

March 10, 2025

Via Email

Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

Re: BZA Case No. 1142420-2024
BZA Application: 18 Clinton Street, Cambridge, MA

Dear Members of the Board of Zoning Appeal:

On behalf of the Petitioner, we hereby request the withdrawal, without prejudice, of the above-referenced case, which is currently scheduled to be heard as a continued matter this Thursday, March 13, 2025.

As reasons therefore, the Petitioner states that further modifications to the design have been made in order to conform in all respects with the Cambridge Zoning Ordinance, as recently amended (by Ordinance 2025-1 and Ordinance 2025-2, ordained on February 10, 2025). We believe that no relief from this Board will be required, subject to final review by City staff. We therefore request a withdrawal, without prejudice of this case.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Sarah Like Rhatigan', with a long horizontal flourish extending to the right.

Sarah Like Rhatigan, Esq.

Enclosures

cc: Ms. Asha Danieri
Mr. Sam Kachmar



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 NOV -7 AM 11:57
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 1142420

General Information

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

Special Permit: X Variance: Appeal:

PETITIONER: 18 Clinton LP C/O Sarah Like Rhatigan, Esq., Trilogy Law LLC

PETITIONER'S ADDRESS: 12 Marshall Street, Cambridge, MA 02108

LOCATION OF PROPERTY: 18 Clinton St., Cambridge, MA

TYPE OF OCCUPANCY: Two-family dwelling

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

/Additions/

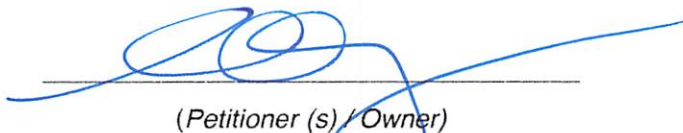
DESCRIPTION OF PETITIONER'S PROPOSAL:

Raise the base of the foundation of rear portion of structure out of the high water table, resulting in an increase in Height of rear portion of the structure located within setbacks, requiring a special permit.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000	Section: 5.31 (Table of Dimensional Regulations)
Article: 8.000	Section: 8.22.2.d & Sec. 8.22.2.c (Non-Conforming Structure)
Article: 10.000	Section: 10.40 (Special Permit)

Original
Signature(s):


(Petitioner (s) / Owner)

Sarah Like Rhatigan, Esq. on behalf of Petitioner

(Print Name)

Address:	Trilogy Law LLC, 12 Marshall Street, Boston, MA 02108
Tel. No.	617-543-7009
E-Mail Address:	sarah@trilogylaw.com

Date: November 6, 2024

BZA APPLICATION FORM - OWNERSHIP INFORMATION

(To be completed by OWNER, signed before a notary, and returned to Secretary of Board of Appeal).

18 Clinton LP, a Delaware limited partnership

(OWNER)

Address: with a principal place of business at *18 Clinton Street, Cambridge, MA 02139*

states that *18 Clinton LP, a Delaware limited partnership* owns the property located at *18 Clinton Street, Cambridge, MA 02139* which is the subject of this zoning application.

The record title of this property is in the name of *18 Clinton LP, a Delaware limited partnership* pursuant to a deed dated *July 29, 2021* and duly recorded in the Middlesex South County Registry of Deeds on *August 5, 2021*, at Book *78415*, Page *106*;

18 CLINTON LP,
a Delaware limited partnership

By: *Prithviraj Inc., Its General Partner*

By:

Asha Daniere, Pres. & Treasurer, by her attorney-in-fact
Name: *Asha Daniere*
Title: *President and Treasurer*

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

NOTARY PUBLIC

STATE OF

MA

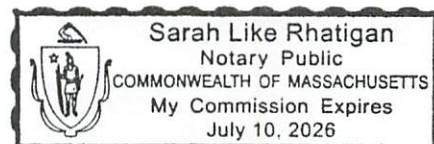
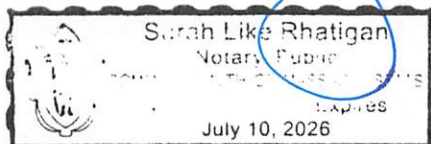
County of

Middlesex

The above-named *Sarah Like Rhatigan, Esq., Atty-in-Fact for* *Asha Daniere, President and Treasurer of Prithviraj Inc., General Partner of 18 Clinton LP*, personally appeared before me, this *6th* day of November, 2024, and made oath that the above statement is true.

Notary

My commission expires (Notary Seal).



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 18 Clinton 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:

This proposal seeks relief to allow the owner to raise the base level of the foundation at the rear portion of the structure in order to address water conditions discovered during pre-construction soil testing.

The applicant is currently under construction of a renovation project approved by this Board of Zoning Appeal in February of 2023. See BZA Case No. 208880, Decision issued on April 28, 2023, and Extension of Time of Expiration issued on April 11, 2024 (hereinafter the "BZA Decision"). This BZA Decision granted the applicant relief (a variance and special permit) to allow for (i) a conversion from a multi-family to a two-family use, (ii) additions, and (iii) new and modified window within setbacks.

The applicant filed for and obtained a building permit in April, 2024. During pre-construction investigations for the stormwater infiltration system, the engineer witnessed a high water table during deep hole observation testing on site. Noting that the planned construction would result in the proposed basement of the rear unit sitting in the high-water area, the engineer and general contractor recommended raising the foundation for the basement of the rear portion of the structure out of the water table. This recommendation was made after considering the impact of building within the water table, which includes increased flooding risk, the potential for material water displacement to surrounding properties, and increased BPA plastics in the groundwater as well as other environmental concerns.

The applicant's team prepared a revised plan and sought approval to allow them to raise the base level of the foundation to address flooding concerns. Through a miscommunication or misunderstanding, the applicant and general contractor understood that the revised plan submitted to Inspectional Services in July 2024 had been approved as an "as of right" modification under the new Flood Resiliency provisions of the Ordinance. Thereafter in reliance on this understanding, the team proceeded with excavation and pouring of the new foundation per the revised plan, and received interim signoffs from the building inspector. In October, 2024, the applicant was notified by Inspectional Services that the plan to raise the foundation level would require Board of Zoning Appeal approval and she was ordered to stop construction on the rear structure.

The revised plan results in an increase in the height above grade of the rear portion of the structure by 4.3 feet. It will result in the rear roof ridge rising from 22.35 feet to 26.65 feet above grade, well below the 35.0 ft. maximum for the district. Where this increase in height occurs within setbacks (left and rear), per Inspectional Services interpretation, this increases a pre-existing nonconformity and requires a special permit.

No new conformities will be created and thus the revised plan may be allowed with the granting of a special permit pursuant to Sec. 8.22.2.d, for an increase in a pre-existing nonconformity for a two-family dwelling. There will be no increase in the GFA/FAR, no new violations of setbacks, and no diminishment of open space.

The increase in height of the rear portion of the structure affects the height of windows on the nonconforming left side and rear elevations of the rear structure, thus requiring special permit relief under Section 8.22.2.c.

In all other respects, the requested modification to raise the rear portion of the structure will comply with zoning and building code requirements.

- 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:

There will be no impact on traffic, patterns of access or egress, no resulting congestion hazard or substantial change in the established neighborhood character resulting from this proposal.

- 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 the adjacent residential uses will not be negatively impacted by the increase in height.

- 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:

There is no nuisance that will result from the proposed change. In fact, by elevating the foundation out of the water table, many potential negative impacts to the abutting lots and groundwater are alleviated.

- 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:

There will be no impairment to the integrity of the district in allowing this sensible change to the plans to address water table conditions discovered in the field. By allowing for the modification, the Board of Zoning Appeal will help to support a Cambridge-based owner with a substantial renovation that will allow for her and her family to relocate and reside in Cambridge. It will also assist in helping the owner avoid problematic future flooding on her property which may result if construction is required to proceed as originally designed.

***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: 18 Clinton LP
Location: 18 Clinton St., Cambridge, MA
Phone: 617-543-7009

Present Use/Occupancy: Two-family dwelling
Zone: Residence C-1 Zone
Requested Use/Occupancy: Two-family dwelling

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		4,450 sf	4,450 sf	4,531 sf	(max.)
<u>LOT AREA:</u>		6,042 sf	6,042 sf	5,000 sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		0.74	0.74	0.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>		3,021 sf	3,021 sf	1,500 sf	
<u>SIZE OF LOT:</u>	WIDTH	60.02 ft	60.02 ft	50.00	
	DEPTH	100.67 ft	100.67 ft	n/a	
<u>SETBACKS IN FEET:</u>	FRONT	15.5 ft	15.5 ft	10.0 ft	
	REAR	0.2 ft	0.2 ft	20.0 ft	
	LEFT SIDE	1.4 ft	1.4 ft	7.5 ft	
	RIGHT SIDE	22.3 ft	22.3 ft	7.5 ft	
<u>SIZE OF BUILDING:</u>	HEIGHT	36.00 ft (front)/22.35 ft (rear)	36.00 (front)/26.65 ft (rear)	35.0 ft	
	WIDTH	85.0 ft	85.0 ft	n/a	
	LENGTH	22.5 ft and 36.2 ft	22.5 ft and 36.2 ft	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		0.46/0.24 complies w Sec 5.22.1	0.46/0.24 complies w Sec 5.22.1	0.30/0.15 complies w Sec 5.22.1	
<u>NO. OF DWELLING UNITS:</u>		2	2	4 (max)	
<u>NO. OF PARKING SPACES:</u>		4	4	0	
<u>NO. OF LOADING AREAS:</u>		0	0	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		n/a	n/a	(H+L)/6	

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.:

The project utilizes customary wood frame residential two-family construction.

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'.

January 27, 2024

Via Email

Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

Re: BZA Case No. 1142420-2024
BZA Application: 18 Clinton Street, Cambridge, MA

Dear Members of the Board of Zoning Appeal:

On behalf of the Petitioner, we hereby request a continuance of this matter, presently scheduled to be heard by this Board on Thursday, January 30th, 2025. The Petitioner and her team need additional time to work through various design alternatives.

We request that this case be continued until the Board of Zoning Appeal's hearing scheduled for March 13, 2025.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Sarah Like Rhatigan', with a long horizontal flourish extending to the right.

Sarah Like Rhatigan, Esq.

Enclosures

cc: Ms. Asha Daniere
Mr. Sam Kachmar
Mr. Axel Ramirez-Palacio

BZA Application Form**REVISED 12/5/24****DIMENSIONAL INFORMATION**

Applicant: 18 Clinton LP
Location: 18 Clinton St., Cambridge, MA
Phone: 617-543-7009

Present Use/Occupancy: Two-family dwelling
Zone: Residence C-1 Zone
Requested Use/Occupancy: Two-family dwelling

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		4,450 sf	4,450 sf	4,531 sf	(max.)
<u>LOT AREA:</u>		6,042 sf	6,042 sf	5,000 sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		0.74	0.74	0.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>		3,021 sf	3,021 sf	1,500 sf	
<u>SIZE OF LOT:</u>	WIDTH	60.02 ft	60.02 ft	50.00	
	DEPTH	100.67 ft	100.67 ft	n/a	
<u>SETBACKS IN FEET:</u>	FRONT	15.5 ft	15.5 ft	10.0 ft	
	REAR	0.2 ft	0.2 ft	20.0 ft	
	LEFT SIDE	1.4 ft	1.4 ft	7.5 ft	
	RIGHT SIDE	22.3 ft	22.3 ft	7.5 ft	
<u>SIZE OF BUILDING:</u>	HEIGHT	36.00 ft (front)/22.35 ft (rear)	36.00 (front)/ 23 ft 4.5 in. (rear)	35.0 ft	
	WIDTH	85.0 ft	85.0 ft	n/a	
	LENGTH	22.5 ft and 36.2 ft	22.5 ft and 36.2 ft	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		0.46/0.24 complies w Sec 5.22.1	0.46/0.24 complies w Sec 5.22.1	0.30/0.15 complies w Sec 5.22.1	
<u>NO. OF DWELLING UNITS:</u>		2	2	4 (max)	
<u>NO. OF PARKING SPACES:</u>		4	4	0	
<u>NO. OF LOADING AREAS:</u>		0	0	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		n/a	n/a	(H+L)/6	

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.:

The project utilizes customary wood frame residential two-family construction.

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'.

18 CLINTON RESIDENCE

18 CLINTON LP

18 CLINTON ST / CAMBRIDGE , MA 02138

BZA SPECIAL SUBMISSION SET

12/5/2024

PROJECT DESCRIPTION

NARRATIVE:
The BZA approved plans in 2023 allowing for a full renovation, conversion to a two-family, keeping the original footprint, with additional living space on levels 0 and 2, as well as new and modified windows within setbacks. The revised plans enclosed here propose to modify the approved plans by raising the base of the foundation of rear portion of structure out of the high water table, resulting in an increase in Height of rear portion of the structure.



AFFILIATES

ARCHITECT:

SKA INC.
357 HURON AVE.
CAMBRIDGE, MA 02138



GENERAL CONTRACTOR:

MATTHEW ROMAN

LANDSCAPE ARCHITECT:

N/A

STRUCTURAL ENGINEER:

DAN WEBB
WEBB STRUCTURAL SERVICES

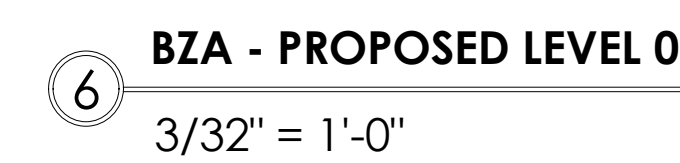
CIVIL ENGINEER:

HANCOCK SURVEY

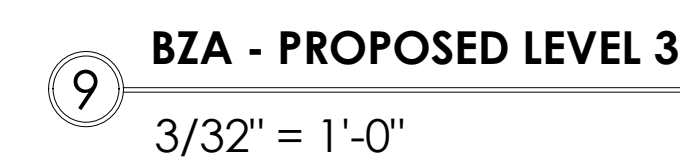
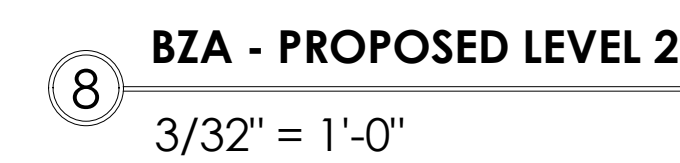
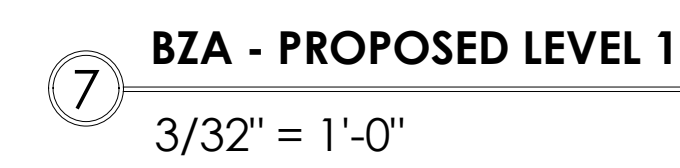
CONTENTS

BZA Sheet List		
Sheet Number	Sheet Name	Count
BZA-000	COVER	1
BZA-002	GENERAL NOTES	1
BZA-003	AREA PLANS - REVISED	1
BZA-004	CERTIFIED PLOT PLAN	1
BZA-005	SHADOW STUDY - REVISED	1
BZA-005.5	SHADOW STUDY - REVISED SOLAR NOON	1
BZA-006	SITE AXON- REVISED	1
BZA-007	STREET VIEW - REVISED	1
BZA-100	LEVEL 0 - REVISION	1
BZA-101	LEVEL 1 - REVISION	1
BZA-102	LEVEL 2 - REVISION	1
BZA-103	LEVEL 3 - REVISION	1
BZA-104	ROOF PLAN - REVISION	1
BZA-200	ELEVATION WEST - REVISION	1

BZA Sheet List		
Sheet Number	Sheet Name	Count
BZA-201	ELEVATION SOUTH - REVISION	1
BZA-202	ELEVATION NORTH - REVISION	1
BZA-204	ELEVATION EAST - REVISION	1
BZA-205	RENDER - PROPOSED AND REVISED 1	1
BZA-206	RENDER - PROPOSED AND REVISED 2	1
BZA-207	RENDER - PROPOSED AND REVISED 3	1
BZA-208	RENDER - PROPOSED AND REVISED 4	1



*BASEMENT AREA EXEMPT



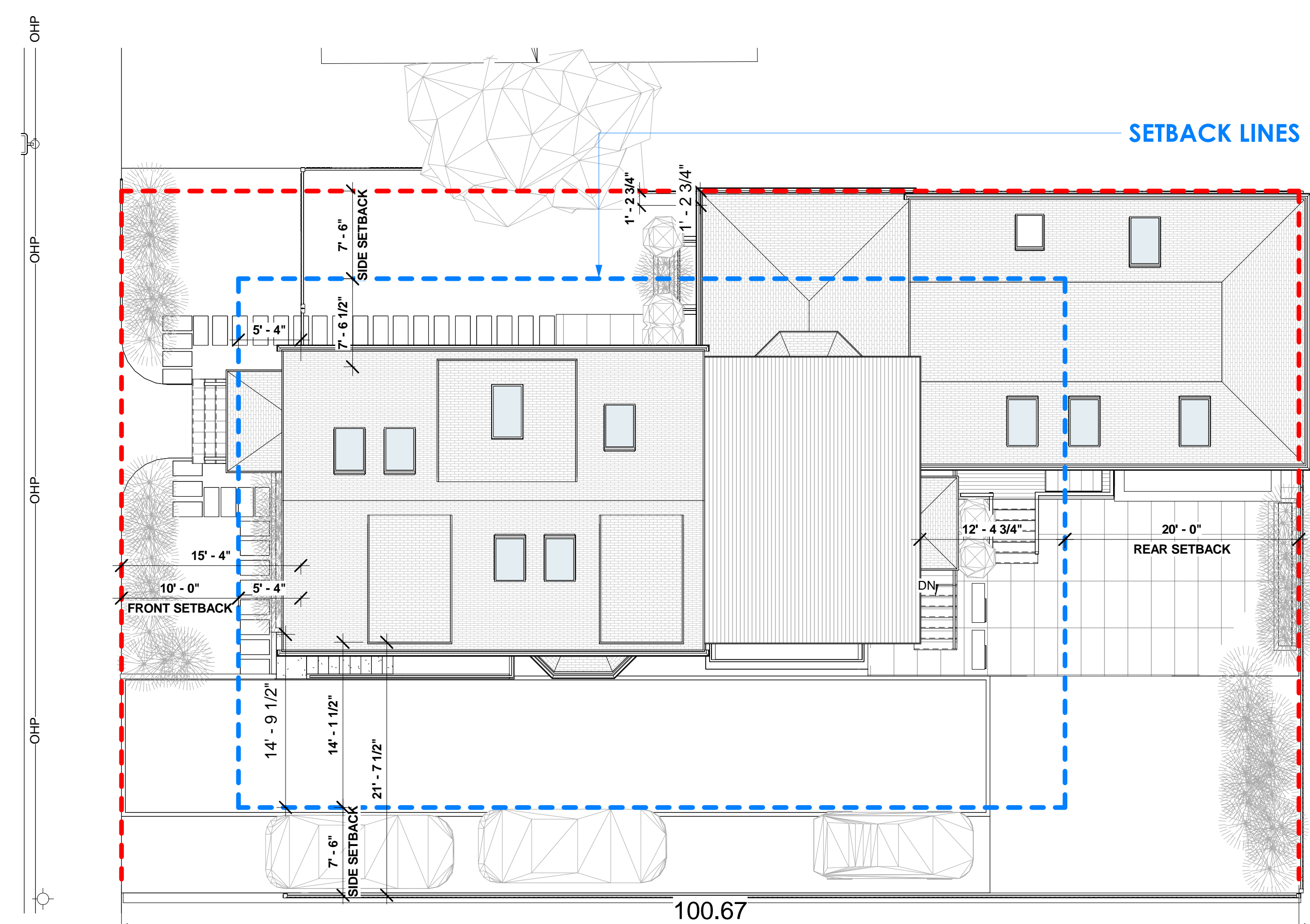
- BZA APPROVED BUILDING HEIGHT: 35' - 2"
- BZA APPROVED BUILDING HEIGHT: 36' - 0" W/WINDOW WELLS
- PROPOSED BUILDING HEIGHT: 35' - 2"
- PROPOSED BUILDING HEIGHT: 35' - 9 3/4" W/WINDOW WELLS
- GRADE: 40.27' - (MEASURED AROUND ENTIRE PERIMETER OF BUILDING)
- GRADE: 41.53' - (MEASURED ALONG EXISTING FRONT WALL FACING CLINTON ST)

NOTE: - LEVEL 0 EXEMPT PER SEC. 5.25.2(C)(ii)

- LOT IN COMPLIANCE WITH FLOOD RESILIENCE STANDARDS
UNDER SEC. 22.80 - SEE FLOODVIEWER SCREENSHOT

FAR CALCULATIONS BZA
APPROVED AND PROPOSED

OHP	LEVEL 0	0 SQ (EXEMPT - SEE NOTE)	LOT SIZE	6,042 SF
	LEVEL 1	2,170 SQ SF / GFA	BZA APPROVED FAR	0.73%
	LEVEL 2	1,730 SQ SF / GFA	PROPOSED FAR	0.73%
	LEVEL 3	550 SQ SF / GFA		
	TOTAL	4,450 SQ SF / GFA		



BZA - PROPOSED SITE PLAN - REVISED

$$1/8'' = 1'-0''$$


SAM KACHMAR ARCHITECTS

(p) 617-800-6223
www.SKA-MA.com
357 HURON AVE.
CAMBRIDGE MA, 02138

REGISTRATIONS:

**NOT FOR
CONSTRUCTION**

AREA PLANS -
REVISED

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
Checked by	Checker

BZA-003

Scale	As indicated
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(p) 617-800-6223
www.SKA-MA.com
357 HURON AVE.
CAMBRIDGE MA, 02138

REGISTRATIONS:

NOT FOR
CONSTRUCTION

CERTIFIED PLOT PLAN

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number 2203-0018
Date 12/5/2024
Drawn by SKA
Checked by SKA

BZA-004
Scale 1 : 140

PREPARED FOR:
OWNER OF RECORD:
ASHA DANIERE
280 SOUTH KINGSWAY
TORONTO, ONTARIO, CANADA

REFERENCES:
OWNER OF RECORD:
NIRMAL DANIERE
18 CLINTON STREET
CAMBRIDGE, MA 02140

DEED: BK 15003; PG 191
PLAN: No. 609 OF 2015
No. 316 OF 1980
LCC: 4353-A
11056-A
13089-A

NOTES:
MAP/LOT: 118-8

ZONING:			
DISTRICT:	RES. C-1	REQUIRED	EXISTING
FAR	(MAX.) 0.75	-	-
LOT SIZE	(MIN.) 5,000 SF	6,042±SF	
LOT AREA/DW. UT (MIN.)	1,500 SF		
LOT WIDTH	(MIN.) 50'	60.02'	
FRONT SETBACK	(MIN.) 15.5'		
SIDE SETBACK	(MIN.) 1.4'		
REAR SETBACK	(MIN.) 0.2'		
HEIGHT	(MAX.) 35'	35.2'	
US. OPEN SPACE	(MIN.) 30%	25.8%	

* = NON-CONFORMING

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF SEPTEMBER 15, 2021 AND FEBRUARY 27, 2024 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ARE LINES DIVIDING EXISTING OWNERSHIP AND THE LINES OF STREETS AND WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

ABUTTERS' NAMES REFER TO CURRENT CITY OF CAMBRIDGE ASSESSOR'S RECORDS AND/OR CURRENT RECORDS AVAILABLE AT THE REGISTRY OF DEEDS.

VERTICAL DATUM
THE ELEVATIONS SHOWN ON THIS PLAN ARE RELATIVE TO CAMBRIDGE CITY BASE AND WERE DETERMINED FROM AN INVERT ELEVATION COMPILED FROM PLAN OBTAINED FROM THE CITY OF CAMBRIDGE GIS.

BENCHMARK
1) BOLT ON HYDRANT
ELEVATION = 44.54'

UNDERGROUND UTILITIES ARE BASED UPON AN ACTUAL FIELD SURVEY AND INFORMATION OF RECORD. IT IS NOT WARRANTED THAT THEY ARE EXACTLY LOCATED, NOR THAT ALL UNDERGROUND CONDUITS OR OTHER STRUCTURES ARE SHOWN ON THIS PLAN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY DIG SAFE PRIOR TO ANY EXCAVATIONS.

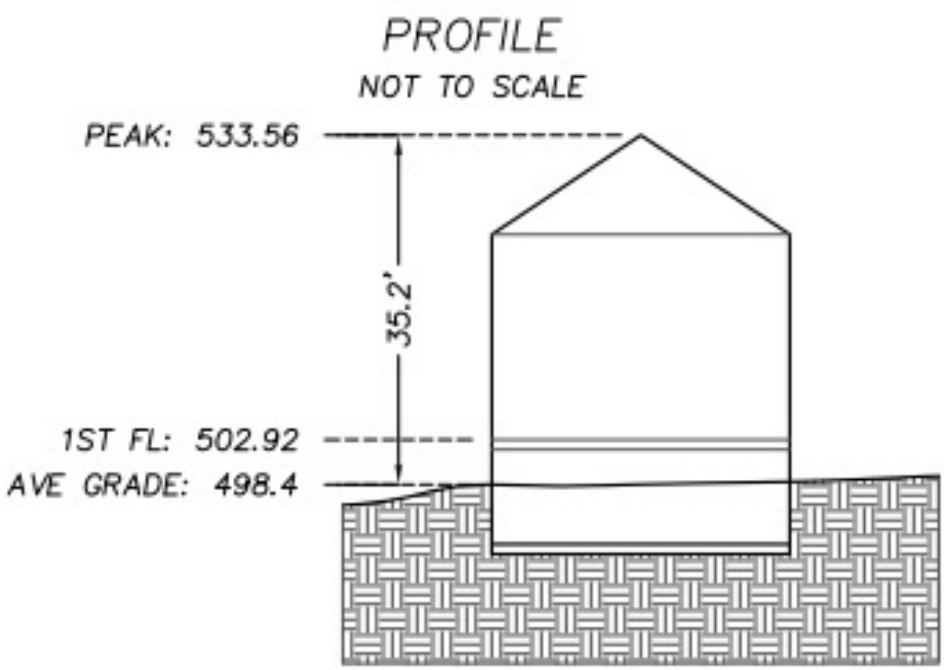
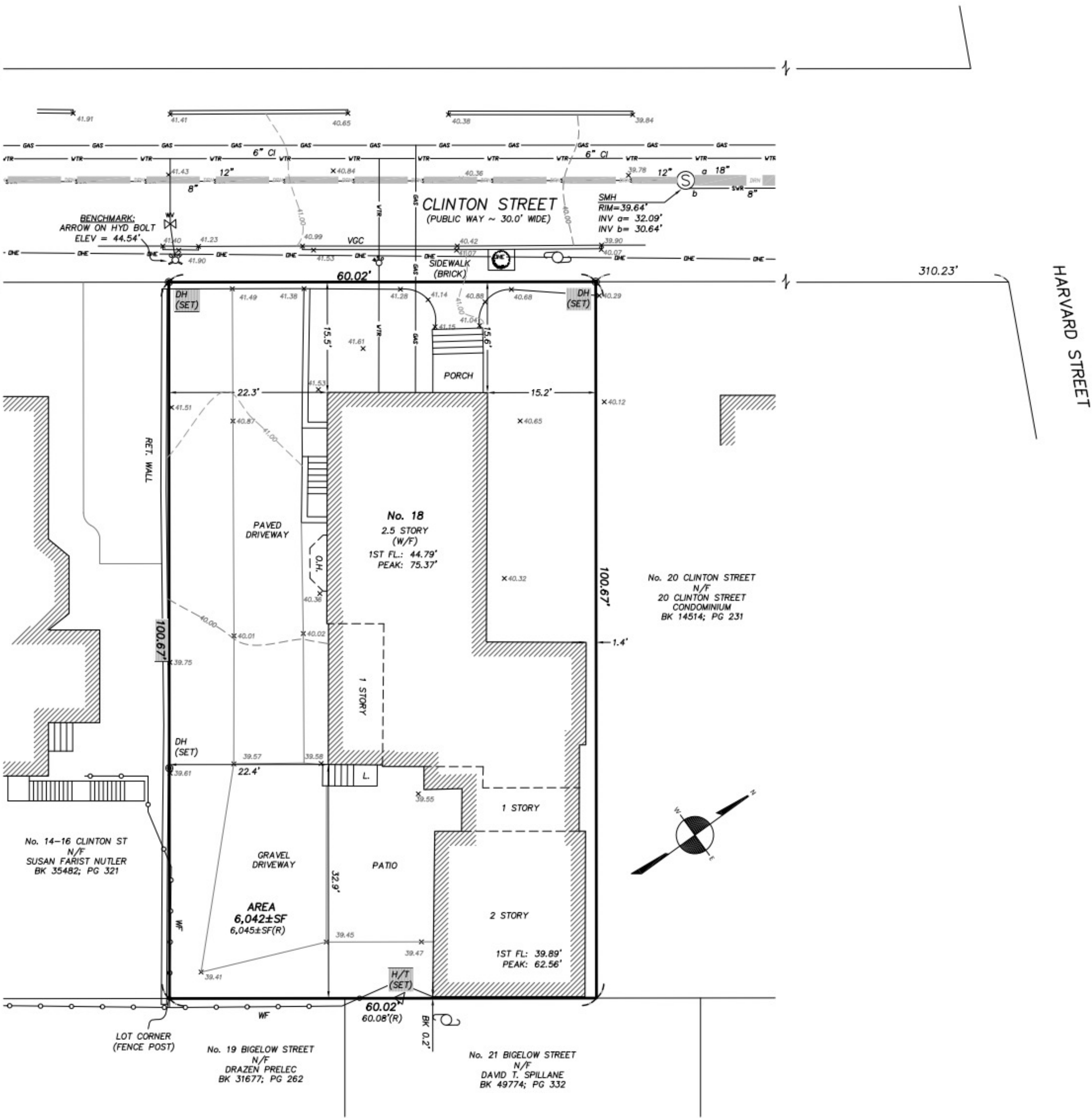
FEMA
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS
ZONE: X
COMMUNITY PANEL: 25017C0576E
EFFECTIVE DATE: JUNE 4, 2010

UTILITY SITE PLAN OF LAND
LOCATED AT
18 CLINTON STREET
CAMBRIDGE, MA

DATE: MARCH 8, 2024 SCA.E: 1.0 INCH = 10.0 FEET



LEGEND	
BOUND	□
IRON PIPE/ IRON ROD	○
DRILL HOLE	●
BENCHMARK	⊕
GAS VALVE	⊕
HYDRANT	⊕
WATER SHUTOFF	⊕
WATER VALVE	⊕
CATCH BASIN	□
DRAIN MANHOLE	⊕
SEWER MANHOLE	⊕
ELECTRIC MANHOLE	⊕
TELEPHONE MANHOLE	⊕
SIGN	⊕
LIGHT POLE	⊕
UTILITY POLE	⊕
DRAIN LINE	—
SEWER LINE	—
GAS LINE	—
WATER LINE	—
STONE WALL	—
CHAIN LINK FENCE	—
INVERT	INV
POLY VINYL CHLORIDE	PVC
VITRIFIED CLAY	VC
REINFORCED CONCRETE PIPE	RCP
FOUND	FND
CONCRETE BOUND	CB
STONE BOUND	SB



FIELD:	JJH
DRAFT:	NPP, SAP
CHECK:	GCC
DATE:	03/08/24
JOB #	21-00519



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SAM KACHMAR ARCHITECTS
(p) 617-800-6223
www.SKA-MA.com
357 HURON AVE.
CAMBRIDGE MA, 02138

REGISTRATIONS:

NOT FOR CONSTRUCTION

SHADOW STUDY - REVISED

18 CLINTON LP

18 CLINTON RESIDENCE

18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number2203-0018
Date12/5/2024
Drawn byAuthor
Checked byChecker

BZA-005

Scale1/16" = 1'-0"

12/5/2024 3:18:31 PM

EXISTING CONDITION



APPROVED BZA RENDER



PROPOSED RENDER



© 2022 SAM KACHMAR ARCHITECTS
SAM KACHMAR ARCHITECTS
(p) 617-800-6223
www.SKA-MA.com
357 HURON AVE.
CAMBRIDGE MA, 02138

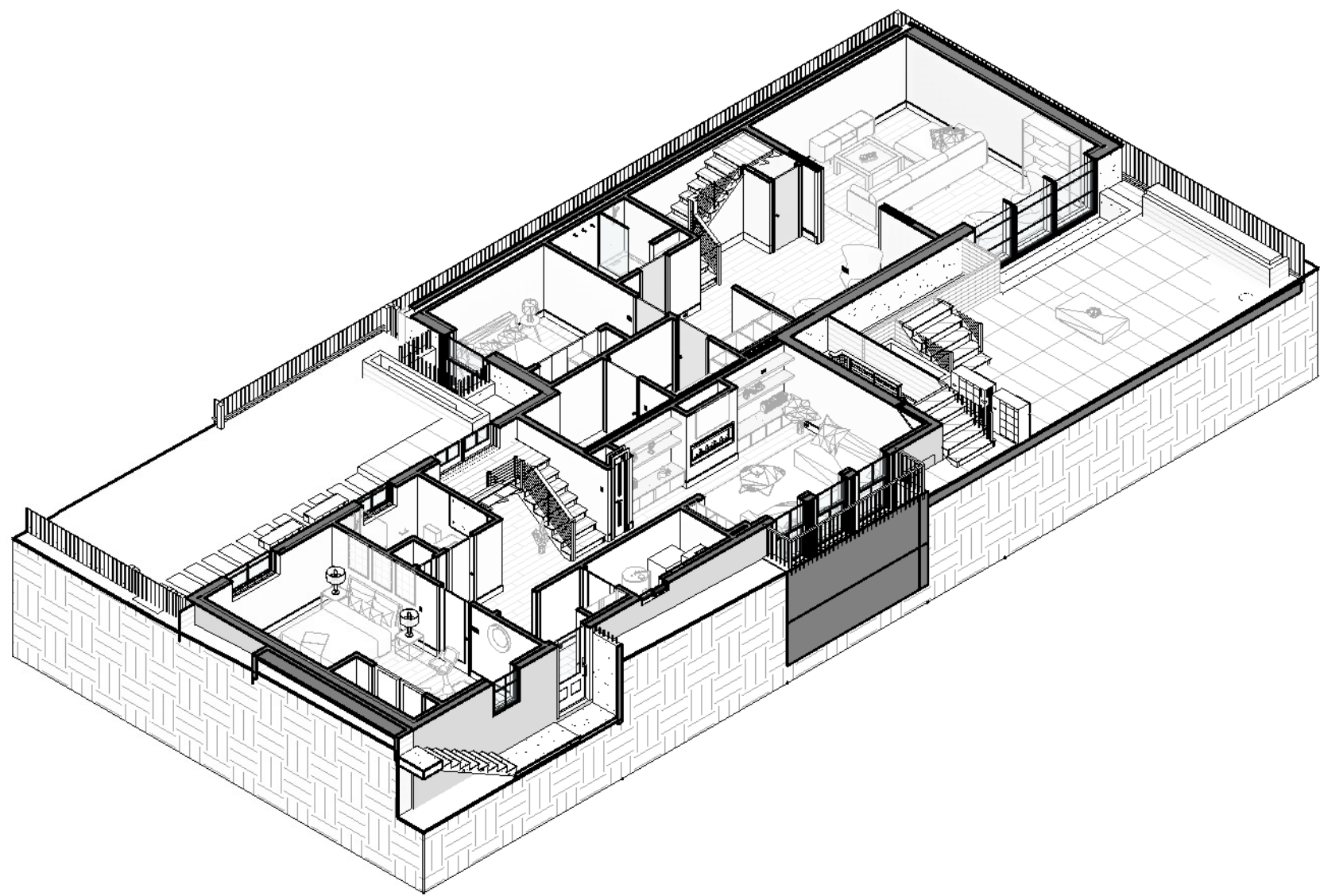
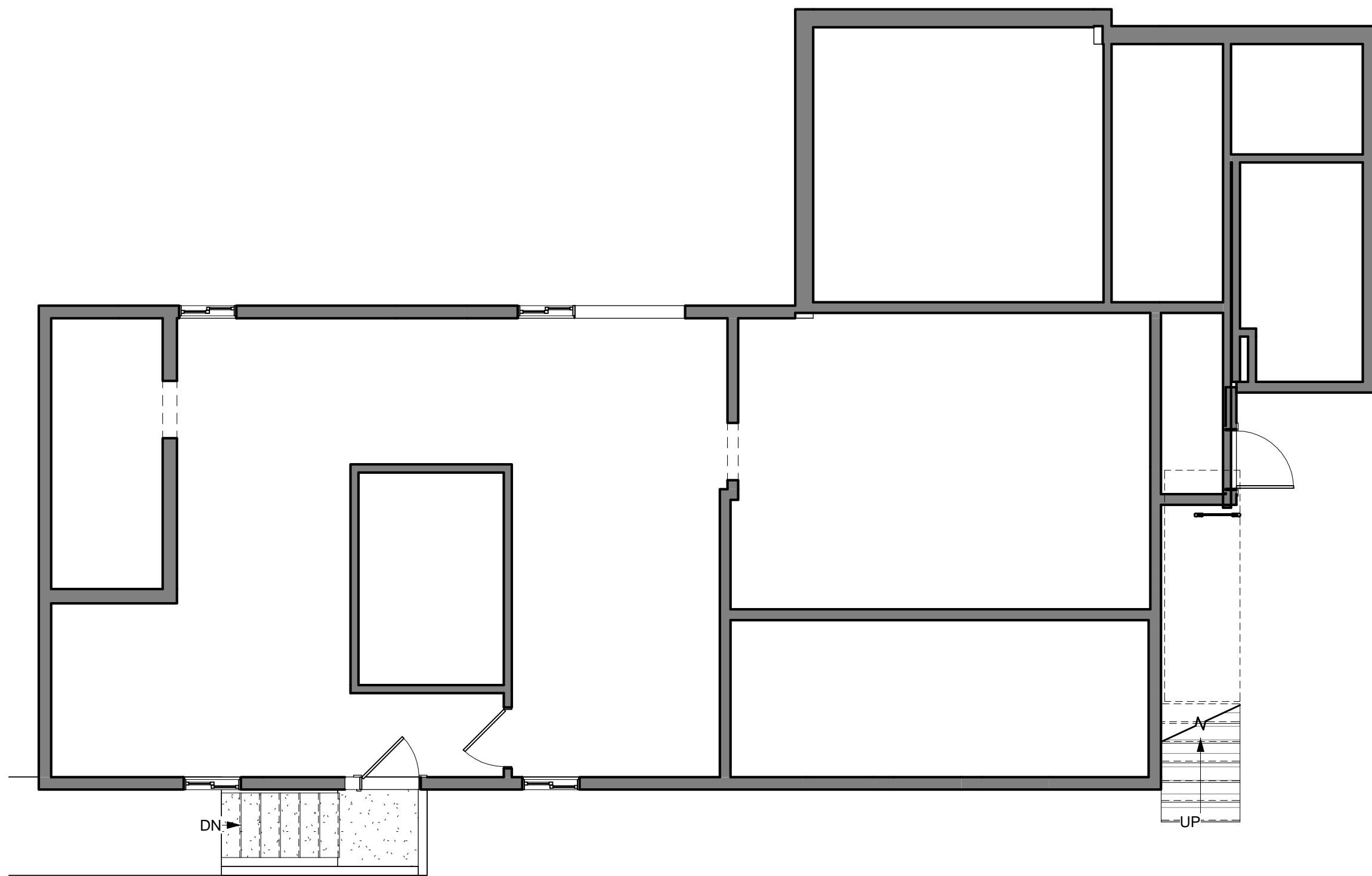
REGISTRATIONS:

**NOT FOR
CONSTRUCTION**

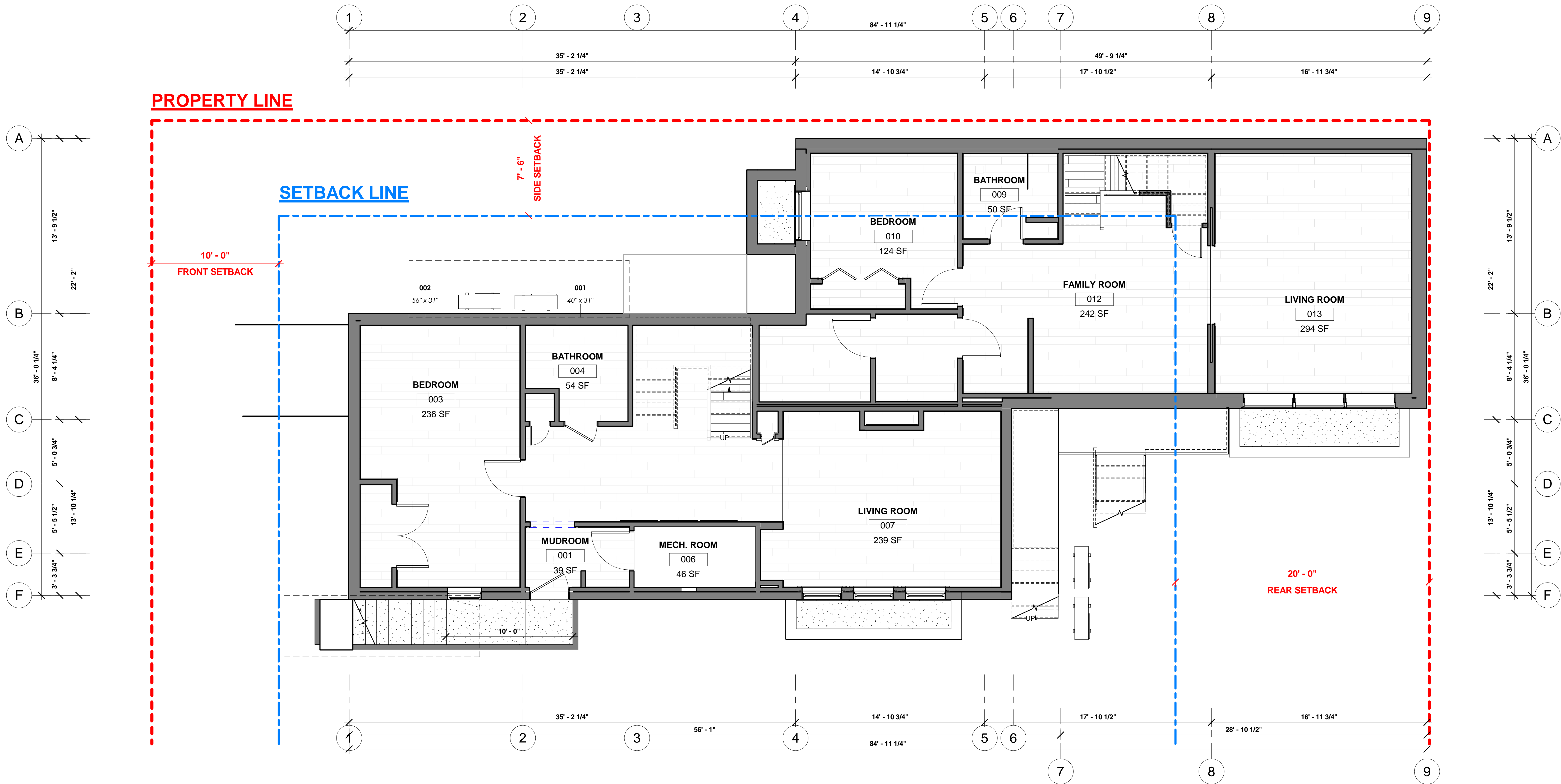
STREET VIEW - REVISED

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
Checked by	Checker
BZA-007	
Scale	



NO CHANGES TO FLOOR PLAN



BZA - PROPOSED - LEVEL 0

1/4" = 1'-0"



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REGISTRATIONS:

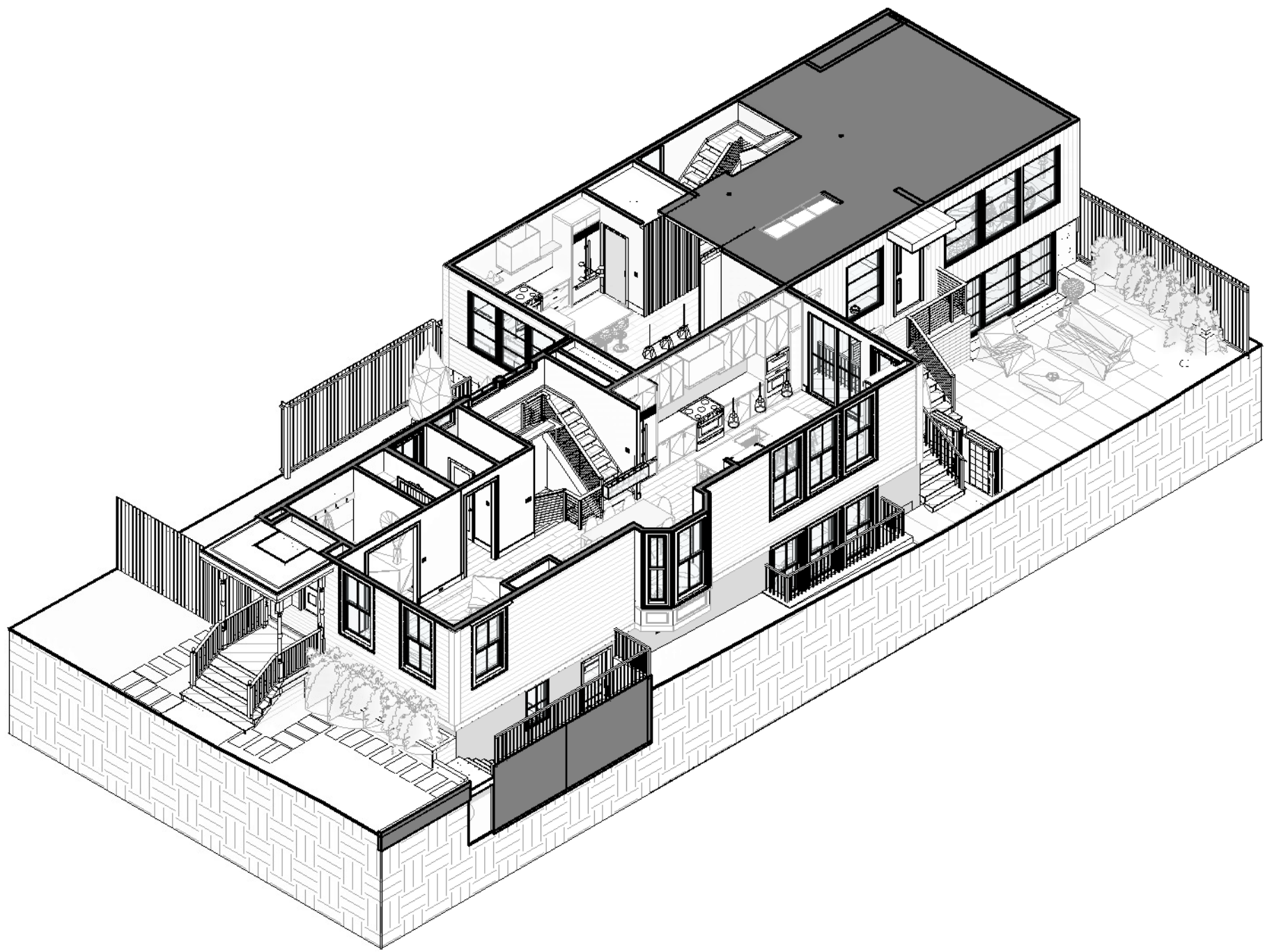
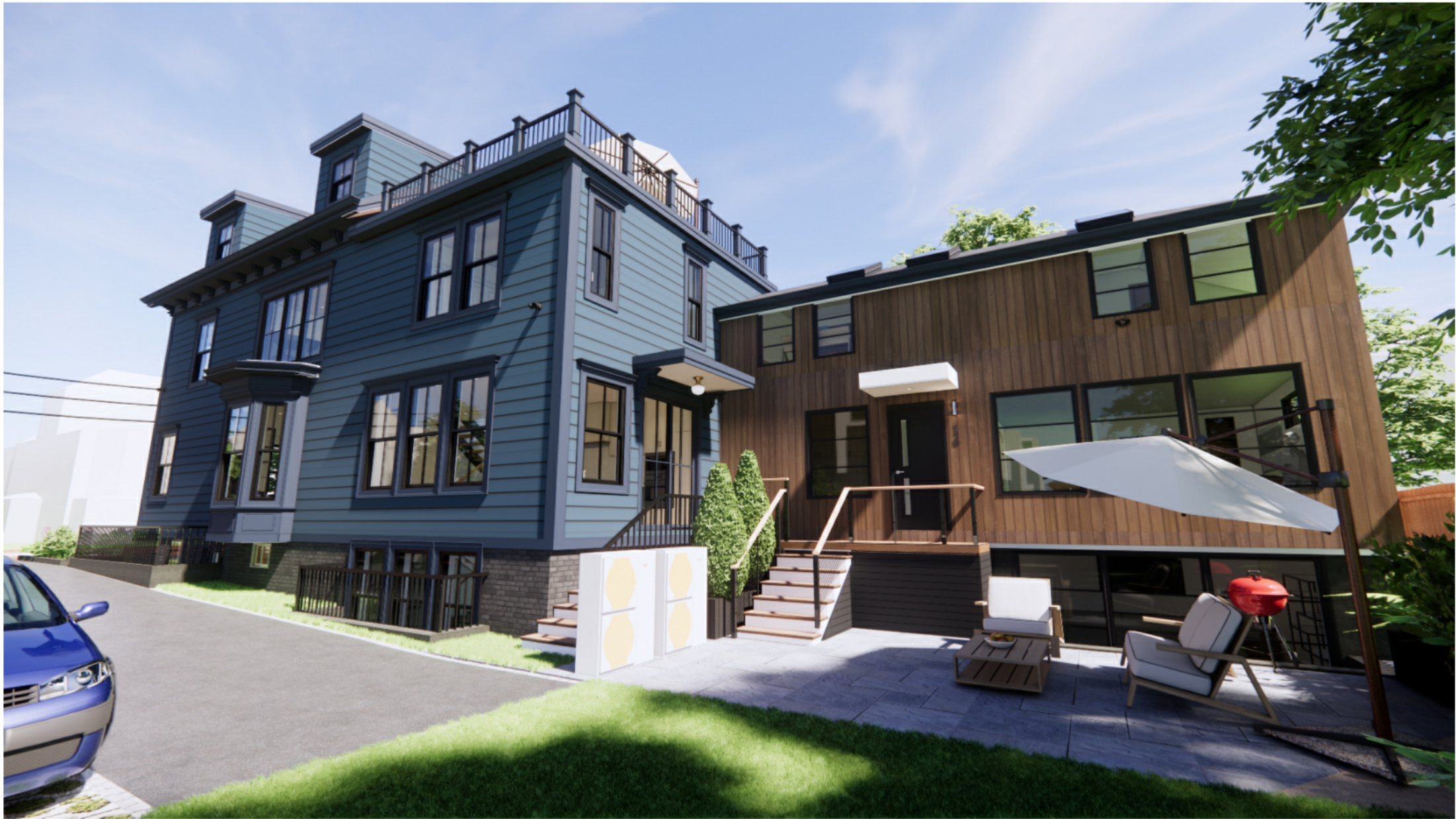
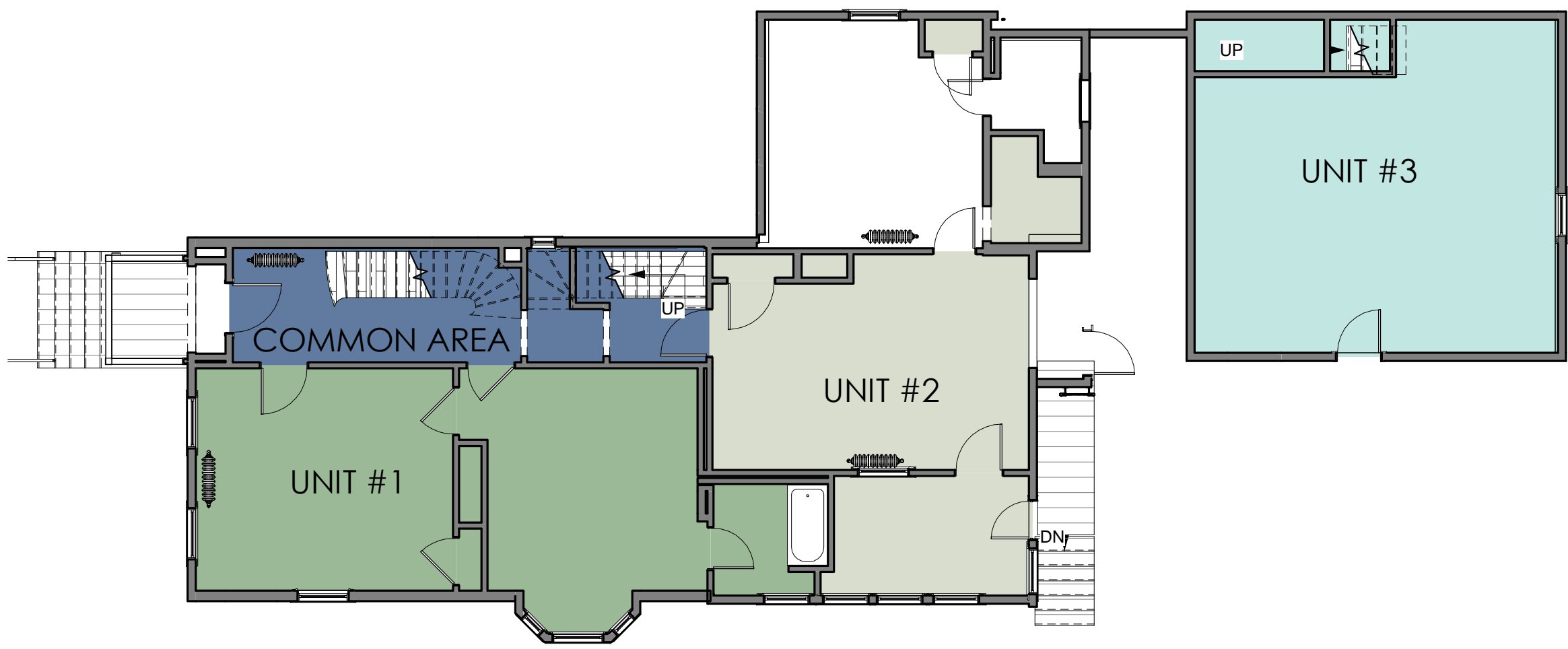
NOT FOR
CONSTRUCTION

LEVEL 0 - REVISION

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number 2203-0018
Date 12/5/2024
Drawn by SKA
Checked by SKA

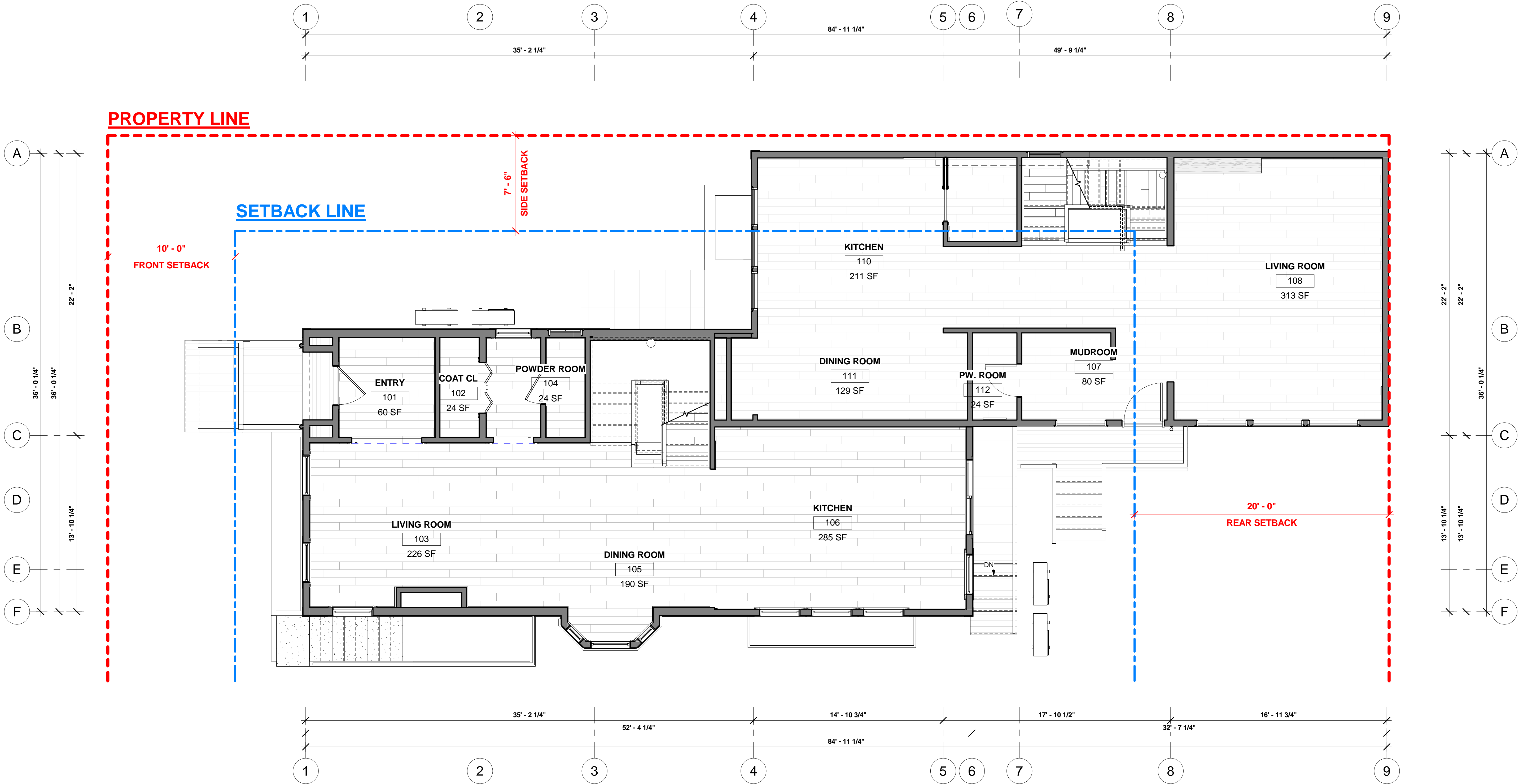
BZA-100
Scale As indicated



2 EXISTING - LEVEL 1 - BZA
1/8" = 1'-0"

3 BZA - AXON - LEVEL 1 - PROPOSED

NO CHANGES TO FLOOR PLAN



1 BZA - PROPOSED - LEVEL 1
1/4" = 1'-0"



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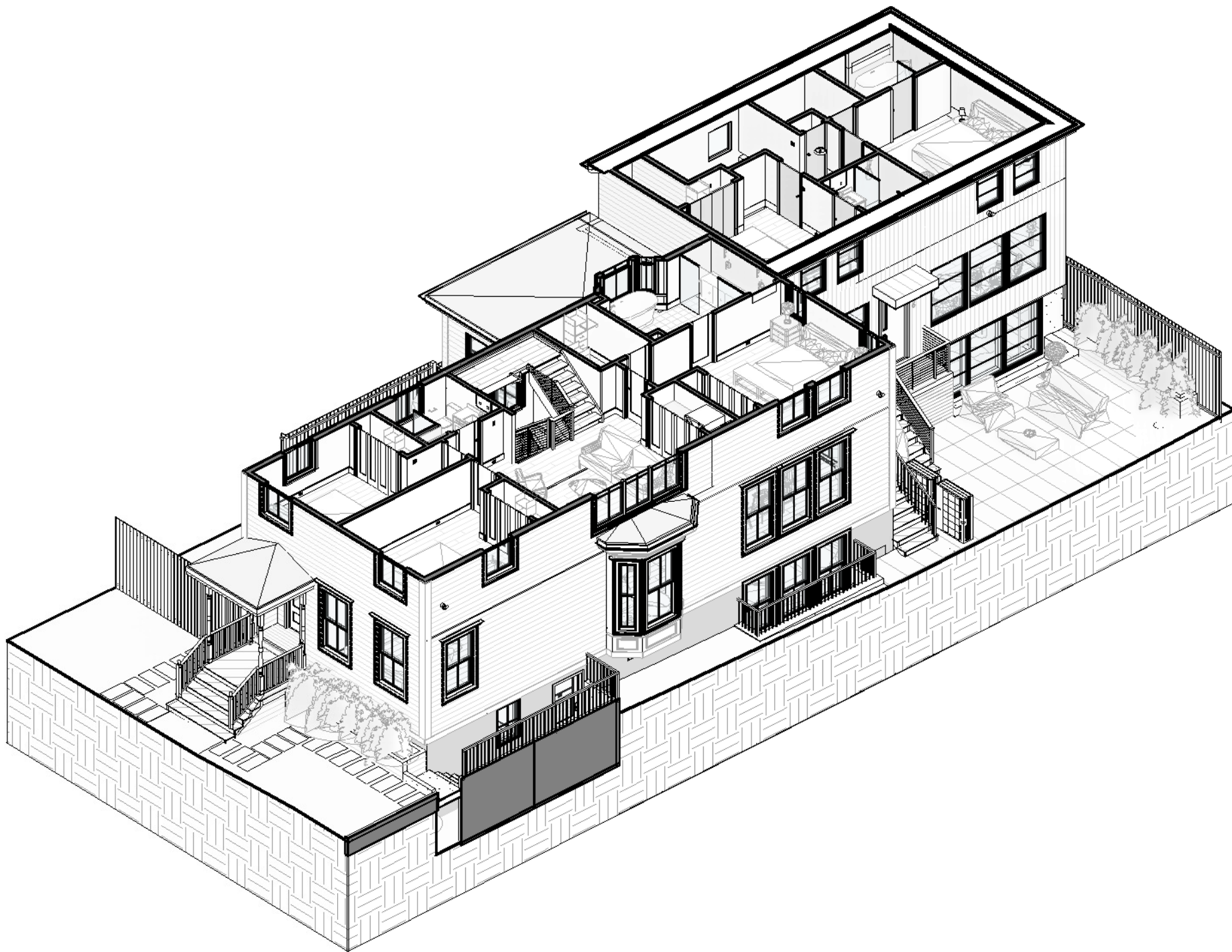
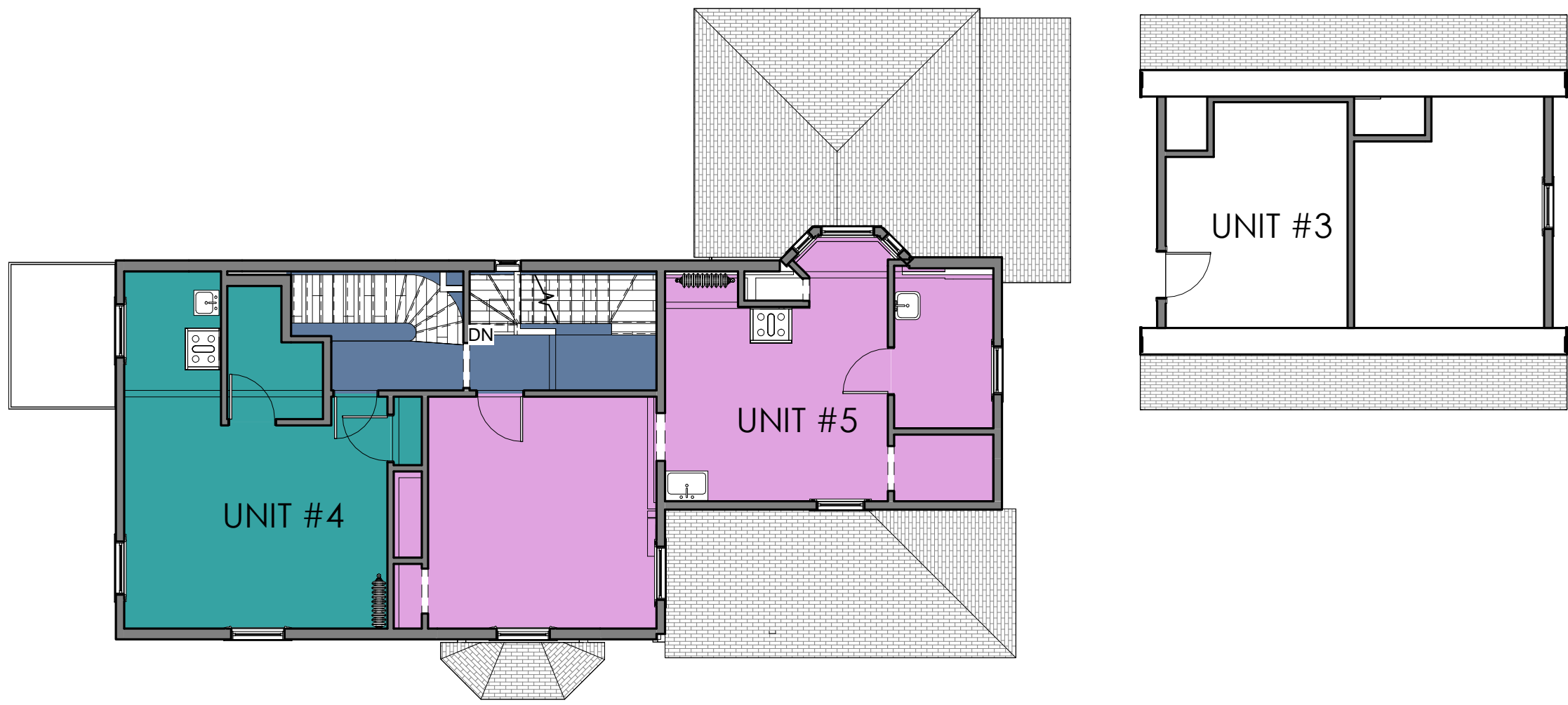
NOT FOR
CONSTRUCTION

LEVEL 1 - REVISION

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number 2203-0018
Date 12/5/2024
Drawn by SKA
Checked by SKA

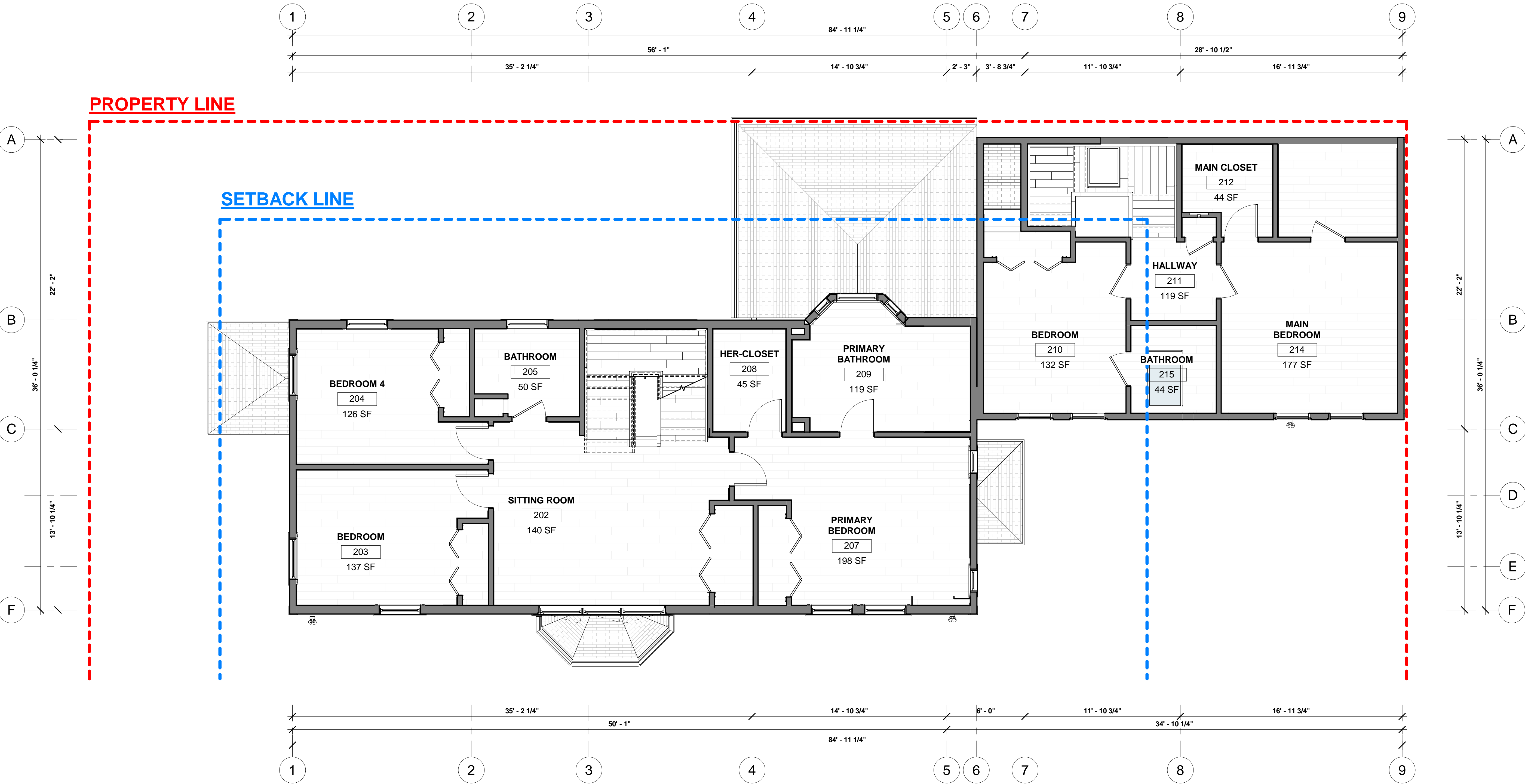
BZA-101
Scale As indicated



2 EXISTING - LEVEL 2 - BZA
1/8" = 1'-0"

3 AXON - LEVEL 2 - PROPOSED BZA

NO CHANGES TO FLOOR PLAN



1 BZA - PROPOSED - LEVEL 2
1/4" = 1'-0"



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REGISTRATIONS:

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CONSTRUCTION

LEVEL 2 - REVISION

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

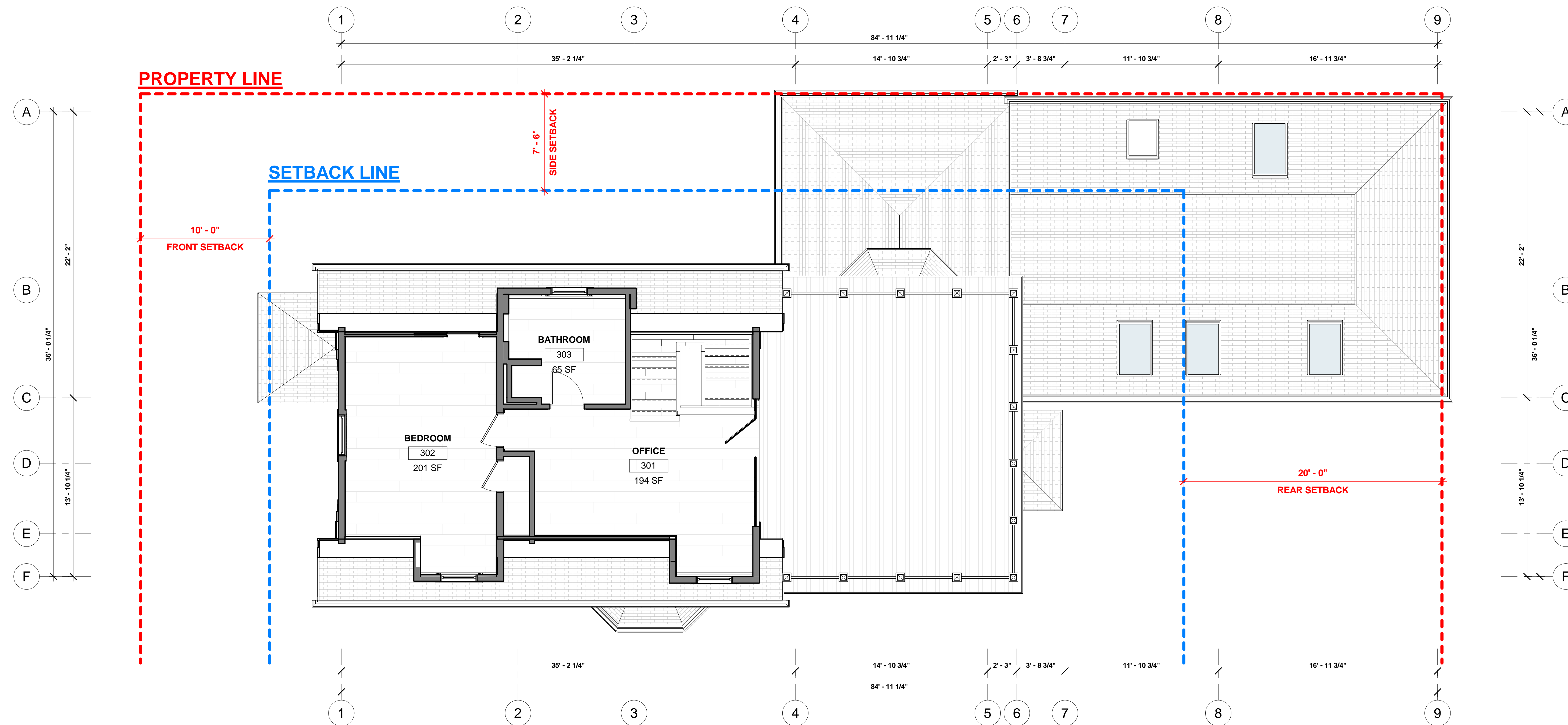
Project number 2203-0018
Date 12/5/2024
Drawn by SKA
Checked by SKA

BZA-102
Scale As indicated



3 BZA- AXON - LEVEL 3 - PROPOSED BZA

NO CHANGES TO FLOOR PLAN



1 BZA - PROPOSED - LEVEL 3
1/4" = 1'-0"



REGISTRATIONS:

**NOT FOR
CONSTRUCTION**

LEVEL 3 - REVISION

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

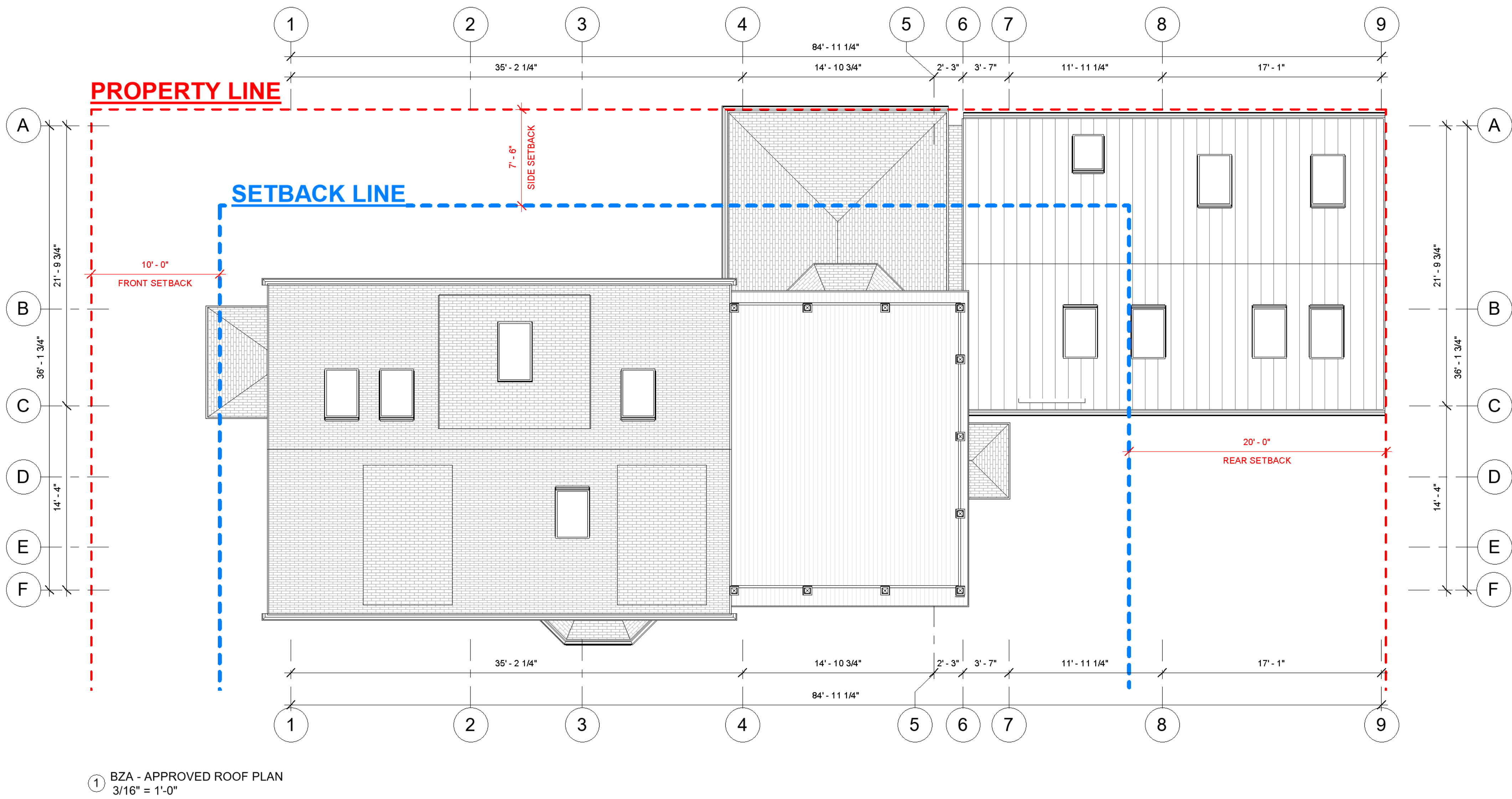
Project number	2203-0018
Date	12/5/2024
Drawn by	SKA
Checked by	SKA

BZA-103

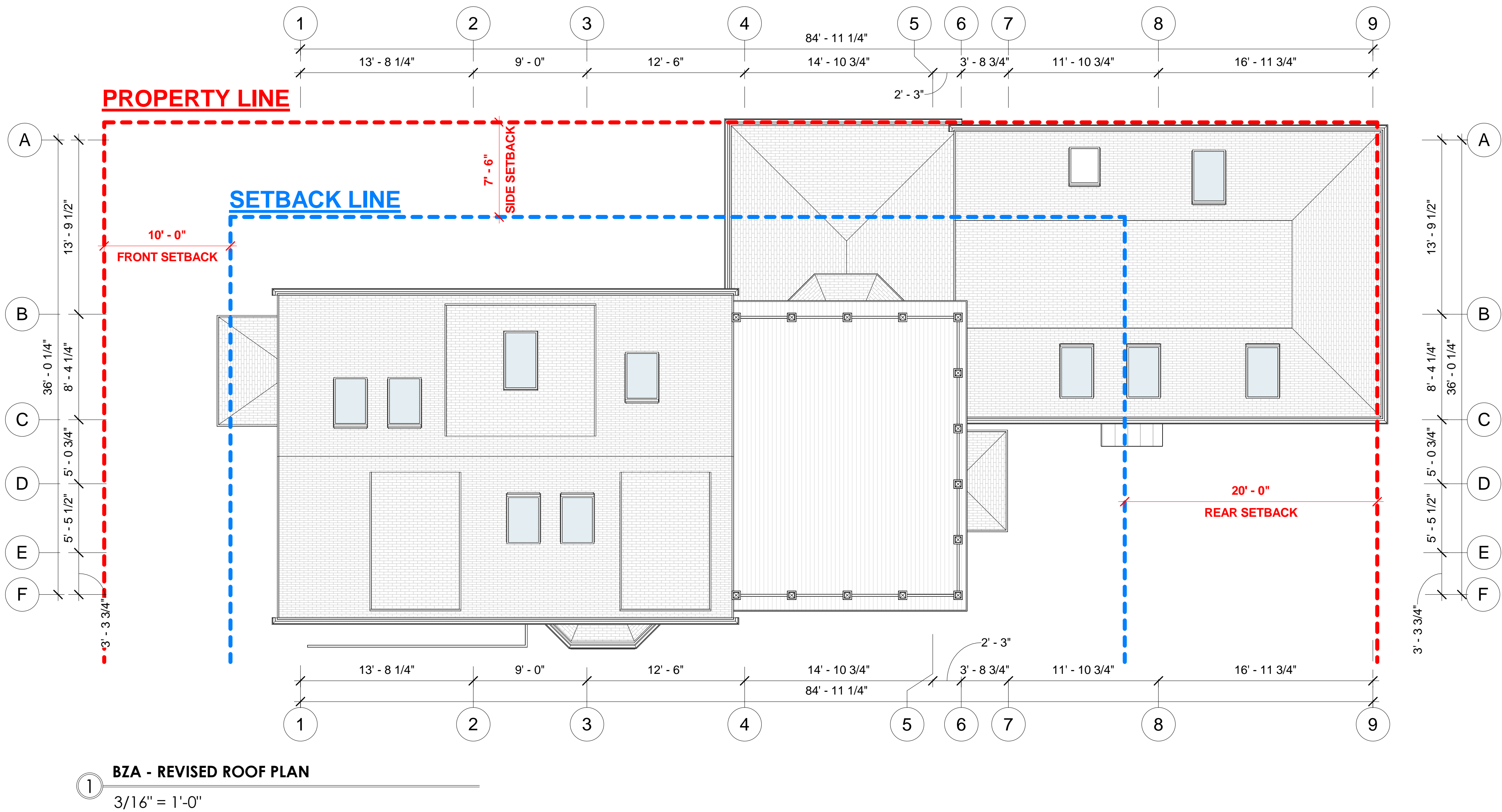
Scale	As indicated
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12/5/2024 3:18:50 PM

PREVIOUSLY BZA APPROVED



REVISED



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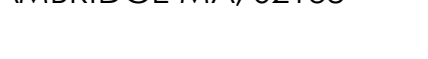
NOT FOR
CONSTRUCTION

ROOF PLAN -
REVISION

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number 2203-0018
Date 12/5/2024
Drawn by SKA
Checked by SKA

BZA-104
Scale 3/16" = 1'-0"



REGISTRATIONS:

**NOT FOR
CONSTRUCTION**

ELEVATION WEST -
REVISION

18 CLINTON LP

18 CLINTON RESIDENCE

18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
Checked by	Checker

BZA-200

Scale $1/4" = 1'-0"$

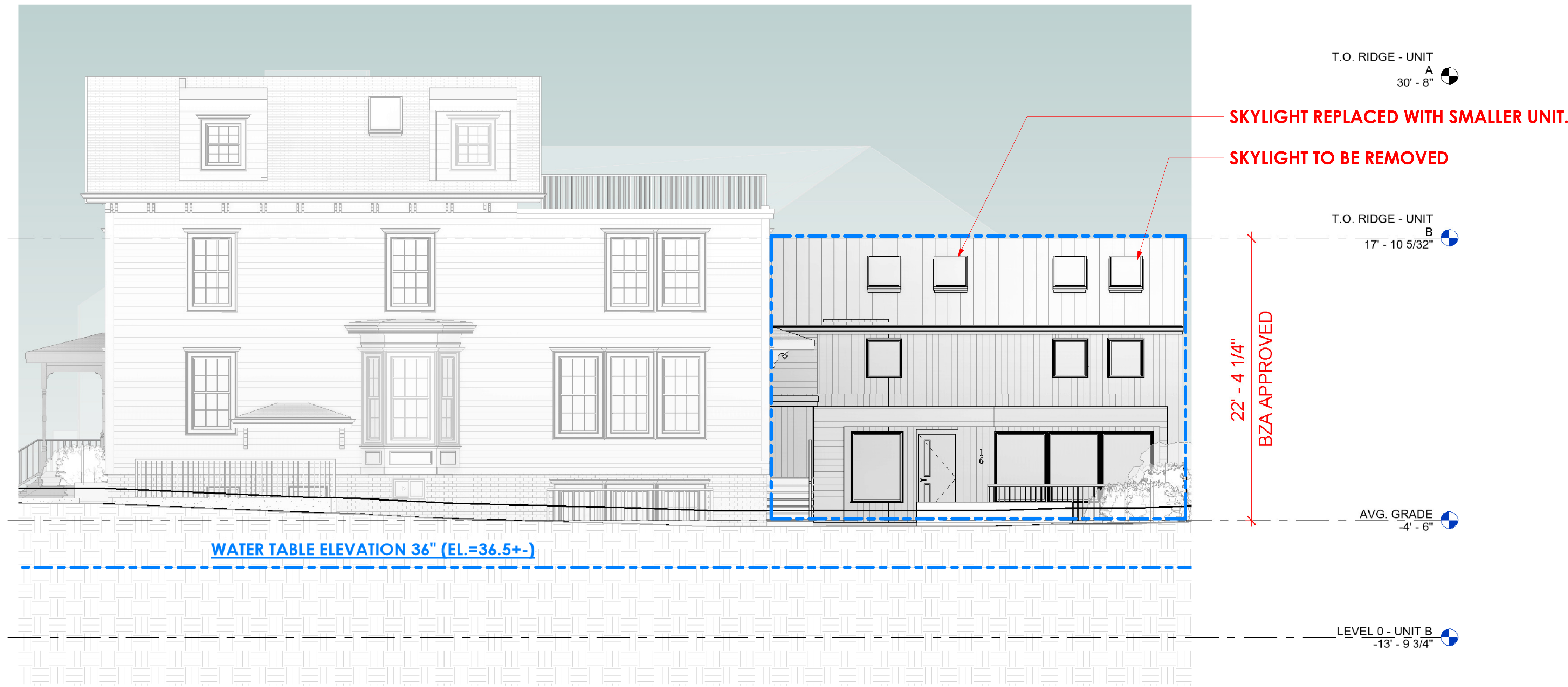
PREVIOUSLY BZA APPROVED



REVISED

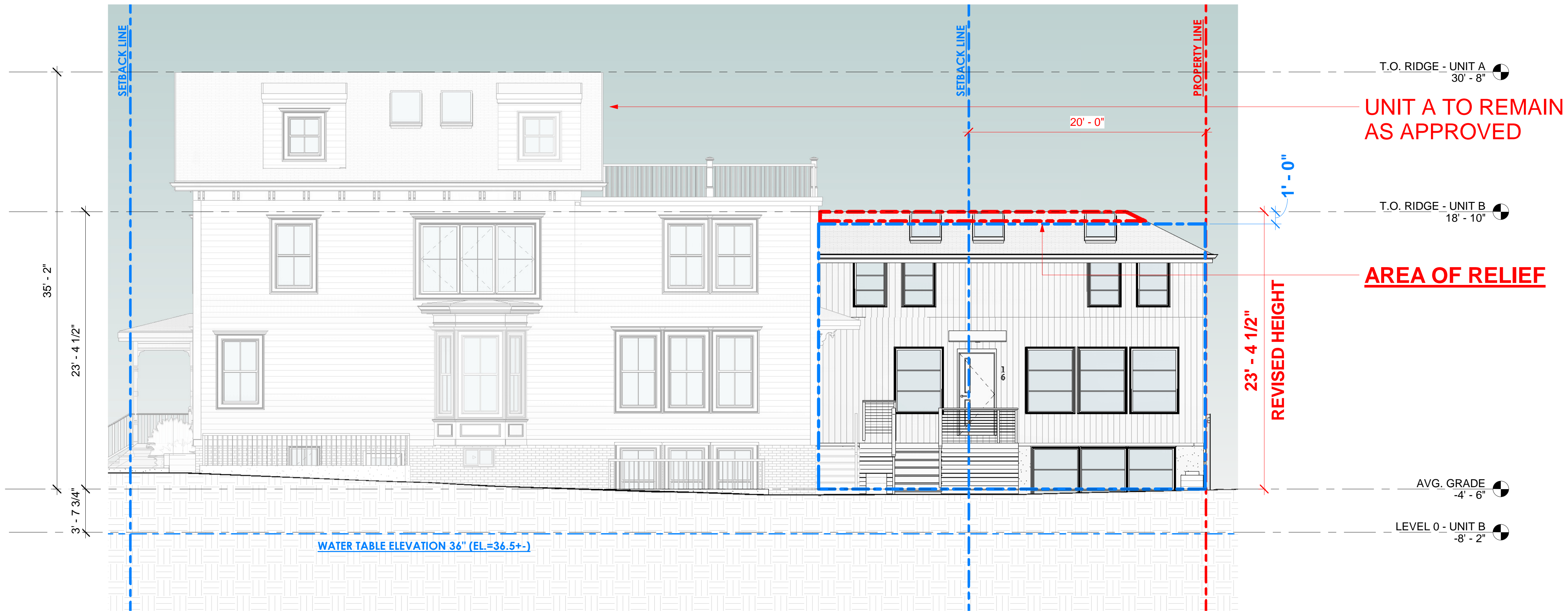


PREVIOUSLY BZA APPROVED



1 PROPOSED - SOUTH ELEVATION - APPROVED
3/16" = 1' - 0"

REVISED



2 PROPOSED - SOUTH ELEVATION - REVISION
3/16" = 1'-0"



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CONSTRUCTION

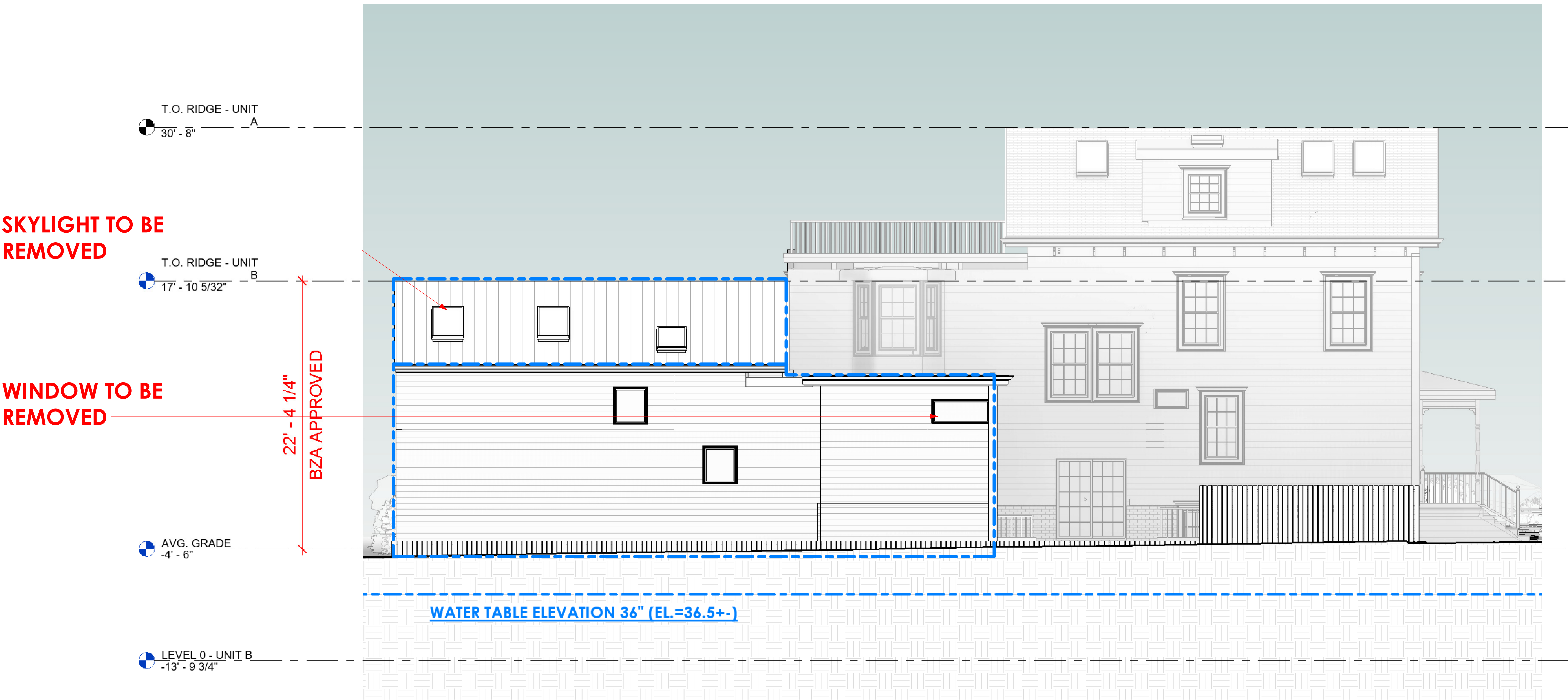
ELEVATION SOUTH -
REVISION

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number 2203-0018
Date 12/5/2024
Drawn by Author
Checked by Checker

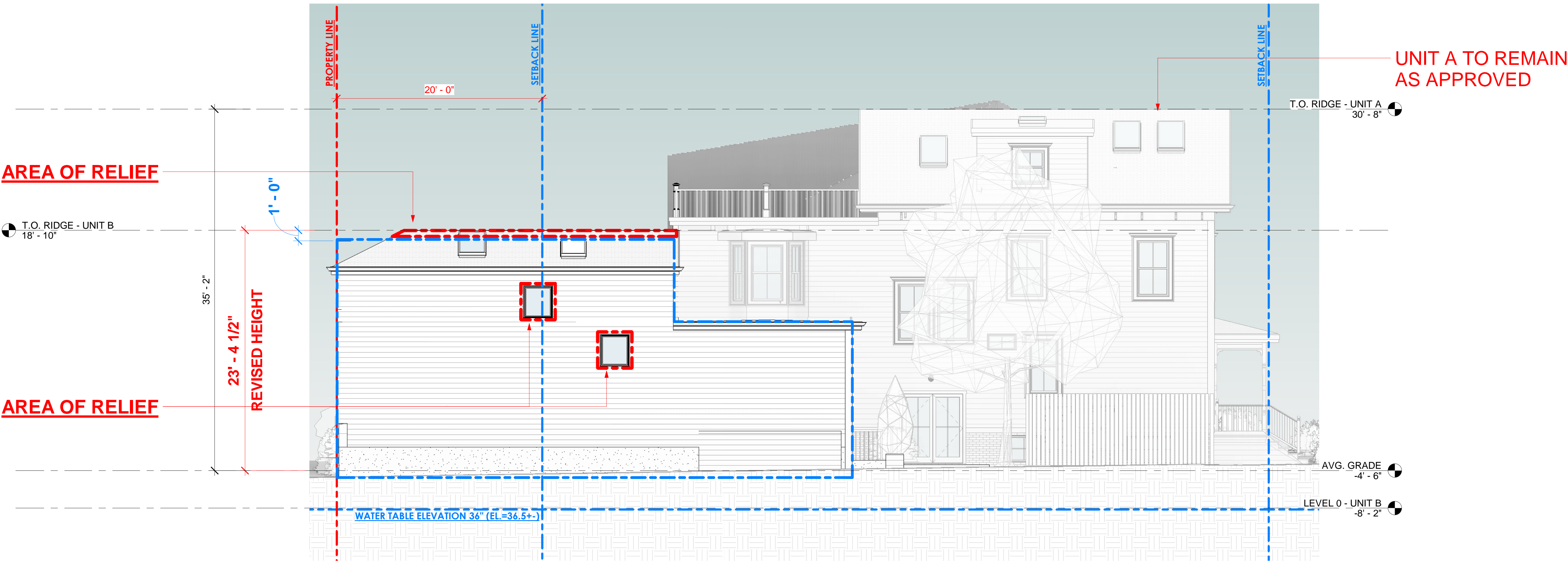
BZA-201
Scale 3/16" = 1'-0"

PREVIOUSLY BZA APPROVED



1 PROPOSED - NORTH ELEVATION - APPROVED
3/16" = 1' - 0"

REVISED



2 PROPOSED - NORTH ELEVATION - REVISION
3/16" = 1' - 0"



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REGISTRATIONS:

NOT FOR
CONSTRUCTION

ELEVATION NORTH -
REVISION

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

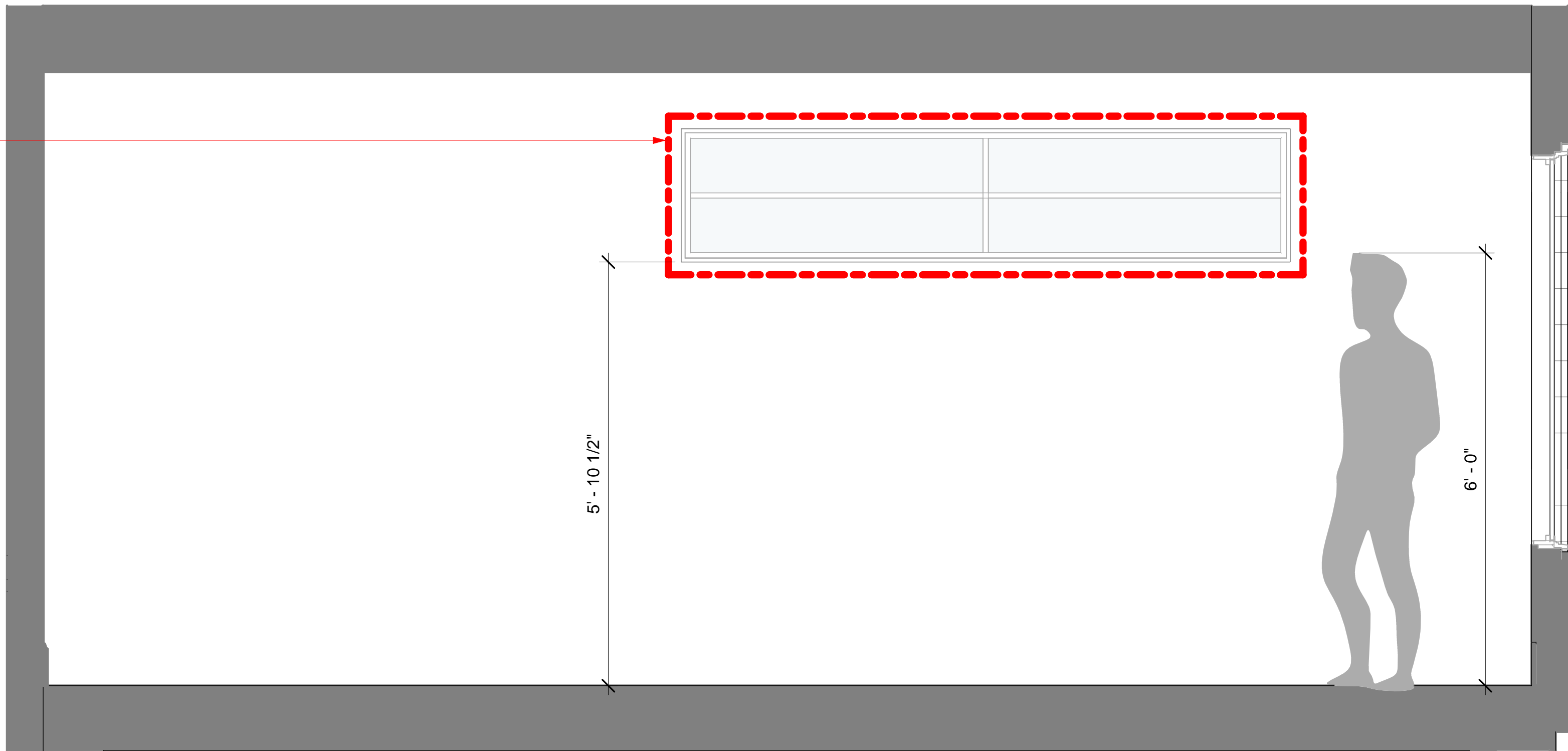
Project number 2203-0018
Date 12/5/2024
Drawn by Author
Checked by Checker

BZA-202
Scale 3/16" = 1' - 0"

12/5/2024 3:15:56 PM

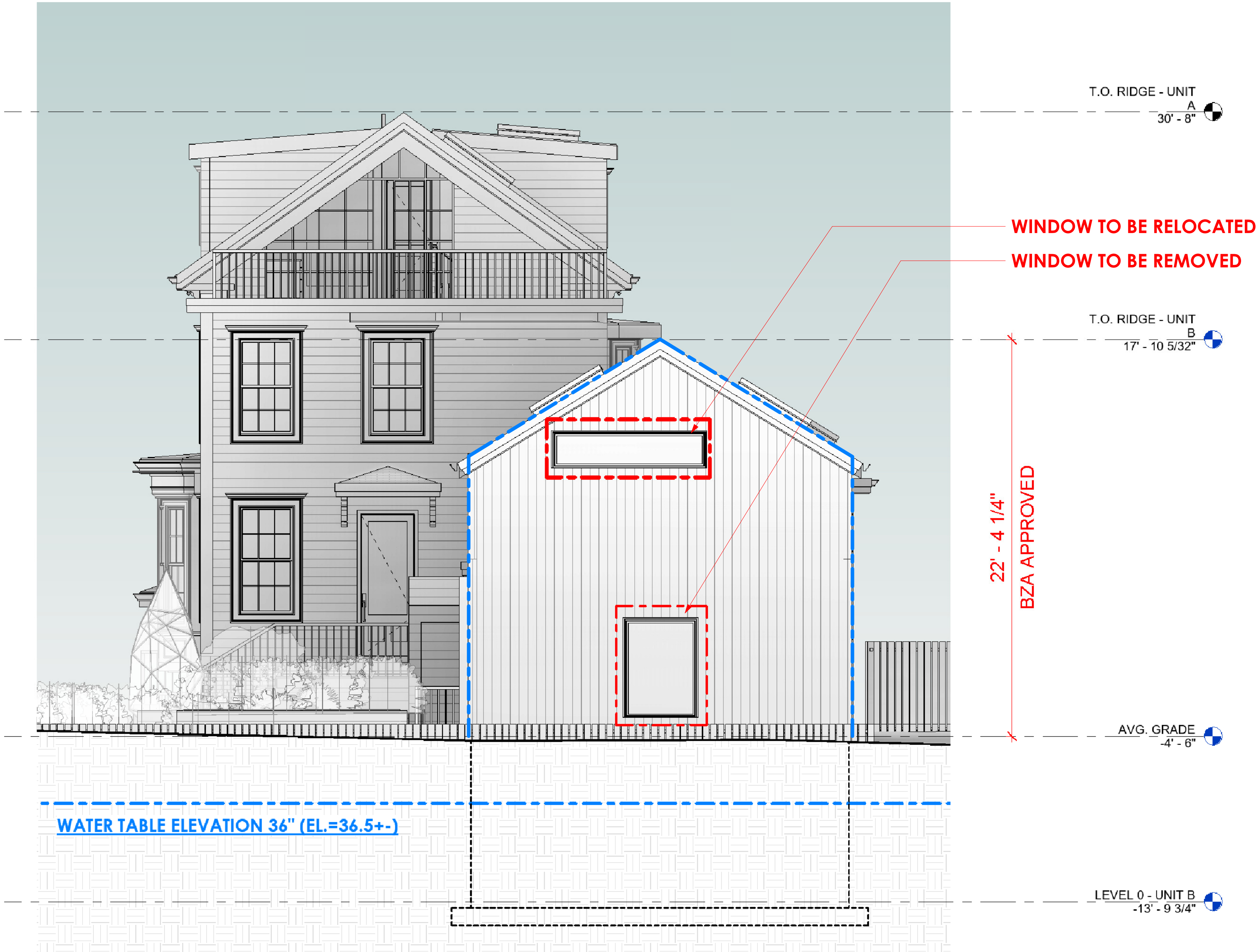
NOTES:
1- LOWER WINDOW HAS BEEN REMOVED TO PRESERVE
PRIVACY.
2- SIDING MATERIALS TBD PER CONSULTATION WITH 21-23
BIGELOW ST. RESIDENCES.

NEW WINDOW
LOCATION



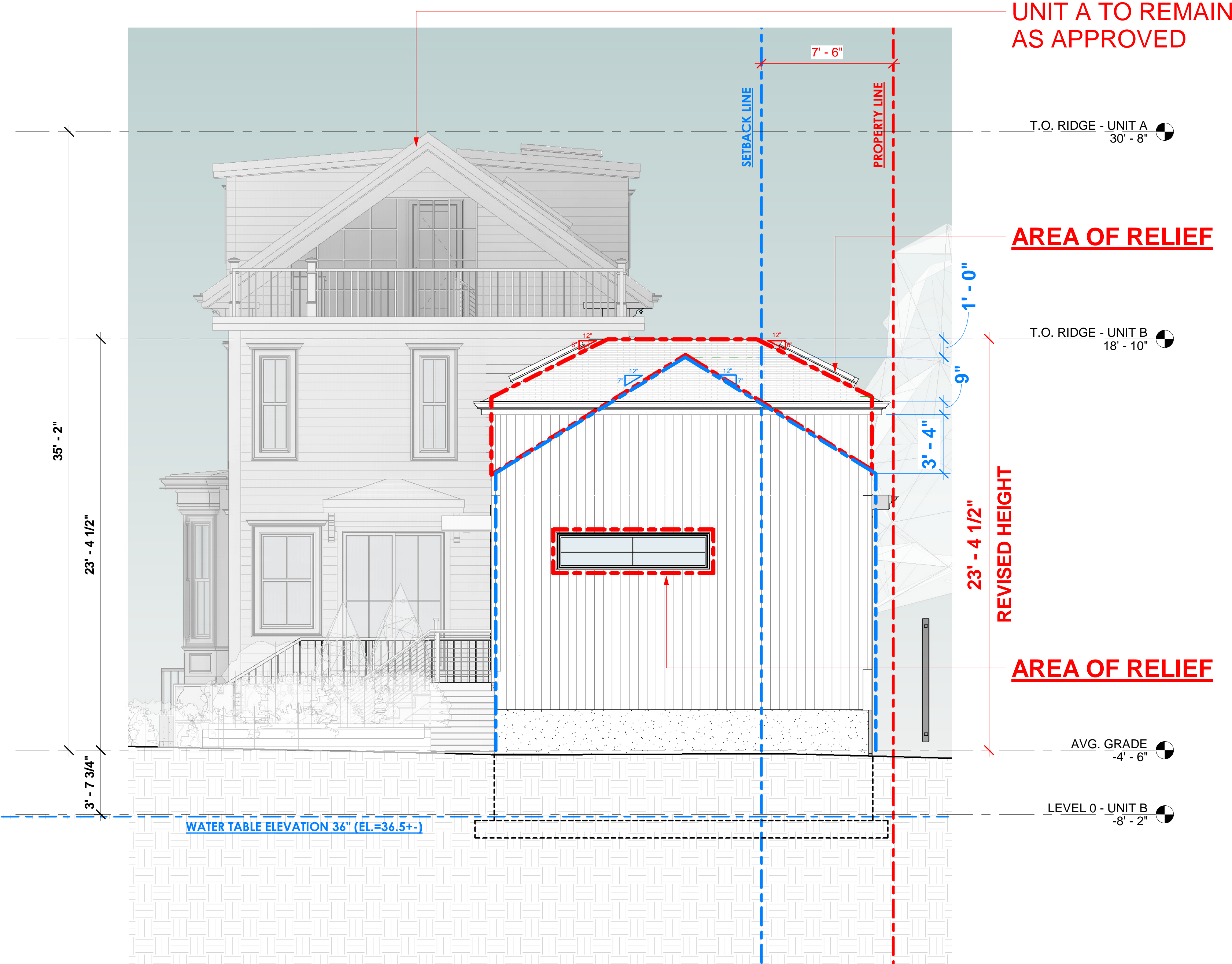
1 INTERIOR ELEVATION
3/4" = 1'-0"

PREVIOUSLY BZA APPROVED



1 PROPOSED - EAST ELEVATION - APPROVED
1/4" = 1' - 0"

REVISED



2 PROPOSED - EAST ELEVATION - REVISION
1/4" = 1'-0"



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REGISTRATIONS:

NOT FOR
CONSTRUCTION

ELEVATION EAST -
REVISION

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number 2203-0018
Date 12/5/2024
Drawn by Author
Checked by Checker
BZA-204
Scale As indicated

APPROVED BZA RENDER



REVISED RENDER



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REGISTRATIONS:

**NOT FOR
CONSTRUCTION**

RENDER - PROPOSED
AND REVISED 1

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
Checked by	Checker
BZA-205	
Scale	

APPROVED BZA RENDER



REVISED RENDER



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REGISTRATIONS:

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CONSTRUCTION

RENDER - PROPOSED
AND REVISED 2

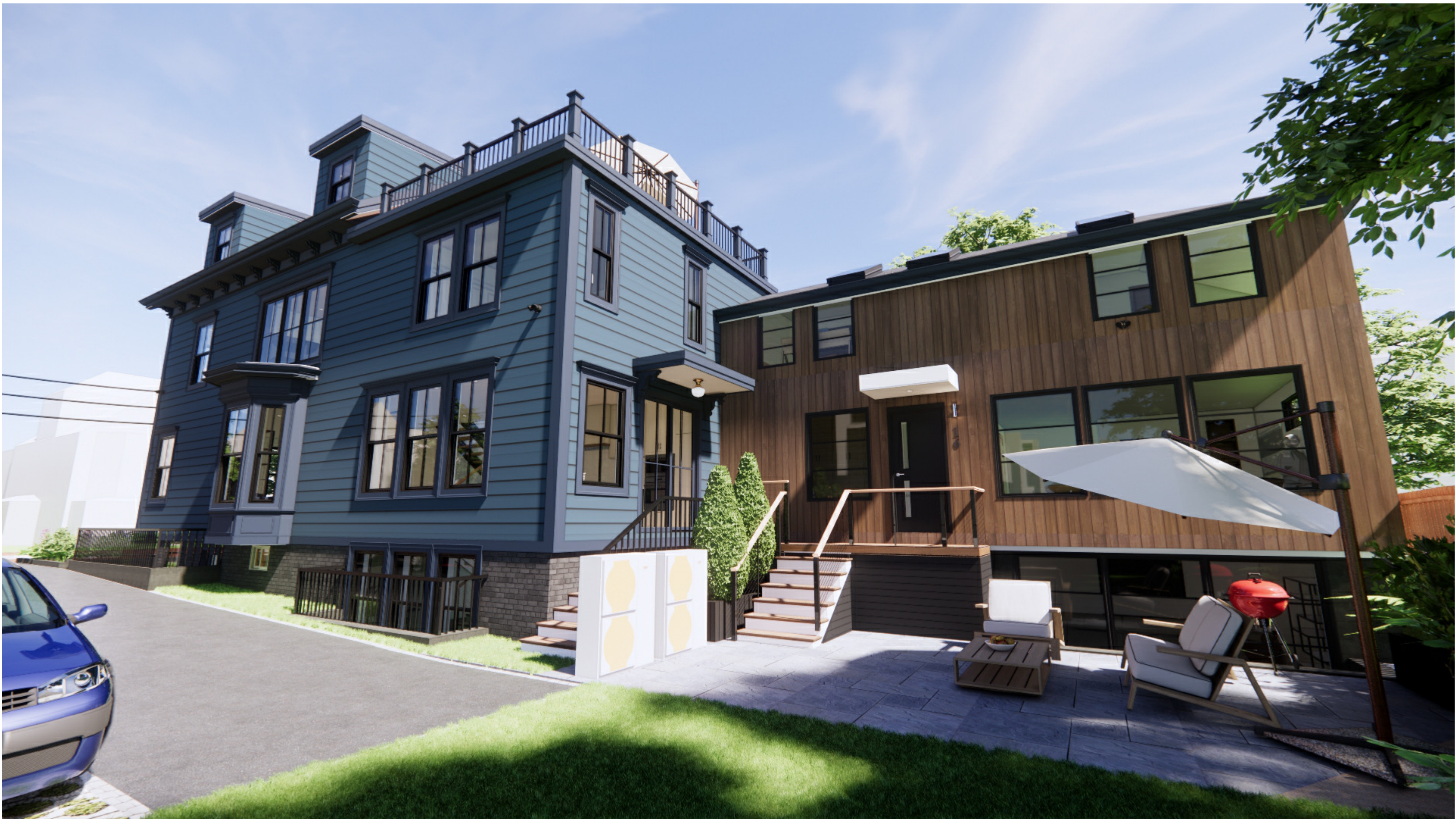
18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
Checked by	Checker
BZA-206	
Scale	

APPROVED BZA RENDER



REVISED RENDER



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REGISTRATIONS:

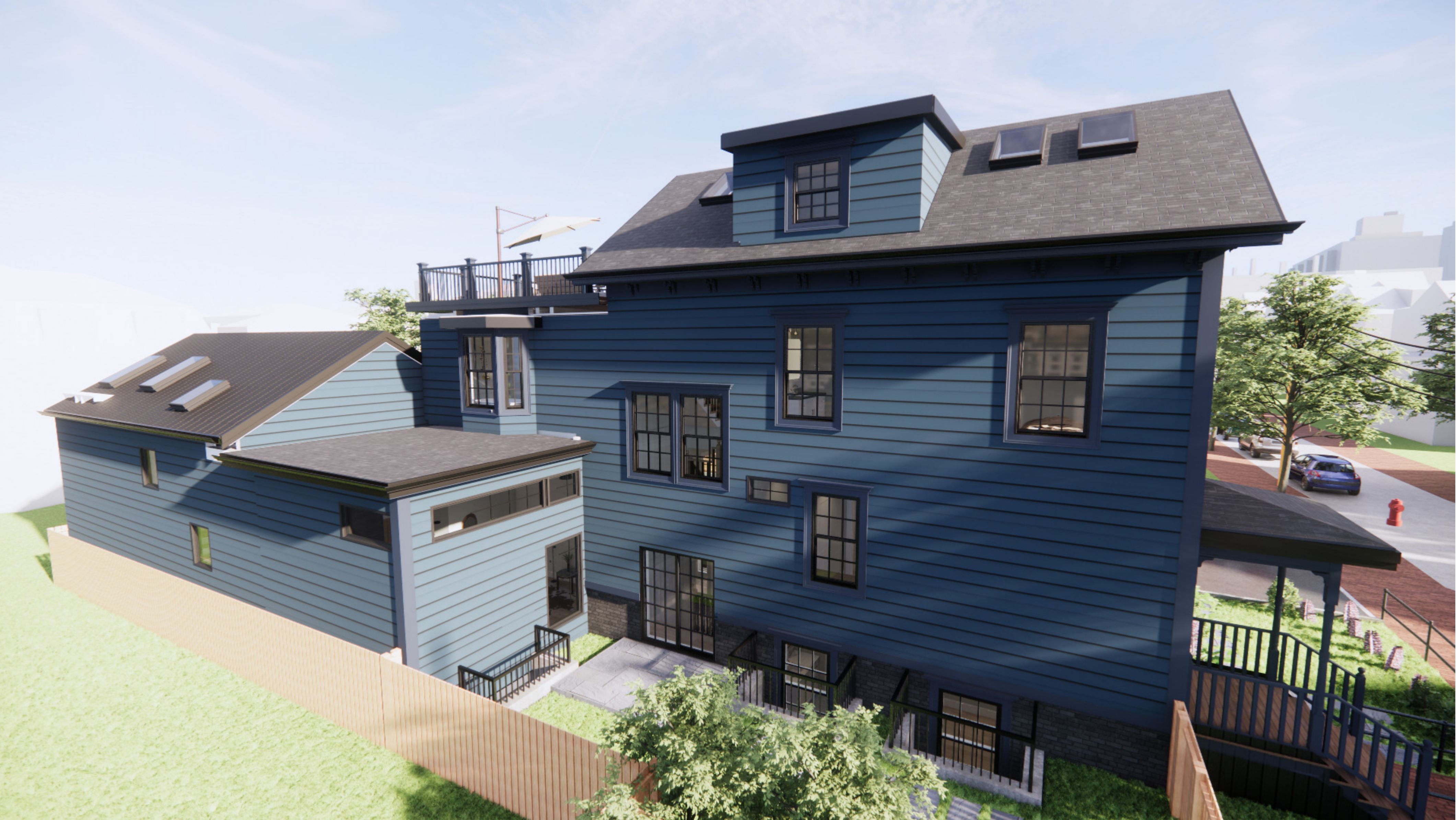
**NOT FOR
CONSTRUCTION**

RENDER - PROPOSED
AND REVISED 3

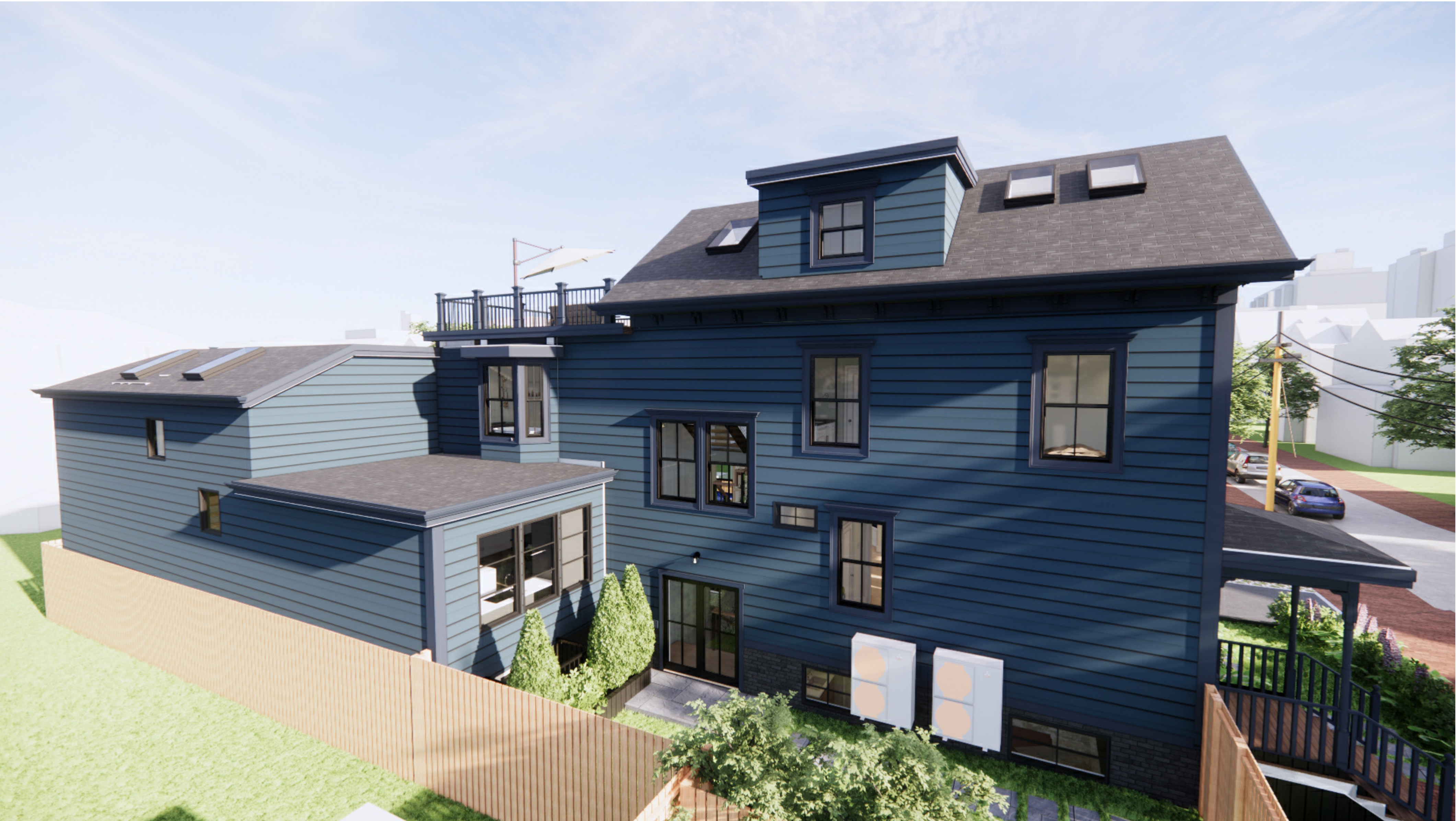
18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
Checked by	Checker
BZA-207	
Scale	

APPROVED BZA RENDER



REVISED RENDER



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REGISTRATIONS:

**NOT FOR
CONSTRUCTION**

RENDER - PROPOSED
AND REVISED 4

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
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BZA-208

Scale

APPROVED BZA RENDER



REVISED RENDER



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CAMBRIDGE MA, 02138

REGISTRATIONS:

**NOT FOR
CONSTRUCTION**

RENDER - PROPOSED
AND REVISED 5 ROOF

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
Checked by	Checker
BZA-209	
Scale	

APPROVED BZA RENDER



REVISED RENDER



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REGISTRATIONS:

NOT FOR
CONSTRUCTION

RENDER - PROPOSED
AND REVISED 6

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	12/5/2024
Drawn by	Author
Checked by	Checker
BZA-210	
Scale	



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REGISTRATIONS:

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CONSTRUCTION**

EXISTING
CONDITIONS

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number 2203-0018
Date 12/5/2024
Drawn by Author
Checked by Checker

BZA-300
Scale



January 27, 2024

Via Email

Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

Re: BZA Case No. 1142420-2024
BZA Application: 18 Clinton Street, Cambridge, MA

Dear Members of the Board of Zoning Appeal:

On behalf of the Petitioner, we hereby request a continuance of this matter, presently scheduled to be heard by this Board on Thursday, January 30th, 2025. The Petitioner and her team need additional time to work through various design alternatives.

We request that this case be continued until the Board of Zoning Appeal's hearing scheduled for March 13, 2025.

Thank you for your consideration.

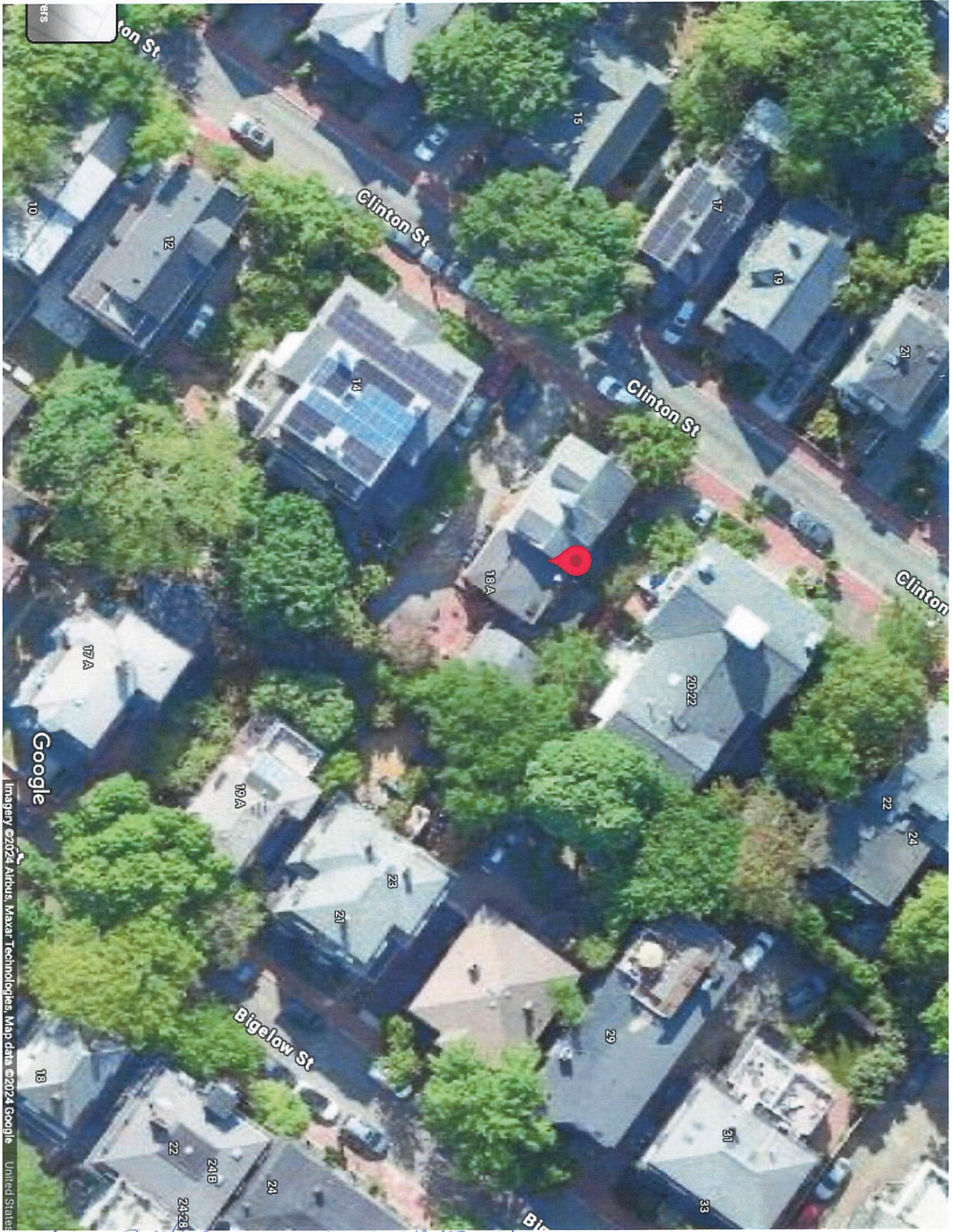
Sincerely,

A handwritten signature in dark ink, appearing to read 'Sarah Like Rhatigan', with a long horizontal line extending to the right.

Sarah Like Rhatigan, Esq.

Enclosures

cc: Ms. Asha Daniere
Mr. Sam Kachmar
Mr. Axel Ramirez-Palacio



18 Clinton St. Google Earth view

HANCOCK ASSOCIATES

Surveyors | Engineers | Scientists

November 20, 2024

SKA, Inc.
357 Huron Avenue
Cambridge, MA 02138

Attn: Samuel Kachmar, Principal

RE: 18 Clinton Street
Cambridge, MA 02138

Dear Mr. Kachmar,

Given the results of the deep observation hole test our office performed as part of the stormwater infiltration system on April 2, 2024, it was recommended to have the basement elevation for proposed Unit B no lower than the existing basement elevation for Unit A. This recommendation was based on the observed water-table elevation, and statements from the homeowner regarding the dryness of the existing basement.

Regards,

A handwritten signature in black ink, appearing to read "Anthony Donato". The signature is fluid and cursive, with the first name "Anthony" and last name "Donato" clearly distinguishable.

Anthony Donato, PE
Senior Project Manager/Associate

1. THESE PLANS WERE PREPARED FOR PERMITTING OF PROPOSED WATER AND DRAINAGE CONNECTIONS TO THE CITY OF CAMBRIDGE UTILITIES. REFER TO PLANS BY ARCHITECT, LANDSCAPE ARCHITECT, AND PROPOSED PLOT PLAN FOR PROPOSED BUILDING LAYOUT, GRADING, AND SITE LANDSCAPING.
2. CONTRACTOR SHALL CONFIRM UTILITY LOCATIONS AND ELEVATIONS PRIOR TO UTILITY INSTALLATION.
3. SAFETY MEASURES, CONSTRUCTION METHODS AND CONTROL OF WORK SHALL BE RESPONSIBILITY OF CONTRACTOR.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR AND/OR REPLACEMENT OF ANY EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION THAT ARE NOT DESIGNATED FOR DEMOLITION AND/OR REMOVAL HEREON. DAMAGED IMPROVEMENTS SHALL BE REPAIRED TO THE SATISFACTION OF THEIR RESPECTIVE OWNERS/CITY OF CAMBRIDGE.
5. ANY INTENDED REVISION OF THE HORIZONTAL AND/OR VERTICAL LOCATION OF IMPROVEMENTS TO BE CONSTRUCTED AS SHOWN HEREON SHALL BE REVIEWED AND APPROVED BY ENGINEER PRIOR TO IMPLEMENTATION.
6. WHERE EXISTING UTILITY LINES/STRUCTURES ARE TO BE CUT/BROKEN DOWN, ABANDONED, LINES/STRUCTURES SHALL BE PLUGGED/CAPPED/FILLED IN ACCORDANCE WITH CITY OF CAMBRIDGE REQUIREMENTS.
7. SEWERS CONVEYING SANITARY FLOW, COMBINED SANITARY, AND STORMWATER FLOW IN INDUSTRIAL FLOW MUST BE SEPARATED FROM WATER MAINS BY A DISTANCE OF AT LEAST 10 FEET HORIZONTALLY; IF SUCH LATERAL SEPARATION IS NOT POSSIBLE, THE PIPES MUST BE IN SEPARATE TRENCHES WITH THE SEWER AT LEAST 18 INCHES BELOW THE BOTTOM OF THE WATER MAIN, SUCH THAT OTHER SEPARATION AS APPROVED BY THE GOVERNMENT AGENCY WITH JURISDICTION OVER SAME.
8. WHERE APPROPRIATE SEPARATION FROM A WATER MAIN IS NOT POSSIBLE, THE SEWER MUST BE ENCASED IN CONCRETE, OR CONSTRUCTED OF DUCTILE IRON PIPE USING MECHANICAL OR SLIP-JOINTS FOR A DISTANCE OF, IN ADDITION, TO FEET ON EITHER SIDE OF THE CROSSING. IN ADDITION, ONE FULL LENGTH OF SEWER PIPE SHOULD BE LOCATED SO BOTH JOINTS WILL BE AS FAR FROM THE WATER LINE AS POSSIBLE. WHERE A WATER MAIN CROSSES UNDER A SEWER, ADEQUATE STRUCTURAL SUPPORT FOR THE SEWER MUST BE PROVIDED.
9. THE CONTRACTOR SHALL VERIFY THE LOCATION AND RELATIVE ELEVATION OF BENCH MARKS PRIOR TO COMMENCEMENT OF CONSTRUCTION. ANY DISCREPANCY SHALL BE REPORTED TO THE ENGINEER.
10. UNDERGROUND UTILITIES SHOWN HEREON ARE COMPILED FROM FIELD LOCATIONS OF STRUCTURES AND FROM AVAILABLE RECORD INFORMATION ON FILE AT THE CITY ENGINEERING OFFICES AND UTILITY COMPANIES. OTHER UNDERGROUND UTILITIES MAY EXIST. IT SHALL BE THE RESPONSIBILITY OF THE DESIGN ENGINEER AND THE CONTRACTOR TO VERIFY THE LOCATION, SIZE & ELEVATION OF ALL UTILITIES WITHIN THE AREA OF PROPOSED WORK AND TO CONTACT "DIG-SAFE" AT 811 AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION, DEMOLITION OR CONSTRUCTION.

18 CLINTON STREET, CAMBRIDGE, MA
WEATHER: SUNNY - 45 DEGREES
APRIL 2, 2024

SOIL EVALUATOR: DAVID WHITE (SE#14787)

ELEVATION:	39.5±
0-36"	TOPSOIL/FILL
36-84"	SILTY LOAM
WEeping	36"
MOTTLES	NONE OBSERVED
ESHW	36" (EL.=36.5±)

1. CONTRACTOR SHALL CONTACT DIG-SAFE FOR UNDERGROUND UTILITY MARKING AT 811 AT LEAST 72 HOURS PRIOR TO COMMENCEMENT OF ANY WORK.
2. CONTRACTOR SHALL MAKE HIMSELF AWARE OF ALL CONSTRUCTION REQUIREMENTS, CONDITIONS, AND LIMITATIONS IMPOSED BY PERMITS AND APPROVALS ISSUED BY REGULATORY AUTHORITIES PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR SHALL COORDINATE AND OBTAIN ALL CONSTRUCTION PERMITS REQUIRED BY REGULATORY AUTHORITIES.
3. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF CAMBRIDGE DPW STANDARDS & CITY OF CAMBRIDGE WATER DEPARTMENT STANDARDS.

1. EXISTING CONDITIONS TAKEN FROM THE DIGITAL FILE "21-00519-2-UTIL SITE-44-29-24". PLAN TITLED "UTILITY SITE PLAN OF LAND LOCATED AT 18 CLINTON STREET, CAMBRIDGE, MA", DATED MARCH 8, 2024. PLAN WAS PREPARED BY BOSTON SURVEY, INC.
2. PROPOSED BUILDING ADDITIONS AND FEATURES WERE TAKEN FROM "18 Clinton St-Central_FEB 2024_Abbelby-Mannon-Sheet - A-003 - AREA PLANS.dwg" PLAN TITLED "18 CLINTON RESIDENCE, AREA PLANS, 18 CLINTON ST, CAMBRIDGE, MA 02138" DATED MARCH 28, 2024, AND WAS PREPARED BY SAM KACHMAR ARCHITECTS.

EXISTING IMPERVIOUS AREA = 3,372± S.F.
PROPOSED IMPERVIOUS AREA = 3,968± S.F.
INCREASE IN IMPERVIOUS AREA = 596± S.F.

FOR 1" OF THE INCREASE IN POST DEVELOPMENT IMPERVIOUS AREA
 $(596 \pm S.F.) \times (1") \times (1\text{FT}/12\text{IN}) = \underline{49.6 \text{ C.F.}}$

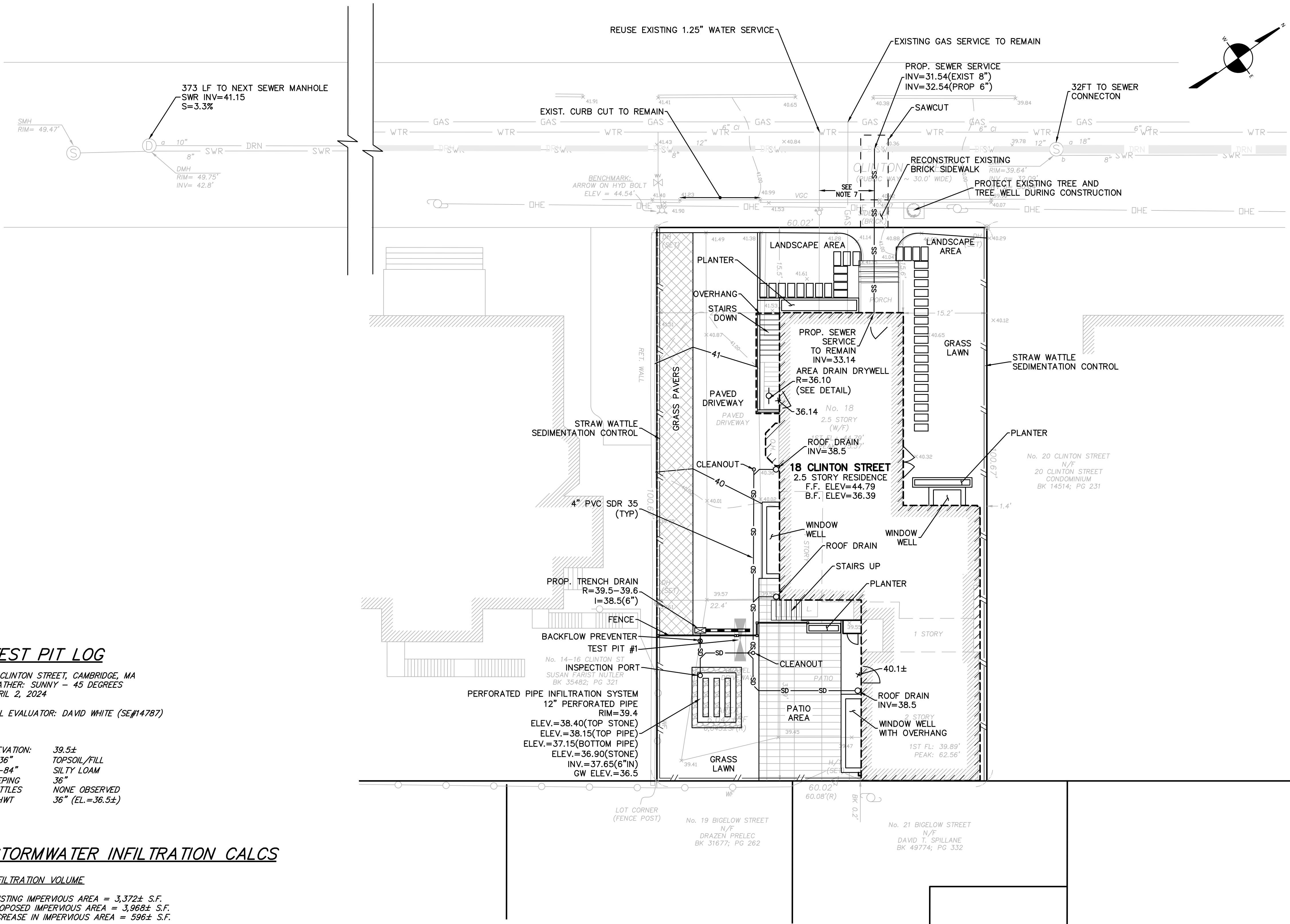
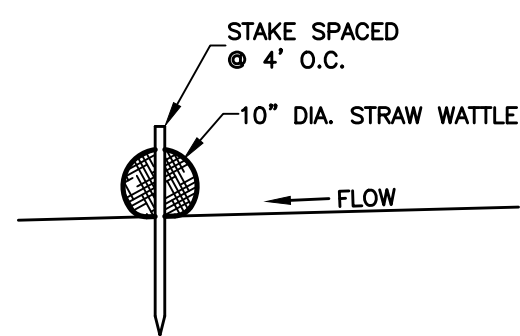
PROP. 12" PERFORATED PIPE INFILTRATION SYSTEM SURROUNDED BY CRUSHED
STONE AND ENVELOPED IN FILTER FABRIC

$$\begin{aligned} \text{PIPE VOLUME} &= \text{PIPE CROSS SECTIONAL AREA} \times \text{TOTAL PIPE LENGTH} \\ &= (\pi (12'' \times \frac{1}{2} \times 1'/12'')^2) \times 36' \\ &= 28.3 \text{ CF} \end{aligned}$$

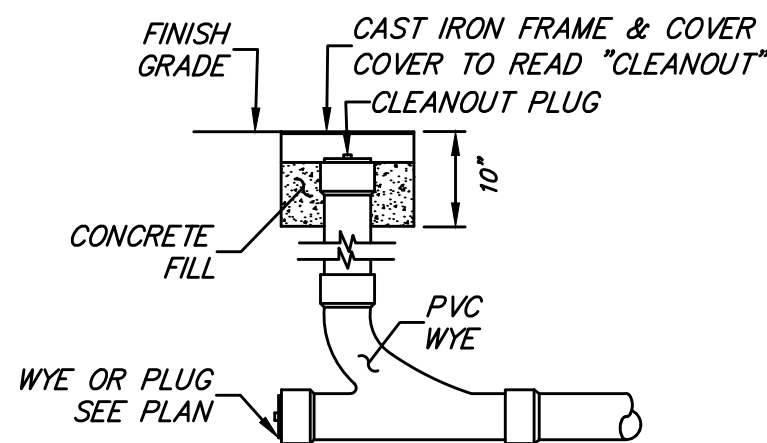
$$\begin{aligned} \text{STONE VOLUME} &= [(\text{LENGTH} \times \text{WIDTH} \times \text{HEIGHT}) - \text{PIPE VOLUME}] \times \text{VOIDS} \\ &= [(11' \times 9' \times 1.5') - 28.3 \text{ CF}] \times 30\% \\ &= 36.1 \text{ CF} \end{aligned}$$

$$\begin{aligned} \text{PROVIDED VOLUME} &= \text{PIPE VOLUME} + \text{STONE VOLUME} \\ &= 28.3 \text{ CF} + 36.1 \text{ CF} \\ &= \underline{64.4 \text{ CF}} \end{aligned}$$

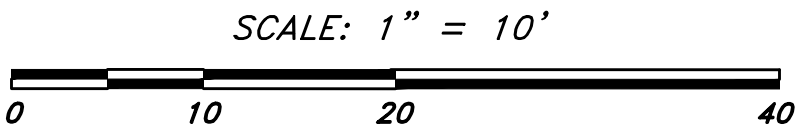
64.4 CF STORAGE PROVIDED > 49.6 CF GALLONS REQUIRED


$$1'' = 10'$$


STRAW WATTLES
SEDIMENTATION CONTROL
(NOT TO SCALE)



TYPICAL CROSS SECTION
(NOT TO SCALE)



18 CLINTON STREET
Cambridge, Massachusetts 02138

PREPARED FOR:

357 HURON AVE.
CAMBRIDGE, MA 02138

Civil Engineers

Land Surveyors

Wetland Scientists

121 EAST BERKELEY STREET, BOSTON, MA 02118
VOICE (617) 357-8145, FAX (617) 357-9495
WWW.HANCOCKASSOCIATES.COM



NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION
DATE:			5/14/24	DESIGN BY: DTW
SCALE:			1"=10'	DRAWN BY: DTW
APPRVD:		AD	CHECK BY:	FAK

UTILITY AND DRAINAGE PLAN

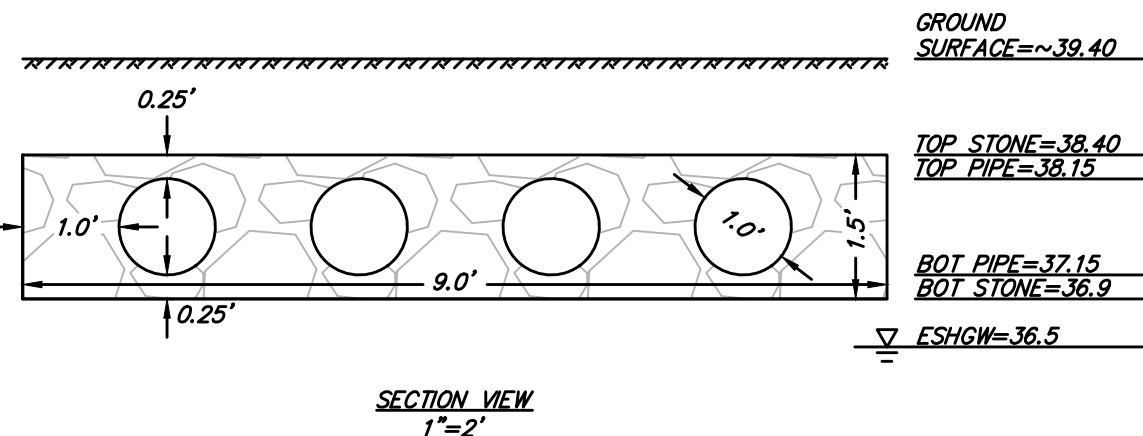
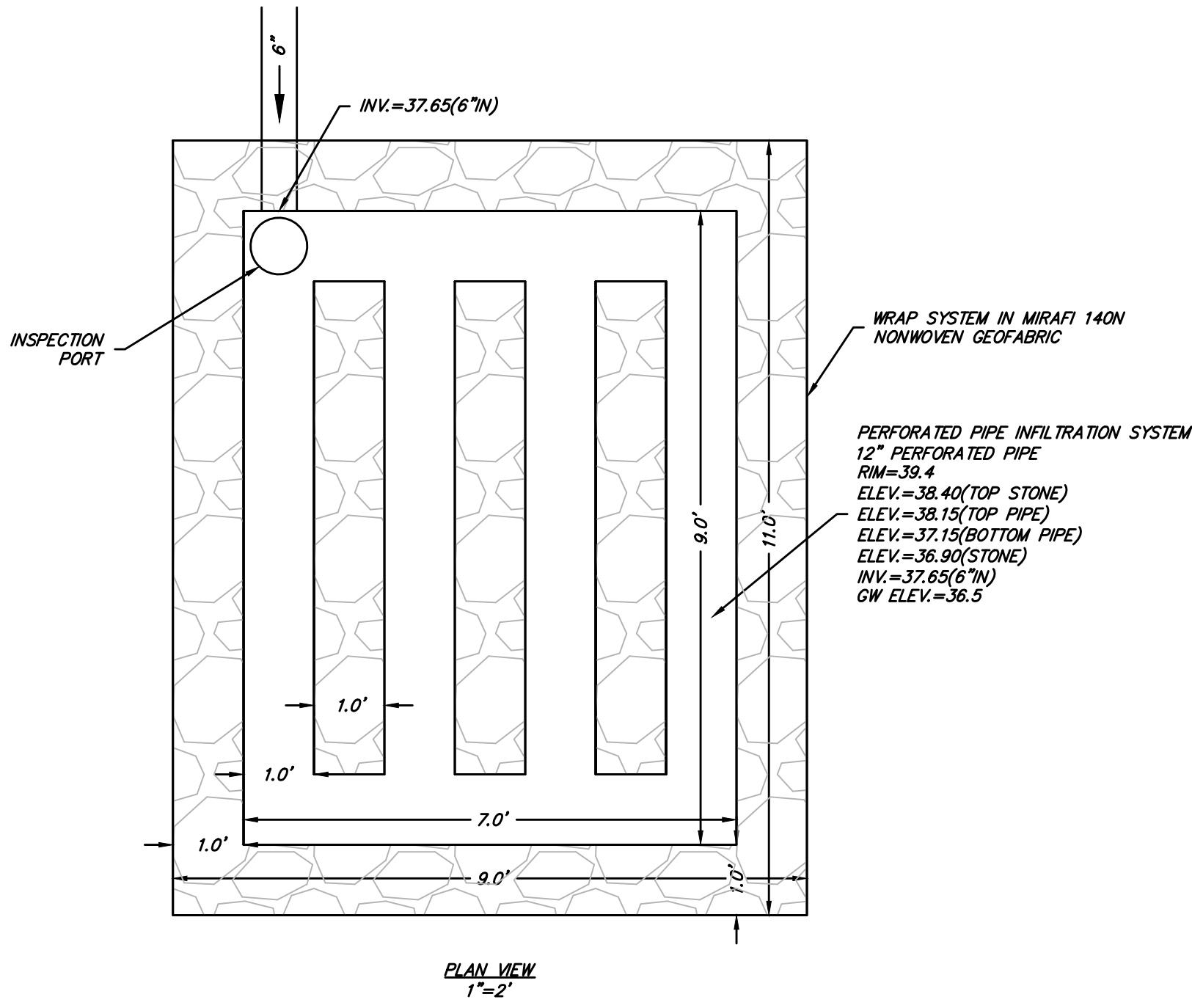
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LAYOUT: C-1 G&U

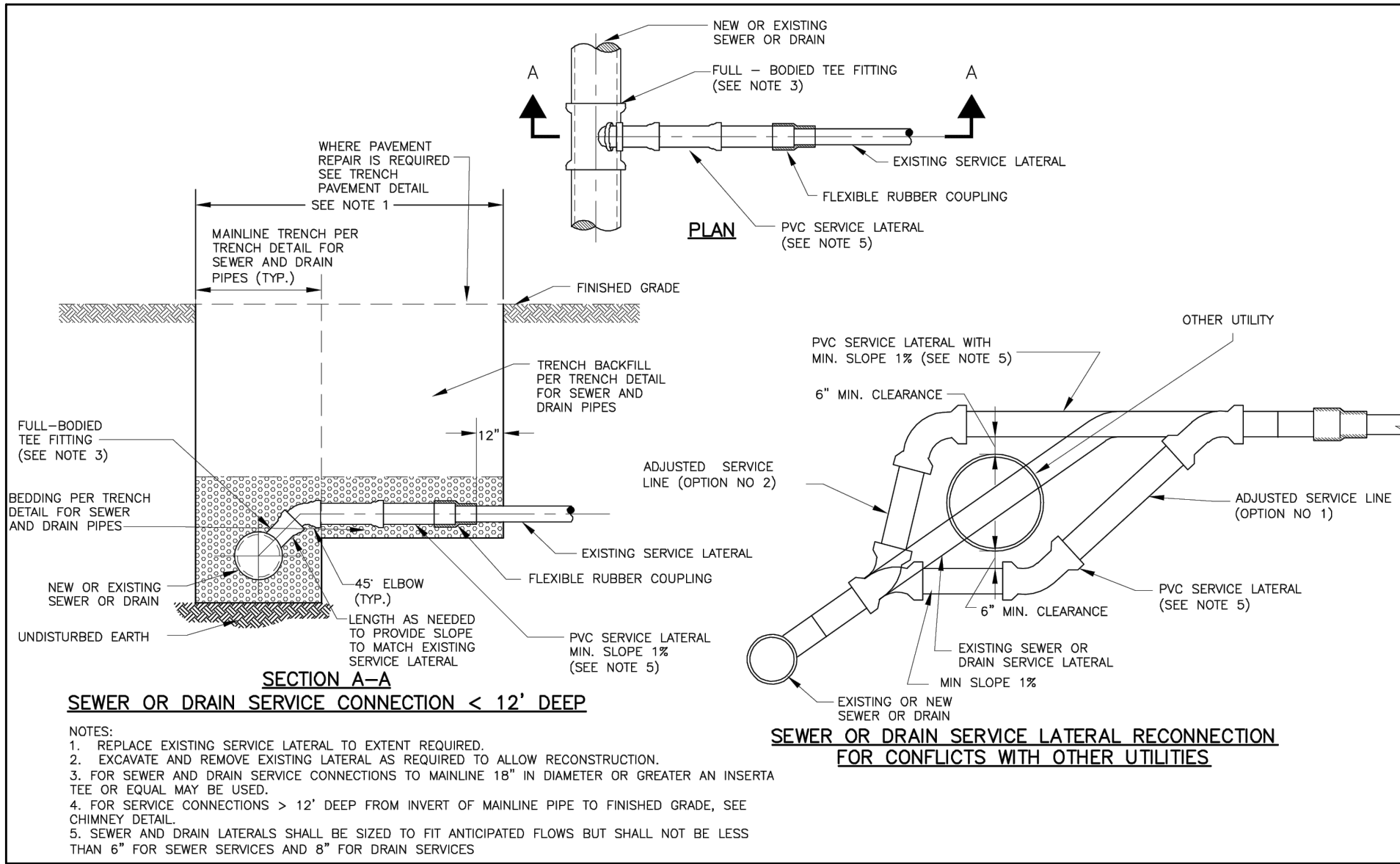
SHEET: 1 OF

-1

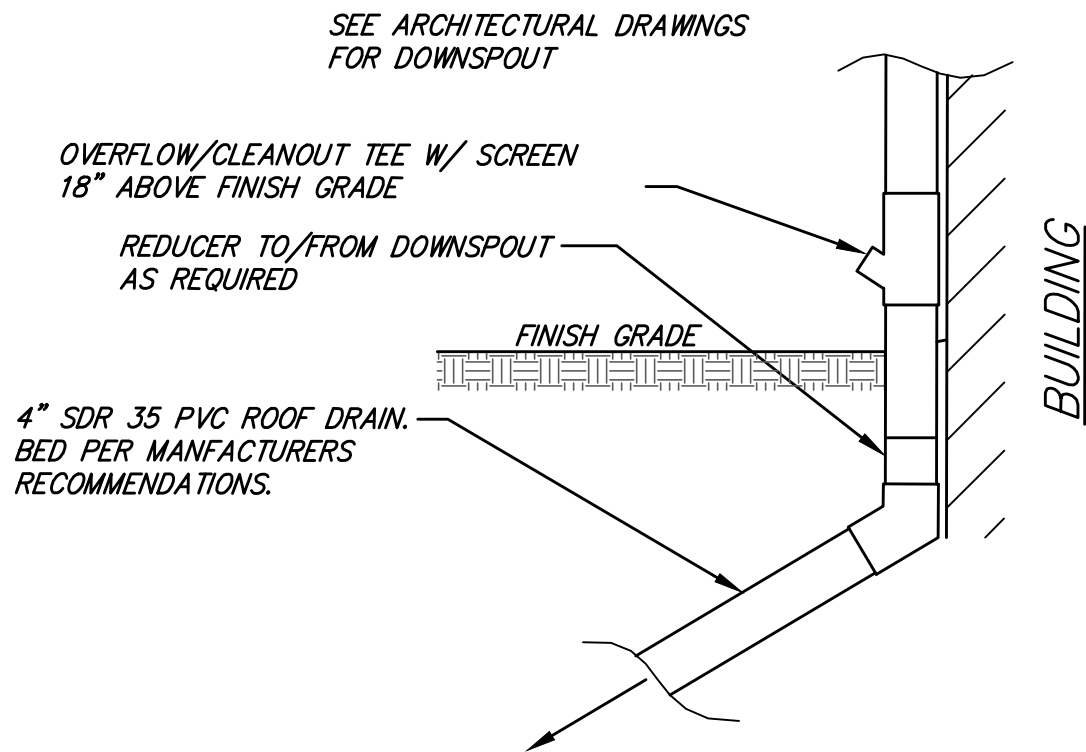
27584



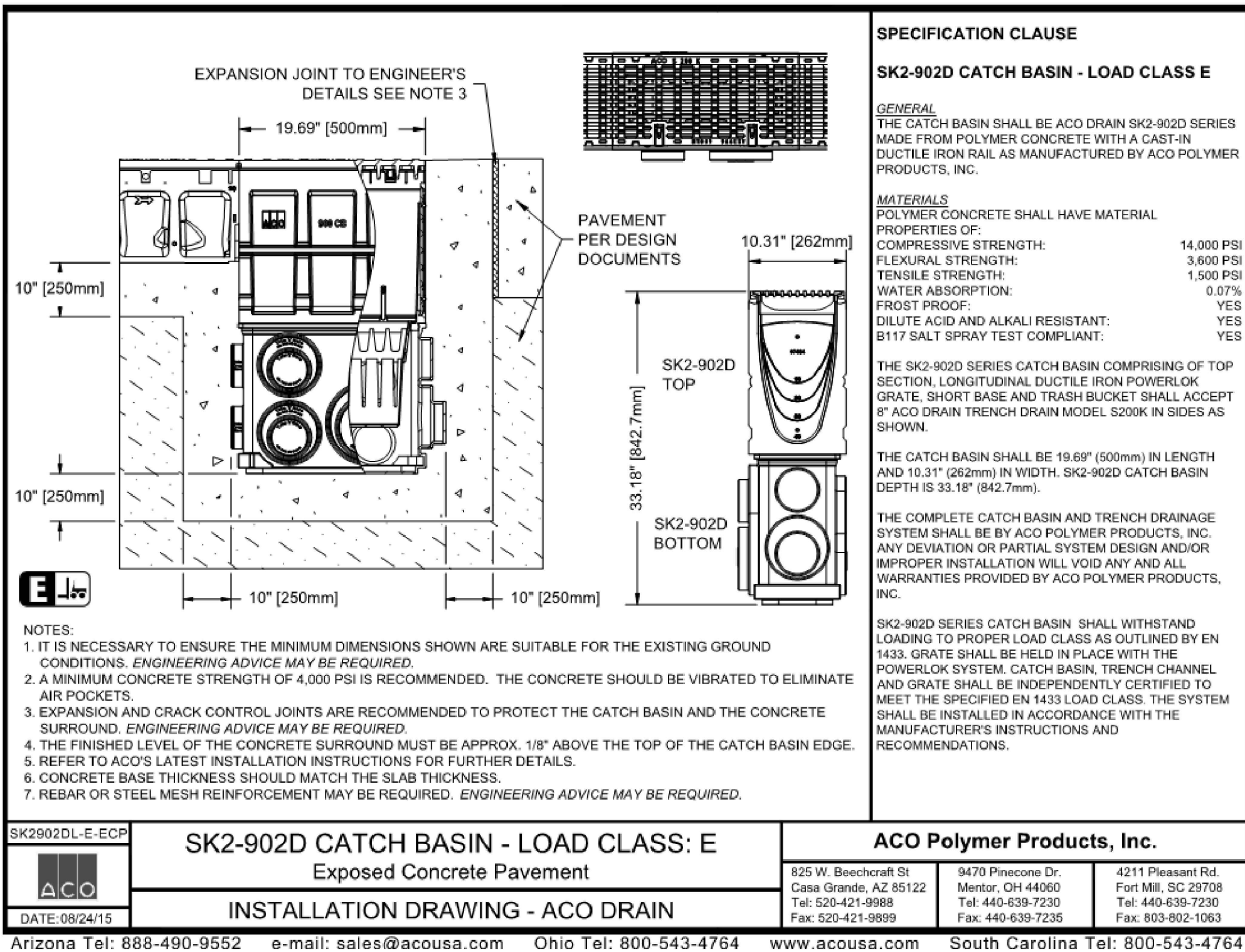
PERFORATED PIPE INFILTRATION SYSTEM
SCALE: 1"=2'



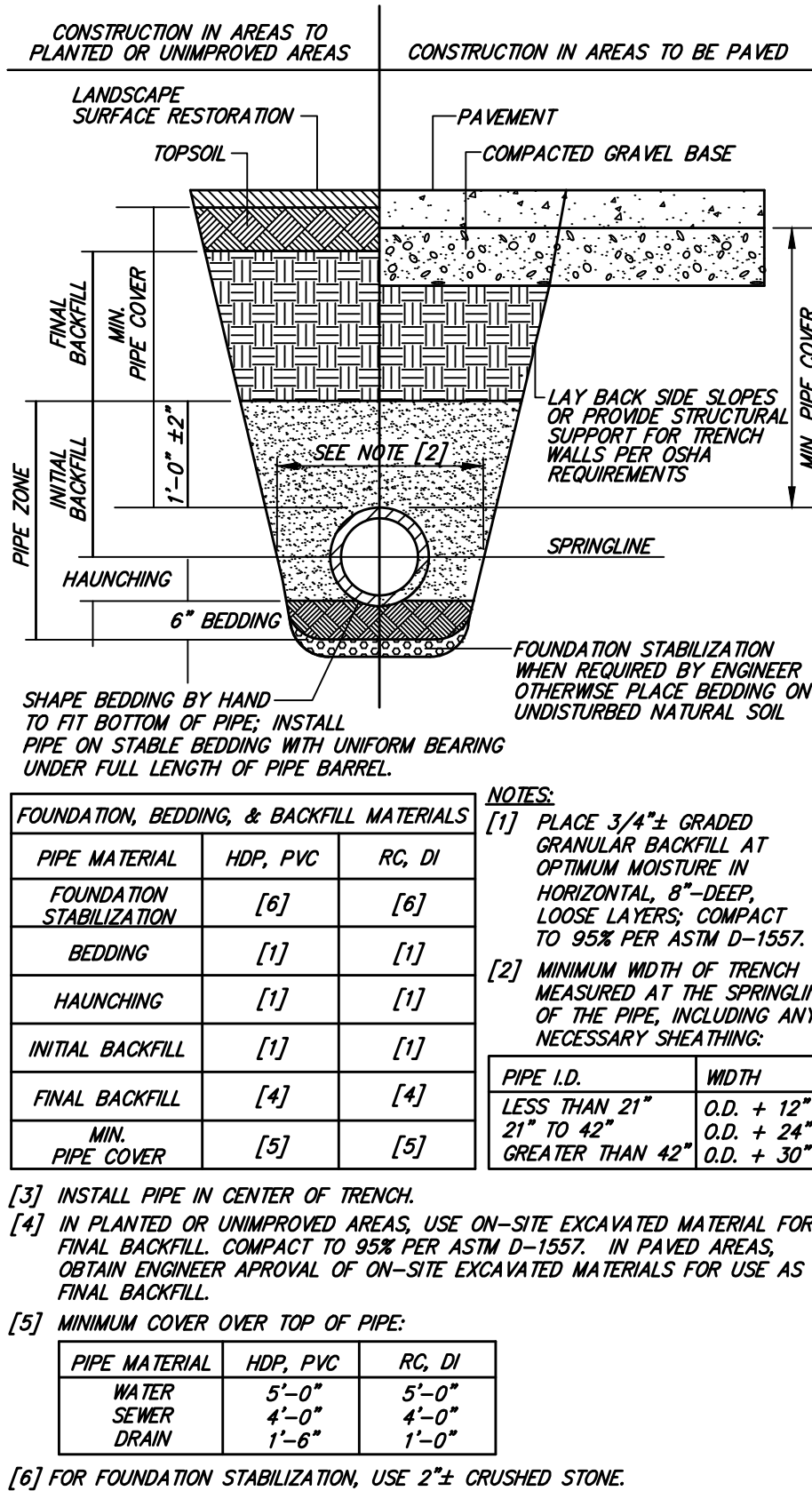
CAMBRIDGE DPW - SEWER OR DRAIN SERVICE CONNECTION
(NOT TO SCALE)



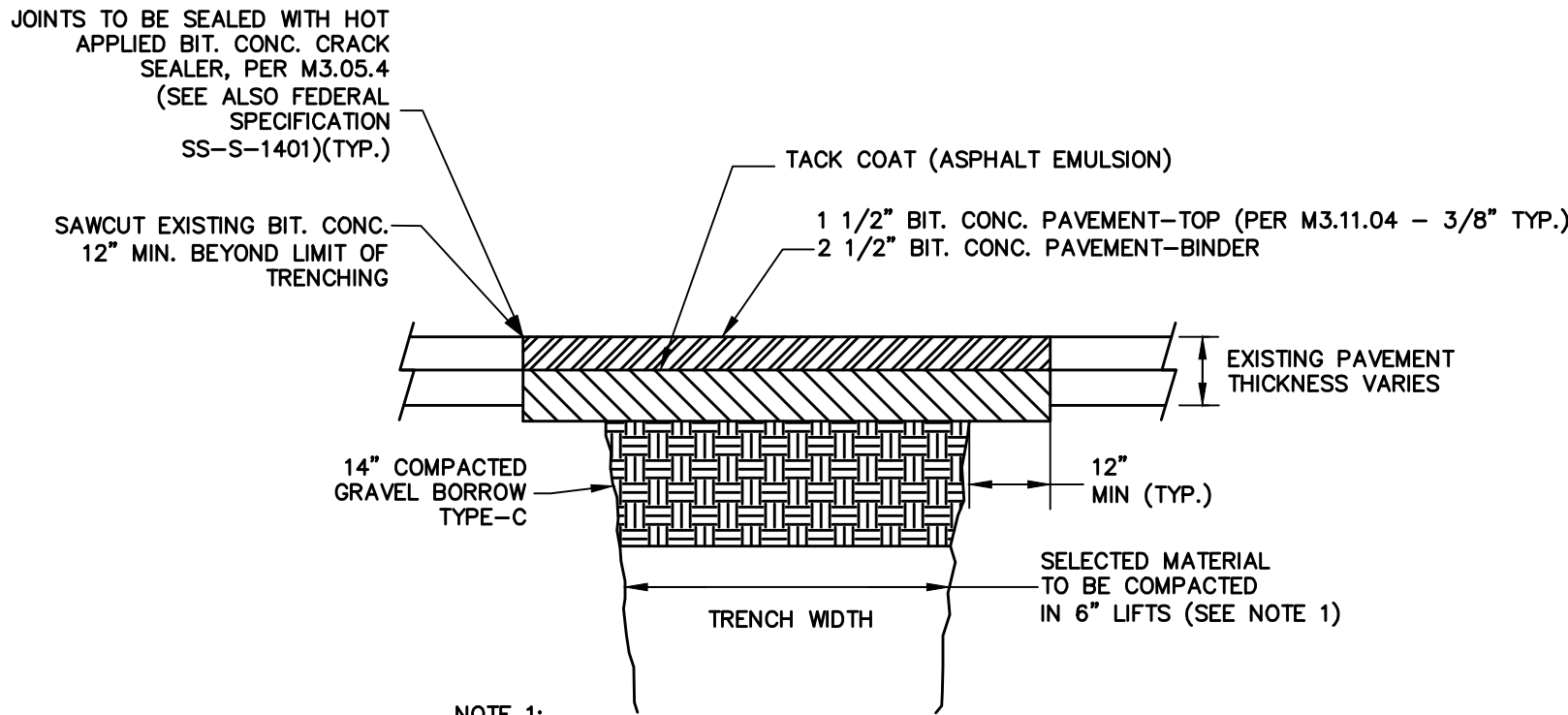
ROOF DRAIN CONNECTION
(NOT TO SCALE)



Arizona Tel: 888-490-9552 e-mail: sales@acousa.com Ohio Tel: 800-543-4764 www.acousa.com South Carolina Tel: 800-543-4764



AREA DRAIN AT BASEMENT LANDING
(NOT TO SCALE)



NOTE 1:

COMPACTION EQUIPMENT SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS TO OBTAIN THE COMPACTION STANDARDS DESCRIBED IN THE CONSTRUCTION NOTES, UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER. IN PROXIMITY TO STRUCTURES, A JUMPING JACK COMPACTOR SHALL BE REQUIRED.

PIPE TRENCH
TYPICAL CROSS SECTION
(NOT TO SCALE)

FINAL TRENCH PAVING
TYPICAL SECTION
(NOT TO SCALE)

PERMIT SITE PLAN

18 CLINTON STREET
Cambridge, Massachusetts 02138

PREPARED FOR:

SKA INC.

357 HURON AVE.
CAMBRIDGE, MA 02138

HANCOCK ASSOCIATES

Civil Engineers

Land Surveyors

Wetland Scientists

121 EAST BERKELEY STREET, BOSTON, MA 02118
VOICE (617) 357-8145, FAX (617) 357-9495
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NO.	BY	APP	DATE	ISSUE/REVISION	DESCRIPTION
DATE:	5/14/24	DESIGN BY:	DTW		
SCALE:		DRAWN BY:	DTW		
APPROV:	AD	CHECK BY:	FAK		

DETAIL

DWG: 27584sp2.dwg

LAYOUT: C-2 DETAIL

SHEET: 2 OF 2

PROJECT NO.:

27584

C-2

ZBA-303 EXISTING PLOT PLAN

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF SEPTEMBER 15, 2021 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS
ZONE: X
COMMUNITY PANEL: 25017C0576E
EFFECTIVE DATE: 06/04/2010

PREPARED FOR:
OWNER OF RECORD:
ASHA DANIERE
280 SOUTH KINGSWAY
TORONTO, ONTARIO, CANADA

REFERENCES:
OWNER OF RECORD:
NIRMAL DANIERE
18 CLINTON STREET
CAMBRIDGE, MA 02140

DEED: BK 15003; PG 191
PLAN: No. 609 OF 2015
No. 316 OF 1980
LCC: 4353-A
11056-A
13089-A

NOTES:
MAP/LOT: 118-8
VERTICAL DATUM: ASSUMED

ZONING:		RES. C-1	
DISTRICT:	RES. C-1	REQUIRED	EXISTING
FAR	(MAX.)	0.75	-
LOT SIZE	(MIN.)	5,000 SF	6,042±SF
LOT AREA/DW. UT	(MIN.)	1,500 SF	-
LOT WIDTH	(MIN.)	50'	60.02'
FRONT SETBACK	(MIN.)	15.5'	-
SIDE SETBACK	(MIN.)	1.4"	-
REAR SETBACK	(MIN.)	0.2'	-
HEIGHT	(MAX.)	35'	35.2'

SITE PLAN OF LAND
LOCATED AT
18 CLINTON STREET
CAMBRIDGE, MA

DATE: SEPTEMBER 27, 2021 SCALE: 1.0 INCH = 10.0 FEET



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SAM KACHMAR ARCHITECTS
(p) 617-800-6223
www.SKA-MA.com
357 HURON AVE.
CAMBRIDGE MA, 02138

REGISTRATIONS:

**NOT FOR
CONSTRUCTION**

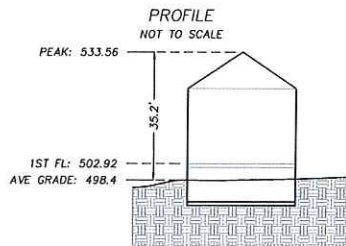
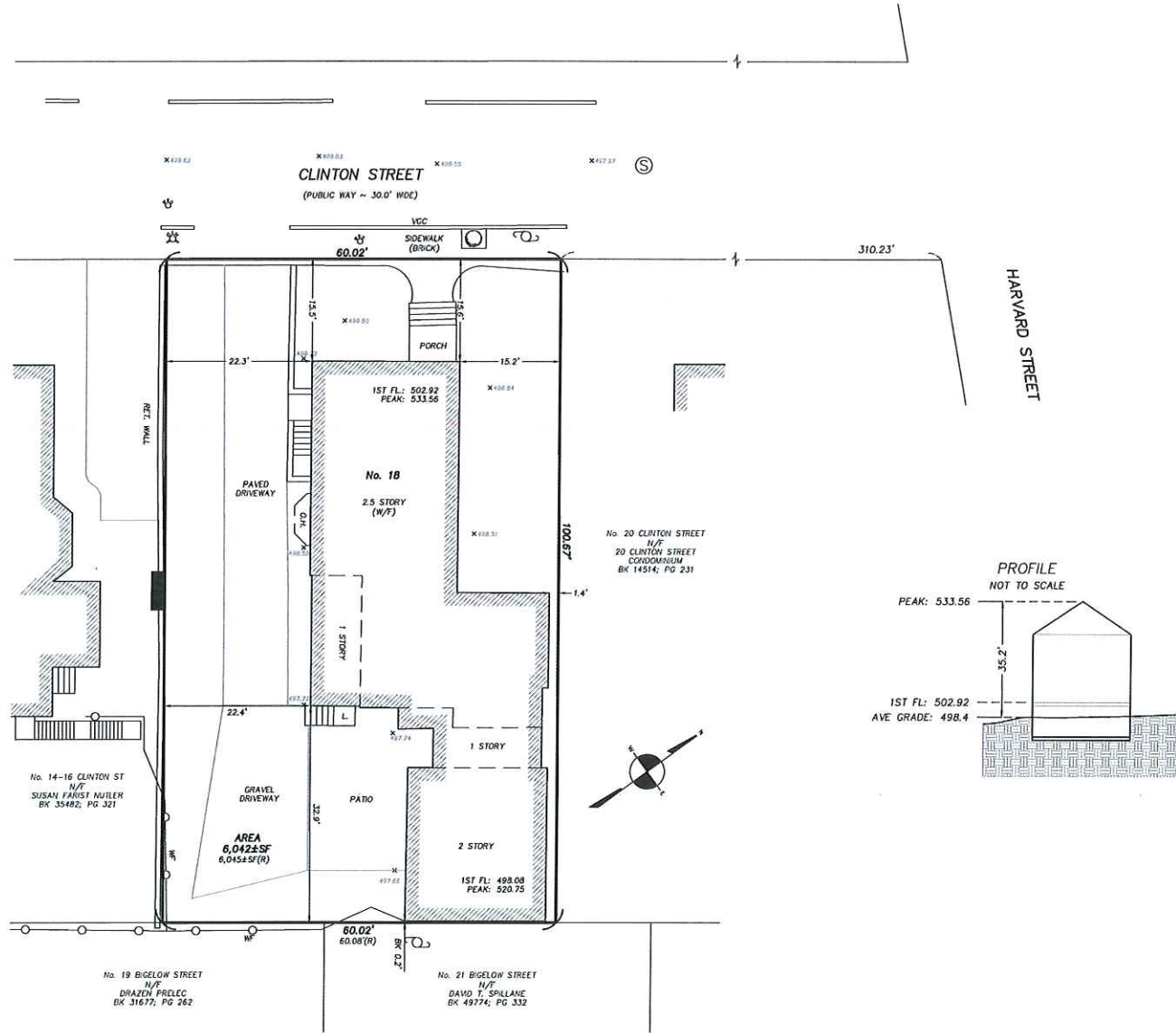
EXISTING PLOT PLAN

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project Status ZBA SUBMISSION SET
Project number 2203-0018
Date 02/20/2023
Drawn by SKA
Checked by SKA

ZBA-303

Scale 1:140



FIELD:	JH
DRAFT:	NPP
CHECK:	GCC
DATE:	09/27/21
JOB #	21-00519



18 CLINTON RESIDENCE

CONSTRUCTION DOCUMENTS

18 CLINTON LP

05/10/2024

18 CLINTON ST / CAMBRIDGE , MA 02138

PROJECT DESCRIPTION

NARRATIVE:
THE DANIERE RESIDENCE PROJECT CONSISTS OF A FULL RENOVATION - CONVERTING THE 6 APARTMENTS BUILDING INTO AN ATTACHED 2 FAMILY HOUSE, MAINTAINING THE CURRENT FOOTPRINT WITH ADDITIONAL LIVING SPACE ON LEVELS 0 AND 2.

THE MAIN UNIT FACING CLINTON ST., WILL KEEP ITS TRADITIONAL ASPECT WITH ADDITIONAL EXTERIOR ELEMENTS LIKE DECORATIVE CORBELS, CORNER TRIMS, WINDOW CORNICES AND CLAPBOARD SIDING, ALL NEW WINDOWS TO MATCH EXISTING. THE MAIN ENTRY IS TO REMAIN, WITH REPAIRS AS NEEDED, RESHINGLING OF THE ROOF WITH ADDITIONAL SKYLIGHTS, NEW TRADITIONAL GUTTERS AND DOWNSPOUTS, NEW WINDOW WELLS WITH RAILINGS TO MATCH EXISTING AND EXISTING CHIMNEY REMOVAL.

ON THE REAR UNIT, WHERE THE BUILDING IS NOT VISIBLE FROM PUBLIC VIEW, A NEW CONTEMPORARY EXTERIOR WILL BE ADDED. THE EXTERIOR WORK WILL INCLUDE A NEW METAL DARK ROOF WITH VERTICAL WOODEN SIDING AND NEW CASEMENT AND AWNING WINDOWS WITHOUT DIVIDERS AND ALL NEW WINDOW WELLS.



AFFILIATES

ARCHITECT:

SKA INC.
357 HURON AVE.
CAMBRIDGE, MA 02138



GENERAL CONTRACTOR:

MATTHEW ROMAN

LANDSCAPE ARCHITECT:

N / A

STRUCTURAL ENGINEER:

DAN WEBB
WEBB STRUCTURAL SERVICES



CIVIL ENGINEER:

HANCOCK SURVEY

CONTENTS

Sheet List	
Sheet Number	Sheet Name
A-000	COVER
A-001	GENERAL NOTES
A-003	AREA PLANS
A-005	SITE AXONS
A-100	LEVEL 0
A-101	LEVEL 1
A-102	LEVEL 2
A-103	LEVEL 3
A-104	ROOF PLAN
A-120	LEVEL 0 - R.C.P.
A-121	LEVEL 1 - R.C.P.
A-122	LEVEL 2 - R.C.P.
A-123	LEVEL 3 - R.C.P.
A-200	ELEVATION WEST
A-201	ELEVATION SOUTH

Sheet List	
Sheet Number	Sheet Name
A-202	ELEVATION EAST
A-203	ELEVATION NORTH
A-204	ELEVATION CALCULATIONS
A-205	ELEVATION CALCULATIONS
A-300	SECTION A
A-301	SECTION B
A-302	SECTION C
A-303	SECTION D
A-304	SECTION E
A-401	LEVEL 0 - UNIT A - ENLARGED LIVING ROOM
A-402	LEVEL 0 - UNIT A - ENLARGED MECH. ROOM
A-403	LEVEL 0 - UNIT A - ENLARGED MUDROOM
A-405	LEVEL 0 - UNIT A - ENLARGED BEDROOM
A-406	LEVEL 0 - UNIT A - ENLARGED BATHROOM
A-407	LEVEL 1 - UNIT A - ENLARGED ENTRY

Sheet List	
Sheet Number	Sheet Name
A-408	LEVEL 1 - UNIT A - ENLARGED COAT CLOSET
A-409	LEVEL 1 - UNIT A - ENLARGED POWDER ROOM
A-410	LEVEL 1 - UNIT A - ENLARGED LIVING ROOM
A-411	LEVEL 1 - UNIT A - ENLARGED DINING ROOM
A-412	LEVEL 1 - UNIT A - ENLARGED KITCHEN
A-413	LEVEL 1 - UNIT A - ENLARGED KITCHEN
A-414	LEVEL 2 - UNIT A - ENLARGED LAUNDRY
A-414B	LEVEL 2 - UNIT A - ENLARGED SITTING AREA
A-415	LEVEL 2 - UNIT A - ENLARGED PRIMARY BEDROOM
A-416	LEVEL 2 - UNIT A - ENLARGED PRIMARY BATHROOM
A-417	LEVEL 2 - UNIT A - ENLARGED HER CLOSET
A-418	LEVEL 2 - UNIT A - ENLARGED BATHROOM
A-419	LEVEL 2 - UNIT A - ENLARGED BEDROOM 3
A-420	LEVEL 2 - UNIT A - ENLARGED BEDROOM 4
A-421	LEVEL 3 - UNIT A - BEDROOM 5

Sheet List	
Sheet Number	Sheet Name
A-422	LEVEL 3 - UNIT A - BATHROOM
A-423	LEVEL 3 - UNIT A - OFFICE
A-424	LEVEL 3 - UNIT A - STAIR SHEET
A-426	LEVEL 0 - UNIT B - ENLARGED LIVING ROOM
A-427	LEVEL 0 - UNIT B - ENLARGED FAMILY ROOM
A-428	LEVEL 0 - UNIT B - ENLARGED LAUNDRY ROOM
A-429	LEVEL 0 - UNIT B - ENLARGED MECHANICAL ROOM
A-430	LEVEL 0 - UNIT B - ENLARGED BEDROOM
A-431	LEVEL 0 - UNIT B - ENLARGED BATHROOM
A-432	LEVEL 1 - UNIT B - ENLARGED MUDROOM
A-433	LEVEL 1 - UNIT B - ENLARGED LIVING ROOM
A-434	LEVEL 1 - UNIT B - ENLARGED DINING ROOM
A-435	LEVEL 1 - UNIT B - ENLARGED KITCHEN
A-435B	LEVEL 1 - UNIT B - ENLARGED PANTRY
A-436	LEVEL 1 - UNIT B - ENLARGED POWDER ROOM

Sheet List	
Sheet Number	Sheet Name
A-437	LEVEL 2 - UNIT B - ENLARGED MAIN BEDROOM
A-438	LEVEL 2 - UNIT B - ENLARGED MAIN CLOSET
A-439	LEVEL 2 - UNIT B - ENLARGED MAIN BATHROOM
A-440	LEVEL 2 - UNIT B - ENLARGED BEDROOM
A-441	LEVEL 2 - UNIT B - ENLARGED BATHROOM
A-442	UNIT B - STAIR SHEET
A-501	DETAILS - PARTITIONS
A-503	DETAILS - PARTITIONS
A-600	DETAILS
A-601	DETAILS 2
A-700	WINDOW SCHEDULE
A-701	DOOR SCHEDULE
X-802	DETAILS 3



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No.	Description	Date



1 Section 12
1/4" = 1'-0"

SECTION E

18 CLINTON RESIDENCE
18 CLINTON LP
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project number	2203-0018
Date	05/10/2024
Drawn by	Author
Checked by	Checker

A-304

Scale 1/4" = 1'-0"

BZA APPLICATION FORM - OWNERSHIP INFORMATION

(To be completed by **OWNER**, signed before a notary, and returned to Secretary of Board of Appeal).

18 Clinton LP, a Delaware limited partnership

(OWNER)

Address: with a principal place of business at **18 Clinton Street, Cambridge, MA 02139**

states that **18 Clinton LP, a Delaware limited partnership** owns the property located at **18 Clinton Street, Cambridge, MA 02139** which is the subject of this zoning application.

The record title of this property is in the name of **18 Clinton LP, a Delaware limited partnership** pursuant to a deed dated **July 29, 2021** and duly recorded in the Middlesex South County Registry of Deeds on **August 5, 2021**, at Book **78415**, Page **106**;

**18 CLINTON LP,
a Delaware limited partnership**

By: **Prithviraj Inc., Its General Partner**

By: 

Name: **Asha Danieri**

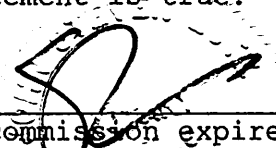
Title: **President and Treasurer**

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

NOTARY PUBLIC

STATE OF Ontario, County of Ynk

The above-named **Asha Danieri, President and Treasurer of Prithviraj Inc., General Partner of 18 Clinton LP**, personally appeared before me, this 7th day of November, 2024, and made oath that the above statement is true.

 Notary
My commission expires (Notary Seal).

**John Steven Lutz
Partner, McMillan LLP
Brookfield Place
Suite 4400
181 Bay Street, Toronto, Ontario**

RECEIVED BY THE SECRETARY OF THE ARMY

TO THE SECRETARY OF THE ARMY, WASHINGTON, D.C. FROM THE SECRETARY OF THE ARMY, WASHINGTON, D.C.

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Middlesex South Registry of Deeds

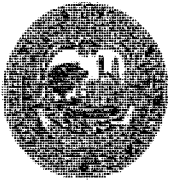
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Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com



CITY OF CAMBRIDGE

Massachusetts

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA. 2023 APR 28 AM 10:55

617) 349-6100

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

CASE NO: 208880

LOCATION: 18 Clinton Street
Cambridge, MA

Residence C-1 Zone

PETITIONER: 18 Clinton LP, A Delaware Limited Partnership
C/o Sarah L. Rhatigan, Esq.*DEED REFERENCE: See Deed Recorded at Book 78 415, Page 113.*PETITION: Variance: Alterations to a pre-existing nonconforming multi-family dwelling and conversion to a two-family dwelling, including additions and new window wells within setbacks and an increase in calculated height.Special Permit: New and modified windows/doors within setbacks.VIOLATIONS: Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).
Art. 8.000, Sec. 8.22.3 (Non-Conforming Structure).
Art. 8.000, Sec. 8.22.2.c & 8.22.1.d (New or Modified Windows).
Art. 10.000, Sec. 10.30 (Variance). & Sec. 10.40 (Special Permit).

DATE OF PUBLIC NOTICE: February 9 & 16, 2023

DATE OF PUBLIC HEARING: February 23, 2023

MEMBERS OF THE BOARD:

BRENDAN SULLIVAN – CHAIR
JIM MONTEVERDE – VICE-CHAIR
ANDREA A. HICKEY
LAURA WERNICK

ASSOCIATE MEMBERS:

SLATER W. ANDERSON
JASON MARSHALL
MATINA WILLIAMS
WENDY LEISERSON

Members of the Board of Zoning Appeal heard testimony and viewed materials submitted regarding the above request for relief from the requirements of the Cambridge Zoning Ordinance. The Board is familiar with the location of the petitioner's property, the layout, and other characteristics as well as the surrounding district.

Property address: 18 Clinton Street, Cambridge, MA

Case No. BZA-208880

Location: 18 Clinton Street, Cambridge, MA

Petitioner: 18 Clinton LP, A Delaware Limited Partnership – c/o Sarah L. Rhatigan, Esq.

On February 23, 2023, Petitioner's attorney Sarah Rhatigan and architect Steve Hoheb appeared before the Board of Zoning Appeal requesting a variance in order to alter a preexisting nonconforming multi-family dwelling and convert it into a two-family dwelling, including additions and new window wells within setbacks and an increase in calculated height and a special permit in order to add and modify windows and doors within the setbacks. The Petitioner requested relief from Article 5, Section 5.31, Article 8, Sections 8.22.3, 8.22.2.c and 8.22.1.d, and Article 10, Sections 10.30 and 10.40 of the Cambridge Zoning Ordinance ("Ordinance"). The Petitioner submitted materials in support of the application including information about the project, plans, and photographs.

Ms. Rhatigan stated that the property held an oddly shaped, antique 6-unit apartment building in disrepair. Ms. Rhatigan stated that the proposal was to renovate it and convert it to a two-family. Mr. Hoheb stated that there would be small additions to the property in order to assist with the new floor plan, but that the resulting FAR would be reduced. Ms. Rhatigan stated that window wells would affect height calculations. Ms. Rhatigan stated that the hardship related to the oddly shaped structure, placed within the lot's setbacks, and encumbered by the Historical District. Mr. Hoheb stated that the project had a Certificate of Appropriateness from the Historical Commission. Ms. Rhatigan briefly stated the hardships present concerning the variance portion of the application.

The Chair asked if any Board members had any questions or if anyone wished to be heard on the matter, no one indicated such. The Chair read the letter of Appropriateness from the Mid-Cambridge Neighborhood Conservation Commission and the letters of support from adjoining properties.

After discussion, the Chair moved that the Board make the following findings based upon the application materials submitted and all evidence before the Board and that based upon the findings the Board grant the requested relief as described in the Petitioner's submitted materials and the evidence before the Board: that the Board find that a literal enforcement of the provisions of the Ordinance would involve a substantial hardship the petitioner, because it would preclude the petitioner from making the necessary alterations to repurpose the building, which over years had fallen into great disrepair, with an interior space that was somewhat unworkable, potentially illegal, and unsafe for occupants of the structure; that the Board find that the petitioner's proposal would attempt to alleviate those concerns and create two family-sized, up to date, modern, energy-efficient residential units; that the Board find that the hardship owed to the unique siting of the lot and the house contained thereon, which was built prior to the existing Ordinance and was encumbered by it; that the Board find that the alterations were de minimis in nature and included modest additions, which would bring the structure more into conformity due to the reduction of the FAR; that the Board find that desirable relief could be granted without substantial detriment to the public good; that the Board note the letter of Appropriateness from the Mid-Cambridge Neighborhood Conservation Commission and the letters of support from

adjoining properties; that the Board find that the public good would be enhanced by a totally refurbished premise, which would add to the streetscape and to the preservation of existing housing stock; that the Board find that relief could be granted without nullifying or substantially derogating from the intent and purpose of the Ordinance; that the Board find that the proposal was consistent with Massachusetts General Laws Chapter 40A, Section 10, where the variance being granted would encourage the rational use of land throughout the City, including the encouragement of appropriate economic development to create the quality housing within close proximity to public transportation; that the Board find that granting relief would not result in a use or activity not otherwise permitted in the Ordinance, and that there would be no negative impacts regarding traffic, population density, blight or pollution, and that it would encourage the preservation of and reuse of preexisting structures, which added to the amenities of the City.

The Chair further moved that based upon all the information presented the Board grant the requested relief as described in the Petitioner's submitted materials and the evidence before the Board on the condition that the work proceed as per the dimensional form, the supporting statements, and the plans submitted, as initialed by the Chair.

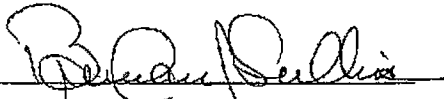
The five-member Board voted unanimously in favor of granting the variance with the above condition (Sullivan, Monteverde, Hickey, Wernick, and Williams). Therefore, the variance is granted as conditioned.

After discussion, the Chair moved that the Board make the following findings based upon the application materials submitted and all evidence before the Board and that based upon the findings the Board grant the requested relief as described in the Petitioner's submitted materials and the evidence before the Board: that the Board find that the requirements of the Ordinance were met; that the Board find that traffic generated, or patterns of access or egress would not change and that there would be no congestion, hazard, or substantial change in the established neighborhood character; that the Board note the Letter of Appropriateness from the Mid-Cambridge Neighborhood Conservation Association and the letters from adjoining property owners in favor of the project; that the Board find that the continued operation of or development of adjacent uses, as permitted in the Zoning Ordinance, would not be affected by the nature of the proposed use; that the Board find that there would not be any nuisance or hazard created to the detriment of the health, safety and/or welfare of the occupants of the proposed use, in fact, it would be enhanced by upgraded, code-compliant, units with modern amenities and utilities; that the Board find that the proposed use would not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the Ordinance; and that the Board note the above granting of the variance and the language used regarding enhancing the purpose of the Ordinance.

The Chair further moved that based upon all the information presented the Board grant the requested relief as described in the Petitioner's submitted materials and the evidence before the Board on the condition that the work comply with the supporting statements, dimensional form, and drawings submitted.

The five-member Board voted unanimously in favor of granting the special permit with the above condition (Sullivan, Monteverde, Hickey, Wernick, and Williams). Therefore, the special permit is granted as conditioned.

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the petitioner in any way from the duty to comply with local ordinances and regulations of the other local agencies, including, but not limited to the Historical Commission, License Commission and/or compliance with requirements pursuant to the Building Code and other applicable codes.



Brendan Sullivan, Chair

Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on 4-28-23 by Maria Pacheco, Clerk.

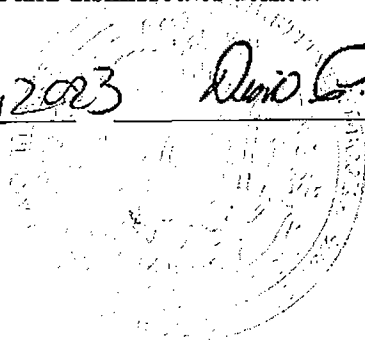
Twenty days have elapsed since the filing of this decision.

No appeal has been filed ✓

Appeal has been filed and dismissed or denied.

Date:

JUN 26, 2023  City Clerk.





City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2024 APR 12 AM 10:16

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

EXTENSION OF TIME OF EXPIRATION

CASE NO: BZA-208880

LOCATION: 18 Clinton Street Residence C-1 Zone
Cambridge, MA

PETITIONER: 18 Clinton LP, A Delaware Limited Partnership
C/o Sarah L. Rhatigan, Esq.

PETITION: Variance: Alterations to a pre-existing nonconforming multi-family dwelling and conversion to a two-family dwelling, including additions and new window wells within setbacks and an increase in calculated height.
Special Permit: New and modified windows/doors within setbacks.

DATE OF FILING DECISION: **April 28, 2023**

Petitioner was granted a **Variance & Special Permit** on **April 28, 2023**, for the above-mentioned petition.

A letter was filed with the office of the City Clerk on **March 21, 2024**, requesting an extension of the expiration of that **Variance** granted by the Board of Zoning Appeal.

The Board of Zoning Appeal, at their **April 11, 2024**, hearing, unanimously granted the extension for the **Variance** until **October 29, 2024**.

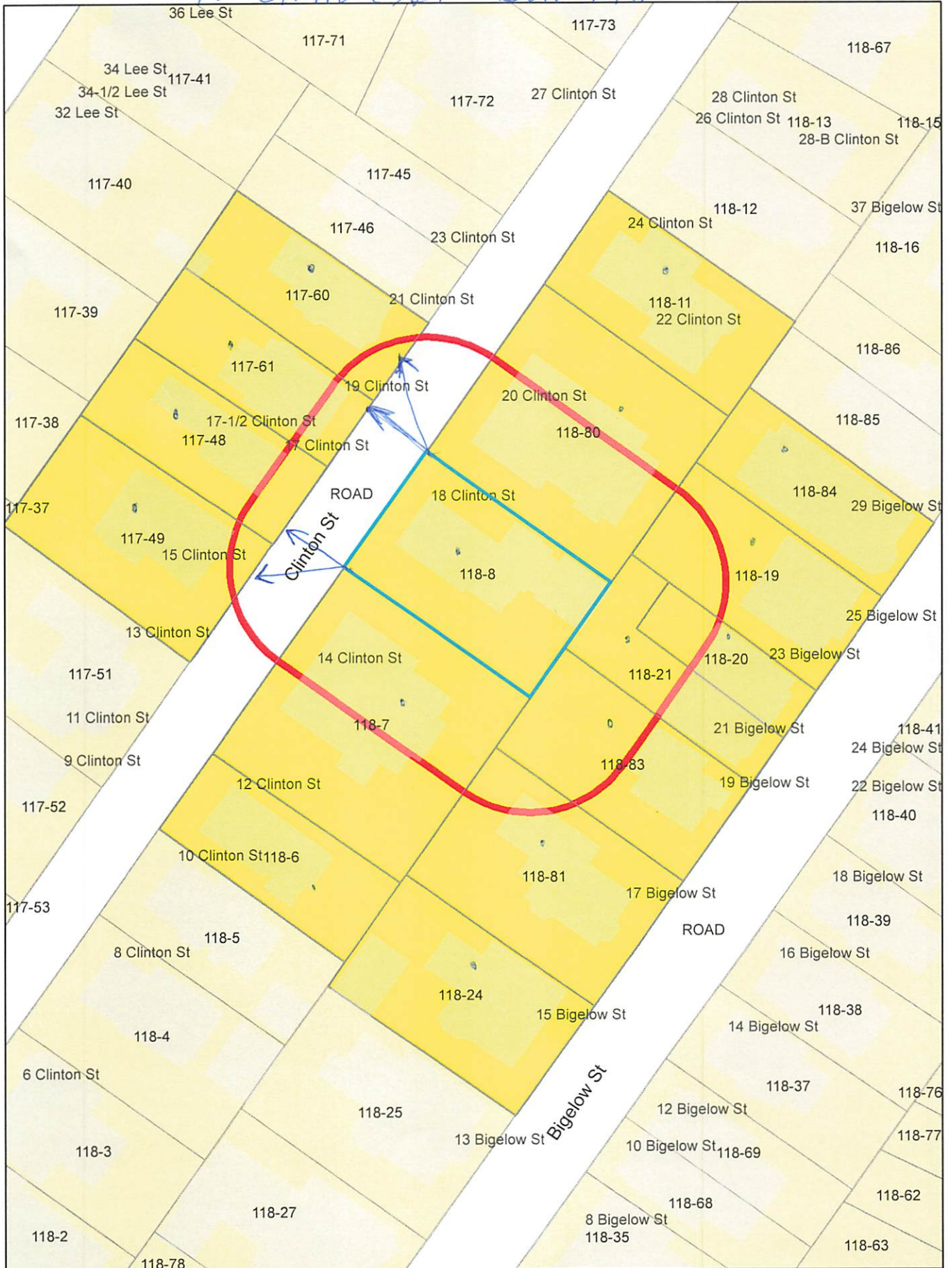
Jim Monteverde, Chairperson

Attest: A true and correct copy of Extension of Time of Expiration for

Case: BZA-208880 filed with the office of the City Clerk and Planning Board on

4/12/24 by Maria J. P. P. P., Zoning Clerk.

18 Clinton St. BZA-1142420



18 Clinton St.

117-60
BEAUSANG, KENNETH WILLIAM &
KARI ANN JORGENSEN
21 CLINTON ST
CAMBRIDGE, MA 02139

118-24
LEDWELL, JAMES R. & MARGARET R. LEDWELL
TRS. OF THE JAMES & MARGARET REALTY TRUST
52 MILL RD
FALMOUTH, MA 02536

118-24
LEPERA, JOSEPH N.
15 BIGELOW ST. UNIT 4
CAMBRIDGE, MA 02139

118-83
PRELEC, DRAZEN & DANICA MIJOVIC PRELEC
19 BIGELOW STREET
CAMBRIDGE, MA 02138

118-80
DENIZ, YAMO & SUSAN SHAW-DENIZ
20 CLINTON ST UNIT 3
CAMBRIDGE, MA 02139

118-84
HOLLENBECK, PATRICK G.
29 BIGELOW ST
CAMBRIDGE, MA 02139

118-20
OLIVIER, KATHERINE L.
23 BIGELOW ST
CAMBRIDGE, MA

117-48
BUTLER, SUSAN FARIST
CITY OF CAMBRIDGE TAX TITLE
17 CLINTON ST
CAMBRIDGE, MA 02139

118-80
WERLANG, CAROLINE ANDREA
CONNOR W COLEY
20 CLINTON ST -UNIT 6
CAMBRIDGE, MA 02139

117-49
RESIDENT
15 CLINTON ST
CAMBRIDGE, MA 02139

118-7
BUTLER, SUSAN FARIST
14-16 CLINTON ST
CAMBRIDGE, MA 02139-2303

118-21
SPILLANE, DAVID T. & LINDA S. MURPHY
21 BIGELOW ST
CAMBRIDGE, MA 02139

118-24
JOY, DAVID
456 WATEROWN ST
NEWTON, MA 02460

118-80
BLITZ, AMY
20 CLINTON ST UNIT 1
CAMBRIDGE, MA 02139

118-80
DAVIS, JANENE L.
20 CLINTON ST UNIT 2
CAMBRIDGE, MA 02139

118-11
BOWDEN, CHRISTOPHER J. &
ELIZABETH C. BOWDEN
22 CLINTON ST.
CAMBRIDGE, MA 02140

118-6
WAGNER, DAVID PATRICIA WAGNER
12 CLINTON ST
CAMBRIDGE, MA 02139

118-24
REILLY, PATRICIA J.
80 COTTING ST
MEDFORD, MA 02155

118-80
MCGOVERN, PATRICIA
20 CLINTON ST - UNIT 4
CAMBRIDGE, MA 02139

117-61
COLE, HEATHER E.
ELEKTRA MARIA MURIEL SAVILONIS
19 CLINTON ST
CAMBRIDGE, MA 02139

Petitioner
TRILOGY LAW LLC
C/O SARAH L. RHATIGAN, ESQ.
12 MARSHALL STREET
BOSTON, MA 02108

118-8
18 CLINTON LP
18 CLINTON ST
CAMBRIDGE, MA 02138

118-24
MAXWELL, MINDY,
TRUSTEE THE MAXWELL REALTY TRUST
12 CHAUNCY ST UNIT 4
CAMBRIDGE, MA 02138

118-80
KARNIK, ROHIT NANDKUMAR & YUKIKO OKA
20 CLINTON ST UNIT 5
CAMBRIDGE, MA 02139

118-80
ROBINSON JR, ROBERT JAMES &
STEPHANIE W. ROBINSON
20 CLINTON ST UNIT 7
CAMBRIDGE, MA 02139

118-11
BRONSON, PAOLA G. &
NATHAN G. BRONSON
24 CLINTON ST
CAMBRIDGE, MA 02140

118-24
KWAN NICOLE Q
253 ACTON ST
CARLISLE, MA 01741

118-19
FISHER DANIEL B DAVIS K LETITIA
25 BIGELOW ST
CAMBRIDGE, MA 02139

118-24
MAXWELL, MINDY
186 GRANITE ST
ROCK-POR, MA 01966

118-81
MACDOUGALL, CYNTHIA R
FRANCIS FOX SPINKS TRS
17 BIGELOW ST
CAMBRIDGE, MA 02139

18 Clinton St .

118-24

LE, MONICA & MARTIN PURSCHKE

15 BIGELOW ST UNIT 3

CAMBRIDGE, MA 02139

Pacheco, Maria

From: David Spillane <davidtspillane@gmail.com>
Sent: Thursday, December 5, 2024 10:16 AM
To: Pacheco, Maria
Subject: Case No. BZA -1142420 - 18 Clinton Street

Case No. BZA -1142420
18 Clinton Street
Petitioner: 18 Clinton LP, a Delaware Limited Partnership

Dear Members of the Board of Zoning Appeal,

We live at 21 Bigelow Street and are abutters to the 18 Clinton Street proposal now before BZA. In February 2023, BZA granted variances and special permits to 18 Clinton LP for renovation and renewal of its 18 Clinton Street property, a proposal that we as abutters supported. While we were happy to support the 2023 proposal, we oppose the current request for additional relief for the reasons outlined below.

The 2023 proposal for which the BZA granted relief included renovation of a two-story residential structure at the back of the lot which is set back only two inches from our property line. Much of the rear residential structure is situated within rear and side yard setback areas of the 18 Clinton lot.

The ground floor level of the proposed renovation, for which relief was granted in 2023, was to be at the level of surrounding grade on the 18 Clinton property, matching the pre-existing condition. The 2023 proposal also included adding a new basement floor where none had previously existed. The basement area was to be comprised of new living spaces and bedrooms.

The current proposal before BZA would elevate the pre-existing residential structure by approximately six feet and place it on top of an already constructed half-basement level—one that is now predominantly above grade and significantly different from the proposal approved by BZA in 2023. The result, if the BZA grants the petitioner's requested relief, would be an excessively tall structure that would loom over our small back yard and those of our neighbors, reduce our privacy, obscure daylight, and increase shadow.

Construction at 18 Clinton has already resulted in a significant impact for us through the unfortunate loss of a 60-foot-tall elm tree on our property that had to be removed in October of this year as it was no longer viable due to impacts on its root system caused by construction of the petitioner's new basement. We worked in good faith with 18 Clinton LP to resolve issues associated with loss of the tree and had granted their contractor permission to excavate on our property to facilitate basement construction but were taken entirely by surprise to see the new construction advance in manner inconsistent with BZA's 2023 approvals. We appreciate the City's issuance of a stop work order to provide an opportunity to resolve issues associated with the discrepancies between the project under construction and the one that had been granted zoning relief.

We understand that 18 Clinton LP is arguing that its current proposal is environmentally preferable to its prior proposal because of issues associated with the water table. But the best environmental solution to this problem would be to forgo construction of a new basement entirely, not to construct one that is somewhat shallower than previously proposed, which then results in a significantly taller structure

above grade within rear and side yard setback areas—leading to substantial impacts for surrounding neighbors.

We ask BZA not to grant the relief requested by 18 Clinton LP. As abutters, we were willing to accept the many reasonable impacts that were a consequence of the proposal BZA authorized in 2023. But the current proposal compounds and increases those impacts substantially with respect to our property and those of our neighbors. Thank you for your consideration of our input.

David Spillane and Linda Murphy - 21 Bigelow Street

Pacheco, Maria

From: Sue Butler <susanfaristbutler@gmail.com>
Sent: Tuesday, December 3, 2024 6:52 PM
To: Pacheco, Maria; asha@ashadaniere.com; O'Riordan, Owen; 19Clinton@gmail.com; Sue Butler
Subject: 18 Clinton Street unpleasant surprise.

Dear Mr Pacheco,
Asha Daniere owns 18 Clinton Street.
I am Asha's neighbor. Before Asha inherited 18 Clinton Street, her mother Nirmal Daniere owned #18. We were neighbors then.

I own 14, 16 and 17 Clinton Street. I am her long time neighbor and a butler on multiple sides. We've been neighbors for 43 years. I deeply cherish my relationship with Asha and her family. They babysat for my children when they were young. Delia is now 40 and Lucia is 38. My beloved son, William, committed suicide 2 1/2 years ago when he was living at 17 1/2 Clinton Street. My neighbors have given me much kindness and support through some very dark times. I cherish in deepest measure the kindness of my neighbors.

I've watched the care and attention to detail with which Asha has handled both zoning and building code issues. She has been very respectful of the regulations and of the process. She has a good plan, approved by all the appropriate city departments. Her contractor has been superb and has worked with me very closely. I'm deeply thankful.

This is in marked contrast to the work done at #12 Clinton Street several years ago when the numerous code violations had me calling Inspectional Services many times.

I was horrified to learn of the surprise high water table that is forcing the rethinking of the design of the rear part of #18 Clinton Street. I'm particularly surprised because in my geothermal wells at #14 Clinton Street the water table is down about 20' to 30'.
I don't understand the disparity.

Asha has made enormous efforts in her communications with neighbors. When I spoke with dear Bigelow Street neighbors about the situation, I was markedly surprised by how misinformed they were. They had no knowledge of the water table problem Asha had encountered and had been misled to believe there was going to be an enormous increase in height with much more building being installed on the site. When I made clear it was a small increase in height to accommodate the surprise of the high water table, my neighbor said, "What? Only 15 inches? That's fine."
Clearly someone is misrepresenting Asha's situation and proposal.

I stand in strong support of Asha's proposal. As I understand it, she may lower ceiling heights to diminish the net gain. She has been profoundly gracious as she has faced neighbor's concerns. Thank you, Asha. I have strongly encouraged her to put big windows on the second floor facing south toward my garden with a small 2' to 3' balcony overlooking her garden and mine to help improve the sense of spaciousness, given the diminished ceiling height. She has my full support for that change if she'd like to make it.

I do not know the source of the misinformation. I'm disappointed by such unneighborly conduct. Perhaps this is someone's self-serving escalation. Unfortunate.
You have the power to de-escalate the situation. Asha is happy to work with your requirements.

Many years ago I worked closely with Joe Celucci on the restoration of 14-16 Clinton Street from a burned, abandoned, condemned, politicized building to a prize winning building on the National Historic Register. I accepted all of Joe's suggestions. He showed me how Inspectional Services was in fact there to protect my interests. I remain deeply thankful to him and to the department.
Please help Asha to achieve a resolution to this conflict and the water table surprise, so she can finish the building and live there as my neighbor again.
I can't wait.

If you have further questions, please call me at 617 429 0009.
My sincere gratitude to Inspectional Services,
Yours truly,
Sue Butler

Pacheco, Maria

From: Amy Blitz <blitz.amy@gmail.com>
Sent: Thursday, December 5, 2024 4:25 PM
To: Pacheco, Maria
Subject: 18 Clinton Street renovation

I understand a neighbor has raised concerns about the added height to the 18 Clinton Street project. To weigh in, I personally am grateful for the care the owner has taken with the project, with her careful consideration of our neighborhood's needs and concerns, as well as her respect for the integrity of the building and its history. I also appreciate the crew's respectfulness throughout.

This project is not just the work of a random developer, as can so often be the case, but a labor of love, and I'm sure the finished results will improve our neighborhood and overall quality of life here for years to come. I support the plans going forward, including the added height to the building, and appreciate the efforts already taken to mitigate the impact of this. I personally am not concerned about the added height, and believe the benefits of the renovation far outweigh any concerns.

If you have any questions or would like additional input, please don't hesitate to reach out. Thank you for now, and all the best,

Amy Blitz (20 Clinton Street)

Amy Blitz, Ph.D.
www.amyblitz.com

Pacheco, Maria

From: Patti M <chezpatrice712@gmail.com>
Sent: Friday, December 6, 2024 7:25 PM
To: Pacheco, Maria
Subject: Case No BZA-1142420, 18 Clinton Street, Cambridge
Attachments: PastedGraphic-1.tiff; PastedGraphic-5.tiff

RE: Case No BZA-1142420
18 Clinton Street
Cambridge, MA 02139

Dear Board of Zoning Appeal:

I am writing to voice my concern regarding the construction next to my property. I live at 20 Clinton Street, and the construction at 18 Clinton Street has placed a big box-like structure right next to our property. It seems impossible that that structure would be approved with the setback rules in Cambridge. My co-owners at 20 Clinton Street have said that the plans were changed without City approval, which is not good for the neighborhood. This structure makes it look like there is no zoning approval.

First Rendering provided to abutters May, 2024



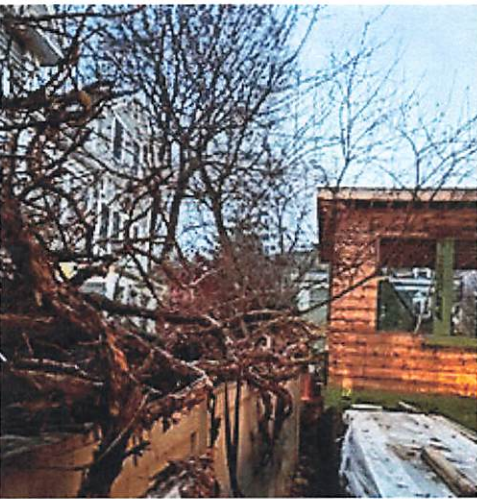
Second rendering provided to abutters November 2024



Neither of these renderings illustrate how close this structure would be to our property, and look deceptive, as if trying to hide the lack of space. The actual structure is massive and will overpower the small backyards next to it.

These inaccurate renderings gave us no opportunity to question this before construction, and the second one is for the Board of Zoning Appeal and should not be relied upon, since they do not illustrate the property or the distance to the property line. Also concerning is the distance of the overhanging roof.

It is so visible from the street, not to mention what we abutters see every day. I hope you have a chance to walk by.



Thank you for reading my concerns.

Patricia McGovern
20 Clinton Street, #4
Cambridge, MA 02139
617-777-4996

Pacheco, Maria

From: Rohit Karnik <karnik_rohit@yahoo.com>
Sent: Sunday, December 8, 2024 12:32 PM
To: Pacheco, Maria
Cc: Natola, Stephen; fangjh1911@gmail.com; jcfang.tim@gmail.com; carolineawerlang@gmail.com
Subject: Proposed building at 18 Clinton St. (Dec. 12 hearing)

Case No. BZA -1142420
18 Clinton Street
Petitioner: 18 Clinton LP, a Delaware Limited Partnership

Dear Board of Zoning Appeal,

We, the owners/residents of Units #5, #6, and #7 at 20 Clinton St., are writing to express our strong opposition to the proposed building construction at the rear of 18 Clinton St. that abuts our property and that of our Bigelow St. neighbors.

18 Clinton LP violated the City's permit and has shown disregard for the authority of the City and the Board of Zoning Appeal by starting the construction of a taller structure. To the best of our knowledge, none of the neighbors were notified of the change, till our neighbor at Bigelow St. noticed it and brought it to the attention of the City. We are grateful to the City for pausing the building construction for violating the original permit.

Units #5 and #7 at 20 Clinton St. are the closest among the 20 Clinton St. units to the proposed building, which is right next to our property and yards with hardly any gap; Unit #6 abuts our Bigelow St. neighbors and its yard is next to the Unit #7 yard. The already-approved relief of an infill adds a building facade area within the setback zone. Now, the new plans are proposing a significantly taller and bulkier structure, with significant additional building wall area over the previously approved relief, within the setback zone.

Since the proposed building is setback only a foot from our property line and the height of the facade at the property line—which directly faces our homes—is proposed to be increased by over four feet compared to both the original structure and the renovation previously approved by the board, it will significantly reduce light and sunlight in the yards of the units and the patio and living room of Unit #5. The proposed taller and larger building within the setback zone will loom over our yards and living spaces, hemming them in, adversely impacting our well-being especially during winter and our garden plants, reducing light and direct sunlight in our yards, patio, and living spaces, and potentially also adversely impact the property value of our units.

Given the adverse impact that the proposed building will have on our units and well-being, and the violation by the petitioner of the original permit granted by the City, we strongly oppose the proposed plans and urge the board to require 18 Clinton LP to abide by the originally approved plans.

Thank you for your consideration! Kindly acknowledge receipt of this letter.

Sincerely,

20 Clinton St. Unit #5
Rohit Karnik (co-owner and resident)
Yukiko Oka (co-owner and resident)

20 Clinton St. Unit #6
Caroline Werlang (co-owner and resident)

20 Clinton St. Unit #7
Jen-Chun Fang, Ming-Shu Liu, and Meng Fang (co-owners, Fang family)
Jen-Hung Fang (resident, Fang family)

From: Asha Daniere asha@ashadaniere.com
Subject: Fwd: Letter of support for 18 Clinton
Date: December 6, 2024 at 11:14 AM
To: Sarah Rhatigan sarah@trilogylaw.com

AD

----- Forwarded message -----

From: Patricia Wagner <patricialiuwagner@gmail.com>
Date: Fri, Nov 22, 2024 at 8:41 PM
Subject: Letter of support for 18 Clinton
To: Asha Daniere <Asha@ashadaniere.com>

To whom it may concern,

Our names are David and Patricia Wagner and we live at 12 Clinton Street. We are writing a letter in support of the revised plans on 18 Clinton Street. Most importantly, we are grateful that the owner and her team have taken great care to ensure that their foundation accounts for flood risk and neighbor water runoff. Although I see this is a change to the original plans, I believe that the owner is doing what is best for the good of her neighbors and the neighborhood in general.

I would ask that the BZA please support and expedite this approval, as all of the neighbors would also appreciate efficient completion of construction.

Thank you for the consideration.

Patricia and David Wagner
12 Clinton Street owners

Patricia L. Wagner
mobile: 516-633-8158 | patricialiuwagner@gmail.com

From: Asha Danieri asha@ashadaniere.com
Subject: Fwd: 18 Clinton
Date: December 9, 2024 at 1:46 PM
To: Sarah Rhatigan sarah@trilogylaw.com

AD

----- Forwarded message -----

From: **Molly Howard** <molly.e.howard@gmail.com>
Date: Mon, Dec 9, 2024 at 1:19 PM
Subject: 18 Clinton
To: <mpacheco@cambridgema.gov>
CC: Asha Danieri <asha@ashadaniere.com>

To whom it may concern,

My name is Molly Howard and I live at 15 Clinton Street. I am writing in support of the revised plans concerning 18 Clinton Street. In comparing plans, it seems the height increase is not significant. Also, in a time of rapidly accelerating climate change, the environmental benefits of not building in the groundwater far outweigh any downside to the increase. I appreciate the owner's consideration of her neighbors to limit water runoff. This change in plans seems prudent and one that is done on behalf of her neighbors. I am supportive of moving forward with the revised plans.

Best,
Molly Howar
Owner of 15 Clinton St

Pacheco, Maria

From: Heather Cole <19clinton@gmail.com>
Sent: Monday, December 9, 2024 4:04 PM
To: Pacheco, Maria
Cc: asha@ashadaniere.com
Subject: Modifications at 18 Clinton Street construction site

To whom it may concern,

My name is Heather Cole and I live at 19 Clinton Street. I am writing in support of the revised plans for 18 Clinton Street. I believe the height increase will not be harmful in any way to our neighborhood, and I support Asha's efforts to build responsibly.

I hope the BZA will expedite this approval so Asha can complete her ambitious project quickly.

Thank you for the consideration.

Heather E. Cole
19 Clinton Street
Cambridge MA
02139-2303
617-710-4226
19clinton@gmail.com

Pacheco, Maria

From: Molly Howard <molly.e.howard@gmail.com>
Sent: Monday, December 9, 2024 1:19 PM
To: Pacheco, Maria
Cc: Asha Daniere
Subject: 18 Clinton

To whom it may concern,

My name is Molly Howard and I live at 15 Clinton Street. I am writing in support of the revised plans concerning 18 Clinton Street. In comparing plans, it seems the height increase is not significant. Also, in a time of rapidly accelerating climate change, the environmental benefits of not building in the groundwater far outweigh any downside to the increase. I appreciate the owner's consideration of her neighbors to limit water runoff. This change in plans seems prudent and one that is done on behalf of her neighbors. I am supportive of moving forward with the revised plans.

Best,
Molly Howar
Owner of 15 Clinton St



Mid Cambridge Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histncds@cambridgema.gov
www.cambridgema.gov/historic/districtsHistoricProperties/midcambridgenced

Tony Hsiao, *Chair*, Lestra Litchfield, *Vice Chair*
Monika Pauli, Charles Redmon, Katinka Hakuta, *Members*
Nan Laird, Catherine Tice, *Alternates*

CERTIFICATE OF NON-APPLICABILITY

Property: 18 Clinton Street

Applicant: Sarah Rhatigan

The Mid Cambridge Neighborhood Conservation District Commission hereby certifies, pursuant to Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the order establishing said district that the work described below does not involve any activity requiring issuance of a Certificate of Appropriateness or Hardship:

Original design approved by Commission in September 2022.

Revision to rear portion of structure includes raising height of roof by 15 inches and changing to hip roof.
Permit # 1142420

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 issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such 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: MC 7181

Date of Certificate: November 26, 2024

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on November 26, 2024.

By Tony Hsiao/aac, Chair

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



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: [Signature] Date: 11/21/24
(Print)

Address: 18 Clinton St.

Case No. BZA-1142420

Hearing Date: 12/12/24

Thank you,
Bza Members

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES
2024 NOV 21 P 2:57

* * * * *

(7:15 p.m.)

Sitting Members: Jim Monteverde, Steven Ng, Virginia
Keesler, Daniel Hidalgo, and Thomas
Miller

JIM MONTEVERDE: Okay. Next case is BZA-1142420,
18 Clinton Street.

Sarah, are you presenting this one?

SARAH RHATIGAN: Yes, I am. Thank you.

JIM MONTEVERDE: Can you --

SARAH RHATIGAN: Mr. Chair --

JIM MONTEVERDE: -- before you start, go ahead,
sorry.

SARAH RHATIGAN: I was just going to identify
myself for the record in this --

JIM MONTEVERDE: Yep.

SARAH RHATIGAN: -- portion of the hearing.

JIM MONTEVERDE: Okay.

SARAH RHATIGAN: Sarah Rhatigan, Trilogy Law LLC,
12 Marshall Street in Boston. And I'm here representing the
petitioner, which is 18 Clinton LP. Asha Daniere is the
Principal and is my client, and the person who will be

1 residing in this rear unit. And --

2 JIM MONTEVERDE: Okay.

3 SARAH RHATIGAN: -- also with me is SKA. Sorry
4 for these long introductions, but members of the SKA team
5 are here as well. It's a full room in the house. They'll
6 introduce themselves when we get there.

7 JIM MONTEVERDE: Yep.

8 SARAH RHATIGAN: Thank you, Mr. Chairman.

9 JIM MONTEVERDE: So we heard this case previously.

10 SARAH RHATIGAN: Yes. Or you were -- I believe
11 you were on that Board, and from my notes, I don't believe
12 that any of your other Board Members were present in January
13 2023, when this case was presented.

14 JIM MONTEVERDE: That may be. But we did -- as a
15 Board we did see this presentation previously.

16 SARAH RHATIGAN: Yes.

17 JIM MONTEVERDE: We did grant the relief
18 requested.

19 SARAH RHATIGAN: Yes.

20 JIM MONTEVERDE: You're back, as I read it,
21 because of a potential groundwater issue, which I'm sure you
22 will describe in your presentation --

1 SARAH RHATIGAN: Correct.

2 JIM MONTEVERDE: -- that involves, I'm assuming,
3 lifting the rear addition up. And at that point, as I -- I
4 get confused, because as I read the -- or I think there's
5 some level of confusion, I read the correspondence from
6 people who have written in objecting to the change.

7 So one is if you could be as specific as possible
8 to explain the change and physically how it changes the what
9 was proposed previously.

10 And then help at least me understand how much --
11 if this is increasing in height, exactly how much this is
12 increasing. Because I -- in the correspondence, I get
13 anywhere from 18" to 4'. So there seems to be some
14 confusion.

15 SARAH RHATIGAN: Yes. Yep. Understood. Yep.

16 JIM MONTEVERDE: If you can take it away, please.

17 SARAH RHATIGAN: So I am going to take it away.
18 And I will try to be as efficient as I can with our time,
19 but I do want to make sure I give you --

20 JIM MONTEVERDE: That's all right.

21 SARAH RHATIGAN: -- just a brief -- a brief --

22 JIM MONTEVERDE: We follow.

1 SARAH RHATIGAN: -- a brief history and --

2 JIM MONTEVERDE: Yep.

3 SARAH RHATIGAN: -- the other -- the other thing
4 is that I -- I -- I sent a letter sort of responding to what
5 I thought was some of the maybe confusion about what was
6 going on. But I submitted it late yesterday, and I'm not
7 sure if Board Members had a chance to read it.

8 JIM MONTEVERDE: It is in the file.

9 SARAH RHATIGAN: It is in the file? I'm --

10 JIM MONTEVERDE: Yeah.

11 SARAH RHATIGAN: -- glad to see that. So let me
12 -- let me charge ahead here. So you're absolutely right,
13 the BZA granted relief to allow for Asha -- Asha and her
14 team to renovate the home.

15 So in this -- on the screen you see the yellow
16 home. And this is the home that existed there, and it's a
17 long -- we'll look at another picture that gives you a
18 better view of it.

19 It was originally multifamily. She lived in this
20 when she was a very young child and had, like, I think maybe
21 six or seven units by the time her mom sadly passed away.
22 And Asha eventually was able to acquire the property from

1 relatives and start this project.

2 The rear portion of the unit is -- the rear
3 portion of this home is where Asha is planning to move into
4 with her kids once this whole project is done. It's an
5 extremely expensive undertaking, as folks know.

6 When they applied for the construction permit that
7 was allowed under the BZA plans, their stormwater engineer
8 was doing test pits in the rear portion of the lot, which
9 was where the rear portion needed a new foundation, because
10 there was going to be a basement put in here.

11 The rear portion was essentially an old carriage
12 house that was slab on grade, so there was nothing
13 underneath it. When they did the test pit, they were
14 surprised by this water level, you know, bubbling up all
15 over. The structural engineer -- or structural, the civil
16 engineer advised, "It would be crazy to pour your foundation
17 in the water, and that's what your plans are showing. You
18 know, you may want to reconsider that."

19 So the team started to evaluate, you know, can we
20 do this? Back and forth conversations with Inspectional
21 Services, and there was essentially a miscommunication,
22 misunderstanding.

1 They had been advised that there was a new flood
2 resilience provision that was -- that had recently been
3 passed and not yet implemented, which allows for an owner
4 that has a flood risk, you know, under the new flood
5 viewers, to raise up a home that the height increase that's
6 required in order to bring the first level of the home up to
7 get out of a flood risk area, that that could be done as-of-
8 right.

9 And the misunderstanding was that the team was
10 told verbally that they could raise up the level of the
11 foundation at the rear of the structure as-of-right as a
12 change in the field without requiring any Zoning approval.

13 That's how we got here today and in the
14 circumstance that we are. Once it became -- once the
15 foundation was poured -- again, this is on the mistaken
16 understanding -- and then I think once the conditions on
17 site were seen by the neighbors who were like, "Wait a
18 minute, this isn't what we thought it was going to be."

19 Then the area inspector started, you know --
20 conversations began at that point, and then the contractor
21 was told to stop work at the rear until we could come back
22 to the Zoning Board to get permission to do what we're going

1 to do, or what we would like to do.

2 So -- I'm sorry, if you could advance a slide, I
3 said I was going to be brief and I'm not, I'm -- I'm --

4 JIM MONTEVERDE: No, that's --

5 SARAH RHATIGAN: -- trying to be brief, okay. So
6 --

7 JIM MONTEVERDE: Take all the time you need to do.

8 SARAH RHATIGAN: -- here -- okay. So here's the
9 view. We have -- throughout these plans you'll see BZA
10 approved plan, and then the proposed, the revised plans.

11 So what you see at the top of the screen, I'm
12 looking down because I thought this was the best way to kind
13 of orient folks.

14 The dark at the back, the dark-colored roof,
15 pitched roof, that two-story lower structure, that is the
16 area in question. Everything else about the project remains
17 the same. There's no -- essentially no need for discussion.
18 It's all one attached structure, but that section of the
19 back is why we're here.

20 So you can see between the BZA-approved render and
21 then the lower photo, which is our revised image, what's
22 happened is because we've raised the bottom of the

1 foundation up to bring it out of the water table, the whole
2 height of the structure increased.

3 And I think that one of the reasons for perhaps
4 some confusion with our neighbors is when we initially filed
5 our application on November of this year requesting the
6 modification, we filed a set of plans that simply brought
7 the foundation up, but it kept the same pitch roof.

8 JIM MONTEVERDE: Right.

9 SARAH RHATIGAN: And the increase in height was 4
10 -- I think on our original Dimensional Table was 4.3.

11 JIM MONTEVERDE: Mm-hm.

12 SARAH RHATIGAN: We essentially did this as a
13 placeholder to try to get into a hearing as quickly as we
14 could, and then Asha immediately, you know, got our team
15 together, and then we were meeting repeatedly trying to
16 engineer a way to bring the height of this rear structure
17 down however we could.

18 The architectural team is here to describe the
19 efforts that were made, because I don't want to misspeak,
20 but let me kind of jump ahead. Stephen is reading my mind
21 here by going to the slide.

22 So from the front elevation, what we're looking at

1 here is on the left side -- again, the front part of the
2 house stays the same. This is just showing the very rear
3 portion of this building.

4 The blue dashed line is the existing conditions.
5 It's what the house has been for decades and decades in its
6 same location at its same height. And it's what the BZA
7 approved at the hearing in 2023.

8 On the right side, where you see the area of
9 relief that's dashed in red, this is the proposed change in
10 the height of the rear structure. This is after
11 redesigning, you know, the interior spaces to bring it down
12 as much as we could.

13 So the effect of that: they basically resulted in
14 a 1' increase in the overall, you know, height to the
15 highest point of that rear structure. And then they changed
16 the roof design so instead of it being a pitch like this,
17 it's now got a flat portion and then it's essentially -- I
18 don't know, you call it a mansard or -- but it slopes down
19 on the left side lot line, and then we'll see in another
20 image it also slopes down to the rear, trying to reduce --
21 again, as much as possible all the impacts on -- on
22 neighbors.

1 They needed to keep some -- you know, they needed
2 to change this roof angle in order to not lose the usability
3 of the upper floor. They reduced all the ceiling heights as
4 much as they, but they needed to have -- you know, a knee
5 wall height that was, I think something like five, six --
6 and again, I'm sorry, the architects are going to take that
7 part of the presentation.

8 JIM MONTEVERDE: That's okay. And the --

9 SARAH RHATIGAN: Um--

10 JIM MONTEVERDE: -- change in the roof profile was
11 --

12 SARAH RHATIGAN: And the ch --

13 JIM MONTEVERDE: -- really to allow the building
14 structure to -- am I understanding correctly, the building
15 structure is being raised? The floor elevation is being
16 raised?

17 SARAH RHATIGAN: Yes.

18 JIM MONTEVERDE: And that --

19 SARAH RHATIGAN: Yes.

20 JIM MONTEVERDE: -- modified roof profile is
21 allowing the proponent to basically have the same amount of
22 usable area they had on their upper floor before when the

1 whole structure was lower?

2 SARAH RHATIGAN: Yes.

3 JIM MONTEVERDE: Basically.

4 SARAH RHATIGAN: Technically, I think that the
5 space up there is -- is more constrained. So there's more,
6 like the --

7 JIM MONTEVERDE: Mm-hm.

8 SARAH RHATIGAN: You know, there's areas where
9 it's at 5'6" to --

10 JIM MONTEVERDE: Okay.

11 SARAH RHATIGAN: You know, but it is -- all the --
12 the gross floor area numbers are the same. There's some
13 loss of use of space, but it's -- Asha's determined she can
14 live with that, because she's doing her utmost to try to
15 really bring this down.

16 JIM MONTEVERDE: So --

17 SARAH RHATIGAN: Do you --

18 JIM MONTEVERDE: And then before we --

19 SARAH RHATIGAN: Yeah.

20 JIM MONTEVERDE: -- anybody else, I'm just asking
21 Stephen to go to the elevation, and I think the neighbors
22 were, at least what I read, seen this one, where --

1 SARAH RHATIGAN: Great.

2 JIM MONTEVERDE: -- the lower elevation, and in
3 that front elevation we were looking at, there were two
4 dimensions; 3'4 and 9" which becomes 4', and that is the
5 difference, and it's that particular elevation that some of
6 the correspondence, they were objecting to this now; you
7 know, it has a window in it, but somewhat blank wall that
8 now is 4' greater than what was in the original proposal.

9 I think that's the one that I read that I was
10 confused about the 4' or 18". I think now I understand.

11 SARAH RHATIGAN: Yep.

12 JIM MONTEVERDE: That is the 4'. That is the
13 façade that these people are looking at that they --

14 SARAH RHATIGAN: I agree with you.

15 JIM MONTEVERDE: -- are taking objection to? Mm-
16 hm.

17 SARAH RHATIGAN: Yep.

18 JIM MONTEVERDE: Okay.

19 SARAH RHATIGAN: There was one letter that
20 referred to 6', which I'm -- I'm not, -- that's inaccurate,
21 and I'm not sure --

22 JIM MONTEVERDE: Right.

1 SARAH RHATIGAN: -- where that comes from.

2 JIM MONTEVERDE: Okay. But this is the correct --

3 SARAH RHATIGAN: And then again also, and -- and I
4 think that you understand this, but I'll just repeat it that
5 as you see in this photo, the increase in total height is 1'
6 from the original set of plans.

7 JIM MONTEVERDE: Yes.

8 SARAH RHATIGAN: The BZA-approved plans.

9 JIM MONTEVERDE: Yep.

10 SARAH RHATIGAN: And so, what they -- what the
11 folks at 20 Clinton Street are talking about is that, you
12 know, the side -- they're seeing more siding at the plane
13 that's closer to their home.

14 JIM MONTEVERDE: Correct.

15 SARAH RHATIGAN: By 4'.

16 JIM MONTEVERDE: And in the modified proposal, is
17 there still basement space under the rear addition?

18 SARAH RHATIGAN: Yes.

19 JIM MONTEVERDE: So that really drives it to be
20 raised up because of the water condition that you mention?

21 SARAH RHATIGAN: Correct. Yep.

22 JIM MONTEVERDE: Okay.

1 SARAH RHATIGAN: And the basement living space is,
2 you know, critical to the program to making it feasible for
3 family to reside in the rear unit.

4 JIM MONTEVERDE: Okay. Anything else you --

5 SARAH RHATIGAN: So --

6 JIM MONTEVERDE: -- want to present?

7 SARAH RHATIGAN: The -- I mean, I -- as long as --
8 let's see, I think that maybe it's helpful to look at the
9 other images briefly.

10 JIM MONTEVERDE: Yep.

11 SARAH RHATIGAN: Just to make sure, you know,
12 other Board Members in case they had any questions at all.
13 Maybe if you were to go to slide -- kind of covered a lot of
14 this, but maybe if you could start on page 7 of the PDF?

15 Great.

16 Asha, did you want to take the floor, just to go
17 through the elevations?

18 AXEL RAMIREZ-PALACIO: Yeah, good evening, Members
19 of the Board. Axel Ramirez-Palacio here from SKA.

20 So pretty much the same information that Sarah
21 just mentioned with the elevation behind. This one, you can
22 see the main drive to raise the building was the water

1 mantel that is represented here on the dashed blue line on
2 the border along each elevation.

3 We, as Sarah said -- I mean, I'm going to repeat
4 this information, the pole was just to raise the building
5 that was really high, and we did a lot of effort to reduce
6 the height of the big impact of removing the level, the
7 level 0, reducing ceiling heights, engineering framing for
8 floors and roof, and that's when we came just to --

9 Oh, and by the way, this elevation you can see the
10 rear elevation as well. We had an eave as well, so that
11 really reduced the amount of the volume of siding on the
12 rear of the house. But I think we can see that in the next
13 sheet.

14 Next sheet, please?

15 One more. But this presents the front of the
16 house. This is the elevation that Sarah just presented.

17 Could we go to the next sheet, please?

18 This is the side of the house.

19 Could we go to the next one, please?

20 This is the elevation that Sarah explained.

21 Could we go to the next one? That will be the
22 rear elevation, please.

1 You can see here the render of what was the BZA
2 approved. That was the original height of the building. On
3 the el -- in the render below, you can see the new height of
4 the siding, and then with the hip roof that we added on the
5 back, the impact of the siding is not as severe.

6 We can go to the next step. This is the elevation
7 showing there.

8 And same here. That's the area of relief and the
9 shape of the roof versus the new roof, compared to the
10 previous approved.

11 And you can see as well the two corner -- triangle
12 corners that the additional siding on the -- is very
13 minimal.

14 And as well the area of relief on the window, that
15 was removed. We can see in the proposed BZA set, the
16 windows were one removed, the other one was relocated to add
17 privacy to the rear neighbor.

18 And you can see in the upper elevation that we
19 have the interior of the room showing the 6' heigh person,
20 showing the -- that we were adding privacy from that window
21 to the neighbors.

22 Next?

1 This, Sarah --

2 SARAH RHATIGAN: I'll -- yeah, I was just going to
3 -- oh, go ahead, Axel, I'm sorry.

4 AXEL RAMIREZ-PALACIO: Yeah, existing conditions
5 of what it is right now. And I would like to point [out]
6 the center building, the center picture, top center. Those
7 -- the big framing with the white and yellow triangle, those
8 are the existing elevations of the former -- the current
9 rear building.

10 And they're really close to the property line.
11 And they may need to be reinstalled. So that is what gave
12 us release (sic) to -- the time to do the new building to
13 maintain the setback location, the current kind of existing
14 setback location.

15 And we can go to the next.

16 SARAH RHATIGAN: I'll take it from here.

17 So when we -- I tried to provide some information
18 in our letter about outreach efforts, because we were aware
19 that there were concerns from folks at 21 and 23 Bigelow,
20 and then from 20 Clinton Street.

21 Asha did a lot of work trying to communicate with
22 neighbors. Some folks were responsive, some were not. But

1 the -- we wanted to at least provide some factual
2 information to the Board to help get a sense of, you know,
3 distances from buildings to the area in question.

4 And so, just provided this area map, which shows,
5 you know, the folks at the rear are quite a distance away
6 from the area where there's what we think is a pretty
7 minimal increase in some elevation there. So 47 plus feet
8 away.

9 And then the 20 Clinton Street folks are a little
10 closer at 24'11" from wall to wall and in their living
11 space.

12 And then there's some yard area in between 20
13 Clinton Street and this area that is in the next images, if
14 you could move the slide forward.

15 Actually, I'm sorry. I'm skipping over. We have
16 some sun studies. Steve -- Steven (phonetic), would you
17 mind --

18 STEVE HOHEB: Yeah, I can -- I can take a look.

19 SARAH RHATIGAN: -- referring to those? Thank
20 you.

21 STEVE HOHEB: Yeah. Steve Hoheb from SKA here.
22 Our solar study shows the proposed raise in the building

1 height. It's the 1' increase. It also shows the previous
2 BZA-approved solar study.

3 And so, from our calculations, in the summer our
4 overall shadow length is only increasing by about 4", and
5 then during our winter months, because of the low angle of
6 the sun, it increases by 26".

7 One thing our shadow study doesn't really show
8 effectively is just the number of trees in that
9 neighborhood, which I believe the Google Maps aerial photo
10 shows more effectively.

11 But you can see here in our summer solstice and
12 our winter solstice study the additional heights to the
13 building are somewhat minimal.

14 One thing we're also not showing is the equinox
15 projections. But those are -- have been rounded up to about
16 11" due to the increase of the overall height.

17 SARAH RHATIGAN: Next slide, please?

18 And then we just -- we pulled some photos from --
19 this is the area between 20 Clinton Street and our property.
20 So if you see the yellow siding there, that's the -- that's
21 that rear portion of the structure on 18 Clinton Street.

22 And so, there's reference I think in one or two of

1 the letters too, like their patio and yard area and worries
2 about losing sun.

3 These photos are taken from before any
4 construction was done, and it's a pretty shady area. These
5 are also -- some of these are sunken patios, so they're sort
6 of at the basement level of that property, which -- you
7 know, makes sense that these would be shaded areas.

8 Next slide, please?

9 And then the last photo is just a photo of -- from
10 the work site looking down at the property to see, you know,
11 that they may be getting a bit more sun now that the
12 structure is temporarily dismantled, but that even now it is
13 still a shady area with some trees.

14 And, you know, in saying this, of course, you
15 know, we're not in any way trying to be disrespectful of the
16 folks that live at 20 Clinton Street at all. And they have
17 been, you know, making efforts to talk to Asha about this.

18 But under the circumstances, we feel that the
19 benefits of being allowed to make a modification that's
20 really, you know, necessary and required for good
21 engineering for the site, and also minimizing impacts that
22 could be felt, you know, further beyond this site in terms

1 of affecting groundwater by--quote, unquote-- building in
2 the water.

3 We really feel like a special permit in this
4 situation is called for. And there's justification in the
5 Ordinance for providing that.

6 One thing I would point out: The Flood Resilience
7 provisions that we initially thought that the project would
8 fall under, they don't apply to groundwater, which was not
9 clear at the time.

10 But after learning of the Stop Work Request, we
11 met with DPW and with Kara Falise, who's the person there
12 who administers that provision.

13 And she explained to us that currently DPW just
14 regulates water that flows in the streets, if you will and
15 then doesn't recede.

16 But the concerns are still the same, which is to
17 try to avoid homeowners building into flooding conditions,
18 which are expected to only get worse with increased rainfall
19 from storms such a yesterday's.

20 But thank you. We've talked a lot, and if you
21 have any questions, we'd be happy to answer them.

22 JIM MONTEVERDE: Any questions from Members of the

1 Board?

2 If not, I have a couple.

3 From the photo that you showed, kind of the
4 progress construction photo, the new foundation, the raised
5 foundation has been poured, correct?

6 SARAH RHATIGAN: Correct?

7 JIM MONTEVERDE: And it's been framed up to the
8 ground floor level, correct?

9 SARAH RHATIGAN: I believe that's true.

10 JIM MONTEVERDE: I think that's what -- I'm
11 looking at your photograph. That's what the photograph
12 shows.

13 SARAH RHATIGAN: Okay, great. That's correct.

14 JIM MONTEVERDE: Whenever these photos were taken.
15 So that much was in place before you were told, or the
16 client was told to stop. Right?

17 SARAH RHATIGAN: Correct.

18 JIM MONTEVERDE: So that's in place?

19 SARAH RHATIGAN: Yes.

20 JIM MONTEVERDE: And then one question, Sarah, for
21 you and for your design team: assuming that the letters
22 that came through from the abutters who seem to be taking

1 exception to the increase of the -- by the way I was going
2 to say "blank façade" that's not fair, but the mass of the
3 building I think in this particular view on the right-hand
4 side, right where in the previously approved is a pitched
5 roof. And then it becomes a taller, much flatter, less
6 articulated façade with the hip roof then on top of it, and
7 I think the corresponding rear -- sorry, side yard that
8 faces the neighbor is also --

9 Can you that elevation, Stephen? Do you have that
10 one?

11 Question for the design team: have they tried
12 anything, or has any effort been made to ameliorate the
13 concerns of the -- that the neighbors have spoken about?

14 Can you go down one more, I think? That works.
15 Just about -- I don't know what to do, but you know, that
16 increase in -- it looks like clapboard-sided blank wall.

17 SARAH RHATIGAN: Yeah.

18 JIM MONTEVERDE: Is there --

19 SARAH RHATIGAN: I mean I can -- I can answer
20 generally, and then ask Axel to answer more -- in more
21 technical language, but I'm -- I know and sat through
22 several meetings of a lot of discussion of trying to figure

1 out every conceivable way to lower the overall height and to
2 lower the pitch --

3 JIM MONTEVERDE: Yeah.

4 SARAH RHATIGAN: -- again, as much as possible
5 without losing kind of critical space.

6 JIM MONTEVERDE: Mm-hm.

7 SARAH RHATIGAN: And Axel, if you wanted to just
8 mention what those --

9 AXEL RAMIREZ-PALACIO: Yeah.

10 SARAH RHATIGAN: -- what those entailed.

11 AXEL RAMIREZ-PALACIO: Absolutely. Yeah. We
12 really tried to do as much as we can to that try to reduce
13 the height of the back unit, you know, like reducing ceiling
14 height, I mentioned before engineering -- we've been talking
15 with the structural engineer to make really thin structural
16 floor framings for Level 1 and Level 2, and even for the
17 roof.

18 So we're reducing the second and the -- hm?
19 That's it, yeah, the second floor we reduced the original
20 perimeter wall that was close to 6' to 5' right now. And we
21 reduced the big -- the roof -- the shape of the roof to
22 reduce it.

1 In total, we reduced the maximum height mostly
2 like 3'. And from the original eave's height, we reduced
3 like 4.5'.

4 But we're really tight on the program that we have
5 on the second floor with room, bathrooms with that wall
6 coming. The hip on the back really adds, I mean, some
7 challenges sun wise, but I mean I think it's something that
8 we could -- we successfully we can achieve it to add that
9 hip roof to impact less the rear neighborhood.

10 SAM KACHMAR: We're still 12 people of 33 with
11 height restriction.

12 AXEL RAMIREZ-PALACIO: Hm?

13 SAM KACHMAR: We're 12 people out of 35 (sic) with
14 height restriction?

15 SARAH RHATIGAN: Yeah. And I actually was just
16 about to kind of reiterate what Sam was just saying, which
17 is, this is a two-story, you know, a low two-story portion
18 of the building.

19 So we're at -- requesting to be at 20' -- I'm
20 sorry, 23'4.5" whereas, you know, if you move 7' in from the
21 setback, one could construct a 35' tall addition in this
22 location, which I would argue would be much more impactful

1 on this neighbor than what we've proposed.

2 JIM MONTEVERDE: Mm-hm. Okay. Any other
3 questions from Members of the Board?

4 STEVEN NG: Yeah. Can the architect tell us what
5 the floor-to-floor heights are, starting with the lower
6 level?

7 SAM KACHMAR: Yes. The lower level is close to
8 7'. That is matching the Unit A, the front unit.

9 STEVEN NG: Okay.

10 SAM KACHMAR: On Level 1, we go close to 8'. And
11 on Level 2, all the perimeter walls are at 5'. And this lot
12 is the top of the roof. The hip is -- we have it on one of
13 the elevations, I can see it right now.

14 Could we go to the -- one of the back elevations,
15 or front elevation please?

16 Could you maximize on the top of the flat roof?
17 We have the slope there. Could you maximize that some more,
18 please? That's all we have.

19 Correct. We changed from 712 to 612, to reduce
20 the pitch of that roof.

21 JIM MONTEVERDE: I was looking -- sorry, this is
22 Jim Monteverde again, just to answer Steven's question.

1 There was a building section submitted previously. It cut
2 through the -- it was a longitudinal, long direction, cut
3 through the original aisles, cut through the addition.

4 Is there one of those in the set that was
5 submitted? I'm just flipping through the set.

6 SARAH RHATIGAN: Yeah, I'm sorry. I don't think
7 that we did provide one.

8 JIM MONTEVERDE: Mm-hm.

9 SARAH RHATIGAN: And -- you know, inadvertent just
10 from the speed with which we were trying to pull things
11 together.

12 JIM MONTEVERDE: So just trying to answer Steven's
13 question again. Steven, do you --

14 STEVEN NG: Yeah, I see the section. It's -- in
15 the packet, it's page 34, I guess. Yeah.

16 ASHA DANIERE: That -- just to be clear, that's
17 now out of date. That was before we did all the work to
18 reduce --

19 JIM MONTEVERDE: Right. Yeah, that's -- it's
20 marked up here, and in our file, it says, "old."

21 ASHA DANIERE: Yeah.

22 JIM MONTEVERDE: So I assume that was --

1 ASHA DANIERE: But it shows you where we started.
2 So maybe that's helpful.

3 JIM MONTEVERDE: No. Steven, did you get your
4 question answered?

5 STEVEN NG: Yeah. I'm kind of interpolating it.
6 Yeah.

7 JIM MONTEVERDE: Right.

8 STEVEN NG: Thank you.

9 JIM MONTEVERDE: Okay. Any other questions for
10 members? If not, I have one. Yeah, in the file, I'm just
11 -- I have the original file, which basically says -- Sarah,
12 do you know the date of when we heard this initially?

13 SARAH RHATIGAN: I -- February -- I know it's
14 February of 2023.

15 JIM MONTEVERDE: Yeah. And I see an extension.

16 SARAH RHATIGAN: Yes, there was an extension --

17 JIM MONTEVERDE: April 28.

18 SARAH RHATIGAN: -- granted. Yep.

19 JIM MONTEVERDE: Yep. So that was April 28. And
20 then I see -- and I'm just, where I'm getting to is so then
21 we have the letter from Hancock Associates which is
22 basically your surveyors, Civil Engineers, and they're the

1 ones who were giving the observation about the test pit and
2 the -- basically dated April 2.

3 So did you get this information after you went
4 through the process with the Board initially? Or --

5 SARAH RHATIGAN: Yeah, so the BZA granted relief
6 in February of 2023.

7 JIM MONTEVERDE: Okay.

8 SARAH RHATIGAN: It took some time for Asha to
9 pull together financing to be able to advance to the next
10 stage, which is why she needed an extension from this Board
11 to the variance and special permit.

12 JIM MONTEVERDE: Okay.

13 SARAH RHATIGAN: And then the construction
14 documents were prepared and a building permit issued in
15 April 2024. The onsite work was happening about
16 contemporaneously with the time that the building permit was
17 issued.

18 JIM MONTEVERDE: Mm-hm.

19 SARAH RHATIGAN: But it started -- so the building
20 permit issued while the team was now figuring out that they
21 potentially had an issue with the rear that they needed to
22 adjust to.

1 JIM MONTEVERDE: Okay, so that the work --

2 SARAH RHATIGAN: Their plans were -- yeah. And
3 then plans were, were revised, and then there was a
4 submission in July to Inspectional Services showing the new
5 proposed, raised elevation of the rear portion of the
6 structure that was uploaded to the portal, you know, in
7 connection with the construction documents.

8 JIM MONTEVERDE: Okay.

9 SARAH RHATIGAN: But apparently, you know, through
10 miscommunication it wasn't --

11 JIM MONTEVERDE: Yep.

12 SARAH RHATIGAN: -- it wasn't fully approved,
13 although we thought this it was.

14 JIM MONTEVERDE: The lesson learned, if I can make
15 an observation --

16 SARAH RHATIGAN: Mm-hm.

17 JIM MONTEVERDE: -- is you always do the
18 exploratory work before you get too far into your design or
19 documentation, and sure as heck before construction
20 commences.

21 But it's just a lesson learned.

22 Any other questions from Members of the Board

1 before we go to public comment?

2 THOMAS MILLER: Yes. There was a reference to a
3 tree being removed in some of the correspondence. Can you
4 explain to me where that tree was, and what happened with
5 that?

6 SARAH RHATIGAN: Sure. As we're looking at this
7 elevation right here, the tree was approximately 2' behind
8 the rear structure, located on the neighbor's property on
9 the 21 or 23 Bigelow Street side of the line, approximately
10 2' from the lot line.

11 But it was a very large tree. And so, there was
12 an effort to try to figure out if the tree could -- if they
13 could avoid, you know, disturbing the tree. Asha hired an
14 arborist to come do investigations, but the problem was that
15 the tree's roots had grown underneath her property and
16 underneath the structure, compromising that structure.

17 And also, the tree is kind of looming over this
18 rear portion of the -- of the building and was, you know,
19 not going to be safe.

20 So if they had done nothing -- I mean, even if
21 they had just, you know, done construction work, they would
22 have needed to cut the roots at the -- at the property line

1 in order to, you know, essentially preserve the existing
2 structure.

3 But obviously with the construction, you know,
4 plans for the -- for the poured foundation, you know, the --
5 you know, the tree was not going to be able to be kept in
6 place or saved.

7 THOMAS MILLER: Thank you.

8 JIM MONTEVERDE: Any other questions from Members
9 of the Board?

10 If not, I'll go to public comment. Let me
11 summarize some of the correspondence we have in the file.
12 My last count was four in favor, four in opposition. But
13 let me read through those.

14 We also have in the file, not speaking for or
15 against but kind of the rationale for the change a letter I
16 referred to from Hancock Associates, who are surveyors and
17 engineers dated November 20 talking about the -- their
18 observations from the test developers done, and their
19 recommendation made that the basement elevation for the
20 proposed Unit B along the back be no lower than the existing
21 basement.

22 And that's based on the observed water table

1 elevation, which is what's raising the -- raising the
2 structure here.

3 And correspondence from Cynthia MacDougall, 17
4 Bigelow; I put a question mark on this one because I can't
5 understand if it's for or against, so I'll read it. It
6 says,

7 "The change does not affect me; however, I can
8 understand objections by my neighbors, as it changes the
9 architectural design of the period when all these homes were
10 built."

11 Next, we have Drazen Prelec and Danica Prelec, 19
12 Bigelow. They are -- cannot -- they are not supporting the
13 proposal. In summary, it represents a significant change
14 relative to what was originally approved, and it would have
15 a negative impact on several back yards on Bigelow Street,
16 which they say is further explained by another
17 correspondence.

18 We have Sarah's letter of December 11, which she
19 summarized for us.

20 We have a letter from Kate Olivier and Alexandra
21 Irving of 23 Bigelow. This is they are sympathetic with
22 Asha's situation, but "We do not support the new proposal

1 for this project. The impact to the higher structure will
2 be substantial. Already we are one of the only yards with a
3 structure right up to the property line, and this will
4 further affect light, privacy, and the overall feel of the
5 back yard."

6 We have another correspondence from Patricia and
7 David Wagner at 12 Clinton Street. And it says they are in
8 support of the revised plans. They are grateful that the
9 owner and their team have taken great care to ensure that
10 their foundation accounts for flood risk and the neighbors'
11 runoff.

12 Molly Howard at 15 Clinton writing in support.

13 Heather E. Cole from 19 Clinton writing in
14 support.

15 Then we have a letter dated December 8, 20 Clinton
16 Street, Units 5,6, and 7, basically writing to express their
17 strong opposition for the revision to the part of the
18 project that abuts their property.

19 Again, this one is saying in summary that "the
20 proposed modification is a significantly taller and bulkier
21 structure, with significant additional building wall area
22 over the previously approved relief within the setback zone.

1 So the height of the façade of the property line,
2 which directly faces our homes, is proposed to be increased
3 by over 4' compared to the original structure, and the
4 renovation previously approved by the Board. It will
5 significantly reduce light and sunlight in the yards of the
6 units and patio and living room of Unit No. 5."

7 Next is Patricia McGovern, 20 Clinton Street, Unit
8 4 writing to voice her concern that, "The revised plans
9 place the big box light structure right next to our
10 property. It seems impossible that that structure would be
11 approved with the setback rules in Cambridge."

12 Amy Blitz, 20 Clinton Street, in support of the
13 plans going forward, including the adding height to the
14 building.

15 David Spillane - [unclear] and Linda Murphy, 21
16 Bigelow Street, abutters. "While we are happy to support
17 the 2023 proposal, we oppose the current request for
18 additional relief for the reasons outlined below." And it
19 goes on for a page and a half stating that they are in
20 opposition.

21 Sue Butler, who owns 14, 16, and 17 Clinton
22 Street. This one is in strong support of the proposal. And

1 that is the commentary we have in the file.

2 So I will open it to public comment. Any member
3 of the public who wishes to speak should now click the icon
4 at the bottom of your Zoom screen that says, "Raise hand."

5 If you're calling in by phone, you can raise your
6 hand by pressing *9 and unmute or mute by pressing *6.

7 I'll now ask Staff to unmute speakers one at a
8 time. You should begin by saying your name and address, and
9 Staff will confirm that we can hear you. After that you
10 will have up to three minutes to speak before I ask you to
11 wrap up.

12 Anybody out there?

13 STEPHEN NATOLA: David Spillane?

14 JIM MONTEVERDE: Mr. Spillane, are you on mute?

15 DAVID SPILLANE: I am, thank you. can you hear
16 me?

17 JIM MONTEVERDE: There you go. Yep. can you
18 introduce yourself please?

19 DAVID SPILLANE: Yes, I can. My name is David
20 Spillane. My wife, Linda Murphy, and I live at 21 Bigelow.
21 We have submitted comments to the file, but I would like to
22 sort of supplement those, you know, based on some of the

1 interesting conversation of this evening.

2 The rear portion of the 18 Clinton construction is
3 located two inches from our property line. As is being
4 discussed earlier, we've already suffered significant
5 impacts from the construction, including loss of a 60' tall
6 Elm tree that was the casualty of basement construction on
7 the property.

8 Our hope and that of our neighbors is that we
9 avoid additional and further impacts as a result of
10 additional relief that might be granted by the Board.

11 I just want to say, and to emphasize, that we
12 supported this project fully when it became before the Board
13 in 2023 for special permits and variances.

14 Today, all of the direct abutters on Bigelow
15 Street, the direct abutters on Bigelow Street, 19, 21, 23,
16 and the four homeowners on Clinton Street at No. 20 who are
17 directly affected, are in uniform opposition to the plan.

18 I recognize that many other neighbors have spoken
19 in favor of the plan, but none of those neighbors are the
20 direct abutters to the property, are directly affected by
21 it.

22 I want to share a couple concerns. I should also

1 say that I have a 30-year history in Planning and
2 Development Review. I am not confused about any of the
3 height issues here, as earlier.

4 The first issue for me is the additional height
5 being requested increasing the nonconformity in the
6 setbacks. When the City issued its non -- it's Stop Work
7 Order in October of this year, the construction of -- that
8 has already been completed was six feet higher than that
9 which was approved by the Board in '23.

10 What's not -- what's now proposed, as you know, is
11 4'1" higher at the property line than what had been
12 previously proposed, approximately a half story higher
13 directly at the property line.

14 The first floor of the building already
15 constructed is 6' above grade at our property line. it was
16 supposed to be at grade. All of the work that is now going
17 forward is based on the given that 6' elevated level stays
18 in place and all the mitigation is really looking from there
19 up.

20 I -- perhaps now is not the time to discuss in
21 detail here some of the renderings you looked at the
22 earlier. I do want to highlight that the renderings that

1 purport to be from our back yard looking at the structure
2 are inaccurate in a number of ways. I'd be happy to
3 elaborate on that, but don't want to take time on it and try
4 to complete my comments within the three minutes.

5 I'd like to ask the Board just to consider the
6 precedent it sets. If a petitioner who's granted multiple
7 variances, especially permits, returns to the Board in the
8 middle of construction having violated the original permit
9 to ask for new special permits and additional relief from
10 the Ordinance.

11 My hope is that the Board will consider the
12 combined impact of the relief it already granted together
13 with the additional relief now requested in making its
14 ruling.

15 The shadow studies you're looking at take it as a
16 given that the relief you already granted back in 2023 is a
17 given. What you're only looking at today is the additional
18 shadow increases beyond that.

19 My final sort of concern I want to raise relates
20 to the arguments concerning the water table. What kind of
21 precedent does it set if a petitioner can claim the high
22 water table as a sole justification for increasing zoning

1 and nonconformity that impacts neighbors? This relief would
2 surely apply to hundreds of properties across the city.

3 JIM MONTEVERDE: Mr. Spillane, I'm going to have
4 to ask you to wrap up, please.

5 DAVID SPILLANE: Yeah. Can you give me 30
6 seconds?

7 JIM MONTEVERDE: 30 seconds.

8 DAVID SPILLANE: I was just saying in closing that
9 if you are lucky enough to have a high water table, you may
10 be able to build higher on your property with impacts that
11 will impact your neighbors, and surely this is not the
12 intent of the Ordinance.

13 Thank you for your time.

14 JIM MONTEVERDE: Thank you for calling in.

15 STEPHEN NATOLA: Rohit Karnik?

16 UNIDENTIFIED SPEAKER: Can you hear me?

17 JIM MONTEVERDE: Yes. Can you introduce yourself,
18 please?

19 ROHIT KARNIK: This is Rohit Karnik, 20 Clinton
20 Street, Unit No. 5. So thank you for the opportunity to
21 speak and to share our perspective. So I'm a resident of
22 Cambridge for 18 years, and co-own Unit No. 5 and 20

1 Clinton, along with my wife. And I also reside there.

2 Just to point out 18 Clinton has been a rental
3 property for many, many years. So we are one of the
4 abutters, and 18 Clinton is really the front side of our
5 home.

6 So our living room has no windows on three sides,
7 and it has sliding doors that face 18 Clinton. There's a 6'
8 wide patio, and then 18' to the building at 18 Clinton.

9 So -- so this building and structure in question
10 is not facing a side window or a bedroom window, but it's
11 really facing the front side of our home.

12 Now, if you look at the original building, there
13 was already a façade right in front of our living room
14 within a foot of our property one floor high. There was a
15 gap to the left, and then the building in question. And the
16 prior variance relief allowed that gap to be filled in,
17 extending the rear building structure.

18 So the prior relief already allowed a 50' long
19 façade within, like, a foot of 20 Clinton, and so, pretty
20 much all of our yard and back of Unit No. 7 will have a
21 building façade within a foot.

22 So prior approval time, we thought it was

1 renovation and so filling the gap seemed like a reasonable
2 compromise, even though it created additional façade area.

3 But what is happening now is a complete
4 reconstruction. The building was completely removed, being
5 built ground-up. And the current proposal is further
6 increasing the size of the building over this prior relief.

7 So this building sits directly to the front and
8 also to the south of our yard and patio. It does not
9 receive much sunlight, but it does receive sunlight until
10 about noon and the sun is above this building in question.

11 So this proposal is going to make the façade
12 taller and increase the shadow length by about 8' in winter.
13 So the shadow calculations are incorrect because they do not
14 account for the elevation of the living room or the patio.

15 So we live here, we do get sunlight on the patio
16 even in winter, and the shadow is basically on the patio,
17 and it's going to be extended 8' because the height
18 increases by a foot, and the top gets 5' closer to our
19 property. And even at equinox, it's going to be about 4'.

20 So this is a pretty significant impact, this
21 higher façade and increased shadows for a small yard and a
22 living room with no other windows on the other three sides.

1 So if we look at the original versus now, it's a
2 complete rebuild rather than a renovation. So why does it
3 need to do to be within a foot of our property when there is
4 40' of space on the other side?

5 JIM MONTEVERDE: Mr. Karnik, I'm going to ask you
6 to wrap up in the next couple seconds.

7 ROHIT KARNIK: Yeah. Just 30 seconds.

8 JIM MONTEVERDE: Yep.

9 ROHIT KARNIK: So renovation is fine. And filling
10 in the gap already is going to have an impact, but this new
11 proposal is going to considerably worsen the impact. So
12 some of the neighbors are supportive, but none of them are
13 going to be walled in by this construction.

14 So 18 Clinton is going to be a multimillion-dollar
15 property, but why should it come at our expense when it is
16 within the setback zone, and there's so much space on the
17 other side?

18 So thank you for listening.

19 JIM MONTEVERDE: Thank you for calling in.

20 Anyone else? It seems that no one else is calling
21 in. I will close public testimony. Discussion among
22 Members of the Board?

1 [Pause]

2 If not, I'll start. This one I am perplexed by.
3 I could -- if everyone can see the drawing that's on the
4 screen, which I think is the rear yard elevation. I could
5 see the revised height to the ridge to the top of the roof.

6 That seems relatively de minimis, but the
7 modification to the profile, which is really what the -- I
8 think the neighborhood correspondence that I read -- on both
9 the side and the rear where it increases by a 4' height I
10 believe, I am troubled by.

11 And looking at the plans, I can see that currently
12 it looks like a basement level is three bedrooms, and it
13 looks like two bedrooms on the main second floor level --
14 living room, dining room, kitchen on the ground floor level
15 on the basement having another bedroom and family room set
16 up.

17 So I don't know how or if there's a way for the
18 proponent to organize their program or if need be, reduce
19 their program, so they can achieve the profile to be more in
20 keeping with what was previously approved.

21 So I'm perplexed on this one, and I'd like to hear
22 from other Board Members and hear their opinions. So at the

1 moment, I am not favoring the relief requested. Anyone else
2 have any comments?

3 STEVEN NG: Jim, I think I -- I'm -- I see -- I
4 can totally understand the direct abutters' concerns. I'm
5 not clear on, you know -- I'd like to see a new transverse
6 section, new longitudinal section just so I can -- I don't
7 know if there's any ways to mitigate that height need.

8 But yeah, I'm just trying to see if there's other
9 possibilities, trying to minimize that exposure on that side
10 of the site.

11 JIM MONTEVERDE: Yep. Okay. Anyone else?
12 Members of the Board? Any other comments?

13 THOMAS MILLER: I think I'm largely in the same
14 place as you, Jim. I feel like there could be maybe some
15 more creative thinking to address the concerns of the direct
16 abutters her.

17 JIM MONTEVERDE: Yeah. I've got to convince
18 myself looking at drawings for a while that I'm not sure
19 it's creative thinking; I'm sure it's going to be heartburn
20 for someone. Something has to give here. And it's probably
21 some programmatic space.

22 But so if I'm reading the tea leaves, that's three

1 who have some concerns and maybe, you, if we move to a
2 motion to vote, that would be a denial.

3 Sarah, are you with us?

4 SARAH RHATIGAN: Yes.

5 JIM MONTEVERDE: Daniel? I'm sorry. I'm sorry,
6 wait a minute. Let Daniel jump in.

7 DANIEL HIDALGO: Yeah, just this is -- I'm really
8 struggling with this one just because, you know, I feel for
9 the applicants', you know, conundrum. But I totally see,
10 understand what the neighbors are saying.

11 And in part, you know, I don't have the
12 architectural expertise to know that something could be done
13 either creatively or, you know, altering -- altering the
14 space --

15 JIM MONTEVERDE: Yeah.

16 DANIEL HIDALGO: -- to make it consonant with the
17 original plans. So -- but I'm -- given my kind of
18 uncertainty, I think I'll defer to you, Jim, and the others
19 who have spoken about the desire to see a little bit more, I
20 guess effort or explanation about what -- you know, other
21 changes --

22 JIM MONTEVERDE: Right.

1 DANIEL HIDALGO: -- that might advise us.

2 JIM MONTEVERDE: So Sarah?

3 SARAH RHATIGAN: Well, the applicant would really
4 appreciate a continuance to have an opportunity to review
5 this --

6 JIM MONTEVERDE: Yep.

7 SARAH RHATIGAN: -- with the design team and see
8 what we might be able to do.

9 ASHA DANIERE: I can just make one comment before
10 we wrap up? I know we --

11 JIM MONTEVERDE: Just introduce yourself, please,
12 for the record?

13 ASHA DANIERE: Asha Daniere, the proponent. One
14 of the challenges -- well, there have been many -- but one
15 of the challenges in trying to get to a resolution that
16 works for everybody is lack of communication. So there are
17 very strong opponents, some who have just really refused to
18 have a conversation.

19 So I take the Board's direction. We need to go
20 away and do some more thinking, but I don't know how we'll
21 ever get to resolution if I can't sit down and speak with
22 people.

1 But that's a big part of my struggle.

2 SAM KACHMAR: Yeah, Mr. Chairman --

3 JIM MONTEVERDE: Well, I just, you know, as part
4 of the process you need to make the attempt, and we've
5 certainly seen other cases and other instances where
6 neighbors do not want to participate, but you can show that
7 you've reached out and made every attempt to let them see
8 plans, see drawings, have a conversation, and then that all
9 factors into a decision.

10 So don't let that stand in your way from trying to
11 reach out, and certainly enough of your neighbors have felt
12 comfortable to write in or call in and we're getting a sense
13 from the abutters.

14 So we're going to make a motion to continue, then.

15 SAM KACHMAR: Mr. Chairman, could I make one
16 comment, just before we wrap up as well?

17 JIM MONTEVERDE: Introduce yourself, Sam, for the
18 record?

19 SAM KACHMAR: Sam Kachmar from SKA Architects. We
20 did reach out to Mr. Spillane, both via e-mail and phone
21 call multiple times, to no response. We have made a lot of
22 efforts to speak with all of the direct abutters that have

1 any form of opposition, as well as the ones who have spoken
2 in support of the project, and we will continue to do so.

3 JIM MONTEVERDE: Okay. Very good. Thank you.
4 All right. Motion. Let me make an --

5 SARAH RHATIGAN: Excuse me, Mr. Chairman?

6 JIM MONTEVERDE: Yes.

7 SARAH RHATIGAN: Yeah. I was just going to ask
8 about the date. We would love to be on the January 9
9 hearing date that you referenced earlier, if that were
10 possible.

11 JIM MONTEVERDE: How about the thirtieth, Sarah?

12 SARAH RHATIGAN: Um --

13 JIM MONTEVERDE: Please? What's that again? You
14 tell me. I mean, I know you're under construction, I'm sure
15 you don't want any delay.

16 SAM KACHMAR: Right.

17 [Side conversation]

18 JIM MONTEVERDE: Yeah. We already have some cases
19 on the ninth that are going to take a bit of time, so can we
20 do the January 30?

21 SARAH RHATIGAN: Just checking here with our team.
22 Yes, we will --

1 JIM MONTEVERDE: Okay.

2 SARAH RHATIGAN: -- accept the January 30 date.

3 JIM MONTEVERDE: Thank you. Thank you.

4 Let me make a motion to continue this matter until
5 January 30, 2025 on the condition that the petitioner change
6 the posting sign to reflect the new date of January 30, 2025
7 and the new time of 6 p.m.

8 Also, that the petitioner sign a waiver to the
9 statutory requirements for the hearing. This waiver can be
10 obtained from Maria Pacheco or Olivia Ratay at the
11 Inspectional Services Department.

12 I ask that you sign the waiver and return it to
13 the Inspectional Services Department by a week from this
14 coming Monday. Failure to do so will de facto cause this
15 Board to give an adverse ruling on this case.

16 Also, that if there are any new submittals,
17 changes to the drawings, dimensional forms, or any
18 supporting statements that those be in our files by 5 p.m.
19 on the Monday prior to the continued meeting date.

20 On the motion to continue this matter until
21 January 30, 2025, by a voice vote of the Board Members,
22 please? Tom?

1 THOMAS MILLER: In favor.

2 JIM MONTEVERDE: Thank you. Daniel?

3 DANIEL HIDALGO: In favor.

4 JIM MONTEVERDE: Thank you. Virginia?

5 VIRGINIA KEESLER: In favor.

6 JIM MONTEVERDE: Thank you. Steven?

7 STEVEN NG: In favor.

8 JIM MONTEVERDE: Thank you. And Jim Monteverde in
9 favor.

10 [All vote YES]

11 JIM MONTEVERDE: That's five in favor. You are
12 continued.

13 ASHA DANIERE: Thank you.

14 SARAH RHATIGAN: Thank you.

15 JIM MONTEVERDE: Good luck.

16 SARAH RHATIGAN: Thanks.

17

18

19

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22

Pacheco, Maria

From: Alexandra Irving <afirving@gmail.com>
Sent: Wednesday, December 11, 2024 12:54 PM
To: Pacheco, Maria
Subject: Case No. BZA -1142420

Case No. BZA -1142420
18 Clinton Street
Petitioner: 18 Clinton LP, a Delaware Limited Partnership

Dear Members of the Board of Zoning Appeal,

While we are sympathetic to Asha's situation, we do not support the new proposal for this project. The impact of a higher structure will be substantial. Already we are one of the only yards with a structure right up to the property line, and this will further affect light, privacy and the overall feel of the backyard.

Kate Olivier and Alexandra Irving - 23 Bigelow St

Pacheco, Maria

From: Danica Mijovic-Prelec <mijovic@mit.edu>
Sent: Thursday, December 12, 2024 2:40 PM
To: Pacheco, Maria; Drazen Prelec; Danica Mijovic-Prelec
Cc: David Spillane; Linda Murphy; Sue Butler
Subject: Case No. BZA -1142420 - 18 Clinton Street

Dear Board of Zoning Appeal:

We live in 19 Bigelow St. and are in part abutters to the 18 Clinton St. proposal before BZA. We became aware of these issues only recently as we were away from Cambridge from May till November. While we are not familiar with the history of the project, it is clear that the current proposal represents a significant change relative to what was originally approved. It would have a negative impact on several back yards on Bigelow Street as explained more fully in the letter by our neighbors at 21 Bigelow, David Spillane and Linda Murphy (copied here).

For this reason we cannot support the proposal in current form.

Copying also our neighbor Sue Butler, who kindly shared her views with us in person.

Best regards,

Drazen Prelec and Danica Mijovic-Prelec - 19 Bigelow Street

Pacheco, Maria

From: Cynthia MacDougall <crmacd@comcast.net>
Sent: Thursday, December 12, 2024 4:46 PM
To: Pacheco, Maria
Subject: Renovation for Clinton street

The owner sent me drawings about the change in the design due to water level discovery.

The change does not affect me however I can understand objections by my neighbors as it changes the architectural designs of the period when all these homes were built.

Cynthia MacDougall

17 Bigelow street

02139

Sent from my iPhone

Pacheco, Maria

From: David Spillane <davidtspillane@gmail.com>
Sent: Monday, January 27, 2025 8:00 AM
To: Pacheco, Maria
Subject: Case No. BZA -1142420

Case No. BZA -1142420
18 Clinton Street
Petitioner: 18 Clinton LP, a Delaware Limited Partnership

Dear Members of the Board of Zoning Appeal,

At its December 12, 2024 hearing, the Board granted a continuance to 18 Clinton LLP and to the best of our knowledge the petitioner plans to return to the Board at the January 30 meeting.

As abutters who have expressed specific concerns about the plans presented on December 12, we want to express our disappointment at having heard nothing from the petitioner over the last seven weeks. Last week, we reached out via email to express our concern about the lack of communication and ask if the plan was indeed to return to the Board on December 30. We have received no response.

In December, the petitioner represented to the Board that we and others “had refused to have a conversation” and stated that “I don’t know how we can get resolution if we can’t sit down and speak with people.” While we don’t agree that this was the situation in December, seven weeks without any communication from the petitioner makes it even more difficult to reconcile these statements with the facts.

If indeed 18 Clinton LLP is returning to the Board this week with some modification to its prior proposal, the many abutters who previously expressed concerns will have very limited time to thoughtfully consider any proposed changes when they are posted on the BZA website. In view of the seven-week continuance granted by the Board which offered plenty of time for good-faith conversations, we would have hoped not find ourselves in this situation.

We continue to oppose the proposal as considered by the Board on December 12, 2024. Thank you for this opportunity to comment.

David Spillane and Linda Murphy
21 Bigelow Street

December 11, 2024

Via Email

Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

Re: BZA Case No. 1142420-2024
BZA Application: 18 Clinton Street, Cambridge, MA

Dear Members of the Board of Zoning Appeal:

On behalf of the Petitioner, we would like to clarify matters relating to this special permit application and to provide you with visual aids to assist in evaluating the requested relief.

History of Case.

The Petitioner is requesting a modification to plans previously approved by this Board of Zoning Appeal in 2023 (BZA Case No. 208880) to renovate her home.

The Petitioner's 2023 BZA decision allowed for a change of use (from multi-family to a two-family) and renovations to the home, including modest additions and window changes within setbacks.

The current BZA application requests modifications that raise the height of the rear portion of this two-family dwelling by one (1) foot to address a late-discovered high water table on the site.

The Petitioner obtained a building permit from Inspectional Services in April 2024 in accordance with the plans approved by the BZA in 2023 and commenced construction. As of late October 2024, work on the rear portion of the site has ceased, pending the resolution of this BZA case.

The circumstances are described in detail in the original BZA narrative. To summarize, after stormwater investigations revealed a surprisingly high water table in the rear of the lot where the new foundation (for the rear portion) was needed, her team recommended elevating the foundation to avoid flooding risk. It was suggested by staff in Inspectional Services that the change could be made "as of right" pursuant to newly adopted Flood Resiliency provisions of the Ordinance. The Petitioner filed an amended plan with Inspectional Services in July 2024 showing the proposed elevated foundation

and rear building height. Upon a verbal communication that the work could proceed, the Petitioner's contractor moved ahead to pour the foundation at the higher level in accordance with this revised plan.

Contrary to what has been suggested an abutter, the Petitioner acted in good faith, and always with the understanding that they were authorized to make this adjustment in the field. It was not until late October 2024 that the Petitioner learned that the City was requiring BZA zoning approval of the changes.

Redesign.

The original BZA application, filed in October 2024, requested relief for an increase in height of 4.3 feet. This was filed as a placeholder in order to secure a hearing date as soon as possible under the exigent circumstances. The Petitioner immediately mobilized her team (architect, contractor, engineer, and attorney) to evaluate all options available to minimize the height of the rear portion of the building.

Many alternatives were evaluated. Eventually, architectural, structural, and materials changes, adjusted room layout, and reduced interior ceiling heights, enabled us to lower the rear portion of the project by over three feet. The change from a pitch to mansard roof, with slope down towards the rear neighbor minimized impacts for the rear neighbor. Lastly, removal of several windows on setback walls and relocation of a rear window to a new transom location (set high on the wall) improved privacy for abutting neighbors.

Neighbor Outreach Efforts.

Throughout this time, beginning in late October 2024, the Petitioner made numerous attempts to communicate with her neighbors about her circumstances and plans. Revised plans were circulated to all abutters as soon as they were available, between November 15 and November 22. The Petitioner subsequently engaged in extensive discussion with two abutters who voiced concerns regarding the revised plans (residents of 20 Clinton Street #5 and 23 Bigelow Street). Outreach to other abutters regarding the revised plans including an invitation to a neighbourhood meeting did not receive a response (19 Bigelow, 21 Bigelow and 20 Clinton St Unit # 6).

Requested Relief.

Per the revised architectural plans and dimensional table submitted to this Board on December 5, 2024, the Petitioner is requesting the following adjustments to her current City-approved construction plans:

- a) Raise the foundation of the rear portion of the structure (to the level of the water table) resulting in an increase in overall height of **one (1) foot**, to a height of 23 feet, 4 ½ inches;
- b) Flatten the rear roof design, from a pitch to a mansard that slopes down towards the rear abutter, allowing for necessary head height on the second floor but minimizing impacts of the increase in height on all abutters; and
- c) Remove and relocate windows on the rear and left side exterior walls.

No Substantial Detriment to Abutters.

The rear portion of the building has existed in its current location, close to the left side and rear lot line, for decades. The Petitioner is not requesting to expand the footprint of the structure; nor is she requesting any additional Gross Floor Area. The project is and will be under the maximum Gross Floor Area for the district.

The current City-approved construction plans allow for the rear structure in its current location at a height of 22 feet, 4 ¼ inches, a circumstance that results in some shadow on neighboring lots. However, this is a preexisting condition that predates many if not all of the current abutters' residences.

The question for this Board is whether the requested minimal increase in rear height and roof design will cause *substantial detriment* to the neighboring uses. We submit to you that it will not.

Abutters to the rear of the project raise complaints that the project increases the height by 6 feet, which is not accurate, and fails to mention how the minor increase in height of a building approximately 47 feet from their home will negatively impact them.

Abutters to the left raise concerns about light/shadow, however, studies previously submitted show negligible changes to light and shadow.

As further evidence of minimal impacts of the proposed modifications we enclose here the following:

- a) Photos of the patio and yard area outside the 20 Clinton Street Condominium, that abuts on the left side of the project. Photos taken from prior to the construction next door show the patio and yard area as completely shaded. Photos taken days ago (now that the rear portion of the building has been temporarily dismantled in order to pour the foundation) show similar conditions with these areas almost completely shaded;

- b) A Google Earth view of the property and abutters yards, including tree coverage;
- c) Area Measurement Plan, showing approximate distances between the rear portion of the 18 Clinton Street home and its abutters at 20 Clinton Street (on the left side) and 21 and 23 Bigelow Street (at the rear). Note that 20 Clinton Street Condominium Unit #5 building is 24-25 feet away, while the connected homes at 21 and 23 Bigelow Street are over 47 feet away.

Granting special permit relief will support, and not derogate from, the stated purposes of the Ordinance including the following:

Per Section 1.30: to conserve health; to secure safety from flood; to facilitate the adequate provision of ... drainage; to conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment; and

Per Section 22.81, Flood Resilience: "to promote building designs that are resilient to the impacts of flood events that are likely to become more frequent and intense due to the effects of climate change.

Finally, the Petitioner would like to highlight the fact that she has the strong backing of many of her neighbors who have submitted letters of support. The modifications she proposes are rational and necessary to providing for a safe, environmentally sound dwelling for her and her children.

Sincerely,



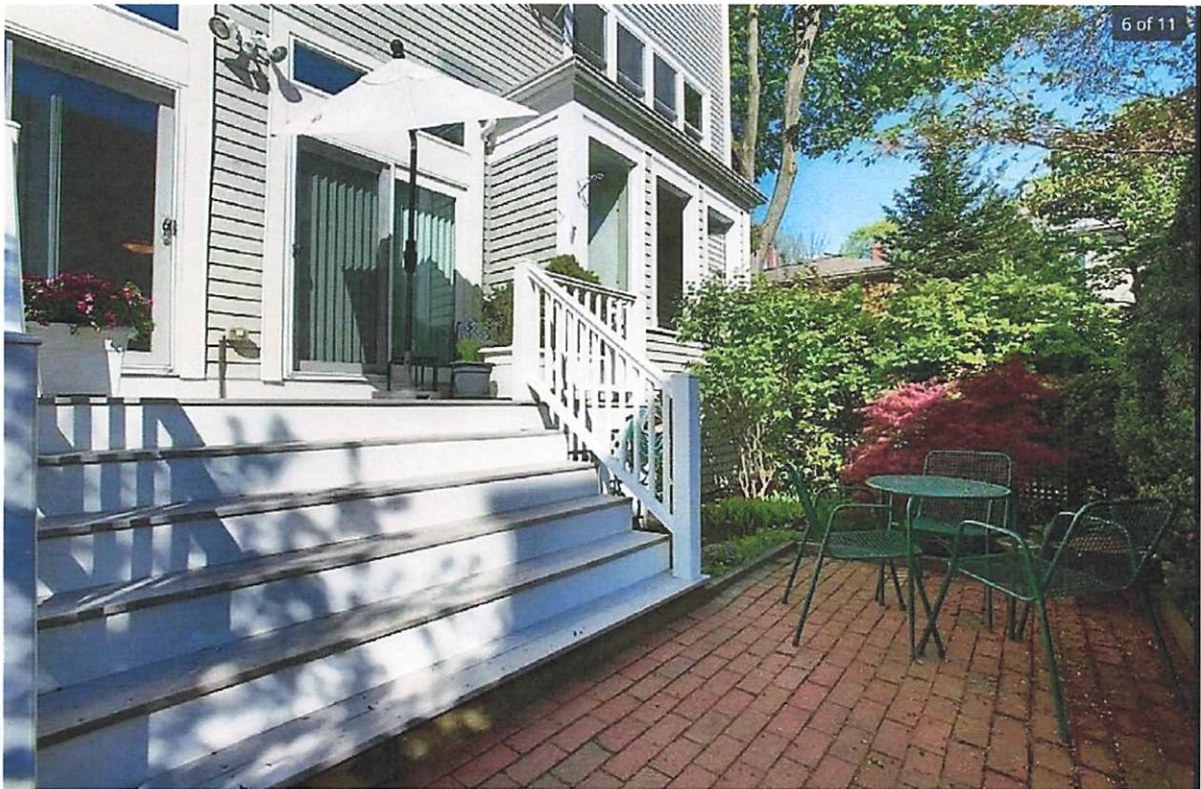
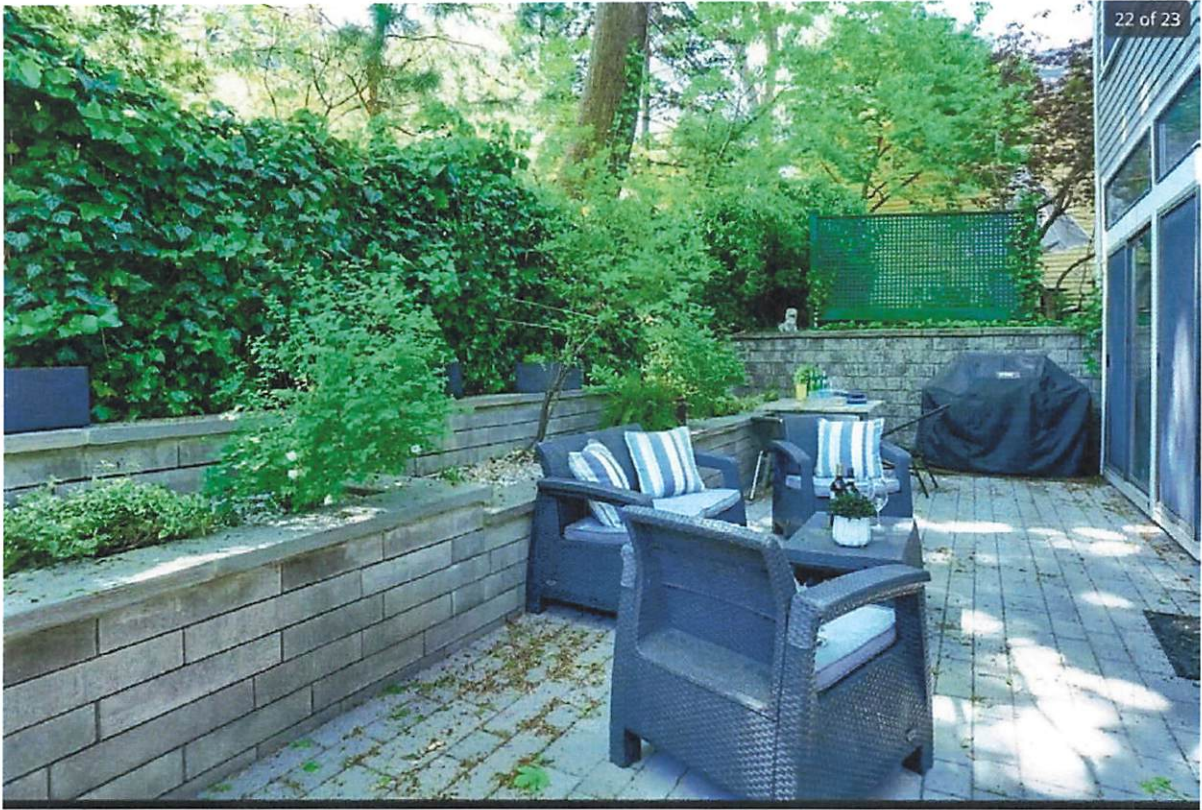
Sarah Like Rhatigan, Esq.

Enclosures

cc: Asha Danier
Sam Kachmar

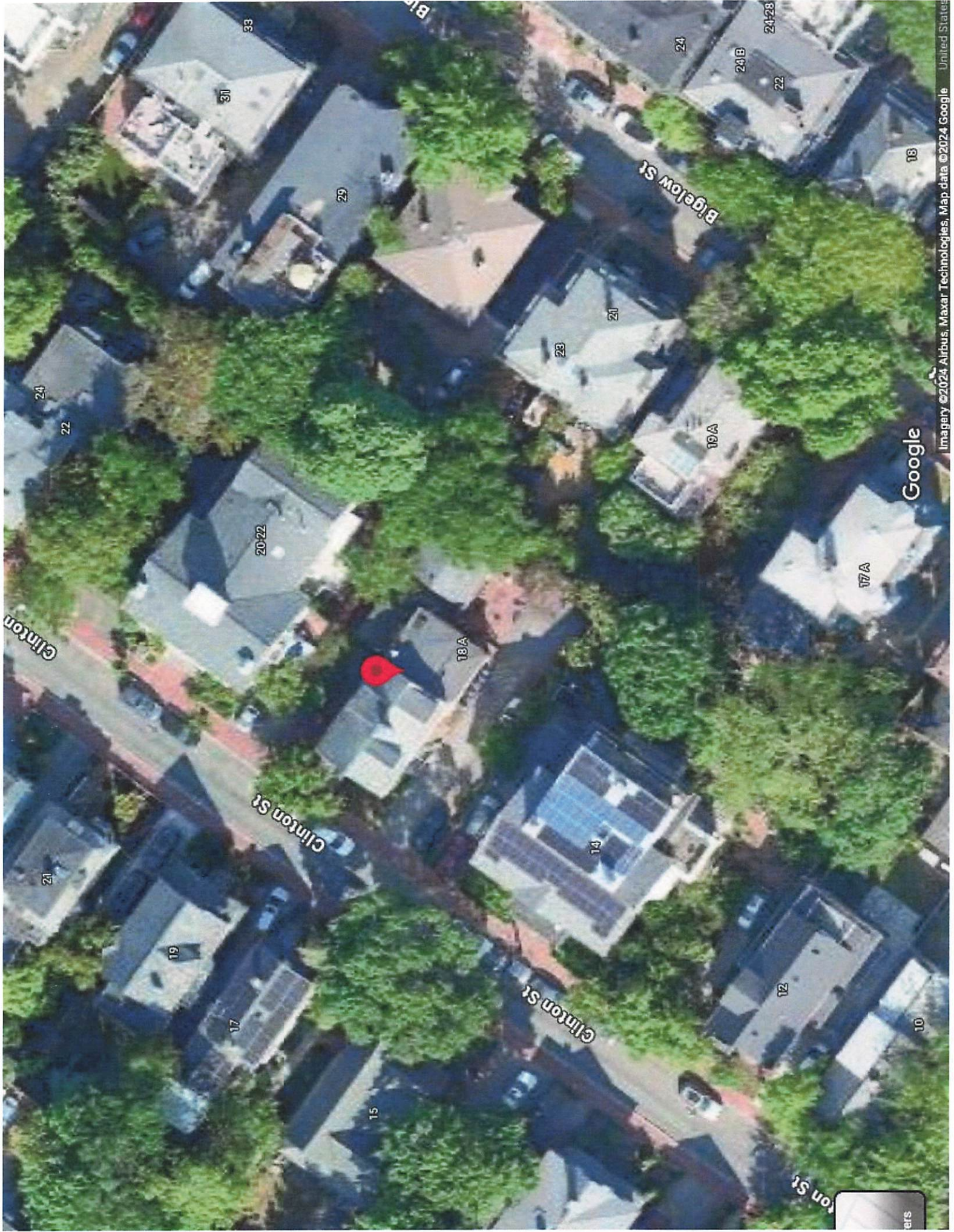
**IMAGES OF 20 CLINTON STREET, UNIT # 5, 6, 7 PATIOS AND
GARDENS PRE-CONSTRUCTION AT 18 CLINTON**





**IMAGE OF 20 CLINTON STREET PATIO, #7 AT 12:47 PM ON
December 4, 2024 (WITH NO BUILDING AT 18 CLINTON REAR)**

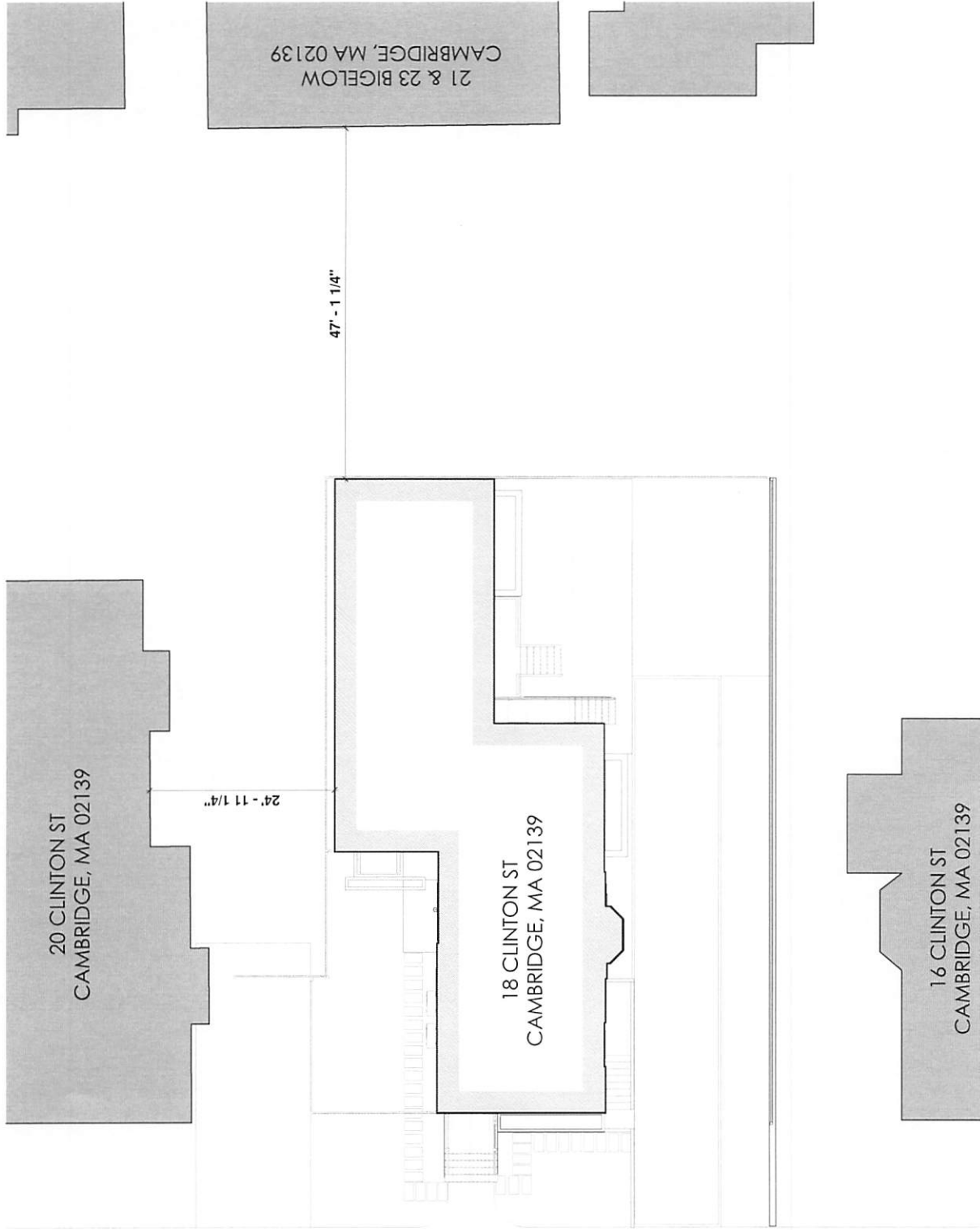




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REGISTRATION:

NOT FOR
CONSTRUCTION

AREA MEASUREMENT
PLANS

18 CLINTON LP
18 CLINTON RESIDENCE
18 CLINTON ST.
CAMBRIDGE, MA 02138

Project Number	220510018
Project Name	18 CLINTON ST
Sheet No.	12/12/22 S&K
Drawn by	S&K
Checked by	S&K
Scale	3/16" = 1'-0"

* * * * *

(6:01 p.m.)

Sitting Members: Jim Monteverde, Steven Ng, Virginia
Keesler, and Daniel Hidalgo

JIM MONTEVERDE: The first case tonight is a
continued case, and I will call BZA Case 1142420 -- 18
Clinton Street. And we have a letter from Sarah Rhatigan
dated January 27, which reads:

"On behalf of the petitioner, we hereby request a
continuance of this matter presently scheduled to be heard
by this Board on Thursday, January 30, 2025. The petitioner
and her team need additional time to work through various
design alternatives. We request that this case be continued
until the Board of Zoning Appeal hearing scheduled for March
13, 2025. Thank you for consideration."

Do we have a slot on the twenty-fifth (sic)? We
do.

This was a case heard, right? Case heard. So
it's -- so the continued -- I'll go for the motion, but
everyone, can you make -- this would be March 13. Virginia,
does that work for you?

VIRGINIA KEESLER: Yes, that works for me.

1 JIM MONTEVERDE: Steven?

2 STEVEN NG: March 13? Sure, that works for me.

3 JIM MONTEVERDE: And Daniel?

4 DANIEL HIDALGO: Yeah, that's fine.

5 JIM MONTEVERDE: Okay. So let me make a motion to
6 continue this matter until March 13, 2025, on the condition
7 that the petitioner change the posting sign to reflect the
8 new date of March 13, 2025, and the new time of 6 p.m.

9 Also, that the petitioner sign a waiver to the
10 statutory requirements for the hearing. This waiver can be
11 obtained from Maria Pacheco or Olivia Ratay at the
12 Inspectional Services Department.

13 I ask that you sign the waiver and return it to
14 the Inspectional Services Department by a week from this
15 coming Monday. Failure to do so will de facto cause this
16 Board to give an adverse ruling on this case.

17 Also, that if there are any new submittals,
18 changes to the drawings, dimensional forms, or any
19 supporting statements that those be in our files by 5 p.m.
20 on the Monday prior to the continued meeting date.

21 On the motion to continue this matter until March
22 13, 2025, a voice vote by Board Members? Virginia?

1 VIRGINIA KEESLER: Virginia Keesler --

2 SARAH RHATIGAN: Excuse me, I'm sorry. Mr.
3 Chairman, may I just ask a procedural question? I'm
4 counting just four Board Members --

5 JIM MONTEVERDE: Correct.

6 SARAH RHATIGAN: -- including yourself. And --

7 JIM MONTEVERDE: -- yep.

8 SARAH RHATIGAN: -- I'm -- I apologize, I don't
9 remember who the fifth Board Member was who heard us on
10 December 12, but are they not --

11 JIM MONTEVERDE: They're not present.

12 SARAH RHATIGAN: -- here anymore?

13 JIM MONTEVERDE: No --

14 SARAH RHATIGAN: Okay.

15 JIM MONTEVERDE: -- they're just not present this
16 evening.

17 SARAH RHATIGAN: So -- oh, okay. So they may be
18 able to be present on March 13, we're not sure?

19 JIM MONTEVERDE: Correct. Yep.

20 SARAH RHATIGAN: Great. Thank you.

21 JIM MONTEVERDE: We'll confirm.

22 Anyway, a voice vote by Board Members? Virginia?

1 VIRGINIA KEESLER: In favor.

2 JIM MONTEVERDE: Thank you. Daniel?

3 DANIEL HIDALGO: In favor.

4 JIM MONTEVERDE: Thank you. Steven?

5 STEVEN NG: In favor.

6 JIM MONTEVERDE: And Jim Monteverde in favor.

7 [All vote YES]

8 JIM MONTEVERDE: So four in favor. That matter is
9 continued until March 13, 2025. Thank you.

10 SARAH RHATIGAN: Thank you very much. Good
11 evening.

12 JIM MONTEVERDE: You're welcome.

13 Do I have to sign this? Just a letter.

14 OLIVIA RATAY: Yeah.

15 JIM MONTEVERDE: Initial? All right.

16 Now we have to wait 10 minutes. I'll be back.
17
18
19
20
21
22