

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139 31 PM 12: 15

617-349-6100

OFFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 191365

Date: _____

General Information

The undersigned	hereby petitions	the Board of Zoning	Appeal for the following:		
Special Permit: _	X	Variance:	Appeal:		
PETITIONER: L	aColterton LLC C	C/O Stephan Duboul	<u>oz</u>		
PETITIONER'S	ADDRESS: 50 Ha	ancock Street, Camb	oridge, MA 02139		
LOCATION OF P	ROPERTY: 42 D	oana St , Cambridg	<u>e, MA</u>		
TYPE OF OCCUPANCY: 3 Family			ZONING DISTRICT: Residence C-1 Zone		
REASON FOR P	ETITION:				
/New, enlarged a	nd relocated wind	dow or door opening	s on a non-conforming facade facing a Side Yard./		
DESCRIPTION	OF PETITION	ER'S PROPOSAL:			
New, enlarged ar	d relocated oper	nings on a nonconfo	ming facade facing the Side Yard.		
SECTIONS OF Z	ONING ORDINA	NCE CITED:			
Article: 5.000					
Article: 0.000 Article: 10.000	Article: 8.000 Section: 8.22.2.c (Non-Conforming Structure) Article: 10.000 Section: 10.40 (Special Permit)				
		Original Signature(s):	(Petitioner (s) / Owner)		
			Stephon Dubonlo Z (Print Name)		
		Address: Tel. No. E-Mail Address:	50 Hancock &r, Cambridge MA 02135 617-259-7232 Stephan. Dubouloz@natixis.com		

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: LaColterton LLC

Present Use/Occupancy: 3 Family

Location:

42 Dana St, Cambridge, MA

Zone: Residence C-1 Zone

Phone: 617-259-7232

Requested Use/Occupancy: 3 Family

		Existing Conditions	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		6733	6733	4047	(max.)
LOT AREA:		5396	5396	5000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		1.25	1.25	.75	
LOT AREA OF EACH DWELLING UNIT		1799	1799	1500	
SIZE OF LOT:	WIDTH	47	47	50	
	DEPTH	119.92	119.92	n/a	
SETBACKS IN FEET:	FRONT	8.4'	8.4'	10'	
	REAR	56.0'	56.0'	25'	
	LEFT SIDE	3.2'	3.2'	7.5'	
	RIGHT SIDE	6.4'	6.4'	7.5'	
SIZE OF BUILDING:	HEIGHT	34.76'	34.86'	35'	
	WIDTH	55.5'	55.5'	n/a	
	LENGTH	35.25'	35.25'	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		29%	32.6%	30%	
NO. OF DWELLING UNITS:		3	3	3	
NO. OF PARKING SPACES:		2	2	3	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		35.1'	35.1'	10'	

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

Existing Accessory Garage Structure costructed of CMU Exterior Walls with Wood Frame Roof.

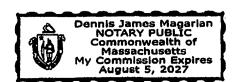
- 1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
- 2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
- 3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL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

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We La Colterton UC Go Stephan Du Bonlo Z
Address: 50 Hancock St, Cambridge MA 02139
State that I/We own the property located at 42Dana Street,
which is the subject of this zoning application.
The record title of this property is in the name of La Collectiva LLC
*Pursuant to a deed of duly recorded in the date 11 9 2021, Middlesex South County Registry of Deeds at Book 79104, Page 127; or Middlesex Registry District of Land Court, Certificate No
Book Page
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*
*Written evidence of Agent's standing to represent petitioner may be requested.
Commonwealth of Massachusetts, County of
The above-name Stephan Dubouloz personally appeared before me, this 7th of December, 2021, and made oath that the above statement is true.
Notary
My commission expires $4 \cos 7 5,2027$ (Notary Seal).

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



BZA Application Form

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for <u>42 Dana St</u>, <u>Cambridge</u>, <u>MA</u> (location) would not be a detriment to the public interest because:

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

Article 8 provides relief for non—conforming structures to encourage the renovation and reuse of existing buildings. The proposed renovations requiring relief are limited to creation and relocation of existing openings that do not conform to the district setback requirements. and conform to the requirements of Article 8 and will have no negative impact on the neighborhood or adjacent uses. The proposed renovations conform to the requirements of Article 8 and will have no negative impact on the neighborhood or adjacent uses.

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

The proposed development will not alter patterns of access or egress given that the driveway and curb cut will remain in their current location. No increase in congestion hazard will be created because the number of dwelling units in the proposed project will not be increased.

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 driveway curb cut will remain as it exists allowing traffic patterns to remain the same. The proposed parking spaces will be in the same location as the existing parking spaces maintaining existing relationships to adjacent uses. The proposed fenestration changes are modest and occur in areas that have limited impact on adjacent uses. The changes proposed at 42 Dana will not adversely affect the continued operation of adjacent uses.

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:

Areas dedicated to Open Space will largely remain intact to the benefit of the neighborhood residents. Traffic patterns and driveway ingress and egress will remain consistent for the adjacent residents. Use patterns for the occupants will remain consistent. There will be no hazard or nuisance created by the requested relief.

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 alterations to the existing structure are consistent with other uses in the neighborhood and the larger district. The proposed use is consistent with the existing use and the other uses in the neighborhood. The proposed minor renovations will not impair the integrity of the district or derogate from the intent of the ordinance.

*If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.

BZA

set issue date 08/12/22

sheet issue date 08/18/22



42 DANA STREET, CAMBRIDGE MA

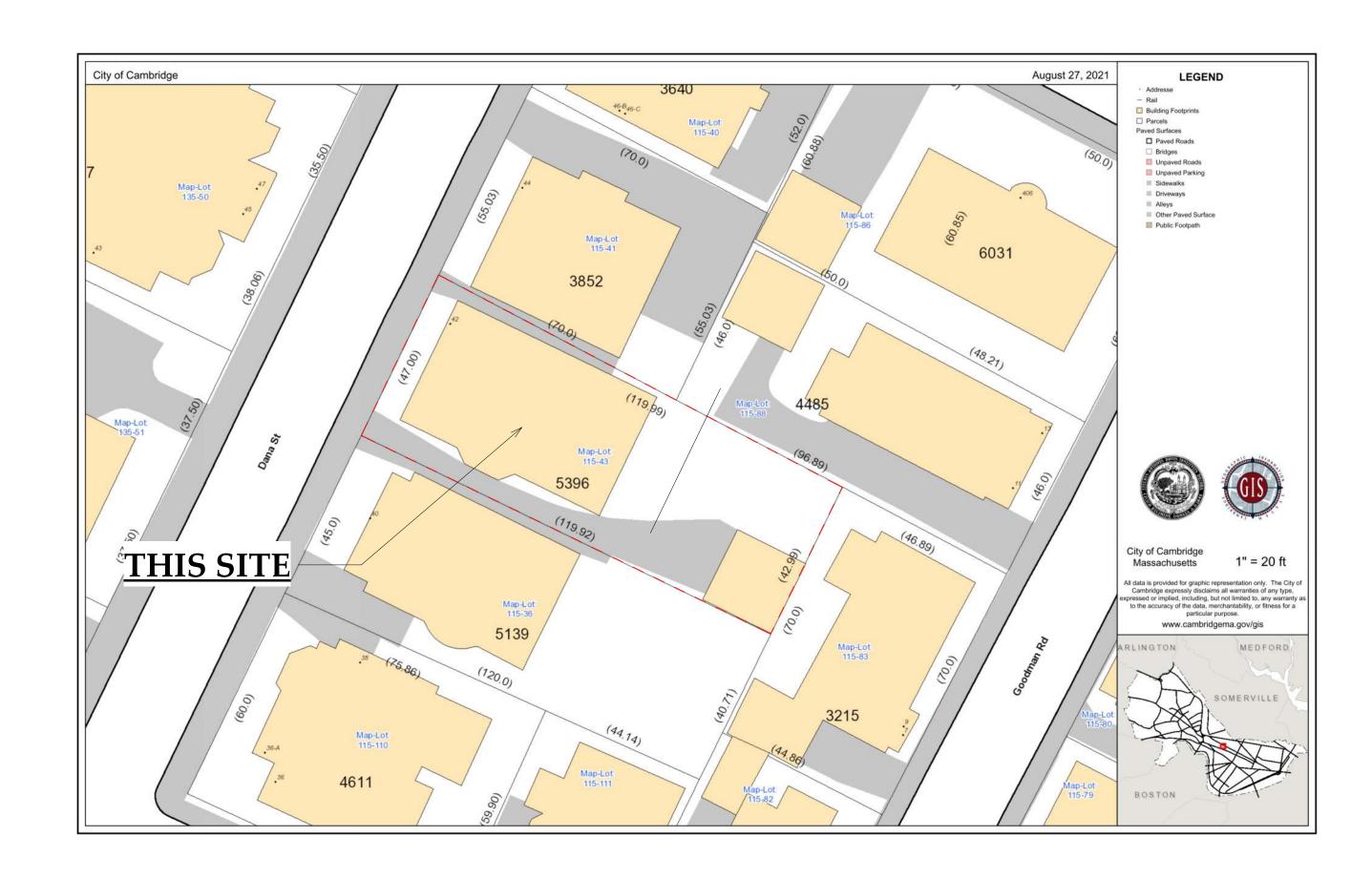
job number 21-070

scale

set issue date 08/12/22

sheet issue date 08/18/22

Sheet no.

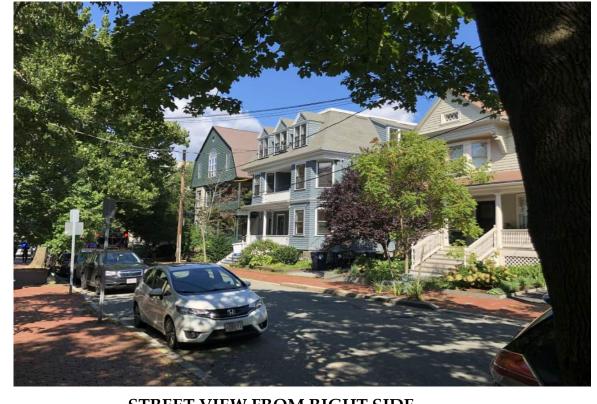




VIEW OF ACCESSORY GARAGE STRUCTURE



STREET VIEW FROM LEFT SIDE



STREET VIEW FROM RIGHT SIDE



REAR VIEW



DRIVEWAY SIDE ELEVATION FROM REAR YARD



STREET VIEW FROM FRONT / RIGHT

PROPERTY PHOTOS set issue date 08/12/22 sheet issue date

42 DANA STREET

21-070

08/20/22

A03

Sheet no.

CONTEXT PHOTOS

42 DANA STREET

21-070

set issue date 08/12/22

sheet issue date 08/20/22

A04

Sheet no.

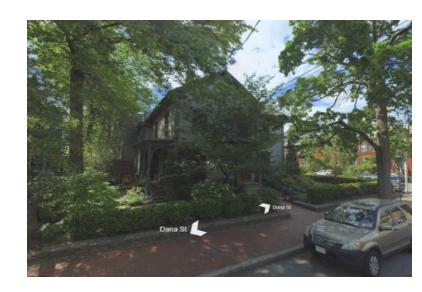




39 DANA ST.



43-47 DANA ST.



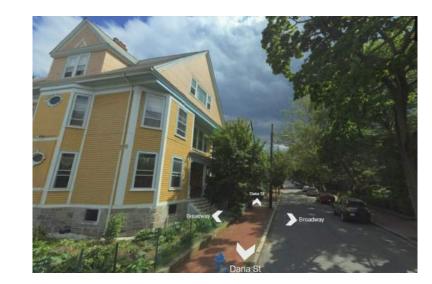
49 DANA ST.



40 DANA ST.



44 DANA ST.



46 DANA ST.





37 DANA ST.

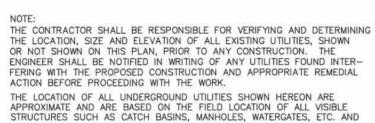
8/22/2022 2246:29 PM

ш R S

set issue date 08/12/22

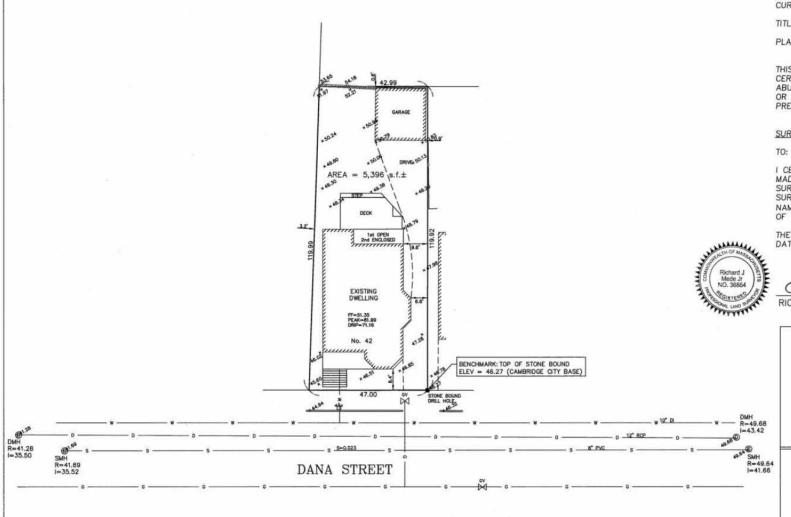
sheet issue date 08/18/22

Sheet no.



COMPILED FROM PLANS SUPPLIED BY VARIOUS UTILITY COMPANIES AND GOVERNMENT AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, ALL UTILITY COMPANIES OR AGENCIES PRIOR TO ANY EXCAVATION WORK.

CALL DIGSAFE, 1-800-322-4844



CURRENT OWNER: JYOTI & AMRITA DANIERE

TITLE REFERENCE: BK 78376 PG 448

PLAN REFERENCE: 479 OF 1968

THIS PLAN WAS PREPARED WITHOUT A FULL TITLE EXAMINATION AND IS NOT A CERTIFICATION TO THE TITLE OF THE LANDS SHOWN. THE OWNERSHIP OF ABUTTING PROPERTIES IS ACCORDING TO ASSESSORS RECORDS. THIS PLAN MAY OR MAY NOT SHOW ALL ENCUMBRANCES WHETHER EXPRESSED, IMPLIED OR

SURVEYOR'S CERTIFICATION:

TO: STEPHAN DUBOULOZ

I CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE GENERALLY ACCEPTABLE PRACTICES OF LAND SURVEYORS IN THE COMMONWEALTH OF MASSACHUSETTS FOR A PLAN AND SURVEY OF THIS TYPE. THIS CERTIFICATION IS MADE ONLY TO THE ABOVE NAMED INDIVIDUAL(S) AND IS NULL AND VOID UPON ANY FURTHER CONVEYANCE OF THIS PLAN.

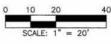
THE FIELD WORK WAS COMPLETED ON: OCTOBER 5, 2021 DATE OF PLAN: OCTOBER 6, 2021

02/00/2002

RICHARD J. MEDE JR. - P.L.S.

SITE PLAN PLAN OF LAND 42 DANA STREET CAMBRIDGE, MA (MIDDLESEX COUNTY)

> PREPARED BY: MEDFORD ENGINEERING & SURVEY ANGELO B. VENEZIANO ASSOCIATES 15 HALL ST. MEDFORD, MA. 02155 781-396-4466 fax: 781-396-8052



DATE: FEBRUAR

			FIE
Y	8,	2022	DN/

LD DESIGN DRAW CALC. CHECK FILE No. /DM -- CAV CAV RJM 21307

PROPOSED SITE BZA 1/16" = 1'-0"

LaColterton LLC

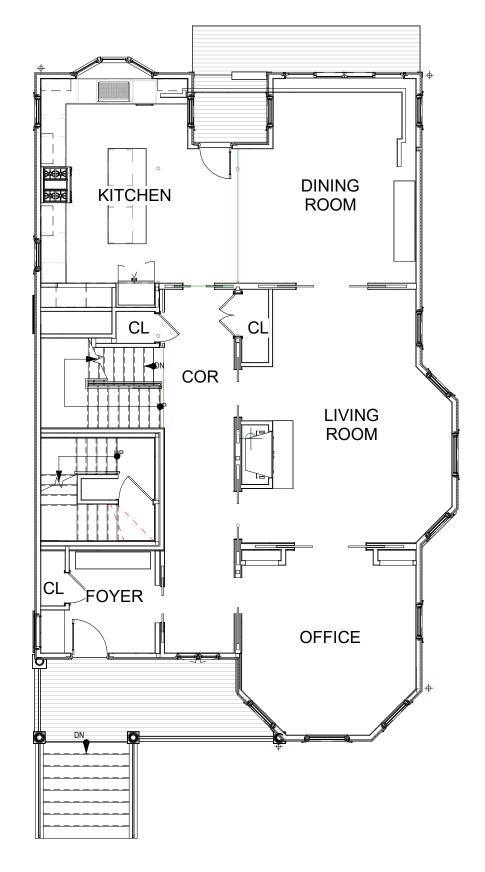
42 DANA STREET SITE PLAN

job number

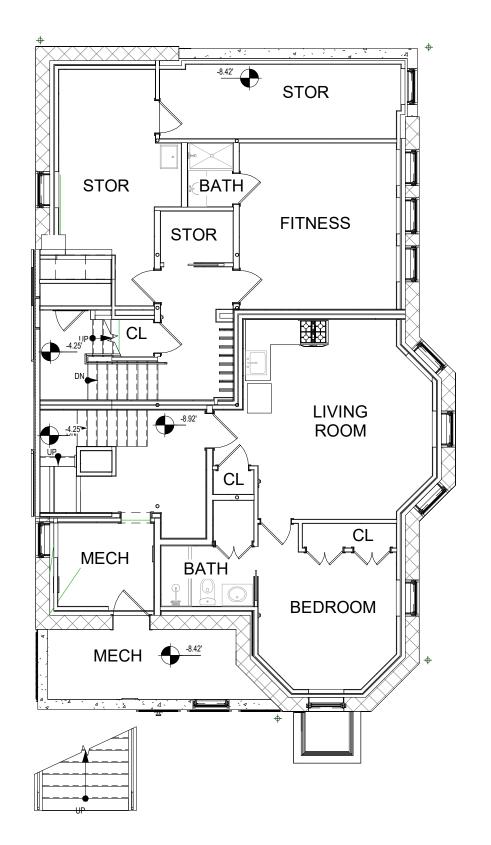
scale 1/16" = 1'-0"

set issue date 08/12/22 sheet issue date 08/18/22

Sheet no.



PROPOSED FIRST FLOOR PLAN
1/8" = 1'-0"



PROPOSED BASEMENT PLAN
1/8" = 1'-0"

LaColterton LLC

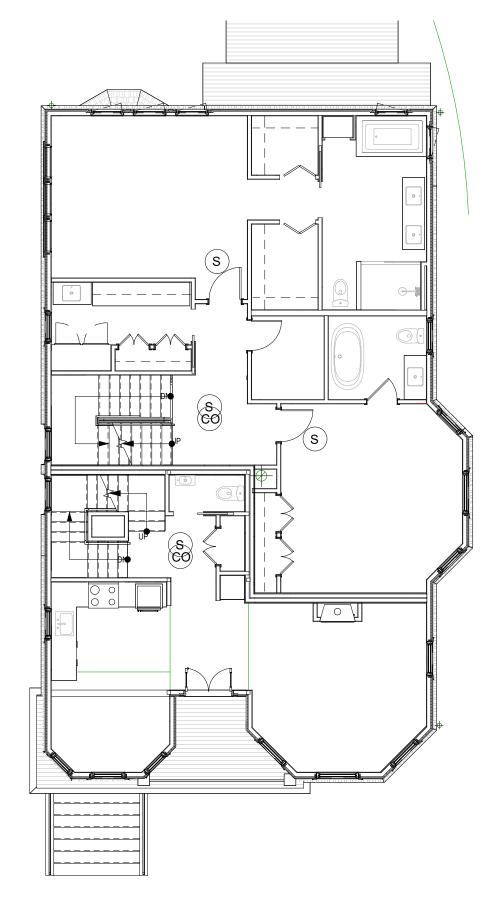
42 DANA STREET FLOOR PLANS

21-070

1/8" = 1'-0"

set issue date 08/12/22

sheet issue date 08/18/22



8/22/2022 246:32 PM

 $2) \frac{\text{PROPOSED 3RD FLOOR BZA}}{1/8" = 1'-0"}$

(1)

PROPOSED 2ND FLOOR BZA

1/8" = 1'-0"

LaColterton LLC

FLOOR PLANS
42 DANA STREET

dh architects, lic

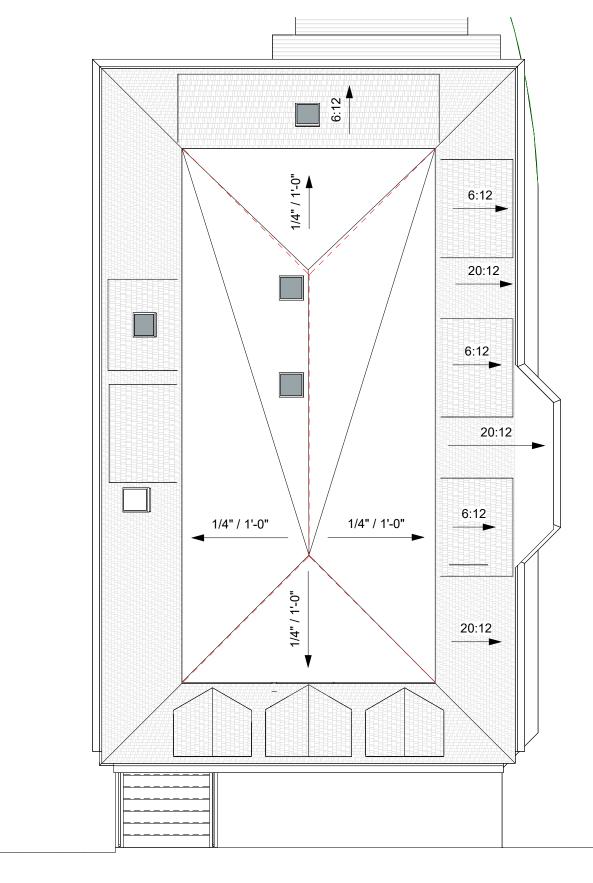
job number 21-070

scale 1/8" = 1'-0"

set issue date 08/12/22

sheet issue date 08/18/22

Sheet no.



PROPOSED ROOF PLAN

1/8" = 1'-0"

LaColterton LLC

42 DANA STREET FLOOR PLANS

job number

1/8" = 1'-0"

set issue date 08/12/22

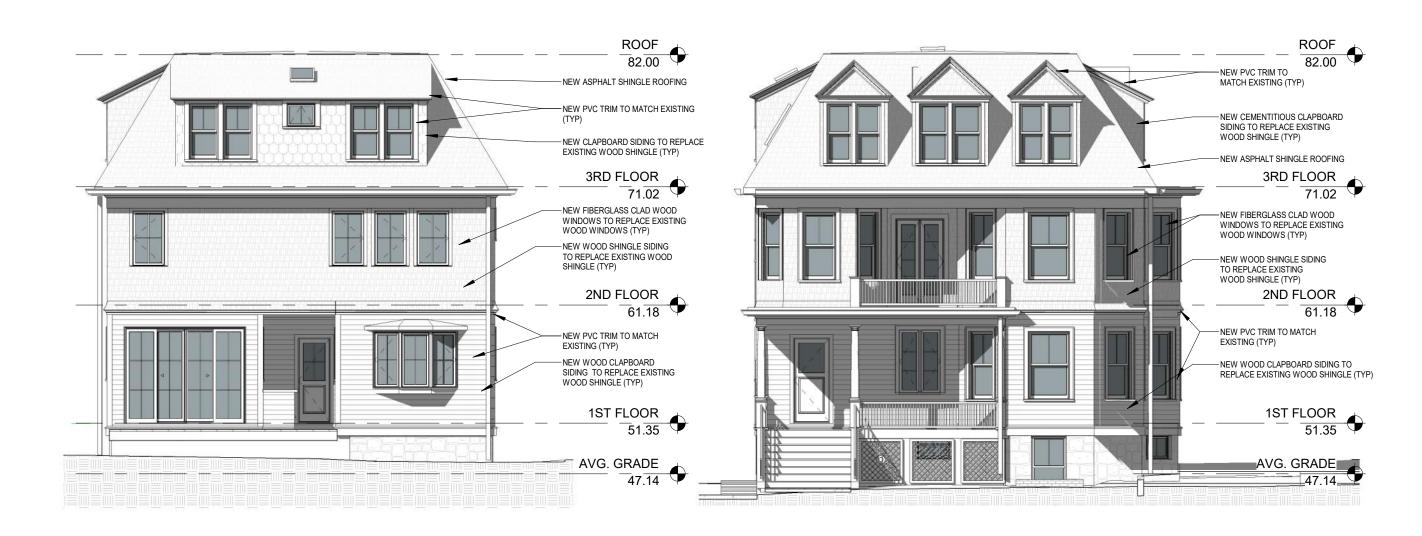
sheet issue date 08/18/22

Sheet no.

sheet issue date 08/18/22

Sheet no.

A10



PROPOSED FRONT ELEVATION

1/8" = 1'-0"

PROPOSED REAR ELEVATION BZA 1/8" = 1'-0"

8/22/2022 2:46:35 PM

EET EET

STR

DANA

42

set issue date 08/12/22

sheet issue date 08/12/22

Sheet no.

A11



8/22/2022 2:46:36 PM

taring the second

LEFT SIDE ELEVATION

1/8" = 1'-0"





8/22/2022 2:46:38 FM

EVATION STRI **BUILDING** project

ш

DANA

42

S

dh architects, lic job number

21-070

1/8" = 1'-0" set issue date 08/12/22

sheet issue date 08/18/22

Sheet no.....

<u>TOP OF ROOF</u> 82.00 ◆ 3RD FLOOR 71.02 2ND FLOOR 61.18 1ST FLOOR 51.35 ◆ AVG. GRADE 47.24

EXISTING REAR ELEVATION 1/8" = 1'-0"

EXISTING FRONT ELEVATION 1/8" = 1'-0"

dh architects, lic job number 21-070

ELEVATIONS

EXISTING

STREET

DANA

42

1/8" = 1'-0" set issue date 08/12/22

sheet issue date 08/18/22

Sheet no.

8/22/2022 2:45:06 PM

1/8" = 1'-0"

set issue date 08/12/22

sheet issue date 08/12/22

Sheet no.

A15



EXISTING RIGHT SIDE ELEVATION Copy 1 1/8" = 1'-0"

 $\mathbb{E}_{\mathbb{R}^{n}}^{(n)} = \mathbb{E}_{\mathbb{R}^{n}}^{(n)} \cdot \mathbb{E}_{\mathbb{R}^{n}}^{(n)} = \mathbb{E}_{\mathbb{R}^{n}}^{(n)} \cdot \mathbb{E}_{\mathbb{R}^{n}}^{(n)}$

 $\left(\frac{1}{2},\frac{$

NOTE:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING AND DETERMINING THE LOCATION, SIZE AND ELEVATION OF ALL EXISTING UTILITIES, SHOWN OR NOT SHOWN ON THIS PLAN, PRIOR TO ANY CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES FOUND INTERFERING WITH THE PROPOSED CONSTRUCTION AND APPROPRIATE REMEDIAL ACTION BEFORE PROCEEDING WITH THE WORK.

THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES SUCH AS CATCH BASINS, MANHOLES, WATERGATES, ETC. AND COMPILED FROM PLANS SUPPLIED BY VARIOUS UTILITY COMPANIES AND GOVERNMENT AGENCIES.

ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, ALL UTILITY COMPANIES OR AGENCIES PRIOR TO ANY EXCAVATION WORK.

CALL DIGSAFE, 1-800-322-4844



CURRENT OWNER: JYOTI & AMRITA DANIERE

TITLE REFERENCE: BK 78376 PG 448

PLAN REFERENCE: 479 OF 1968

THIS PLAN WAS PREPARED WITHOUT A FULL TITLE EXAMINATION AND IS NOT A CERTIFICATION TO THE TITLE OF THE LANDS SHOWN. THE OWNERSHIP OF ABUTTING PROPERTIES IS ACCORDING TO ASSESSORS RECORDS. THIS PLAN MAY OR MAY NOT SHOW ALL ENCUMBRANCES WHETHER EXPRESSED, IMPLIED OR PRESCRIPTIVE.

SURVEYOR'S CERTIFICATION:

TO: STEPHAN DUBOULOZ

I CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE GENERALLY ACCEPTABLE PRACTICES OF LAND SURVEYORS IN THE COMMONWEALTH OF MASSACHUSETTS FOR A PLAN AND SURVEY OF THIS TYPE. THIS CERTIFICATION IS MADE ONLY TO THE ABOVE NAMED INDIVIDUAL(S) AND IS NULL AND VOID UPON ANY FURTHER CONVEYANCE OF THIS PLAN.

THE FIELD WORK WAS COMPLETED ON: OCTOBER 5, 2021 DATE OF PLAN: OCTOBER 6, 2021

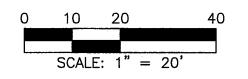
02/08/2022

RICHARD J. MEDE JR. - P.L.S.

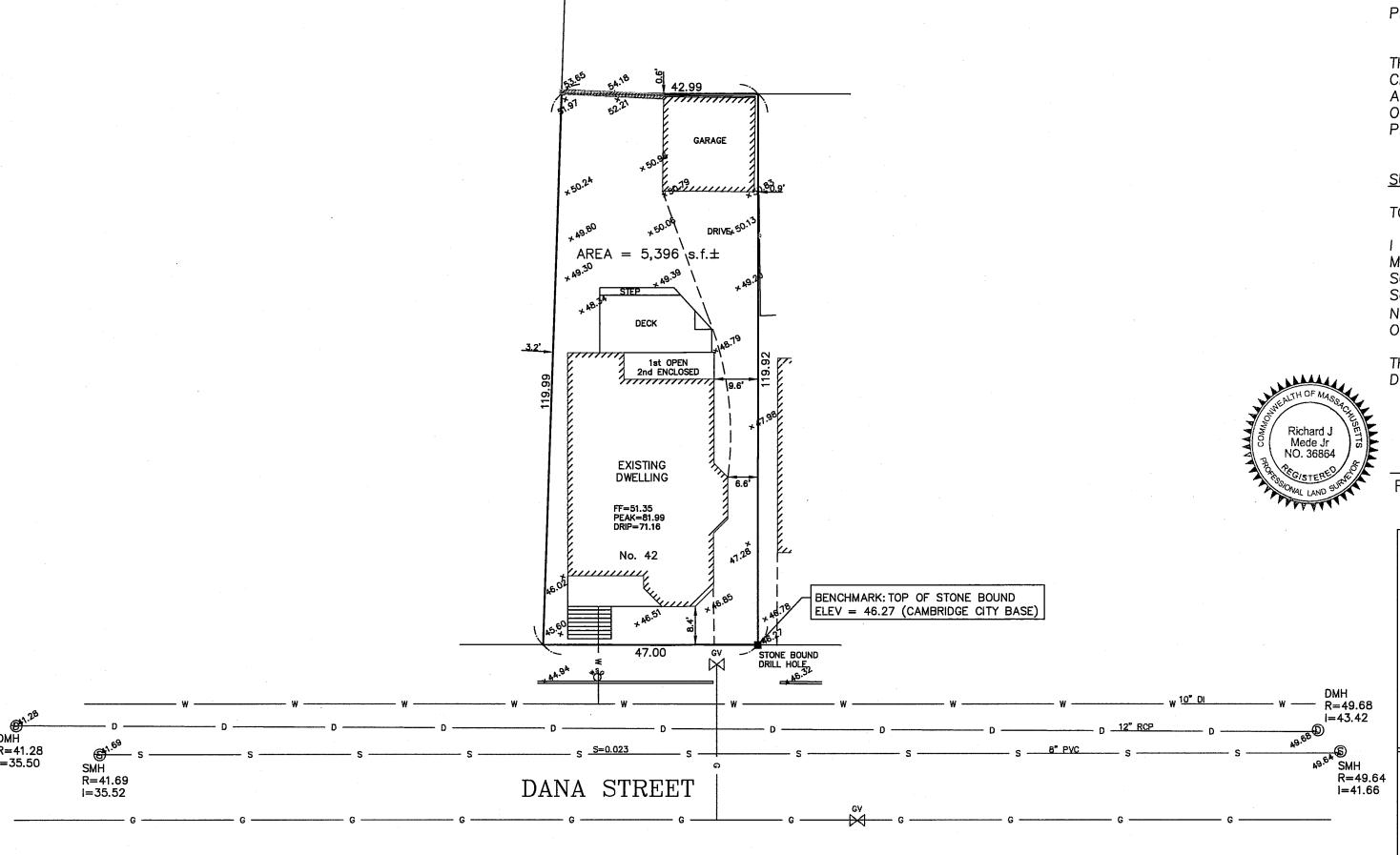
DATE:

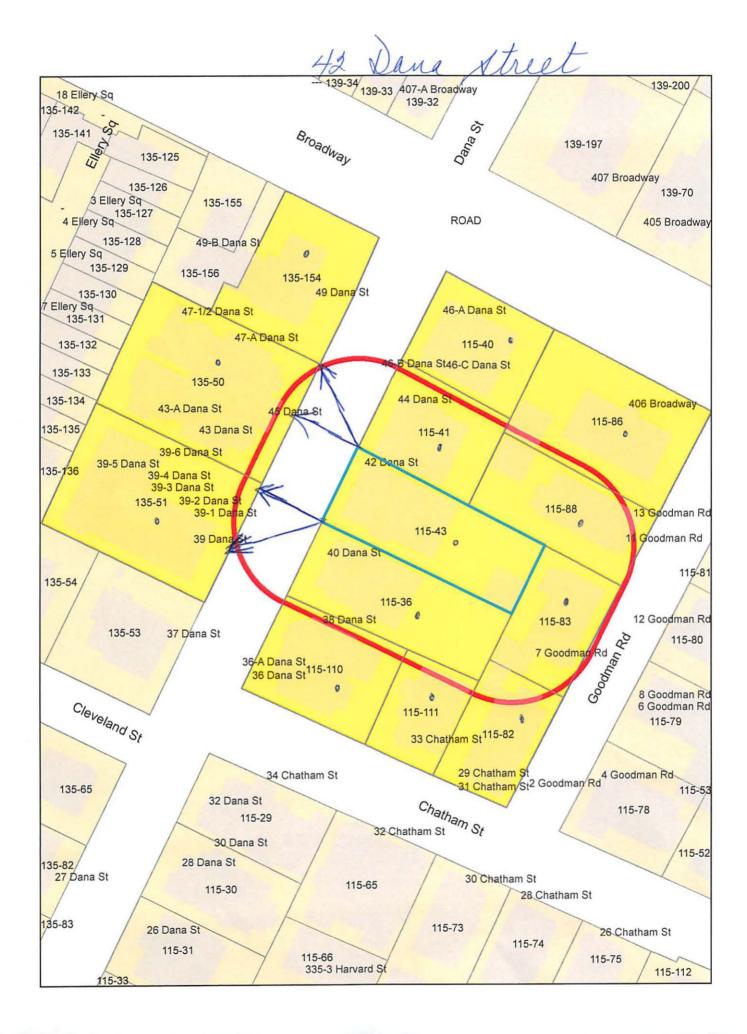
SITE PLAN PLAN OF LAND 42 DANA STREET CAMBRIDGE, MA (MIDDLESEX COUNTY)

PREPARED BY:
MEDFORD ENGINEERING & SURVEY
ANGELO B. VENEZIANO ASSOCIATES
15 HALL ST. MEDFORD, MA. 02155
781-396-4466 fax: 781-396-8052



FIELD DESIGN DRAW CALC. CHECK FILE No.
DATE: FEBRUARY 8, 2022 DN/DM -- CAV CAV RJM 21307





42 Dana St.

115-36 ALONZO, PEDRO H. & LANE COBURN-ALONZO 40 DANA ST CAMBRIDGE, MA 02138 115-41 HIRSH, BARBARA 44 DANA ST., #1 CAMBRIDGE, MA 02139 115-43 LA COLTERTON LLC C/O STEPHEN DUBOULOZ 50 HANCOCK ST CAMBRIDGE, MA 02139

115-111 WEI, ZHAOYANG ZHIHUI WU 33 CHATHAM ST CAMBRIDGE, MA 02139 115-88
STATHOPOULOS, MARY & ANASTASIA STAMATELOS,
ANTHONY P. & JAMES C.
CITY OF CAMBRIDGE TAX TITLE
11-13 ROBT. E. GOODMAN RD.
CAMBRIDGE, MA 02139

STEPHEN HISERODT 499 LAGRANGE STREET WEST ROXBURY, MA 02132

135-51 KLIMBURG-SALTER, DEBORAH E., TRS DEBORAH E. SALTER KLIMBURG TRUST 39-41 DANA ST., #1 CAMBRIDGE, MA 02138 135-51 NAJJAR, ELIZABETH A. & SUSAN NAJJAR 39-41 DANA ST., #6 CAMBRIDGE, MA 02138 135-51 WALTON, MICHAEL J. & ISABEL M. GUERRERO PULGAR 39 DANA ST., #4 CAMBRIDGE, MA 02139

135-51 ANGEL, ANDREW & IRINA ANGEL 39 DANA ST.,UNIT #3 CAMBRIDGE, MA 02138 135-154 MORTIMER, KRISTIN A. 49 DANA ST CAMBRIDGE, MA 02139 135-51 DUNSON, BRUCE H. & NANCY R. DUNSON 39 DANA ST., #2 CAMBRIDGE, MA 02138

135-51 KUMAR, RAKSHIT & NEHA ANAND 39-41 DANA ST., #5 CAMBRIDGE, MA 02138 115-41 RIEPER, FELIX & LAUREN BUDD 44 DANA ST #2 CAMBRIDGE, MA 02138 115-41 TUNG YUAN SHION & SHU-LIN TRS THE YUAN SHION TUNG TR & THE SHU-LIN 31 HADLEY ST CAMBRIDGE, MA 02140

115-110 APFFEL-MARGLIN FREDERIQUE TRS FREDERIQUE APFFEL-MARGLIN TR 36-38 DANA ST CAMBRIDGE, MA 02138 115-86 S&J BROADWAY RE LLC 406 BROADWAY CAMBRIDGE, MA 02139

135-50 LORDAN GEORGE P JR KATHRYN W LORDAN PO BOX 6087 GLOUCESTER, MA 01930

115-83 QUAN PETER TRS THE BO YING QUAN 2020 IRREVOCABLE TR 9 GOODMAN RD CAMBRIDGE, MA 02139 115-82 FERNANDES, MARIA E. 31 CHATHAM ST CAMBRIDGE, MA 02139-1630 115-40 CROWLEY, MICHAEL J., TR OF FURCOB REALTY TRUST C/O JEFFREY D WOOLF, ESQ., PC P.O. BOX #961267 BOSTON, MA 02196-1267



Mid Cambridge Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139 Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112

E-mail: histncds@cambridgema.gov

URL: http://www.cambridgema.gov/Historic/midcambridgehome.html

Tony Hsiao, *Chair*, Lestra Litchfield, *Vice Chair* Monika Pauli, Charles Redmon, *Members* Margaret McMahon, *Alternate*

November 4, 2021

Stephan Dubouloz 50 Hancock Street Cambridge, MA 02139

Re: Case MC-6305: 42 Dana Street

This to confirm that the applicant has complied with recommendations by the Mid Cambridge Neighborhood Conservation District Commission, which had a non-binding review of the above case at a public hearing on November 1, 2021, regarding siding replacement and fenestration alterations. The Commission voted to deny the application as presented and recommended the use of natural materials which is more appropriate to the historic character of the structure. The Commission advised either re-siding the whole structure in wood shingles or installing wood shingles on the upper floor and installing wood clapboards on the first floor.

Revised drawings were submitted on November 3, 2021 that reflect appropriate siding materials and style as per the Commission's recommendations.

Regarding the proposed fenestration alterations, the Commission recommended using one style of window for consistency given the number of windows and had no issue with proposed window reconfigurations.

Sincerely,

Allison A. Crosbie Preservation Administrator

cc: City Clerk, please file this decision

Ranjit Singanayagam, Inspectional Services

Case Number: MC-6305 Date: November 4, 2021



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:	Avvy (Print)	Date: _	09/19/7022
Address:	42 Dana St.		·
Case No	(BZA-191365	Ţ	
Hearing D	Date: 10/4/22		

Thank you, Bza Members

Pacheco, Maria

From:

babeh1 <babeh1@comcast.net>

Sent:

Monday, September 26, 2022 4:03 PM

To:

Pacheco, Maria

Re 42 Dana

Subject:

Good afternoon. For the record, as an abutter of 42 Dana Street, I have no issue with the design submission made to your agency. Please accept this note as my approval. Thank you. Barbara Hirsh, 44 Dana #1.

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

Pacheco, Maria

From:

Lane Coburn-Alonzo < lane@alonzocoburn.com>

Sent:

Wednesday, September 28, 2022 11:10 AM

То:

Pacheco, Maria

Subject:

42 Dana Street

Dear Board of Zoning Appeal,

I am writing to confirm that we have no objection on the proposed elevation (relocation of windows) on the facade facing 44 Dana Street.

Many thanks, Lane

Lane Coburn-Alonzo A&C

Cell: 617 899 7116 alonzocoburn.com