

BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, OCTOBER 12, 2017

7:00 p.m.

in

Senior Center

806 Massachusetts Avenue

First Floor

Cambridge, Massachusetts 02139

Constantine Alexander, Chair

Brendan Sullivan, Vice Chair

Andrea A. Hickey, Member

Patrick Tedesco, Member

Jim Monteverde, Associate Member

George S. Best, Associate Member

Laura Wernick, Associate Member

Sean O'Grady, Zoning Specialist

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PROCEEDINGS

(7:00 p.m.)

CONSTANTINE ALEXANDER: I'd like to call this meeting the Zoning Board of Appeals to order. At the outset let me read a statement:

After notifying the Chair, any person may make a video or audio recording of our open sessions or may transmit the meeting through any medium subject to reasonable requirements that the Chair may impose as to the number, placement, and operation of equipment used so as not to interfere with the conduct of the meeting. At the beginning of the meeting the Chair will inform other attendees at that meeting that a recording is being made.

And I wish to advise not one but two recordings are being made. A citizen of the city is recording. His tape recorder's right there. And our stenographer records the meeting as well to assist her when she prepares a transcript of the meeting. So be forewarned.

With that we will start with our continued cases.

* * * * *

(7:00 p.m.)

(Sitting Members Case No BZA-013985-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Jim Monteverde.)

CONSTANTINE ALEXANDER: I will call first case No. 013985, 2615 Massachusetts Avenue.

Is there anyone here wishing to be heard on this matter?

ATTORNEY JAMES RAFFERTY: Good evening. Thank you, Mr. Chair. James Rafferty appearing on behalf of applicant.

We have submitted a request seeking an extended continuance. There was a number of issues that arose. We've had two meetings with the North Cambridge Stabilization and there's an immediate condominium association that has significant concerns. So we had one continuance already, simply didn't have enough time to come close to bringing a modification to the plan. So I made it

a point to notify the condo association as well as Mr. Brandon that we were seeking this continuance and we had conferred with Mr. O'Grady about a possibility of a December date.

CONSTANTINE ALEXANDER: What date do you want in December?

ATTORNEY JAMES RAFFERTY: I think it's in the letter. We were told a continuance request.

CONSTANTINE ALEXANDER: December 14th.

ATTORNEY JAMES RAFFERTY: December 14th. Thank you.

CONSTANTINE ALEXANDER: As you know, we generally don't like to give more than two continuances. So this next one, absent compelling circumstances, will be it.

ATTORNEY JAMES RAFFERTY: Understood.

CONSTANTINE ALEXANDER: And also I should tell you, maybe it was just foreshadowing, but the sign wasn't up.

ATTORNEY JAMES RAFFERTY: I was unaware. There was a --

CONSTANTINE ALEXANDER: A new sign.

ATTORNEY JAMES RAFFERTY: Yeah. It's a challenge. We represent the owner and there's an operator. And the owner was informed but communication didn't extend to the operator. But we'll cure that. Another reason why the case wouldn't go forward tonight.

CONSTANTINE ALEXANDER: That's for sure.

The Chair moves that we continue this case -- further continue this case as a case not heard until seven p.m. on December 14th subject to the following conditions:

One -- well, the petitioner has signed a waiver for time for decision so that's been taken care of.

Two, that the posting sign be maintained for the 14 days before December 14th reflecting the new date, December 14th, and the new time, seven p.m. New from the

original time way back when.

Third, to the extent that there are new plans or drawings are going to be submitted on December 14th or a modification to the dimensional form, that these must be -- the changes must be made or the documents must be filed no later than five p.m. on the Monday before December 14th. You know the drill.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. See you in December.

(Alexander, Sullivan, Hickey, Tedesco, Monteverde.)

* * * * *

(7:05 p.m.)

(Sitting Members Case No. BZA-014106-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will now call case No. 014106, 66 Antrim Street.

Is there anyone here wishing to be heard on this matter?

ALEX VAN PRAAGH: Hello.

CONSTANTINE ALEXANDER: Hello.

ALEX VAN PRAAGH: Alex van Praagh. I'll cut to the chase first. I am going to need to ask for a continuance tonight. I had all our documents prepared, boards made, neighbors consulted. At two p.m. today I received a call from Santino Ferrante, he is the son of Dominic Ferrante of 62 Antrim Street. I had spoken to Dominic, asked to us show the plans. He said he was fine. What I did not know is that Dominic's house is now in trust and Santino Ferrante is on that trust. He has concerns

about the house. He wants to review the plans and the proposal with me. I want to be amenable. I'm afraid that I'm going to have to resubmit --

CONSTANTINE ALEXANDER: Do you have a date you'd like to continue to?

ALEX VAN PRAAGH: The next meeting would be fine.

CONSTANTINE ALEXANDER: Are sure that's going to be enough time? You just heard me tell Mr. Rafferty no more continuances absent compelling circumstances.

ALEX VAN PRAAGH: I plan to meet with him on Monday, and I will show him what I have and I'm hoping it can be a relevantly efficient conversation.

CONSTANTINE ALEXANDER: Yeah, because if it's not, then what? I'm just wondering -- I'll do what you want --

ALEX VAN PRAAGH: Sure.

CONSTANTINE ALEXANDER: But I'm trying to alert you that you maybe want to give yourself a little more leeway just so that you don't run up against the problems

the next time around, that's all.

ALEX VAN PRAAGH: Right, right.

CONSTANTINE ALEXANDER: It's your call.

ALEX VAN PRAAGH: Is the next meeting in two weeks?

CONSTANTINE ALEXANDER: 28th, right?

SEAN O'GRADY: 26th.

CONSTANTINE ALEXANDER: 26th.

ALEX VAN PRAAGH: 26th?

CONSTANTINE ALEXANDER: Yeah, two weeks from today.

BRENDAN SULLIVAN: Well, there's --

CONSTANTINE ALEXANDER: I'm sorry?

BRENDAN SULLIVAN: You have to change the sign immediately.

SEAN O'GRADY: Tomorrow, yeah.

CONSTANTINE ALEXANDER: Yeah, that's a good point.

ALEX VAN PRAAGH: Yeah, and I, I really, I

appreciate your counsel, but I don't know

that --

CONSTANTINE ALEXANDER: It's your call. 26th?

You heard what Mr. Sullivan said about the, you got to

do. --

UNIDENTIFIED MEMBER FROM THE AUDIENCE: I'd take

the four.

ALEX VAN PRAAGH: Four weeks. Let's take the four

weeks.

CONSTANTINE ALEXANDER: When's the next one?

SEAN O'GRADY: November 9th.

CONSTANTINE ALEXANDER: November 9th?

SEAN O'GRADY: Yeah.

CONSTANTINE ALEXANDER: It's a case not heard so

we can do it November 9th.

ALEX VAN PRAAGH: All right. I have letters in

support. I can get some more. But you guys don't need to

hear that.

CONSTANTINE ALEXANDER: Let me --

ALEX VAN PRAAGH: Yeah.

CONSTANTINE ALEXANDER: -- if I may, and I'm not going to get into the merits of the case.

ALEX VAN PRAAGH: Please.

CONSTANTINE ALEXANDER: I don't want to further continue this case.

ALEX VAN PRAAGH: I agree.

CONSTANTINE ALEXANDER: There are a couple of issues I thought were raised by the current submission.

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: And I want you to be prepared to address them. I don't want to talk about them right now. These are for me:

One, the dimensional form. The Inspectional Services Department has done the calculations and they got different numbers than you have shown. You might want to sit with Mr. O'Grady at some point and maybe revise your

dimensional form. I'll get to that in a second, but as you know from the last time, if you do revise it, it's got to be in our files by no later than five p.m. on the Monday before November 9th?

SEAN O'GRADY: Yes.

CONSTANTINE ALEXANDER: November 9th.

Two other issues I think you should -- at least coming from me. One is dormer guidelines.

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: That's, make sure you're ready to address them. Because you have two new proposed new dormers and neither comply with the guidelines.

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: And we want to know why, and you know, and I'll leave it there.

The other are decks.

ALEX VAN PRAAGH: Yes.

CONSTANTINE ALEXANDER: A large number of decks.

I say large, I think I got three I'm counting, you're adding to the structure. Generally, you don't come before our Board on a regular basis. Generally we are not amenable. It's too strong. We look with askance at decks, high decks in crowded neighborhoods because of privacy to the abutters, privacy issues, and noise issues. So I think I'd want -- you better be prepared to talk to us or maybe revise your plans about why so many decks.

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: And the reasons for them.

All right?

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: We'll have a more fruitful discussion on November 9th. No discussion tonight.

ALEX VAN PRAAGH: Fine. I appreciate the points and I can take those into some of the modifications. I'll especially check the dimensional numbers.

CONSTANTINE ALEXANDER: Okay.

ALEX VAN PRAAGH: I'm pulling them straight off my CAD files.

CONSTANTINE ALEXANDER: Okay. Well, does anybody else have issues they want him to think about between now and November 9th?

BRENDAN SULLIVAN: No, I think probably those were my questions also.

SEAN O'GRADY: I would like to add I think when you get to me for the Building Permit, with three kitchens you're going to run into a problem.

ALEX VAN PRAAGH: The -- okay, the family room has a kitchenette and it could go away.

SEAN O'GRADY: All right.

ALEX VAN PRAAGH: I mean, I don't know. A sink and a fridge, would that make any difference? The idea is that it's sort of like a wet bar, kitchenette.

SEAN O'GRADY: It had a stove in it.

ALEX VAN PRAAGH: It did, it did.

SEAN O'GRADY: We're trying to guard against -- I mean we've got --

ALEX VAN PRAAGH: Thank you.

CONSTANTINE ALEXANDER: Let's stop it here.

ALEX VAN PRAAGH: Thank you, fine.

CONSTANTINE ALEXANDER: I don't want to make it a case heard.

ALEX VAN PRAAGH: I'm sorry.

CONSTANTINE ALEXANDER: It's okay. Do it offline is what I'm trying to say. Don't do it right now.

ALEX VAN PRAAGH: Fine. I'm happy to get that input, too.

CONSTANTINE ALEXANDER: The Chair moves that we continue this case again as a case not heard until seven p.m. on November 9th subject to the following conditions:

One, that you sign a waiver of time for decision. And you've done that already in connection with the last one. So that's taken care of.

ALEX VAN PRAAGH: Yep.

CONSTANTINE ALEXANDER: Two, that a new posting sign or a modified posting sign has to be put up for the 14 days before November 9th reflecting the new date and the new time. Because if you're going to take the old sign and magic marker it out, make sure you not only do the date but the time, otherwise we'll have to hear the case at the time you have the original petition and not at seven p.m. which we would otherwise do.

And then lastly to the extent that you're going to modify the dimensional form or the plans, what's going to happen between now and then, again, those new plans, new dimensional forms, must be in our files no later than five p.m. on the Monday before November 9th.

ALEX VAN PRAAGH: Okay.

CONSTANTINE ALEXANDER: The Chair moves on the basis -- subject to these conditions the case be continued until seven p.m. on November 9th.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. We'll see you in November.

(Alexander, Sullivan, Hickey, Tedesco, Monteverde.)

* * * * *

(7:30 p.m.)

(Sitting Members Case No. BZA-014376-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will now turn to our regular agenda. And the first case on our regular agenda is case No. 014376, 1350 Massachusetts Avenue.

Is there anyone here wishing to be heard on this matter. Yes, come forward. You'd not been here before, and give your name and address to the stenographer, please.

THOMAS STOHR: Yeah. Good evening. Thomas Stohr,

S-T-O-H-R.

HELENE STOHR: And Helene Stohr, S-T-O-H-R.

CONSTANTINE ALEXANDER: Okay. You're here for what we call a Special Permit for what is defined in our Ordinance as a fast order food establishment.

THOMAS STOHR: Yes, and inside the Smith Center.

CONSTANTINE ALEXANDER: That's right, which is important actually.

THOMAS STOHR: Yeah. I have copies of the application. Would you like?

CONSTANTINE ALEXANDER: What application is that? No, we have it in our files.

THOMAS STOHR: You have them.

CONSTANTINE ALEXANDER: Oh, yeah. Thank you. And I know I've read it. I'm sure other members of the Board have read it as well.

THOMAS STOHR: And we are here to seeking a Special Permit for fast food at Harvard Square. And the

space will be inside. I have a board here. And I don't know if everybody can see it. It's inside the Smith Center where the red dot is.

CONSTANTINE ALEXANDER: That's where you're going to be?

THOMAS STOHR: Yes, on the side of Mount Auburn Street.

CONSTANTINE ALEXANDER: Okay.

You have no seating for your -- you share -- people who buy your goods, they share seating with the other fast food establishments?

THOMAS STOHR: Yes. It's in the common area there is plenty of seating.

HELEN STOHR: And show the other page. The seating.

CONSTANTINE ALEXANDER: Where it says common spaces?

THOMAS STOHR: I have the other rendering. Here

on the rendering you will see it. This is our little space here. 270 square feet which we operate from seven to ten. Seven a.m. to ten p.m. And then here the seating areas in the common area.

CONSTANTINE ALEXANDER: Okay. Who maintains the common seating -- if people leave their trash behind, who --

THOMAS STOHR: That's Harvard.

CONSTANTINE ALEXANDER: Harvard is responsible?

THOMAS STOHR: Yea.

CONSTANTINE ALEXANDER: Okay. And the building's going to be open until ten p.m. in the evening.

THOMAS STOHR: That's a question I -- yeah. I have to refer to....

And that's our small space here. So we have an area where the guests are in front, and we serve them. And here is our service area. And then back here is where we bake. But of course you will see the ovens, because that's one of our signature item. Everything we do is totally

fresh, local sourced. And we grew up in Switzerland, so you go to the bakery multiple times a day and that means. We bake up until about an hour before we close. So to guarantee total freshness. Because when you come in at nine o'clock at night, you don't want a ham and Swiss croissant that was baked at six o'clock in the morning. So that's baked an hour before. The other reason, of course, why we bake nonstop in all our small outlets, like in the Boston Public Market we have a small one with 200 square feet, is not only the freshness but also that we don't produce too much, because the leftovers go to local food banks, but we don't want to produce only for food banks.

And the way it looks like from a guest perspective, that's an idea how the Boston Public Market looks like. So basically on stages products.

CONSTANTINE ALEXANDER: And there's no external signage on the building itself?

THOMAS STOHR: Not -- we wish but not that we are

aware of.

CONSTANTINE ALEXANDER: Okay.

I should tell you that we have a tradition when we have these kind of cases you're supposed to bring food down for us.

THOMAS STOHR: You know, I was recommending and I was told not to.

CONSTANTINE ALEXANDER: I'm just teasing you.

THOMAS STOHR: Because we also, our signature items our pretzel product, so everything we do is on pretzel.

You can talk about the products?

HELENE STOHR: Yeah, I was eager to put our items on pretzels. I would also like to point out a couple of things. Our freshly squeezed orange juice. Mostly breakfast sandwiches in the morning. We have sandwiches on a pretzel baguette. Salads. Everyday another soup. Cookies, yeah, just to give you some ideas.

CONSTANTINE ALEXANDER: Do you know if Au Bon Pain is going to -- because when the building was in the old form, they had the outside, outside the building. Are they going to be in this building do you know?

THOMAS STOHR: I do not know.

CONSTANTINE ALEXANDER: And there's going to be from our agenda for the next session there's going to be a coffee house --

THOMAS STOHR: Yeah.

CONSTANTINE ALEXANDER: -- that wants to move in. Are they going to be offering similar products? Maybe not as extensive or as good as yours, but are they going to offer?

Do you want to speak?

ALEXANDRA OFFIONG: Sure.

CONSTANTINE ALEXANDER: Just give your name and address.

ALEXANDRA OFFIONG: Sure. Sorry. Alexandra

Offiong, Harvard University. So we do have two cases coming up at a future meeting with other food venues.

CONSTANTINE ALEXANDER: Two weeks.

ALEXANDRA OFFIONG: Right, in two weeks at Smith Campus Center. And we -- just to -- I know that we'll be looking at their menu specifically. But we did -- we are looking at creating complementary food venues. So there's going to be a lot of differences in the menus between the different venues.

CONSTANTINE ALEXANDER: I don't want to get into the other cases.

ALEXANDRA OFFIONG: Yeah, yeah.

CONSTANTINE ALEXANDER: You have a coffee house. Presumably at least there's going to be --

ALEXANDRA OFFIONG: It's a wide menu. It's a wide menu of offerings.

CONSTANTINE ALEXANDER: Oh, okay.

THOMAS STOHR: But to answer your question, yes,

probably ours is better.

HELENE STOHR: And everything we do is Swiss. We don't do muffins or bagels, or anything like this. Everything is Swiss. So it's very unique.

CONSTANTINE ALEXANDER: Okay.

HELENE STOHR: A little bit different but good.

THOMAS STOHR: And maybe a little history of what Swissbakers is all about. You want to talk about that? Swissbakers started ten years ago in our house in Reading. And we have now three outlets. One is in Allston, roughly a mile away from here. And then we have one in Boston Public Market. And obviously the Reading store is still there in the train station which is eight seats. So we are specialized in very small seating. You know, Switzerland is small, right? So we do everything in small square footage.

We are also very frugal and conscious. We have a couple of things, one is we are extremely local. We care about the franchise sustainability we call it. Franchise

sustainability for us means everything we do should have no or a good impact in the grandchildren's environment. So if it's now having a Tesla charge station in our Allston location or we commute with an electrical little smart, stuff like that. That's what we do. That's the way we grew up. Switzerland has nothing but fresh water. Right? So that's, that's what we do. That's what the grandchild sustainability means.

We also encourage our guests to do that. If they have a Swissbaker's bag, and they bring it back, they get each time a chocwegglis, which I would have brought you a sample. It's a bitter role, not sweet, and we put Swiss chocolate in it. If they bring their own mug, they get ten percent on the baking goods. These are just the approaches that we have. That's what we do.

And then on the menu side, to be a little bit more detailed here. This is a copy of the Allston menu Board and then some pictures and what we do.

HELENE STOHR: And that's just it.

THOMAS STOHR: So breakfast items on a pretzel roll. Even our sandwich is like a tomato mozzarella is all on pretzel products. Of course guests can have it on the other breads, but our signature is the pretzel product because you rarely find the real pretzel.

And then what else do we have? Here is -- no, I think that's it. That's about Swissbakers.

CONSTANTINE ALEXANDER: And your hours of operation will be seven in the morning until ten at night?

THOMAS STOHR: Yes, at the Smith Campus.

ANDREA HICKEY: On Sunday, too?

THOMAS STOHR: Yes.

HELENE STOHR: Yes.

CONSTANTINE ALEXANDER: We have to make, to grant the Special Permit you're seeking, the Ordinance requires us to make certain findings so let me just check them off with you so the record is complete.

THOMAS STOHR: Yeah.

CONSTANTINE ALEXANDER: The operation of the establishment shall not create traffic problems, reduce available parking, threaten the public safety in the streets, or encourage or produce double parking. This is all going to be inside?

THOMAS STOHR: Yes.

CONSTANTINE ALEXANDER: So this is all moot in your case?

THOMAS STOHR: Yes.

CONSTANTINE ALEXANDER: There's no -- don't have to worry about that.

Similarly we're supposed to find that the physical design, including the color and use of materials, of the establishment shall be compatible with and sensitive to the visual and physical characteristics of other buildings, public spaces, and uses in the particular location.

Again, since you're inside, this is geared toward

something on the outside of the building.

THOMAS STOHR: Yeah.

CONSTANTINE ALEXANDER: You worry about the surrounding properties. So it seems to me this is not relevant.

You're going to attract patrons primarily from walk-in trade by definition. People can't drive down the arcade to your place.

THOMAS STOHR: Right. We hope not, right?

CONSTANTINE ALEXANDER: So do we.

Since the establishment, shall to the greatest extent feasible, utilize biodegradable materials in packaging the food and with the utensils and other items provided for its consumption.

THOMAS STOHR: Yes, it's all paper and cardboard which is recyclable.

CONSTANTINE ALEXANDER: Okay.

THOMAS STOHR: Yes. It's part of our grandchild

sustainability mission.

CONSTANTINE ALEXANDER: You're supposed to provide convenient, suitable, and well-marked waste receptacles to encourage patrons properly to dispose of all packaging materials, utensils, and other items provided with the sale of food.

THOMAS STOHR: That's also managed in the common area.

CONSTANTINE ALEXANDER: Okay. That would be in the common area?

THOMAS STOHR: Yes.

CONSTANTINE ALEXANDER: And lastly, you must, and again meet all state and local requirements for handicapped and disabled persons. But, again, it's Harvard's responsibility to maintain the common areas.

THOMAS STOHR: Yes.

CONSTANTINE ALEXANDER: I have no other questions or comments.

JIM MONTEVERDE: No.

CONSTANTINE ALEXANDER: First of all, anyone here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: No one does.

We do have a letter or a memo from the Harvard Square Advisory Committee. And I'm just going to summarize it. I mean, just a lot of it is repeating what you've just already told us.

THOMAS STOHR: Yeah.

CONSTANTINE ALEXANDER: And it says all members in attendance supported the Special Permit you're seeking and find it in conformance with the Harvard Square Overlay District guidelines. So you have the unanimous support of the Harvard Square Advisory Committee.

With that, I will close public testimony.

Comments from members of the Board?

JIM MONTEVERDE: No.

CONSTANTINE ALEXANDER: No. Okay.

Ready for a motion.

The Chair moves that we make the following findings with regard to the fast order food establishment Special Permit you are seeking:

That the petitioner satisfies all of the requirements of Section 11.30 of our Ordinance.

And further, that -- there are further specific findings we have to make.

First, that the requirements of the Ordinance cannot be met without the Special Permit. Our Ordinance requires a Special Permit. Why this is in the Ordinance is beyond me but it's there.

Traffic generated or patterns of access or egress resulting from your operation will not cause congestion, hazard, or substantial change in established neighborhood character.

I think that's obvious. It's self-evident.

That no nuisance or hazard will 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.

And that generally what we are proposing will not impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of this Ordinance.

On the basis of these findings the Chair moves that we grant the petitioner the fast order food establishment Special Permit that it is seeking.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Good luck.

(Alexander, Sullivan, Hickey, Tedesco,
Monteverde.)

* * * * *

(7:45 p.m.)

(Sitting Members Case No. BZA-014431-2017: Brendan Sullivan, Andrea A. Hickey, Jim Monteverde, George S. Best, Laura Wernick.)

BRENDAN SULLIVAN: The Board will hear case No. 014431, 48 Quincy Street.

Alexandra.

ALEXANDRA OFFIONG: Hello. Alexandra Offiong
Harvard University thanks for having us tonight. We're here
as the Harvard University Graduate School of Design is
proposing to add three new buildings to Gund Hall which is
the headquarters of its schools.

JIM MONTEVERDE: Sign.

ALEXANDRA OFFIONG: Sorry. Signs. Sorry, three
signs.

Anyway, Gund Hall, as you may have seen is a very
large complex building. It has many building planes. It
has multiple entrances. And it has more than 450 feet of
sign frontage. It faces Quincy Street and Cambridge Street.
It's a building that in addition to being a graduate school
with classes and academic programs, it also hosts many
public events, lectures, exhibitions. And right now the
building actually only has a banner that announces the
exhibitions. It actually doesn't have any signage. So

it's -- the Graduate School of Design is proposed -- is recognized that this is a need. And so tonight we are here to talk to you about the three signs we are proposing. They're in your handout. There's a wall sign that's facing Cambridge Street, and there's a sign in each of the main entrances, one facing Quincy and one facing Cambridge Street. So while we think that this is a very modest proposal, it's -- we think it's very appropriate for the building. It is one that requires zoning relief because it's a building in a residential district. And we know that it requires Variances in three areas.

The number of signs in a -- for a nonresidential use in a residential district, we are only allowed two signs and we're proposing three.

We also are only allowed 30 square feet of signage; one sign at ten square feet, one at 20. We are proposing two, eight-and-a-half square foot signs at the entrances. And the one on the wall is 46 square feet. And

that's, it's a very large facade. So anything smaller would be virtually unreadable.

And then finally the third Variance relates to illumination. So the Ordinance only allows natural or external illumination for the wall sign. We are proposing external illumination, which is meeting the Ordinance, but for the two signs at the entrances we are proposing internal illumination because they are recessed so deep in the building under the portico, it's like -- it's a very dark space and they wouldn't be able to be seen without illumination. So that's kind of the crux of the proposal.

And we did present to the Planning Board. They were very interested in the design and they have, I believe, a letter in the file supporting the proposal.

BRENDAN SULLIVAN: Okay, if we can just go through sign 1, which is the south elevation, which is a new sign, and that is the larger of the three proposed signage. And again who am I to comment on the Graduate School of Design.

My thought is that it's quite minimal and quite high. But it is what it is I guess. And why is it so high up?

KEN STEWART: My name is Ken Stewart. I'm representing the GSD. So we went through several iterations of design for the signs, and we found that the higher placement is actually a bit more visible from further down Quincy Street than if the sign is lower.

BRENDAN SULLIVAN: Coming down?

KEN STEWART: Where the -- both traffic kind of makes it -- kind of obstructs the sight lines, but then also there's a young, there's a young tree that's kind of growing up right there that's -- that would stand in the way.

BRENDAN SULLIVAN: Okay.

KEN STEWART: We also just aesthetically like the way that that column and the ceiling and other wall kind of frame it.

BRENDAN SULLIVAN: Defines it.

KEN STEWART: Yeah.

BRENDAN SULLIVAN: Okay.

Yeah, I mean it's -- maybe other members will think differently.

You've seen the Planning Board?

ALEXANDRA OFFIONG: Yes.

BRENDAN SULLIVAN: Okay.

It is understated, but anyhow that's fine.

Now their comment is that it be shielded from -- that the illumination for sign 1 be shielded from the public view so that the light source faces the sign and not the public street. So where is that light source if you would?

KEN STEWART: Sure.

ALEXANDRA OFFIONG: So it's --

BRENDAN SULLIVAN: It's up there?

KEN STEWART: Yeah. And so this rendering doesn't reflect that, but that, that modification is actually one we would just do anyway to make sure that the light source was

aimed --

BRENDAN SULLIVAN: Put something over it or something like that?

KEN STEWART: Yeah.

BRENDAN SULLIVAN: Just to redirect it.

KEN STEWART: Yeah, yeah. It would just be a hood. So that from the vantage point of this photograph you wouldn't actually see the light source, you would just see the kind of light on the sign itself.

LAURA WERNICK: So it's surface mounted?

KEN STEWART: Exactly, yeah.

BRENDAN SULLIVAN: And that's recessed up into the concrete ceiling?

KEN STEWART: Yeah.

BRENDAN SULLIVAN: The existing one, yeah. Okay. Which was meant to light the area down below, but now it will have a dual purpose; is that right?

KEN STEWART: Oh, no, it's really just for the

sign.

BRENDAN SULLIVAN: That light source is just for
the sign?

KEN STEWART: That light source does not exist
right now.

BRENDAN SULLIVAN: Oh, all right. I'm sorry.

KEN STEWART: It would be a new addition as well.

BRENDAN SULLIVAN: Okay.

LAURA WERNICK: And it will be surface mounted?

KEN STEWART: Sorry. It will be surface mounted,
not --

BRENDAN SULLIVAN: Not recessed?

KEN STEWART: Not recessed.

But we would put -- we would design a kind of hood
or something to make it, to conceal the light from view.

BRENDAN SULLIVAN: Okay.

Sign 2 if you would. Yeah.

KEN STEWART: Oh, yes.

BRENDAN SULLIVAN: The second one, the wall sign.

If you just touch on that if you would.

KEN STEWART: Sure. So this -- signs are numbered 2 and 6 here on this page. But these are the only two internally lit signs.

Yeah. So this is a floor plan kind of showing some of the existing signing, including the banner and then this kind of this concrete sign that isn't really actually visible from the street. It just says Gund Hall. These two light boxes essentially is what they are, will be kind of in this portico here at this entrance on Quincy Street. And then there will be one here on Cambridge Street. And they are -- this floor plan doesn't really make the -- make this point very well, but they, there is a -- they are very much recessed in the dark away from the streets. And while they are internally lit, the only part of the sign that would actually be illuminated are the letters themselves. So those are acrylic that have been mounted or that would be

mounted in a copper plate, a bronze plate, sorry.

ALEXANDRA OFFIONG: Just to look at this, these photographs, the -- one of the entrances, one of the entrances would be in this entry point which you could see is deep and is in the shadow. And the other one is over here. So it's -- this one is like 56 feet from the public sidewalk and this one is about 24 feet, but obstructed from many angles.

BRENDAN SULLIVAN: Okay.

KEN STEWART: And I might just add, also, that these renderings don't also really reflect the fact that these will be mounted behind the glass. They won't take the place of the glass.

JIM MONTEVERDE: Can I ask a question?

BRENDAN SULLIVAN: Yeah, sure. Absolutely.

JIM MONTEVERDE: Do you know what the wattage will be for that lighting on that particular side?

KEN STEWART: That hasn't been determined yet, no.

JIM MONTEVERDE: Okay.

BRENDAN SULLIVAN: Okay, that's 2 and 6. Three?
You wanted to walk us through.

ALEXANDRA OFFIONG: So, we, we put a number of signs on this plan just to provide a full picture of signage of the building. We have been through the sign certification process with Community Development, and all of the signs -- all of the other signs have been exempted because they're not visible from the public way. Just to make sure that's clear. So the ones in red are the ones that we are seeking approval for.

BRENDAN SULLIVAN: So 3 because it's not visible from the public way is exempt?

ALEXANDRA OFFIONG: Yes.

BRENDAN SULLIVAN: Okay. 1, 2, 6.

JIM MONTEVERDE: There you go.

BRENDAN SULLIVAN: That's it in a nutshell. Okay.

Any questions? George, anything?

GEORGE BEST: No.

BRENDAN SULLIVAN: Jim?

JIM MONTEVERDE: I asked the one question just about the wattage. Just my sense it's in a very dark recessed, which means any lighting, minimal, however will be extremely effective and just so that it doesn't -- and I don't think the glare, the lighting is really -- the lettering is fairly minimalist, but just look at the wattage and just adjust it so that it's either to a minimal or dimmable. Right? I think a night light is a seven watt. There's some range in there. Just don't want it to be very bright.

KEN STEWART: Yeah, our, our -- we, as you can tell maybe in these designs, very much want them to be kind of very minimal, tasteful. We don't want to blind people.

JIM MONTEVERDE: That's good. That's good.

LAURA WERNICK: I have no objection at all. They're all as you say, I think very tasteful and I'm a bit

curious to see if the sign No. 1 is even visible during the day it's so subtle. But that's great in my perspective.

BRENDAN SULLIVAN: Andrea?

ANDREA HICKEY: Yeah, sign 1 when will it be lit? Will it be lit at all times? Can you see it if it's not lit?

KEN STEWART: Our plan right now -- I mean, I guess we won't, we won't really know for sure until it's actually mounted and we see how it's, you know, responds to the sunlight. But in the afternoon there is natural light that does kind of creep underneath the roof or the ceiling a little bit. Right now our plan would be just to illuminate it at night into the evening hours.

ANDREA HICKEY: What would the lettering be comprised of, what material?

KEN STEWART: It's bronze.

ANDREA HICKEY: It's bronze?

KEN STEWART: It's extruded bronze, yeah.

ANDREA HICKEY: How did you arrive at 46 square feet versus 40 or something smaller to be closer to what would -- I don't know, how did you arrive at that number?

KEN STEWART: I don't -- we weren't really aiming for 46. It was, it was just visually for our designers they felt that that size of typeface was proportional to the facade.

ANDREA HICKEY: So you don't think it could be smaller and be effective? It's big. I have a problem with the size of it.

KEN STEWART: Yeah.

ANDREA HICKEY: But it's a big building. I get that, too.

KEN STEWART: It is, it is -- we looked at smaller ones and we felt that this was the kind of smallest that we could make it while also being visible from some distance. Some distance being like just maybe across the street and down the block a little ways.

ANDREA HICKEY: Yeah, I have no objection at all to 2 and 6.

BRENDAN SULLIVAN: I think actually if it were, if it were lower, it could probably be smaller. The fact that it's higher tends, I think proportionately tend to want to expand it a bit. And, again, I guess my thought of going through this is that I thought it was a little high. But anyhow, aside from my thoughts, it was probably designed by committee and the 46 committee won out or something like that I guess and that's what they decided was the proportion that I guess worked there.

ALEXANDRA OFFIONG: Just to -- I just wanted to also point out this picture is a few years old and it's with a tree that has been since replaced with a young tree. But you can see that very quickly that area of the facade, that the facade will be less visible very quickly as that tree grows. So I think part of the rationale for having it higher is just to ensure that it doesn't get blocked. We

want -- this is the one sign on the building announcing where the school is. So we just want to make sure that people can see it.

BRENDAN SULLIVAN: Yeah.

Anything else?

ANDREA HICKEY: No.

BRENDAN SULLIVAN: Let me open it to public comment.

Is there anybody here who would like to comment on the application 48 Quincy Street?

(No Response.)

BRENDAN SULLIVAN: I see nobody in attendance.

The Board is in receipt of correspondence from the Planning Board. (Reading) The Planning Board reviewed sign variance application for Gund Hall which is located in the Residence C-3 District. The Planning Board supports the proposed sign package as presented with the recommendation that if the Board of Zoning Appeal grants the Variances, the

illumination for sign 1 be shielded from the public view so that the light source faces the sign and not the public street.

Sum substance of any correspondence. And I will close public comment.

Any other parting words?

ALEXANDRA OFFIONG: No.

BRENDAN SULLIVAN: No?

Okay, let me close the presentation part of it and open it up to the Board.

George, any --

GEORGE BEST: No.

BRENDAN SULLIVAN: Laura?

LAURA WERNICK: No.

ANDREA HICKEY: Ready.

BRENDAN SULLIVAN: All right. Let me make a motion then to grant the relief requested.

The Board finds that a literal enforcement of the

provisions of the Ordinance would involve a substantial hardship to the petitioner.

The Board finds that the building which is the predominant facility of the Graduate School of Design is located in a Residence C-3 Zoning District which restricts the signage for nonresidential uses to two non-banner signs per building and a total signage area of 30 square feet and using natural or external illumination.

The Board finds that this location has approximately 400 feet of street frontage along two prominent facades and multiple main entrances that are significantly recessed away from the property line.

The Board finds that the location of the building, that the size and the shape of the building renders that the sign limitations under 7.16 are inadequate at this particular location and of no value to appropriately identify the school, its key public spaces, clarifying wayfinding for students, faculty, staff, visitors to the

Graduate School of Design, and also first responders.

The Board finds that the hardship is owing to the size and shape as previously noted of the building and the location thereof which makes it somewhat difficult to adequately and aesthetically identify the building in an appropriate manner.

The Board finds that these conditions relating to the size and shape of the building make wayfinding unclear and difficult for many visitors to the campus.

The Board finds that the physical and use characteristics of this university building, with multiple entrances, massing that places entrances far from the public street, and recessed spaces and uses with high public visitation require sufficient signage to adequately identify the building and its key spaces.

The Board finds that desirable relief may be granted without substantial detriment to the public good.

The Board finds that the requested variances are

necessary to approve wayfinding for the Graduate School of Design's multiple uses which includes large numbers of the public who visit the campus on a regular basis.

Therefore, the granting of the Variance will not be detrimental to the public good, but rather will provide a public benefit by approving wayfinding and the visual character of the campus.

The Board finds that relief may be granted without nullifying or substantially derogating from the intent and purpose of the Ordinance.

The Board finds that under Section 7.11.1.g that the City acknowledges the use of sign -- need of signage to identify an establishment, to also for wayfinding, and also to designate whatever product that establishment has.

The Board finds that this particular application is really for Identification and also for wayfinding.

The Board finds that relief may be granted without nullifying or substantially derogating from the intent and

purpose of the Ordinance. We said that.

That the Board finds that this application is consistent with the Zoning Ordinance assertion that the public interest is served by the use of signage by businesses and services.

All those in favor -- with the only condition that I refer to the condition by the Planning Board that the light source for sign No. 1 be shielded from the public view so that the light source faces the sign and not the public street.

Were there any other conditions at all?

(No Response.)

BRENDAN SULLIVAN: All those in favor of granting the requested Variance?

(Show of hands.)

BRENDAN SULLIVAN: Five in favor.

(Sullivan, Hickey, Monteverde, Best, Wernick.)

ALEXANDRA OFFIONG: Thank you very much (8:05

p.m.)

(Sitting Members Case No. BZA-014239-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case No. 014239, 33 Inman Street, No. 1.

Is there anyone here wishing to be heard on this matter?

SARAH ABRAMS: Hi.

CONSTANTINE ALEXANDER: As you know, give your name and address to the stenographer, please.

SARAH ABRAMS: Sarah Abrams, 33 Inman Street, unit 1, Cambridge.

CONSTANTINE ALEXANDER: And you're here because?

SARAH ABRAMS: I bought my place a year ago. Part of the -- of the buying was a section -- well, it was the roof of the heating room which I was told I could -- was mine exclusively which it is. However, to try to put a deck

on it requires a Variance and that's why I'm here.

CONSTANTINE ALEXANDER: Okay, what are the dimensions of the deck? How big will it be?

SARAH ABRAMS: It would be the full size of the roof.

CONSTANTINE ALEXANDER: Yeah. Do you know what that size is?

SARAH ABRAMS: No, I don't have the -- I mean --

CONSTANTINE ALEXANDER: Okay.

SARAH ABRAMS: Yeah.

CONSTANTINE ALEXANDER: It's in here. Maybe not. Pretty straightforward.

Any questions from members of the Board?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not.

I'll open the matter up to public testimony.

Is there anyone here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not.

We are in receipt of some letters. One from the condo association saying that they -- I'll read it.

(Reading) All members of the 33 Inman Street condo association have been informed of unit 1 owner Sarah Abrams' intent to build a roof deck over the heating room of 33 Inman Street and all have granted permission.

And then also we have a letter from Pablo Savid, S-A-V-I-D-Buteler, B-U-T-E-L-E-R. (Reading) I am writing in support of Sarah Abrams' on her application for a Building Permit to build a deck of the back patio of her property at 33 Inman Street in Cambridge. I understand that the proposed structure will be directly adjacent to my property, an existing outdoor deck -- my property and existing outdoor deck at 33 1/2 Inman Street. The only consideration I suggest relative to this project is to add a screening portion on the party wall line between existing and proposed

decks at 33 and 33 1/2 Inman Street properties to preserve some privacy between the units. If approved by the city, this partition could be added at a later date. Having lived on the property for the past 17 years, I can attest that having outdoor access and a living space in the form of a deck is part of what makes living on this block special in this part of central Cambridge. And as an amenity for the residents of both Inman and Bigelow Streets, it is a contributing factor in keeping the heart of the block safe, clean, and well taken care of. And I won't be able to participate in the hearing about the matter, but I would be glad to discuss it via e-mail or phone call.

And that's all we have.

Are you amenable to putting the screening up as requested?

SARAH ABRAMS: Absolutely, yeah.

CONSTANTINE ALEXANDER: Is there a way -- today is there a way out to the backyard?

SARAH ABRAMS: Just the windows.

CONSTANTINE ALEXANDER: You have to climb through a window?

SARAH ABRAMS: Yeah.

CONSTANTINE ALEXANDER: This will give you a second means -- from a safety point of view?

SARAH ABRAMS: Absolutely. Yeah, yeah.

CONSTANTINE ALEXANDER: I'm looking for the plans. They're right here.

Questions or comments from members of the Board?

ANDREA HICKEY: Do you have access to any other outdoor area, shared common area? Is there a backyard with your condo that you perhaps have --

SARAH ABRAMS: Share?

ANDREA HICKEY: -- exclusive use of or share?

SARAH ABRAMS: No, that's the second floor unit has the backyard in the back.

ANDREA HICKEY: So there's no yard area or green space that you have access to be it shared or exclusive?

SARAH ABRAMS: That's right.

BRENDAN SULLIVAN: I would think that this would add to the enjoyment and quality of your living there tremendously.

SARAH ABRAMS: Yes.

CONSTANTINE ALEXANDER: I would think so.

SARAH ABRAMS: It would. And Inman Street and Bigelow are the two -- Bigelow's what's behind me, and if you, if you look out in that common, that area between the two, the backyards, it's just a full of porches, all one right after -- next to one another.

BRENDAN SULLIVAN: So you sort of look out the window one night and said I got to get me one of them.

SARAH ABRAMS: It seemed that a lot of people had already done that, yeah.

BRENDAN SULLIVAN: No, it's -- I think it would

improve your life tremendously.

SARAH ABRAMS: I think it will. My apartment is 633 square feet. It would really be nice in the warmer weather to have that extra.

BRENDAN SULLIVAN: Sure.

CONSTANTINE ALEXANDER: Absolutely.

I'm ready for the motion unless any people have --

JIM MONTEVERDE: No.

CONSTANTINE ALEXANDER: No one objects. Okay.

The Chair moves that we make the following findings with regard to the proposal:

One, that a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the petitioner. Such hardship being is the petitioner has no access to the rear yard of her property or -- and that has no rear means of egress in case of an emergency.

This would apply not only to the current petitioner but any petitioner or any person occupying the

premises you now occupy at No. 1.

That the hardship is owing to the shape of the area that you own and the conditions on either side of your neighbors so that you have no choice but to move -- build something in your backyard if you want to have access to a backyard.

And that relief may be granted without substantial detriment to the public good or nullifying or substantially derogating from the intent and purpose of the Ordinance.

In this regard the Chair would note that what is proposed will improve the safety of those persons occupying unit No. 1. And it also will increase the enjoyment of the property by giving access to the rear yard. And that this proposal has a support of the condo association and certainly no opposition from any citizens of the city.

So on the basis of all of these findings, the Chair moves that we grant the Variance requested on the condition that the work proceed in accordance with the plans

you've submitted, each prepared by Simple City Studio. Each page of which has been initialled by the Chair.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor, Variance granted.

(Alexander, Sullivan, Hickey, Tedesco, Monteverde.)

SARAH ABRAMS: Thank you very much.

* * * * *

(8:15 p.m.)

(Sitting Members Case No. BZA-014340-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case No. 014340, 148 Coolidge Hill.

Is there anyone here wishing to be heard on this matter?

KYLE SHEFFIELD: For the record, my name is Kyle Sheffield, principal at LDA Architecture and Interiors in Cambridge. And I was actually going to use two, but I'll use one. So we are here today to present a project that is requesting three percent relief in the private open space on the lot.

To give you a little bit of background Everett and Hollie Briggs purchased the property in 2004. And over the years the original plumbing, heating, electrical systems started to all fail. The house was built in 1925. And along with some substantial systems renovations that they needed to undertake, they wanted to conduct some mobility improvements and additions as they got old.

To give you a little history of the area which has an impact on our lot. So Coolidge Hill was originally part of the Joseph Coolidge farm and in -- there was -- development of Coolidge Hill happened in two phases on either side of World War I. The first was in 1915 which

essentially established Coolidge Hill Road which is that horseshoe that you see there. The second actually happened in 1925 when the Coolidges essentially sold the lot to Alva Morrison, this entire development that's here, and they hired the Olmstead brothers to be able to lay out this new subdivision. And in the interest of creating something unique and responding to the actual peach trees that were on the property, they actually created sort of a meandering path that is Coolidge Hill that runs effectively from Gerry's Landing Road all the way up to Coolidge Ave. And as part of this subdivision, there were specific requirements that they wanted the developer to request of the owners who purchased the properties: One was that they were -- at the time there was, garages were becoming a big thing in the early 1900s and they -- essentially buyers were demanding that as part of the ability to build on these lots. What happened was that the doors were not necessarily encouraged to face the street and the garages had to be fairly

diminutive in size. The houses all along Coolidge Hill were effectively tasked with that guidance and was presided by the Olmstead firm as part of the development.

The second was that actually all of the houses had to really be fronted to the front setback of the lot. And you can see this pretty predominantly all along this side. This being 148 and you can see the other houses that were pretty much justified to the front aspect of it. As part of the meandering layout of the lot, they also were responding not only to peach trees and connectivity, but they were responding to go a significant grade change that happens at the back of all of these lots as it essentially slopes in grade down to the Shady Hill School.

So these sort of requirements and responses of the developers at the time when they originally created these lots is sort of why we're here presenting to you today.

The existing conditions, the lot itself at 148 Coolidge Hill is 20,715 square feet. And the area that is

greater than a ten percent grade per the open space, private open space requirements is 8,793. So that's about 42 percent of the lot. And the minimum requirement of open space is 50 percent. So therein even before we, you know, establish a house on the lot, we're dealing with significant detriment in the amount of open space that we're required to adhere to.

There are also other portions of the calculations that are part of this, the lot. There's, you know, additional coverage for driveways and walkways, things of that nature, as well as the footprint which is about 3,000 square feet of the existing house itself.

As part of our proposal, and I apologize for the, for flipping you 180 degrees. If you bear with me, you can see here is Coolidge Hill and Shady Hill, where Shady Hill School is. And Coolidge Ave. is down at the bottom.

The proposal today is to actually construct a new carriage house addition that is -- their existing garage,

the two-car garage is back here and it's very small partly due to the guidance from Olmstead's firm at the time that the developers were developing these properties, and also the garage doors are turned away from the street. Since the evolution of the way that all of the other properties have been added on to over the years, there have been other garages that have subsequently been added on.

The proposal today is to essentially add a carriage house on to the side of the existing house itself that is conforming to the 20-foot side yard setback that's required per the Ordinance and dimensionally conforming in all other aspects of it. And that is actually tailored to my clients. They have both a Prius and they have the pickup truck. And they also have two custom built by themselves, canoes that are about 22 feet long that need storage as well.

The other proposal that we're hoping to do is actually an egress. We're dealing with some issues of

egress that are on the site.

First and foremost, there's an existing basement stair that's on the exterior of the house. And currently there is no existing basement stair from the basement to the first floor. It's internal.

And the only external stair certainly does not meet code from an egress point of view. And as part of the project as Everett and Hollie age, they wanted to be able to have mobility to get from the first floor down to the basement, to be able to utilize that. As well as they are avid bikers. Everett I think has circumnavigated the globe once on a bike. When they aren't in their canoes or the Prius or the pickup truck, they also are biking all over the neighborhood.

So part and parcel to that, the -- which also has an impact on the existing open space calculation because it is greater or less than 15 feet in either direction, is a basement egress stair with a small bike ramp that actually

gives them direct means of egress from the street down into the bike shop where they have a multitude of bikes that they do store. And they -- it also has a bike ramp that allows them to be able to go down with the bike on the side rather than hoisting it over their shoulder.

The third portion of the project is constructing an interior stair addition at the back that effectively allows them direct access down into the basement from the interior of the house.

CONSTANTINE ALEXANDER: Does that require zoning relief, that third thing, the interior stair?

KYLE SHEFFIELD: I don't think it does.

CONSTANTINE ALEXANDER: Okay.

KYLE SHEFFIELD: That's part of it. No, but it effectively impacts the footprint of the house which has an impact on the open space.

So overall --

CONSTANTINE ALEXANDER: How much?

KYLE SHEFFIELD: So this portion is 227 square feet.

CONSTANTINE ALEXANDER: You're proposing over a thousand square feet?

KYLE SHEFFIELD: Correct. The garage is 687 square feet, and the footprint of this is about 140 square feet. So in total, we're requesting relief in terms of impact of open space of three percent.

Right here you can see that's the grade line that effectively drops all of this off towards the Shady Hill School. It's Everett and Hollie's desire not to develop this portion of the site. It's very wooded. It gives them privacy between both the house and Shady Hill, as well as the adjacent neighbors that are here on either side. So the preservation of that woodland buffer is paramount to that. Hence, the reason why we are sort of hemmed in at that existing front yard setback, which is where the original house was set at and the precipice of the grade that drops

off towards the back of the house.

CONSTANTINE ALEXANDER: As you know, there are three requirements for a Variance:

The first is that -- I'll read -- you didn't answer it in your form by the way.

That the literal enforcement of the provisions of the Ordinance would involve a substantial hardship. And the hardship is a hardship that would run with the land, not just to you. So anyone who occupied the property. What is the hard -- and you're talking about in a 5,000, roughly 5,600 square foot adding another 1,000 square foot of house. What's the hardship that requires an addition of this sort? I mean, I understand the desires --

KYLE SHEFFIELD: Sure.

CONSTANTINE ALEXANDER: Purely the desires of you, but that's not the legal standard that we have to apply.

KYLE SHEFFIELD: The existing stair and the proposed stair fall under the same volume. And we're

effectively trying to limit the amount of square footage that we're taking up there in order to be able to gain that means of egress. That is currently smaller than what a standard stair would allow them to be able to get from the basement to the first floor.

The second is the direct means of egress out of the basement which is an external stair as part and parcel of being able to have life safety issues of being able to egress out of the basement.

The third is actually in part due to the small hardship of the way that original garage was developed in part of -- as part of the development of the property back in 1924. And that has to do with the small garage space that unfortunately because it is all masonry and it has a structure that is smaller than what we can do to fit it in current garages -- current cars, we are trying to create a new one that actually does accommodate the parking that would be allotted for this particular lot size.

CONSTANTINE ALEXANDER: So the current -- putting aside the canoes I think you said, or kayaks, I forget.

KYLE SHEFFIELD: Yeah.

CONSTANTINE ALEXANDER: Is the garage usable now for two cars?

KYLE SHEFFIELD: No.

CONSTANTINE ALEXANDER: No. So it's not even usable now?

KYLE SHEFFIELD: No. It does not -- it can fit the Prius, but the doors are about seven feet or so, and they can't even fit pretty much a standard cars we have. Midsize, you know. And that's the, that's the big hardship that we're dealing with, is that it -- physically we can't get it in there. Aside from custom canoes, things of that nature, obviously if we could solve the problem another way by storing those elsewhere, things like that, we're not trying to make it a custom fit that actually is pertaining to them. It has to do with the hardship of the existing

conditions.

CONSTANTINE ALEXANDER: Okay, just to get it on the record. The minimum open space for this area is 50 percent. You're at 40 percent now and you've explained why. And you want to go to 37 percent.

KYLE SHEFFIELD: Correct.

CONSTANTINE ALEXANDER: Which is substantially, to my mind, less than the open space -- minimum open space required under our Ordinance.

PATRICK TEDESCO: And --

JIM MONTEVERDE: Go ahead.

PATRICK TEDESCO: And I was just going to say you're penalized against counting part of the --

KYLE SHEFFIELD: Correct. Correct, yeah. We're already 42 percent. And I think that that's the hardship for us, that this is 42 percent of the lot and then it slopes. And the point there is that the -- it is always going to remain open space. It would -- we're not, we're

not here to develop that. And what we're trying to do is be sensitive dimensionally to the existing setbacks that we have --

PATRICK TEDESCO: So it appears that there's a terrace down that slope?

KYLE SHEFFIELD: Correct.

PATRICK TEDESCO: Are you counting that, since it's flat, are you counting that in your open space?

KYLE SHEFFIELD: We are not because it doesn't go 15 feet in that direction. I have to confirm that. But I'm pretty sure they did not do that. We were trying to be very literal with the enforcement of it. Hence, while this is an egress stair and we've been allowed to go into the side yard setback with this, the -- it's only 13 feet 9 and 11 even though it's 20 feet long. We're counting that, this whole area as a detriment to our open space calculations.

CONSTANTINE ALEXANDER: Jim.

JIM MONTEVERDE: I was going to re-ask the

question that you heard previously, and that's in the 5,000 plus square feet of the house itself, understanding that that stair exists now as an exterior element, is it not feasible to put that stair inside and get the access that you're looking for between --

KYLE SHEFFIELD: That's a good question. We did look at that. Structurally what we're dealing with is a headroom issue as we try and get down with some of the deep members of the structure. We also looked at getting it to tuck in under the existing main stair which is -- I'll hold this up -- which is actually underneath there. The headroom and the clearance that we have to be able to get down to the first floor also makes it prohibitive to get it underneath the first floor stair.

So we had also explored to try and be able to get it underneath there, but we didn't have the clearance and the ability to be able to keep this existing stair as it is which is original to the house.

BRENDAN SULLIVAN: Can I see the application?

CONSTANTINE ALEXANDER: Yes.

JIM MONTEVERDE: And while you're on the plan, can you just outline and explain again, you did before, but the garage configuration?

KYLE SHEFFIELD: Sure.

JIM MONTEVERDE: Where it is now? What the size is now? And what the proposal is?

KYLE SHEFFIELD: Sure. The original actually sits here.

JIM MONTEVERDE: And it's a two bay enter from the side?

KYLE SHEFFIELD: Enter from the side. You actually have to find a way of getting out of your car and getting out of this to be able to walk around and then up through the back door. Currently it's, it doesn't allow for us to be able to open a car door and sneak out to be able to get even this car or that car. So that was one of the

issues that we were struggling with.

The second being that trying to expand even further out into the backyard became really close to the edge of the --

CONSTANTINE ALEXANDER: Slope.

KYLE SHEFFIELD: -- the slope of the lot. And as a result, what we were dealing with was trying to be able to shift that over to the side which allowed us to preserve what little flat yard was actually existing. We could hold on to before it actually started to slope off to the back.

JIM MONTEVERDE: And if I can, the stair in front of the garage is going --

KYLE SHEFFIELD: So there's an auxiliary apartment that's existing, accessory apartment. So the -- Everett and Hollie have tenants or did when it was occupied. So that's their own private stair to be able to get up and into that accessory apartment.

JIM MONTEVERDE: And it doesn't go down, it goes

up only, right?

KYLE SHEFFIELD: It goes down -- it's interesting, it goes down but it only goes down into a washer/dryer. And there's a brick wall that -- a foundation wall.

JIM MONTEVERDE: Is that the same level as the balance of the basement?

KYLE SHEFFIELD: It is almost. Almost. There is a little bit of a step change in elevation there from a footing. From the foundation side.

JIM MONTEVERDE: You see where I'm going?

KYLE SHEFFIELD: I see where you're going, yeah, yeah.

JIM MONTEVERDE: So it's a brick wall?

KYLE SHEFFIELD: Yes. It's structural to the rest of the building.

JIM MONTEVERDE: Oh, I know. I mean I gather that. I would bet you that there's a structural methodology to allow to you remove --

ANDREA HICKEY: I'm sorry, I can't hear you.

JIM MONTEVERDE: I think there's a structural methodology that would allow some portion of that masonry to be removed or allow you to walk through it to give you the access that you're seeking from the first floor to the basement and save you from, some enclosing the space that currently may be able to account for open space if you --

KYLE SHEFFIELD: Yeah.

JIM MONTEVERDE: I'm just looking for the other options that exist.

KYLE SHEFFIELD: No, I agree with you. We looked at a lot of that. And I think the big concern is to keep part and parcel the means of egress that's dedicated to the accessory apartment, and the hard part is we can't create a shared passageway within that and still give these guys dedicated access that goes in there.

JIM MONTEVERDE: Right. Okay.

KYLE SHEFFIELD: The other -- sorry.

JIM MONTEVERDE: That's okay.

CONSTANTINE ALEXANDER: Go ahead.

KYLE SHEFFIELD: No, that's fine.

CONSTANTINE ALEXANDER: So are you going to -- what's going to happen to the tenant in that -- in the accessory apartment if we grant relief? Are they going away?

KYLE SHEFFIELD: No, no. Well, I mean Everett and Holly would like to --

CONSTANTINE ALEXANDER: Because your dimensional form says you currently have two -- oh, no, I'm sorry, I got it wrong. Parking spaces, you're going to one parking space?

KYLE SHEFFIELD: In terms of the --

CONSTANTINE ALEXANDER: What's your --

KYLE SHEFFIELD: So we have --

CONSTANTINE ALEXANDER: Your dimensional form says currently there are two parking spaces on the lot. What

you're requesting is to go to one parking space.

KYLE SHEFFIELD: I apologize. There's a one parking space that is going to be to the, just to the right of the garage. We're still having a two car bay.

CONSTANTINE ALEXANDER: So there's going to be three parking spaces on the lot? One outside and two inside?

KYLE SHEFFIELD: No, two inside.

CONSTANTINE ALEXANDER: Yeah.

KYLE SHEFFIELD: And then there was a lay-by to be able to get their extra traffic that's by there. We're considering that. It's not necessarily that it is set in stone. But we are keeping two essentially what is, what we are calling a one-and-a-half car garage bay, because dimensionally we're trying to stay within that setback and we can technically fit in a Prius and their car, but the Prius is a small car. So if we were going to be able to fit two midsize cars in, we'd be able to get that in and that

would be fine. My concern that I had on that particular instance was an error on my part. I thought it was one car parking altogether as part of the unit. So there are two bays existing, two bays proposed. One car, one garage door.

CONSTANTINE ALEXANDER: Right.

KYLE SHEFFIELD: My apologies for that.

CONSTANTINE ALEXANDER: Other questions from members of the Board at this point?

ANDREA HICKEY: So is there an exterior parking space in addition to either the two existing or the two proposed indoor spaces?

KYLE SHEFFIELD: So I'll show you the site. Our hope is to have -- this is the existing drive that goes to here but we are eliminating this. And there is one parking space to the left of the garage door that we are hoping to achieve. And if --

ANDREA HICKEY: That you were hoping to what? I'm sorry.

KYLE SHEFFIELD: Achieve. We were planning on doing that. And that is part of the open space calculations.

PATRICK TEDESCO: And it's not in the setback?

KYLE SHEFFIELD: It is in the 15-foot setback, yeah. Here's the existing curb cut which is within the setback. You know, if you drew that existing line. And this is the line of the existing driveway. So we are not increasing the existing impervious surface towards the side yard property line. We are only cutting it off right here and removing all of this and the majority of the existing -- of the proposed addition occupies the current asphalt driveway.

CONSTANTINE ALEXANDER: I have to say, I instinctively have a problem with the 5600 square foot house needing an additional 1,000 square feet of house or structure. It just goes against the grain for me.

KYLE SHEFFIELD: And I understand that. I think

that the issues that we are -- have been grappling with are one of the lot shape and the topography. And then the other aspect of it is the accessibility.

CONSTANTINE ALEXANDER: Accessibility I understand -- I understand the issues, what the, the other two. Not the garage area. That and the --

KYLE SHEFFIELD: That?

CONSTANTINE ALEXANDER: Yeah. And I don't have a problem with them personally, either of those. I understand it. It makes sense. It's the garage configuration that you're changing. And I hear now you've got a garage and you put canoes in there and now you want to -- and you have outdoor parking in addition. And you want to do what you want to do. I got a feeling there's a lot more going on here than just making more -- better parking available within a garage.

KYLE SHEFFIELD: The proposal is only what we're trying to get to accomplish what is feasible within the

physical means of being able to get car parking there.

That's it. The -- and the existing garage has become the -- because of what they had initially laid out, become the biggest impediment for what we're trying to do.

CONSTANTINE ALEXANDER: Does the person who rents the accessory apartment have a car?

KYLE SHEFFIELD: I don't think that your --

EVERETT BRIGGS: It is not occupied right now, sir.

CONSTANTINE ALEXANDER: Okay.

EVERETT BRIGGS: But our tenants have always had cars, and for the most part they park their cars on the curb. The configuration the way LDA is presenting it, would give them a space on the driveway not impeding the garage door, a space which they have used in the past. This essentially because the driveway configuration isn't gonna change. So that space would still be available for another car. But in recent years the only day of the week that the

tenant's car ever got off the property is if they were around during the street cleaning day. Exactly.

BRENDAN SULLIVAN: If the lot were flat, topographically, would you be down before us?

KYLE SHEFFIELD: No.

BRENDAN SULLIVAN: Okay.

KYLE SHEFFIELD: No. And in fact --

JIM MONTEVERDE: Really? That in fact -- I understand. I just question, really?

KYLE SHEFFIELD: If the lot were flat --

JIM MONTEVERDE: Yeah.

KYLE SHEFFIELD: Everything that we were doing --

ANDREA HICKEY: Could go that way.

KYLE SHEFFIELD: Yeah. We could actually tuck it in here and pull it tighter.

JIM MONTEVERDE: But wouldn't you have the same issue with your open space?

KYLE SHEFFIELD: No.

JIM MONTEVERDE: Wouldn't it be the same calculation?

KYLE SHEFFIELD: No, because the ten percent --

JIM MONTEVERDE: Oh.

KYLE SHEFFIELD: -- is the issue. And we're 42 percent over. If we had this, we would actually be only adding 20 -- well, we're at 42. So with that math essentially we would be at 18 percent. And we would be adding three percent to that.

BRENDAN SULLIVAN: What is the FAR? We're going from four-something to --

PATRICK TEDESCO: 4.8 to 4.4. Proposed is 0.44.

BRENDAN SULLIVAN: In a 0.5 district.

PATRICK TEDESCO: I'm sorry, Brendan. I mean Gus's point about adding 1,000 square feet, I would absolutely agree with you if it were an FAR issue. The fact that it's an open space issue, I would normally also be, you know, sensitive to except the topography in this case --

CONSTANTINE ALEXANDER: Yeah, I hear you and I --

PATRICK TEDESCO: Does mitigate the impact. But it's, it's a big footprint for sure.

KYLE SHEFFIELD: Yeah, I would add that there are other properties that are along this edge that experience the same issues. And we're trying to obviously withhold to the current setback of 20 feet and, you know, along with understanding that we could have that car parking for the accessory apartment, you know, and hold that existing edge that's already there and plan, our goal is trying to keep it as small as we can.

CONSTANTINE ALEXANDER: Other comments from members of the Board at this point?

SEAN O'GRADY: I just had a question. So you've advertised for an addition. Which addition, it's the big addition that we're talking about?

KYLE SHEFFIELD: The addition is here and here and because this has an impact on the open space calculation,

we're also talking about this.

CONSTANTINE ALEXANDER: You didn't advertise it.
I think that's where Sean is going.

SEAN O'GRADY: Yeah, I mean you've got three different things going on, but only one mention of the addition.

KYLE SHEFFIELD: Well the garage, the garage addition is actually -- it's -- they're effectively connected by a roof. And I wasn't, if the addition of the or the wording of the addition wasn't specific enough, I apologize.

CONSTANTINE ALEXANDER: It's more than apologize, I mean the point that we're getting at, the purpose of an advertisement is to let the community, the neighbors or people of Cambridge at large know what kind of relief is being sought.

KYLE SHEFFIELD: Yes.

CONSTANTINE ALEXANDER: What you've advertised

suggested different relief, less relief than what in fact you're seeking tonight. Specifically at the bottom end of the -- yeah, that one, yeah. Nowhere you get there from the advertisement.

KYLE SHEFFIELD: I'm afraid we actually do. It's basement egress, stair ramp to an existing --

CONSTANTINE ALEXANDER: I'm talking about the ad, the advertisement. The advertisement says: Construction of an addition that is non-conforming -- well, it's general, to private open space requirements. Okay, it's general. I thought it was more specific, you're correct. You're correct.

Again, any comments? Andrea.

ANDREA HICKEY: I sort of agree with you. I see the hardship relative to the internal stair. I even see the hardship relative to the ramp. It's the garage that I'm just not seeing the hardship. I mean, many people don't have a two car garage that fit any size car.

KYLE SHEFFIELD: Sure.

ANDREA HICKEY: Finding a hardship on that one component is where I need a little more help.

JIM MONTEVERDE: If I can add, I think I see the problem with it, I don't know that I get as far as saying it's hardship to solve what you need to, you know, with how much additional space or in some configuration that may be other than that.

KYLE SHEFFIELD: Yeah. And the big thing was that there was essentially a deed restriction as part of the development of these parcels, and that has since been lifted.

CONSTANTINE ALEXANDER: Lapsed.

KYLE SHEFFIELD: Lapsed.

ANDREA HICKEY: Expired.

KYLE SHEFFIELD: Right. This was one of the few houses in this development that actually had that two car garage. And there's another one that was further around at

137 that was recently demolished, and that car garage actually had the garage that was angled away at a 45-degree angle from the street. All of these were restrictions that were put on the original property when it was built, and as a result, the rotation of the garage, the diminutive size of the garage was part of the big issue that ended up becoming the hardship now. And now that we're dealing with --

CONSTANTINE ALEXANDER: But to answer his point, it may be diminutive, you still have a garage that can park a car and not two cars and the fact that you need, you like a garage for two cars, it may not be a sufficient hardship that would justify the granting of a Variance. That's the issue, one we're struggling with.

KYLE SHEFFIELD: Sure, sure I understand. The other, you know, obviously the big thing for us is that we do still have a lot that has 8,793 square feet of steeply sloping site that is not getting developed. It remains open space. Under the Ordinance the hardship is that because it

has a 10 percent grade or greater, and this one has 20 -- almost 20 percent, we're dealing with a site that is 20,000 square feet and unfortunately 8,793 square feet of that is preventing us from doing what would be a standard. And we're not talking about whether it was a, you know, to your point, Brendan, earlier of asking how much of it if it was a flat site, would we actually be coming before you tonight? And we wouldn't because we would be able to build what we're building to be conforming to everything which we are doing tonight, including open space, and this is the issue that we're struggling with here.

CONSTANTINE ALEXANDER: And so are we obviously.

KYLE SHEFFIELD: No, no, I appreciate it. I appreciate it.

CONSTANTINE ALEXANDER: Any further comments at this point or open it up to public testimony? We can come back obviously will come back to discuss this. I'll open it up to public testimony.

Let me open the matter up to public testimony. Is there anybody here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We are in receipt of some letters, several letters. They're identical. And so I'll just read one and I'll try to read the names of the people who wrote. I can't always read the handwriting.

The letter is as a homeowner in the neighborhood in and around the 148 Coolidge Hill property, I have met with the applicant to discuss the proposed plans for the property and have seen the plan which is in front of the Zoning Board of Appeals for the zoning relief. The proposed plan was explained to us and any questions or concerns have been addressed to our satisfaction. Please consider us in support of the application and plan as submitted by the applicant.

And one person signed is Suzie Mees, M-E-E-S. If

I got it right, Longfield who resides at 106 Coolidge Hill.

Michael Higgins. It's Higgins? I guess it's
Higgins, who resides at 110 Coolidge Hill.

Holly Browning who resides at 133 Coolidge Hill.

Chester, I'm not even going to try to read the
last name, who resides at 144 Coolidge Hill. And I think
that's it.

Nope, sorry, there's one more. Sam Spektor,
S-P-E-K-T-O-R who also resides at 144 Coolidge Hill.

And Charles Farkis, F-A-R-K-I-S who resides at 154
Coolidge Hill.

And Richard Harriman, H-A-R-R-I-M-A-N who resides
the 162 Coolidge Hill.

Katherine Chi, C-H-I, 170 Coolidge Hill. A lot
more letters than I thought.

One from a Porter Gifford resides at 1 -- just 15
Coolidge Hill.

From Nora MacDonald, M-A-C-D-O-N-A-L-D resides at

45 Coolidge Hill Road. A number of these people are not abutters or close abutters. They're in the Coolidge Hill neighborhood.

KYLE SHEFFIELD: It's a tight knit neighborhood and I think that --

CONSTANTINE ALEXANDER: Right.

KYLE SHEFFIELD: -- you know.

CONSTANTINE ALEXANDER: And a letter from the Shady Hill School, who gives it -- well, address at 178 Coolidge Hill (44 Coolidge Avenue) 62 Coolidge Hill Avenue.

So those are all the letters and no letters in opposition.

I will close public testimony.

Is there any final words you would like to say at this point?

KYLE SHEFFIELD: I think if Everett has any personal comments to kind of convey that would be it.

CONSTANTINE ALEXANDER: Remember, it's a legal

standard. It's not a personal judgment that we're making.

KYLE SHEFFIELD: No, no, we always -- but other than that.

CONSTANTINE ALEXANDER: What's going to happen to the canoes -- are they canoes or kayaks? I apologize, I forget what you said.

EVERETT BRIGGS: They're canoes.

CONSTANTINE ALEXANDER: Canoes.

EVERETT BRIGGS: And part of the design, one of them was a wedding present to my wife, wooden canvas canoe. And the other one was a canoe that we took down the Missouri River in 2003 from the headwaters of Missouri to the Gulf of Mexico, and so it's a favorite canoe as well to commemorate the bicentennial of Lewis and Clark, but that's just as an aside. The garage is designed in such a way that we would be able to store the canoes above the cars. Whereas the existing garage that we have now, the canoes actually take up both bays because they have to go diagonally across. So

we haven't -- since we've owned the house we haven't been able to use the garage at all, and it's become a catchall for canoes and other things like that. And so --

CONSTANTINE ALEXANDER: That's true for a lot of garages by the way.

EVERETT BRIGGS: As are a lot of garages, exactly. Fair enough. That's true. But that's how we will deal with the canoes.

CONSTANTINE ALEXANDER: All right.

EVERETT BRIGGS: And to your earlier question the annex will continue to be rented to a -- to an individual or a couple.

CONSTANTINE ALEXANDER: And parking will be provided on-site should the person need parking?

EVERETT BRIGGS: Should they need the parking for at least one car.

CONSTANTINE ALEXANDER: One car.

Well, any discussion among members of the Board as

to what to do in this case?

BRENDAN SULLIVAN: My feeling is that it's below the FAR and that the topography is encumbering the site, is creating a hardship, you know, soil, shape, and topography. And that without that, they would be able to do what they want to do as of right. Yes, it's a big addition. The numbers appear big, but the site can handle it overall. That area, I think can handle it. It's a very large grand house as are most of them up there. I think they attain a certain and strive for a certain level of accommodation and comfort, and so on and so forth, and I don't see any harm in this. And I think that if it were totally out of character, out of place, out of sync with the rest of the neighborhood, that we would probably hear from -- about it.

CONSTANTINE ALEXANDER: Anyone else wish to comment or go to a vote?

Jim.

JIM MONTEVERDE: I just for me personally I still

have an issue with the, with either the configuration, the size, the request for the garage itself. The other pieces I can follow. That one itself, the designer in me wants to say how long are the canoes, where are the cars? I bet we can make this work with less revenue. I'm sure there would be an impact, but I don't think that it would be that size. So that's, that's the concern that I've got.

CONSTANTINE ALEXANDER: Does that mean you are -- you're planning to vote against it. Just to let them know.

JIM MONTEVERDE: Yes, I would not vote in favor unless I see something that sways me otherwise.

ANDREA HICKEY: Could an ask a procedural question? Is it an all or nothing vote? Is there a way to sort of parcel out the three items that are being requested?

CONSTANTINE ALEXANDER: Well, that's up to the petitioner. If they want to break the vote down into three separate votes --

ANDREA HICKEY: That's what I'm --

CONSTANTINE ALEXANDER: -- we could do that.

ANDREA HICKEY: -- inquiring about. Not suggesting or proposing.

KYLE SHEFFIELD: Sure. And you're asking us if we would --

CONSTANTINE ALEXANDER: Well, I guess Andrea's asking you, yes. Are you -- well, maybe reserve. Let's see --

KYLE SHEFFIELD: I'd like to reserve --

CONSTANTINE ALEXANDER: Maybe hearing from other members of the Board might affect how you respond.

KYLE SHEFFIELD: If that's okay.

PATRICK TEDESCO: I'm sorry. I would agree with Brendan. I think I mentioned this. To me the true measure of impact of a structure site is FAR, that's bulk. Right? So the fact that, you know, to a pedestrian on the street or to a neighbor, the fact that the greater than 10 percent

slope is not allowable, doesn't affect the impact of bulk.

Now, you know, topography is a hardship, that's clear. We often don't often hear soil, shape, and topography. It is a hardship. But I also understand that the Zoning Ordinance is very clear about not counting open space. So an attempt greater than ten percent. So is it a question of, you know, usable open space versus -- and I think that's, that's the intention of discounting steep slope, is that it's not really usable open space, right, for the occupant or the tenants. But it's in this case a visual buffer and I know there's the steep slope and you go down and Shady Hill and you're looking up the shaded trees in this case, you know, I do think are -- again, diminish the impact of what is a large footprint, but I do come back to the fact that there are no setback violations and there are no FAR violations.

Therefore, I can support. I don't disagree with Jim about the garage, probably is a better design solution for it, but I can support it I think for the reasons that Brendan cited

about FAR.

CONSTANTINE ALEXANDER: And I guess I would add with extreme reluctance I can support it as well. It just seems to me, as Jim has pointed out there's got to be a better solution. But I -- the topography does for me at the end of the day is something that sways me to granting relief. So I would be prepared, with reluctance, I would be prepared to vote in favor. So I don't know about Andrea, I could go to a vote or what you want to do next.

EVERETT BRIGGS: May I just say a few words? We have worked at great length to try to create a structure that is part of our home, that will continue the look and the feel of the home. That's in proportion to the home and has a facade that will -- we're actually taking some bricks, these old bricks from 1929 and using them on the front of the garage so that it actually continues to your earlier point about making these homes all look as though they fit on the hill and they're all uniform in some regard so that

the size of the garage and the slope of the roof is in proportion to the various profiles of the roofs that go across to the main part of the house. And we looked at bigger and we looked at smaller and we -- bigger was off the table because of the setback, and smaller made it look like almost as if it would not really fit relative to the proportion to the rest of the house. And that was an important consideration as we went forward with the design process with regard to this particular out building. We could be building a smaller out building there, but it really would not fit from the street and the view from the street with the rest of the building, and wouldn't serve our purposes for a garage and the vehicle that we want a garage in there.

CONSTANTINE ALEXANDER: Thank you. I think we're ready for a vote. So the Chair will make a motion.

The Chair moves that we make the following findings with regard to the Variance being sought:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship. Such hardship that the garage was constructed at a much earlier time, and as such is not suitable for the current use of the property.

That the hardship is owing to the topography of the lot that we discussed at length.

And that relief may be granted without substantial detriment to the public good or nullifying or substantially derogating from the intent and purpose of the Ordinance.

In terms of overall compliance with the Ordinance, the relief being sought is modest. And that as I said, has been occasioned by the -- and also has neighborhood support and has been occasioned by the nature -- the topography of the lot.

So on the basis of all of these conditions -- these findings, the Chair moves we grant the relief being sought on the condition that the work proceed

in accordance with plans presented by LDA Architecture
Interior, the first page of which has been initialled by the
Chair.

All those in favor please say "Aye."

(Show of hands.)

CONSTANTINE ALEXANDER: Four in favor.

(Alexander, Sullivan, Hickey, Tedesco.)

CONSTANTINE ALEXANDER: Opposed?

(Monteverde.)

CONSTANTINE ALEXANDER: One opposed. Motion
carries.

* * * * *

(9:10 p.m.)

(Sitting Members Case No. BZA-014349-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case No. 014349, 18 Sacramento Place.

Is there anyone here wishing to be heard on this matter?

ATTORNEY SEAN HOPE: Good evening, Mr. Chairman,

members of the Board. For the record, attorney Sean Hope, Hope Legal Offices in Cambridge. I'm here tonight on behalf of Leovofs, LLC and we have the manager of the LLC Mr. Josh Fetterman. This is an application requesting a Special Permit to exempt the GFA from an existing three-family dwelling. This is going to be a Res B Zoning District, and it's going to be staying a three-family dwelling. Currently the first, second, and third floors make up three families. They're all the approximately 900 square feet. And so each of the units with the stairs leading up is fairly tight. So they are two-bedroom units but they are tight and the building was rundown. And there's need of substantial work that's part of the redevelopment. Also there's a series of dormers that are going to be placed on the third floor. This is to add adequate head height so that the third floor would be much more liveable. And then the first floor is going to be duplexed for the first floor in the basement. So that first floor is really what's going to be impacted by

the proposed exemption.

CONSTANTINE ALEXANDER: Should we grant relief, you're going to go for how many square feet? Which is only on the first floor now, the basement's not occupied I assume.

ATTORNEY SEAN HOPE: That's right.

CONSTANTINE ALEXANDER: And you have the basement and what's the size of the unit going to be, from what to what?

ATTORNEY SEAN HOPE: So you might have the actual, but essentially it's another 1,000 square feet that's going to be added in --

CONSTANTINE ALEXANDER: So you're going to double the size, you said 900 feet, right?

ATTORNEY SEAN HOPE: Yeah. It's only because the basement doesn't have stairs. So in terms of what's there. And so the -- yeah, so the proposed with the basement is going to be a extra 975 square feet. And so that first

floor would go from 915 square feet to 1890. And it's academic, but the basement is now, because it's below 7.6, it actually is excluded from GFA. And so we're excluding it again. And they won't be digging out. So you'll go from something that's not GFA to be about eight-foot ceilings and then with the exemption. And so just pointing out on the dimensional form the GFA stays the same --

CONSTANTINE ALEXANDER: Right.

ATTORNEY SEAN HOPE: -- and that's because of that. But on the plans we practically had laid out that the fact that the unit, the first floor unit is going to be bigger.

CONSTANTINE ALEXANDER: Does your client -- do you occupy the property now?

JOSH FETTERMAN: No. No, the property is vacant now.

CONSTANTINE ALEXANDER: Are you an investor? Are you buying it?

JOSH FETTERMAN: Yes, invest -- we've owned it for a little over a year now.

CONSTANTINE ALEXANDER: You've owned the structure?

JOSH FETTERMAN: Yes.

CONSTANTINE ALEXANDER: It's not a condominium?

JOSH FETTERMAN: No, it's a three-family house.

CONSTANTINE ALEXANDER: Okay.

BRENDAN SULLIVAN: So it's rentals.

JOSH FETTERMAN: Yes.

BRENDAN SULLIVAN: Or it was?

JOSH FETTERMAN: Was and, you know, I guess we're about 50/50 on whether it will be condos once all the work is done, but, you know, we'd like to keep it as rentals if we can.

ATTORNEY SEAN HOPE: And also, in this case if you visit the property, you'll notice that the property's about four to five feet above ground, you know, typically. So I

would say in many ways, you know, often times when you dig out, you're doing window wells, not just for one for Building Code but also to create light and air. I think this property and several of the properties on the street are actually raised out of the ground somewhat.

CONSTANTINE ALEXANDER: I have visited the site, and I can't think of a place that's more dangerous in terms it's narrow dead end street. Fire engines could not get down that street if there's a fire. And you've got old wooden three families, cheek to jowl. If there's a fire in any one of those, bingo, all of those houses are going to go up in a second. It's going to be East Cambridge all over again. So I'm a little concerned about something that intensifies the use of the properties or the unit in this house.

ATTORNEY SEAN HOPE: And maybe to address just the fire point. As a three-family dwelling, as part of the renovation, it will be sprinklered. So there is a way in

which the renovation as well the Building Code, because we are eliminating -- there are two sets of stairs and they're not to code, and so part of that will be eliminating stairs and sprinklering the building so that would remedy that.

I would also say, too, even without exempting the basement I mean, you know, it would be less liveable. I mean it could be used also by analogy, if this was a two-family dwelling, you could exempt the basement GFA as of right, meaning it would be as of right. But I think in this case that first floor is really going to be a quality three-bedroom unit at 1800 square feet. I would just juxtapose this from something that is looking to taking the basement space and creating something that's not normally there. This is something what you would normally see a playroom and a bedroom as a third bedroom in something like a duplex unit. So I think this is consistent with what you'd see on that particular street because a lot of the houses are raised up, but also when you want to create more

of a family-sized unit, you would have the bedrooms and living areas on the primary floor. So I think it's a practical use of the space in the structure. It's also building within the existing footprint. Oftentimes there is no parking in the structure, so -- or on the street. And so I would say though even though you are adding another 975 square feet, I think that is, it's a practical use and it's also something that does create another family-friendly unit within the housing stock. This is right around the corner from the Agassiz Baldwin School, there's playgrounds. So I do think it is a neighborhood that has many family-friendly amenities. We're not sure if there's gonna be a family in there, but I think there's a practicality to the proposed exemption and also being able to add adequate head height.

PATRICK TEDESCO: You're going from two bedrooms to three bedrooms in that first floor unit?

ATTORNEY SEAN HOPE: That's right.

CONSTANTINE ALEXANDER: In that 900 square foot

unit now there was two bedrooms?

JOSH FETTERMAN: Yes.

PATRICK TEDESCO: And the egress, you started to talk about the height of the windows. So is the egress from the basement through the windows or --

ATTORNEY SEAN HOPE: So to have a bedroom in the basement, you are required to have an egress out there, but I think the primary egress would not be rear window. It would still be -- because it's a sprinklered building, you would be coming up to the first floor. I don't believe there's a proposed bulkhead or any of that.

JOSH FETTERMAN: No, there's an existing bulkhead on the back that would stay. But really to your point, there's backup stairs.

PATRICK TEDESCO: You're not required to have a second means from the basement --

ATTORNEY SEAN HOPE: That's right.

PATRICK TEDESCO: -- unless it were its own unit

which it's not, it's part of the first floor?

ATTORNEY SEAN HOPE: Part of the first floor, that's right.

And I would say just in terms of the Special Permit criteria, I don't think that this, this exempting the basement GFA is gonna cause nuisance or hazard. I would say that even though it's a Res B Zoning district which on its face would not allow for multi-family dwellings, there are a series of twos and threes within that neighborhood. So I would say that the use is within the context of the neighborhood. And I would say also even though it's a narrowish lot, I don't think it's gonna impact negatively the adjacent uses. You know, it's already there, really just going to be digging out and we're not going to be doing anything to the existing structure that would negatively impact many of the adjacent structures. And as I said previously, I do think it's a practical use for this property to have the basement in a play area.

BRENDAN SULLIVAN: The question is, too, can that street handle more people? It adds to the congestion because you're creating a bigger unit. You know, you're saying the plus for this is it's going to be family friendly. And, again, it's just, it's --

CONSTANTINE ALEXANDER: And also if it's going to be three bedrooms, you might get family or a group with two cars and now you're going to add to the parking on the street, too. I assume the people who used to live on the first floor didn't have two cars or the occupants didn't have two cars.

ATTORNEY SEAN HOPE: No. And I think on the street as you go there, I don't think there's naturally parking on that street so they would have to either be parking not necessarily on Sacramento Place but they'd have to be parking on Sacramento Street. But to Mr. Sullivan's point, we did a resident outreach, we have letters from the direct abutters in support. They, you know, just in terms

of being able to outreach, they didn't make the file but those are letters from the additional neighbors. And, you know, but I think Mr. Fetterman can speak to it, but there was a lot of support. This was a property that was rundown over a considerable amount of time. And I think the renovations and the upgrades are something that are seen as a positive for people on Sacramento Place.

CONSTANTINE ALEXANDER: That's certainly the strongest factor, for me, in support of the relief you're seeking, you said you will upgrade the property because right now it's not in the best of condition let's say.

ATTORNEY SEAN HOPE: That's right.

BRENDAN SULLIVAN: Well, any of those are right for renovation and right for people in the business to come in, buy it for the value in relationship to the condition that it's in and then improve it and if they can get relief from the Board improve it dramatically.

CONSTANTINE ALEXANDER: Well, that's the issue

that we have to wrestle with all the time about, you know, rewarding people that come in and develop. We're going to create value should we grant relief tonight for your client. That's not the job that we should be doing, creating value for people who come in as opposed to current homeowners who want to improve the space they're living in. This is not, this is about increasing the value of the property so you can make a profit. I'm not saying it's wrong or we're going to turn you down, but that's what it's all about.

ATTORNEY SEAN HOPE: But I also think it's about improving the housing stock for the City of Cambridge. And, you know, I do think when you have these rundown -- you know, there are certain properties that when you, you know, that was before the Board, and there was a ten-unit property, that was just a rental, and so, you know, that one in that context of that neighborhood didn't make a lot of sense to have basement GFA. I think when you have a traditional two or three-family that you have -- that's

especially because the house is raised out ground, it really does lend itself to naturally having some living area there. And I think the idea is there have then lots of structures that were built to 6.11, they were playing this game. And so I think part of for certain structures, the allowance for this extra foot allows for more liveable space. I don't think that this would be empty vacant space. It likely would be liveable space, but I think this allows it to be much more functional and much more usable. It does create value but I also think part of creating value does allow for the upgrading of the housing stock. I do think if we were asking for anything that had a Variance or a hardship, I think at that point the financial element would be much more appropriate. You would say well, look, that's not a hardship and that's the result. But I do think in terms of the Special Permit criteria, I don't think that we're causing those nuisances that would, you know, possibly give the Board pause. But as you understand, when you do upgrade

a property and you do add living space, it does increase the value.

BRENDAN SULLIVAN: Doing this in three families it's a hard sell for me anyhow.

CONSTANTINE ALEXANDER: Any other comments from members of the Board at this point?

(No Response.)

CONSTANTINE ALEXANDER: I'll open the matter up to public testimony.

Is there anyone here wishing to be heard on this matter?

(No Response.)

CONSTANTINE ALEXANDER: Apparently not. We are in receipt of letters as the petitioner's or as petitioner's counsel has given to us. They're identical letters. The three, three of them. (Reading) I am writing to lend my support for the Special Permit to allow for a living area in the lower level of the existing three-family dwelling at

18-20 Sacramento Place. I am a direct abutter at 122 Sacramento Place and have lived in the neighborhood for two years. I've met with the owners and have reviewed the renovation plans in detail and believe the requested additional living area will be consistent with a mix of multi-family properties in the neighborhood and will not cause congestion, nuisance, or negative change in the character of the neighborhood. For all of these reasons, I strongly urge you grant the Variance request. That's obviously incorrect. And as I said, if I didn't say it, it's signed by Nathan Perkins, P-E-R-K-I-N-S.

There's an identical letter from Nicholas Cesar, C-E-S-A-R, who resides at 123 Sacramento Place. Not 1, it's 23. Before it was 22. I'm sorry.

And the last is from Nathalie, N-A-T-H-A-L-I-E van Bockstaele, B-O-C-K-S-T-A-E-L-E who resides at 10 Sacramento Place. And that's it.

Any final further questions or comments?

JOSH FETTERMAN: Just that on a couple of occasions I went out and met with three or four other abutters, both one was sort on the rear with a Sacramento Street address that abuts the property, and a couple across the street. I didn't have the support letters at that time to ask their support but it was a very positive conversations with them.

CONSTANTINE ALEXANDER: Okay. Discussion?

JIM MONTEVERDE: No.

CONSTANTINE ALEXANDER: Ready for a vote?

Okay, first we have to make a finding under Article 2 with regard to the definition of gross floor area which allows us to, by Special Permit, to not include in GFA basement or cellar living space, but we have to make a finding that the uses occupying such exempted GFA support, support the character of the neighborhood or district in which the applicable lot is located.

So it's your position that by allowing this to be

used for residential purposes by increasing the GFA, you can use it for residential purposes now. But by increasing the GFA, that supports the character of the neighborhood. Just to let us indicate.

ATTORNEY SEAN HOPE: I would say by excluding it, but allowing us to use it -- and I do think by supporting the character, I do believe it's a family-friendly neighborhood with adjacent schools and parks and so I think that's part of the environment as well.

CONSTANTINE ALEXANDER: And now we have to turn to the more specific general Special Permit findings that we have to make.

That the requirements of the Ordinance cannot be met without the Special Permit that's being requested.

That traffic generated or patterns of access or egress that will result should we grant the relief your seeking will not cause congestion, hazard, or substantial change in established neighborhood character.

That the continued operation or development of adjacent uses will not be adversely affected by what you propose, if we grant you the relief tonight.

That no nuisance or hazard will 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.

And for other reasons the proposed use will not impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of this Ordinance.

So based on these findings, the Chair moves that we grant the relief requested that would exempt the basement -- exempt the basement gross floor area of this structure from the basement of the three-family dwelling. I'm getting this all botched up. Anyway, to allow -- not to count the basement GFA for purposes of our building -- our Zoning Ordinance.

There are no plans to tie this to. The plans

you've given us are for information purposes I believe. But I think I'm going to tie them to it anyway.

So I move that we grant the Special Permit requested on the condition that the work proceed in accordance with the plans submitted by the petitioner, prepared by Khalsa K-H-A-L-S-A Design, Inc., the first page of which has been initialled by the Chair.

All those in favor of granting the Special Permit please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: With great deal of reluctance, Aye. Four in favor.

(Alexander, Hickey, Tedesco, Monteverde).

CONSTANTINE ALEXANDER: One opposed.

(Sullivan.)

CONSTANTINE ALEXANDER: Relief granted.

* * * * *

(9:30 p.m.)

(Sitting Members Case No. BZA-014384-2017: Constantine Alexander, Brendan Sullivan, Andrea A. Hickey, Patrick Tedesco, Jim Monteverde.)

CONSTANTINE ALEXANDER: The Chair will call case No. 014384, 16 Notre Dame Avenue.

Is there anyone here wishing to be heard on this matter? As you know by now, please give your name and address to the stenographer.

CATHERINE SULLIVAN: My name is Catherine Sullivan of 16 Notre Dame Avenue and this is my husband David Sullivan.

Good evening members of the Board and Chair. We are proposing to restore the original pair of narrow vertical windows in the downstairs bathroom at our house, which is a classic 1922 arts and crafts bungalow. These were replaced in the late 1960s by one higher up -- or it took up the top half of the original windows, awning window. This was during a renovation which stripped the bathroom,

the kitchen, the pantry -- and the pantry of their arts and crafts features and redid them in a mid-century kind of way. And we've lived in the house for 26 years and we're now in the midst of a renovation of those areas. And the idea is to restore them to their 1920s character.

So let me pass around -- I'm sorry, I sort of forgot that this was modern times and you wouldn't have a hard copy packet with the pictures, so I just have small copies, but let me pass.

CONSTANTINE ALEXANDER: We have them in the file.

CATHERINE SULLIVAN: Oh, but there's just one copy.

CONSTANTINE ALEXANDER: Yeah, we've all seen it though. You can pass it around if you like.

CATHERINE SULLIVAN: Why don't I pass them around. This is the bathroom window as done in the 1960s. The picture was taken in July before the renovation began in August. We're working with S&H Contractors.

Now, this is a picture taken in early August after they did demolition, and you can see just below that horizontal awning window the, the woodwork that's 50-years-old as opposed to 100-years-old showing where the original two vertical windows were.

And this, finally, is a photograph of the house taken in. I would guess the 1940s, which shows one of the original bathroom windows. The other one is blocked by the house next-door. There's a little arrow that I've put next to the bathroom window. And you can see that this window is on the side of the house about halfway back from Notre Dame.

So our proposed pair of new windows would roughly double the size of the 1960s awning window which in turn halved the original two windows of which you can see one in that photograph.

Because our house is six feet from the property line on that side, instead of the seven foot six inches required by the Ordinance, we need a Special Permit for our

project under Section 8.22.2.c of the Ordinance and dimensional requirements of Article 5.

So let me address the criteria for making your decision in turn. Restoring these windows does not increase the area of the house or make the house more non-conforming with respect to the dimensional requirements of Article 5. So the prerequisite in 8.22.2.c for the granting of the Special Permit is met.

There would be though change in traffic or patterns of access or egress by changing the windows.

There's no effect on adjacent uses.

And also no hazard or nuisance.

It's really only the occupants of 20-22 Notre Dame Avenue next-door on the west side of our house for whom the proposed windows are really an issue.

Nobody else on Notre Dame Avenue can see those windows. No abutter or abutters to -- or any abutter to an abutter on the east side can see that side of the house.

CONSTANTINE ALEXANDER: Have you spoken to the people who can see the windows?

CATHERINE SULLIVAN: Yes.

CONSTANTINE ALEXANDER: We don't have any letters.

CATHERINE SULLIVAN: Well, you should. I submitted a letter.

CONSTANTINE ALEXANDER: We have a letter from 16 Notre Dame. No, No, I'm sorry. I misread it.

CATHERINE SULLIVAN: From Berit Pratt and Cornelia Smith. I have a copy.

CONSTANTINE ALEXANDER: They don't identify where they're from. Here it is, yep, 14.

CATHERINE SULLIVAN: 14. That's the other side. And this I brought down and gave to Maria myself. So you should have had a copy.

CONSTANTINE ALEXANDER: Okay.

CATHERINE SULLIVAN: This is the operative side, 20-22.

CONSTANTINE ALEXANDER: Okay.

CATHERINE SULLIVAN: And those are the owners,
Berit Pratt and Cornelia Smith.

CONSTANTINE ALEXANDER: And they're in favor?

CATHERINE SULLIVAN: They're in favor. They're
strongly support it. I've also spoken to their tenants
which is the ground floor, which is the floor directly
across from the ground floor bathroom and they said they had
no concerns.

CONSTANTINE ALEXANDER: Okay.

CATHERINE SULLIVAN: There were a couple of other
people that submitted letters, I think. But that's the
letter from that side.

CONSTANTINE ALEXANDER: Thank you.

CATHERINE SULLIVAN: You're welcome.

There are some abutters or abutters to abutters on
the west side who possibly could see the window, but either
they can't see them at all or they would be very distant.

And this next photo is taken from the property line standing on our property next to the fence, next to the closest neighbor and there's a blue arrow there showing where the plywood covered awning window is and you can see that it's not really close enough to be a nuisance.

Then this photo shows that across from the --

CONSTANTINE ALEXANDER: You're well prepared.

CATHERINE SULLIVAN: Thank you. Thank goodness for iPhones with cameras. There are no windows directly across from the first or second floor from our bathroom windows just by chance. And here's another photo which I took standing right below the center of our bathroom window showing you that there's a wall. And then that window to the right is another bathroom window, that's the tenant's bathroom window which has frosted glass.

CONSTANTINE ALEXANDER: Where's the wall that's the old -- the window that you're replacing?

BRENDAN SULLIVAN: She's on the inside looking

out.

CATHERINE SULLIVAN: I'm standing under our window showing you --

JIM MONTEVERDE: Next-door.

CATHERINE SULLIVAN: -- what's across from that window.

CONSTANTINE ALEXANDER: Got it.

CATHERINE SULLIVAN: Our windows look similarly to that bathroom window in that last photo have privacy measures taken, either privacy window film or obscured glass so that there wouldn't be any issue with our neighbors having to look at us brushing our teeth at midnight or anything else that would be an imposition on them.

Also our contractors were very careful in planning how they would go about constructing the windows. They would put in ice and water shield as I understand it, on the framework and then the windows would be trimmed with stone rather than wood, and the sills angled down to avoid any

problem with the water from the shower. I think when they built the bathroom, they probably didn't have a shower so it wasn't an issue. Then in the 60s when they had the shower, the window rotted probably. The windows rotted and they took them out and put one higher up. So our windows would I think avoid those problems by the stone and by the ice and water shield.

And then I would just say that the proposed changes are in line with the purposes of the Ordinance. We will have more light and more air. And what you can see from that first photograph was a dark and unpleasant bathroom, and we also believe that one of the purposes of the Ordinance is to add value to the building or land and we think the changes will add value to the house not only monetary but aesthetic. There are no other horizontal windows in the house. All of the windows except for two decorative windows on either side of the fireplace are double hung. So this would be a return to the type of

window that is typical of the house and was typical to the bungalows of the era. That awning window when it was installed interrupted the pattern of windows on the exterior, too. There were two larger vertical single windows in the front room. Then the pair of smaller vertical windows at the bathroom, and then two more separated single vertical windows in the back room of the house. And we also think that the proposed change would preserve and increase the amenities of the city and the language of the Ordinance by restoring the original features of the bungalow. And I found in my files from when we first bought the house a 1972 city architecture survey, and it said that our house was quote: A true 1920s bungalow, single, simple features but classic, unquote.

For all of these reasons, we urge you to find that the new windows would not be substantially more detrimental to the neighborhood than the existing structure and grant the permit.

Thank you very much.

CONSTANTINE ALEXANDER: Thank you. Quite a presentation.

Questions from members of the Board or comments I should say. Questions?

There is no one in the audience other than Mr. Hawkinson. Do you have any comments?

JOHN HAWKINSON: I do not, Mr. Chair.

CONSTANTINE ALEXANDER: All right. I will close public testimony.

Well, I -- we do have some letters. One I do want to read is from the person who is most, the only person affected, the persons who reside at 20-22 Notre Dame Avenue. We are writing to inform you that as the owners of 20-22 Notre Dame Avenue, and also as abutters of David and Catherine Sullivan at 16 Notre Dame Avenue, we fully support the Sullivans' plan to restore their house's original first floor bathroom windows, replacing the current horizontal

window with two vertical windows that together would double the area of the current window. We understand that because of the proximity of their house, like our house, to the property line there was an issue of alteration of a non-conforming structure. Our property at 20-22 Notre Dame Avenue is the only property that would in any way be visually impacted by the above-mentioned alterations. We are in full support of the alterations and would like to see the Sullivans' project move forward as soon as possible. We urge you to grant the Sullivans' application for a Special Permit. And the letter is signed by Berit, B-E-R-I-T Pratt, P-R-A-T-T and Cornelia E. Smith.

There are also letters which I'm not going to read verbatim, in support from Ellen Gallagher, G-A-L-L-A-G-H-E-R and Allyson, -- A-L-L-Y-S-O-N Goose who reside at 14 Notre Dame Avenue, unit B.

And a brief e-mail from David Levitt, L-E-V-I-T-T who also resides at 14 Notre Dame Avenue.

With that I'm going to close public testimony. I assume we're ready for a vote.

JIM MONTEVERDE: Yes.

CONSTANTINE ALEXANDER: Okay.

The Chair moves that we make the following findings with regard to the Special Permit being sought:

That the requirements of the Ordinance cannot be met unless we grant the Special Permit.

That traffic generated or patterns of access or egress will not cause congestion, hazard, or substantial change in established neighborhood character as presented by the petitioner. We're talking about the replacement of a one bathroom window that's visible only to one other structure.

And that what is being proposed will restore the building to what it was originally when built at a time when -- and it would be considered I think architecturally significant building.

That the continued operation or development of adjacent uses permitted by the Ordinance will not be adversely affected by what is proposed. I think that speaks for itself.

No nuisance or hazard will 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. And for other reasons the -- and that what is being proposed will not impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of the Ordinance.

In fact, what is being proposed will improve the housing stock of the city by restoring to a certain extent the original structure that was built in the 1920s.

So on the basis of these findings the Chair moves that we grant the Special Permit requested on the condition that the work proceed in accordance with the plans submitted by the petitioner, plans and drawings, all of which have

been initialed by the Chair, which you've given us before.

All those in favor please say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Good luck.

And congratulations on a very, very comprehensive presentation.

CATHERINE SULLIVAN: Thank you very much.

(Alexander, Sullivan, Hickey, Tedesco, Monteverde.)

(Whereupon, at 9:45 p.m., the

Zoning Board of Appeals Adjourned.)

* * * * *

ERRATA SHEET AND SIGNATURE INSTRUCTIONS

The original transcript and Errata Sheet has been delivered to Inspectional Services Department.

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After reading this volume of the Zoning Board of Appeals transcript, note any change or correction and the reason therefor on this sheet. Sign and date this Errata Sheet.

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I have read the foregoing transcript of the Zoning Board of Appeals, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
BRISTOL, SS.

I, Catherine Lawson Zelinski, a Certified Shorthand Reporter, the undersigned Notary Public, certify:

That the hearing herein before set forth is a true and accurate record of the proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of October, 2017.

Catherine L. Zelinski
Notary Public
Certified Shorthand Reporter
License No. 147703

My Commission Expires:
April 29, 2022

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