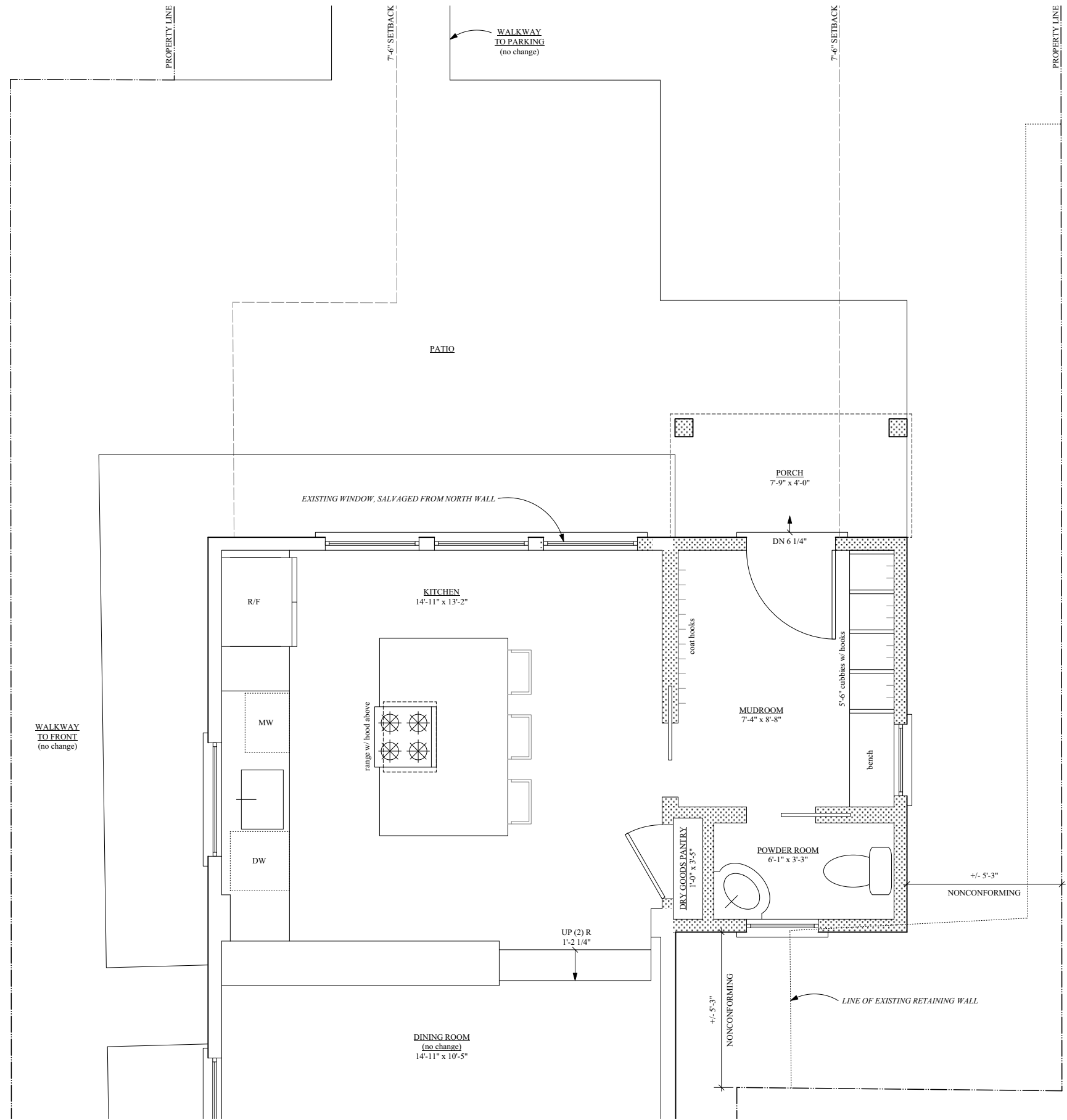


DATE

October 1, 2020

SHEET NUMBER

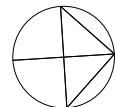
SD FINAL



WALL LEGEND

	EXISTING WALL TO REMAIN
	NEW STUD WALL

1 FIRST FLOOR



PROJECT

Additional Notes to:

MASCIA-WOLF
RESIDENCE

9 Oakland St
Cambridge, MA, 02139

ISSUES / REVISIONS

Date	Description
1 OCT 20	BZA SUBMISSION

NOT FOR CONSTRUCTION

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DRAWING TITLE

North and West
Elevations

SCALE



DATE

October 1, 2020

SHEET NUMBER

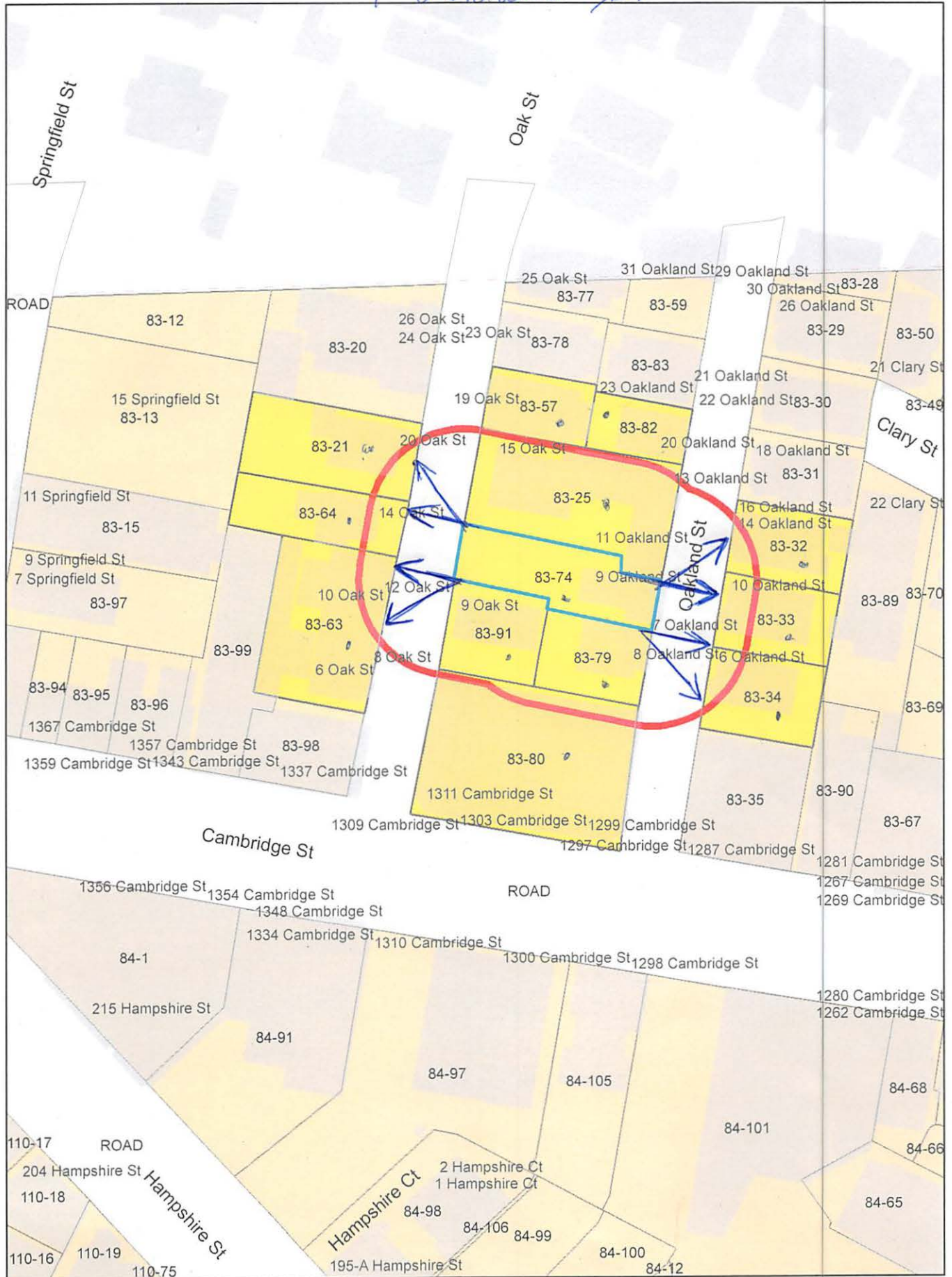
SD FINAL



2 NORTH ELEVATION

1 WEST ELEVATION

9 Oakland St.



9 Oakland St.

Petitioner

83-34
MCAULAY, JEFFREY L. & CHRISTINE ECKHARDT
6-8 OAKLAND ST., #3
CAMBRIDGE, MA 02139

83-34
GOLD, TANYA & BRIAN E. CADE
6-8 OAKLAND ST., #1
CAMBRIDGE, MA 02139

SEAN D. HOPE, ESQ.
907 MASS AVENUE
CAMBRIDGE, MA 02139

83-25
YI, BYUNGDOO ALEXANDER & KIWON SHIN
15 OAK ST
CAMBRIDGE, MA 02139

83-25
KELLY, MATTHEW J.,
TRUSTEE MATTHEW J. KELLY REV TRUST
13 OAKLAND ST
CAMBRIDGE, MA 02139

83-74
MASCIA, PATRICK M. & MOLLY E. WOLF
9 OAKLAND ST
CAMBRIDGE, MA 02139

83-25
GROLEAU, ANDREW & EMILY GIANETTA
11 OAKLAND ST
CAMBRIDGE, MA 02138

83-33
DIPIETRANTONIO, DOMENICO &
ANNA DIPIETRANTONIO, A LIFE ESTATE
12 OAKLAND ST
CAMBRIDGE, MA 02139

83-79
BERLANDA-SCORZA, GIOVANNI &
KATIA BERTOLDI
7 OAKLAND ST
CAMBRIDGE, MA 02139

83-82
DOYLE, THOMAS & GERALDINE DOYLE
TR OF GERALDINE DOYLE
23 SUNSET DR
PEABODY, MA 01960-6609

83-21
MARKOWITZ, SUSAN L. & RICHARD E. KRUSHNIC
A LIFE ESTATE
20 OAK ST
CAMBRIDGE, MA 02139

83-32
MEDEIROS, ANTONIO,
TRUSTEE OF 14 OAKLAND STREET REALTY TR.
40 BOW ST.
STONEHAM, MA 02180

83-63
SLEMENDA, JANET M.
12 OAK STREET
CAMBRIDGE, MA 02139-1995

83-57
QU, YAN & YUBIN WANG
19 OAK ST
CAMBRIDGE, MA 02139

83-63
LESATELE, ELLA & TALANOA LESATELE
10 OAK ST
CAMBRIDGE, MA 02139

83-80
PIERCE HOLDINGS, LLC,
7-61ST ST. P.I
NEWBURY PORT, MA 01950

83-91
NIGRO, BRETT D. & LARISSA M. KEDDY
9-9A OAK STREET
CAMBRIDGE, MA 02139-1323

83-63
PHILIPPON, VALERIE,
TR. THE VALERIE PHILIPPON LIVING TRUST
6 OAK ST
CAMBRIDGE, MA 02139

83-63
GOLDFINE, SETH
8 OAK STREET
CAMBRIDGE, MA 02139-1995

83-64
BROWN, LINDA & BRYAN BROWN
14 OAK ST
CAMBRIDGE, MA 02141

83-34
MOSCHETTI, ANDREW
26 TIMBERNECK DR
READING, MA 01867

Pacheco, Maria

From: Shelley Rieman <shelleyrieman@gmail.com>
Sent: Sunday, November 15, 2020 3:12 PM
To: Pacheco, Maria
Subject: zoning appeal on Oak St.

To the City of Cambridge Board of Zoning Appeal,
Regarding BZA # 96057

I have lived in Cambridge for 45 years and am very familiar with Oak Street and Oakland Street. I oppose the petition # 96057 for variance to construct a new structure (detached dwelling) with two garage parking spaces as follows: 1) building beyond the front and side yard setback and 2) exceeding the allowable Floor Area Ratio.

The building is simply too big for the size of the property. A two-car garage, sitting on the front street, is not consistent at all with the neighborhood. It would be one-of-a-kind and not fit in at all with the other properties. My understanding is that neighbors expressed serious concerns and proponents did not respond to any of their concerns or suggestions.

Thank you,

Shelley Rieman, 201 Franklin Street, Cambridge 02139

Pacheco, Maria

From: Rachel Wyon <r.wyon2010@gmail.com>
Sent: Monday, November 16, 2020 9:35 AM
To: Pacheco, Maria
Subject: BZA #96057

To: City of Cambridge Board of Zoning Appeal
Re: BZA-96057

I have lived in Cambridge for 36 years, and I have been a homeowner for 26 years.

I have talked to neighbors on Oak Street and support their opposition to the 9 Oakland Street proposal. I recommend that the Zoning Board of Appeal deny the variance relief to build beyond the front and side yard setbacks which would exceed FAR by 35%. The proposed building is much too big for the site.

The neighbors suggested several options for the proponents that do not require variance relief. Because the proponents did not offer alternative plans for discussion or offer to negotiate with neighbors regarding their concerns, I recommend that the application for variance be denied.

Thank you,

Rachel Wyon
283 Sidney Street, Cambridge