



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

BZA Application Form

BZA Number: 207689

General Information

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

Special Permit: X

Variance:

Appeal:

2023 JAN 20 AM 10:23
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

PETITIONER: Fox & Prince 86, LLC C/O James J. Rafferty

PETITIONER'S ADDRESS: 907 Massachusetts Avenue, Suite 300, Cambridge, MA 02139

LOCATION OF PROPERTY: 95 Irving St., Cambridge, MA

TYPE OF OCCUPANCY: Single Family

ZONING DISTRICT: Residence A-2 Zone

REASON FOR PETITION:

/Additions/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner seeks to construct rear addition and dormer to non-conforming home. Petitioner also seeks to modify roof and door layout of existing accessory parking structure.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000 Section: 5.31 Table of Dimensional Requirements

Article: 8.000 Section: 8.22.2(d) Nonconforming Structure

Article: 10.000 Section: 10.40 Special Permit

Original
Signature(s):


(Petitioner (s) / Owner)

James J. Rafferty, Attorney for Petitioner
(Print Name)

Address:

907 Massachusetts Avenue, Suite 300 Cambridge, MA 02139

Tel. No.

617.492.4100

E-Mail Address:

jrafferty@adamsrafferty.com

Date: January 18, 2023

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

Fox and Prince 86, LLC

(Owner or Petitioner)

Address: c/o James J. Rafferty 907 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 95 Irving Street

the record title standing in the name of Fox and Prince 86, LLC

whose address is 95 Irving Street, Cambridge MA

(Street)

(City or Town)

(State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book 80656 Page 448 or _____ Registry

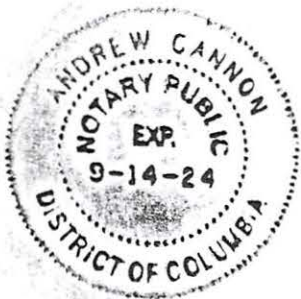
District of Land Court Certificate No. _____ Book _____ Page _____

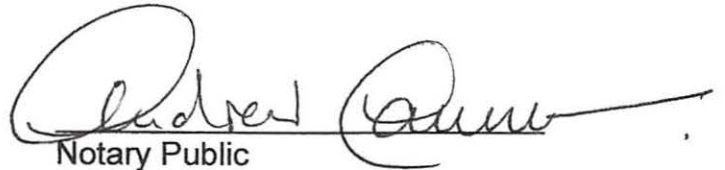


(Authorized Agent)

=====

On this 12th day of January, 2023, before me, the undersigned notary public, personally appeared RACHEL KANTER proved to me through satisfactory evidence of identification, which were drivers license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.




Notary Public

My commission expires: 9/14/2024

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 95 Irving St., 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:

Section 8.22.2(d) allows for the construction of the proposed addition upon the issuance of a Special Permit where, as in this case, the additional square footage does not create any new nonconforming conditions.

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

The proposed modifications will not alter traffic patterns.

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 adjacent uses are all similarly sized single and two family dwelling units, none of which will be adversely affected by the proposed addition.

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 proposed addition will be constructed in accordance with all the requirements of the State Building Code.

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 existing structure complies with the open space and setback requirements for the Residence A-2 zoning district. Moreover, the existing structure has been designated as a Historic and the proposed addition was issued a Certificate of Appropriateness by the Historical Commission on January 5, 2023.

***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: Fox & Prince 86, LLC
Location: 95 Irving St., Cambridge, MA
Phone: 617.492.4100

Present Use/Occupancy: Single Family
Zone: Residence A-2 Zone
Requested Use/Occupancy: Single Family

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		8,569	9,633	8,412	(max.)
<u>LOT AREA:</u>		16,824	no change	6,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.51	.57	.5	
<u>LOT AREA OF EACH DWELLING UNIT</u>		16,824	no change	4,500	
<u>SIZE OF LOT:</u>	WIDTH	145.25	no change	65	
	DEPTH	135.5	no change	n/a	
<u>SETBACKS IN FEET:</u>	FRONT	16' 3"	no change	20'	
	REAR	49'	37' 7"	34'	
	LEFT SIDE	55' 6"	no change	15'	
	RIGHT SIDE	9' 9"	13' 11"	10'	
<u>SIZE OF BUILDING:</u>	HEIGHT	45' 5"	no change	35'	
	WIDTH	67'	78' 4"	n/a	
	LENGTH	64' 10"	60' 8"	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		62	65.3	50	
<u>NO. OF DWELLING UNITS:</u>		1	no change	1	
<u>NO. OF PARKING SPACES:</u>		2	no change	1	
<u>NO. OF LOADING AREAS:</u>		0	no change	n/a	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		n/a	n/a	n/a	

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.:

n/a

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'.

95 IRVING STREET

BZA APPLICATION FOR SPECIAL PERMIT



T-000	COVER
A-000	PLOT PLAN
A-001	SITE SURVEY
A-002	EXISTING CONDITIONS PHOTOGRAPHY (2022)
A-003	GROSS FLOOR AREA DIAGRAMS
A-004	OPEN SPACE DIAGRAM - PROPOSED
A-005	OPEN SPACE DIAGRAM - EXISTING
A-100	PROPOSED SITE PLAN
A-101	PROPOSED BASEMENT PLAN
A-102	PROPOSED FIRST FLOOR PLAN
A-103	PROPOSED SECOND FLOOR PLAN
A-104	PROPOSED THIRD FLOOR PLAN
A-105	PROPOSED FOURTH FLOOR PLAN
A-106	PROPOSED ROOF PLAN
A-107	EXISTING BASEMENT PLAN
A-108	EXISTING FIRST FLOOR PLAN
A-109	EXISTING SECOND FLOOR PLAN
A-110	EXISTING THIRD FLOOR PLAN
A-111	EXISTING FOURTH FLOOR PLAN
A-112	EXISTING ROOF PLAN
A-200	PROPOSED EXTERIOR ELEVATIONS
A-201	EXISTING EXTERIOR ELEVATIONS
A-400	PROPOSED RENDERING
A-401	PROPOSED RENDERING
A-402	PROPOSED RENDERING

LEGEND / NOTES

DATE ISSUED: 12/13/22

95 IRVING STREET
CAMBRIDGE, MA 02138

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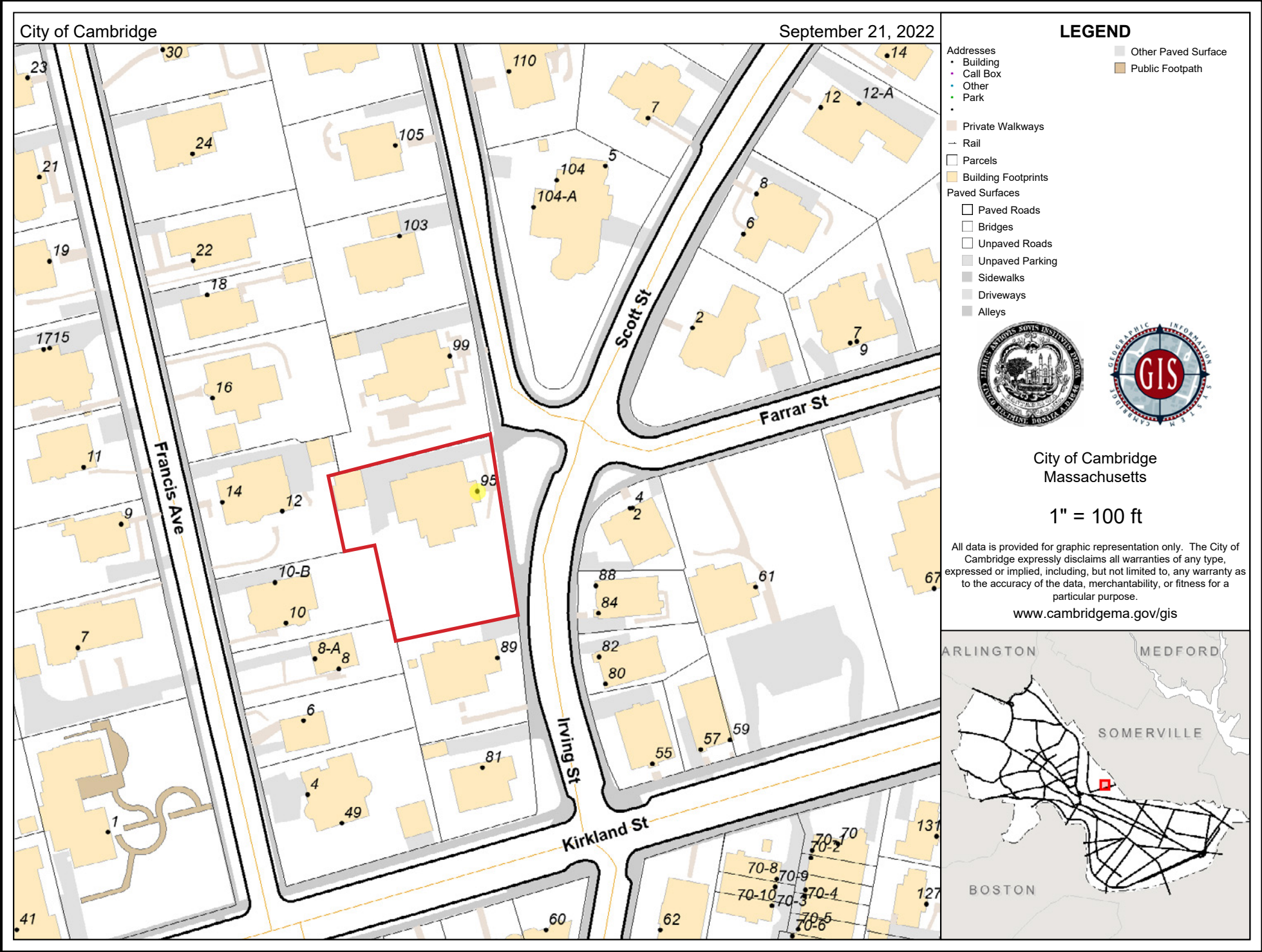
COVER

PROJECT NO:

CAD FILE NO:

DRAWING NO:

T-000



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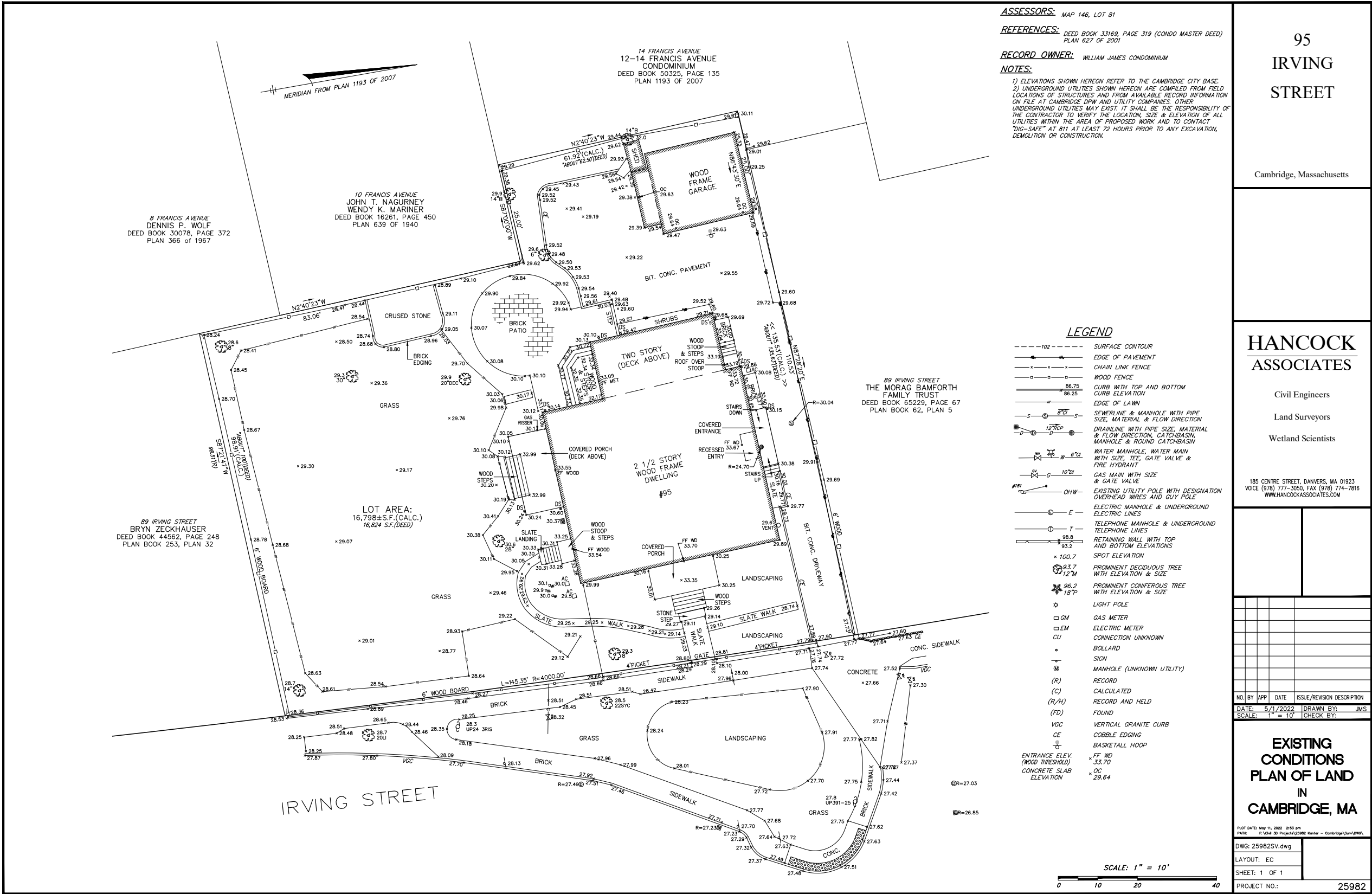
PLOT PLAN

PROJECT NO:

CAD FILE NO:

DRAWING NO:

A-000



NOTE: PLAN NOT TO SCALE

LEGEND / NOTES

95
IRVING
STREET

Cambridge, Massachusetts

HANCOCK
ASSOCIATES

Civil Engineers

Land Surveyors

Wetland Scientists

185 CENTRE STREET, DANVERS, MA 01923
VOICE (978) 777-3050, FAX (978) 774-7816
WWW.HANCOCKASSOCIATES.COM

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SITE SURVEY
BY OTHERS - FOR REFERENCE

PROJECT NO.:

CAD FILE NO.:

DRAWING NO.:

A-001



VIEW FROM SIDEWALK ON IRVING STREET LOOKING SOUTH



VIEW FROM SCOTT STREET AND IRVING STREET LOOKING WEST



VIEW FROM SIDEWALK LOOKING WEST



VIEW FROM SIDEWALK ON IRVING STREET LOOKING NORTHWEST



VIEW FROM SIDE YARD LOOKING NORTHWEST



VIEW FROM SIDE YARD LOOKING NORTHEAST



VIEW FROM PATIO LOOKING NORTHEAST



VIEW FROM THE DRIVEWAY LOOKING NORTHEAST



VIEW OF GARAGE LOOKING NORTHWEST

LEGEND / NOTES

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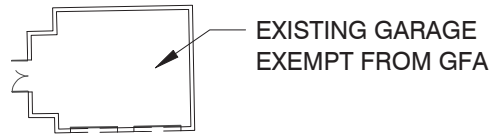
EXISTING CONDITION
PHOTOGRAPHY (2022)

PROJECT NO:

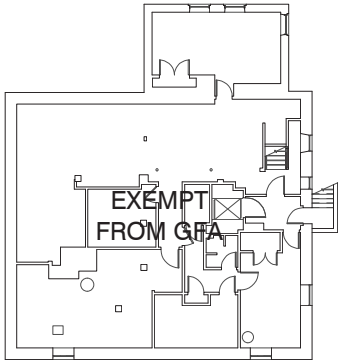
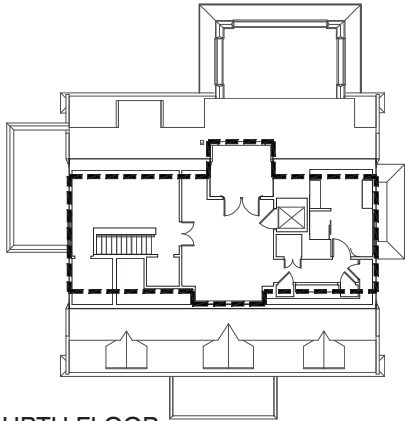
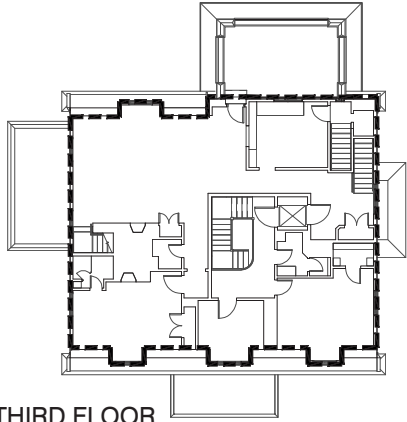
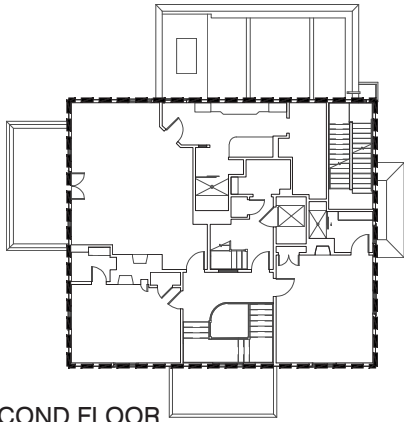
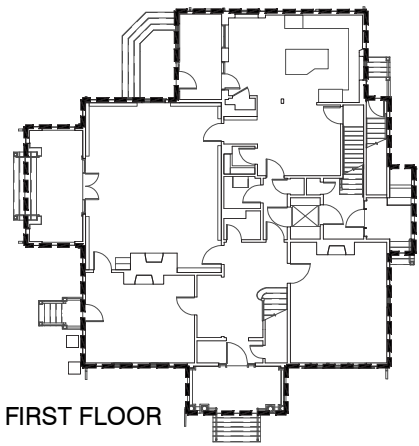
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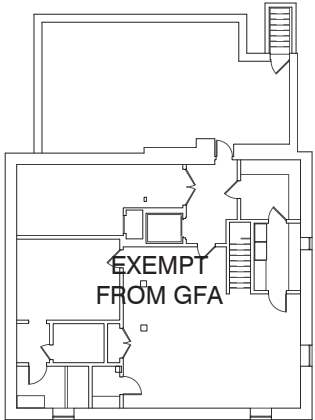
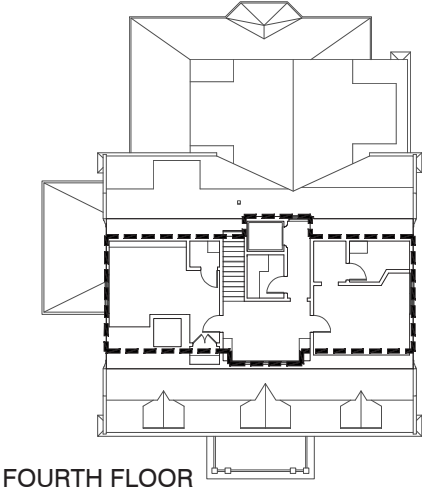
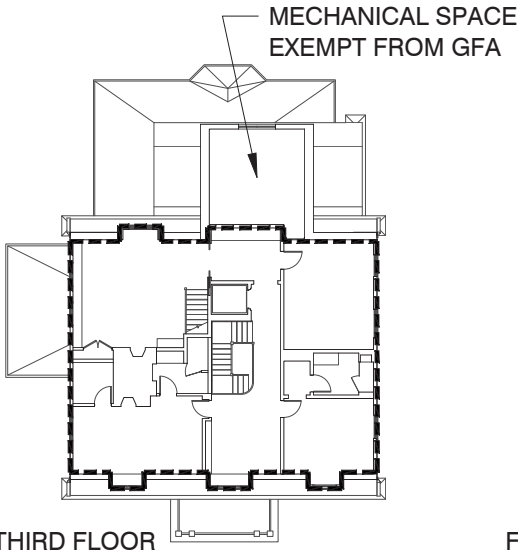
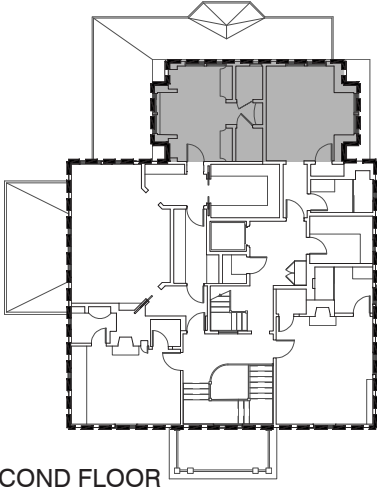
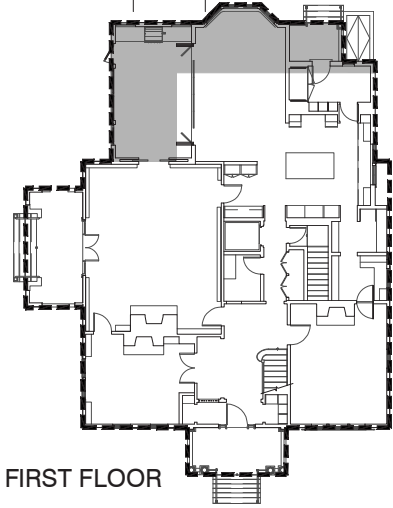
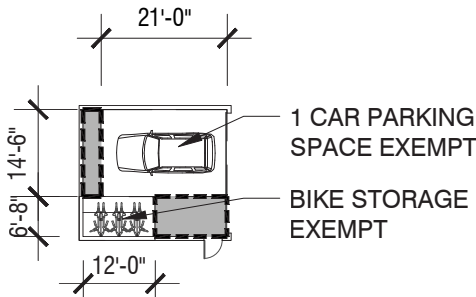


EXISTING GFA		
LEVEL	EXISTING AREA(SF)	EXISTING GFA (SF)
BASEMENT	2629	EXEMPT
FIRST FLOOR	3112	3112
SECOND FLOOR	2265	2265
THIRD FLOOR	2127	2127
FOURTH FLOOR	1065	1065
GARAGE	550	EXEMPT
TOTAL (SF)	11748	8569



EXISTING FLOOR PLANS

PROPOSED GFA			
LEVEL	PROPOSED AREA(SF)	PROPOSED GFA (SF)	ADDED GFA (SF)
BASEMENT	3234	EXEMPT	
FIRST FLOOR	3600	3600	488
SECOND FLOOR	2807	2807	542
THIRD FLOOR	2063	2063	-64
FOURTH FLOOR	1039	1039	-26
GARAGE	570	124	124
TOTAL (SF)	13313	9633	1064



PROPOSED FLOOR PLANS

LEGEND / NOTES

- GFA GROSS FLOOR AREA
- GFA BOUNDARY
- ADDED GFA

SUMMARY

LOT AREA: 16,824 SF
ALLOWABLE FAR: .5
ALLOWABLE GFA: 8,412 SF
EXISTING GFA: 8,569 SF
8,569 SF>8,412 SF THEREFORE NON-CONFORMING

PROPOSED GFA: 9,672 SF

9,672 SF - 8,569 SF = 1103 SF
ADDITIONAL GFA SUBJECT TO SPECIAL PERMIT

DATE ISSUED: 12/13/22

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GROSS FLOOR AREA

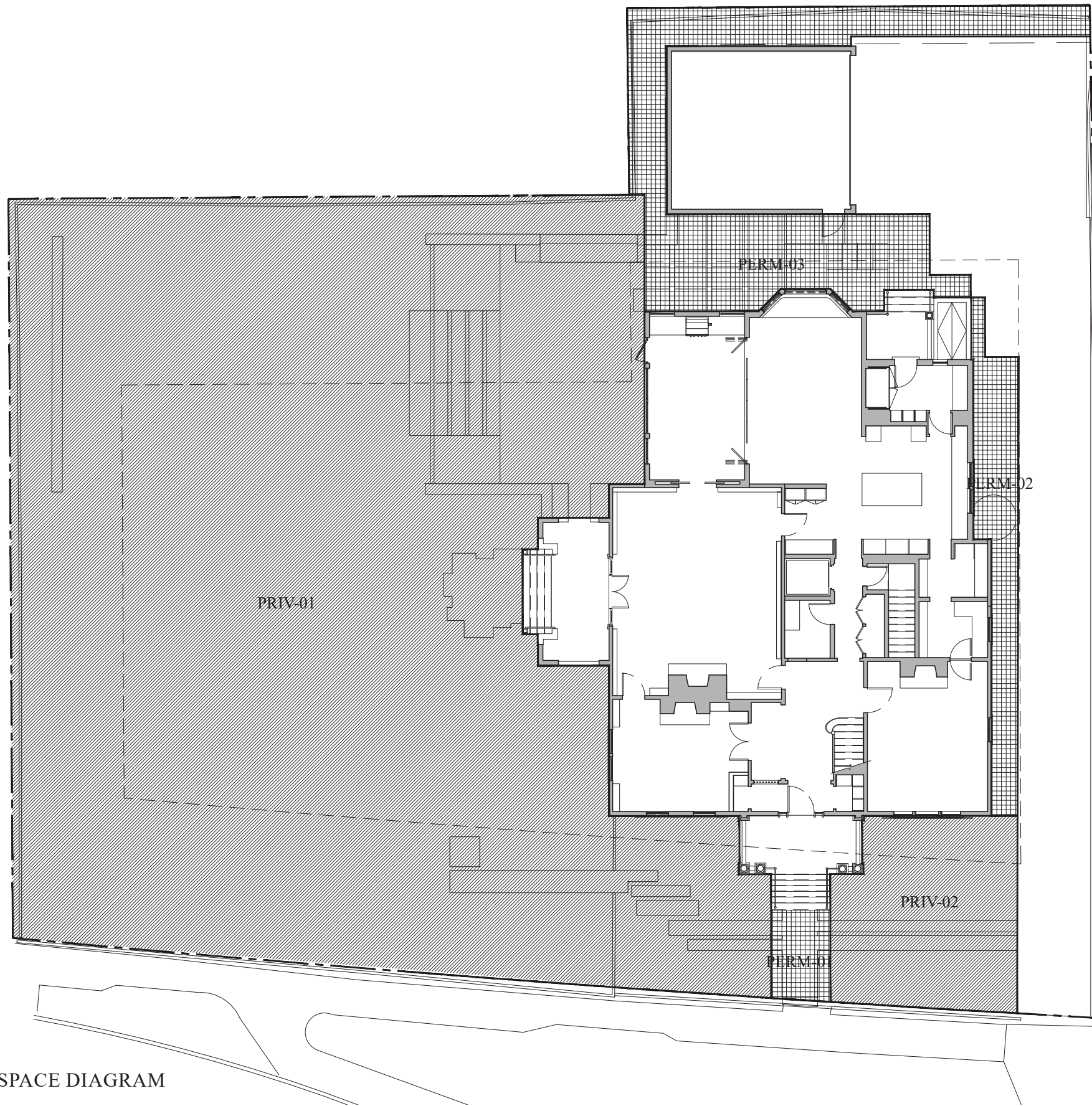
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
A-003

PROPOSED OPEN SPACE DIAGRAM



PROPOSED OPEN SPACE		
	LOT AREA	LOT AREA %
PRIV-01	8643 SF	
PRIV-02	609 SF	
TOTAL PRIVATE OPEN SPACE	9252 SF	84.2%
PERM-01	95 SF	
PERM-02	293 SF	
PERM-03	855 SF	
TOTAL PERMEABLE SPACE	1243 SF	7.4%
TOTAL	10985 SF	65.3%

LEGEND / NOTES

-  PRIVATE OPEN SPACE
-  PERMEABLE (LESS THAN 15' X 15')

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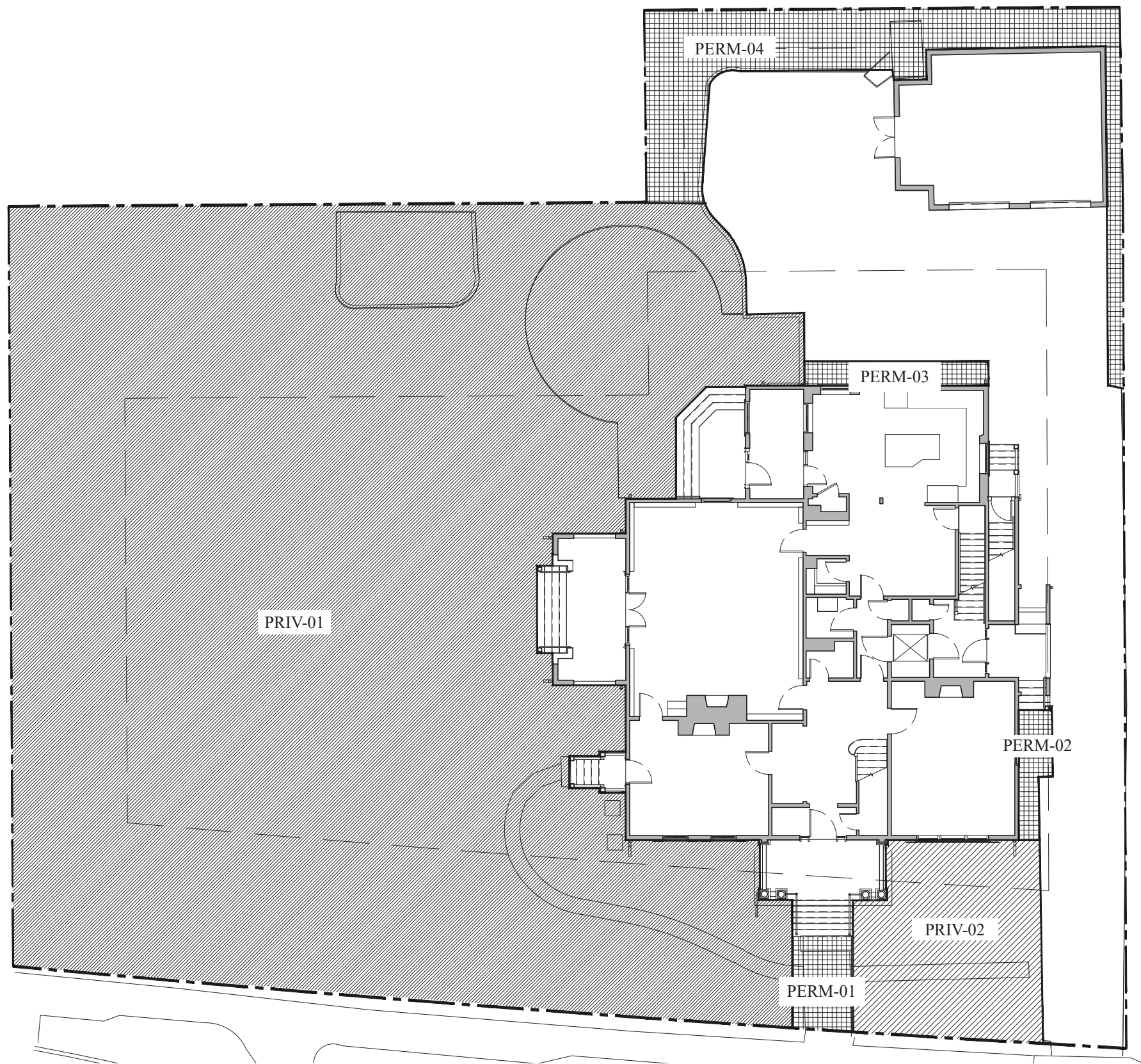
OPEN SPACE DIAGRAM -
PROPOSED

PROJECT NO:

CAD FILE NO:

DRAWING NO:

A-004



EXISTING OPEN SPACE		
	LOT AREA	LOT AREA %
PRIV-01	8949 SF	
PRIV-02	600 SF	
TOTAL PRIVATE OPEN SPACE	9549 SF	56.8%
PERM-01	95 SF	
PERM-02	60 SF	
PERM-03	76 SF	
PERM-04	652 SF	
TOTAL PERMEABLE SPACE	883 SF	5.2%
TOTAL	10432 SF	62%

- LEGEND / NOTES
- PRIVATE OPEN SPACE
 - PERMEABLE (LESS THAN 15' X 15')

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OPEN SPACE DIAGRAM -
EXISTING

PROJECT NO:

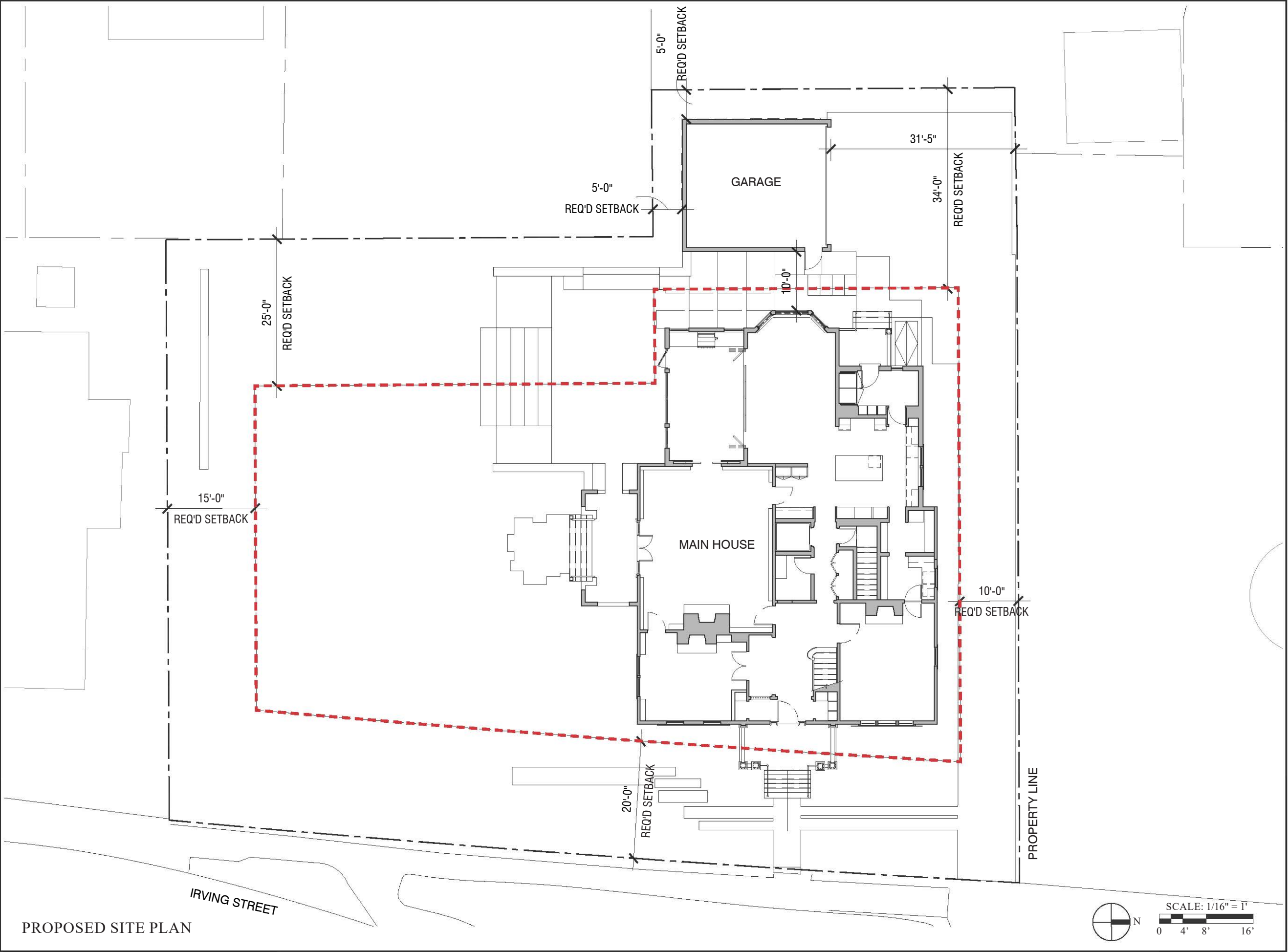
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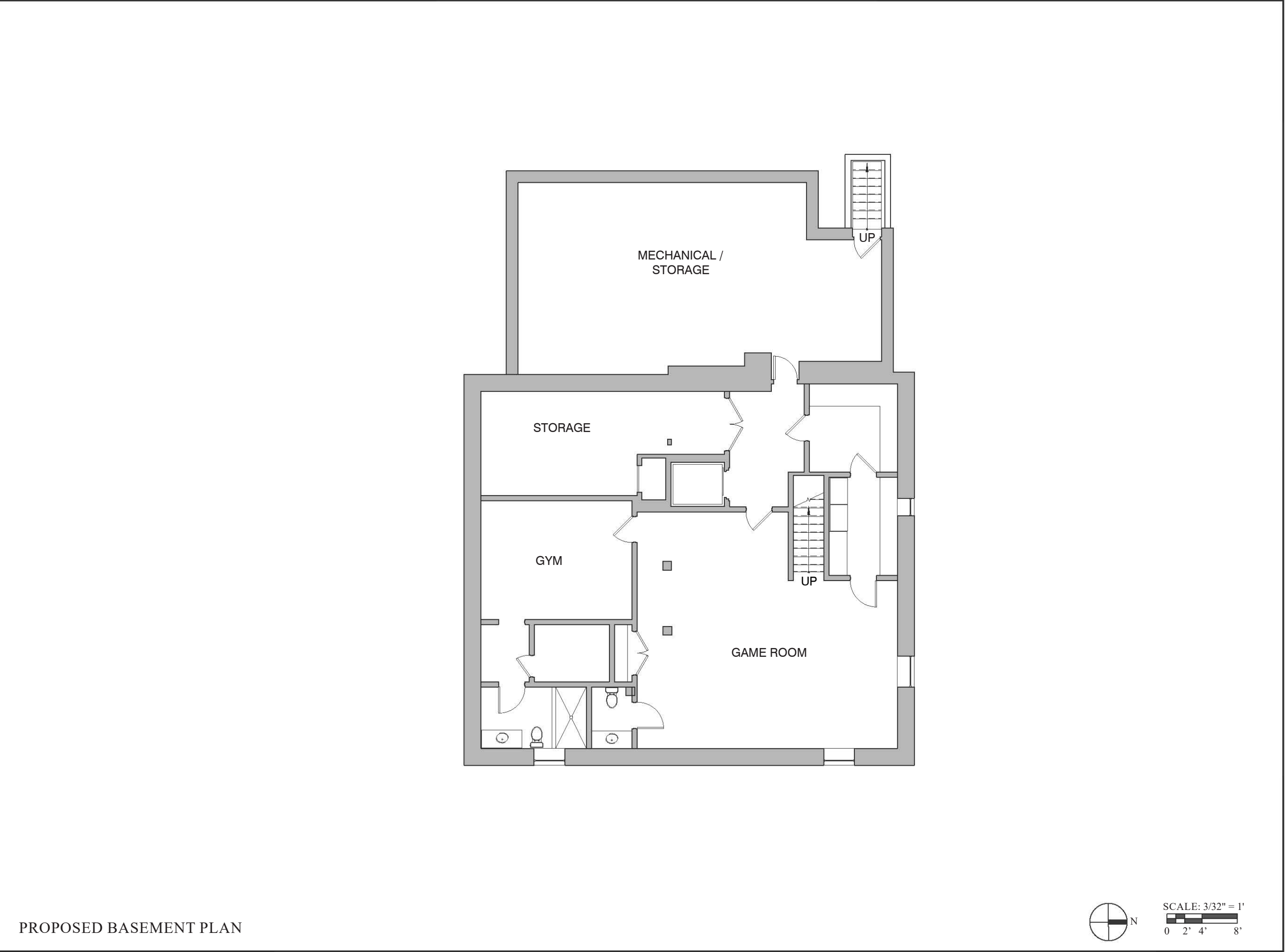
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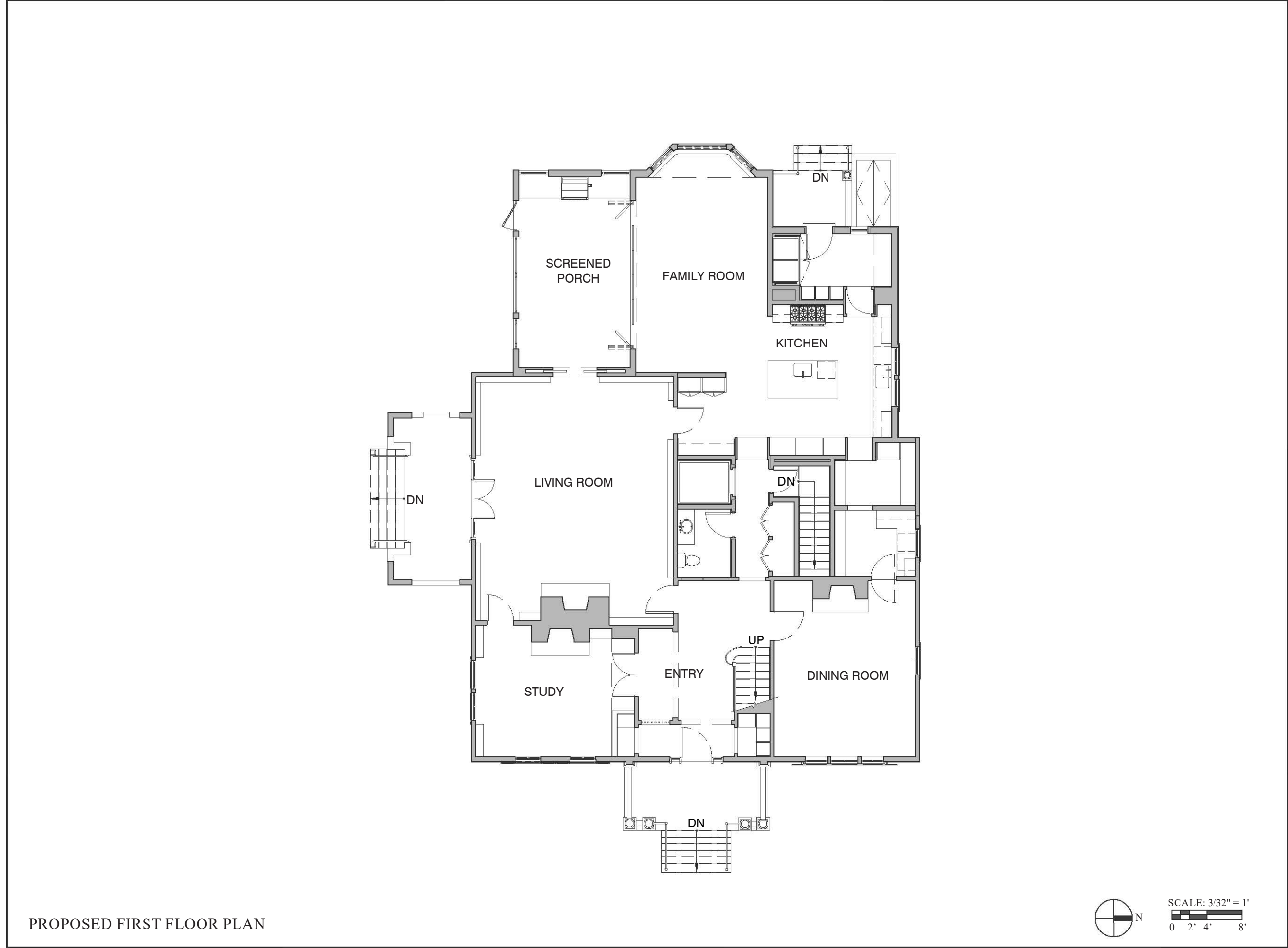
EXISTING OPEN SPACE DIAGRAM



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PROPOSED SITE PLAN	
PROJECT NO:	
CAD FILE NO:	
DRAWING NO:	A-100

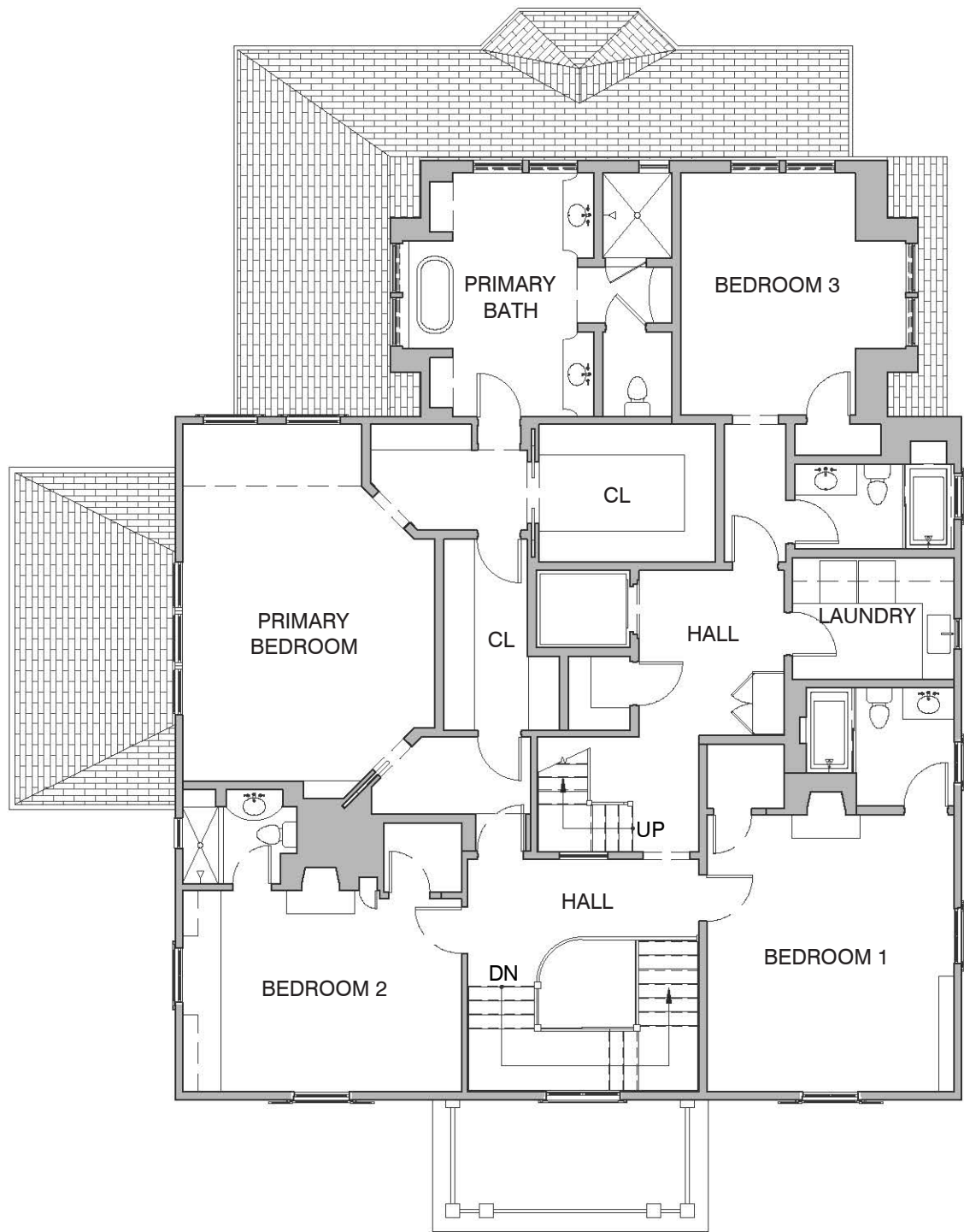


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PROPOSED BASEMENT PLAN	
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<p>PROPOSED FIRST FLOOR PLAN</p>	
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DRAWING NO:	A-102

PROPOSED SECOND FLOOR PLAN



SCALE: 3/32" = 1'
0 2' 4' 8'

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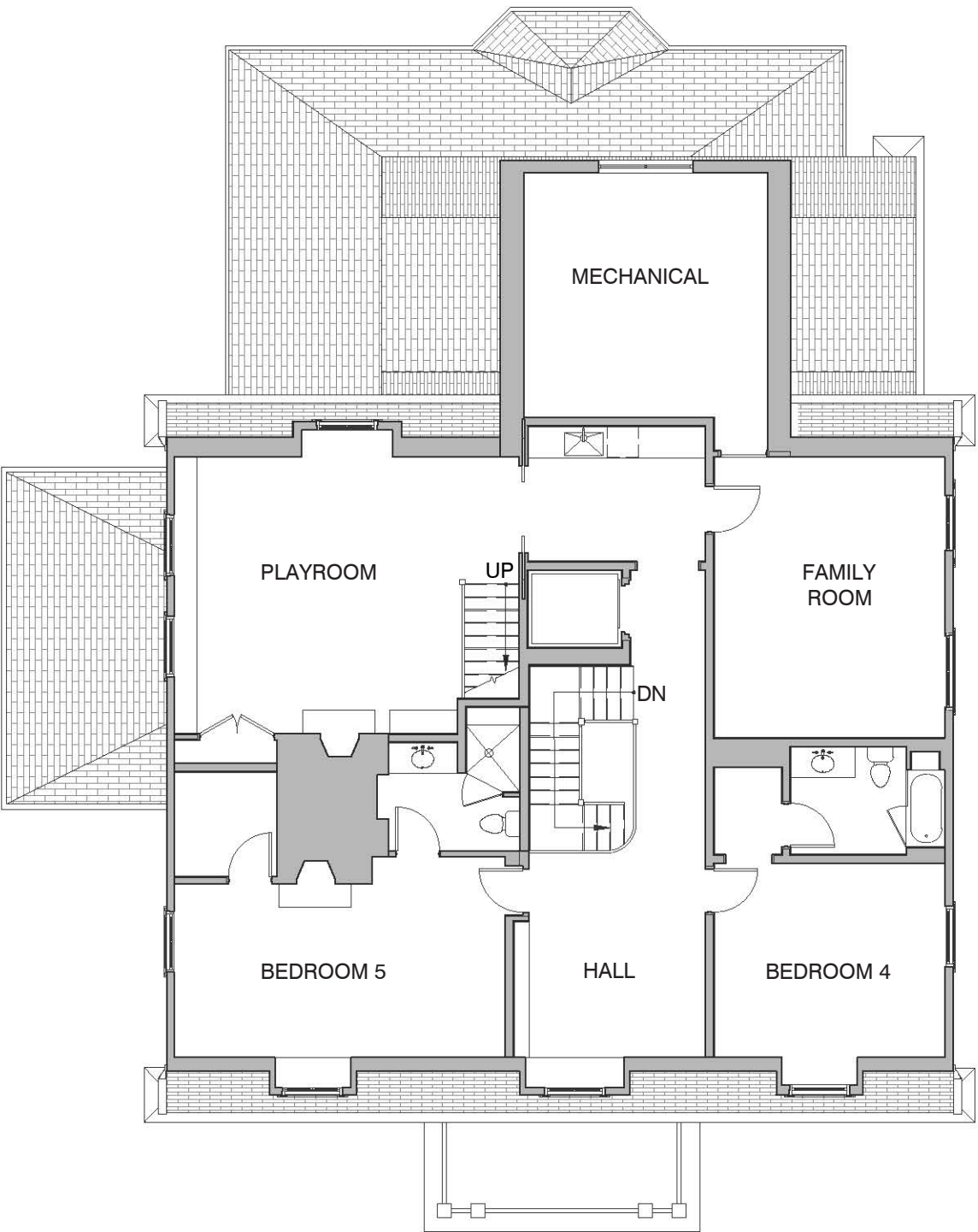
PROPOSED
SECOND FLOOR PLAN

PROJECT NO:

CAD FILE NO:

DRAWING NO:

A-103

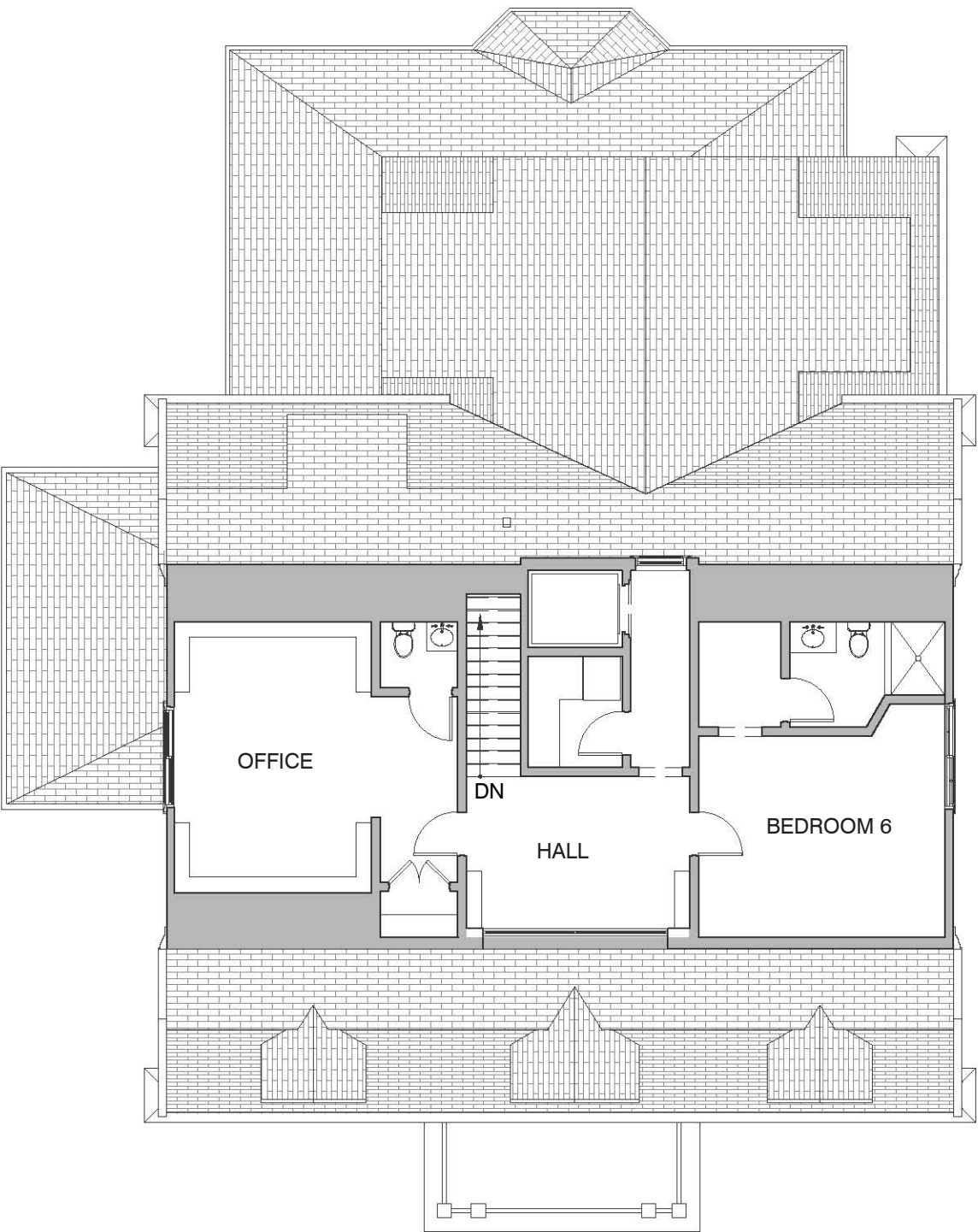


PROPOSED THIRD FLOOR PLAN


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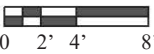
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PROPOSED THIRD FLOOR PLAN	
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	DRAWING NO: A-104
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PROPOSED FOURTH FLOOR PLAN

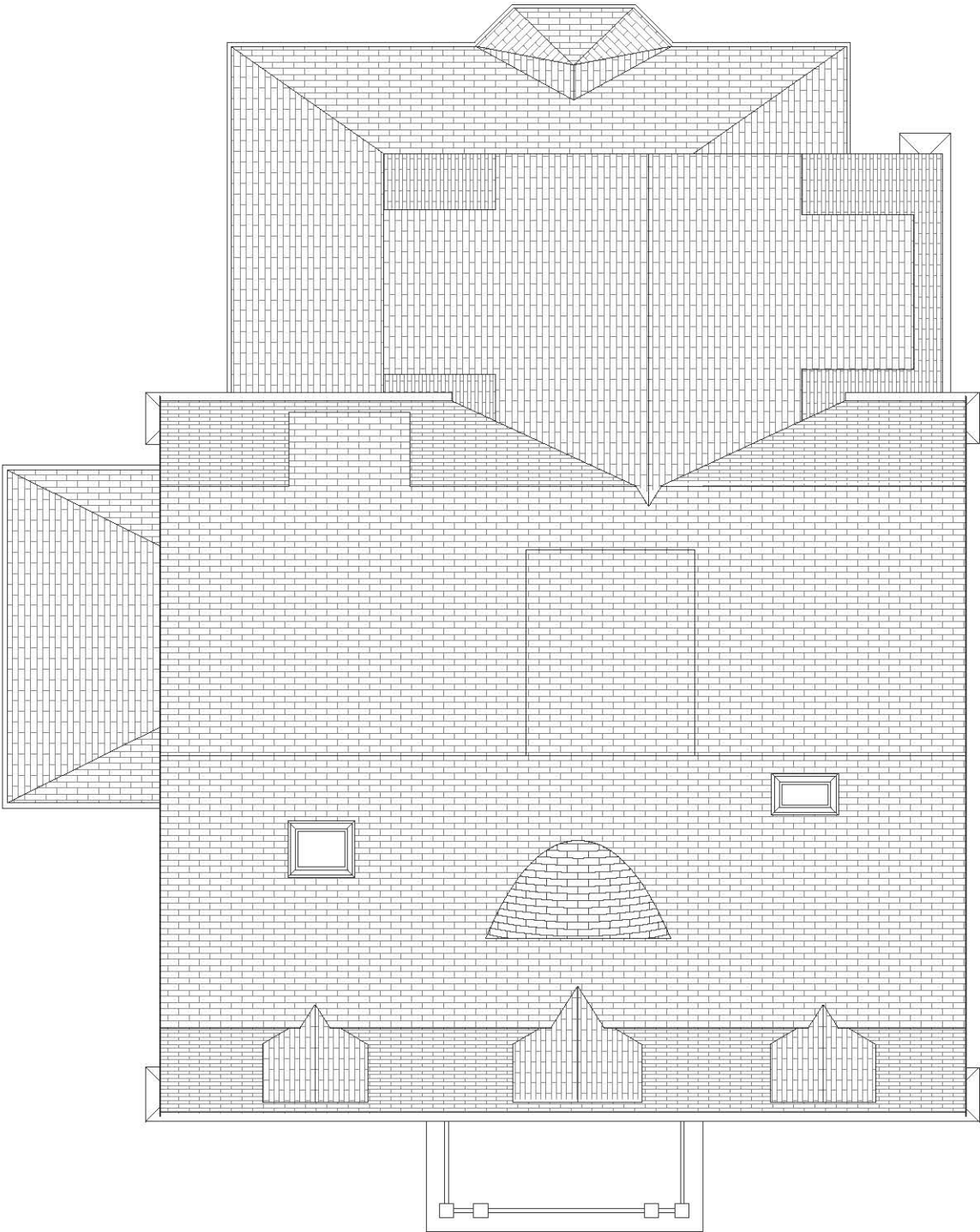


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PROPOSED FOURTH FLOOR PLAN	
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PROPOSED ROOF PLAN



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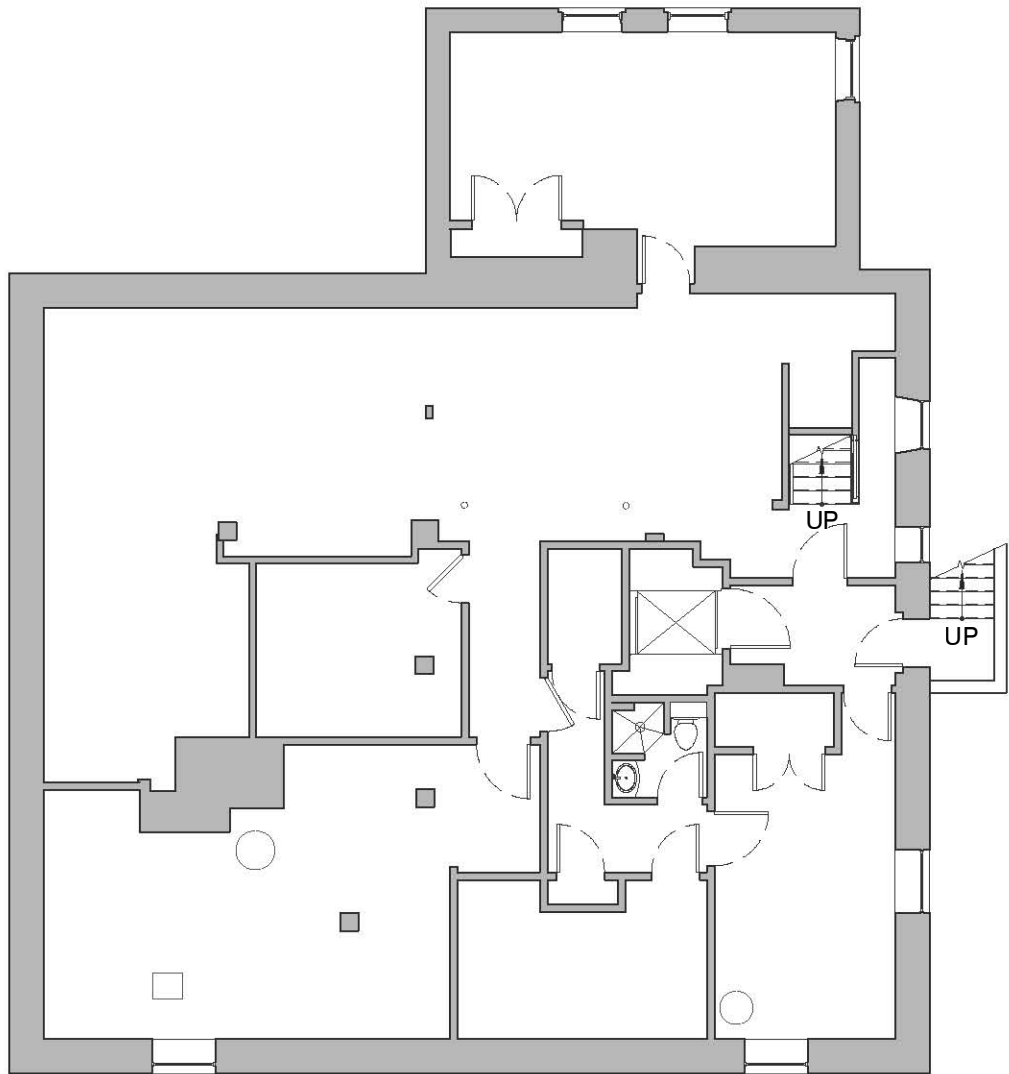
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ROOF PLAN

PROJECT NO:

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DRAWING NO:

A-106

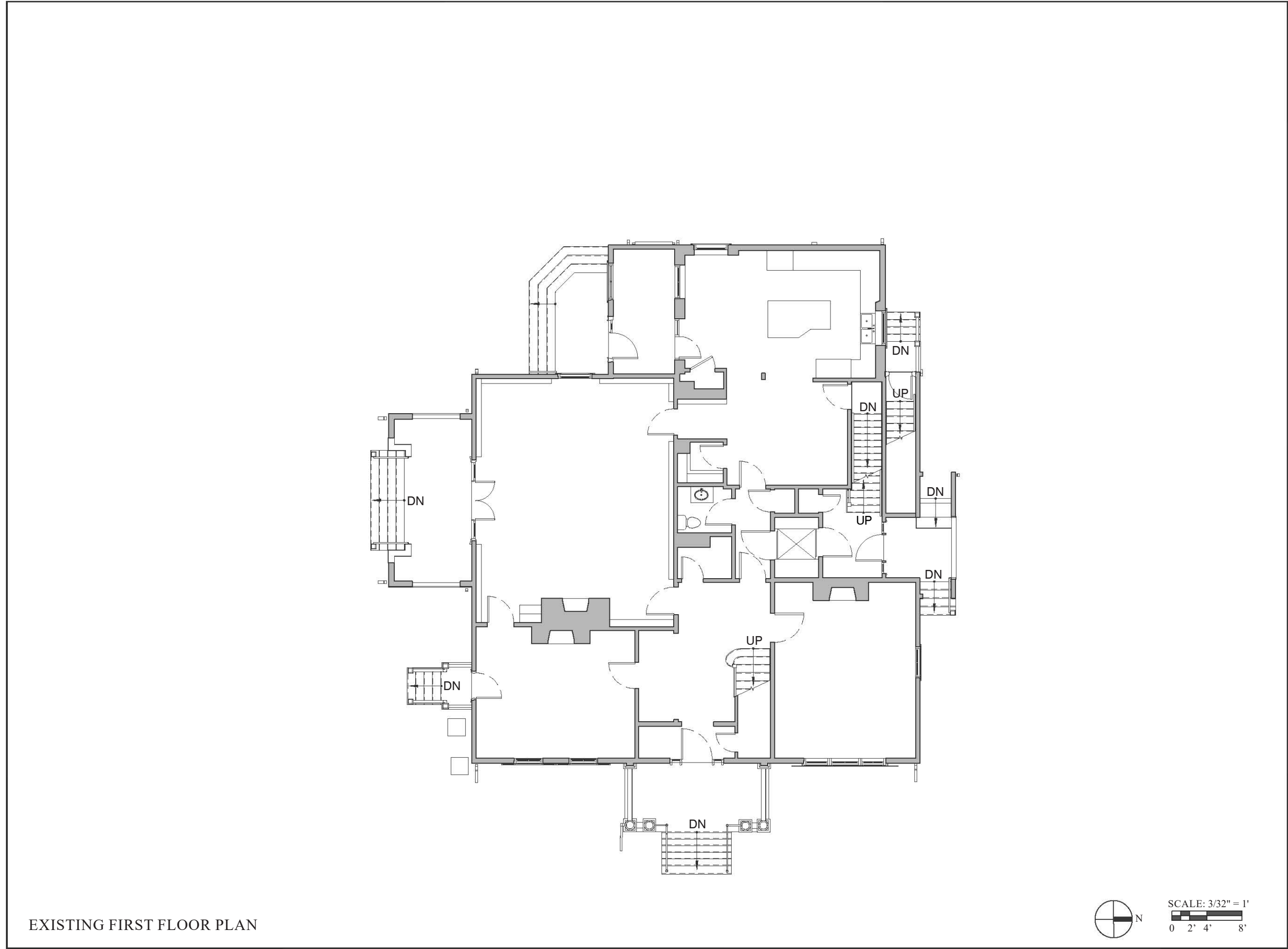


EXISTING BASEMENT PLAN

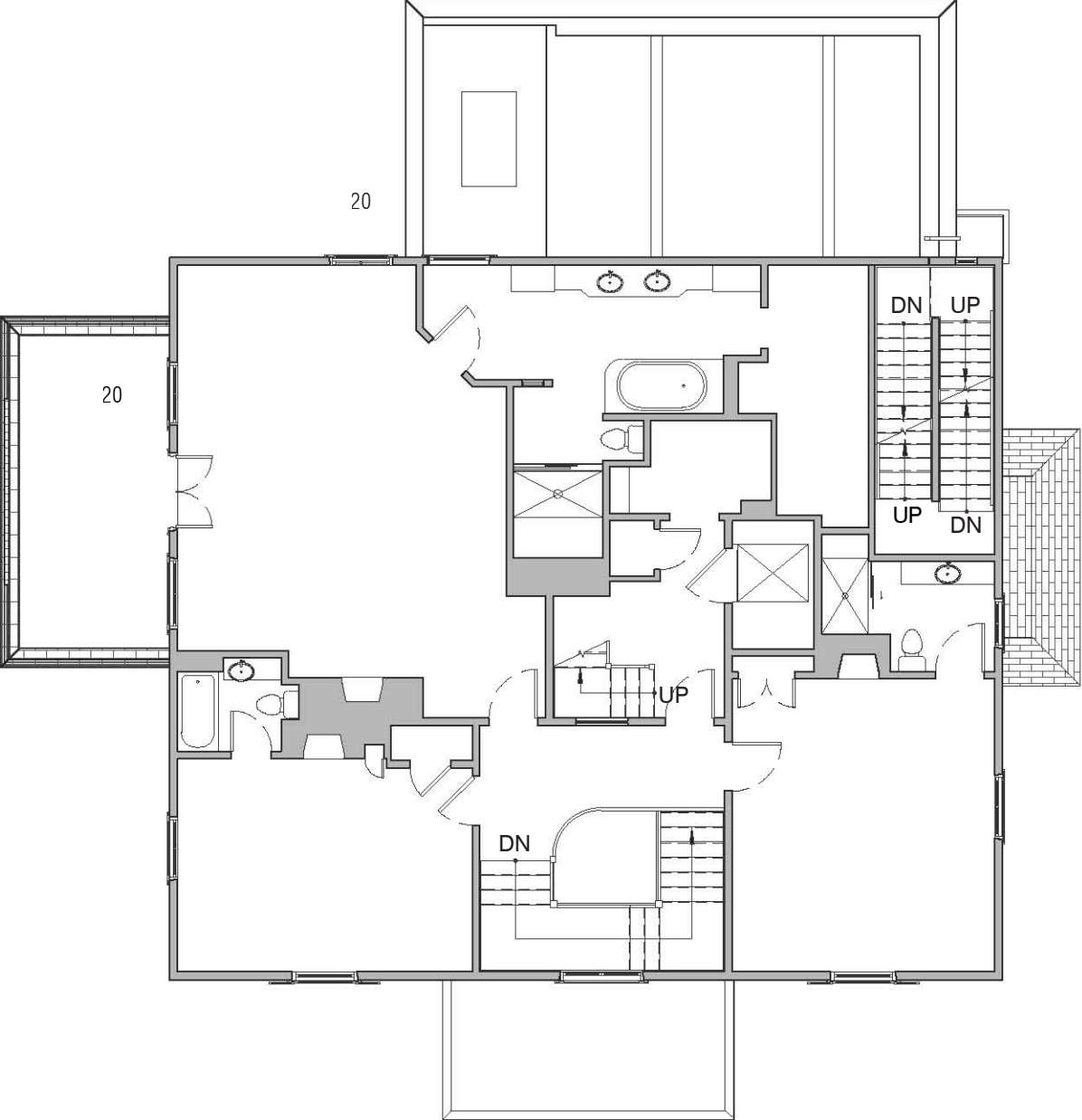
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SCALE: 3/32" = 1'

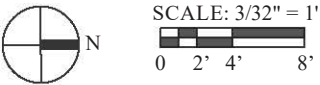

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ROBERT A.M. STERN ARCHITECTS, LLP <small>ONE PARK AVENUE, NEW YORK, NY 10016 TEL (212) 967-5100 FAX (212) 967-5588</small>	
EXISTING BASEMENT PLAN	
PROJECT NO:	
CAD FILE NO:	
DRAWING NO:	A-107



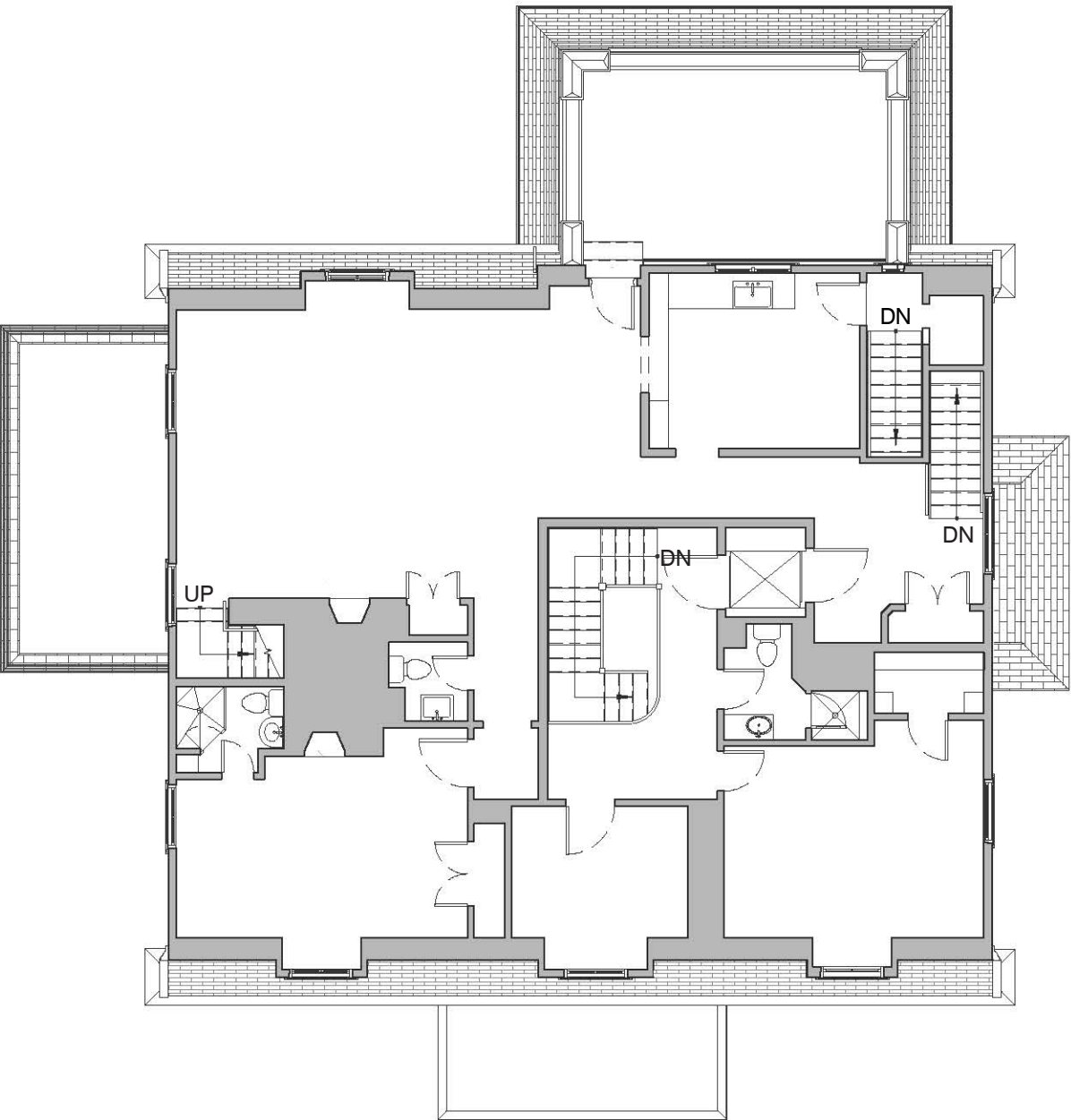
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EXISTING FIRST FLOOR PLAN	
PROJECT NO:	
CAD FILE NO:	
DRAWING NO:	A-108



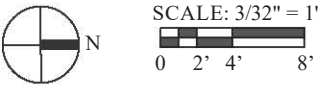
EXISTING SECOND FLOOR PLAN



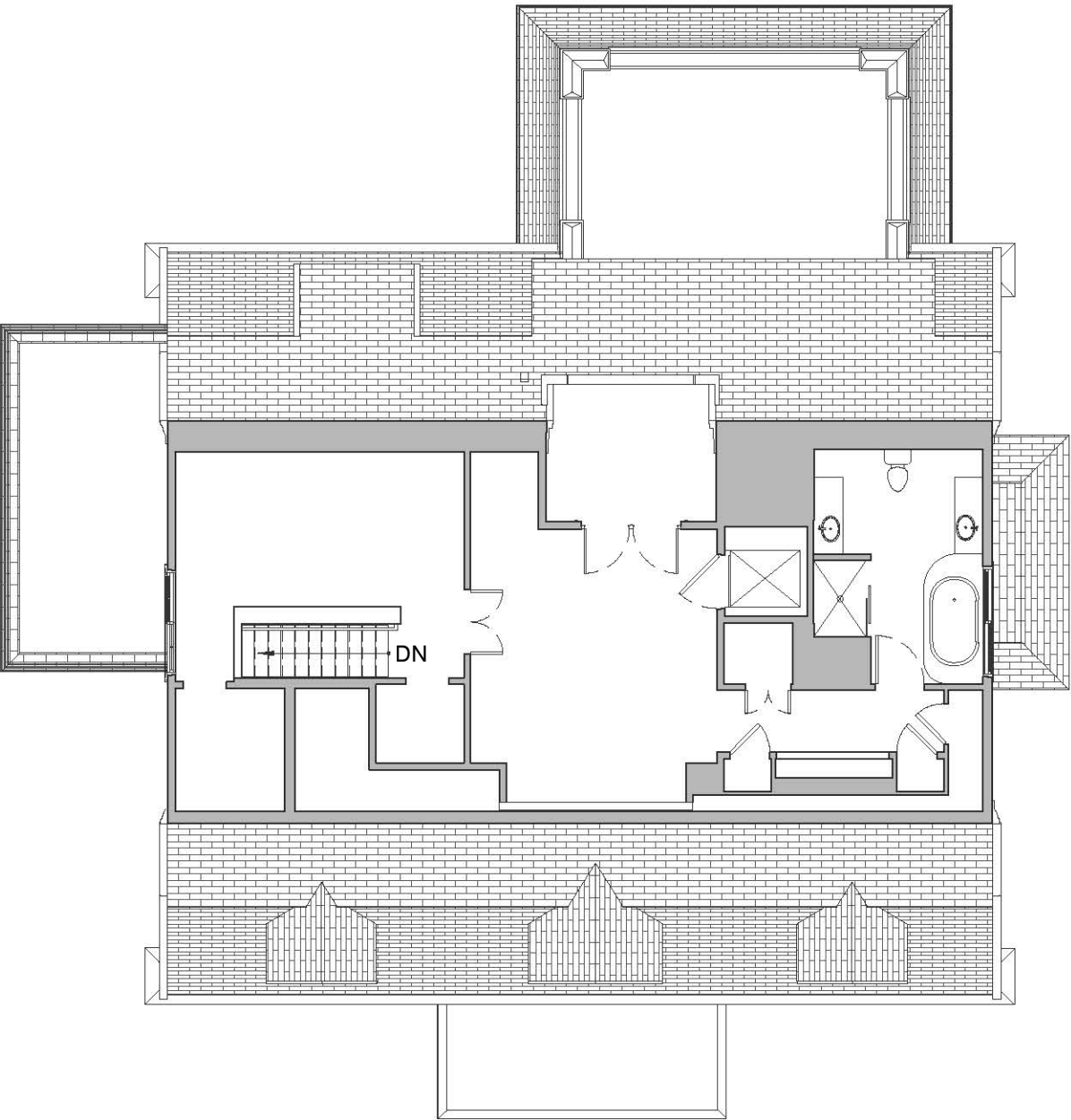
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EXISTING SECOND FLOOR PLAN	
	PROJECT NO:
	CAD FILE NO:
	DRAWING NO: A-109



EXISTING THIRD FLOOR PLAN



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EXISTING THIRD FLOOR PLAN	
PROJECT NO:	
CAD FILE NO:	
DRAWING NO:	A-110



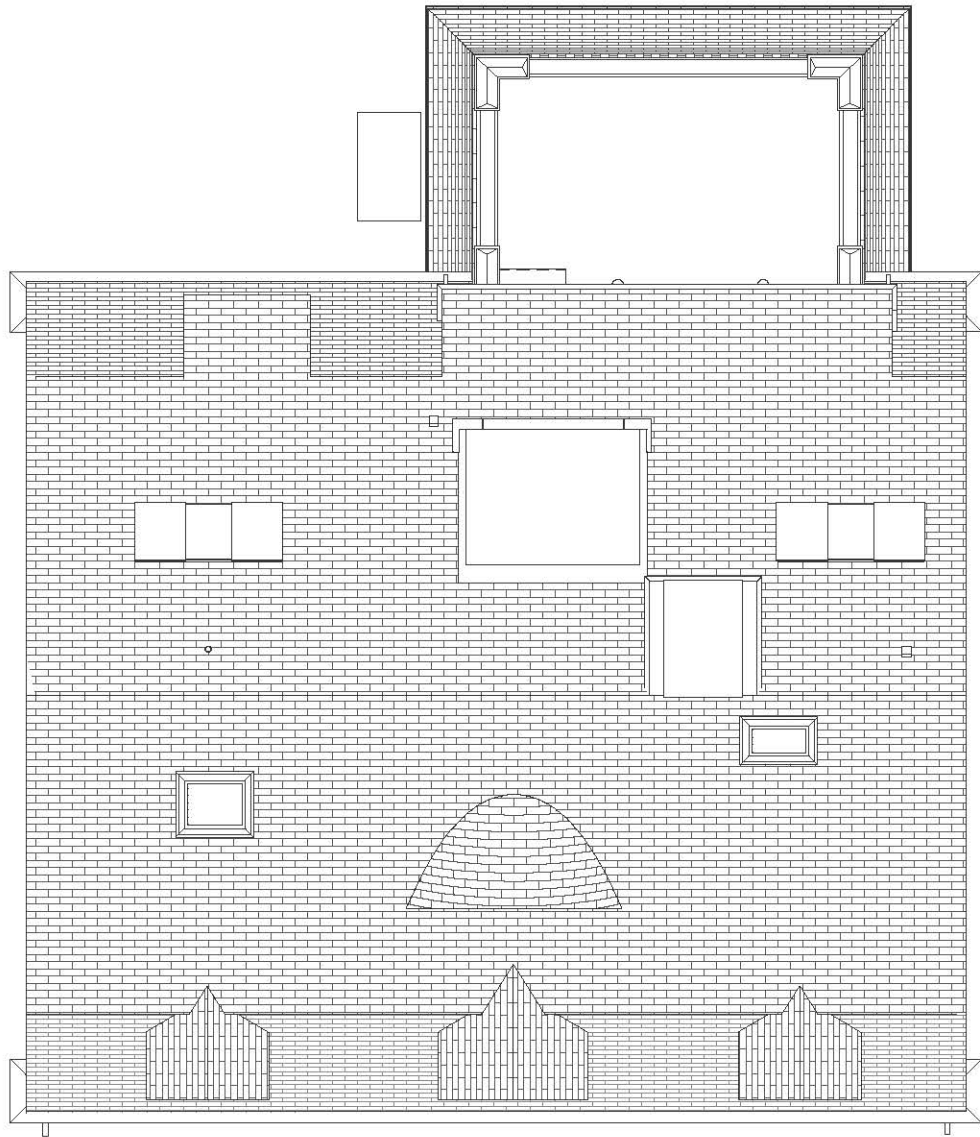
EXISTING FOURTH FLOOR PLAN

N

SCALE: 3/32" = 1'
0 2' 4' 8'

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EXISTING FOURTH FLOOR PLAN	
PROJECT NO:	
CAD FILE NO:	
DRAWING NO:	A-111

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EXISTING ROOF PLAN



SCALE: 3/32" = 1'
0 2' 4' 8'

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EXISTING ROOF PLAN	
	PROJECT NO:
	CAD FILE NO:
	DRAWING NO: A-112



IRVING STREET (EAST)



RIGHT SIDE (NORTH)



REAR (WEST)



LEFT SIDE (SOUTH)

PROPOSED EXTERIOR ELEVATIONS

SCALE: 1/16" = 1'
0 4' 8' 16'

LEGEND / NOTES

DATE ISSUED: 12/13/22

95 IRVING STREET
CAMBRIDGE, MA 02138

ROBERT A.M. STERN ARCHITECTS, LLP

ONE PARK AVENUE, NEW YORK, NY 10016
TEL: (212) 967-5100 | FAX: (212) 967-5588

PROJECT NO:

CAD FILE NO:

DRAWING NO:

A-200



IRVING STREET (EAST)



RIGHT SIDE (NORTH)

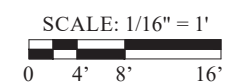


REAR (WEST)



LEFT SIDE (SOUTH)

EXISTING EXTERIOR ELEVATIONS



LEGEND / NOTES

DATE ISSUED: 12/13/22

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CAMBRIDGE, MA 02138

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ONE PARK AVENUE, NEW YORK, NY 10016
TEL: (212) 967-5100 | FAX: (212) 967-5588

PROJECT NO:

CAD FILE NO:

DRAWING NO:

A-201



VIEW FROM IRVING STREET LOOKING WEST

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PROPOSED RENDERING	
	PROJECT NO:
	CAD FILE NO:
	DRAWING NO: A-400



VIEW FROM THE SOUTHEAST

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PROPOSED RENDERING	
	PROJECT NO:
	CAD FILE NO:
	DRAWING NO: A-402



VIEW FROM THE SOUTHWEST

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PROPOSED RENDERING	
	PROJECT NO:
	CAD FILE NO:
	DRAWING NO: A-402



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139

Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112

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

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

CERTIFICATE OF APPROPRIATENESS

Property: **95 Irving Street**

Applicant: **Fox & Prince 86 LLC and IML 45 LLC**

Attention: **Palmer Latko Ledas Page LLC**
20 Tower Lane, Ste #305
Avon, Conn. 06001

Brian Fell
Robert A. M. Stern Architects
1 Park Avenue
New York, N. Y. 10016

The Cambridge Historical Commission hereby certifies, pursuant to the Massachusetts Historic Districts Act (MGL Ch. 40C) and the Cambridge Historical Buildings and Landmarks Ordinance (Cambridge City Code, Ch. 2.78), that the work described below is not incongruous to the historic aspects or architectural character of the building or district:

1. Demolish the garage and shed.
2. Construct a new garage.
3. Remove the existing rear and side additions. Remove three decks.
4. Construct a new two-story addition at the rear.
5. Exterior restoration of the house including restoration of historic windows, the front porch and steps.
6. Alterations including changing existing doors to windows.
7. Retain the existing stepping stone at the front gate (formerly located at the curb) with its existing carved number. Repair and construct landscape features such as paths, steps, patio, driveway pavement, and fences.

Work is to be carried out as indicated in the plans by Robert A. M. Stern Architects, LLP titled, "95 Irving Street Cambridge, MA 02138," and dated 10/11/2022 and as indicated in the landscape plans by Gregory Lombardi Design

Inc. titled, "95 Irving Street, Cambridge, MA," and dated 12/9/22.

Approval is granted on the condition that construction details and material samples be reviewed with and approved by the CHC Executive Director.

All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. Approved plans and specifications are incorporated by reference into this certificate.

This certificate is granted upon the condition that the work authorized herein is commenced within six months after the date of issue. If the work authorized by this certificate is not commenced within six months after the date of issue, or if such work is suspended in significant part for a period of one year after the time the work is commenced, then this certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time, for periods not exceeding six months each, may be allowed in writing by the Chair.

Case Number: **4871**

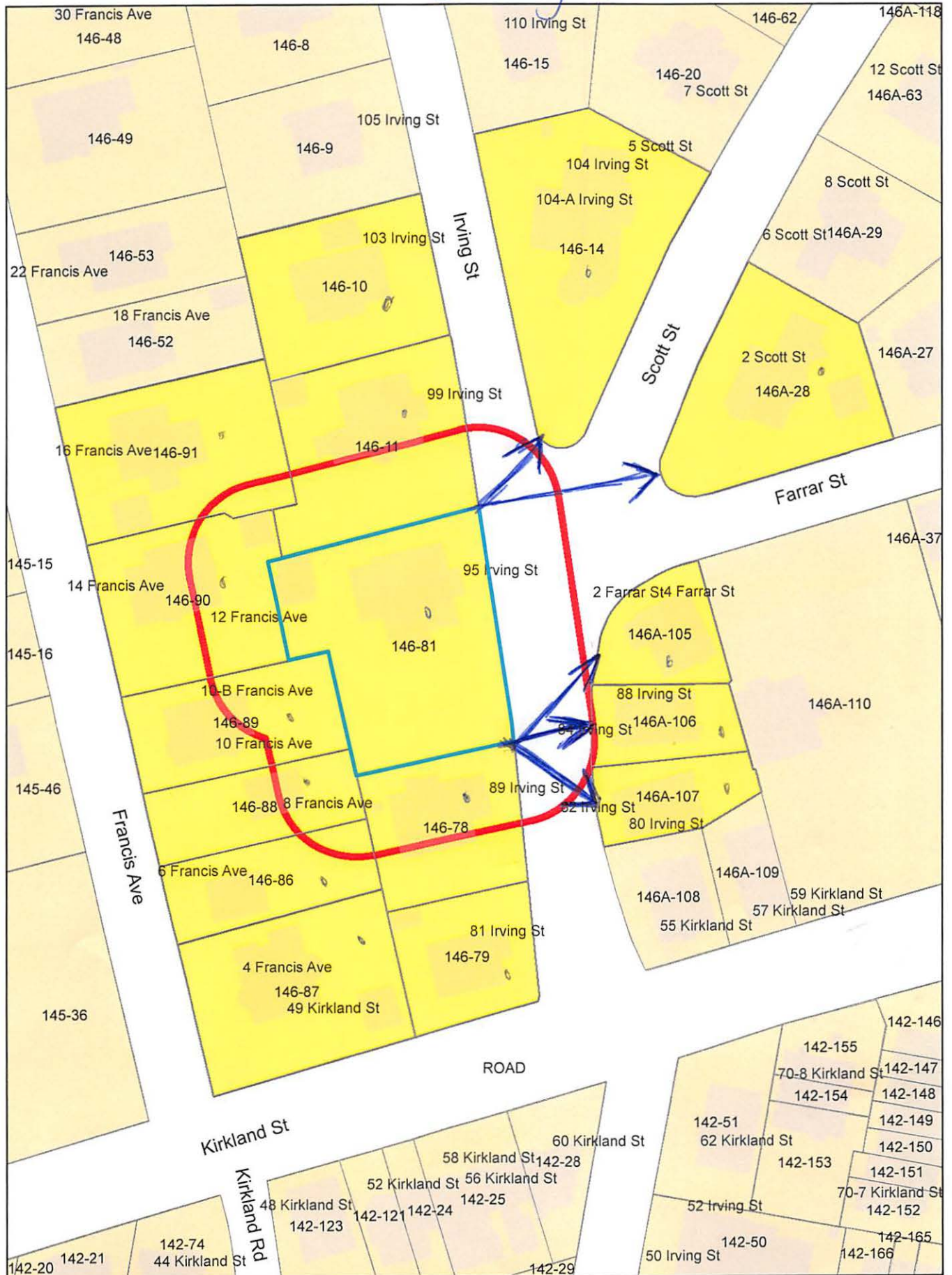
Date of Certificate: **January 20, 2023**

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on January 20, 2023.

By Susannah B. Tobin/slb, Vice Chair.

Twenty days have elapsed since the filing of this decision.
No appeal has been filed _____. Appeal has been filed _____.
Date _____, City Clerk

95 Irving St.



95 Irving St.

Petitioner

146-78
ZECKHAUSER, BRYN
89 IRVING ST
CAMBRIDGE, MA 02139

146-81
CHERTAVIAN, GERALD & KATE CHERTAVIAN
TRS. THE SEABROOK REALTY TRUST
95 IRVING ST., UNIT #1
CAMBRIDGE, MA 02138

JAMES J. RAFFERTY, ESQ.
907 MASS AVENUE – SUITE 300
CAMBRIDGE, MA 02139

146-86
WOLBACH, EMMA C.
241 PLANTATION ROAD
PALM BEACH, FL 33180

146-87
RIAL, NANCY E.
4 FRANCIS AVE.
CAMBRIDGE, MA 02138

146-79
FIELD, MARTHA AMANDA
81 IRVING ST
CAMBRIDGE, MA 02138-2025

146-10
KLARMAN, MICHAEL & LISA LANDSVERK
103 IRVING ST
CAMBRIDGE, MA 02138

146-88
WOLF, DENNIS P.
8 FRANCIS AVE
CAMBRIDGE, MA 02138-2010

146-91
VEZGA, BRENDA C.,
TRUSTEE YIHE BOSTON REALTY TRUST
204 E. MAGNA VISTA AVE,
ARCADIA, CA 91006

146-11
BAMFORTH, MARK R. & MORAG BAMFORTH
TRUSTEE, THE MORAG BAMFORTH FAM TRS
99 IRVING ST
CAMBRIDGE, MA 02138

146-14
IRVING-SCOTT CORPORATION, THE
104 IRVING ST
CAMBRIDGE, MA 02138

146-89
NAGURNEY, JOHN T. AND WENDY K. MARINER
10 FRANCIS AVE
CAMBRIDGE, MA 02138-2010

146A-28
BENKLER, YOCHAI & DEBORAH SCHRAG
2 SCOTT STREET
CAMBRIDGE, MA 02138

146A-105
DER HOVANESIAN, DIANA, A LIFE ESTATE
2 FARRAR ST
CAMBRIDGE, MA 02138-2008

146A-106
HILDEBRAND, VERA INGRID
86 IRVING ST.
CAMBRIDGE, MA 02138-2026

146A-107
FISHER, PHILIP J.
82 IRVING ST
CAMBRIDGE, MA 02138-2026

146-90
STAFFORD, WALTER F. III & SUE P. STAFFORD
12 FRANCIS AVE
CAMBRIDGE, MA 02138

146-90
14 FRANCIS ST LLC
2233 FARDOWN AVE
SALT LAKE CITY, UT 84121

146-81
CHERTAVIAN, GERALD
TRUSTEE THE WILLARD-HOPKINS TRUST
95 IRVING ST 2
CAMBRIDGE, MA 02138