

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 BAKER POND LLC
(OWNER)

Address: 67 SMITH PLACE CAMB. MA 02138 UNIT 12A

State that I/We own the property located at 362 BROADWAY CAMB MA which is the subject of this zoning application.

The record title of this property is in the name of BAKER POND LLC

*Pursuant to a deed of duly recorded in the date 10/11/18, Middlesex South County Registry of Deeds at Book 13042, Page 440; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.


Manager Baker Pond LLC
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 Middlesex

The above-name Duncan Macarthur personally appeared before me, this 28 of March, 2019, and made oath that the above statement is true.

Mary Colt Navins Notary

My commission expires 02/03/2023 (Notary Seal).

- If ownership is not shown in recorded deed, e.g. if by gift, inheritance, or other means, please include documentation.



MARY COLT NAVINS
Notary Public
My Commission Expires
February 3, 2023

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

A) A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

The building at 362 Broadway was originally constructed in 1851 with modifications and additions made in subsequent years/decades. The construction materials and techniques used were and are generally substandard throughout. For example, the rear addition, built in 1917, was constructed with no foundation and the addition sits on the ground. In 1920, it appears that the house was lifted, a commercial first floor was added, and the rear addition was expanded. The natural consequences of this poor-quality construction are structural instability and invitation to pests and vermin that affect not only this property but neighboring properties as well.

In order to rehabilitate the existing building a new foundation must be constructed for the full footprint of the building. Once the foundation is completed the entire structure of the building needs to be replaced in order to make the property structurally sound and code-compliant. Given that the building is built from lot-line-to-lot-line there is no capacity for doing the significant rehabilitation necessary at the site in an incremental fashion. The only renovation method that makes sense both structurally and esthetically requires that the building be removed and replaced with a new structure. A literal enforcement of the Ordinance makes this impossible.

The petitioner's proposal is to reconstruct the building and substantially maintain the exterior appearance of the building while improving and revising the interior layout of the building in order to accommodate 21st century needs and code requirements. Again, the literal enforcement of the Ordinance makes this impossible.

B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

It is the petitioner's intention to replace the building with a new structure that substantially replicates the exterior appearance of the current building. The hardship created by the relationship of the structure to the lot (lot-line-to-lot-line construction) together with soil conditions that negatively impact the present foundation (or no foundation at all) affects this lot only and is not a neighborhood-wide or zoning district issue.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Substantial detriment to the public good for the following reasons:

The reconstruction of this building will create no detriment to the public good. To the contrary: the replacement of this structurally and aesthetically challenged structure with a new building that satisfies current code requirements will add an attractive property to the neighborhood housing and commercial stock, generally improving the quality of life in the neighborhood.

2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

Granting the petitioner's application will neither nullify nor derogate from the intent of the Ordinance. A replacement building that replicates the existing building will bring only positive structural and aesthetic changes that the Ordinance tries to motivate.

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

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: MacArthur Construction Company **PRESENT USE/OCCUPANCY:** Multi-Use
LOCATION: 362 Broadway Cambridge, MA **ZONE:** Business A-1 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** Multi-Use

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	2427	*2677	1340/1005	(max.)
<u>LOT AREA:</u>	1340	1340	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²	1.81	1.98	1 / 0.75	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	1340	1340	1200/1500	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	20	20	0/50'	(min.)
DEPTH	0	0	0	
<u>SETBACKS IN FEET:</u>				
FRONT	0	0	10'	(min.)
REAR	7.2	17	20	(min.)
LEFT SIDE	0.9	0.9	7'6"	(min.)
RIGHT SIDE	0	0	7'6"	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	30	31'3"	35	(max.)
LENGTH	50	50	n/a	
WIDTH	19'6"	19'6"	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	0	0	0%/30%	(min.)
<u>NO. OF DWELLING UNITS:</u>	1 Com/1 res	1 Com/1 Res.	1	(max.)
<u>NO. OF PARKING SPACES:</u>	1	1	2	(min./max)
<u>NO. OF LOADING AREAS:</u>	n/a	n/a	n/a	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	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.

New building's use, look, and general size will mimic existing use, look, and size. Existing and future use will be commercial first floor and residential on upper two floors.

*864sf for Commercial and 1813 sf for Residential

- 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'.



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

2019 MAY -2 PM 3:25

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-017108-2019

GENERAL INFORMATION

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

Special Permit : v Variance : v Appeal :

PETITIONER : Baker Pond LLC - C/O Duncan MacArthur

PETITIONER'S ADDRESS : 67 Smith Place 12-A Cambridge, MA 02138

LOCATION OF PROPERTY : 362 Broadway Cambridge, MA

TYPE OF OCCUPANCY : _____ ZONING DISTRICT : Business A-1 Zone

REASON FOR PETITION :
New Structure

DESCRIPTION OF PETITIONER'S PROPOSAL :

To raze existing structure and rebuild to match existing with minor modifications; add three small dormers and reduce rear decks with insufficient parking and park 1 space within the front yard setback. 1st floor will be Commercial and 2nd & 3rd Floor will be Residential

Setbacks for parking and excavation of basement.

SECTIONS OF ZONING ORDINANCE CITED :

Article <u>5.000</u>	Section <u>5.31</u> (Table of Dimensional Requirements).
Article <u>6.000</u>	Section <u>6.36</u> (Parking Requirements).
Article <u>6.000</u>	Section <u>6.44.1.C</u> (Front Yard Parking).
Article <u>6.000</u>	Section <u>6.44.1.G</u> (Special Permit for Setbacks).
Article <u>2.000</u>	Section <u>2.16</u> (Excavate Basement).

Original Signature(s) :

[Handwritten Signature]
 (Petitioner(s) / Owner)

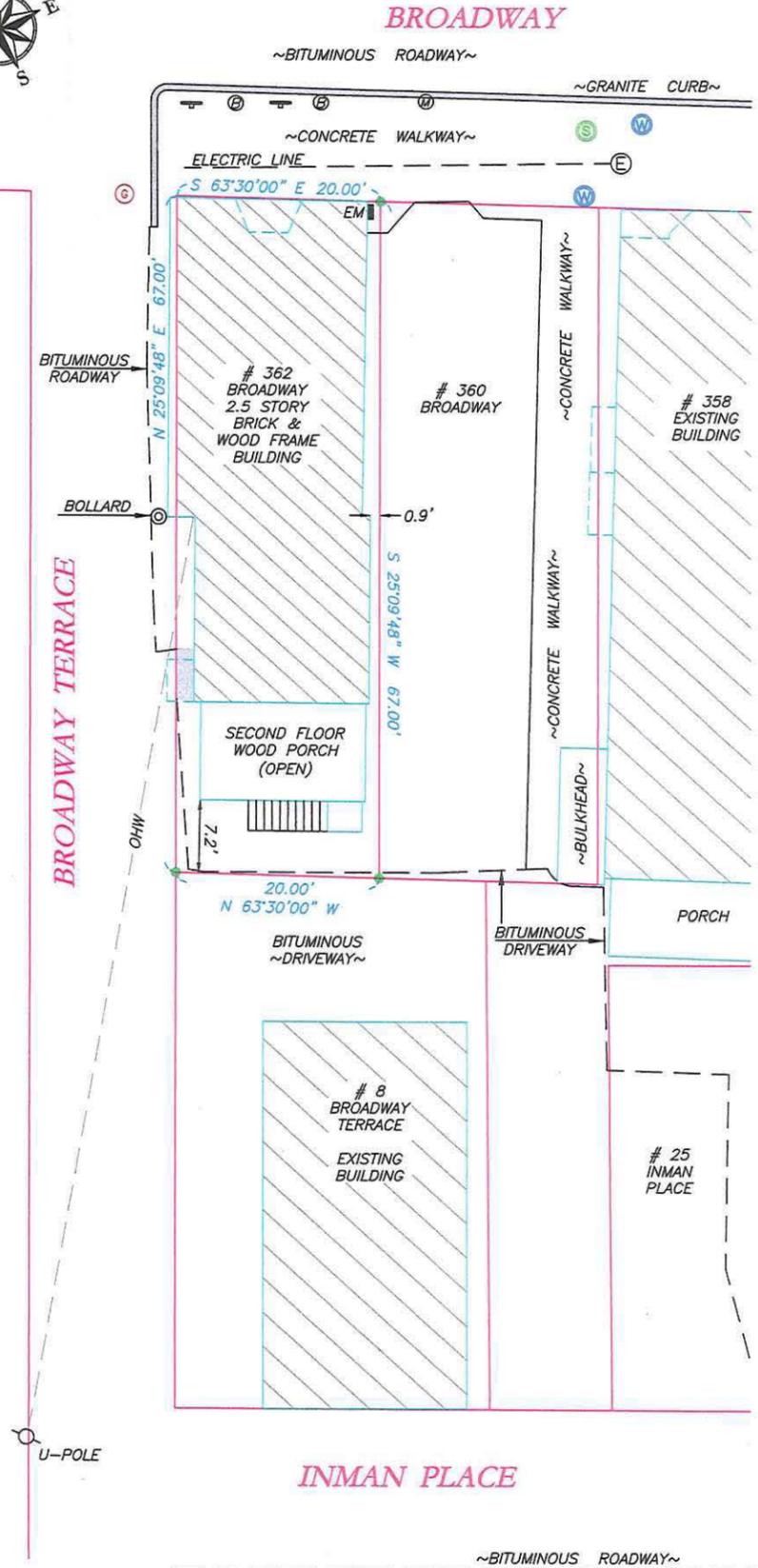
DUNCAN MACARTHUR
 (Print Name) FOR BAKER POND LLC

Address : 67 SMITH PLACE 12-A
CAMBRIDGE MA 02138

Tel. No. : 617-864-2234

E-Mail Address : OFFICE@MACCOCO.COM

Date : 5/1/19

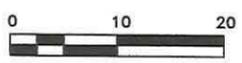


NOTES:

ALL OFFSETS & DIMENSIONS ARE TO THE SIDING UNLESS OTHERWISE NOTED.
 GM=GAS METER
 EM=ELECTRIC METER
 OHW=OVERHEAD WIRES
 WB=WALKOUT BASEMENT

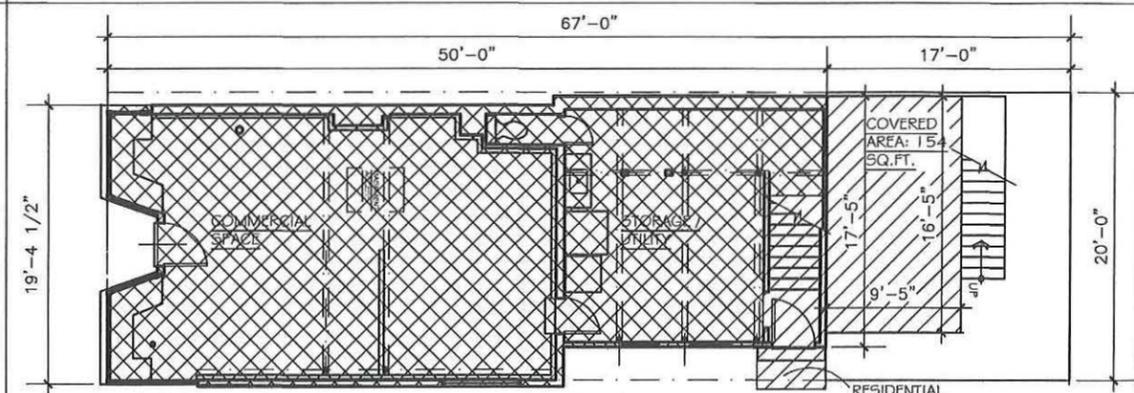
LEGEND:

- = IRON ROD & CAP - SET
- Ⓜ = WATER GATE
- Ⓢ = SEWER MANHOLE
- ⓔ = ELECTRIC MANHOLE
- Ⓟ = BIKE LOCK POLE
- Ⓣ = SIGN
- Ⓠ = GAS GATE
- Ⓜ = PARKING METER

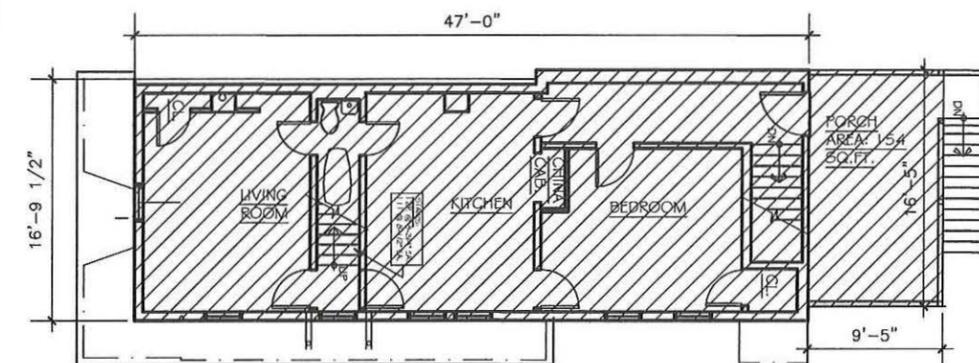


Dennis O'Brien P.L.S.

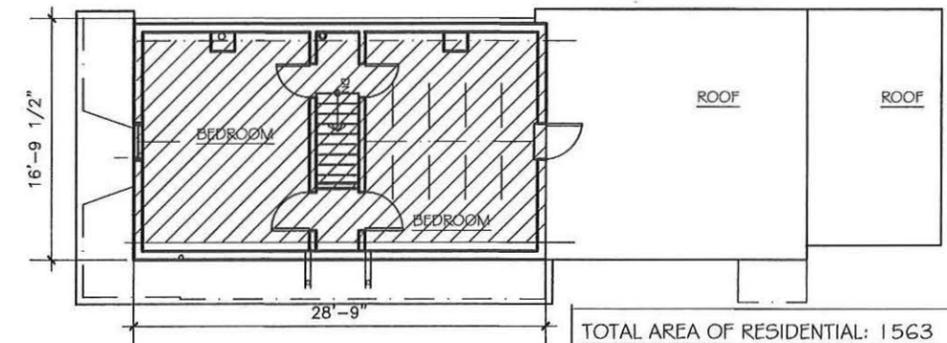
 D. O'BRIEN LAND SURVEYING <small>EST. 1936</small>	PLAN SHOWING EXISTING CONDITIONS 362 BROADWAY CAMBRIDGE, MA MIDDLESEX COUNTY			
	SCALE: 1:10	DATE: 3/5/2019	REVISED: ---	DRAWN BY: W.M.N.



EXISTING FIRST FLOOR AREA: 1069 SQ.FT.
 COMMERCIAL AREA: 864 SQ.FT.
 RESIDENTIAL AREA: 60+ COVERED PARKING 154 = 205 SQ.FT.
 COVERED AREA: 154 SQ.FT.
 RESIDENTIAL ENTRY + AREA UNDER AWNING: 60 SQ.FT.



EXISTING 2ND FLR AREA: 802+ COVERED PORCH = 956 SQ.FT.

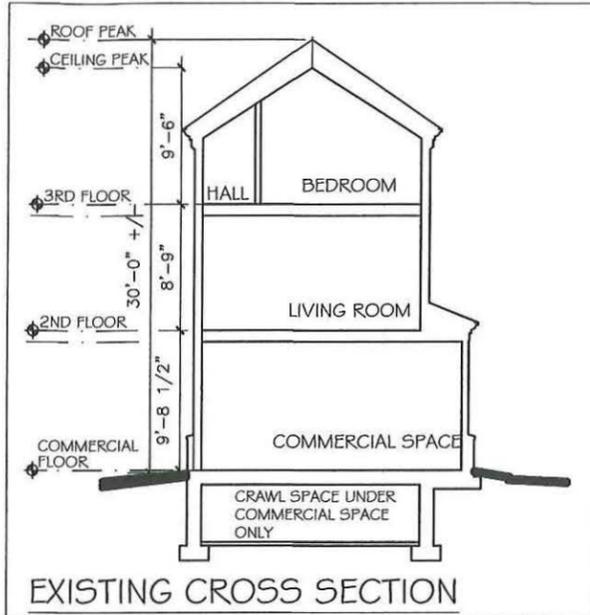


EXISTING 3RD FLR AREA: 402 SQ.FT. (ceilings greater than 5')

EXISTING FLOOR PLANS

TOTAL AREA OF RESIDENTIAL: 1563 SQ.FT.
 TOTAL AREA OF BUSINESS: 864 SQ.FT.

EXISTING FLOOR AREA CALCULATIONS:
 1ST FLOOR: 1069 SQ.FT.
 2ND FLR: 956 SQ.FT.
 3RD FLR: 402 SQ.FT.
 TOTAL AREA: 2427 SQ.FT.



362 BROADWAY ST. DIMENSIONAL INFORMATION

Zone: BA-1 Occupancy: Multi-use or Residential + Business	Existing Conditions	Requested Conditions	Ordinance Req. Residential Distr. (AS PER 5.28.1.C USE RES.C-1)	Ordinance Req. Business Distr. (TABLE 5-1 FOR RES DISTRICTS BA-1)
TOTAL GROSS FLOOR AREA:	2,427 SQ.FT.	2,677 SQ.FT.	1,456 SQ.FT.*	1340 SQ.FT.
LOT AREA:	1,340 SQ.FT.	1,340 SQ.FT.	5,000 SQ.FT.	0
F.A.R.	1.81	1.99	0.75	1
LOT AREA FOR EA. DWELLING UNIT:	1340	1340	1,500 SQ.FT.	1200 SQ.FT.
SIZE OF LOT, WIDTH:	20 FT	-	50 FT	0
DEPTH:	67 FT	-	-	-
SETBACKS, FRONT BROADWAY ST.:	0	0	10 FT	0
SOUTH SIDE (PARKING SIDE):	+/- 17 FT	+/- 17 FT	7.5 FT	0
EAST SIDE (LEFT SIDE):	0.9 FT	0.9 FT	7.5 FT	0
FRONT BROADWAY TER.(RIGHT SIDE)	VARIABLES: 0 TO 2.58 FT	VARIABLES: 0 TO 2.58 FT	10 FT	0
SIZE OF BUILDING, HEIGHT:	30 FT +/-	31'-6" FT +/-	35 FT MAX.	35 FT MAX.
LENGTH:	50 FT +/- W/OUT PORCH	50 FT +/- W/OUT BALCONIES		
WIDTH:	19'-4-1/2" +/- FT	19'-4-1/2" +/- FT		
AREA OF OPEN SPACE:	0	0		
RATIO OF USABLE OPEN SPACE TO LOT AREA:	0	0	30%	0%
NO. OF DWELLING UNITS:	ONE	ONE	ONE PER DWELLING	ONE
NO. OF COMMERCIAL SPACES:	ONE	ONE	ONE	ONE

* AREA REQUESTED ABOVE ALLOWED CALCULATIONS:
 1. AREA BY RIGHT: 1,221 SQ.FT.
 EXIST. FLR AREA 1340 - 864 = 476 SQ.FT.
 476 X 0.75 = 357 SQ.FT.
 357 + 864 = 1,221 SQ.FT.
 2. REQUESTED: 1,456 SQ.FT.
 2,677 - 1,221 = 1,456 SQ.FT.

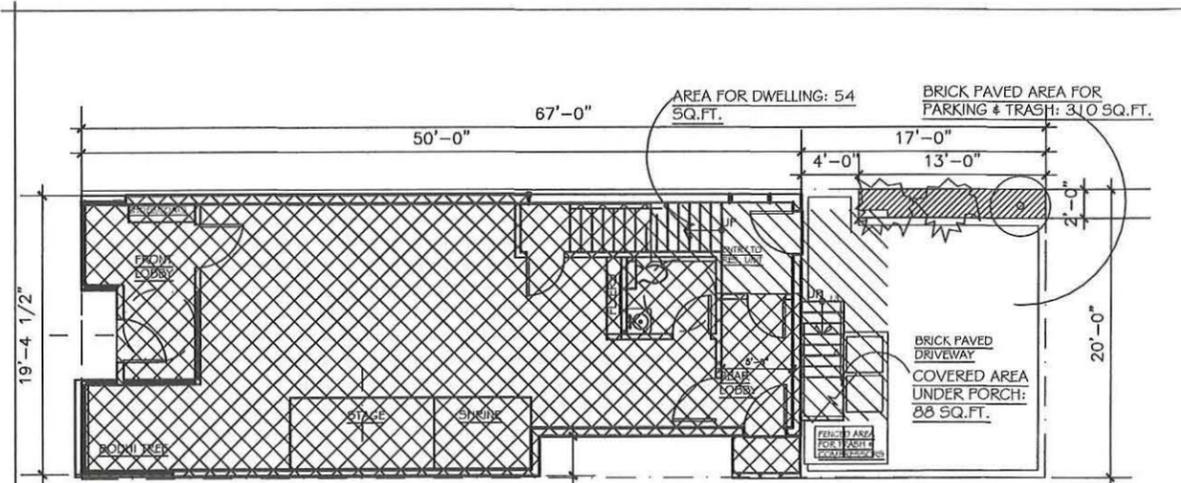
362 BROADWAY STREET
 CAMBRIDGE, MA

Zoning Compliance
 Scale: 1/16" = 1'-0"
 Date: 04/29/19
 362Broadwayplans.dwg

Silvana Sawaya Architect
 1839 Washington Street
 Newton, MA 02466 tel: 617.967.1487

04.29.19

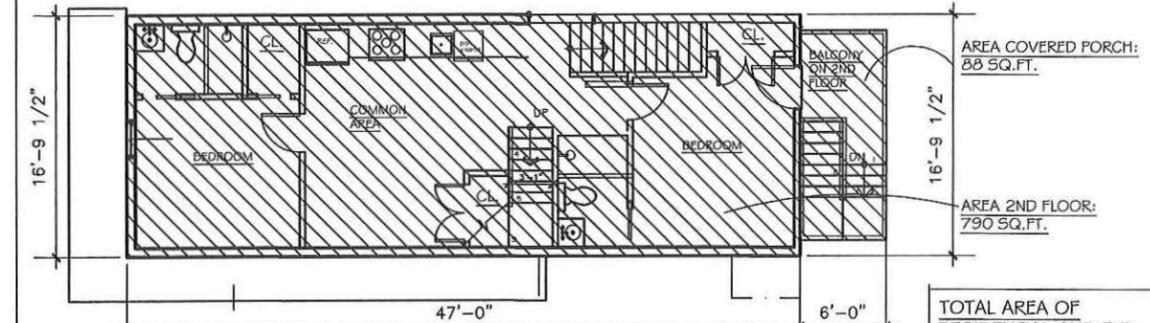
AO.1



PROPOSED FIRST FLOOR PLAN
AREA: 921 SQ.FT.

COMMERCIAL AREA: 867 SQ.FT.
RESIDENTIAL AREA: 54 SQ.FT. + UNDER PORCH 88 SQ.FT. = 142 SQ.FT.

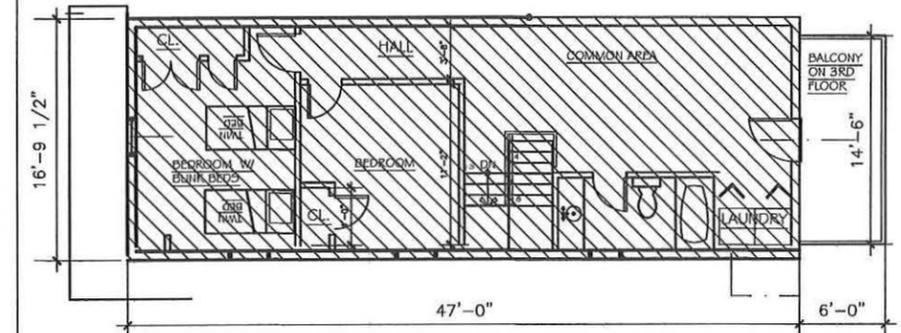
TOTAL AREA OF RESIDENTIAL ON THE 1ST FLOOR: 142 SQ.FT.
TOTAL AREA OF BUSINESS ON THE 1ST FLOOR: 867 SQ.FT.
TOTAL AREA 1ST FLR: 1009 SQ.FT.



PROPOSED SECOND FLOOR PLAN AREA: 878 SQ.FT.

RESIDENTIAL AREA: 790 SQ.FT. + 88 = 878 SQ.FT.

TOTAL AREA OF RESIDENTIAL 2ND FLR: 878 SQ.FT.



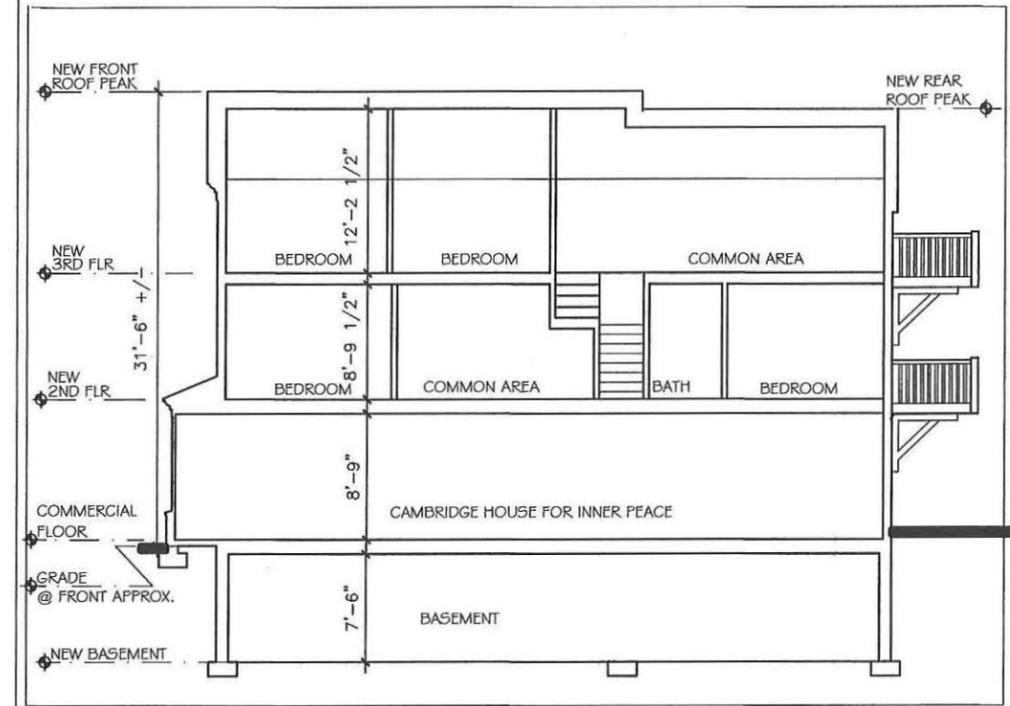
PROPOSED THIRD FLOOR PLAN AREA:

RESIDENTIAL AREA: 790 SQ.FT.

TOTAL AREA OF RESIDENTIAL 3RD FLR: 790 SQ.FT.

PROPOSED FLOOR PLANS

PROPOSED FLOOR AREA CALCULATIONS:
1ST FLR: 1009 SQ.FT.
2ND FLR: 878 SQ.FT.
3RD FLR: 790 SQ.FT.
TOTAL AREA: 2677 SQ.FT.



PROPOSED LONG SECTION

EXISTING FLOOR AREA CALCULATIONS:
1ST FLOOR: 1069 SQ.FT.
2ND FLR: 956 SQ.FT.
3RD FLR: 402 SQ.FT.
TOTAL AREA: 2427 SQ.FT.



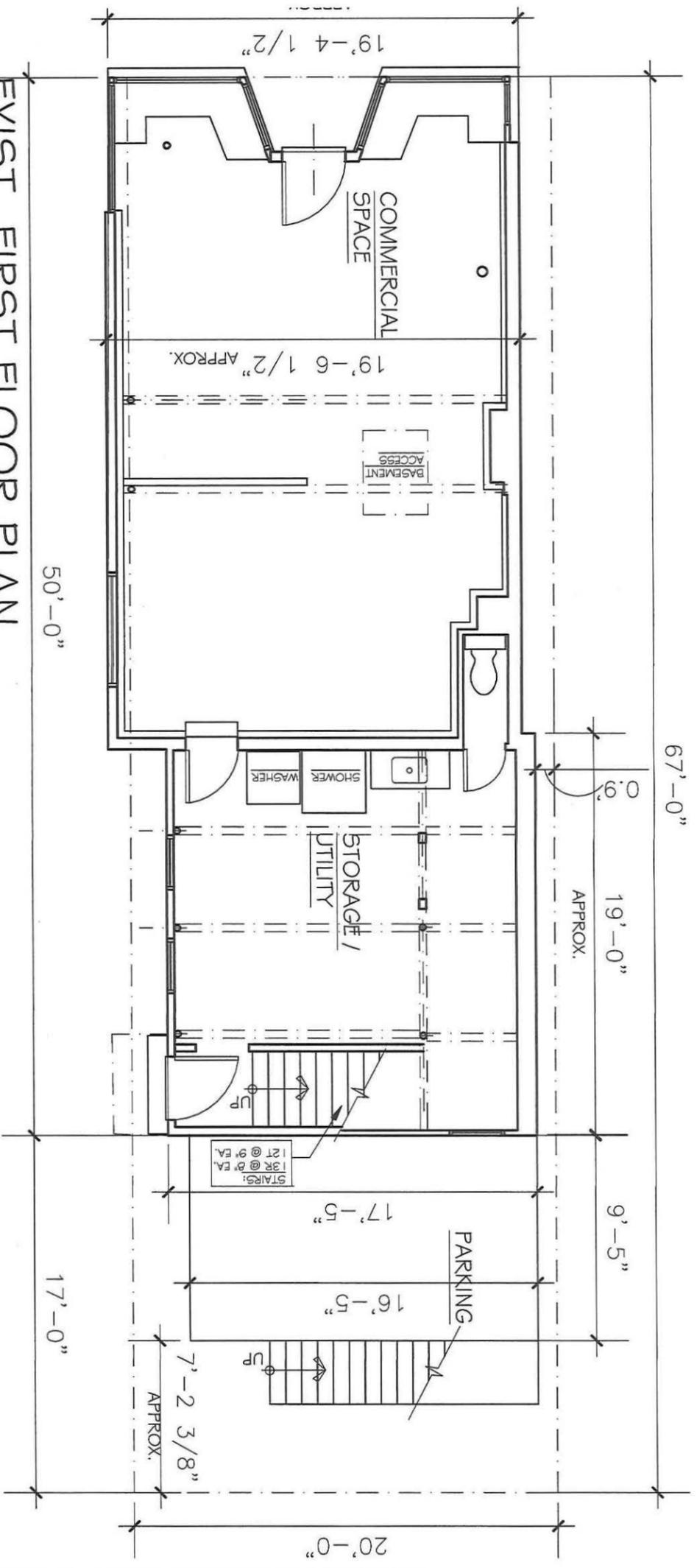
362 BROADWAY STREET
CAMBRIDGE, MA

Zoning Compliance
Scale: 1/16" = 1'-0"
Date: 04/29/19
362Broadwayplans.dwg

Silvana Sawaya Architect
1839 Washington Street
Newton, MA 02466 tel: 617.967.1487

04.29.19

A0.2



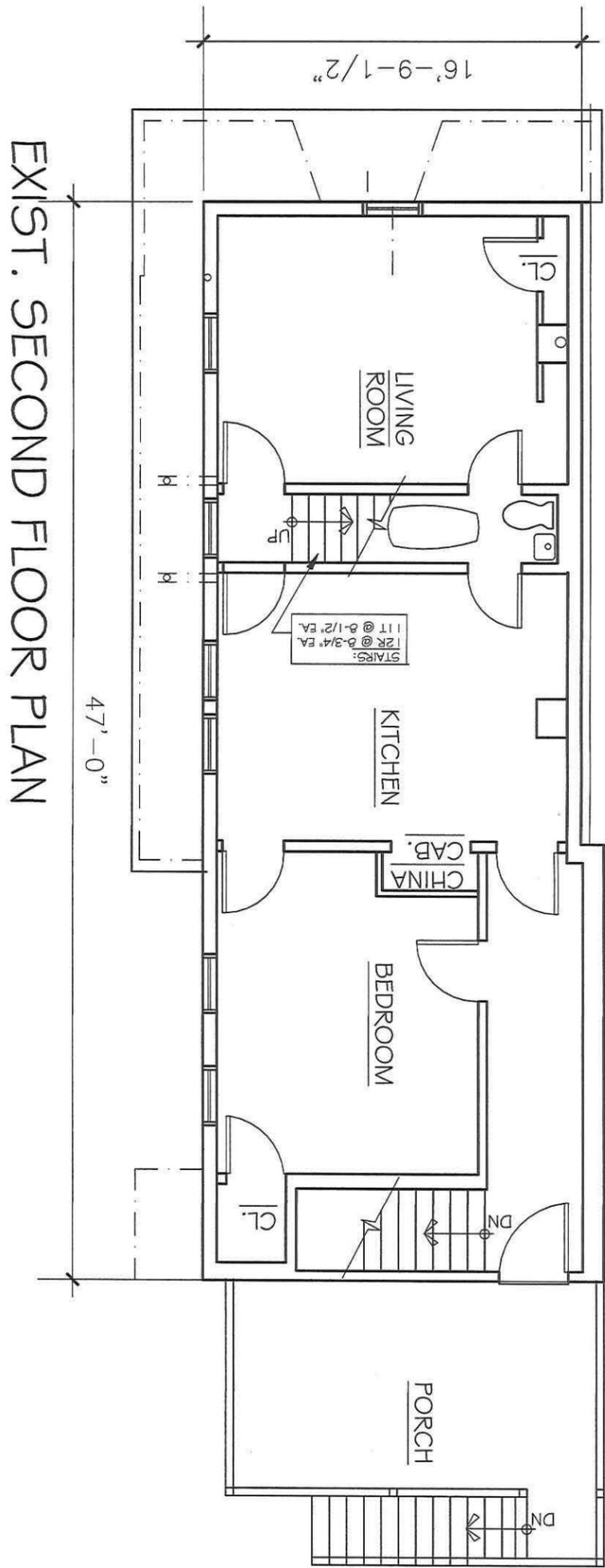
EXIST. FIRST FLOOR PLAN

NOTE: REFER TO SURVEY BY D.O'BRIEN LAND SURVEYING DATED 3/5/2019 FOR COMPLETE SITE INFORMATION



04.12.2019

A1	Silvana Sawaya Architect 1839 Washington Street Newton, MA 02466 tel:617.967.14.87	Existing First Floor Plan Scale: 1/4"=1'-0" Date:04/12/19 362Broadwayplans.dwg	362 BROADWAY STREET CAMBRIDGE, MA

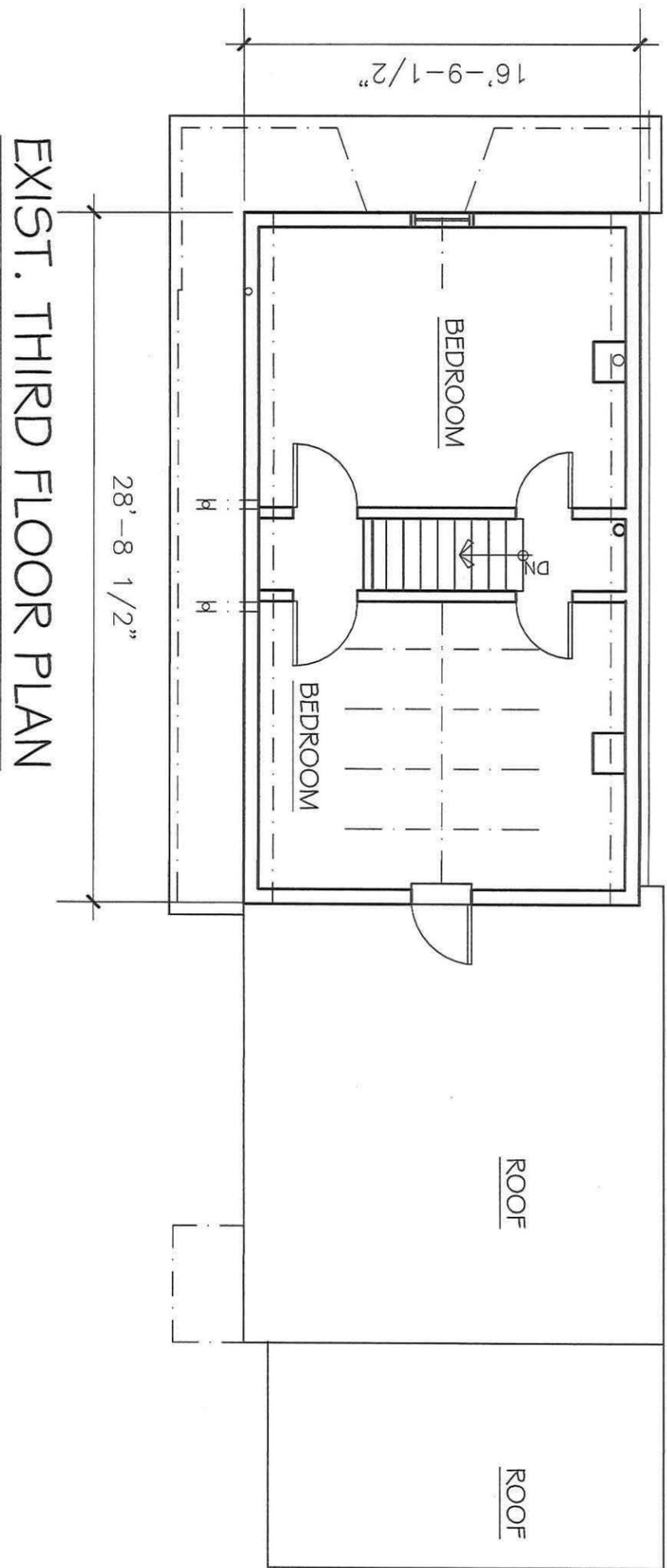


EXIST. SECOND FLOOR PLAN



04.12.2019

A2	Silvana Sawaya Architect	Existing Second Floor Plan	362 BROADWAY STREET CAMBRIDGE, MA
	1839 Washington Street Newton, MA 02466 tel:617.967.14.87	Scale: 1/4"=1'-0"	
		Date:04/12/19	
		362Broadwayplans.dwg	

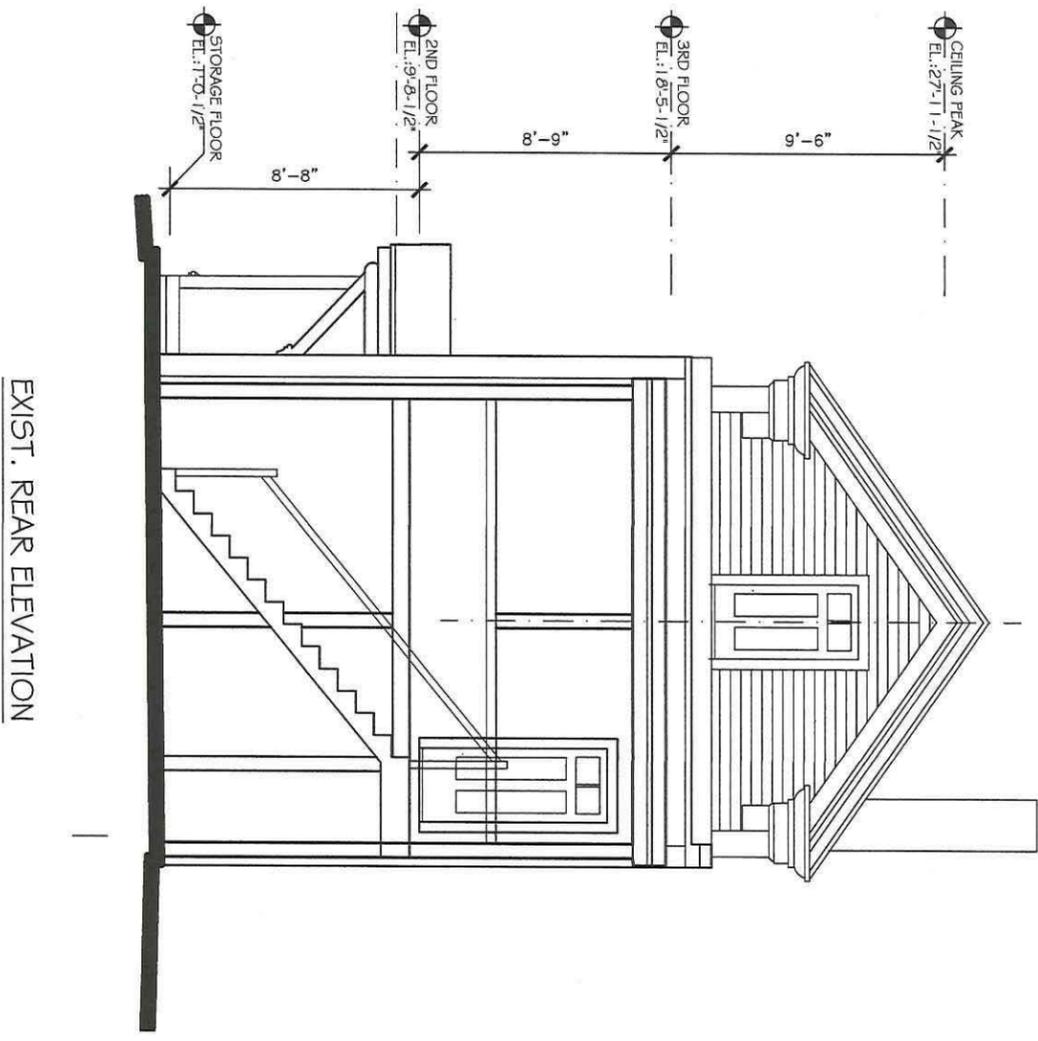
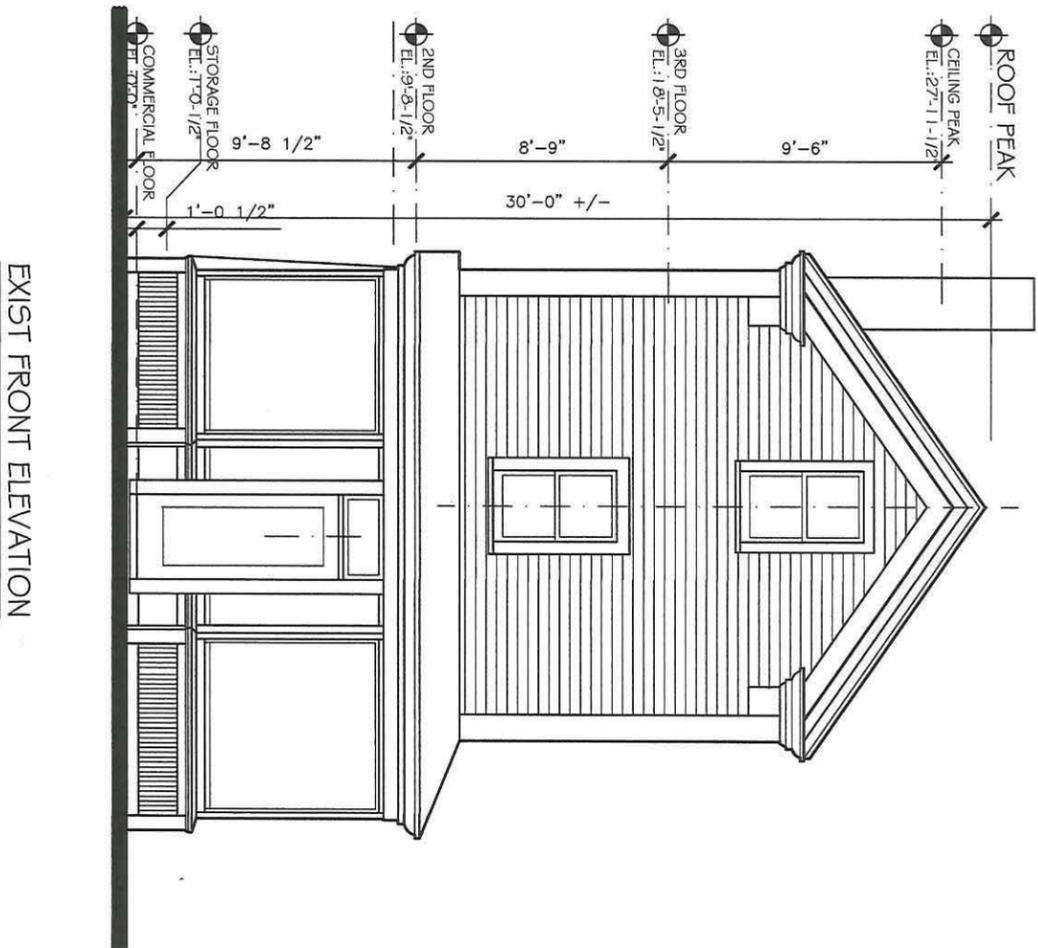


EXIST. THIRD FLOOR PLAN



04.12.2019

A3	Silvana Sawaya Architect	Existing Third Floor Plan	362 BROADWAY STREET CAMBRIDGE, MA
	1839 Washington Street	Scale: 1/4" = 1'-0"	
	Newton, MA 02466 tel: 617.967.14.87	Date: 04/12/19	
		362Broadwayplans.dwg	



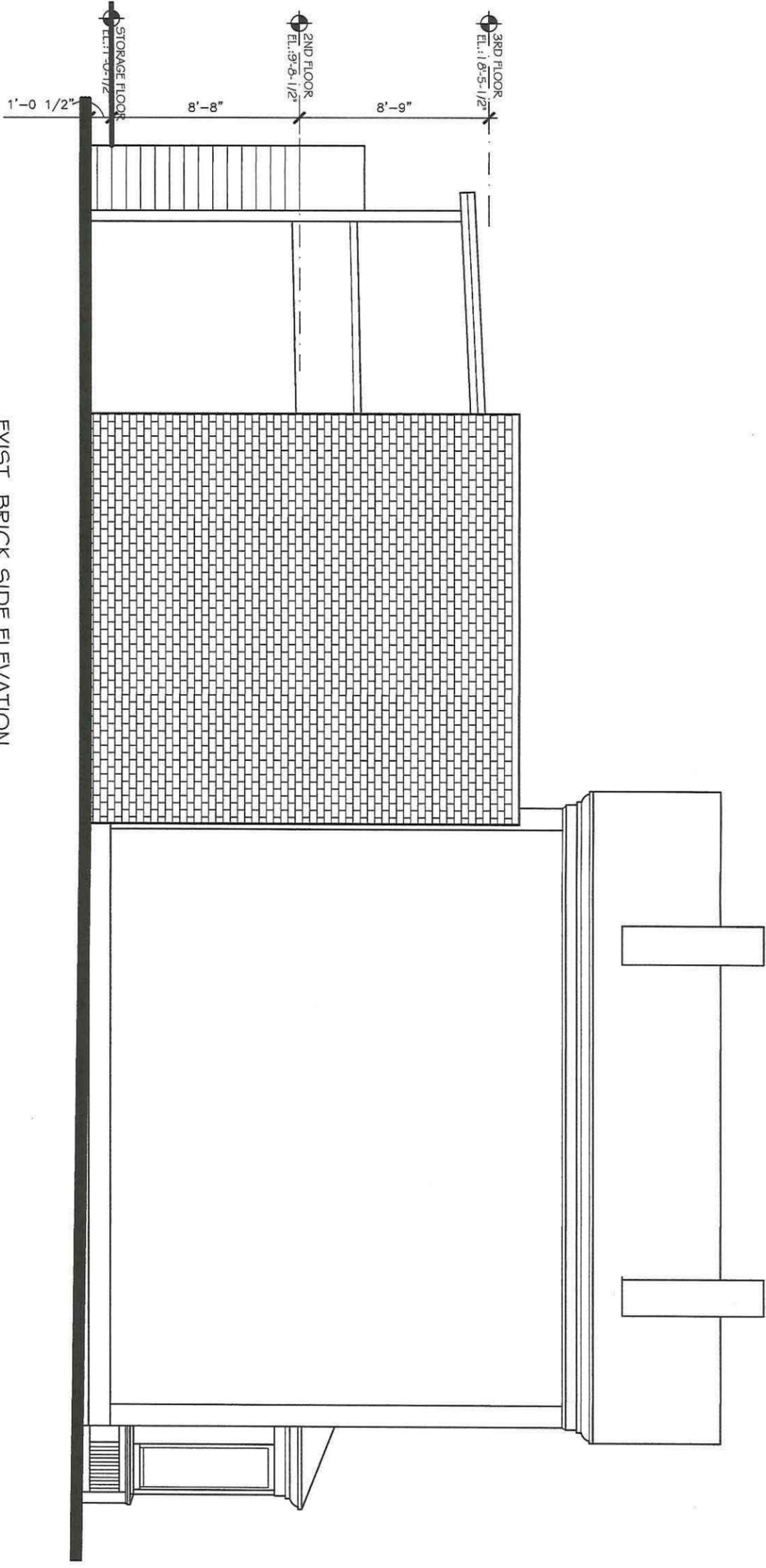
04.12.2019

A4

Silvana Sawaya Architect
 1839 Washington Street
 Newton, MA 02466 tel:617.967.14.87

Exist.Front &
 Rear Elevations
 Scale: 1/4"=1'-0"
 Date:04/12/19
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362 BROADWAY STREET
 CAMBRIDGE, MA



EXIST. BRICK SIDE ELEVATION



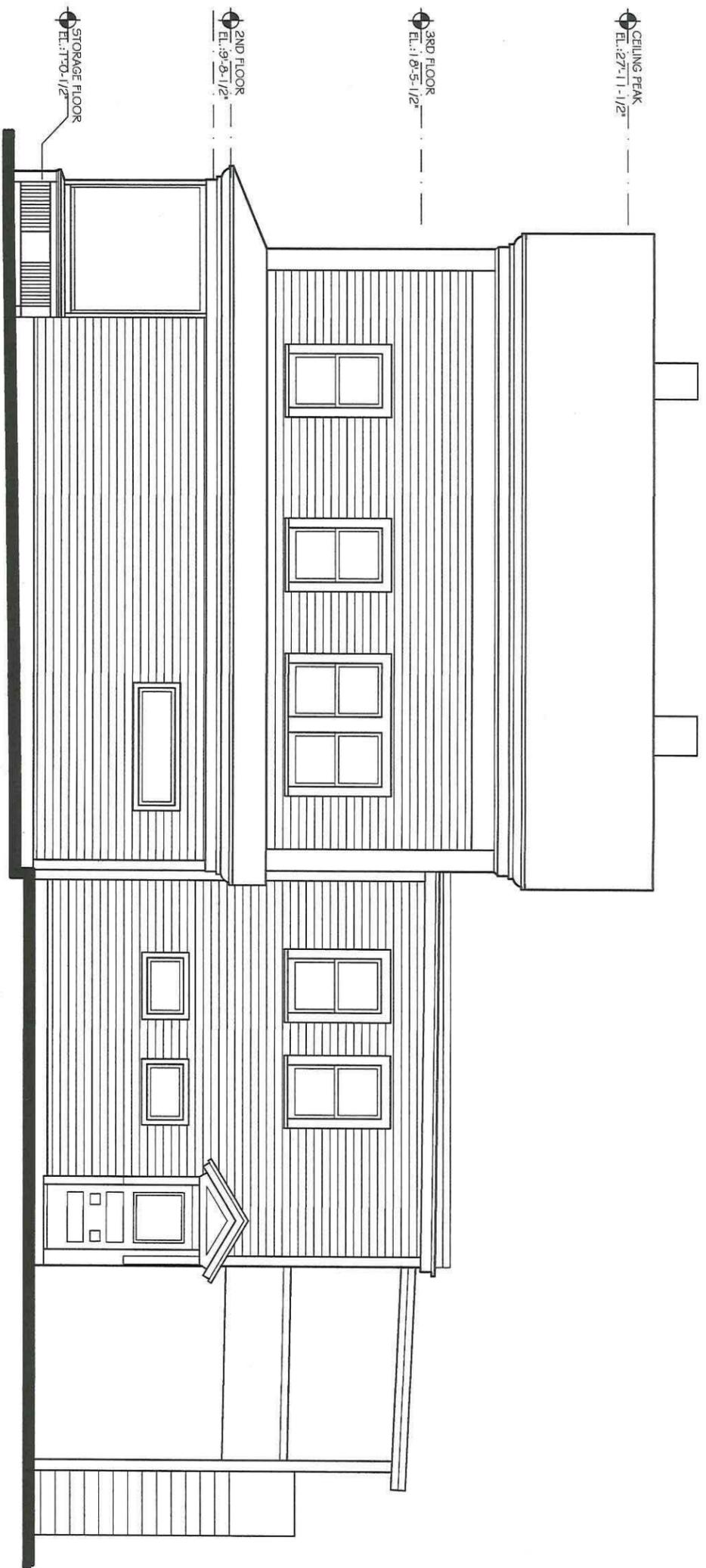
04.12.2019

A5

Silvana Sawaya Architect
 1839 Washington Street
 Newton, MA 02466 tel:617.967.14.87

Existing Brick
 Elevation
 Scale: 1/4" = 1'-0"
 Date: 04/12/19
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362 BROADWAY STREET
 CAMBRIDGE, MA



EXIST. BROADWAY TERRACE SIDE ELEVATION



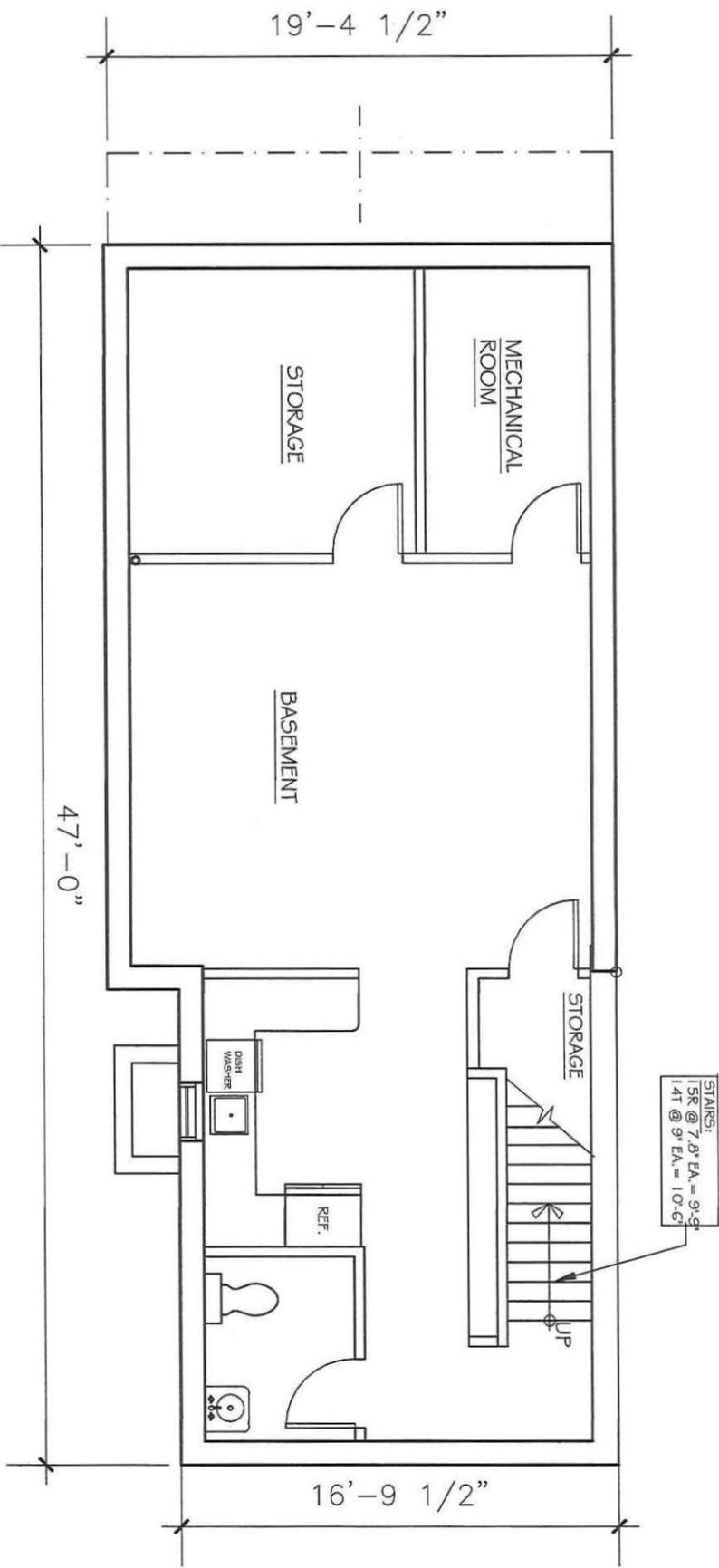
04.12.2019

A6

Silvana Sawaya Architect
 1839 Washington Street
 Newton, MA 02466 tel:617.967.14.87

Exist. Broadway
 Side Elevation
 Scale: 1/4" = 1'-0"
 Date: 04/12/19
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362 BROADWAY STREET
 CAMBRIDGE, MA



BASEMENT FLOOR PLAN

67'-0"



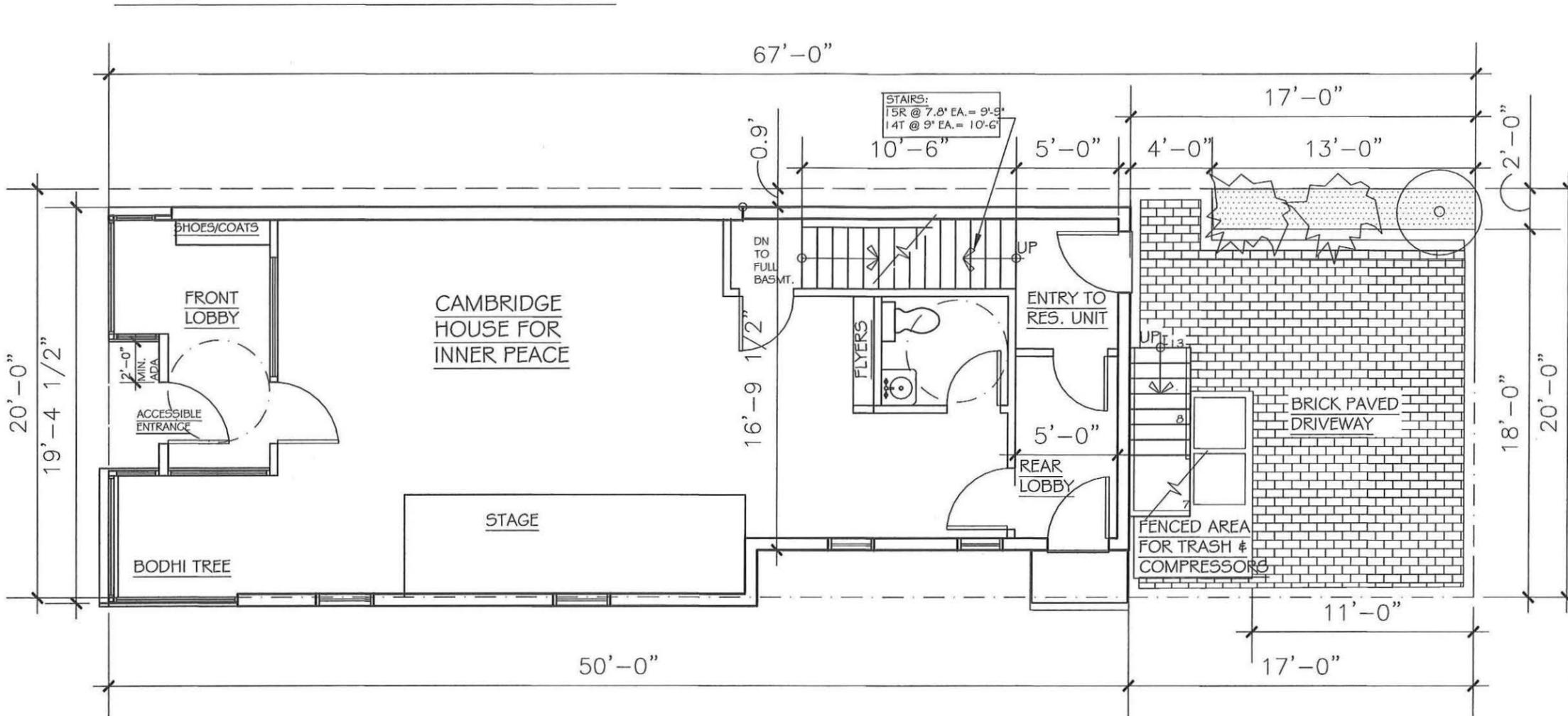
04.24.2019

A7

Basement Plan
 Scale: 1/8"=1'-0"
 Date: 04/24/19
 362Broadwayplans.dwg

Silvana Sawaya Architect
 1839 Washington Street
 Newton, MA 02466 tel: 617.967.14.87

362 BROADWAY STREET
 CAMBRIDGE, MA



FIRST FLOOR PLAN

362 BROADWAY STREET
CAMBRIDGE, MA

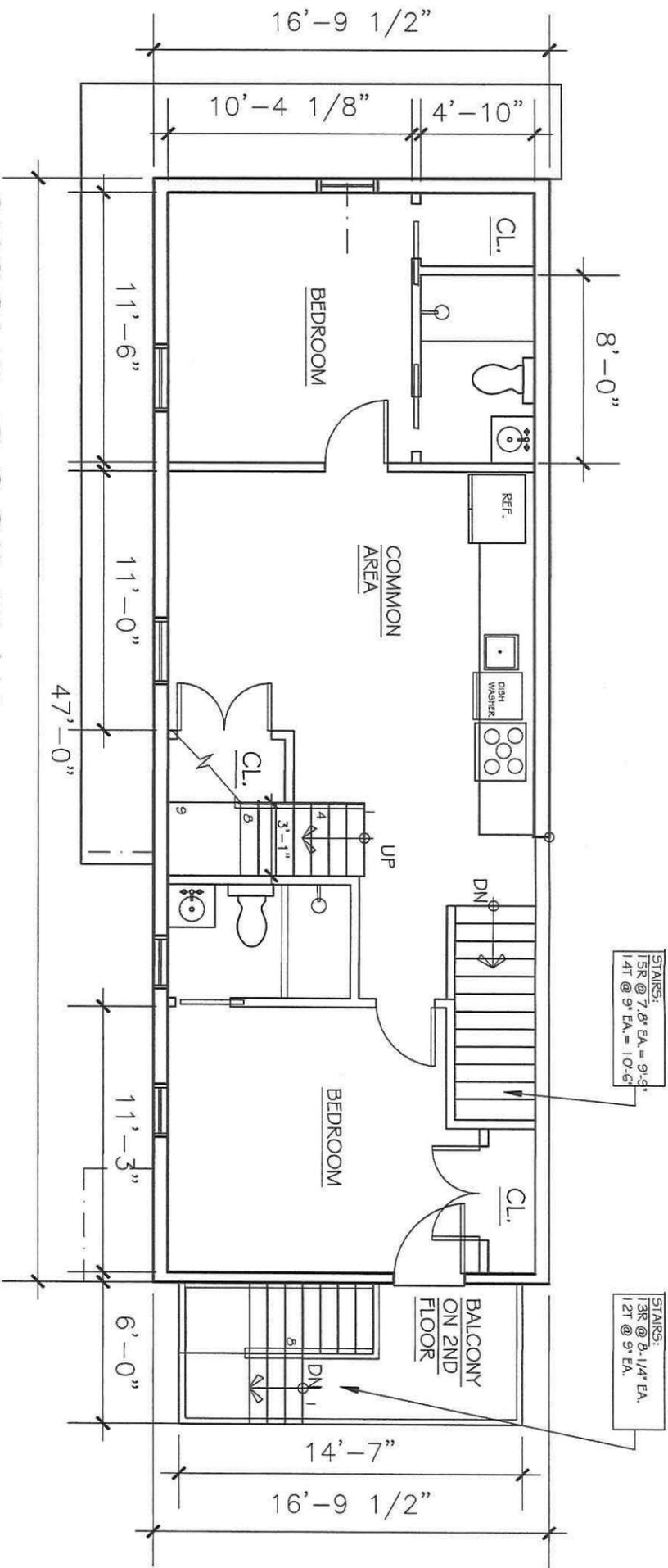
First Floor Plan
Scale: 1/8" = 1'-0"
Date: 04/24/19
362Broadwayplans.dwg

Silvana Sawaya Architect
1839 Washington Street
Newton, MA 02466 tel: 617.967.1487



04.24.2019

A8

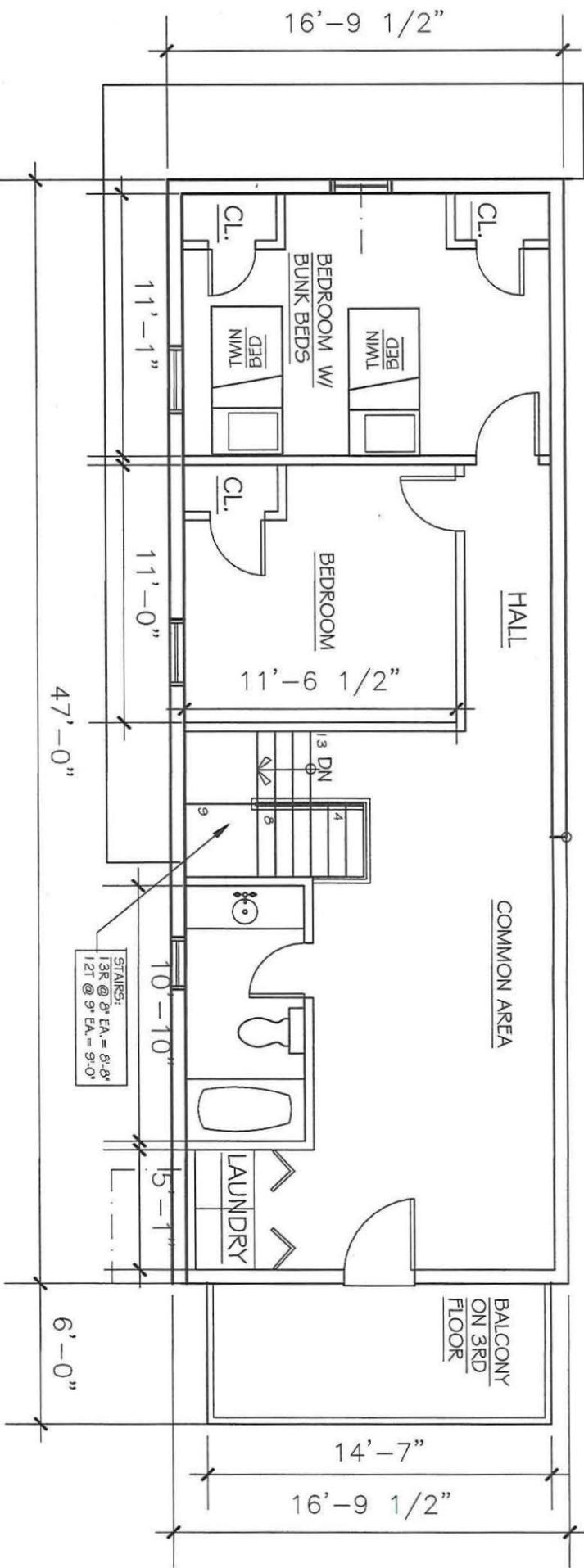


SECOND FLOOR PLAN



04.24.2019

A9	Silvana Sawaya Architect 1839 Washington Street Newton, MA 02466 tel:617.967.14.87	Second Floor Plan	362 BROADWAY STREET CAMBRIDGE, MA
		Scale: 1/8"=1'-0" Date:04/24/19 362Broadwayplans.dwg	



THIRD FLOOR PLAN



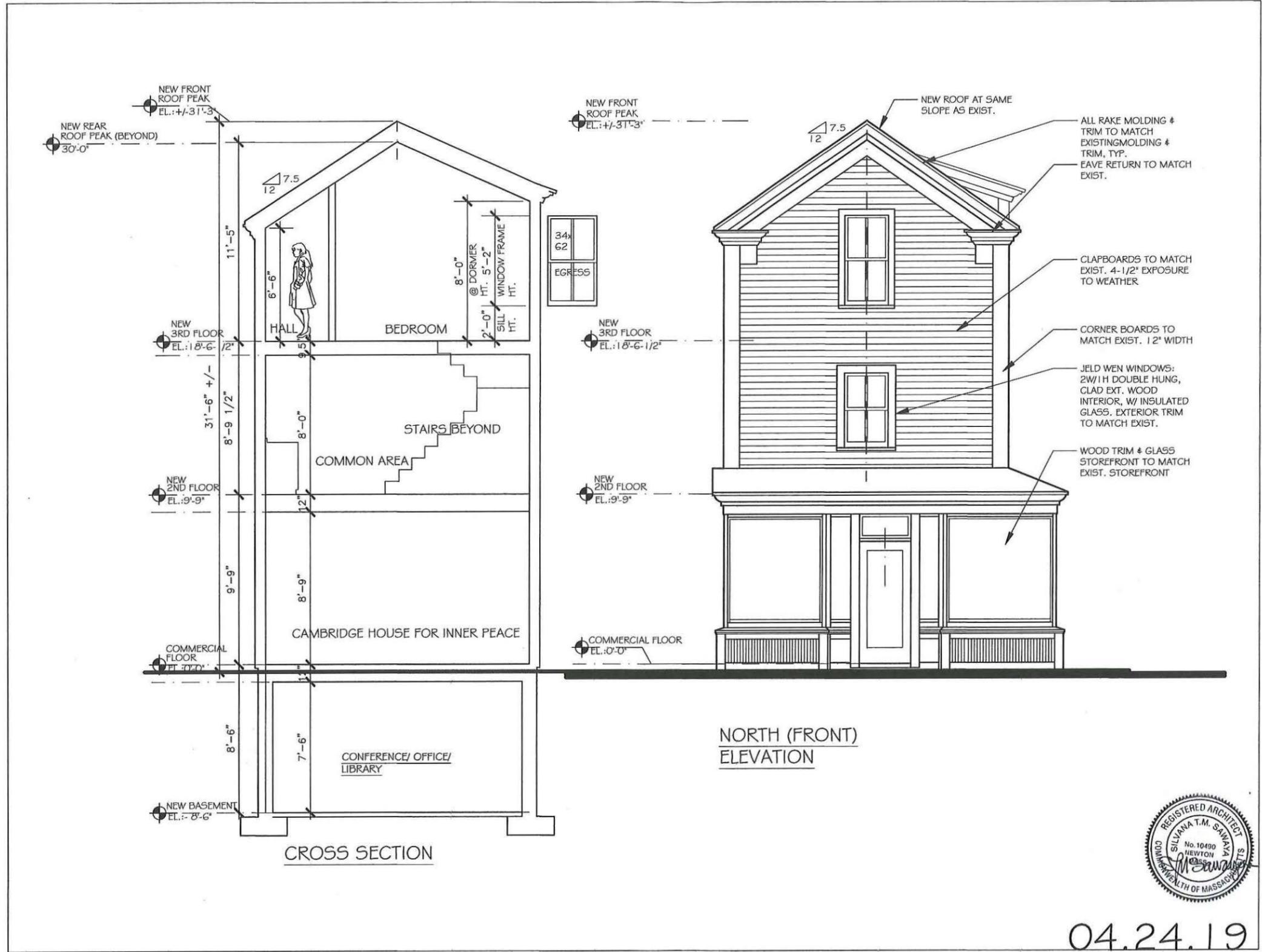
04.24.2019

A10

Silvana Sawaya Architect
 1839 Washington Street
 Newton, MA 02466 tel:617.967.14.87

Third Floor Plan
 Scale: 1/8"=1'-0"
 Date:04/24/19
 362Broadwayplans.dwg

362 BROADWAY STREET
 CAMBRIDGE, MA



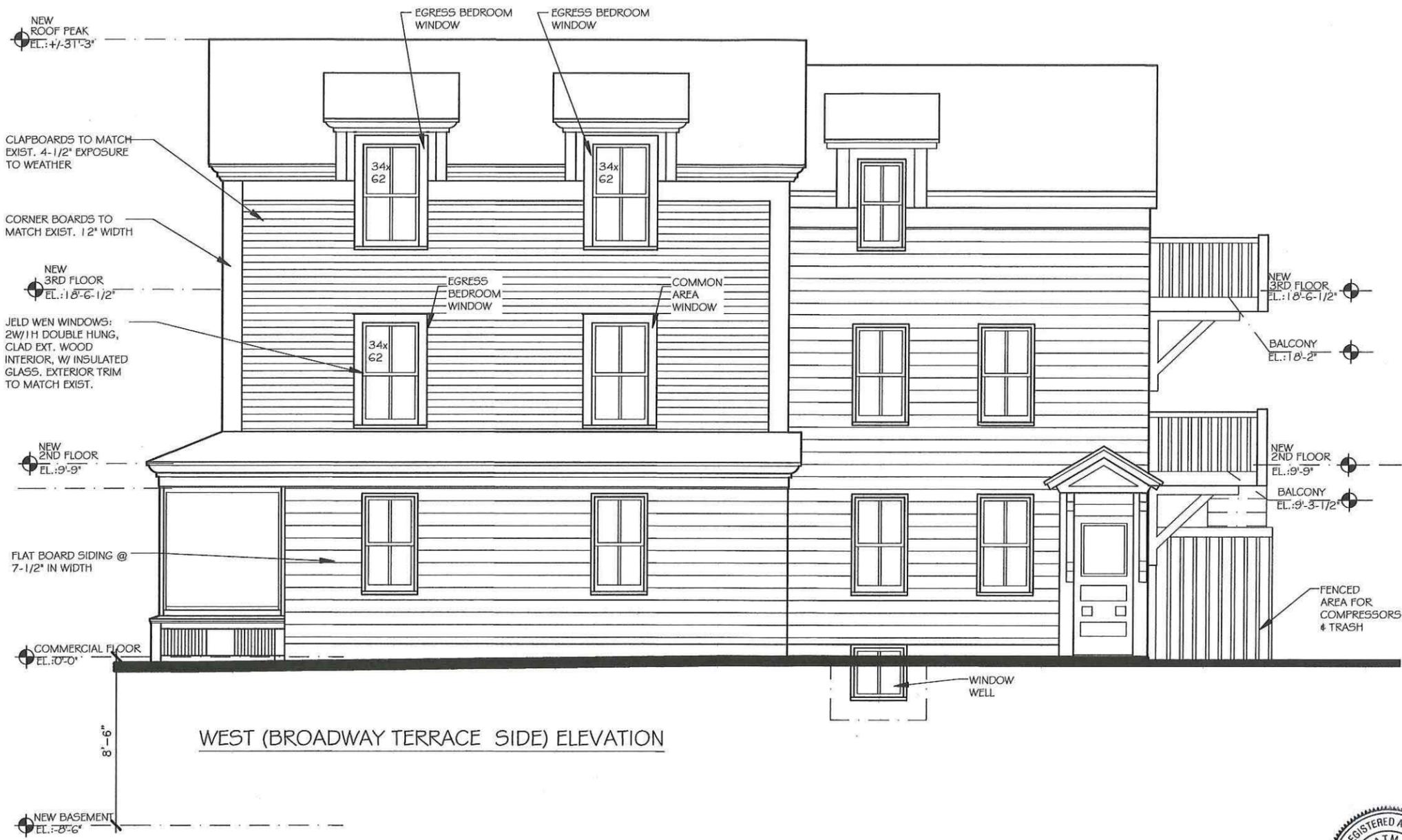
04.24.19

362 BROADWAY STREET
 CAMBRIDGE, MA

Front Elevation & Section
 Scale: 1/8" = 1'-0"
 Date: 04/24/19
 362Broadwayplans.dwg

Silvana Sawaya Architect
 1839 Washington Street
 Newton, MA 02466 tel: 617.967.1487

A11



WEST (BROADWAY TERRACE SIDE) ELEVATION



04.24.19

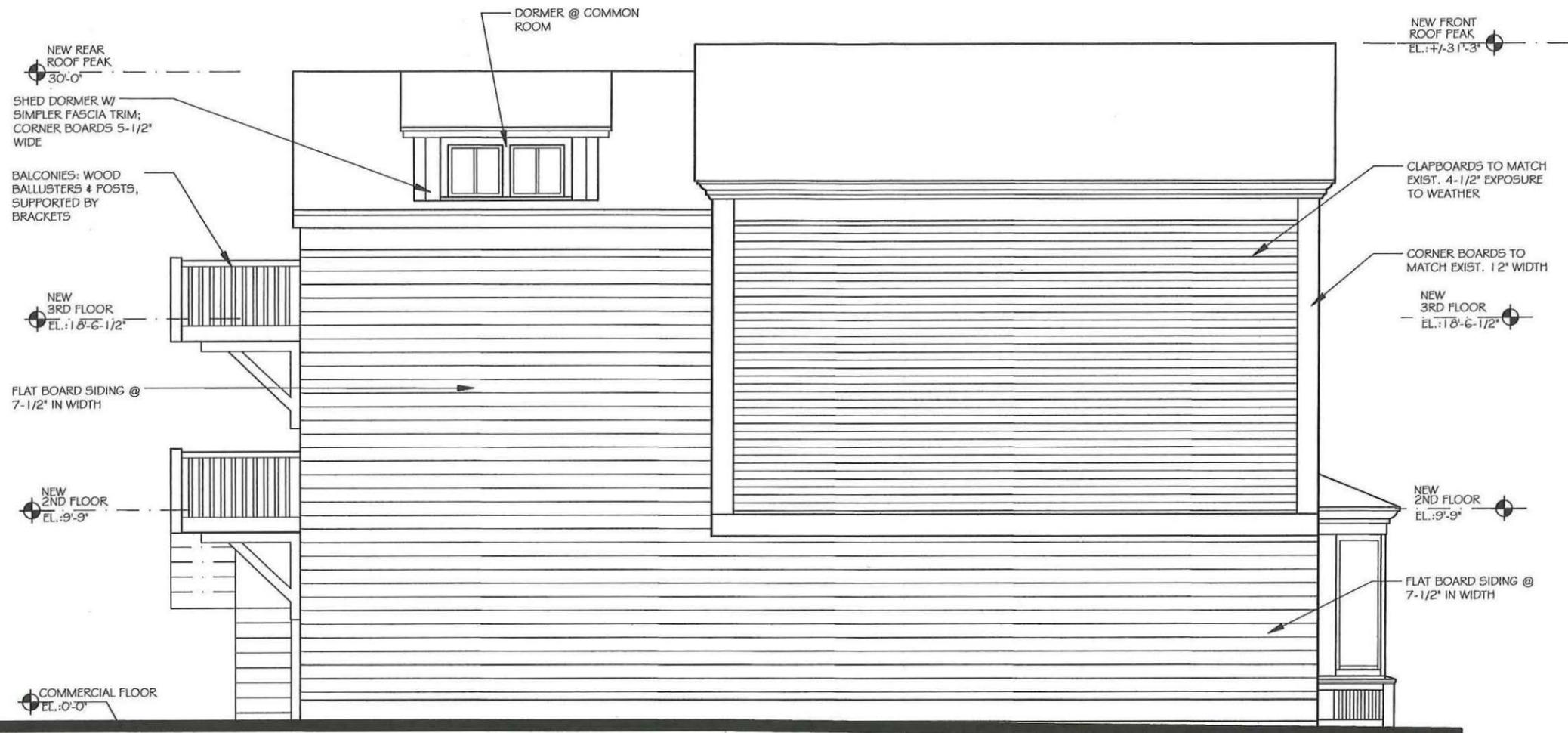
362 BROADWAY STREET
CAMBRIDGE, MA

Street Side
Elevation

Scale: 1/8" = 1'-0"
Date: 04/24/19
362Broadwayplans.dwg

Silvana Sawaya Architect
1839 Washington Street
Newton, MA 02466 tel: 617.967.1487

A12



EAST (GARDEN SIDE) ELEVATION



04.24.19

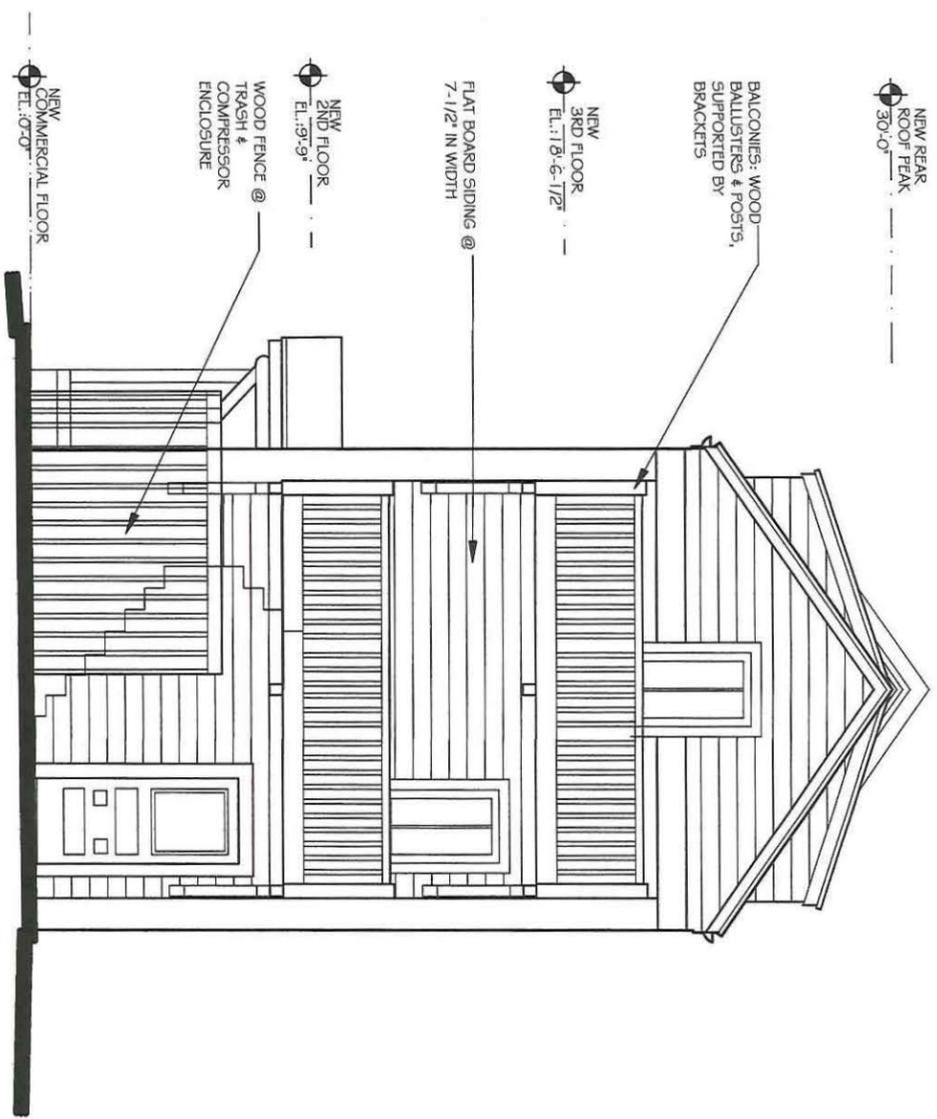
362 BROADWAY STREET
CAMBRIDGE, MA

Garden Side
Elevation

Scale: 1/8" = 1'-0"
Date: 04/24/19
362Broadwayplans.dwg

Silvana Sawaya Architect
1839 Washington Street
Newton, MA 02466 tel: 617.967.1487

A13



SOUTH (REAR) ELEVATION



04.24.19

A14

Silvana Sawaya Architect
 1839 Washington Street
 Newton, MA 02466 tel:617.967.14.87

Rear Side Elevation
 Scale: 1/8" = 1'-0"
 Date: 04/24/19
 362Broadwayplans.dwg

362 BROADWAY STREET
 CAMBRIDGE, MA

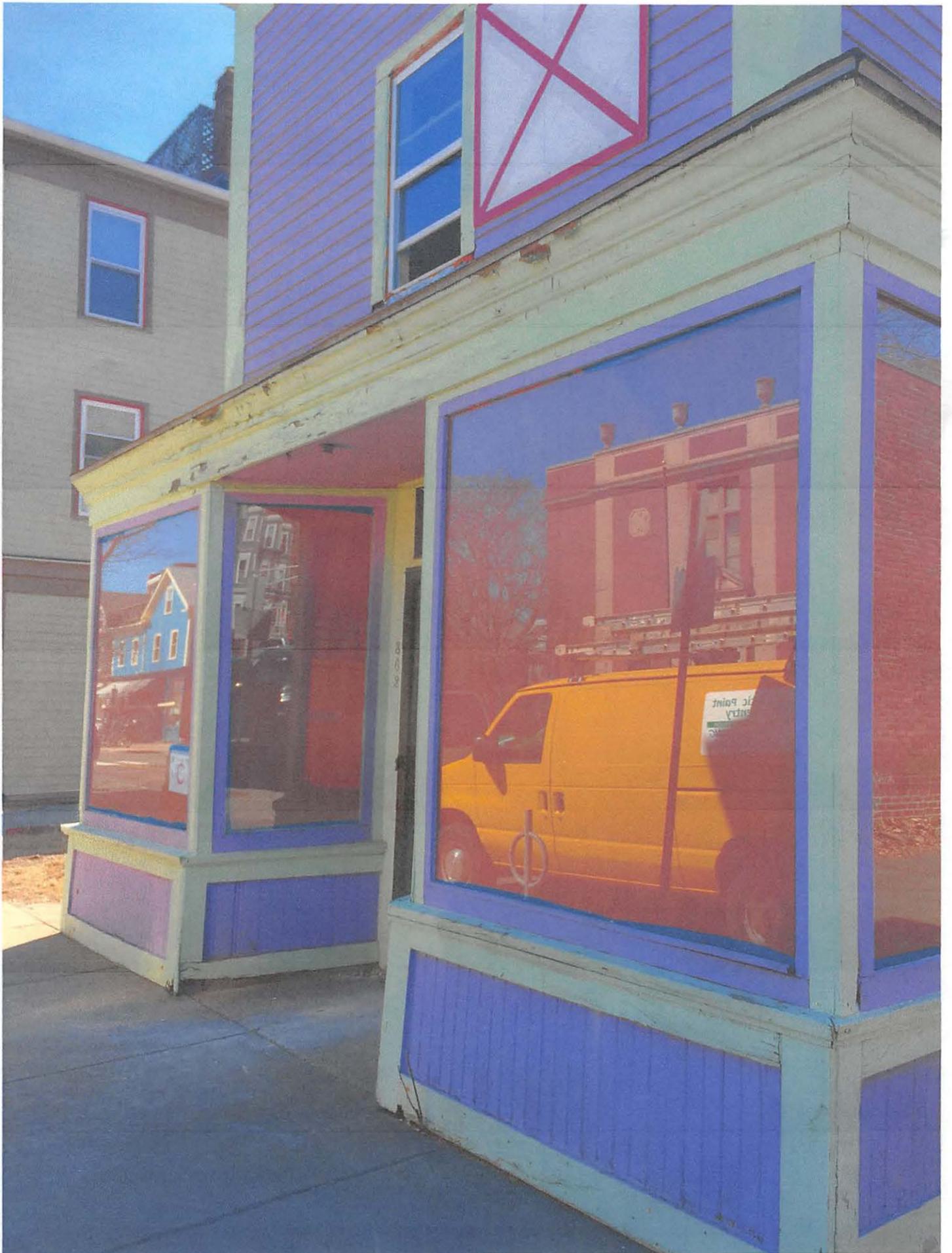
362 Broadway

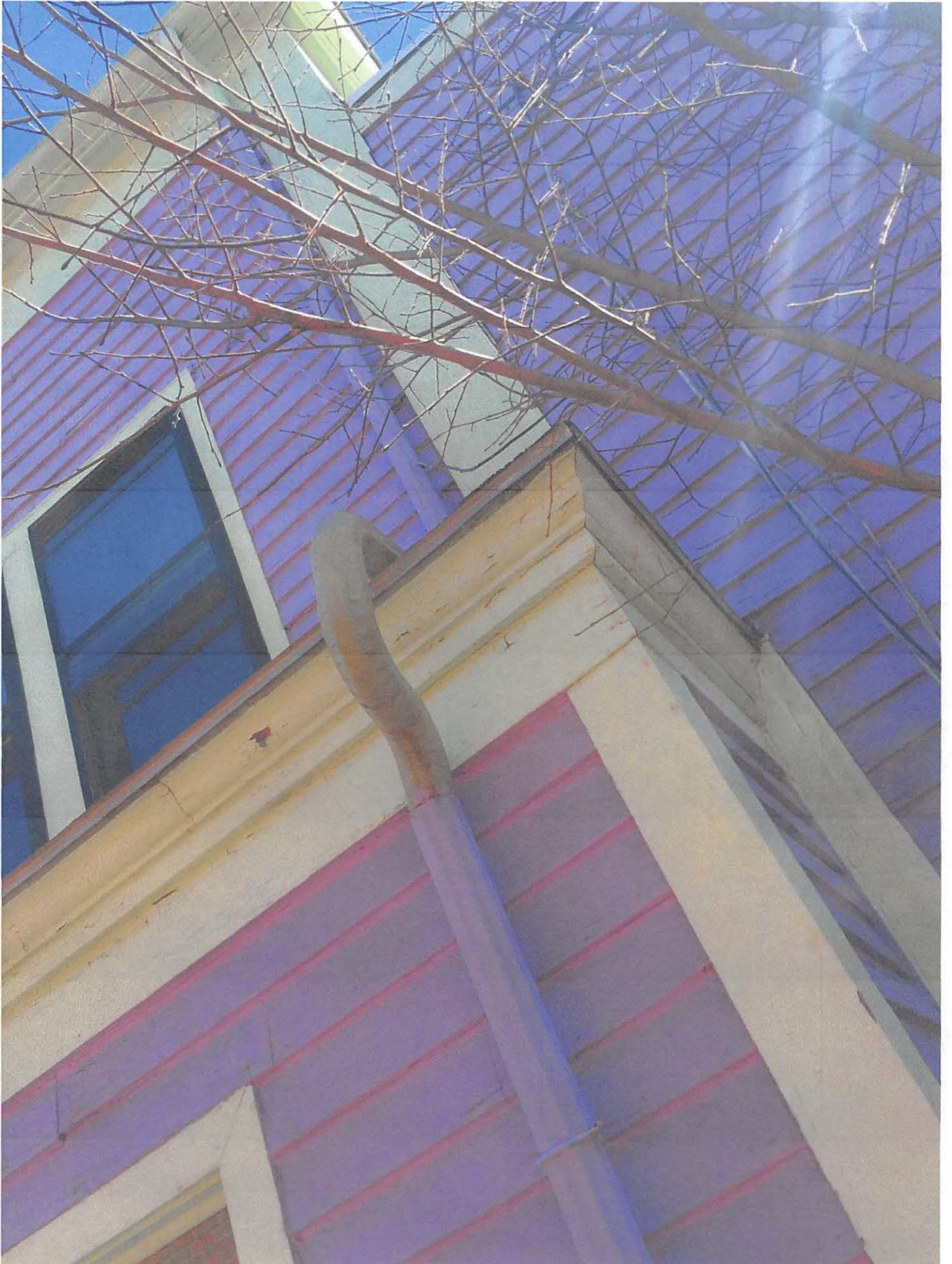






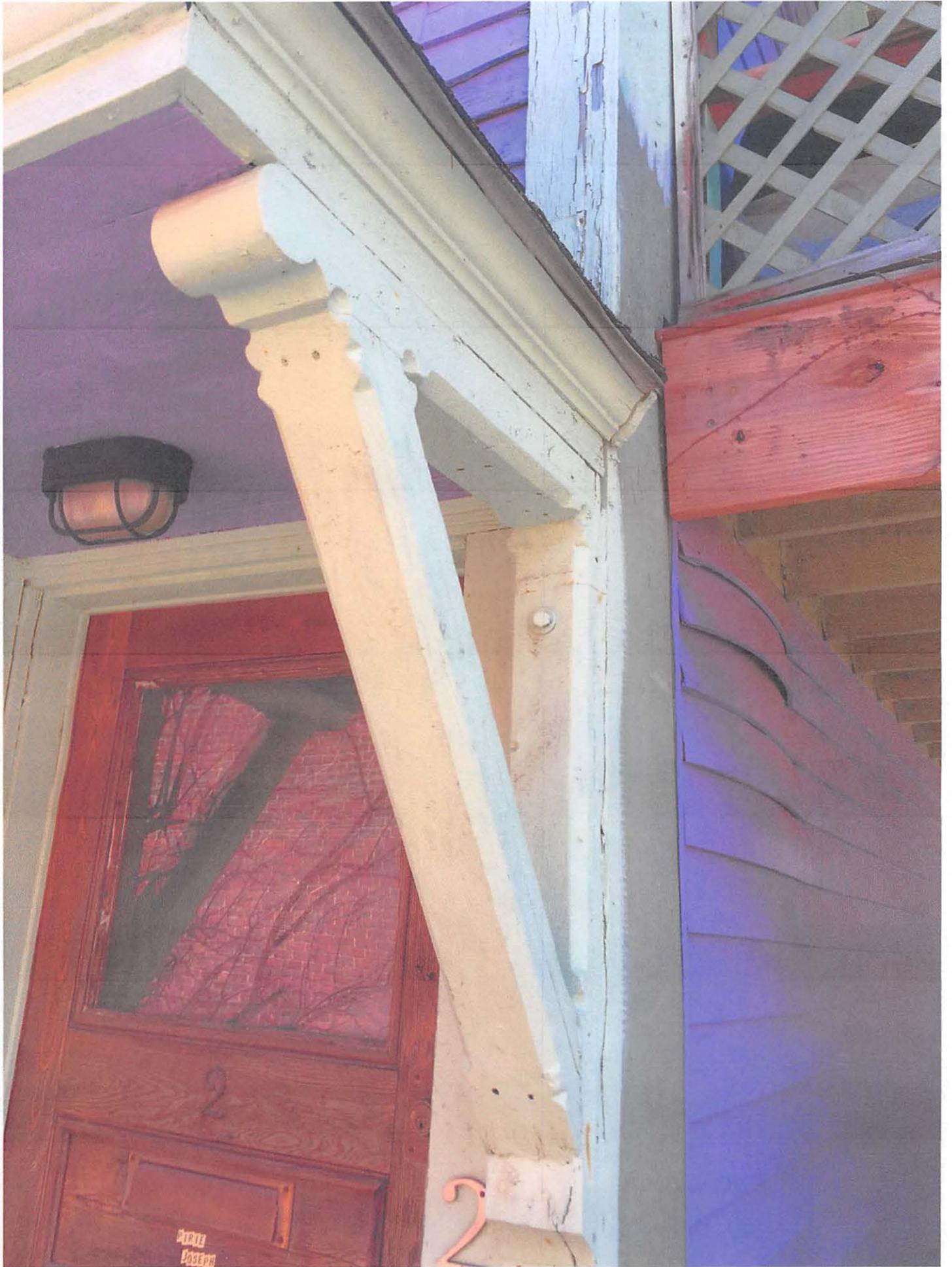










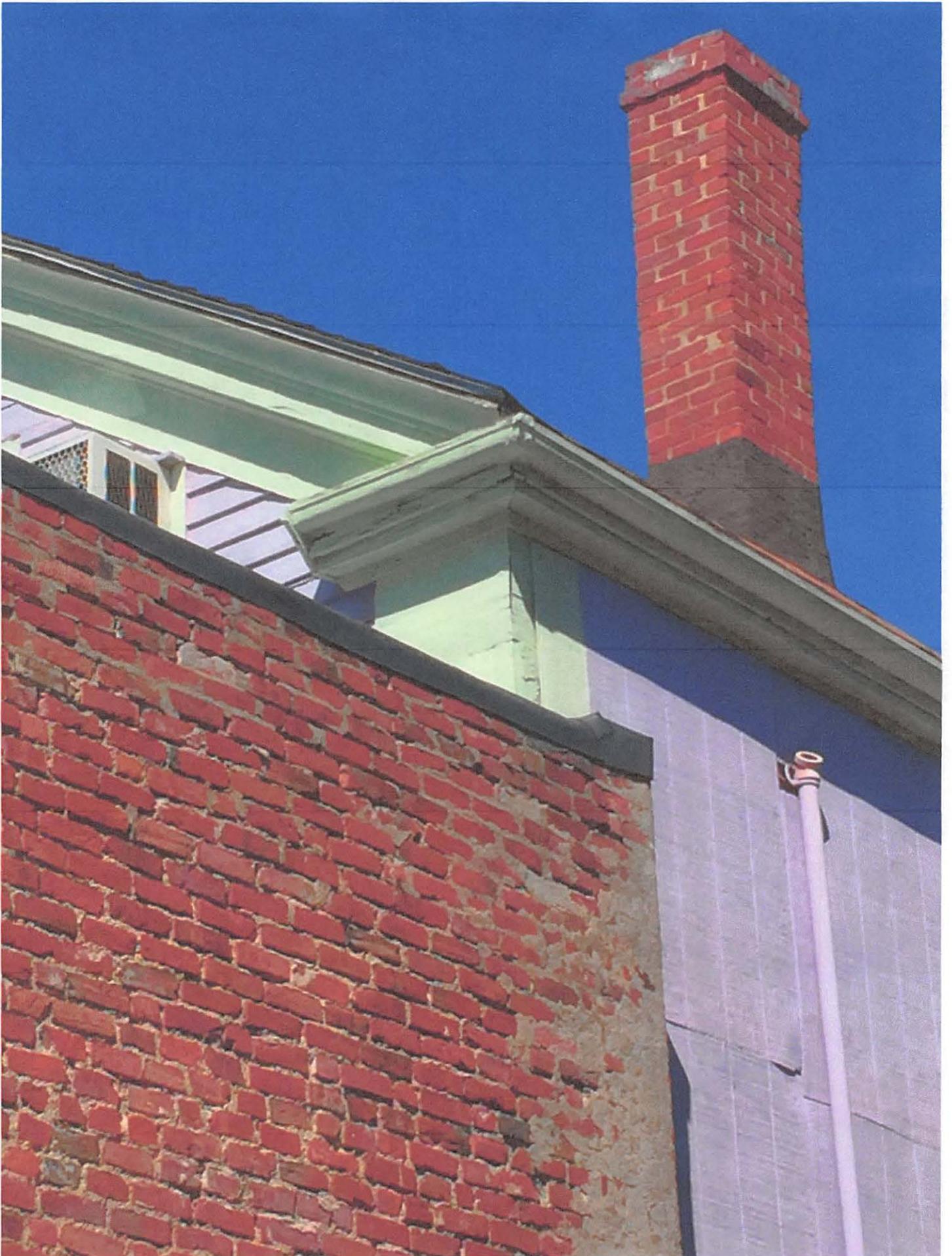






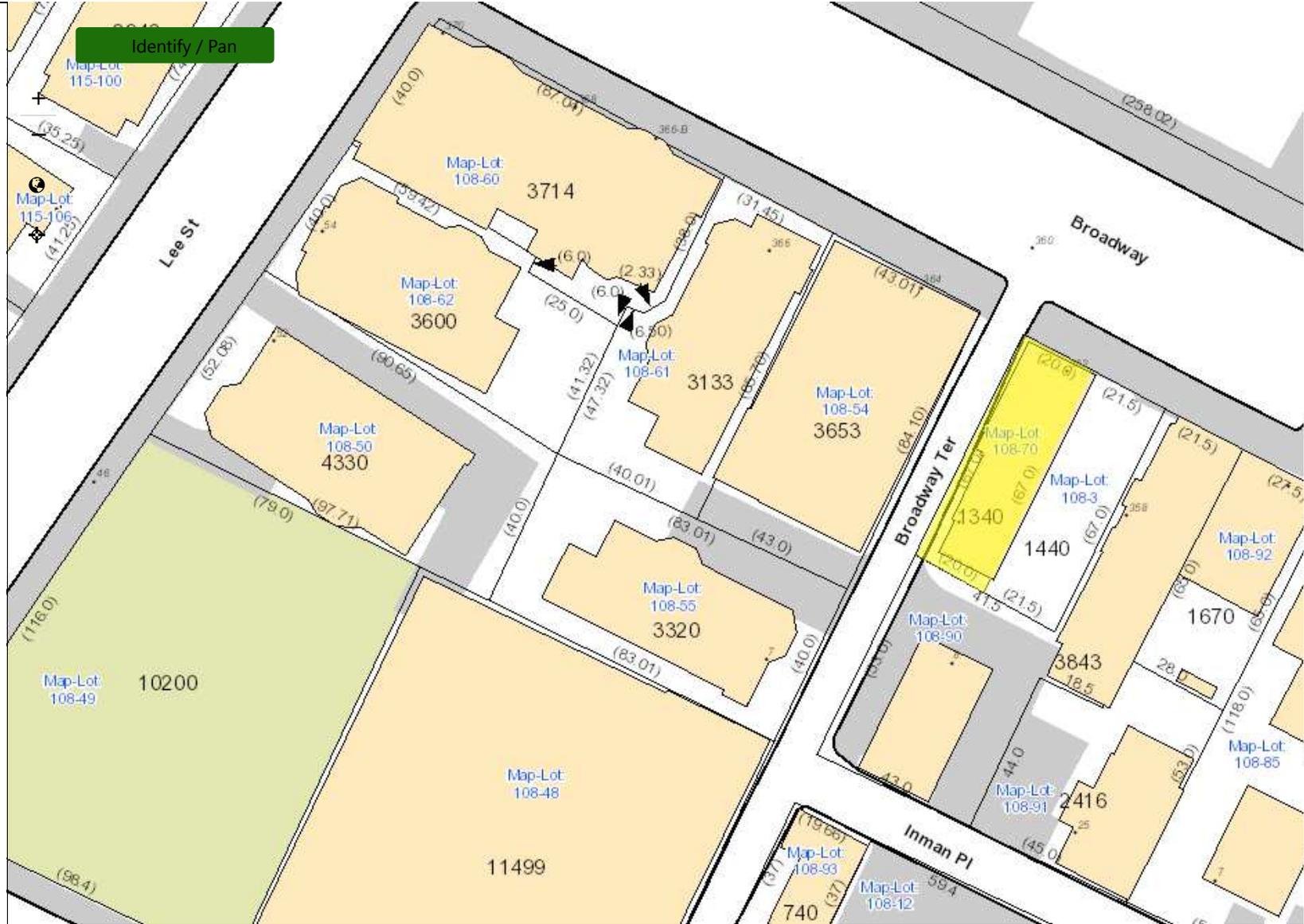








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- 🔍 Search
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- ☰ Maps
- ✂ Draw
- Share

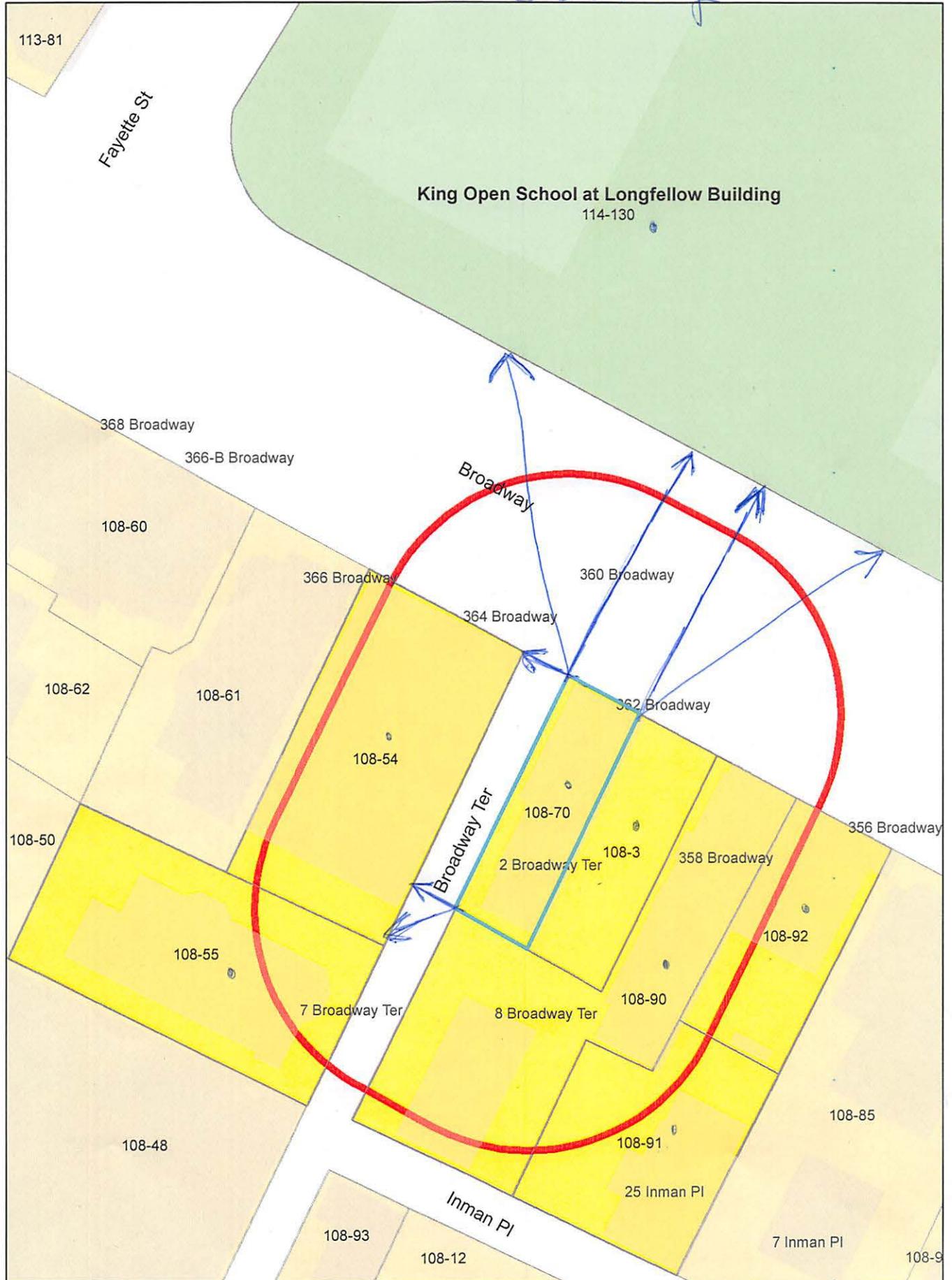


5.1.0 (production)



Leaflet (http://leafletjs.com)

362 Broadway



108-3
360 BROADWAY LLC,
C/O ESTATE OF PETER SHEINFELD
ATTN: LYNN LENKER P.R.
31 VERNON STREET
LOWELL, MA 01850

108-54
7 BROADWAY TERRACE LLC,
305 HARVARD ST
CAMBRIDGE, MA 02139

DUNCAN MACARTHUR
67 SMITH PLACE #12-A
CAMBRIDGE, MA 02138

108-91
WATZMAN, SUZANNE &
25 INMAN PLACE
CAMBRIDGE, MA 02139

108-92
CORCORAN, SUSAN
356 BROADWAY
CAMBRIDGE, MA 02139

114-130
CAMBRIDGE CITY OF SCHOOL DEPT
159 THORNDIKE ST
CAMBRIDGE, MA 02141

108-90
BROADWAY REPRISE LLC,
358 BROADWAY
CAMBRIDGE, MA 02139

108-90
TZELNIC, MORI & PERCY TZELNIC
156 UPLAND RD
CONCORD, MA 01742

114-30
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

108-55
BOLDUC, KEVIN M. & BENJAMIN L. SCHLECHTER
7 BROADWAY TER. UNIT#3
CAMBRIDGE, MA 02139

108-55
O'DONNELL, PATRICIO &
MARINA UMASCHI BERS
7 BROADWAY TER., #1
CAMBRIDGE, MA 02139

114-30
CITY OF CAMBRIDGE
C/O LOUIS DEPASQUALE
CITY MANAGER

108-55
ZEIDEL, REBECCA & BENJAMIN S. TOWBIN
7 BROADWAY TER., #2
CAMBRIDGE, MA 02139

108-70
SHIVELY, CHARLES
C/O MICHAEL BRONSKI
50 FAIRMONT STREET
CAMBRIDGE, MA 02139

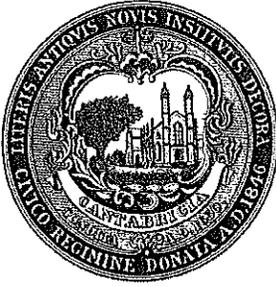
BZA APPLICATION FORM

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 362 Broadway 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:
The Ordinance is designed to regulate changes to existing buildings or uses and the construction of new buildings or uses. Here, the requested changes are designed to allow for the general replication of the original structure without creating any added burdens to the neighborhood or to the abutters. The new building will improve the aesthetics and physical conditions of the site, making it safer and better constructed thereby improving the neighborhood in general without introducing any new burdens to the neighborhood.
- 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:
Same as above. The building is being replicated in its form and use dating back to 1920.
- 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:
Same as above. The building is being replicated in its form and use dating back to 1920.
- 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:
Same as above. The building is being replicated in its form and use dating back to 1920.
- 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:
Same as above. The building is being replicated in its form and use dating back to 1920.



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, *Vice-Chair*
Lestra Litchfield, Monika Pauli, *Members*
Margaret McMahon, Charles Redmon, *Alternates*

CERTIFICATE OF APPROPRIATENESS

PROPERTY: **362 Broadway**

OWNER: **Baker Pond LLC**
 67 Smith Place 12-A
 Cambridge, MA 02138

The Mid Cambridge Neighborhood Conservation District Commission hereby certifies, pursuant to Title 2, Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the City Council order establishing the Commission, that the construction described below is not incongruous to the historic aspects or architectural character of the building or district:

- 1. Demolish existing building and construct similar building with changes to include dormers, reduced rear addition footprint, replace rear decks with porches, window modifications, extend roof ridge line over-rear addition.**

Work was approved with the following condition,

- 1. Consult with CHC staff to review exterior design.**

Work is to be carried out as depicted in the plans by Silvana Sawaya Architect, titled, "362 Broadway Street, Cambridge, MA," and dated April 12, 2019, and updated elevations dated April 24, 2019.

The plans and specifications that were submitted with the application are incorporated into this certificate, which is binding on the applicant.

This certificate is granted upon the condition that the work authorized 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, this certificate shall expire and be of no further effect; provided that, for cause, one or more extensions not exceeding ninety days each may be allowed in writing by the Chairman.

Case Number: MC 5655

Date of Certificate: May 6, 2019

Attest: A true and correct copy of decision filed with the office of the City Clerk and the Mid Cambridge Neighborhood Conservation District Commission on May 6, 2019.

By Lestra Litchfield/aac, Chair

Twenty days have elapsed since the filing of this decision.

No appeal has been filed _____ . Appeal has been filed _____ .

Date _____ , City Clerk



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Bruce A. Irving, *Chair*; Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director*
William G. Barry, Jr., Robert G. Crocker, Joseph V. Ferrara, Chandra Harrington, Jo M. Solet, *Members*
Gavin W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

Jurisdiction Advice

To the Owner of Property at 362 Broadway

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

- Old Cambridge Historic District
- Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
- Avon Hill Neighborhood Conservation District
- Half Crown – Marsh Neighborhood Conservation District
- Harvard Square Conservation District
- Mid Cambridge Neighborhood Conservation District
Project was approved by the Mid Cambridge NCD Commission at public hearing on May 6, 2019.
- Designated Landmark
- Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
- Preservation Restriction or Easement (as recorded)
- Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). See the back of this page for definition of demolition.
- No jurisdiction: not a designated historic property and the structure is less than fifty years old.
- No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
Staff comments: _____

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials SLB

Date May 20, 2019

Received by Uploaded to Energov

Date May 20, 2019

Relationship to project BZA 017108-2019

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139
Ph: 617/349-4683 or TTY: 617/349-6112
<http://www.cambridgema.gov/Historic>