

BOARD OF ZONING APPEAL  
FOR THE  
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY, DECEMBER 18, 2014

7:00 p.m.

in

Senior Center

806 Massachusetts Avenue

Cambridge, Massachusetts 02139

Constantine Alexander, Chair

Timothy Hughes, Vice Chair

Brendan Sullivan, Member

Thomas Scott, Member

Janet Green, Member

Douglas Myers, Associate Member

Sean O'Grady, Zoning Specialist

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**P R O C E E D I N G S**

(7:05 p.m.)

(Sitting Members Case #BZA-005038-2014:  
Constantine Alexander, Brendan Sullivan,  
Thomas Scott, Janet Green, Douglas Myers.)

CONSTANTINE ALEXANDER: Okay, the  
Chair will call this meeting of the Zoning  
Board of Appeals to order. And as is our  
custom, we're going to start with the  
continued cases. And the first continued  
case I'm going to call is 005038, 55  
Cambridge Parkway.

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

(No Response.)

CONSTANTINE ALEXANDER: The chair  
notes that there is no one wishing to be  
heard.

The Chair would report back that we  
are in receipt of a letter from Amy

Crosby, C-r-o-s-b-y, project manager,  
Dyer, D-y-e-r, Brown and Associates  
regarding this case. (Reading) Please  
accept this letter as a formal withdrawal  
of our exterior signage variance request  
at 55 Cambridge Parkway in Cambridge,  
Mass.

We have to approve that withdrawal.  
The Chair moves that we approve the  
withdrawal of this case.

All those in favor say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in  
favor. Case withdrawn.

(Alexander, Sullivan, Scott,  
Green, Myers.)

\* \* \* \* \*

(7:05 p.m.)

(Sitting Members Case #BZA-005332-2014:  
Constantine Alexander, Brendan Sullivan,  
Thomas Scott, Janet Green, Douglas Myers.)

CONSTANTINE ALEXANDER: The Chair  
will next call case No. 00532, 166 Elm  
Street, No. 2 north.

EDRICK VAN BEUZEKOM: My name is  
Edrick Van Beuzekom. I'm the architect  
for the project. I'm with EVB Designs in  
Somerville, Massachusetts.

STEPHEN WELLER: Stephen Weller.

STEFANIE HAUG: Stefanie Haug.

EDRICK VAN BEUZEKOM: The owners  
of the property.

CONSTANTINE ALEXANDER: Yes.

STEPHEN WELLER: And if I could  
just start off by, you know, thanking the  
Board for the opportunity, grateful for  
the opportunity to sit before you again

with our proposal. After our last hearing, you know, we took seriously the Board's concerns and hope that the way in which we've addressed justifications and as well the design reflects that effort, and are looking forward to answering any questions you have this evening.

CONSTANTINE ALEXANDER: Why don't we -- give us a formal presentation --

EDRICK VAN BEUZEKOM: Okay.

CONSTANTINE ALEXANDER: -- and explain exactly what you did or where you are right now.

EDRICK VAN BEUZEKOM: Okay. So to begin with, the existing house -- let's first turn to the drawings that we have here and the floor plans and also pass out some community views.

I think you have these in the file

as well. These are 3-D views. This is in the front, both the existing and the proposed.

CONSTANTINE ALEXANDER: Can you -- could we have -- I know they're in the files, and I've seen them, but I don't know if other members have seen them or not.

Go ahead.

EDRICK VAN BEUZEKOM: And here's a series of additional views from both the street and from above to give you a full sense.

CONSTANTINE ALEXANDER: These reflect the new plans?

EDRICK VAN BEUZEKOM: They reflect the current plans, yes.

DOUGLAS MYERS: These are in the file?

CONSTANTINE ALEXANDER: They're in the file, yes. There were drawings, I haven't matched them up.

EDRICK VAN BEUZEKOM: I put the existing ones in the file, the proposed new but not the existing 3-D.

CONSTANTINE ALEXANDER: I thought you had 3-Ds for the new plans.

EDRICK VAN BEUZEKOM: Yes.

CONSTANTINE ALEXANDER: Okay.

DOUGLAS MYERS: But not the existing.

EDRICK VAN BEUZEKOM: That's right.

CONSTANTINE ALEXANDER: That's right.

EDRICK VAN BEUZEKOM: The issues, Steve and Stefanie have two children. They live in a house which has

currently -- they're on the second and third floors of a two-family structure. So there's a first floor unit and the second floor. And it is a lodge that is smaller than the minimum required in the area partly because it was subdivided at some point for a carriage house behind it that was converted into a single-family home.

Their current living space includes two bedrooms on the third floor under the roof with a spiral stair that goes from the second floor up there. The spiral stair is narrow. It's not very safe. And when you get to the top at the third floor, the landing does not have adequate headroom, nor width. So nothing about it meets Building Code. The bedrooms up there, which they do use, don't have

adequate ceiling space as well. It's a little bit lower than the minimum required.

So what we're proposing is to basically reframe the roof at a steeper pitch in order to still maintain the character of the house from the street. It's keeping the same historical detail with the brackets and the trim. And by getting a steeper pitch we pick up some headroom. And in addition to that, we want to build a new stair up to the third floor to have additional -- to have a safer route up and down as egress for the third floor. And so we explored a number of options to try to put the stair where the spiral stair is now and maybe making a bigger spiral stair with a double deck stair keeping it in the center of the

house where we have the most headroom, but the problem we run into is how to get -- once you have the stair that's the proper size, you don't have enough room to get around it to get from the front to the back of the house. So what we're proposing is to stack the new stair over the existing stair that comes up from the ground floor to the second floor. In order to do that, we need to do construct the dormer. And I'll show you in the 3-D views.

So the -- here's the proposed new stair coming up from the second floor. And when -- and we bring it around, we tried to arrange it in a way to limit how much dormer space we needed to get the headroom. So we've -- we've actually reconfigured it a little bit from what we

previously proposed in order to squeeze down the dormer a little bit. So the idea is now you land here. Usually with doing the dormer over the stairs is since the stairs is at the outside wall, if the dormer were set in from the outside wall as per the dormer guidelines, we wouldn't -- would not have the proper headroom for the stairs to the third floor. So we are complying with the length of the dormer guidelines. We're complying with the distance from the ends of the roof. We also have dropped it down from the peak, but the one area where we're asking for some relief would be on the location of the --

CONSTANTINE ALEXANDER: This is both by the way?

EDRICK VAN BEUZEKOM: Yes, it is

both. And I'll explain why we're doing it on the other side, too.

When you get to the third floor, basically what we're doing is using the existing space now on the front which now has adequate headroom as one of the bedrooms. We wanted to get another bedroom here. Because we're relocating the stair here, we're losing a small room that's currently on the second floor. It's actually quite small but it has been used as a bedroom. So we wanted to get the third bedroom up on the third floor now. In order to do that, again, because the narrow width of the house, we're proposing a dormer on the opposite side from the one over the stairs. It's got the same issue. Well, it's a different issue, but, again, because of the

narrowness of the house, if we hold it in, we don't really get an adequate room size space. So we're proposing again to bring it out to align with the exterior wall below. We would of course in both cases continue the eave line. Because the roof will be a 12-on-12 pitch, it's fairly steep, which means that the portion of the eave that we run across them has some substantial dimension to it so I think that helps with the appearance at least to carry the roof line through.

In addition to that, as we reframe the new roof, we wanted to carry the main gable back over this back section here in order to have a master bedroom. This is the area where we've made the most significant change from the previous proposal, which was basically to eliminate

a dormer here, which it's pretty big sacrifice in terms of the size of this room, but it's still, you know, still big enough to get a bed in there. So compared to what they have now, it's an improvement. And the idea would be that on the south side of the house we get the heights that because there's a step back from where the wall of the main house is, we've got some height there and you get some light into the space there. And this side now it drops down to the eave line which actually helps in terms of any shadows cast on the neighbor's house.

CONSTANTINE ALEXANDER: First of all, let me compliment you on listening to us with the dormer guidelines and all but complying with the guidelines. Speaking for myself, I think that's very good. But

talk to me about why the roof deck.

Because we don't look -- I think you know we don't look generally in favor of roof decks on the third floor for privacy issues with neighbors and adjoining properties.

EDRICK VAN BEUZEKOM: Yes.

CONSTANTINE ALEXANDER: Why the roof deck? You have two bedrooms for the children.

STEPHEN WELLER: My wife's a little under the weather so I'll do my best to speak to it. It's, it is somewhat of a -- basically an emotional attachment to that sense of space. So absolutely, it is, I would not say it was for a requirement, but we felt that it did two things: It would help us in terms of having a feeling of space, you know, the

ability to have a terrace garden. My wife has relatives who have roof terraces and there's a strong family connection to that experience. Also, the neighbors to our rear that would be most impacted by that, there are trees in front of their unit that are, you know, on the dividing line that provide a degree of privacy between the two. And as well, you know, that's something that, you know, we've actually shared all the drawings with the family at 166A, and they've not objected.

CONSTANTINE ALEXANDER: I can only observe it as not a criticism of you is quite often neighbors say okay to roof decks and then what happens, they say Oh, my God, you know.

DOUGLAS MYERS: I should point out at this point the neighbors themselves

have a roof deck facing this proposed roof deck that's twice as big as this roof deck.

EDRICK VAN BEUZEKOM: Yes.

CONSTANTINE ALEXANDER: I'm not making a big issue out of it. I'm just curious.

EDRICK VAN BEUZEKOM: And being an upper unit also, it's a way to get a little bit of outdoor space. And it's a great space to be able to see the sky.

So, we have --

CONSTANTINE ALEXANDER: I'm sorry, go ahead.

EDRICK VAN BEUZEKOM: The FAR relief that we're asking for basically goes to 0.545 top 0.629 now. It's about 330, 340 square feet of additional square footage. Part of that is square footage

that was in the rooms before as usable space, but because it was under five feet in actual height, now it's counted as FAR. Some of that is area that's underneath at the rear. And the second floor here there's a deck -- well, this is an overhang, a sunroom off the back here and the deck here. So we're counting all the area below that as FAR as well. So I think the amount that we're over FAR is a little deceptive in terms of the actual usable square footage of the house.

The other thing that we did is a little bit of research in the neighborhood to take a look at what's the -- you know, what do other people have? So Stephen can crunch the numbers basically from the Assessor's database looking at lot areas and per square footages which are listed

on the Assessor's database, which I find in my experience always can be lower when I tend to go through these.

But anyways, what we found when we averaged them is the average came out to about 0.64 I think. So it's a little bit more than what we have. So, you know, there's a real mix in the neighborhood. I think we feel like this is appropriate in the scale to the neighborhood and sensitive to the style of the house, sensitive to the needs of the owners, of course, and we're trying our best to do something very reasonable here.

One other piece that where we're asking for relief is that the second floor is currently a first floor bay on the driveway side here, and we're proposing to extend that up to the second floor

just -- it's a long narrow space and it gives us a little bit of relief on that second floor living space.

CONSTANTINE ALEXANDER: It doesn't create any new Zoning issues other than increase the FAR a little bit?

EDRICK VAN BEUZEKOM: Just the FAR, right. It's not a setback issue. And I think it actually softens the impact of the dormer on that side of the house.

CONSTANTINE ALEXANDER: On the -- just to get on the record on the dormer guideline -- I'm sorry, on the FAR issue, the structure is currently non-conforming.

EDRICK VAN BEUZEKOM: That's correct.

CONSTANTINE ALEXANDER: It's 0.545 in a 0.5 district. And you want to go

to -- if we grant you the relief you're seeking as you pointed out, 0.629. So you're not dramatically -- you're increasing the non-conformance but not, to my mind anyway, in a very dramatic way. Which I think is also to the good.

BRENDAN SULLIVAN: What is the additional square footage?

EDRICK VAN BEUZEKOM: About 330. I should point out --

CONSTANTINE ALEXANDER: You didn't mark it --

EDRICK VAN BEUZEKOM: I didn't mark it on the updated plan. So I realized that right before the meeting tonight.

CONSTANTINE ALEXANDER: You can work your way back to that number by the FAR calculations.

EDRICK VAN BEUZEKOM: So the new square footage goes from 2238 to 2582. And that is on the drawings that we submitted as well.

DOUGLAS MYERS: May I ask a question?

CONSTANTINE ALEXANDER: By all means.

DOUGLAS MYERS: I just had a couple of questions about your present use of the property. You mentioned it's a two-unit condominium?

EDRICK VAN BEUZEKOM: Yes.

DOUGLAS MYERS: And the first unit is separately owned. The first floor unit. And you basically have nothing to do with it. There's no access to that space?

STEPHEN WELLER: That's correct.

DOUGLAS MYERS: And presently you're living -- your bedrooms are presently on the third floor?

STEPHEN WELLER: Correct.

DOUGLAS MYERS: Two bedrooms on the third floor?

STEPHEN WELLER: Correct.

STEFANIE HAUG: Those two roofs and actually one doesn't make bedroom compliance because there's no heat.

DOUGLAS MYERS: No bathroom on the third floor?

STEFANIE HAUG: No bathroom.

DOUGLAS MYERS: And all of you sleep on the third floor?

STEFANIE HAUG: Yes.

DOUGLAS MYERS: The children sleep together?

STEFANIE HAUG: We have

12-year-old twins.

DOUGLAS MYERS: Are your immediate neighbors at 164 and 168 Elm Street have they indicated approval?

STEPHEN WELLER: Yes.

CONSTANTINE ALEXANDER: We have letters in the file. I'm not sure -- I'll check in a second to see if those letters are in the file.

STEFANIE HAUG: I hand delivered them earlier this week. We have a copy here, a signed petition from everybody.

CONSTANTINE ALEXANDER: We have that in the file.

STEFANIE HAUG: And the unit next to us is a three-unit condo and they sent a letter. And the downstairs neighbors sent a letter. It should be in the file.

STEPHEN WELLER: And just to

finish the roundabout, the neighbors to the north side that would be most impacted by shadow, they've also signed a petition. They recently moved in, a family, and again one of the reasons why we're looking to stay is because of the family, the families that now surround us in that area.

EDRICK VAN BEUZEKOM: Also, I would add that when we were originally looking at options for the house, before contacting me Stephen and Stefanie had attempted to convince the first floor owner to sell to them to expand down rather than up. But she's not willing to do that. That was another option.

CONSTANTINE ALEXANDER: It would have been cheaper.

EDRICK VAN BEUZEKOM: Yeah.

CONSTANTINE ALEXANDER: Maybe not.  
You're right.

STEPHEN WELLER: It's actually  
not.

CONSTANTINE ALEXANDER: Anything  
else, Doug?

DOUGLAS MYERS: No.

THOMAS SCOTT: I think the changes  
are appropriate. They look good. It's a  
nice improvement. I'm not troubled by the  
eave line, by the wall of the dormer being  
set back. I think as long as that eave  
line carries through, you've done that on  
both sides. I think it looks good and  
it's much more appropriate in scale.

CONSTANTINE ALEXANDER: I would  
second all of that.

DOUGLAS MYERS: By way of comment,  
I just add, I do think these changes are

in no way inconsistent with the neighborhood. The neighborhood -- even though there aren't a lot of shed dormers around, there's one directly on the house behind you. Nonetheless, the neighborhood is full of big houses. I have an arc of a house, and I don't think there's any degree of bulk or lack of scale that would be created.

As far as the deck is concerned, it's relatively small in size, five-by-eight or something like that. And it's off a master bedroom. So I don't think it's likely to be a source of large parties where you can fit a lot of people out there. And you have a very spacious backyard. And the whole area is spacious so I don't sense that there's any sense of congestion that's going to be created by

the project taken as a whole.

THOMAS SCOTT: I have one more comment. By holding the dormers back away from the front edge of the house, you're really kind of maintaining the integrity, the historical character of the house which is nice. And I think that's commendable.

STEFANIE HAUG: Which we love, too. We love the historic elements.

THOMAS SCOTT: That's it.

CONSTANTINE ALEXANDER: Is there anyone -- I'm going to open the matter up to public testimony.

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

(No Response.)

CONSTANTINE ALEXANDER: Apparently there is not.

The Chair would report that we are in receipt of letters which I will read into the file.

There's a letter from Karen Gould, G-o-u-l-d who is at unit No. 1 at 166 Elm Street. (Reading) I am writing in support of the petition filed by Stefanie Haug and Stephen Weller. I live at 166 Elm Street, unit No. 1 in the third floor condo. I have seen the plans for the intended additional work and have had my questions answered. I feel this would be the wonderful for the Haug/Weller family to live more comfortable in their home.

By the way, these plans are -- these are the --

EDRICK VAN BEUZEKOM: We went back around with all the new plans.

CONSTANTINE ALEXANDER: There's a

letter from someone at the Elm Place condominium trust. I can't read their signature. (Reading) it's To Whom It May Concern: We the owners of the Elm Place condominiums want to confirm that we have seen the revised plans of the proposed construction at 166 Elm Street, No. 2, North Cambridge, Mass. We are in favor of the project and have no objections.

And this three-unit condominium is at 164 Elm Street.

There's a petition, it says: We the undersigned, have reviewed the drawings to the proposed new room -- roof with dormers and dormers -- the proposed new roof with dormers and dormers and renovations to the Haug/Weller residence, 166 Elm Street, North Cambridge, prepared by EVB Design. We support the plans for the proposed

addition and their application for a Zoning Variance. And the letter is signed by -- the petition is signed by one, two, three, four, five -- roughly between 10 and 15 individuals with various addresses at Elm Street except for someone at Orchard Street. More than one at Orchard Street.

Another letter from Karen Gould. I've already read that letter. And that's all she wrote.

I will close public testimony at this point.

Anything further you want to add?

EDRICK VAN BEUZEKOM: No, I don't think so.

CONSTANTINE ALEXANDER:  
Discussion? Ready for a vote?

JANET GREEN: I'm good.

CONSTANTINE ALEXANDER: Okay. The Chair would move that with respect to the Variance being sought we make the following findings:

That a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the petitioner. Such hardship being that the petitioner's growing family needs additional space, and at this point of being -- a family is being forced to live in space that is non-compliant with our Building Code in terms of headroom and the like.

That the hardship is owing to the shape of the lot. It is a long, narrow lot or mainly it's narrow, which limits the alternatives for increasing the size of the condominium or the structure I should say.

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

In that regard the Chair would note that this project seems to have unanimous neighborhood support.

That the petitioner has very thoughtfully complied in all material respects with your former guidelines. And that this will be one more example of a situation where the housing of Cambridge will be improved upon in a fashion that will allow young couples to remain in the community.

So on the basis of all of these findings the Chair moves that we grant the Variance being sought on the condition:

That the work proceed in accordance with plans submitted by the petitioner. Prepared by EVB Design. They're marked "New" in the upper left-hand corner and have been initialled by the Chair.

All those in favor say "Aye."

(Aye.)

(Alexander, Scott, Green, Myers.)

CONSTANTINE ALEXANDER: Opposed?

(Sullivan.)

CONSTANTINE ALEXANDER: One opposed. Motion carries.

\* \* \* \* \*

(7:30 p.m.)

(Sitting Members Case #BZA-005437-2014:

Constantine Alexander, Timothy Hughes,

Brendan Sullivan, Thomas Scott, Janet

Green.)

CONSTANTINE ALEXANDER: The Chair  
will call case No. 005437, 324 Harvard  
Street, No. 2A.

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

EDRICK VAN BEUZEKOM: My name is he Edrick Van Beuzekom. I'm the architect for the project with EVB Design. And you can introduce yourselves.

LISA SHEN: My name is Lisa Shen.

DONG SHEN: And I'm Dong Shen.

EDRICK VAN BEUZEKOM: We are here for a small addition or sort of change to the structure that they currently live in. Lisa and Dong live in a townhouse that was built in the eighties and it's in the middle of the block on Harvard Street. It is -- I think the Historical Commission described it as brutalism in terms of the architectural style of it. I've seen photos here. Let's see, this shows you the view from Harvard Street. The

building is in the back here. This is looking from the driveway at the front of the structure. The area in question is at the back corner. This is the structure. There is a small greenhouse in the back corner here on the top floor.

CONSTANTINE ALEXANDER: That's what you're proposing to enclose?

EDRICK VAN BEUZEKOM: That's what we're proposing to enclose, yeah. So the greenhouse basically is low. It doesn't have, you know, it's high enough where it attaches to the house but down at the outer edge here it goes down to five feet. It's not a very usable space. It overheats.

CONSTANTINE ALEXANDER: Is there something like this in other units? Is this unique to --

EDRICK VAN BEUZEKOM: There used to be one on the other end, but they already enclosed that one.

So this is the site plan which gives you a sense of where the location of the proposal is. So, basically what we're proposing is to remove the greenhouse and go through all the pages of the proposal here. So this is the top floor plan. The greenhouse is in the back here. We're proposing to enclose that space to make it a usable bedroom. Lisa and Dong are expecting -- are planning to have another child, so they'd like to have another bedroom.

This is what we're proposing. This is the view from the back of the house. It's basically enclosing it, doing a corner window, wrapping the corner just so

you get some decent --

CONSTANTINE ALEXANDER: You're not changing the external dimensions of the --

EDRICK VAN BEUZEKOM: No. There's no change in floor area. The only issue is that this basically is not compliant with the setbacks.

CONSTANTINE ALEXANDER: And so you're just seeking a Special Permit and not a Variance?

EDRICK VAN BEUZEKOM: Right.

CONSTANTINE ALEXANDER: A much lesser scale.

EDRICK VAN BEUZEKOM: I'm sorry, the other view I was showing you was the site. And this is the rear which faces the park. This is actually a view taken from the street behind -- there's a park behind them. You can see their house, but

there's a lot of trees, so it's actually difficult to see. And then from Jackson Street you can -- sorry, Hancock Street looking down the driveway of one of the houses there you can actually see the structure there.

So, it's a modest little change basically to try to make an existing space more usable. And we're trying to do it consistent with the style of the house. We will use the same materials as what's there now, but also to try to make some -- make it a nice space with some good lights. And by doing the corner windows, trying to break up the mass of it a little bit. Because I think the current greenhouse, the one thing it does is sort of break up the mass of this big structure there so we're trying to carry that

through.

CONSTANTINE ALEXANDER: This is a condominium?

EDRICK VAN BEUZEKOM: Yes, it's a condominium.

CONSTANTINE ALEXANDER: Do you have approval from the condominium association?

DONG SHEN: This is a letter from the condo association.

CONSTANTINE ALEXANDER: Okay.

THOMAS SCOTT: Does the existing greenhouse leak? How old is it?

DONG SHEN: It doesn't leak. It, I don't know how old it is.

LISA SHEN: It's been there since it was built.

THOMAS SCOTT: It's the original to the building?

EDRICK VAN BEUZEKOM: It's hard to tell.

DONG SHEN: We purchased it in 2010.

CONSTANTINE ALEXANDER: This case was continued before because you were -- you had to or wanted to go before the Mid-Cambridge --

EDRICK VAN BEUZEKOM: The Mid-Cambridge --

CONSTANTINE ALEXANDER: Why? What happened? Tell us about it.

EDRICK VAN BEUZEKOM: Because it's visible from the street. Anything that's visible from the street they want to review.

CONSTANTINE ALEXANDER: And they have reviewed it?

EDRICK VAN BEUZEKOM: They have

reviewed it. They basically complimented us on staying with the style of the structure. There was one member who commented that she liked the greenhouse, but --

CONSTANTINE ALEXANDER: Must have been a gardener.

EDRICK VAN BEUZEKOM: Right, yeah.

CONSTANTINE ALEXANDER: Did they write a letter?

EDRICK VAN BEUZEKOM: We haven't received anything, but I would assume you have it in your files. This was --

CONSTANTINE ALEXANDER: There was nothing before.

EDRICK VAN BEUZEKOM: Yeah, it was two weeks ago.

CONSTANTINE ALEXANDER: Okay.

Anything else?

LISA SHEN: We also have a signed, I guess, petition from our neighbor whose property abuts ours on the right. If you're looking at our property to the left of our property.

DONG SHEN: That house.

LISA SHEN: It's this house.

CONSTANTINE ALEXANDER: 326.

LISA SHEN: It's 129 Hancock Street.

CONSTANTINE ALEXANDER: Oh.

DONG SHEN: Two buildings next to us or actually in front of us are actually part of the condo association. So the condo association is -- our building townhouse is two, single-family homes in the front.

EDRICK VAN BEUZEKOM: Yeah, the condo is all of these buildings on this

side.

LISA SHEN: So we have our neighbors to the right of 326. That condo association e-mailed that they approved our plans, and then the single-family home to the right of us, which is 129 Hancock Street, the owner signed a petition to approve it.

CONSTANTINE ALEXANDER: Can we have that for our files?

LISA SHEN: Yeah.

And then the unit behind us is, from our research, owned by a private trust so we couldn't identify the owner and get his or her permission or approval.

CONSTANTINE ALEXANDER: You haven't heard anything negative from anybody?

DONG SHEN: No.

CONSTANTINE ALEXANDER: Questions from members of the Board?

(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: The Chair notes there is no one wishing to be heard.

The Chair would report that we are in receipt of the following documents:

There is a letter from the Harvard News Condo Association of 322-324-326 Harvard Street has reviewed the drawings of the proposed project at Shen/Ushinure (phonetic) residence at 324A Harvard Street, Cambridge, Mass., prepared by EVB Design. The project entails replacement

of the existing sunroom with a new wood frame structure. This letter is to acknowledge that the proposal and the application for Special Permit has been approved and consented to by the association.

And then we have a petition.

(Reading) We, the undersigned, have reviewed the drawings of the proposed project of Ushinure/Shen residence, at 324 Harvard Street, Cambridge, Mass., prepared by EVB Design. The project entails replacement of the existing sunroom with a new wood frame structure. We support the plans of the proposed addition and their application for a Special Permit. And this is signed by a Mira, M-i-r-a Bernstein, 129 Hancock Street.

And lastly, we have an e-mail from

Susan Wood? Addressed to the petitioners.  
(Reading) I have checked with the other owner at 320 Harvard Street and we have no objection to your proposal to enclose a sunroom on the top floor of your unit at 324 Harvard Street.

That's all she wrote.

Any final comments or are you all set?

EDRICK VAN BEUZEKOM: We're all set.

CONSTANTINE ALEXANDER: I'm going to close public testimony.

Any comments from the members of the Board or you want to go to a vote?

JANET GREEN: Ready for a vote.

TIMOTHY HUGHES: I'm ready for a vote.

CONSTANTINE ALEXANDER: I don't

have to look over there. I knew you would be.

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

That you cannot -- the requirements of the Ordinance cannot be met without the Special Permit because of the fact that this is already a non-conforming structure as to setbacks.

That traffic generated or patterns of access or egress will not cause congestion, hazard, or substantial change in established neighborhood character. In fact, all that is being done is enclosing what is now basically an open space without changing the dimensions, and this area faces, to a large extent, a wooded park area.

That the continued operation of or development of adjacent uses will not be adversely affected by the nature of the proposed use.

In this regard the Chair would note that we have the letters that I've previously cited which indicate that in fact would be the case. It would mean that the abutters are all in support and, therefore, not concerned about congestion, hazard, or substantial change in established neighborhood character.

That the continued operation or the development of adjacent uses will not be adversely affected by the nature of what is being proposed. Again, I would cite the letters of petition that I have previously referred to.

And that 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.

In this regard the Chair would note that the project has been reviewed by the Mid-Cambridge Historical Commission which has no objection, and, again, the neighbors all are in support of this project.

And the project generally is modest in nature. It is a Special Permit which is a much lesser standard than a Variance.

So, on the basis of all these findings, the Chair moves that we grant the Special Permit being sought on the condition that the work proceed in accordance with plans prepared by EVB Design dated December 10, 2014. They're

numbered C1.0, X1.0, X1.1, X1.2, X1.3, X1.4, X2.1, X3.1, A1.4, A2.2, A2.3, A3.1, and A3.2. The first page of these, namely, C1.0 has been initialled by the Chair.

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

(Aye.)

CONSTANTINE ALEXANDER: All in favor.

(Alexander, Hughes, Sullivan, Scott, Green.)

CONSTANTINE ALEXANDER: Good luck.

\* \* \* \* \*

(7:40 p.m.)

(Sitting Members Case #BZA-005673-2014:  
Constantine Alexander, Timothy Hughes,

Brendan Sullivan, Thomas Scott, Janet Green.)

CONSTANTINE ALEXANDER: The Chair will call case No. 005673, 135 Pearl Street, unit 5.

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

ADAM GLASSMAN: Adam Glassman Architects.

JULIE MAHER-LONG: Julie Maher-Long. 135 Pearl Street.

PERRIN LONG: Perrin Long, 135 Pearl Street.

PERRIN LONG: Portsmouth, New Hampshire.

ADAM GLASSMAN: Before I get to the proposed architecture of the application, I'd like to let the owners kind of describe their need for this

variance.

CONSTANTINE ALEXANDER: Sure.

PERRIN LONG: My son Perry went to the Threshold Program at Lesley University and upon his graduation he's lived both in Davis Square and then on Follen Street. We bought the property at 135 Pearl Street for him to be able to live independently and we -- there was some questions whether, whether he would do that well and he's done that. He's done that extremely well. He's employed full time at the Boston Garden and working in the luxury suites, the kitchens. And so we're looking for a Variance to put in the dormer to increase the living space that's on the top floor and the design of the -- design of the space with the ceiling limits access to a pretty large

part of the overall floor space. So we're looking for the dormer to increase the space and make the living within that unit a little bit more, a little bit more accessible.

CONSTANTINE ALEXANDER: Is there five units on the property?

PERRIN LONG: Yes.

JULIE MAHER-LONG: It's six. There's a separate structure in the back.

CONSTANTINE ALEXANDER: Oh, okay. I'm looking at the letters of support and I'm counting four. It doesn't say how many units. Plus four, plus yours, five.

PERRIN LONG: Yes.

CONSTANTINE ALEXANDER: Is there one that didn't write?

JULIE MAHER-LONG: I don't -- one of the owners didn't write.

CONSTANTINE ALEXANDER: Okay.

Did he express opposition to it?

JULIE MAHER-LONG: No.

PERRIN LONG: We had a -- at one of the -- at one of our condo meetings when we discussed it, it was with -- it was within the minutes, and the minutes were distributed and there was no -- from that other person there were no objections.

CONSTANTINE ALEXANDER: Okay, you wanted to make your presentation?

ADAM GLASSMAN: Yes.

So the existing plan is about 860 square feet. It's got a very functional bedroom, functional kitchen, functional bathroom. The living space is where the issue is. It's not really conducive to a more adult lifestyle. It looks generous

at 17-and-a-half feet between the points where the ceiling reduces the head height below five feet, but it's subdivided by a stair. We've also got a lot of useless and underutilized case work and a storage closet. So we're looking to transform this space into a standard living room that can accommodate adult furniture, adult lifestyle.

The proposed dormer fits into the neighborhood rather nicely. The neighboring house with almost the exact same dormer that we're proposing, although ours is slightly longer with more windows than this. This is an additional rendering that shows what you would see from the same view.

We adhere to most of the preferred dormer guidelines. We are meeting the top

of the ridge only because there's an existing ten and a half foot dormer on the other side of the house. And although the two are never visible at the same time, it just felt awkward not to have them both meet the ridge.

CONSTANTINE ALEXANDER: I think you're right.

ADAM GLASSMAN: And we held the wall, the dormer wall, the side wall further back than preferred to equal the wall on the other side. Okay?

And the FAR increases so marginal, it's less than two percent.

CONSTANTINE ALEXANDER: Just again for the record, you're right now at 1.28 in a 0.75 district. And you're going to go to 1.299. You're adding 56 feet to the structure.

ADAM GLASSMAN: Yes.

CONSTANTINE ALEXANDER: Certainly not a significant increase.

Questions from members of the Board?

(No Response.)

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

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

(No Response.)

CONSTANTINE ALEXANDER: No one wishes to be heard. No one's here. We do have some letters.

We do have a letter from Elizabeth Smith, 135 Pearl Street, unit 1.

(Reading) I am very enthused about all the work the Longs have been able to do to their unit. Their first project was to remove a non-working fireplace. I'll skip

that. It's not relevant here.

(Reading) This new project adding a dormer is an excellent way to add living space to their third floor unit. Under the direction of their architect the project has been well planned and I sure -- and I'm sure will be well executed. I am delighted with the Long's active participation in our association and their ideas and projects to improve our condo. I strongly support the dormer project with all of the other condo owners in our association.

And there's also a letter from James Wilbur, W-i-l-b-u-r, the director of the Threshold Program at Lesley University.

(Reading) This letter is in support of the modification of Perrin Long's condominium 135 Pearl Street, unit No. 5, in

Cambridge. Perry is a graduate of the Threshold Program at Lesley University, a comprehensive program for young men and women with learning disabilities and other special needs. Perry successfully completed our program and has been living independently since 2009. He has been employed at the TD Garden in food services for many years and is an upstanding member of the community. I think she means outstanding.

I see Perry often as he lives outside of Central Square as many of our graduates do as well. Perry is a regular participant in our many alumni activities, especially our basketball program on Saturdays. He is a very gifted athlete and always kinds to my other graduates and students who have physical disabilities as

well. We at Threshold are very proud of Perry's accomplishments and very happy that he's chosen to remain in our community. I would be happy to speak on his behalf.

I think he did.

We also have a letter from Joanne, J-o-a-n-n-e Silva, S-i-l-v-a also with the independent living -- well, her title is independent living advisor/program manager Threshold Program of Lesley University.

(Reading) I am writing today in support of the modification of Perrin Long's condominium at 135 Pearl Street, No. 5, in Cambridge. Perry is a graduate of the Threshold Program at Lesley University, a campus-based program at Lesley University in Cambridge, Massachusetts, for highly motivated young adults with diverse

learning challenges and other special needs. I had the pleasure of working with Perry as his advisor in 2010-2011 when he participated in our post-graduate transition year and lived independently for the first time in an apartment. It has been a very rewarding experience for me to see Perry's transformation into adulthood throughout the time we worked together and beyond. I'm very proud of Perry and happy that he's chosen to live in Cambridge where he has successfully established his roots.

And then we do have letters from all the various condominium owners, the other condominium unit owners, I'm sorry, in the condominium. I think they're identical letters. I won't read them. But the letter says (Reading) I am a unit owner of

135-137-139 Pearl Street Condo Association. I've seen and understand the proposed single 15-foot dormer plans elevations by Perrin Long and Julie Maher-Long and fully support this project. And those are letters from each of the other unit owners. And that's it.

Any final comments?

(No Response.)

CONSTANTINE ALEXANDER: I'll close public testimony.

Questions from members of the Board?

Ready for a vote?

JANET GREEN: Yes.

CONSTANTINE ALEXANDER: I just -- when we do take the vote, we will tie the vote to these plans. These have to be the final plans. If you change them, you're going to have to come back

before us. Just so you understand that.

ADAM GLASSMAN: Uh-huh.

CONSTANTINE ALEXANDER: Sometimes architects don't understand that. They give us drafts.

BRENDAN SULLIVAN: I might do a little editorial, that it's petitions like this which over my many years makes me feel good and pleased to sit on this Board, to be able to assist people in their housing needs and for their lifestyle.

CONSTANTINE ALEXANDER: Here, here.

Okay, the Chair moves that we make the following findings with respect to the Variance being sought:

That a literal enforcement of the provisions of the Ordinance would involve

a substantial hardship. Such hardship being is that this -- frankly, outstanding citizen needs additional living space and this will provide that space.

The hardship is owing to the fact that it is already a non-conforming structure and, therefore, any additional space would require Zoning relief.

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

In this regard the Chair would note that this project has unanimous support from the other condo unit owners from the program, the people in the program from which you graduated.

That the project complies in all

material respects with our former guidelines, which is very useful. And that it also, again, allow you to continue to reside in Cambridge and we need more citizens like you, frankly.

All those -- so, on the basis of these findings the Chair moves that we grant the Variance being sought on the condition that the work proceed in accordance with plans prepared by Glassman Chung Design Architects, first page of which has been initialled by the Chair.

All those in favor say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Variance granted. Good luck.

(Alexander, Hughes, Sullivan, Scott, Green.)

\* \* \* \* \*

(7:50 p.m.)

(Sitting Members Case #BZA-005704-2014:  
Constantine Alexander, Timothy Hughes,  
Brendan Sullivan, Thomas Scott, Janet  
Green.)

CONSTANTINE ALEXANDER: The Chair  
will call case No. 005704, 66 Oxford

Street, unit 1.

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

CHRISTOPHER VANCE: My name is Chris Vance of HMFH Architects.

JOEL ALTSTEIN: Joel Altstein developer of this building.

CONSTANTINE ALEXANDER: Just out of curiosity the plans that were submitted were prepared by the FAR Group.

JOEL ALTSTEIN: That's me.

CONSTANTINE ALEXANDER: That's you?

JOEL ALTSTEIN: Well, that's the company, yes.

CONSTANTINE ALEXANDER: Okay. I thought it was a different set of architects.

CHRISTOPHER VANCE: Okay, so we're

here seeking a Variance today to add a canopy at the front entrance of unit 1 of 66 Oxford Street. Currently it's owned by Chloe George and she's a student at Harvard?

JOEL ALTSTEIN: Yes.

CHRISTOPHER VANCE: And so I did the original design when this house was converted from the Jesuit dormitory to four condos. And at that time it was an oversight to add a canopy here. But the time's proven that it's been a situation that's dangerous and the current owner has expressed that, you know, ice builds up here, snow. They've had to replace the front door which was one of the existing doors that we reused. So we're looking to add this canopy just for her safety and potential for weather.

And because of the shape of the lot, the side yard is non-conforming here. It's supposed to be 16 feet, two inches, and we have six feet, three inches from a shared driveway with Lesley University which is adjacent to the property for their dormitory.

And we're adding about 39 square feet, so it still keeps us just under the threshold for FAR.

CONSTANTINE ALEXANDER: Who put up the sign, the posting sign? Who is in charge of doing that?

JOEL ALTSTEIN: I was.

CONSTANTINE ALEXANDER: You didn't put it in anywhere that was very noticeable from the public way I must say.

JOEL ALTSTEIN: I put it on -- well, I didn't --

CONSTANTINE ALEXANDER: Did you see your sheet? When you got your sign, did you get a sheet?

JOEL ALTSTEIN: Yes, we got the sheet.

CONSTANTINE ALEXANDER: The sheet says you don't put signs in the windows behind screens.

JOEL ALTSTEIN: Okay, yes. Okay.

CONSTANTINE ALEXANDER: And you cannot -- and that sign is not very visible from the street.

JOEL ALTSTEIN: Okay. Well, I'm terribly sorry about that.

CONSTANTINE ALEXANDER: Well, typically we would not even hear the case on that basis.

JOEL ALTSTEIN: Okay.

CONSTANTINE ALEXANDER: The relief

being sought here is on the modest side so I'm willing to forward -- unless other members feel otherwise, I'm willing to go forward.

JOEL ALTSTEIN: Should we put it -- well, she has a screen --

CONSTANTINE ALEXANDER: Right next to the screen window there's a front door with a clear glass, very large. You could have put it right in that window, it would have been very noticeable. Or you could have posted a sign in the yard on a stake which is what we prefer. Neither of that was done.

JOEL ALTSTEIN: Okay.

CONSTANTINE ALEXANDER: You mentioned this is a four unit condominium?

JOEL ALTSTEIN: It is.

CONSTANTINE ALEXANDER: Did the

condominium association approve this?

JOEL ALTSTEIN: Yes. You should have the letters in there.

CONSTANTINE ALEXANDER: I saw one letter.

JOEL ALTSTEIN: Well, here I've got two letters. There's -- let's see, one absentee landlord who lives in India, so we couldn't get ahold of him. But we did speak --

CONSTANTINE ALEXANDER: I'm sorry, maybe we do. We have one from Manuel Soto.

JOEL ALTSTEIN: Yes, Manny and Rachel.

CONSTANTINE ALEXANDER: And Ellen Prairie and Mark McDonald?

JOEL ALTSTEIN: She's here actually. She's in the back.

CONSTANTINE ALEXANDER: Okay. So those are two of the unit owners and the third. And the fourth --

JOEL ALTSTEIN: The fourth is in India.

CONSTANTINE ALEXANDER: Got it. Anything further you wanted to add?

CHRISTOPHER VANCE: And just in terms of the design aesthetic, we're going to keep it in the historic context and continue the dentals around the canopy so it's integrated into the building so it's not going to be noticeable add on. We are gonna add a gutter to a downspout to control any runoff of water that will --

CONSTANTINE ALEXANDER: None of that requires Zoning relief, the gutter and the downspout. Just the awning.

CHRISTOPHER VANCE: Yeah.

CONSTANTINE ALEXANDER: Ma'am, would you like to be heard? Or you don't have to be. You're here, if you want to speak.

ELLEN PRAIRIE: I'm just here in support of the proposal.

CONSTANTINE ALEXANDER: And give your name, I'm sorry.

ELLEN PRAIRIE: Ellen Prairie. Just like Little House on the Prairie.

CONSTANTINE ALEXANDER: Anything further? I'm going to close public testimony.

CHRISTOPHER VANCE: Okay.

CONSTANTINE ALEXANDER:  
Questions -- well, let me before we get into that. The Chair would report that we do have a letter from Manuel Soto, S-o-t-o and Rachel Gibson. (Reading) We are the

owners of unit 2 at 66 Oxford Street and we support the application for an entry awning of unit 1's front door.

And also a letter from Ellen Prairie and Mark McDonald. Same, the same effect, it's the same letter. And they own unit 4. So, and that's all she wrote.

I'll close public testimony. Any questions from members of the Board?

BRENDAN SULLIVAN: I think it begs for something over that door.

CONSTANTINE ALEXANDER: Yes, my goodness. I'm surprised it wasn't done initially.

JOEL ALTSTEIN: And we should have done it initially, and I'm sure we're going to come back for the second unit that's actually on the first floor, also, but it's on the other side. Just as a

parenthetical note. Lesley College is actually right next-door.

CONSTANTINE ALEXANDER: Yes.

JOEL ALTSTEIN: And that dorm actually is the dorm that the previous gentleman probably was at because that's a dorm for special needs students and they're now renovating that actually.

CONSTANTINE ALEXANDER: Oh, yes, they are.

JOEL ALTSTEIN: Right there. So it's sort of folds into what the last case --

CONSTANTINE ALEXANDER: I have to ask. When I was on -- on Wednesday morning I drove down Oxford Street and there were fire engines all over the street. I don't know whether they were going to your structure or the one

next-door.

JOEL ALTSTEIN: It had to be the one next-door because Ellen would know about that.

ELLEN PRAIRIE: Yeah, no, it wasn't ours. Thank goodness.

JOEL ALTSTEIN: And we were here initially because when we bought the Jesuit parcel, we had to split up the parcel on Sumner and Kirkland because there was a -- I mean --

CONSTANTINE ALEXANDER: I remember that.

JOEL ALTSTEIN: -- because it was a special law that -- I mean if there's one ownership --

CONSTANTINE ALEXANDER: Yes, I remember the case.

JOEL ALTSTEIN: -- then the all

four houses were there and then you gratefully granted that. And my daughter's living in that, in one of those houses. Harvard has the other three as it turns out.

CONSTANTINE ALEXANDER: Okay.

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 to the petitioner. Such hardship being is that the configuration or the exterior of this unit is such that there is a need of an awning to protect against the elements of those going in and out of the unit.

That the hardship is owing to the fact that this is a non-conforming

structure with regard to the side yard setback requiring any Zoning relief to add this awning.

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

In this regard the Chair would note that the relief being sought is quite modest in nature.

There is no opposition to it, and it's a matter of logic, there is a need for an awning as proposed.

So on the basis of these findings, the Chair moves that we grant the Variance being sought on the condition that the work proceed in accordance with the plan submitted by the FAR Group and initialled

by the Chair.

All those in favor say "Aye."

(Aye.)

CONSTANTINE ALEXANDER: Five in favor. Relief granted.

(Alexander, Hughes, Sullivan, Scott, Green.)

(Whereupon, at 8:00 p.m., the Zoning Board of Appeal Adjourned.)

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The original of the Errata Sheet has been delivered to Inspectional Services.

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**COMMONWEALTH OF MASSACHUSETTS  
BRISTOL, SS.**

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

I am not related to any of the parties in this matter by blood or marriage and that I am in no way interested in the outcome of this matter.

I further certify that the testimony hereinbefore set forth is a true and accurate transcription of my stenographic notes to the best of my knowledge, skill and ability.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 30th day of December,

2014.

---

Catherine L. Zelinski  
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Certified Shorthand Reporter  
License No. 147703

My Commission Expires:  
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