



CITY OF CAMBRIDGE  
 MASSACHUSETTS  
 BOARD OF ZONING APPEAL  
 831 MASSACHUSETTS AVENUE  
 CAMBRIDGE, MA 02139  
 617 349-6100

BZA APPLICATION FORM

Plan No: BZA-017142-2019

GENERAL INFORMATION

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

Special Permit :   v   Variance :            Appeal :           

PETITIONER :   189 Charles, LLC - C/O Sarah Like Rhatigan, Esq.  

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

LOCATION OF PROPERTY :   189 Charles St Cambridge, MA  

TYPE OF OCCUPANCY :   Three-family residential   ZONING DISTRICT :   Residence C-1 Zone  

REASON FOR PETITION :

Other: Special Permit to exempt basement gross floor area

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner seeks to renovate and create additional floor area within existing basement of this pre-existing, non-conforming, three-family structure. requiring a Special Permit to exempt the basement floor area from the building's Gross Floor Area.

SECTIONS OF ZONING ORDINANCE CITED :

Article   2.000   Section   Footnote 16 (Definition of Gross Floor Area).  

Article   8.000   Section   8.22.2.C (Non-conforming structure)  

Original Signature(s) : 

(Petitioner(s) / Owner)

  Sarah Like Rhatigan, Esq. for Petitioner    
 (Print Name)

Address :   12 Marshall St    
  Boston MA 02108  

Tel. No. :   617-543-7009  

E-Mail Address :   sarah@frilositylaw.com  

Date :   6/18/19

BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We **189 Charles, LLC, a Massachusetts limited liability company**

(OWNER)

Owner's Address: **22 McGrath Highway, Suite 206, Somerville, Massachusetts 02143**

State that I/We own the property located at **189 Charles Street, Cambridge, Massachusetts 02140** which is the subject of this zoning application.

The record title of this property is in the name of **189 Charles LLC** pursuant to a deed dated **December 7, 2017** and duly recorded on **December 7, 2017**, in the Middlesex South County Registry of Deeds at Book **70351**, Page **239**.

**189 CHARLES, LLC**

**A Massachusetts limited liability company**

*Christopher N. Koskores, Mgr.*

SIGNATURE BY LAND OWNER BY: **Christopher N. Koskores**  
Its Manager

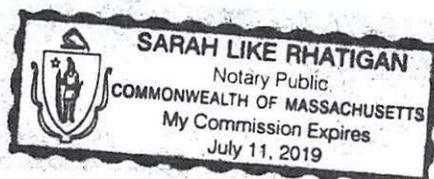
-----  
Commonwealth of Massachusetts, County of Middlesex

The above-name **Christopher N. Koskores, Manager of 189 Charles, LLC**

personally appeared before me, this 18<sup>th</sup> day of **June, 2019**, and made oath that the above statement is true on behalf of **189 Charles LLC**.

*[Signature]*  
\_\_\_\_\_  
Notary

My commission expires (Notary Seal).



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**SARAH LIKE RHAIGAN**  
COMMONWEALTH OF MASSACHUSETTS  
MAY 11 2018



**BZA APPLICATION FORM**

**DIMENSIONAL INFORMATION**

**APPLICANT:** Trilogy Law LLC **PRESENT USE/OCCUPANCY:** Three-family residential

**LOCATION:** 189 Charles St Cambridge, MA **ZONE:** Residence C-1 Zone

**PHONE:** \_\_\_\_\_ **REQUESTED USE/OCCUPANCY:** Three-family residential

	<b><u>EXISTING CONDITIONS</u></b>	<b><u>REQUESTED CONDITIONS</u></b>	<b><u>ORDINANCE REQUIREMENTS</u></b> <sup>1</sup>	
<b><u>TOTAL GROSS FLOOR AREA:</u></b>	2,130 sf	2,130 sf	814 sf	(max.)
<b><u>LOT AREA:</u></b>	1,086 sf	1,086 sf	5,000 sf	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u></b> <sup>2</sup>	1.96	1.96	0.75	(max.)
<b><u>LOT AREA FOR EACH DWELLING UNIT:</u></b>	362 sf	362 sf	1,500 sf	(min.)
<b><u>SIZE OF LOT:</u></b>	WIDTH	38.00 ft	38.00 ft	50 ft (min.)
	DEPTH	28.34 ft	28.34 ft	--
<b><u>SETBACKS IN FEET:</u></b>	FRONT	0 ft	0 ft	10 ft (min.)
	REAR	5.55 ft	5.55 ft	20 ft (min.)
	LEFT SIDE	1 ft 7 in	1 ft 7 in	7.5 ft (min.)
	RIGHT SIDE	5 ft 9 in	5 ft 9 in	7.5 ft (min.)
<b><u>SIZE OF BLDG.:</u></b>	HEIGHT	34.5 ft	34.5 ft	35 ft (max.)
	LENGTH	23.9 ft	23.9 ft	--
	WIDTH	30.4 ft	30.4 ft	--
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>	0	0	0.30	(min.)
<b><u>NO. OF DWELLING UNITS:</u></b>	3	3	0	(max.)
<b><u>NO. OF PARKING SPACES:</u></b>	0	0	3	(min./max)
<b><u>NO. OF LOADING AREAS:</u></b>	0	0	0	(min.)
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u></b>	n/a	n/a	n/a	(min.)

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

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

**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 189 Charles 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:
- Petitioner is seeking to exempt floor area in the basement of a three-family pre-existing, legally non-conforming structure. Petitioner was before this Board of Zoning Appeal seeking special permit relief in order to alter window openings and install a door within setbacks which was granted (BZA-016276-2018). At that time, plans called for ceiling heights in the basement to remain below 7 feet. After renovations in the basement were nearly completed, Petitioner was informed by Inspectional Services that the newly installed bathroom in the basement would have to conform to the commercial building code requirement of 7 feet ceilings, thus rendering the new bathroom non-compliant due to its current ceiling height of 6 ft, 11 inches. Thus, Petitioner now seeks this Special Permit to exempt from the Gross Floor Area the areas of the basement shown on the plans as a bathroom, laundry and finished room. Such exemption meets the standards set forth in Ordinance Article 2, Gross Floor Area, Excluded, footnote 16, where such basement use otherwise meets all other dimensional requirements under Article 5.31 and will not otherwise exacerbate any existing non-conformity of the building. Furthermore, renovations have either been completed (eg., installation of the new bathroom and laundry), occurring within the existing structure, and will have no impact on neighboring uses and are consistent with similar basement uses in the area.
- 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:
- Petitioner's requested relief and proposed renovation in the existing basement will not result in additional bedrooms nor otherwise allow for additional occupancies in the dwelling. Additionally, the requested exemption will have no impact on patterns of access or egress from the dwelling. Thus, the Special Permit relief will have no impact on traffic, congestion hazard, or changes to the neighborhood character. And in fact, such minimal use of the basement of the structure is in keeping with similar residential uses in this district and throughout the City of Cambridge, allowing for improved living conditions for residents of three-family residences.
- 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:
- For reasons described above, there will be no adverse impacts on adjacent uses as a result of the requested relief.
- 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 will be no nuisance or hazard created as a result of allowing the basement renovations as described herein, and in fact such renovations will improve health and safety for the occupants of the building.

E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

The proposed renovations to create livable space, including a code compliant bathroom, laundry and finished room in the basement of this three-family dwelling will not impair the integrity of the district, as it would conform with a growingly common phenomena for homeowners of seeking to maximize use of limited residential space within aged, pre-existing, non-conforming three-family structures within residential neighborhoods throughout the City of Cambridge. In fact, this type of relief is consistent with the type of accomodation the City is seeking to allow for when it voted to pass the basement exemption amendment to the Zoning Ordinance.



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 MASSACHUSETTS  
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 831 MASSACHUSETTS AVENUE  
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 617 349-6100

2019 JUN 19 AM 11:48

BZA APPLICATION FORM

OFFICE OF THE CITY CLERK  
 CAMBRIDGE, MASSACHUSETTS  
 Plan No: BZA-017142-2019

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Original Signature(s) : 

(Petitioner(s) / Owner)  
Sarah Like Rhatigan Esq.

(Print Name)  
By for Petitioner

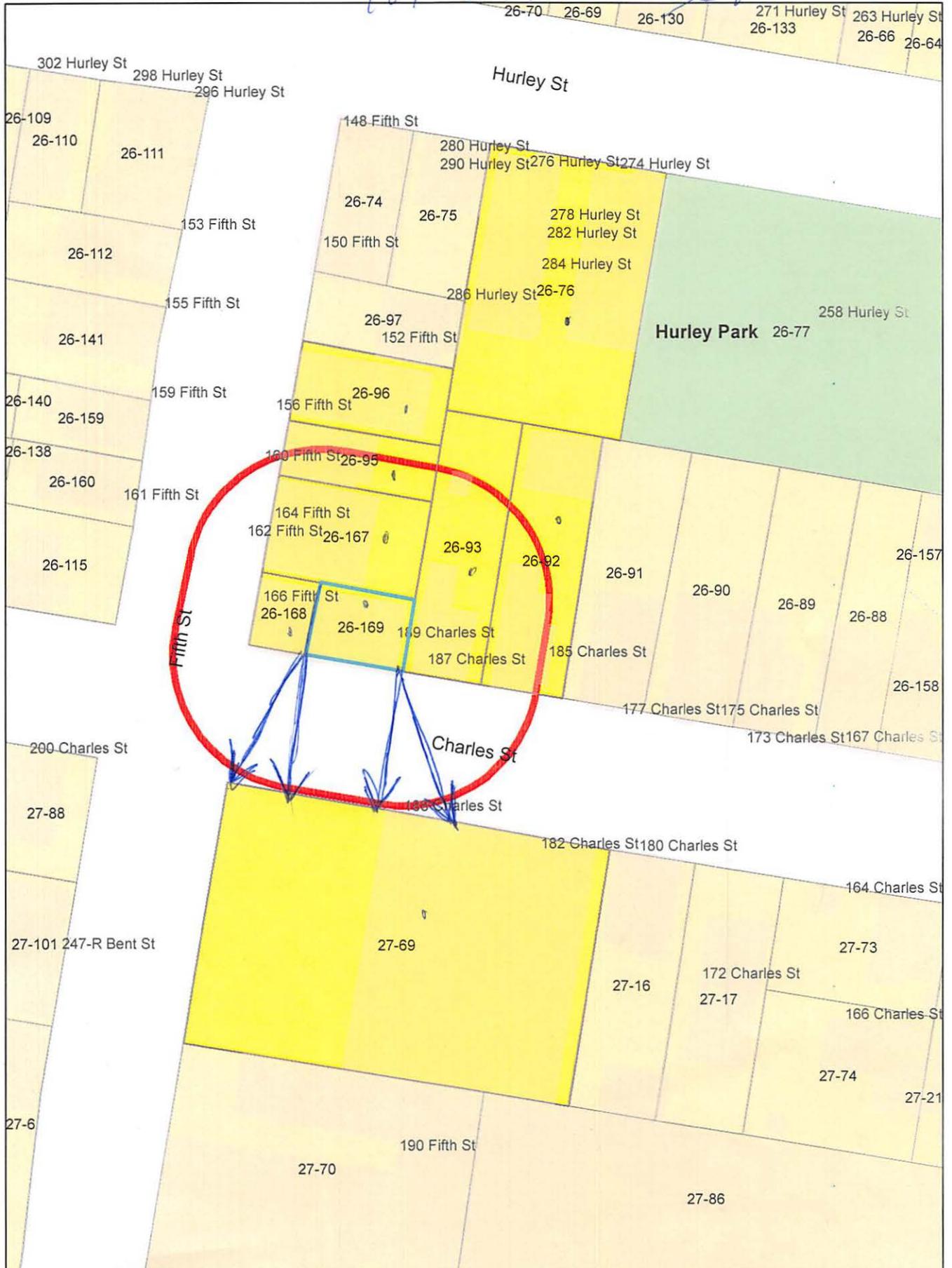
Address : 12 Marshall St. Boston MA 02108

Tel. No. : 617-543-7009

E-Mail Address : sarah@trilogylaw.com

Date : 6/18/19

189 Charles St



189 Charles St.

Rektioner

26-76  
PIRES, MARIA,  
TR. OF MP REALTY TRUST  
135 AMORY ST.  
CAMBRIDGE, MA 02139

26-92  
179-181 CHARLES LLC.  
ATT: AMY WILSON  
105 MT. VERNON ST  
BOSTON, MA 02108

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

26-95  
HELENEK, KRIS A. & HENRY B. KASDON  
160 FIFTH ST  
CAMBRIDGE, MA 02141

26-96  
GARVIN, CRAIG & PATRICIA A. ZERHUSEN  
156 FIFTH ST  
CAMBRIDGE, MA 02141

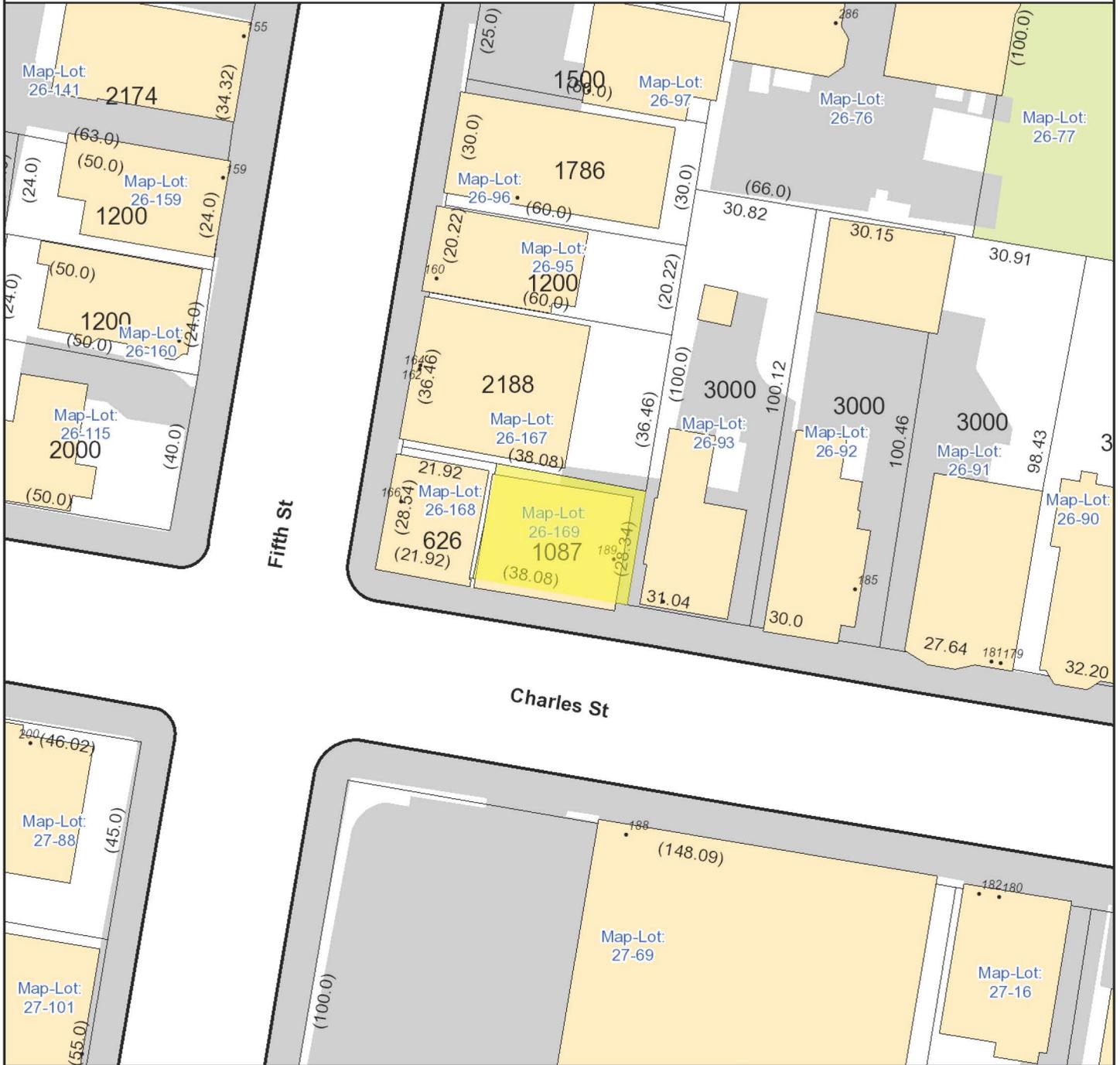
26-167  
ANNACONE, ANGELO L. &  
MARION J. ANNACONE  
2 HENRY ST  
MEDFORD, MA 02155

26-168  
ORANDA, PETER O.  
166 FIFTH ST  
CAMBRIDGE, MA 02141

26-169  
189 CHARLES LLC  
22 MCGRATH HWY, SUITE 206  
SOMERVILLE, MA 02143

27-69  
KAGNO, N. IRA, SAMUEL GONDELMAN TRUSTEE  
& CITY OF CAMBRIDGE TAX TITLE  
188 CHARLES ST  
CAMBRIDGE, MA 02141

26-93  
RODGERS, MARTHA P.  
187 CHARLES ST  
CAMBRIDGE, MA 02141



City of Cambridge  
Massachusetts

1" = 35 ft

All data is provided for graphic representation only. The City of Cambridge expressly disclaims all warranties of any type, expressed or implied, including, but not limited to, any warranty as to the accuracy of the data, merchantability, or fitness for a particular purpose.

[www.cambridgema.gov/gis](http://www.cambridgema.gov/gis)

- Address
- Rail
- Building Footprints
- Parcels
- Paved Surfaces
  - Paved Roads
  - Bridges
  - Unpaved Roads
  - Unpaved Parking
  - Sidewalks
  - Driveways
  - Alleys
  - Other Paved Surface
  - Public Footpath



# RENOVATION OF THREE FAMILY BUILDING 189 CHARLES STREET, CAMBRIDGE MA.



ENTRY ELEVATION

LIST OF DRAWINGS		SP SET
		17 JUN 2019
T1	COVER SHEET	X
	PLOT PLAN	X
Z1	ZONING COMPLIANCE	X
A0	SITE PLAN	X
A1	FLOOR PLANS	X
A2	ELEVATIONS	X
A3	ELEVATIONS	X
A4	EXISTING PLANS	X
A5	EXISTING ELEVATIONS	X
A6	EXISTING ELEVATIONS	X
EC	EXISTING CONDITIONS PHOTOS	X

**PETER QUINN ARCHITECTS**

ARCHITECTURE  
PLANNING  
COMMUNITY DESIGN

PETER QUINN ARCHITECTS LLC  
259 ELM STREET, SUITE 301  
SOMERVILLE, MA 02144  
PH 617-354-3989

SEAL



CONSULTANT

PROJECT  
RENOVATION OF THREE FAMILY BUILDING

189 CHARLES STREET  
CAMBRIDGE, MA

PREPARED FOR  
KRE COMPANY, LLC.

22 McGRATH HWY  
SUITE 206  
SOMERVILLE, MA 02143

DRAWING TITLE

TITLE SHEET

SCALE AS NOTED

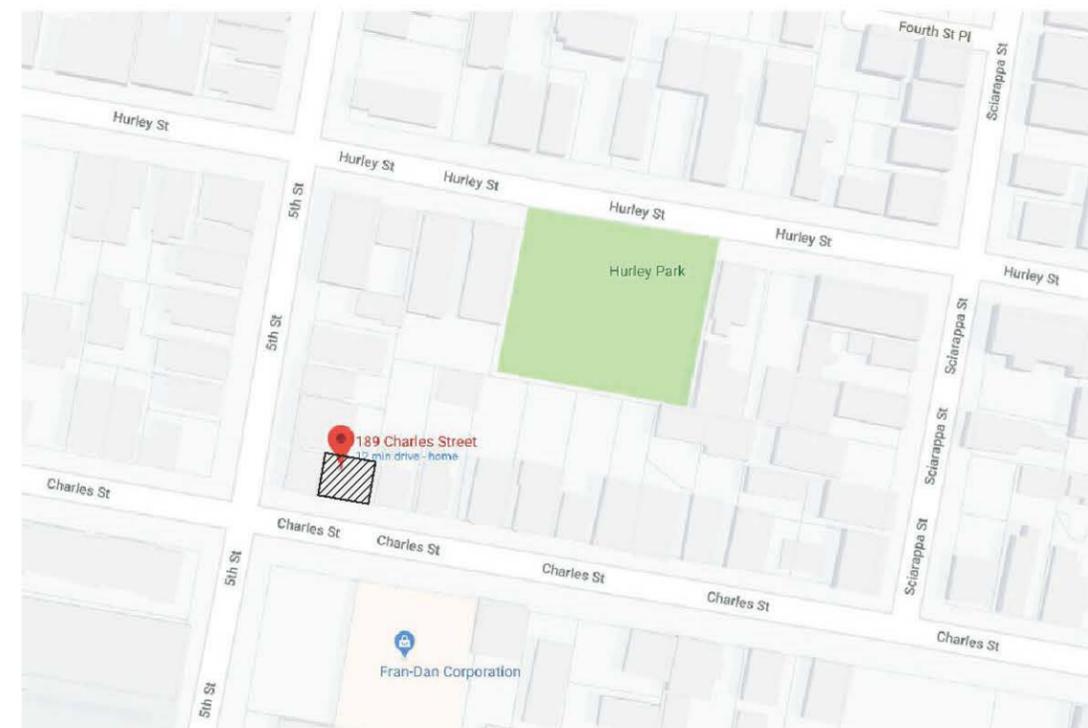
REVISION	DATE

SP SET	17 JUNE 2019
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DRAWN BY EM / CM	REVIEWED BY PQ
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SHEET

T1



LOCUS MAP



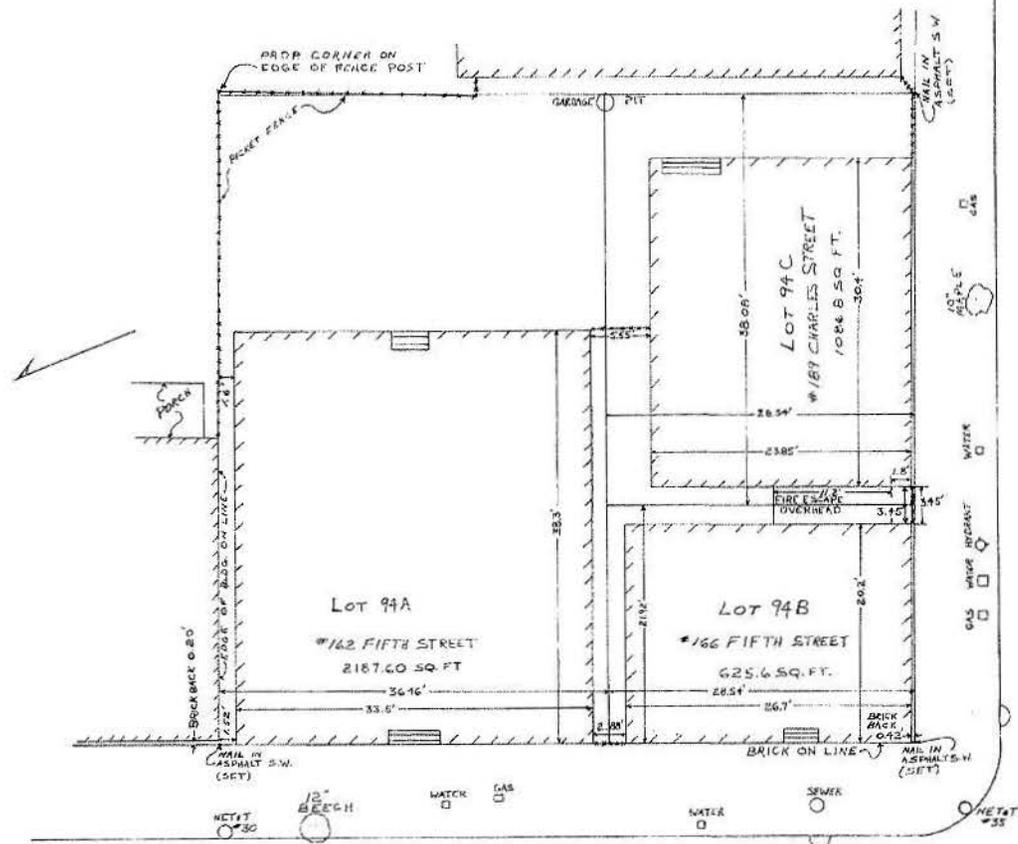
PREPARED BY:

ARCHITECT

**PETER QUINN  
ARCHITECTS LLC**

259 ELM ST, STE 301  
SOMERVILLE, MA 02144  
PH (617) 354 3989

2



CHARLES STREET

FIFTH STREET

Fee 25 By SW  
 Middlesex Registry of Deeds  
 Southern District  
 Cambridge, Massachusetts  
 Plan No. 76 of 1820  
 Rec'd JAN 20 1934  
 at 3.40 PM and No. 475  
 Rec'd, Bk 15415, Pg 13  
*John J. [Signature]*

I CERTIFY THAT THIS PLAN HAS BEEN FILED IN CONFORMITY  
 WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS  
 OF THE COMMONWEALTH OF MASSACHUSETTS.

PROPOSED SUBDIVISION  
 OF LOT 94 PLAT 26  
 IN CAMBRIDGE, MASSACHUSETTS  
 SCALE: 1" = 5' DATE: 10-2-33



CONSULTANT

PROJECT  
RENOVATION OF THREE  
FAMILY BUILDING

189 CHARLES STREET  
CAMBRIDGE, MA

PREPARED FOR  
KRE COMPANY, LLC.

22 McGRATH HWY  
SUITE 206  
SOMERVILLE, MA 02143

DRAWING TITLE  
**ZONING  
COMPLIANCE**

SCALE AS NOTED

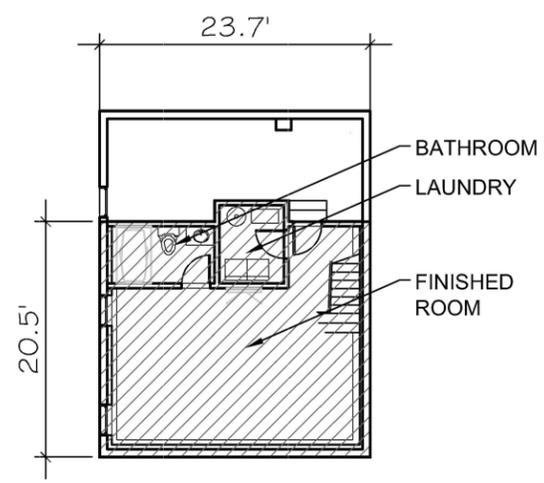
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SP SET	17 JUNE 2019
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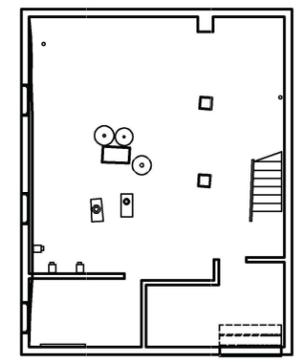
DRAWN BY EM / CM	REVIEWED BY PQ
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SHEET

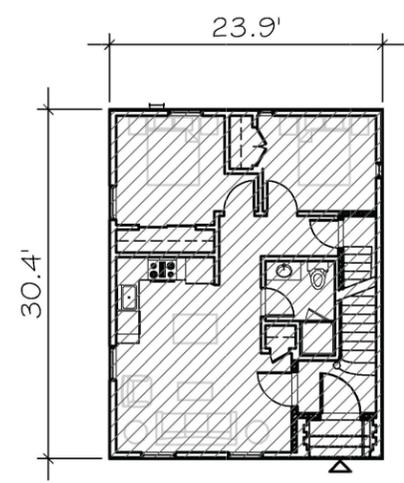
**Z1**



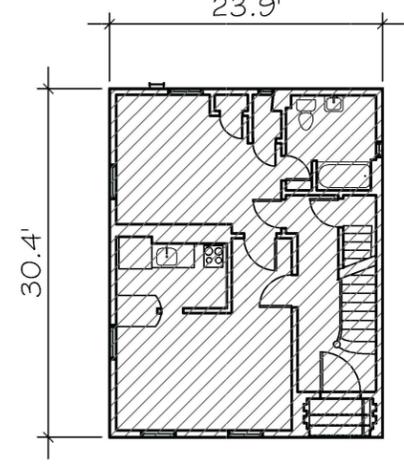
PROPOSED  
BASEMENT: 498-NSF



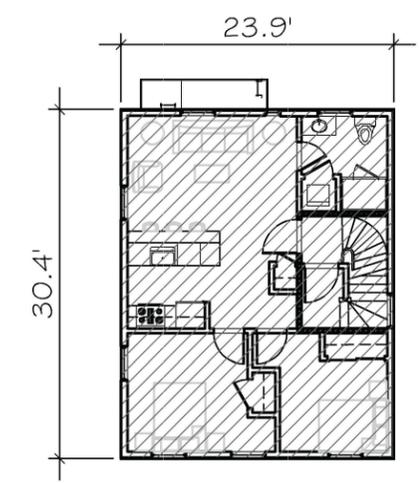
EXISTING  
BASEMENT: 0-NSF



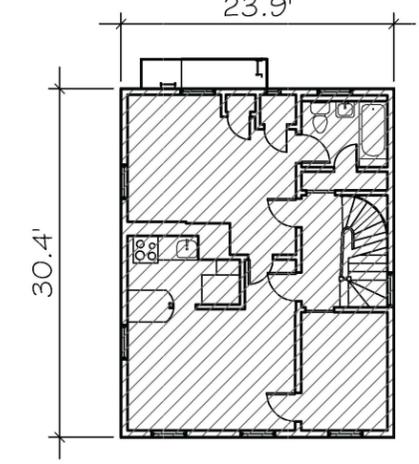
PROPOSED  
1ST FLOOR: 727-NSF



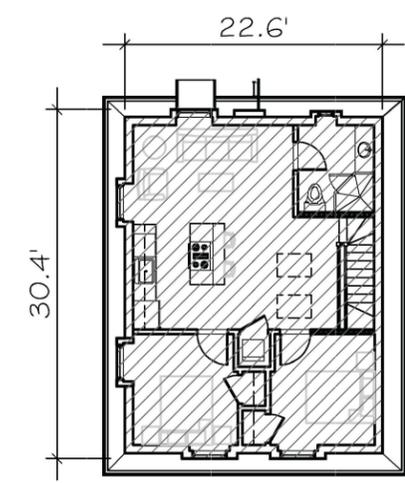
EXISTING  
1ST FLOOR: 727-NSF



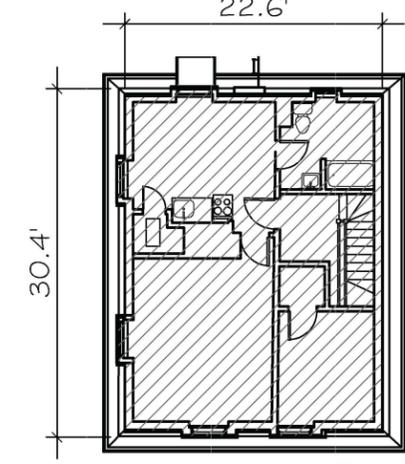
PROPOSED  
2ND FLOOR: 727-NSF



EXISTING  
2ND FLOOR: 727-NSF



PROPOSED  
2ND FLOOR: 676-NSF



EXISTING  
2ND FLOOR: 676-NSF

**PROPOSED 23% ADDITIONAL GROSS SQUARE FOOTAGE  
BUT THAT GSF WOULD BE EXEMPT FROM CALCULATION WITH GRANTING OF SP  
TO EXEMPT BASEMENT GSF**

FLOOR	PROPOSED GSF	EXISTING GSF
BASEMENT	498 <small>0-GSF BY SP</small>	0
1ST FL	727	727
2ND FL	727	727
3RD FL	676	676
TOTAL	2,628 <small>2,130-GSF BY SP</small>	2,130

**ZONING SUMMARY**

THE PROPOSAL IS TO MAKE INTERNAL MODIFICATIONS, UPDATE EXTERIOR MATERIALS WITHOUT ZONING RELIEF, AND ADD BASEMENT FINISHED SPACE, BATHROOM, AND LAUNDRY. THE APPLICANT IS SEEKING A SPECIAL PERMIT TO EXEMPT THE BASEMENT GROSS FLOOR AREA PER ARTICLE 2 DEFINITION OF GROSS FLOOR AREA EXCEPTION EXAMPLE NUMBER 16.

THERE ARE NO PROPOSED CHANGES TO THE EXTERIOR ZONING CRITERIA.  
THERE ARE NO PROPOSED CHANGES TO EXISTING STAIRS.  
THERE ARE NO PROPOSED CHANGES TO EXISTING WINDOW OPENINGS.  
THERE ARE NO PROPOSED CHANGES TO ZONING CRITERIA FOR THE SITE.  
THERE ARE NO PROPOSED CHANGES TO THE NUMBER OF BEDROOMS, UNITS, AND PARKING.



**PETER QUINN ARCHITECTS**

ARCHITECTURE  
PLANNING  
COMMUNITY DESIGN

PETER QUINN ARCHITECTS LLC  
259 ELM STREET, SUITE 301  
SOMERVILLE, MA 02144  
PH 617-354-3988

SEAL



CONSULTANT

PROJECT  
RENOVATION OF THREE  
FAMILY BUILDING

189 CHARLES STREET  
CAMBRIDGE, MA

PREPARED FOR  
KRE COMPANY, LLC.

22 McGRATH HWY  
SUITE 206  
SOMERVILLE, MA 02143

DRAWING TITLE  
PROPOSED  
SITE PLAN

SCALE AS NOTED

REVISION	DATE

SP SET	17 JUNE 2019
--------	--------------

DRAWN BY EM / CM	REVIEWED BY PQ
---------------------	-------------------

SHEET

**A0**

FIFTH ST

162 FIFTH

166 FIFTH

EXISTING FIRE  
ESCAPE TO REMAIN.  
REMOVE RUST AND  
REPAINT ONLY

PROJECT SITE  
189 CHARLES

EXT'G  
ENTRY

187 CHARLES

CHARLES ST

① **SITE PLAN**  
SCALE: 1/10" = 1'-0"





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DRAWING TITLE

**PROPOSED EAST & SOUTH ELEVATIONS**

SCALE AS NOTED

REVISION | DATE

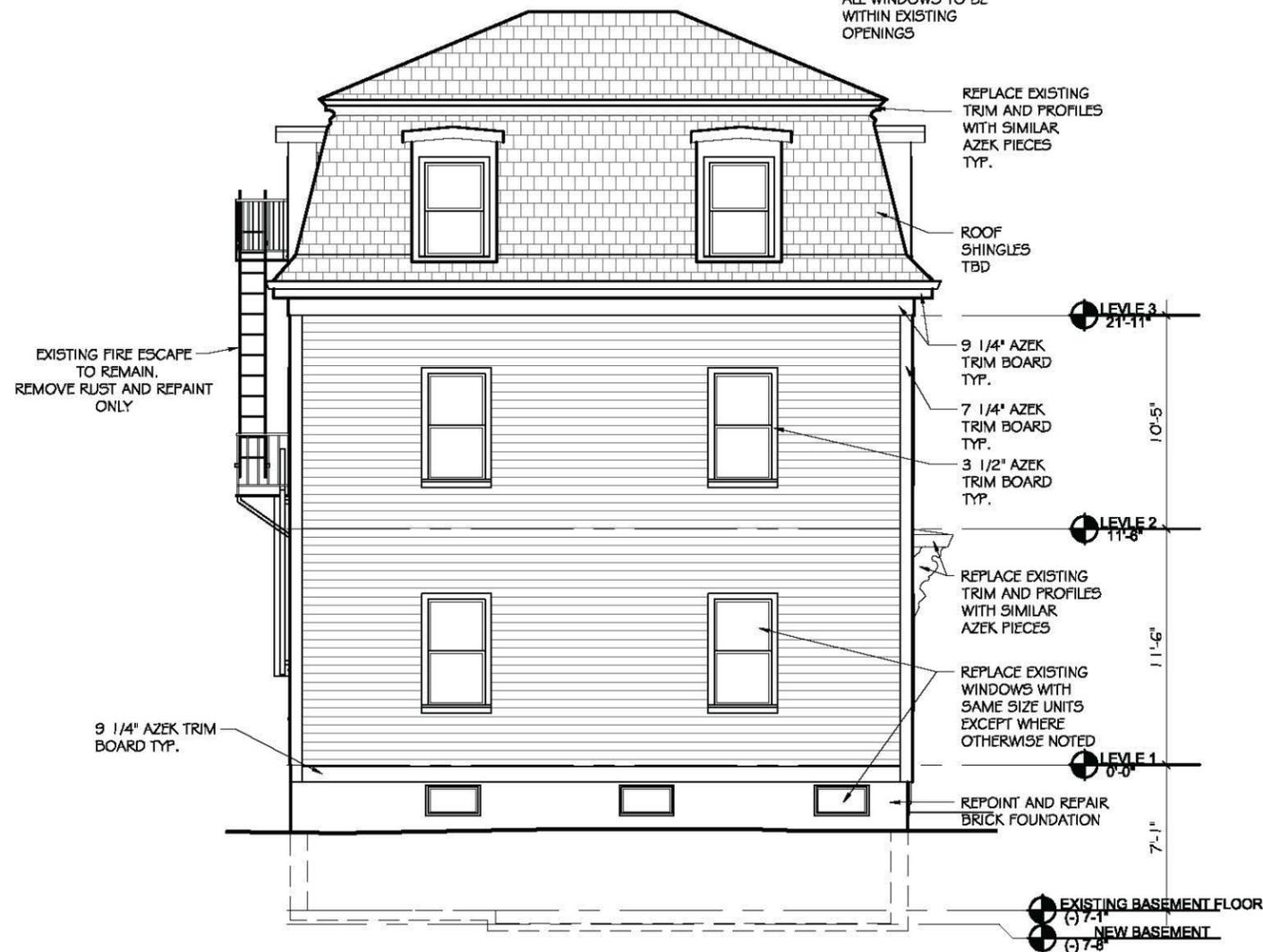
SP SET | 17 JUNE 2019

DRAWN BY | EM / CM | REVIEWED BY | PQ

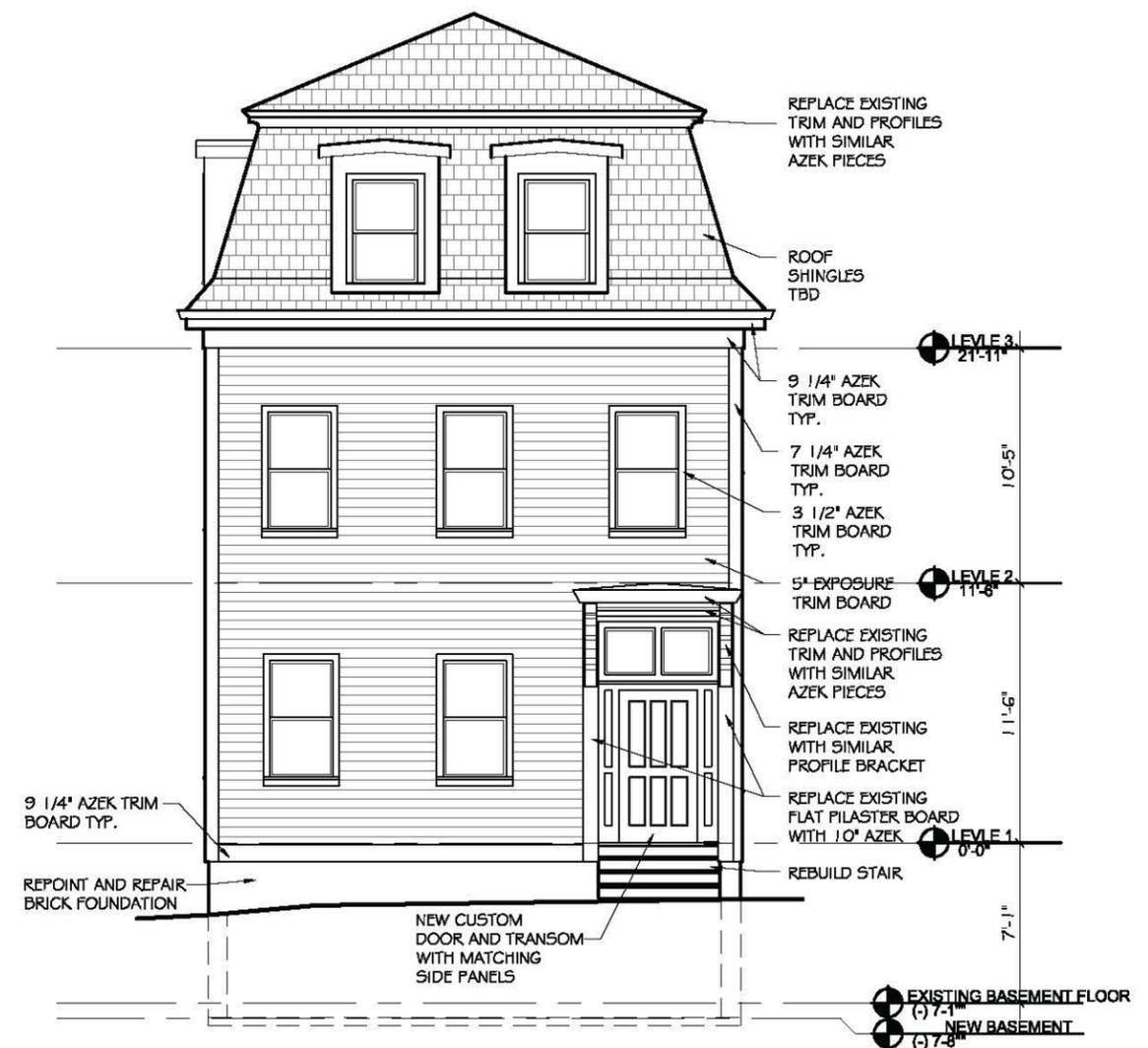
SHEET

**A2**

ALL WINDOWS TO BE WITHIN EXISTING OPENINGS



**1 CHARLES STREET ELEVATION - SOUTH**  
 SCALE: 1/8" = 1'-0"



**2 ACCESSWAY ELEVATION - EAST**  
 SCALE: 1/8" = 1'-0"



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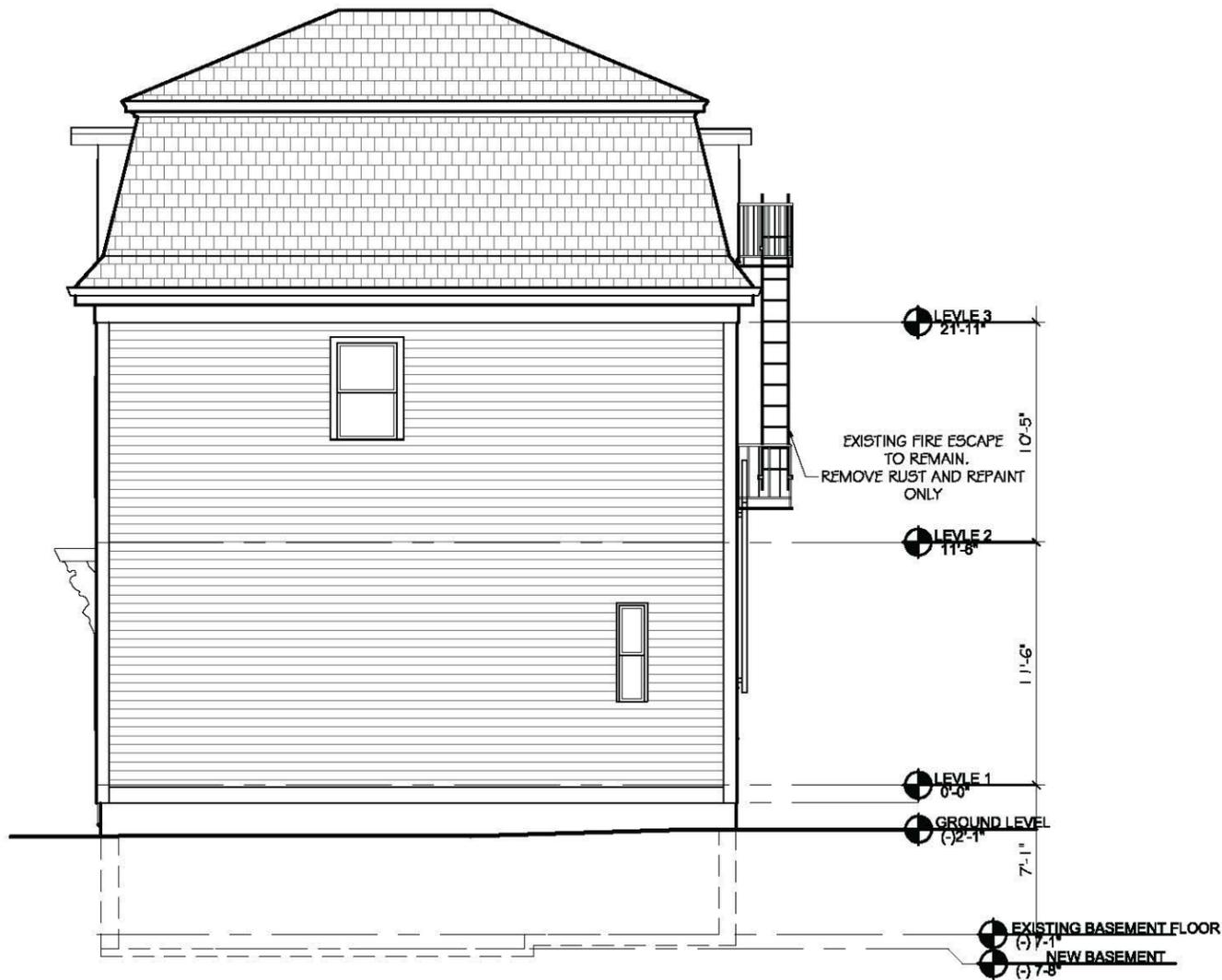
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**PROPOSED WEST & NORTH ELEVATIONS**

SCALE AS NOTED

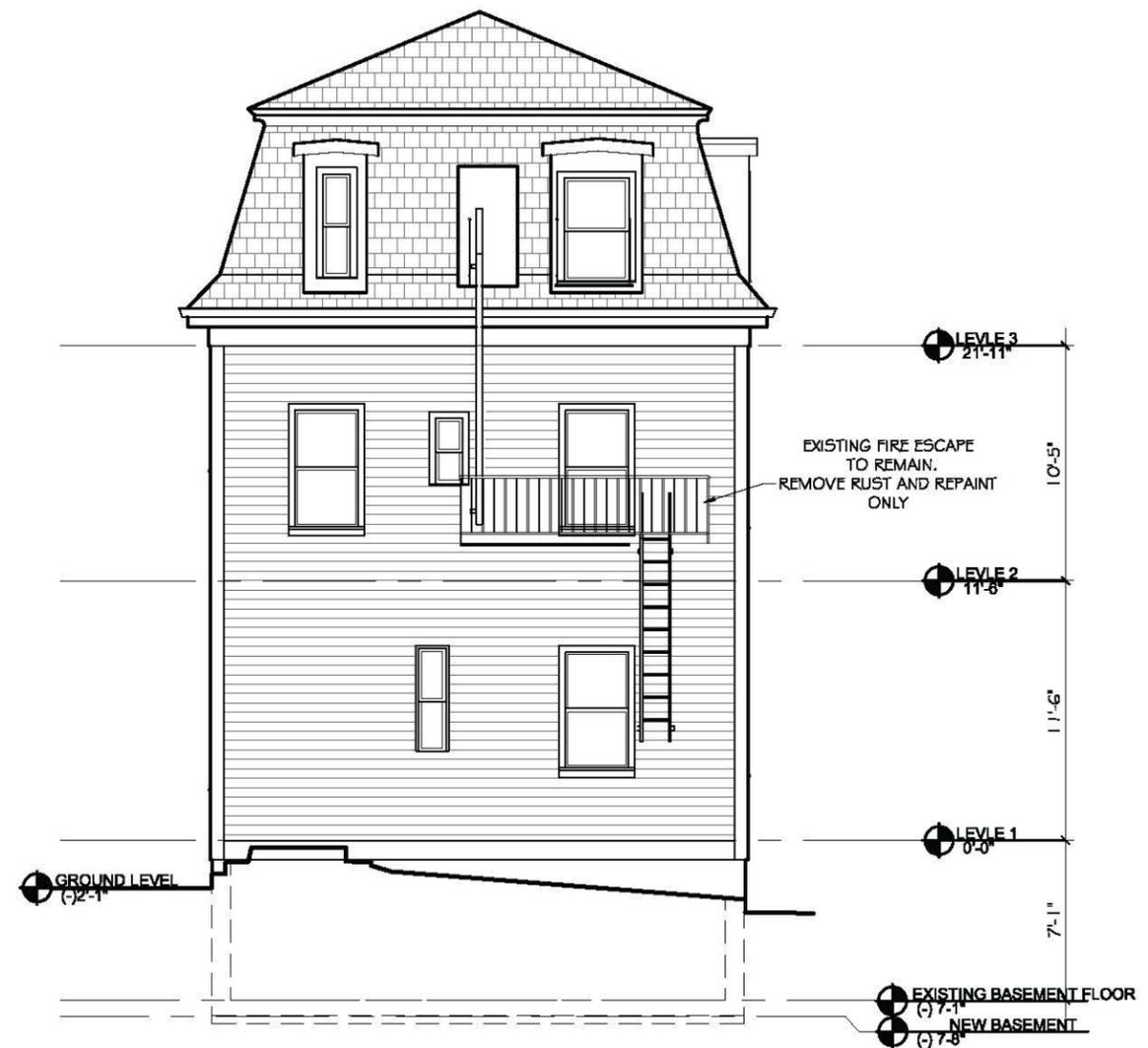
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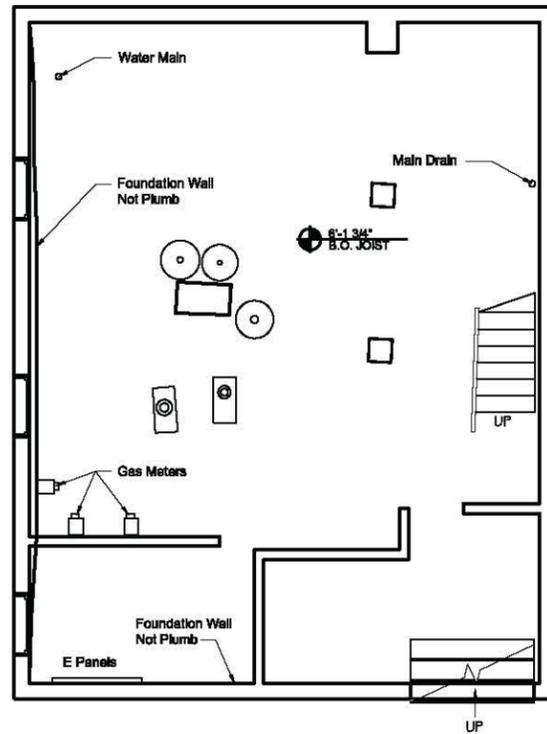
SHEET  
**A3**



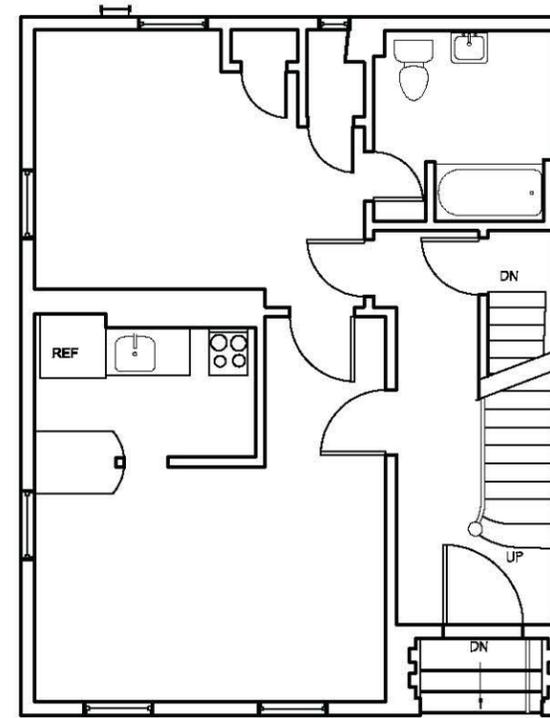
**1 REAR ELEVATION - NORTH**  
 SCALE: 1/8" = 1'-0"



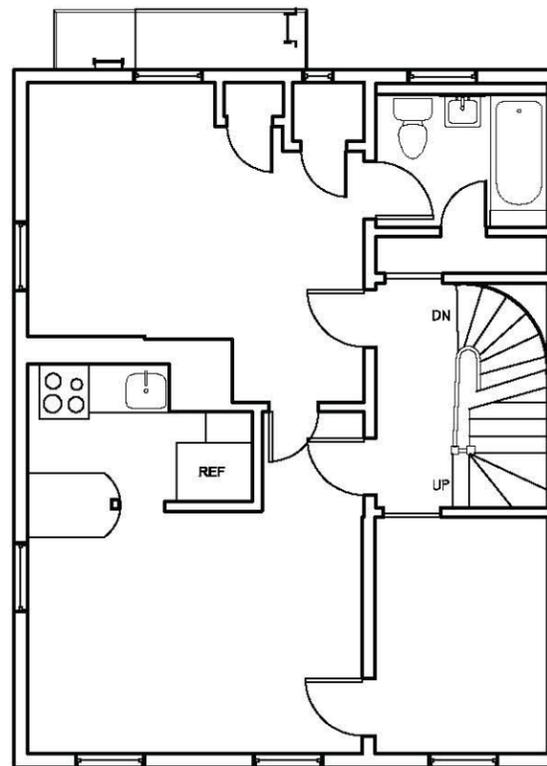
**2 SIDE ELEVATION - WEST**  
 SCALE: 1/8" = 1'-0"



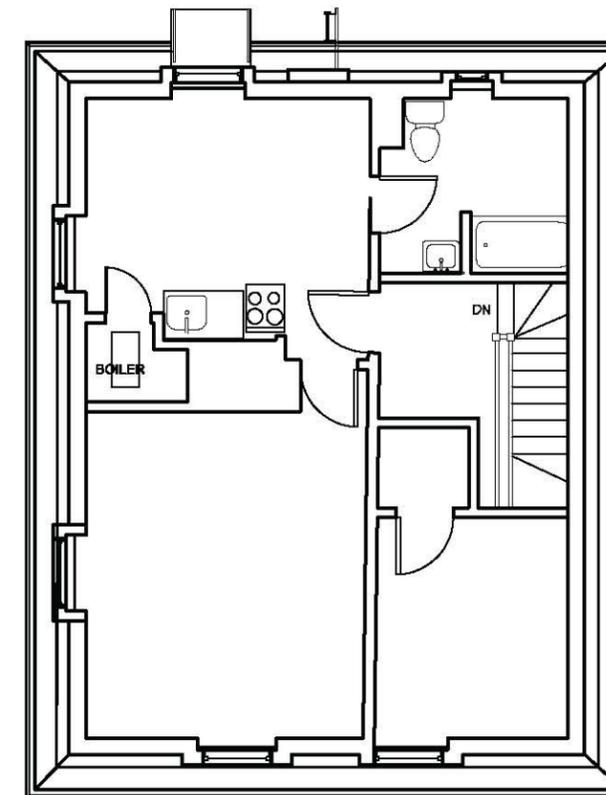
**1 BASEMENT PLAN**  
SCALE: 1/8" = 1'-0"



**2 FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



**3 SECOND FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



**4 THIRD FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

**PETER QUINN ARCHITECTS**

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SEAL



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DRAWING TITLE

EXISTING  
PLANS

SCALE AS NOTED

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DRAWN BY EM / CM	REVIEWED BY PQ
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SHEET

**A4**

SEAL



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EXISTING  
ELEVATIONS

SCALE AS NOTED

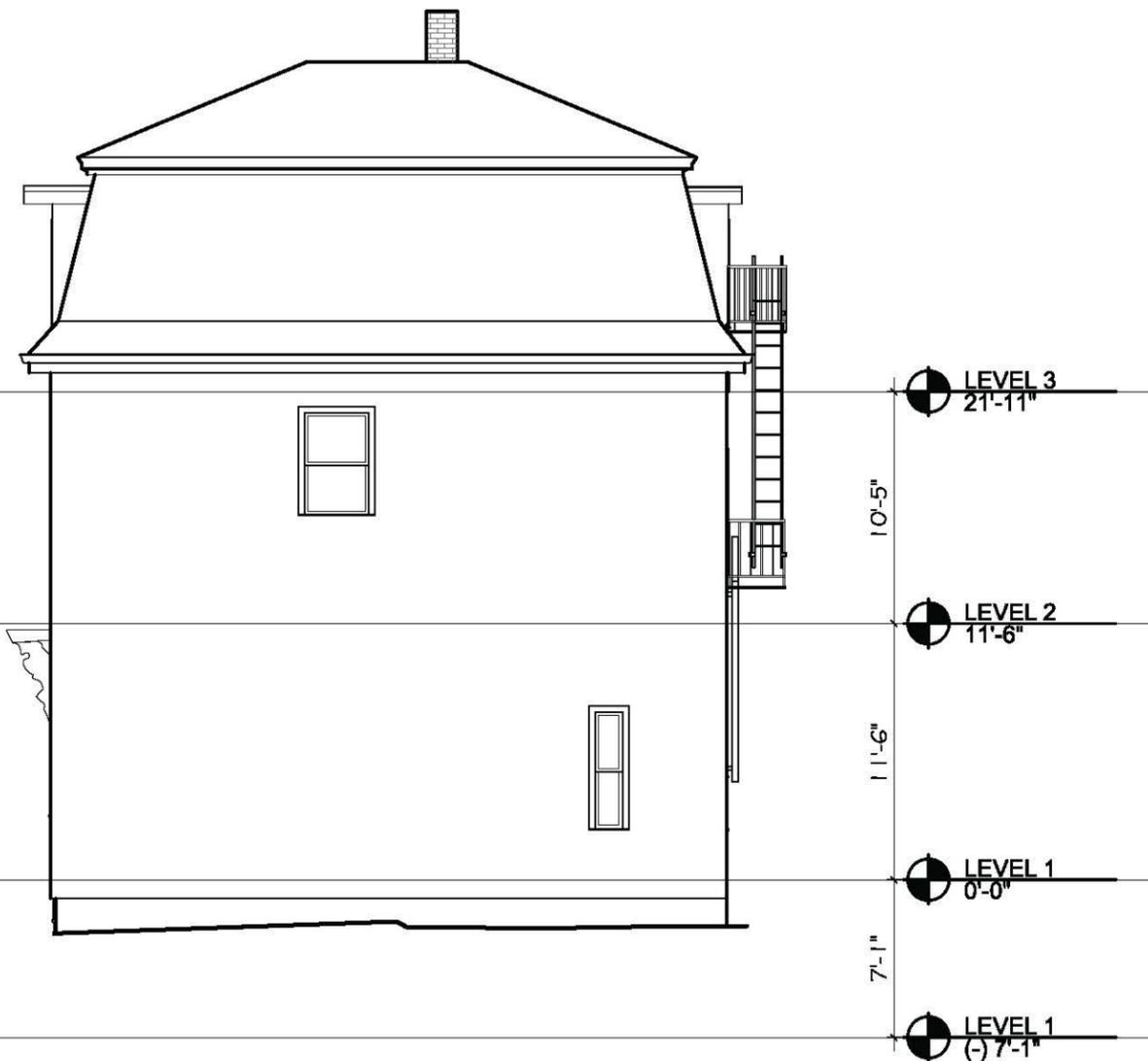
REVISION	DATE

SP SET	17 JUNE 2019
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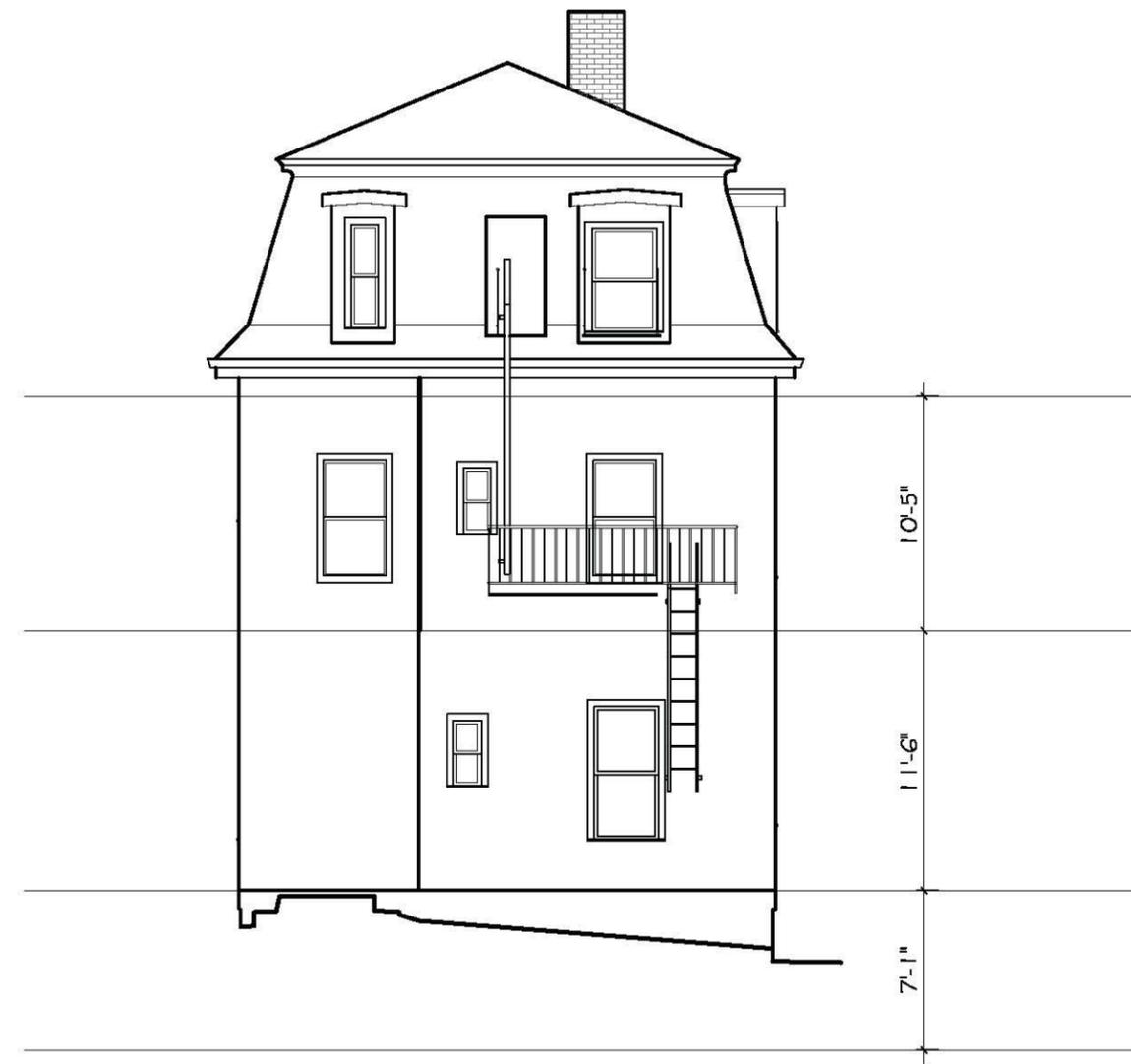
DRAWN BY EM / CM	REVIEWED BY PQ
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SHEET

**A5**

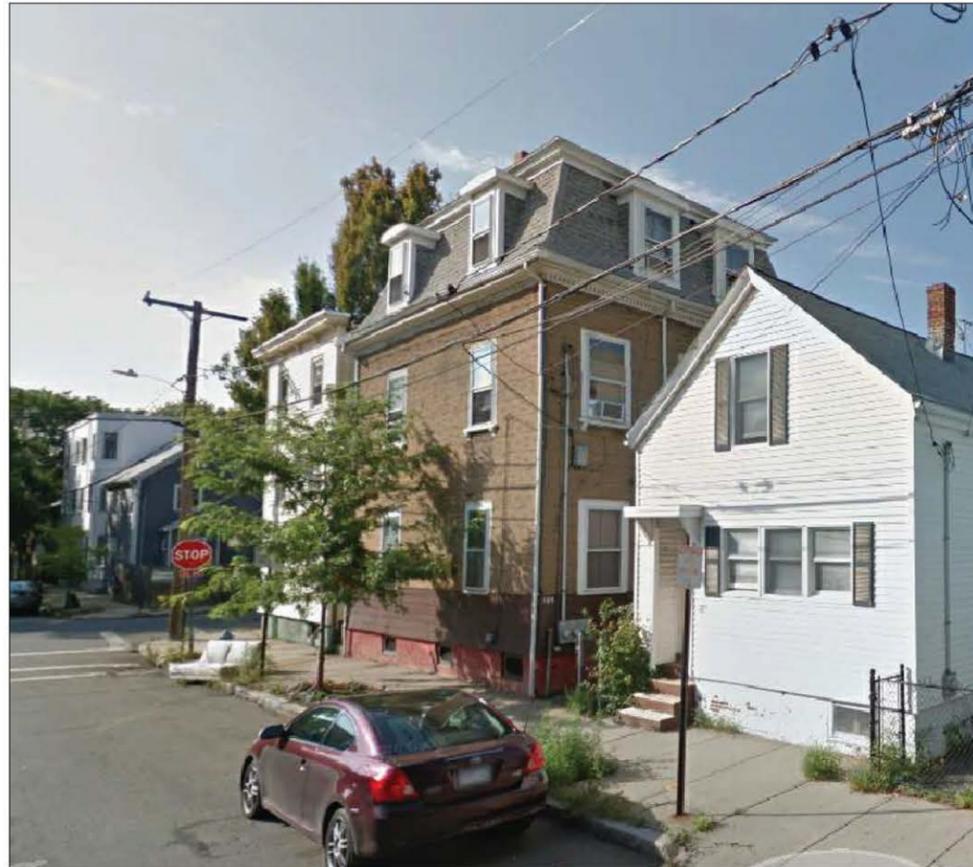


**1 NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"

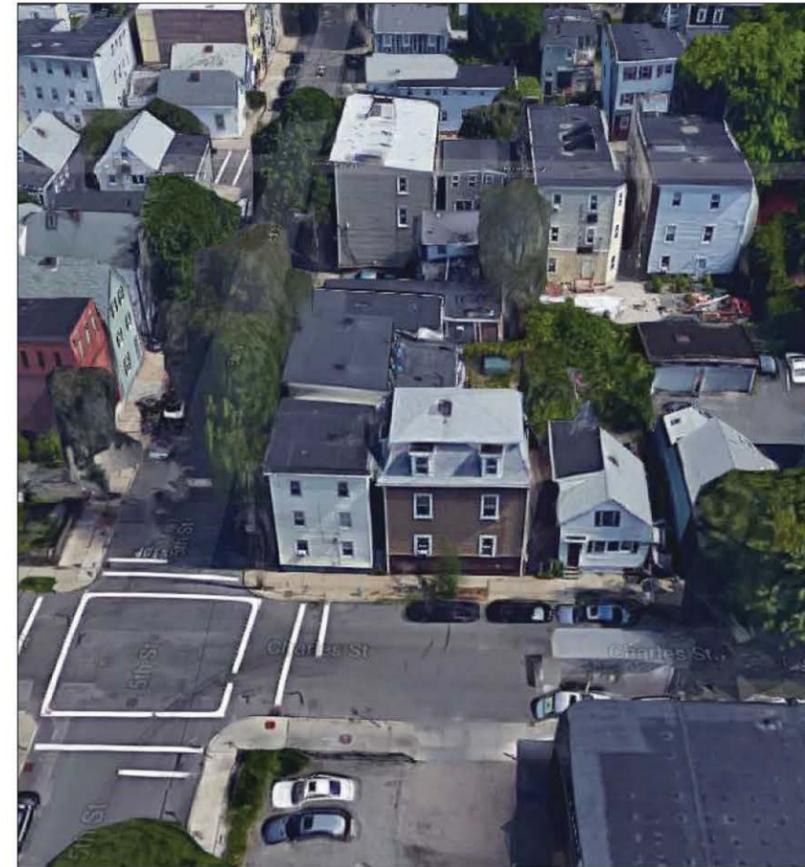


**2 WEST ELEVATION**  
SCALE: 1/8" = 1'-0"





VIEW FROM RIGHT



AERIAL VIEW



VIEW FROM LEFT

**PETER  
QUINN  
ARCHI  
TECTS**

ARCHITECTURE  
PLANNING  
COMMUNITY DESIGN

PETER QUINN ARCHITECTS LLC  
259 ELM STREET, SUITE 301  
SOMERVILLE, MA 02144  
PH 617-354-3998

SEAL



CONSULTANT

PROJECT  
RENOVATION OF THREE  
FAMILY BUILDING

189 CHARLES STREET  
CAMBRIDGE, MA

PREPARED FOR  
KRE COMPANY, LLC.

22 McGRATH HWY  
SUITE 206  
SOMERVILLE, MA 02143

DRAWING TITLE  
EXISTING  
CONDITIONS  
PHOTOS

SCALE AS NOTED

REVISION	DATE

SP SET	17 JUNE 2019
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DRAWN BY EM / CM	REVIEWED BY PQ
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SHEET

**EC**