

CITY OF CAMBRIDGE

BOARD OF ZONING COL BOARD OF ZONING COL 617-349-6100 CAMBRIDGE, THE CITY CLED. CAMBRIDGE. MASSACHUSETTS

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 vard setbacks and 2) exceeding the allowable Floor Area Ratio;

SECTIONS OF ZONING ORDINANCE CITED:

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

Original Signature(s):

(Petitioner (s) / Owner)

Sean D. Hope

(Print Name)

Address: 907 Massachusetts Avenue Cambridge, MA 02139

Tel. No. E-Mail Address:

617-492-0220 sean@hopelegal.com

Date: <u>10/15/2020</u>

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
Address: 9 Oakland St Cambridge MA 02139
State that I/We own the property located at 9 Oakland St. Cambindge MA
which is the subject of this zoning application.
The record title of this property is in the name of PANCE M. Mascia
and Molly E. Wolf
*Pursuant to a deed of duly recorded in the date $\frac{2/28}{2019}$, Middlesex South
County Registry of Deeds at Book <u>72283</u> , Page <u>220</u> ; or
Middlesex Registry District of Land Court, Certificate No
Book Page
*Written evidence of Agent's standing to represent petitioner may be requested.
"Willen evidence of Agent's standing to represent petitioner may be requested.
Commonwealth of Massachusetts, County of Millesex
The above-name Patrick Magcia and Molly & personally appeared before me,
this 01 of October, 2080, and made oath that the above statement is true.
Marian aquilles Notary
My commission expires 10-lle - 2026 (Notary Seal) MARIAN K. AGUILERA CERDA Notary Public, Commonwealth of Massachusetts My Commission Expires October 16, 2026

If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation. ٠

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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 in 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 with 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.

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:

B)

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

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

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

Patrick Mascai and Molly Wolf	
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Location: 907 Massachusetts Avenue Phone: 617-492-0220

Applicant

 Zone:
 Residence C-1 Zone

 Requested Use/Occupancy:
 Residential Two Dwellings

Residential Single Family

Present Use/Occupancy:

		<u>Existing</u> <u>Conditions</u>	<u>Requested</u> <u>Conditions</u>	<u>Ordinance</u> <u>Requirements</u>	
<u>TOTAL GROSS</u> FLOOR AREA:		1,751sf	3,360sf	2,503sf	(max.)
<u>LOT AREA:</u> <u>RATIO OF GROSS</u>		3,337sf	3,337sf	5,000sf	(min.)
FLOOR AREA TO LOT AREA: ² LOT AREA OF		.52	1.01	.75	
EACH DWELLING UNIT		3,337sf	1,699sf	1,500sf	
<u>SIZE OF LOT:</u>	WIDTH	35.5'	35.5'	50'	
	DEPTH	109.6'	109.6'	n/a	
SETBACKS IN FEET	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'	
SIZE OF BUILDING:	HEIGHT	33.1'	33.1'/32.3'	35'	
	WIDTH	43.6'	47.7'/34.6'	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		75%	49%	30%	
NO. OF DWELLING UNITS:		1	2	2	
<u>NO. OF PARKING</u> SPACES:		2	2	2	
<u>no. of loading</u> <u>Areas:</u>		n/a	n/a	0	
<u>DISTANCE TO</u> <u>NEAREST BLDG.</u> <u>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).
- TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
- 3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

BZA Application Form

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.

c/mydoc/9 Oakland/letter to ZB-drall-2020-11-11.docx

<u>7. Neighborhood outreach</u>: 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.
 - 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. "<u>A literal enforcement... would be a substantial hardship</u>...": 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 "<u>under-utilized street frontage creating the appearance of a vacant lot</u>." 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. "<u>The hardship is owing to the long and narrow.....shape of the lot.</u>" 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. <u>"....and add to Cambridge's housing stock of lead free family friendly dwellings</u>." 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.

- 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.
- Look at alternative plans to lessen impacts on the neighbors: We pointed out these options to the proponents. Options
 might include:
 - Deleting the half bath to reduce the mudroom addition's width
 - Accommodating some or all of the mudroom within the current building's existing footprint
 - 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 Slemenda--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

Google Maps



Imagery @2020 MassGIS, Commonwealth of Massachusetts EOEA, Sanborn, Map data @2020 20 ft

9 Oakland Street variance and special permit requestneighbors OPPOSED in bold underlined typeface

Pacheco, Maria

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

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

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Pacheco, Maria

From: Sent: To: Subject: Phyllis Bretholtz <pbretholtz@gmail.com> Monday, November 16, 2020 11:11 AM Pacheco, Maria 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: _	S-DA	_ Date: 11-4.204
Address:	9 Dakland St	#2.

Case No. <u>B2A-94057</u> Hearing Date: <u>11/19/20</u>

Thank you, **Bza Members**

BZA Application Form

Amended 11-11-2020

DIMENSIONAL INFORMATION

Applicant:	Patrick Mascai and Molly Wolf	Present Use/Occupancy:	<u>Residential Single Family</u>
Location:	907 Massachusetts Avenue	Zone:	Residence C-1 Zone
Phone:	617-492-0220	Requested Use/Occupancy:	Residential Two Dwellings

		<u>Existing</u> <u>Conditions</u>	<u>Requested</u> Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS		1,751sf	3,360sf 3405 sf	2,503sf	(max.)
FLOOR AREA:			HOLE FOR LOS LOS OF N	in the star way and through	
LOT AREA:		3,337sf	3,337sf	5,000sf	(min.)
<u>RATIO OF GROSS</u> FLOOR AREA TO		.52	1.01 1.02	.75	
LOT AREA: ²		.52	1.01 1.02	.75	
LOT AREA OF					
EACH DWELLING		3,337sf	1,699sf	1,500sf	
UNIT		0,00731	1,0000	1,00031	
SIZE OF LOT:	WIDTH	35.5'	35.5'	50'	
	DEPTH	109.6'	109.6'	n/a	
SETBACKS IN FEET	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'	
SIZE OF BUILDING:	HEIGHT	33.1'	33.1'/32.3'	35'	
	WIDTH	43.6'	47.7'/34.6'	n/a	
RATIO OF USABLE					
<u>OPEN SPACE TO</u> LOT AREA:		75%	49%	30%	
<u>NO. OF DWELLING</u> <u>UNITS:</u>		1	2	2	
<u>NO. OF PARKING</u> SPACES:		2	2	2	
<u>NO. OF LOADING</u> <u>AREAS:</u>		n/a	n/a	0	
<u>DISTANCE TO</u> <u>NEAREST BLDG.</u> ON SAME LOT		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'.

BZA Application Form

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: Inman Square Hardware Address: 1337 (ambridge St. (ambridge MA

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: Inman Square Hardware Address: 1337 (ambridge St. (ambridge MA

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

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:

Udete 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,

Andrew Groleau & Emily Gianetta

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: Sonda Gomes

Address:

Address: 24 Oak Street Combridge, MA 02139

Signature:

Date: 11/11/20

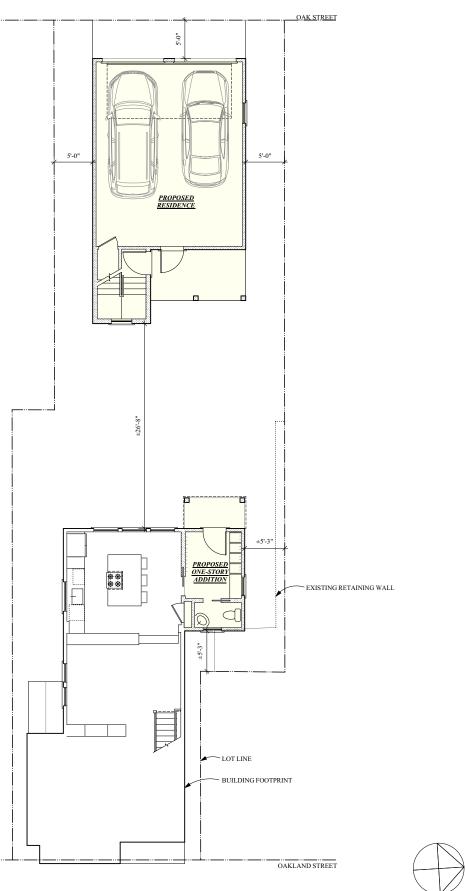
To the Cambridge Board of Zoning Appeals:

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.

you'N falles Signature:

Printed Name: Jose Palhales

Address: 24 OAK st cambridge Mars 02139



SITE PLAN (1)

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

Site Plan

SCALE 8 FT

October 9, 2020

SHEET NUMBER

DATE

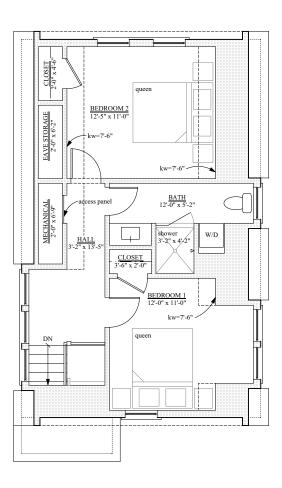
SD-1

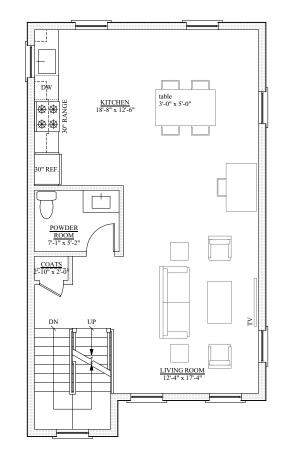


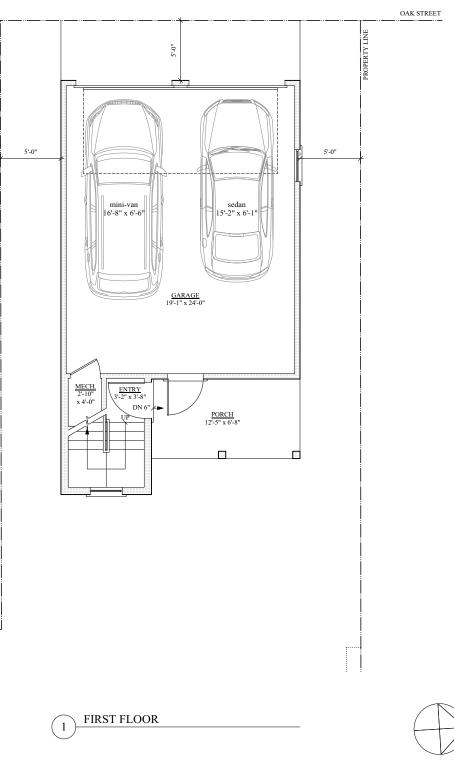




Z







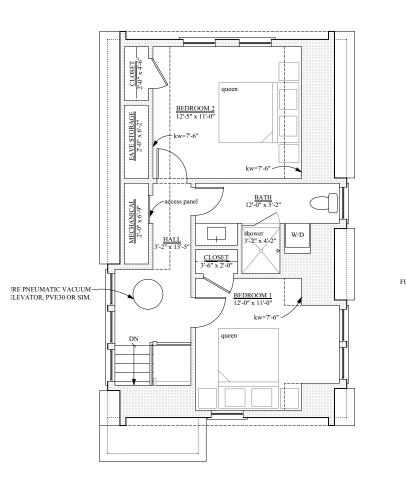
FRANK SHIRLEY ARCHITECTS 40 Pearl Street t: 617.547.3355 Cambridge MA 02139 f: 617.547.2385 www.frankshirleyarchitects.com PROJECT New Dwelling for: MASCIA-WOLF RESIDENCE 9 Oakland St Cambridge, MA, 02139 ISSUES / REVISIONS Date Description 9 OCT 20 BZA SUBMISSION NOT FOR CONSTRUCTION © FRANK SHIRLEY ARCHITECTS, 2020. All rights reserved. This drawing cannot be reproduced without per DRAWING TITLE First, Second and Third Floor SCALE 8 FT _ DATE October 9, 2020 SHEET NUMBER SD-2

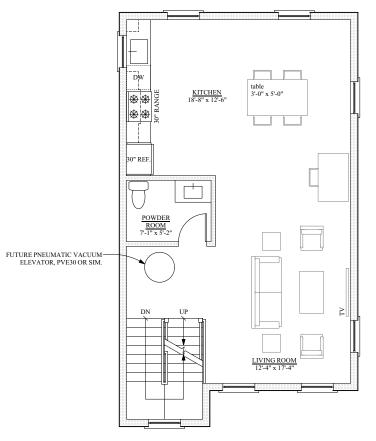


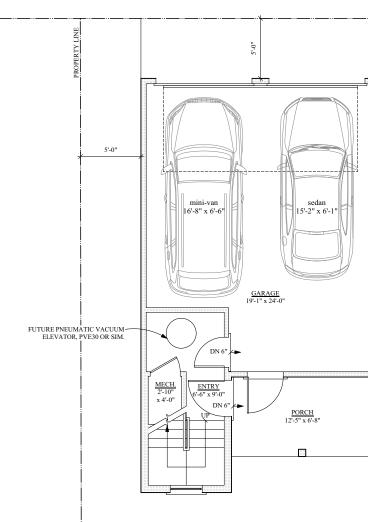
2 SECOND FLOOR w/ FUTURE ELEVATOR

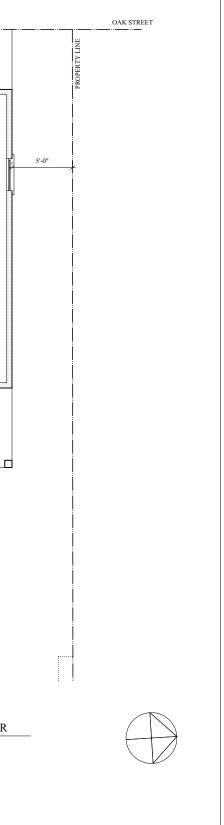
FIRST FLOOR w/ FUTURE ELEVATOR

1







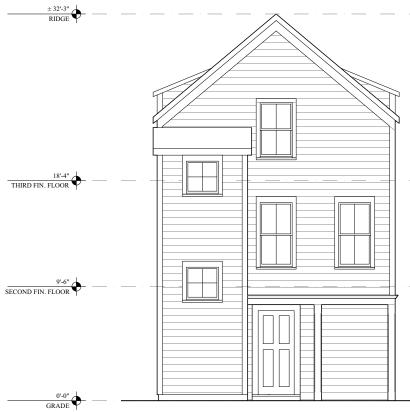


FRANK SHIRLEY ARCHITECTS 40 Pearl Street t: 617.547.3355 Cambridge MA 02139 f: 617.547.2385 www.frankshirleyarchitects.com PROJECT New Dwelling for: MASCIA-WOLF RESIDENCE 9 Oakland St Cambridge, MA, 02139 ISSUES / REVISIONS Date Description 9 OCT 20 BZA SUBMISSION NOT FOR CONSTRUCTION © FRANK SHIRLEY ARCHITECTS, 2020. All rights reserved. This drawing cannot be reproduced without pe DRAWING TITLE First, Second and Third Floor w/ Future Elevator SCALE 8 FT DATE October 9, 2020 SHEET NUMBER SD-3





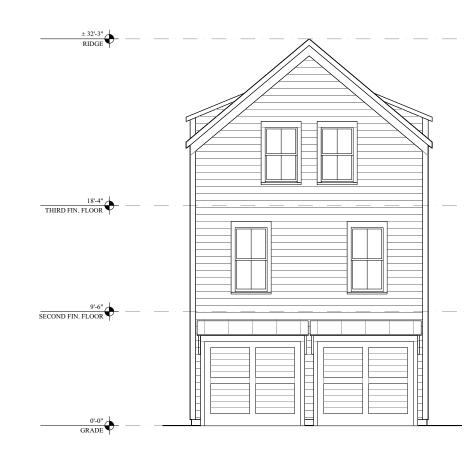














Cambridge MA 02139 f: 617.547.2385 www.frankshirleyarchitects.com

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

SCALE 8 FT DATE

SHEET NUMBER

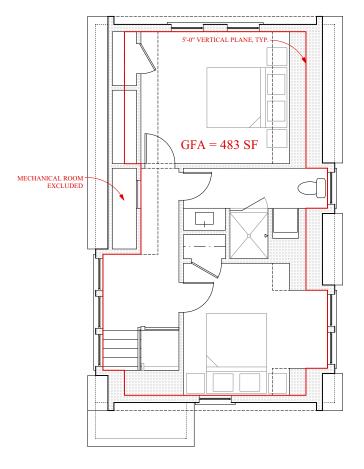
SD-4

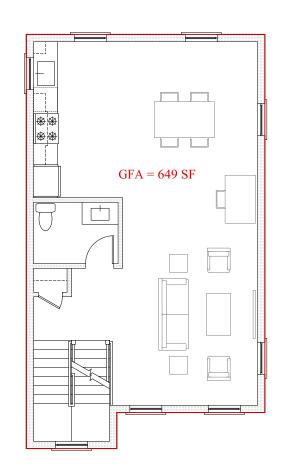
October 9, 2020

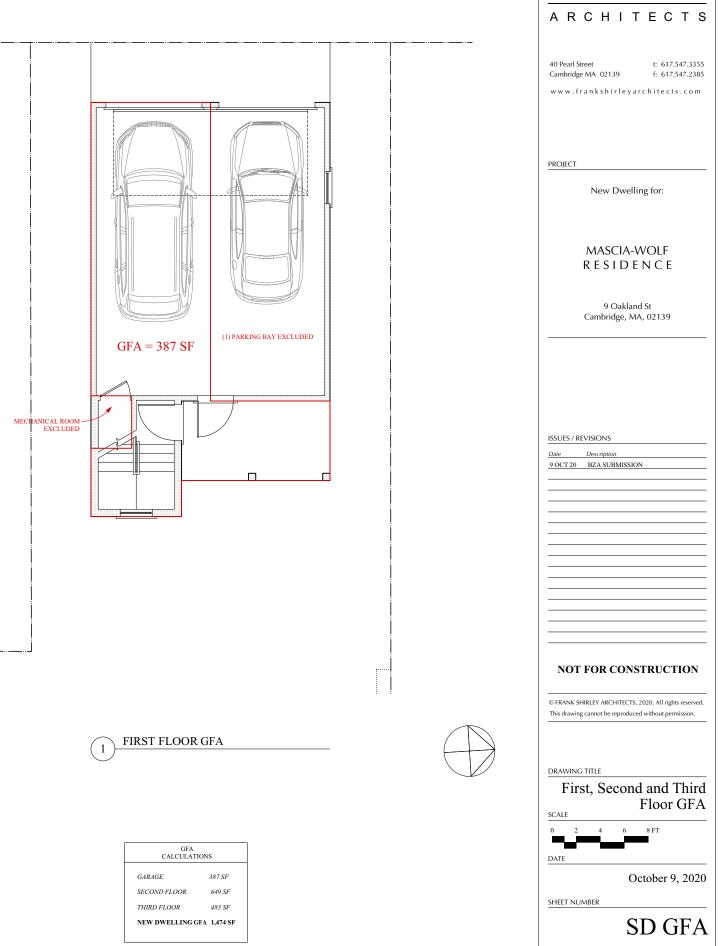
GFA CALCULATION	ŃS
GARAGE	387 SF
SECOND FLOOR	649 SF
THIRD FLOOR	483 SF
NEW DWELLING GFA	1,474 SF

THIRD FLOOR GFA (3)

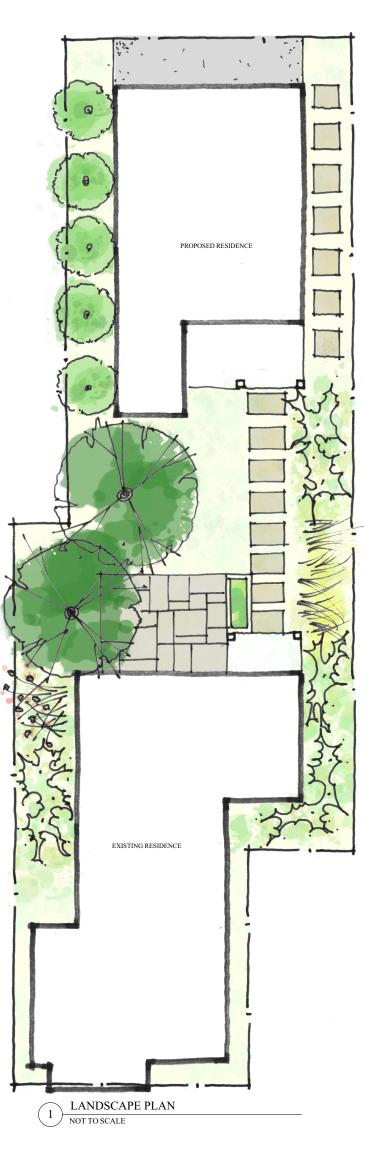








FRANK SHIRLEY





 40 Pearl Street
 t: 617.547.3355

 Cambridge MA 02139
 f: 617.547.2385

 w w w . frankshirleyarchitects.com

PROJECT

New Dwelling for:

MASCIA-WOLF R E S I D E N C E

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



11/15/2020. 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.

MAYATATEYAMA Name: 24 Oak Smeet, Cambridge MA Address: Noopulatyen 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 Di Puttiontecio

Printed Name: DOMENICO

Address: 10 OA HIAND ST- CATIBRIDGE

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.

povan-Berlande Scorva Signature: 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:

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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

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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, Valerine 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, Valerine 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, Valerine 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, Valerine 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, Valerine 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, Valerine 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, Valerine 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, Valerine 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

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10/28/2020	Molly Wolf, Patrick Mascia (9 Oakland)	Group Zoom meeting
	Janet Slemenda (12 Oak)	Request made for GIS map (completed)
	Susan Markowitz, Richard Krushnic (20 Oak)	
	Matt Kelly (13 Oakland)	
	Giovanni Berlanda (7 Oakland)	
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 - third attempt
10/31/2020	Seth Goldfine (8 Oak)	Left another letter to share plans - third attempt
10/31/2020	Alexander Yi (15 Oak)	Left another letter to share plans - second attempt
11/3/2020	Matt Kelly (13 Oakland)	Emailed to offer to meet to discuss concerns mentioned during group Zoom call (<i>no</i> <i>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 - second attempt
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

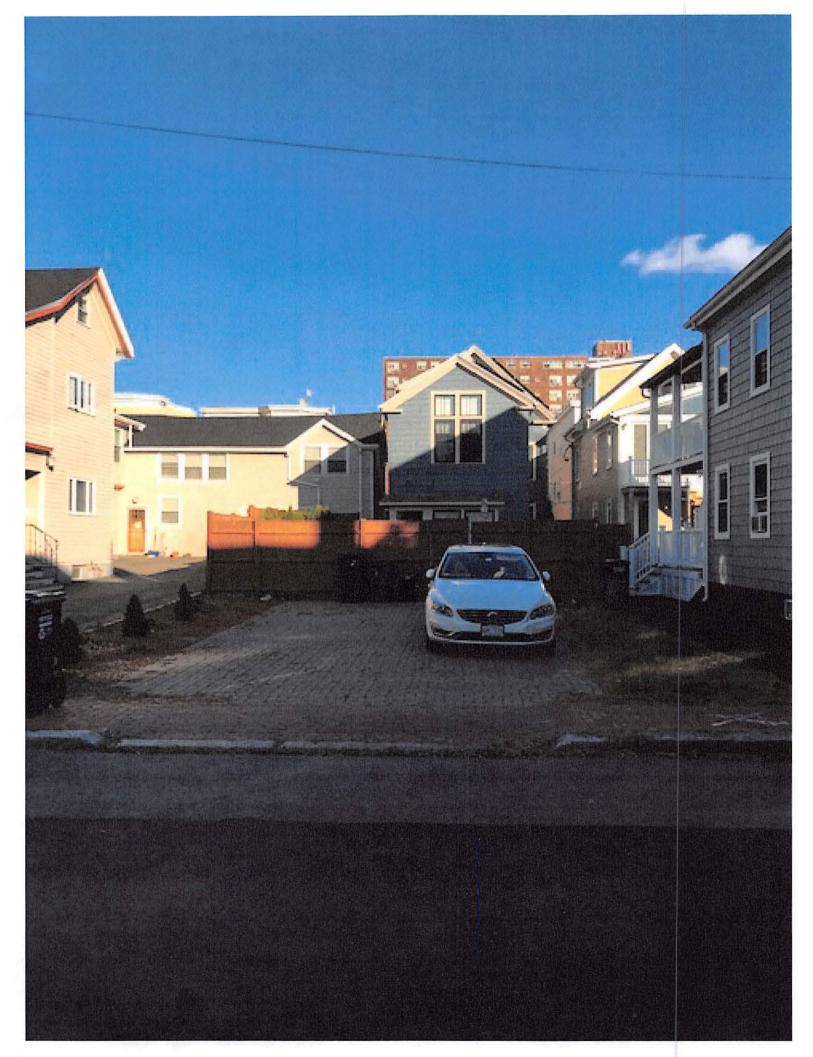
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11/5/2020	Larissa and Brett Nigro (9 Oak)	Emailed notifying of final plans (no response)
11/6/2020	Inman Hardware Store	Met to review plans
11/7/2020	Top Cleaners	Met to review plans
11/7/2020	Jim Monteverde and Janet Slemenda (12 Oak)	Met understand 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

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Pacheco, Maria

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

1

Sincerely, Stephanie Boyé

Sent from my iPhone

Pacheco, Maria

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

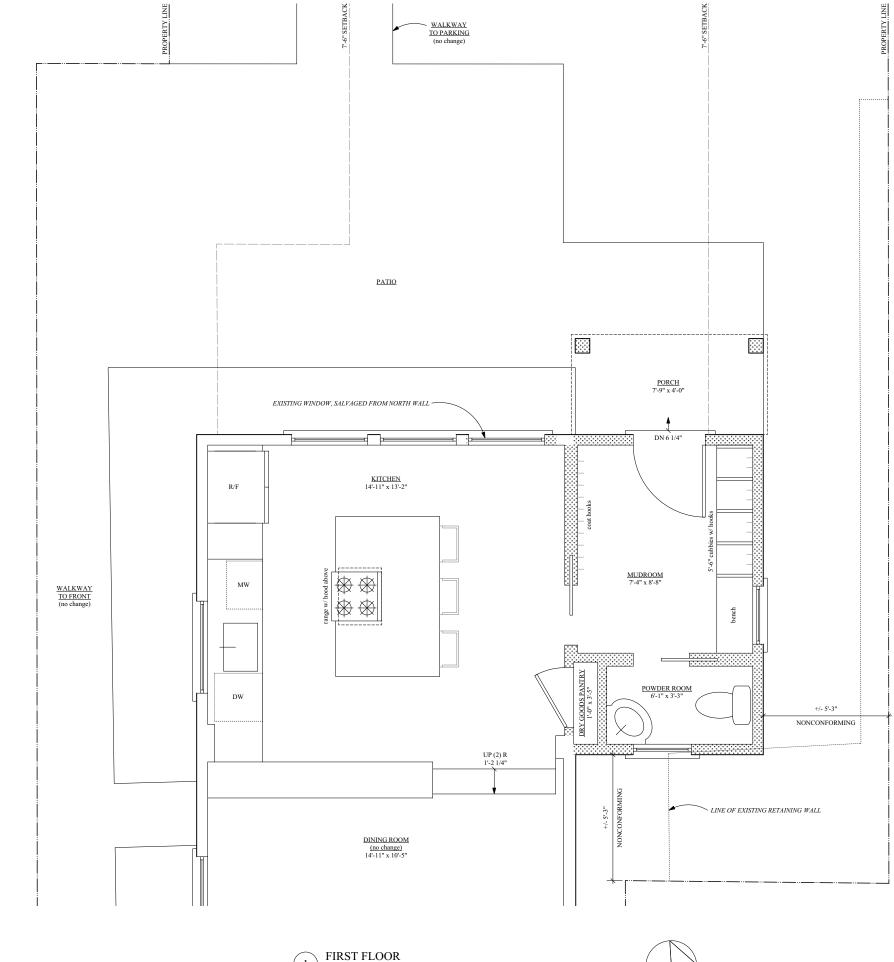
Ladies and Gentlemen,

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 <u>22 Longfellow Road</u>. 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.

1

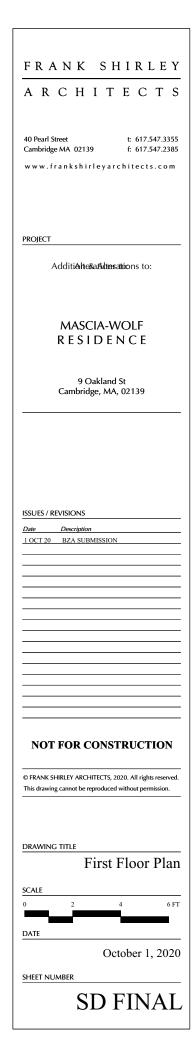
Myrna Putziger 3 Channing Street



WALL LEGEND
EXISTING WALL TO REMAIN

EAISTING WALL TO REMAIN

(1) FIRST FI

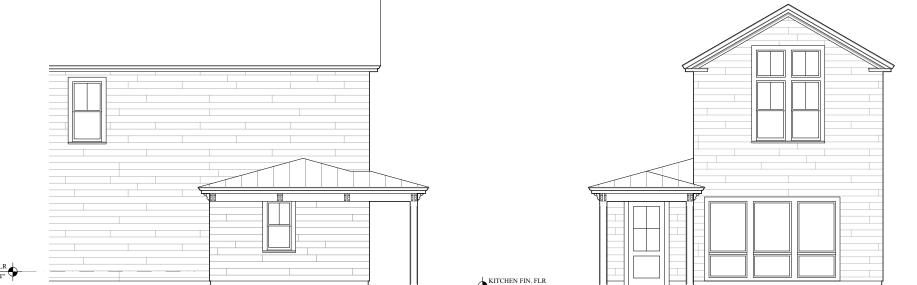




2

NORTH ELEVATION







PROJECT

AdditiAntesatAddesattions to:

MASCIA-WOLF R E S I D E N C E

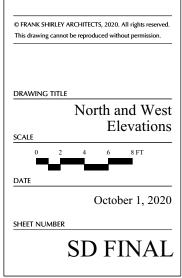
9 Oakland St Cambridge, MA, 02139

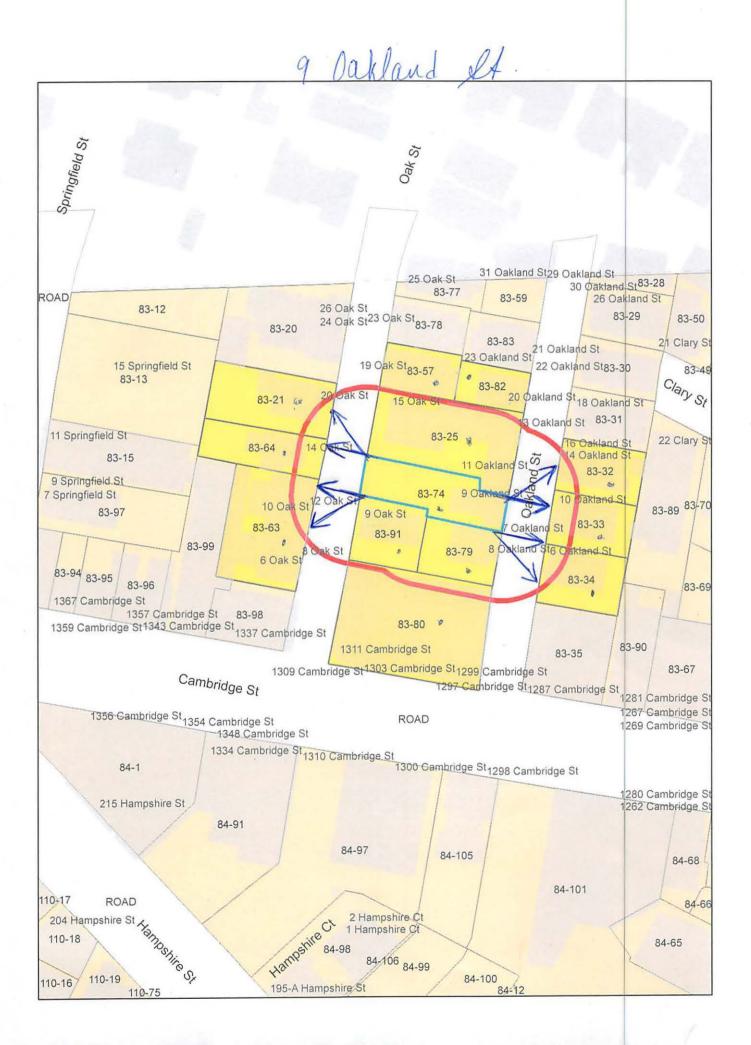
ISSUES / REVISIONS

 Date
 Description

 1 OCT 20
 BZA SUBMISSION

NOT FOR CONSTRUCTION





9 Oakland It.

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

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

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

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

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

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

83-63 GOLDFINE, SETH 8 OAK STREET CAMBRIDGE, MA 02139-1995 83-34 GOLD, TANYA & BRIAN E. CADE 6-8 OAKLAND ST., #1 CAMBRIDGE, MA 02139

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

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

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

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

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

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

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

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

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

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

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

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

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

Pacheco, Maria

From:	Shelley Rieman <shelleyrieman@gmail.com></shelleyrieman@gmail.com>
Sent:	Sunday, November 15, 2020 3:12 PM
То:	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: Sent: To: Subject: Rachel Wyon <r.wyon2010@gmail.com> Monday, November 16, 2020 9:35 AM Pacheco, Maria 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.

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Thank you,

Rachel Wyon 283 Sidney Street, Cambridge