

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 JAN 25 PM 3:06 FROM OF THE CITY OLE.

BZA Number: 255232

BZA Application Form

General Information

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

Special Permit: X

Variance: _____

Appeal:

PETITIONER: Benjamin Marks & Lucy Tan

PETITIONER'S ADDRESS: 2 Nichols Place, Cambridge, MA 02138

LOCATION OF PROPERTY: 2 Nichols PI, Cambridge, MA

TYPE OF OCCUPANCY: Single Family

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

DESCRIPTION OF PETITIONER'S PROPOSAL:

Exterior window changes located in walls non-conforming for setback

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000 Section: 5.31 (Table of Dimensional Requirements). Article: 8.000 Section: 8.22.2.c (Non-Conforming Structures). Section: 10.40 (Special Permit). Article: 10.000

> Original Signature(s):

(Petitioner (s) / Owner)

Benjamin Marks, Lucy Tan (Print Name) 2 Nichols Place, Cambridge, MA 02138

Address: Tel. No. E-Mail Address:

650-224-5996 benjmarks22@gmail.com

Date: Jan 23, 2024

BZA Application Form

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals. I/We Benjamin Marks, Lucy Tan 2 Nichols Place, Cambridge, MA 02138 Address: State that I/We own the property located at 2 Nichols Place, Cambridge which is the subject of this zoning application. The record title of this property is in the name of Benjamin J. Marks and Lucy Tan * Pursuant to a deed of duly recorded in the date April 28, 2022, Middlesex South County Registry of Deeds at Book 80045, Page 516; or Middlesex Registry District of Land Court, Certificate No. Book Page OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT* *Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of MIDDLEGEX personally appeared before me, The above-name \mathbb{A} , 20 \mathbb{A} , and made oath that the above statement this of ent is true. (Notary Seal). My commission expires

If ownership is not shown in recorded deed, e.g. if by court orden with the deed, or inheritance, please include documentation.

(ATTACHMENT B - PAGE 3)

HEA APPLICATION FORM - OWNERSHIP INFORMATION

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

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revenuent 'n a do d'of duly recorde on prain o <u>April 28, 2024</u> 'onclesse Souch Councy Registry of Sends at Brok <u>NuO45</u>, itue <u>510 -</u> ''r Aldalenet Gegistry Digoriot of Land Court, De Lifeape Do.

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BZA Application Form

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

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

Granting the Special Permit requested for <u>2 Nichols PI, Cambridge, MA</u> (location) would not be a detriment to the public interest because:

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

The special permit relief seeks to change windows in existing nonconforming elevations, it is minor in nature and does not create new nonconformities or change any existing nonconformities.

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

The special permit request is for fenestration changes. The granting of the special permit will not cause a change to traffic or existing traffic patterns.

The continued operation of or the development of adjacent uses as permitted in the Zoning
 Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

The proposed project will have no adverse impact on adjacent uses. The use of the property is consistent with surrounding structures and the zoning district. The project has been reviewed by Cambridge Historic Staff and it has been determined that due to the modest changes being proposed MCNCD Review is not required.

D) Nuisance or hazard would not be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

The proposed changes are minimal in scope and will not create a nuisance or hazard to occupants or citizens of the City.

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

The proposed use is unchanged and consistent with the integrity of this district.

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

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SUPPORTING STATEMENT FOR A SPECIAL FERMIT

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Granting the Special Permit required for <u>2 Michols PL. Cambridge, MA</u> (Incarion) would not be a coldrain to the public Interest Benauce:

Requirements of the Ordinance can or will be motifor the following reasons:

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3) Traffic panerated or patients of access or egress would not cause compaction hezerd, or substantial change in ostablished neighborhood pharacer for the following reasons.

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The continued quorefund of on the development of adjacent usceas de mitted in the Zoning Ordigance would not be edversel reflected by the nature of the proposed use for the following reasons:

The purposed project will have no adverse impact on adjacont uses. The use of the purperty is consistent with authounding sin houres and the zoning district. The project has been reviewed by Caminidgo Historic Staff and it has reen determined that due to the modest changes being proposed with/CD iterative is not roubled.

D) Nulseage or hezed would not be prevised to the deriment of the health, setely, and/or veltage of the occupant of the proposed use or the otherans of the City for the following reasons:

The proposed unsertes are minimal in scope and will not create a nuisence or hezard to compents or officians of the City.

By Promotion reasons, the proposed use would not impair the integrity of the district or edjoining district, or otherwise deringere from the interview or purpose of this ordinance for the following-reasons.

The proposed use is unchanged and consistent with the integrity of this district.

"I" you have my questions as to whencery on can establish all of the support legal requirements, you should coupled with an adorney.

DIMENSIONAL INFORMATION

Applicant:Benjamin Marks & Lucy TanLocation:2 Nichols Pl , Cambridge, MAPhone:650-224-5996

Present Use/Occupancy: <u>Single Family</u> Zone: <u>Residence C-1 Zone</u> Requested Use/Occupancy: Single Family

		Existing Conditions	<u>Requested</u> Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		1035	1035	959	(max.)
LOT AREA:		1279	1279	5000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		0.81	0.81	0.75	
LOT AREA OF EACH DWELLING UNIT		1279	1279	1500	
<u>SIZE OF LOT:</u>	WIDTH	21.5	21.5	50	
	DEPTH	59.5	59.5	n/a	
SETBACKS IN FEET:	FRONT	18.6+/-	18.6+/-	10	
	REAR	9.2 +/-	9.2 +/-	20	
	LEFT SIDE	1.2 +/-	1.2 +/-	7.5	
	RIGHT SIDE	n/a	n/a	n/a	
SIZE OF BUILDING:	HEIGHT	26.2	26.2	35	
	WIDTH	32.3	32.3	n/a	
	LENGTH	20.6	20.6	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		0	0	30	
<u>NO. OF DWELLING</u> <u>UNITS:</u>		1	1	1	
<u>NO. OF PARKING</u> <u>SPACES:</u>		1	1	0	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		attached	attached	n/a	

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

the home is an attached single family wood frame residential structure.

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



ZONING REQUEST SUMMARY

PROJECT DESCRIPTION:

RENOVATIONS TO AN EXISTING ATTACHED SINGLE FAMILY HOME. OUR PROJECT REQUESTS A SPECIAL PERMIT FOR FENESTRATION CH WITHIN EXISTING NON-CONFORMING SETBACKS.

2 NICHOLS PLACE EXISTING NONCONFORMITY: FAR / LOT SIZE / LOT AREA PER DU / SETBACKS / LOT

ZONING REQUEST

SPECIAL PERMIT TO CHANGE FENESTRATION WITHIN A NONCONFORM <u>SETBACK</u>

REAR YARD + SIDE YARD SETBACKS ARE ALREADY NON-CONFORMING CZO. OUR ADDITION DOES NOT INCREASE THESE EXISTING NON-CON

- BUILDING HEIGHT IS UNCHANGED
- OPEN SPACE IS UNCHANGED
- BUILDING AREA / FAR IS UNCHANGED

<u>2 NICHOLS PLACE CAMBRIDGE, MA 02138</u> SPECIAL PERMIT SUBMISSION SET 01.19.24

BENJAMIN MARKS + LUCY TAN 2 NICHOLS PLACE CAMBRIDGE, MA 02138

Hanges	
WIDTH	
<u>AING</u>	
g to the Nformities	

LOCATION	2 Nichols Place	, Cambridge MA	02138
January 17, 2024			
	EXISTING	REQUESTED	CZO REQ
ZONE	RES C-1		
LOT AREA	1279	Unchanged	5000
FAR	0.81	Unchanged	0.75
GFA	1035	Unchanged	959.25
LOT AREA PER DU	1279	Unchanged	1500
NO OF UNITS	1.0	Unchanged	0.9
SIZE OF LOT			
W	21.5	Unchanged	50'
D	59.5	Unchanged	
Setbacks			
FRONT	18.6 +/-	Unchanged	10'
REAR	9.2 +/-	Unchanged	20'
LEFT SIDE	1.2 +/-	Unchanged	7.5'
RIGHT SIDE	ATTACHED	Unchanged	N/A
SIZE OF BLDG			
HEIGHT	26.2	Unchanged	35
LENGTH	32.3	Unchanged	
WIDTH	20.6	Unchanged	
TOTAL OPEN SPACE	0.0	Unchanged	30%
TOTAL PRIVATE OPEN SPACE	0.0	Unchanged	15%
PARKING SPACES	0	Unchanged	0
LOADING AREA	0	Unchanged	0
DISTANCE TO NEAREST BLDG	ATTACHED	Unchanged	10

TABLE OF CONTENTS			
#	SHEET NAME	ISSUE DATE	
A000	COVER SHEET	1.17.24	
A002	SITE PLAN & OPEN SPACE DIAG	1.17.24	
A010	ZONING COMPLIANCE - GFA DIAGRAMS	1.17.24	
A201	EXISTING & PROPOSED ELEVATIONS	1.17.24	
A210	3D VIEWS	1.17.24	

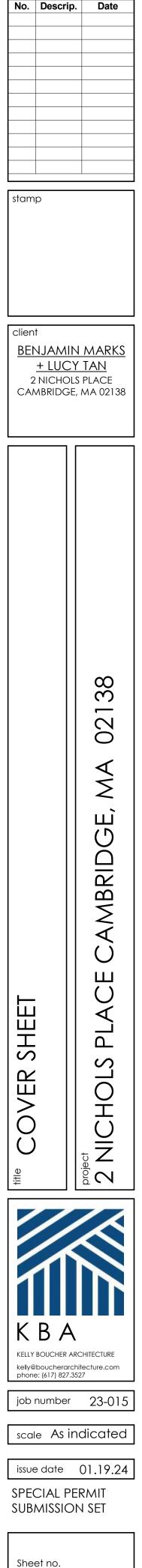
<u>OWNER</u>

ARCHITECT

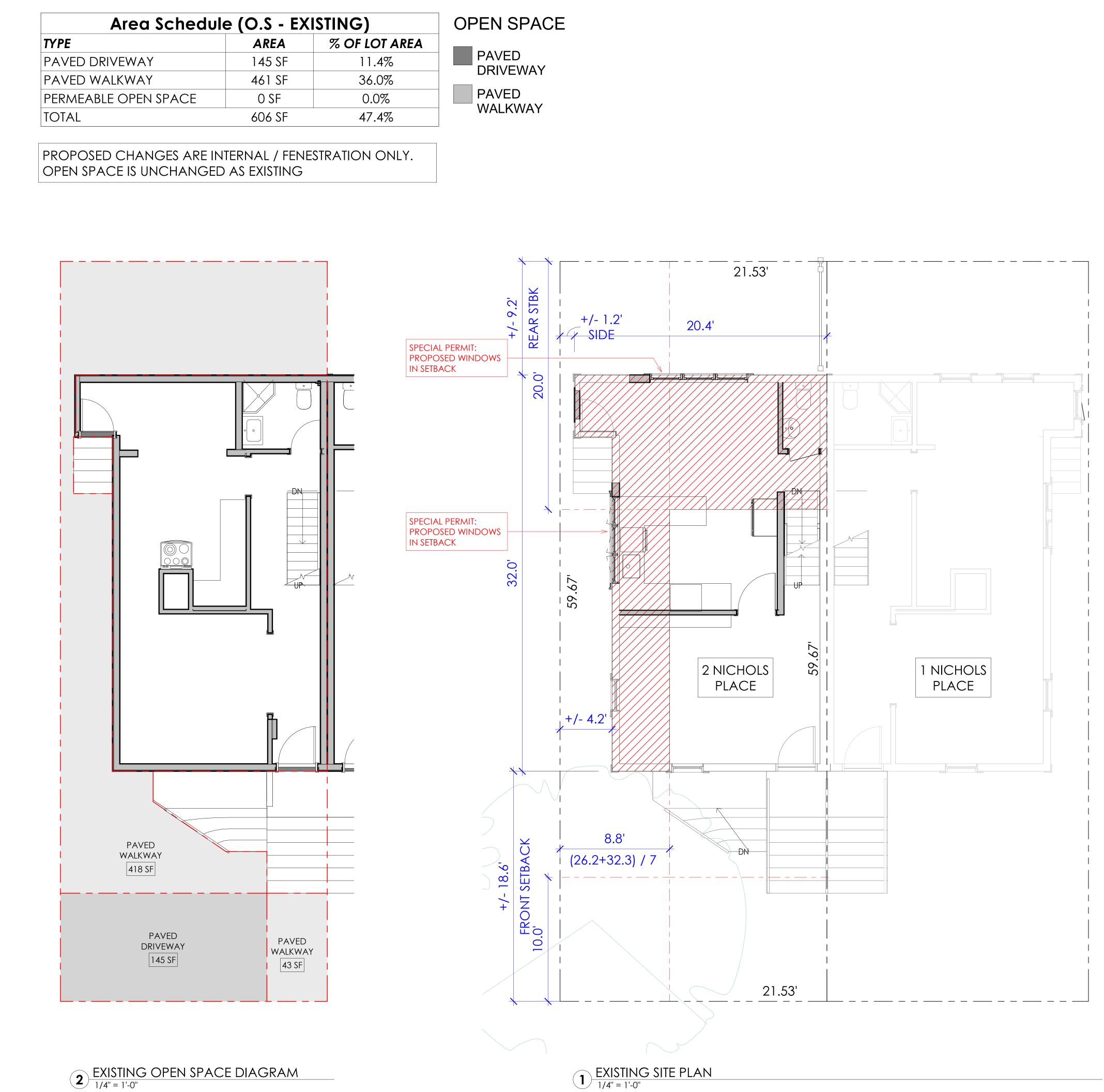
Kelly Boucher Architecture 54 HARVARD STREET BROOKLINE, MA 02445

(617) 827-3527

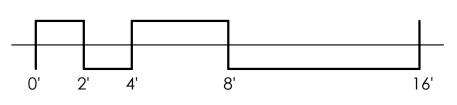
www.boucherarchitecture.com

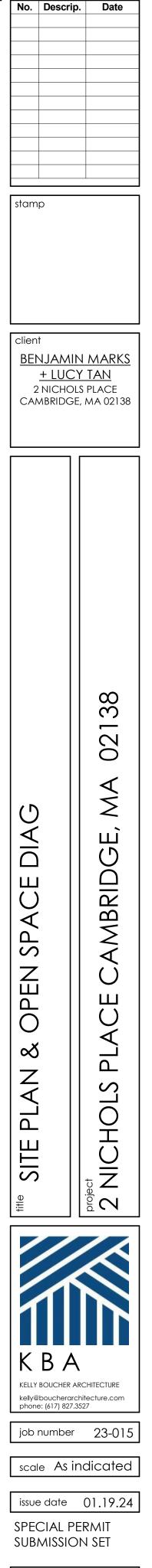


A000



OCATION	2 Nichols Place	, Cambridge MA	02138
anuary 17, 2024			
	EXISTING	REQUESTED	CZO REQ
ONE	RES C-1		
OT AREA	1279	Unchanged	5000
AR	0.81	Unchanged	0.75
GFA	1035	Unchanged	959.25
OT AREA PER DU	1279	Unchanged	1500
NO OF UNITS	1.0	Unchanged	0.9
IZE OF LOT			
W	21.5	Unchanged	50'
D	59.5	Unchanged	
ETBACKS			
FRONT	18.6 +/-	Unchanged	10'
REAR	9.2 +/-	Unchanged	20'
LEFT SIDE	1.2 +/-	Unchanged	7.5'
RIGHT SIDE	ATTACHED	Unchanged	N/A
IZE OF BLDG			
HEIGHT	26.2	Unchanged	35
LENGTH	32.3	Unchanged	
WIDTH	20.6	Unchanged	
OTAL OPEN SPACE	0.0	Unchanged	30%
OTAL PRIVATE OPEN SPACE	0.0	Unchanged	15%
PARKING SPACES	0	Unchanged	0
OADING AREA	0	Unchanged	0
DISTANCE TO NEAREST BLDG	ATTACHED	Unchanged	10





Sheet no. A002

LOCATION	2 Nichols Place	, Cambridge MA	02138
January 17, 2024		1	
	EXISTING	REQUESTED	CZO REQ
ZONE	RES C-1		
LOT AREA	1279	Unchanged	5000
FAR	0.81	Unchanged	0.75
GFA	1035	Unchanged	959.25
LOT AREA PER DU	1279	Unchanged	1500
NO OF UNITS	1.0	Unchanged	0.9
SIZE OF LOT			
W	21.5	Unchanged	50'
D	59.5	Unchanged	
Setbacks			
FRONT	18.6 +/-	Unchanged	10'
REAR	9.2 +/-	Unchanged	20'
LEFT SIDE	1.2 +/-	Unchanged	7.5'
RIGHT SIDE	ATTACHED	Unchanged	N/A
SIZE OF BLDG			
HEIGHT	26.2	Unchanged	35
LENGTH	32.3	Unchanged	
WIDTH	20.6	Unchanged	
TOTAL OPEN SPACE	0.0	Unchanged	30%
TOTAL PRIVATE OPEN SPACE	0.0	Unchanged	15%
PARKING SPACES	0	Unchanged	0
LOADING AREA	0	Unchanged	0
DISTANCE TO NEAREST BLDG	ATTACHED	Unchanged	10

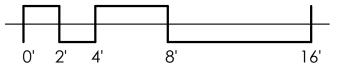
EXISTING FLOOR AREA			
LEVEL	AREA		
GFA			
FIRST FLOOR	569 SF		
SECOND FLOOR	466 SF		
	1035 SF		
NON GFA			
BASEMENT	495 SF		
	495 SF		
total bldg sf: 3	1530 SF		

Address: 2 Nichols Pl

Ground Elevation Min:	26.3 ft-CCB
Ground Elevation Max:	29.1 ft-CCB
2070 - 1% - SLR/SS	N/A
2070 - 1% - Precip	N/A
2070 - 10% - SLR/SS	N/A
2070 - 10% - Precip	N/A
2030 - 1% - Precip	N/A
2030 - 10% - Precip	N/A
Present Day - 1% - Precip	N/A
Present Day - 10% - Precip	N/A
FEMA 500-Year	N/A
FEMA 100-Year	N/A
1% - LTFE	N/A
10% - LTFE	N/A

Selected Map-Lot: 140-147 Selected Address: 2 Nichols Pl

PER CAMB FLOOD VIEWER, PROPERTY IS NOT LOCATED IN ANY FLOOD ZONES, BASEMENT SQUARE FOOTAGE IS NOT BEING INCLUDED IN GFA CALCS.



GFA

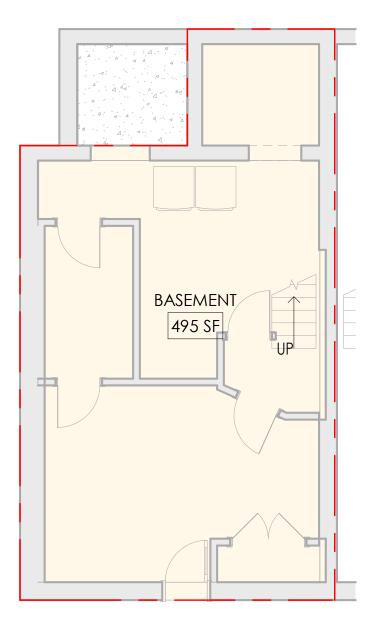
LEVEL

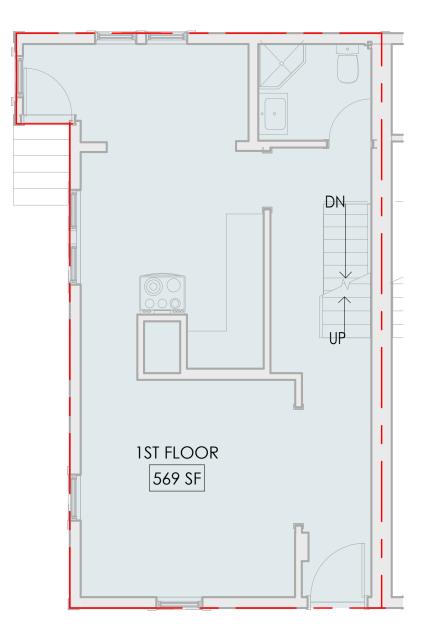
FIRST FLOOR	569 SF
SECOND FLOOR	466 SF
	1035 SF
NON GFA	
BASEMENT	495 SF
	495 SF
TOTAL BLDG SF: 3	1530 SF

PROPOSED FLOOR AREA

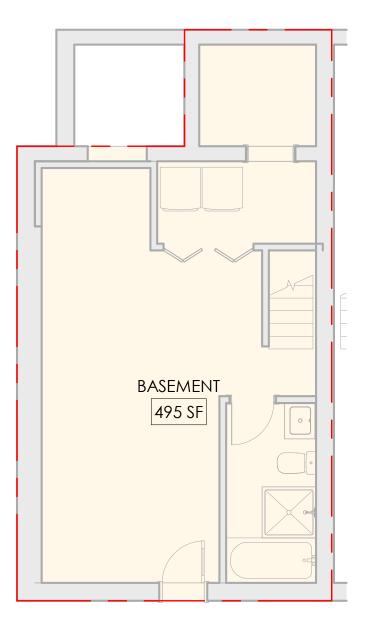
AREA

PROPOSED CHANGES ARE FENESTRATION AND INTERIOR ONLY. GROSS FLOOR AREA IS UNCHANGED





1 EXISTING BASEMENT AREA DIAG 3/16" = 1'-0"















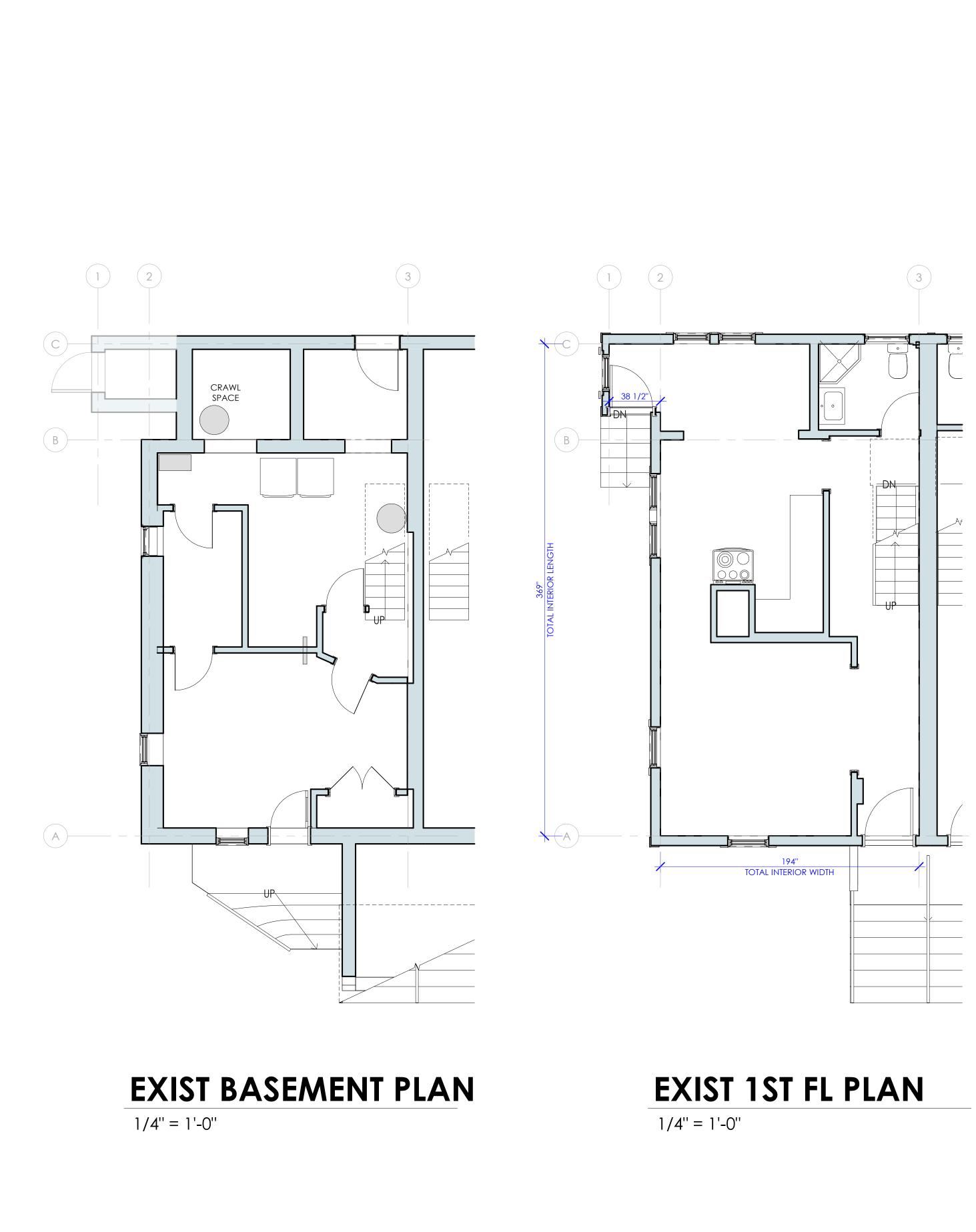
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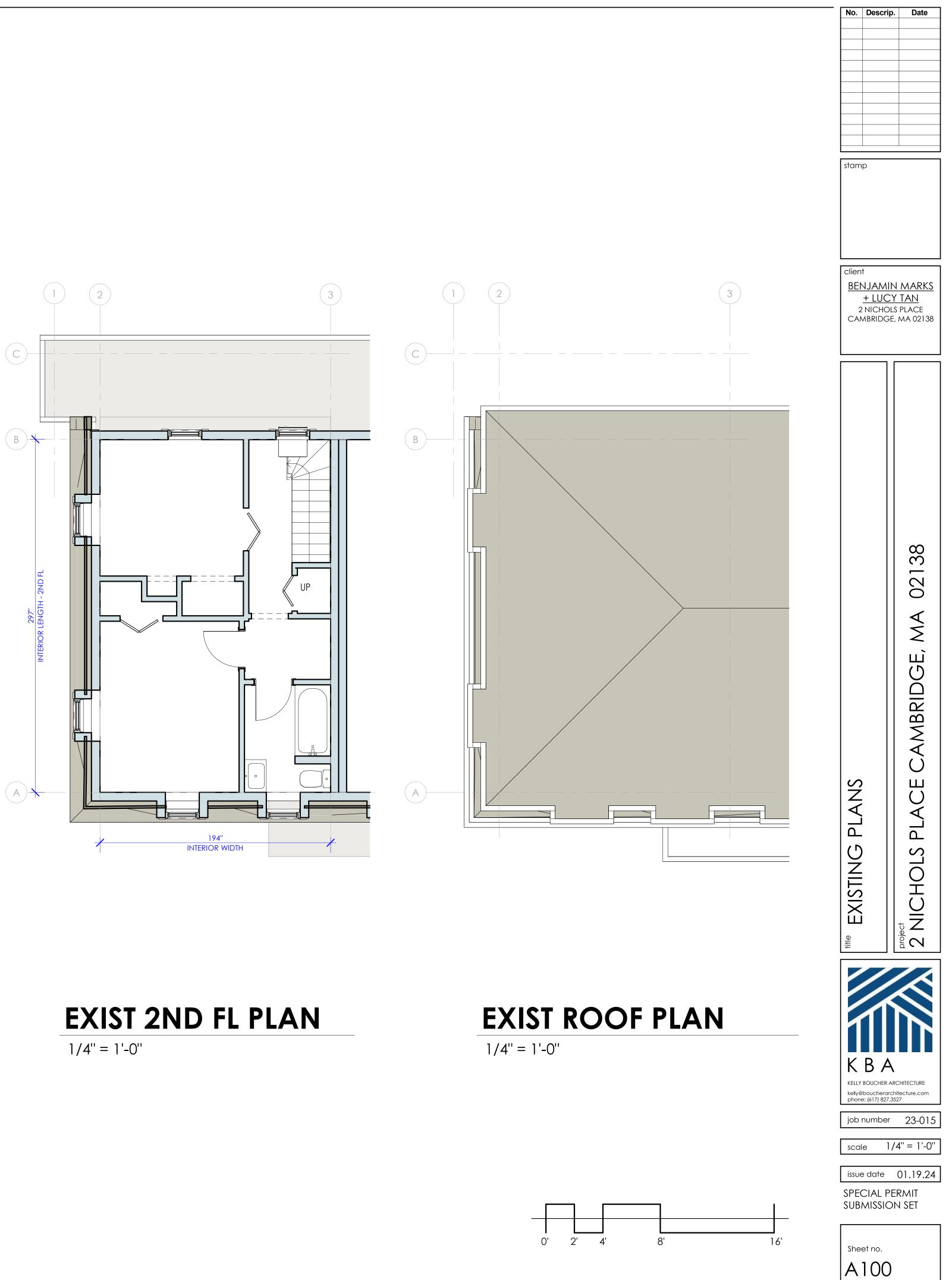
02138

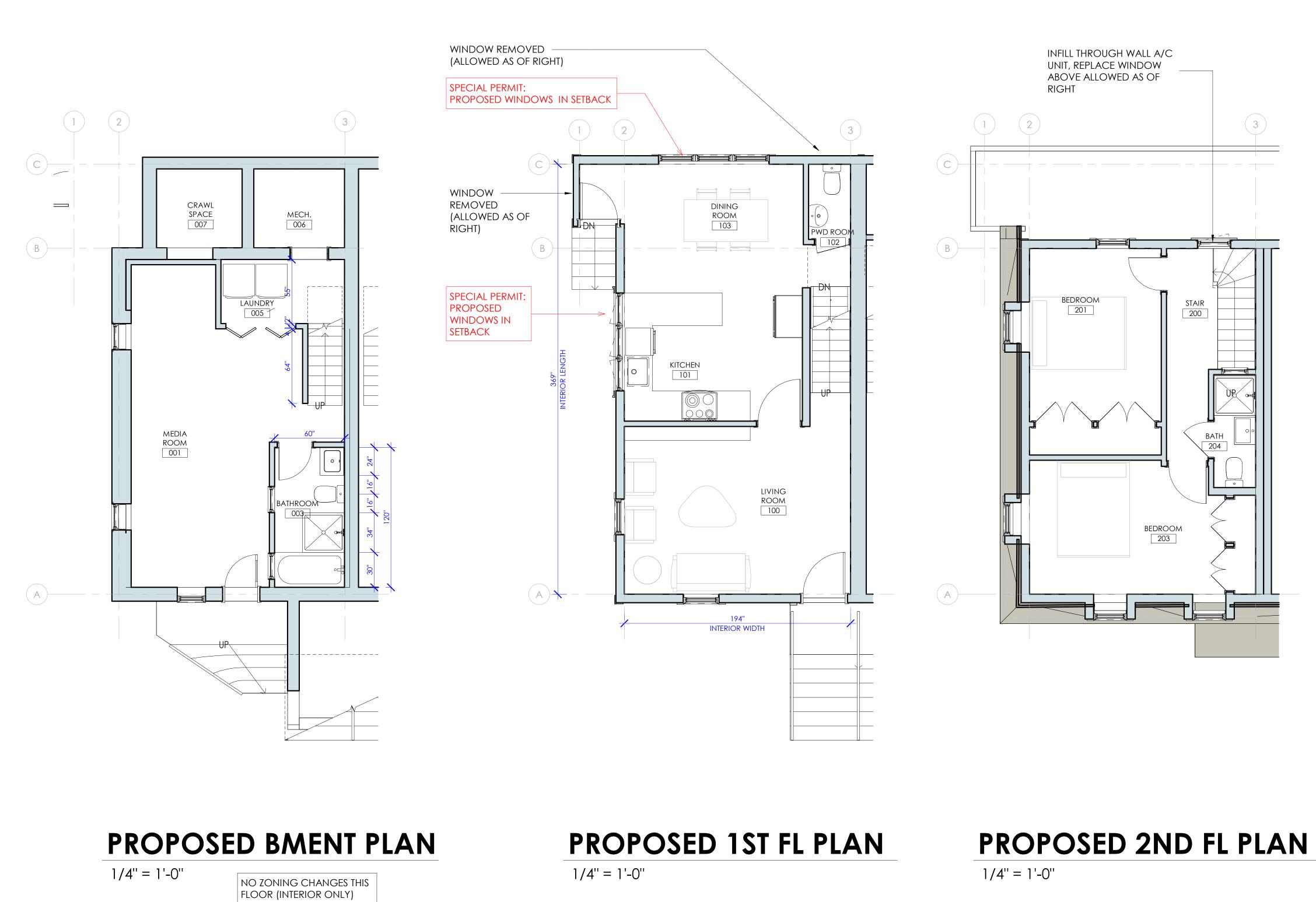
CAMBRIDGE, MA

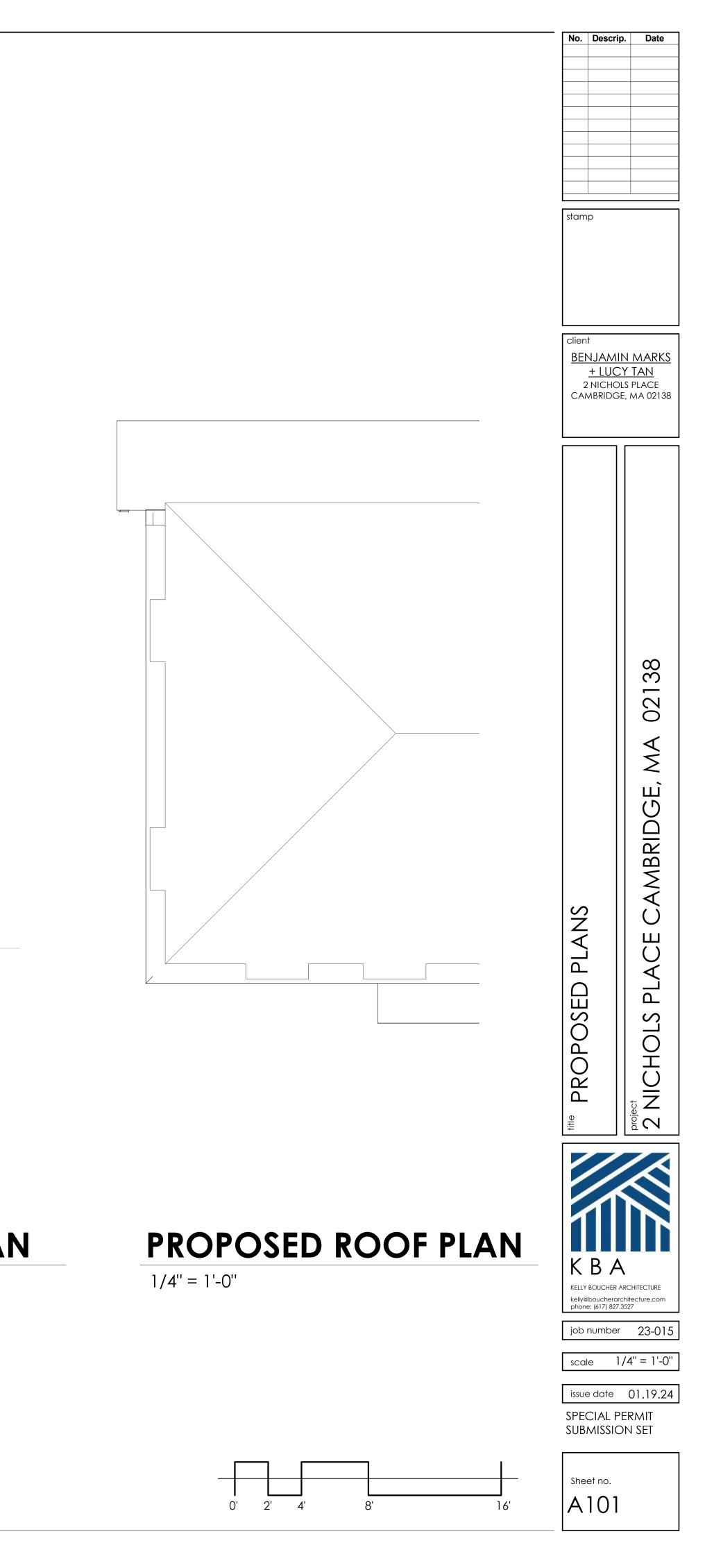
PLACE

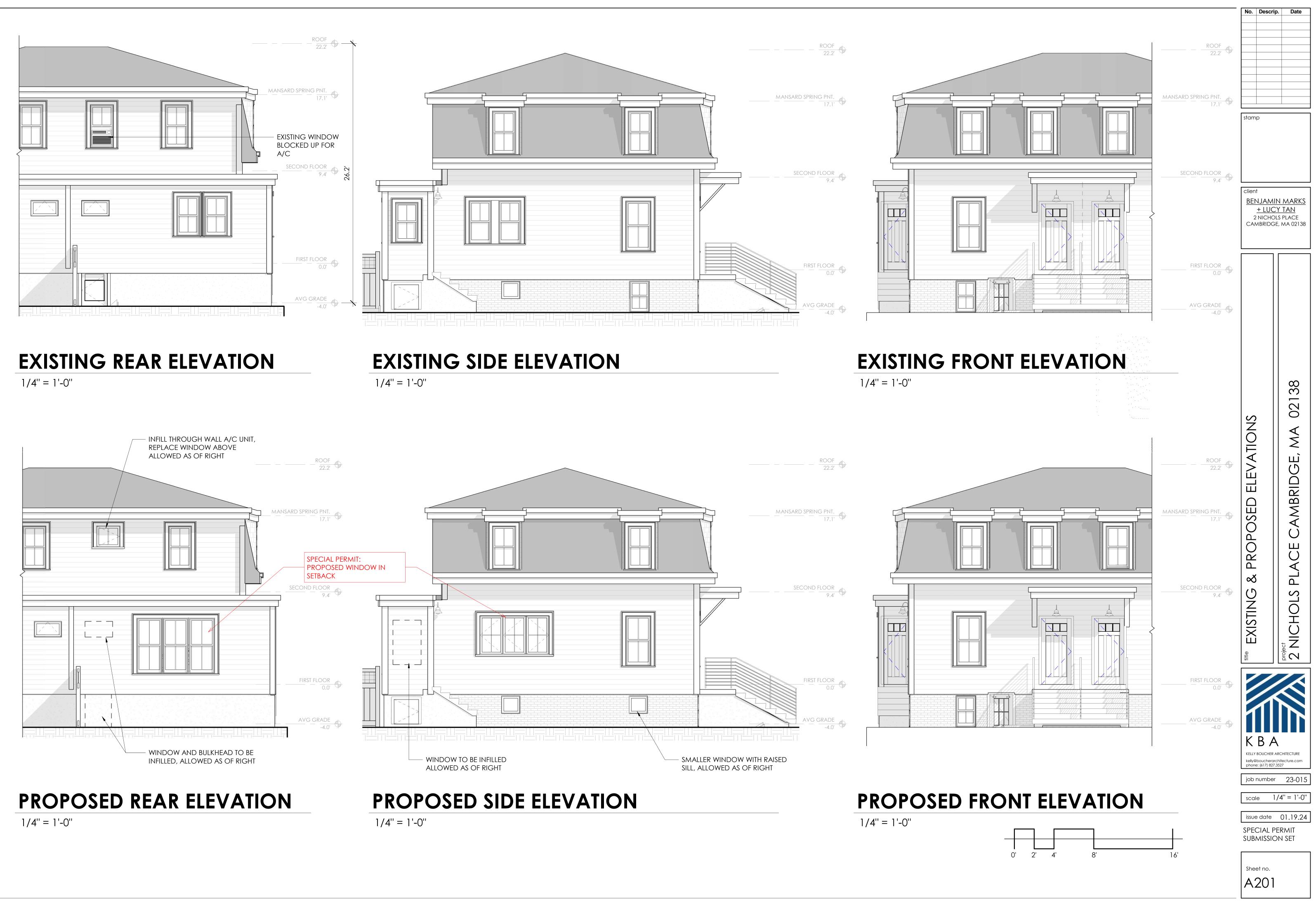
project 2 NICHOLS



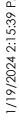


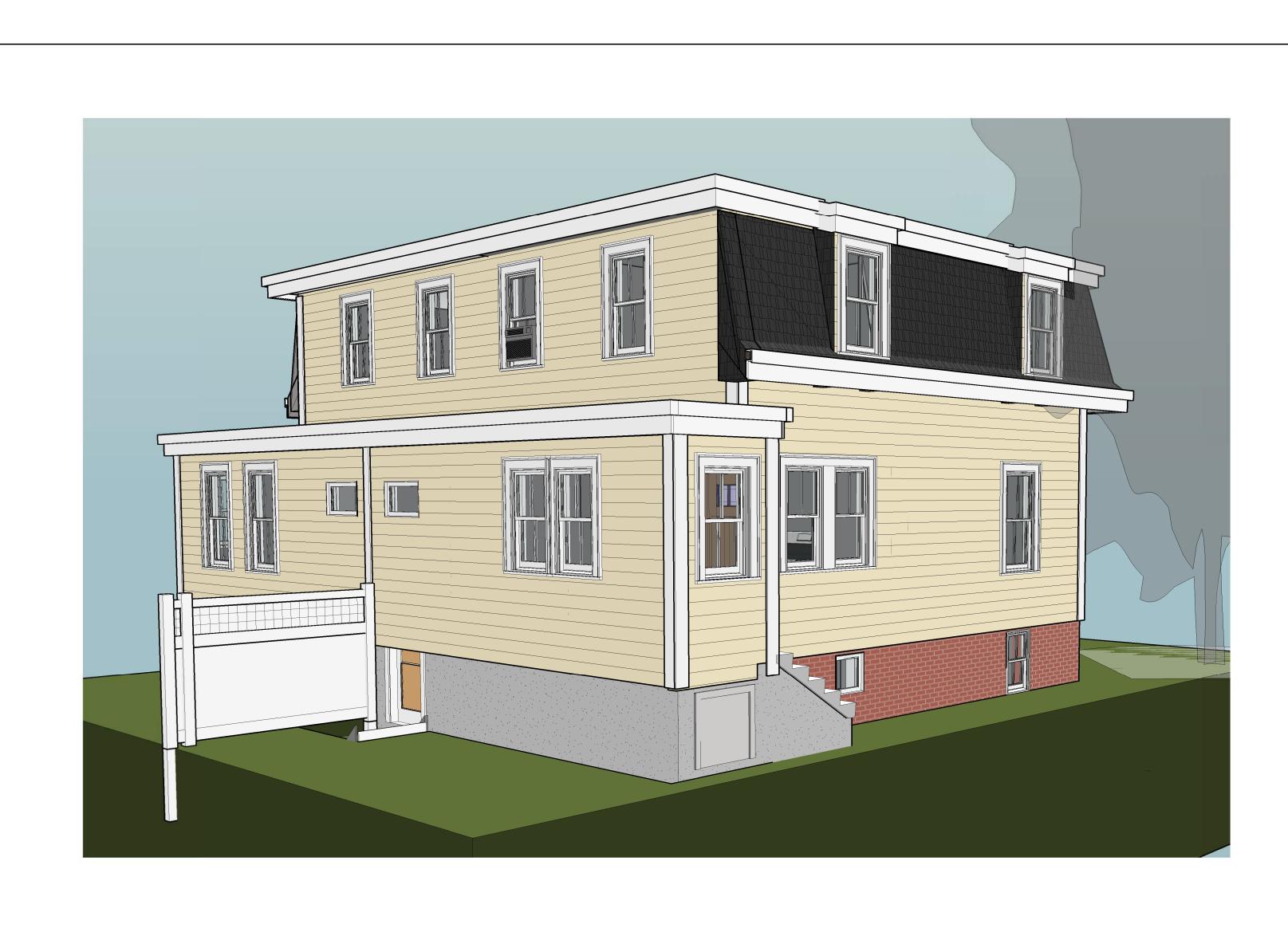








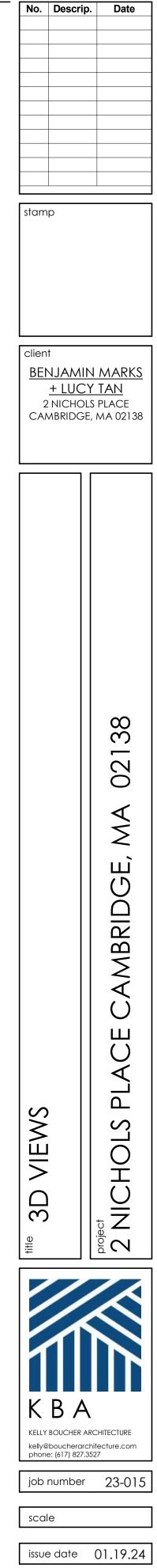








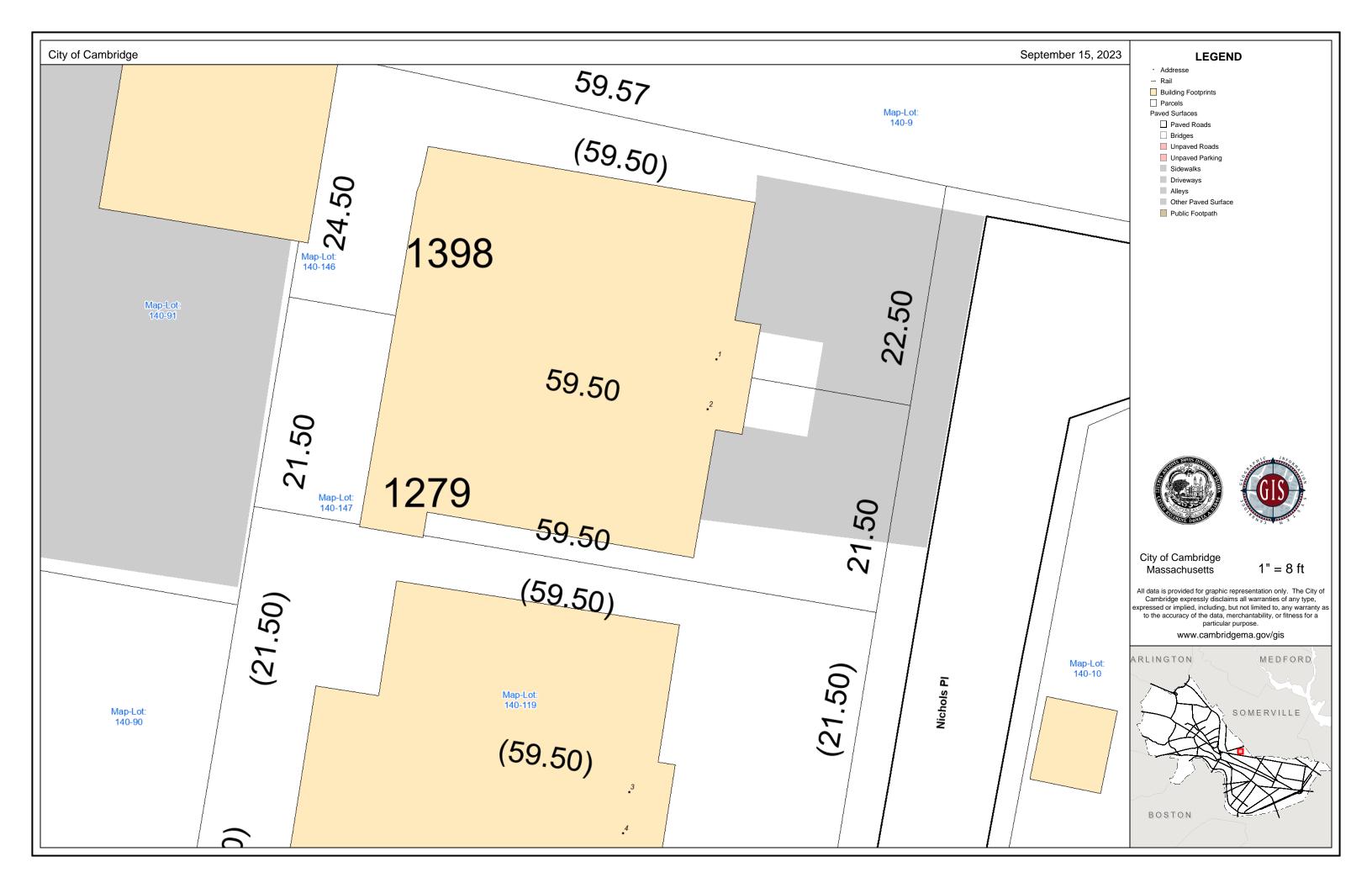




SPECIAL PERMIT SUBMISSION SET

Sheet no. A210

REAR VIEW - EXISTING













Mid Cambridge Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139 Telephone: 617 349 4683 TTY: 617 349 6112 E-mail: histncds@cambridgema.gov www.cambridgema.gov/historic/districtsHistoricProperties/midcambridgencd

Tony Hsiao, *Chair*, Lestra Litchfield, *Vice Chair* Monika Pauli, Charles Redmon, Katinka Hakuta, *Members* Nan Laird, Catherine Tice, *Alternates*

CERTIFICATE OF NON-APPLICABILITY

Property: 2 Nichols Place

Applicant: Kelly Boucher

The Mid Cambridge Neighborhood Conservation District Commission hereby certifies, pursuant to Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the order establishing said district that the work described below does not involve any activity requiring issuance of a Certificate of Appropriateness or Hardship:

Alter windows on side and rear elevations, not visible from public way.

Permit #255232

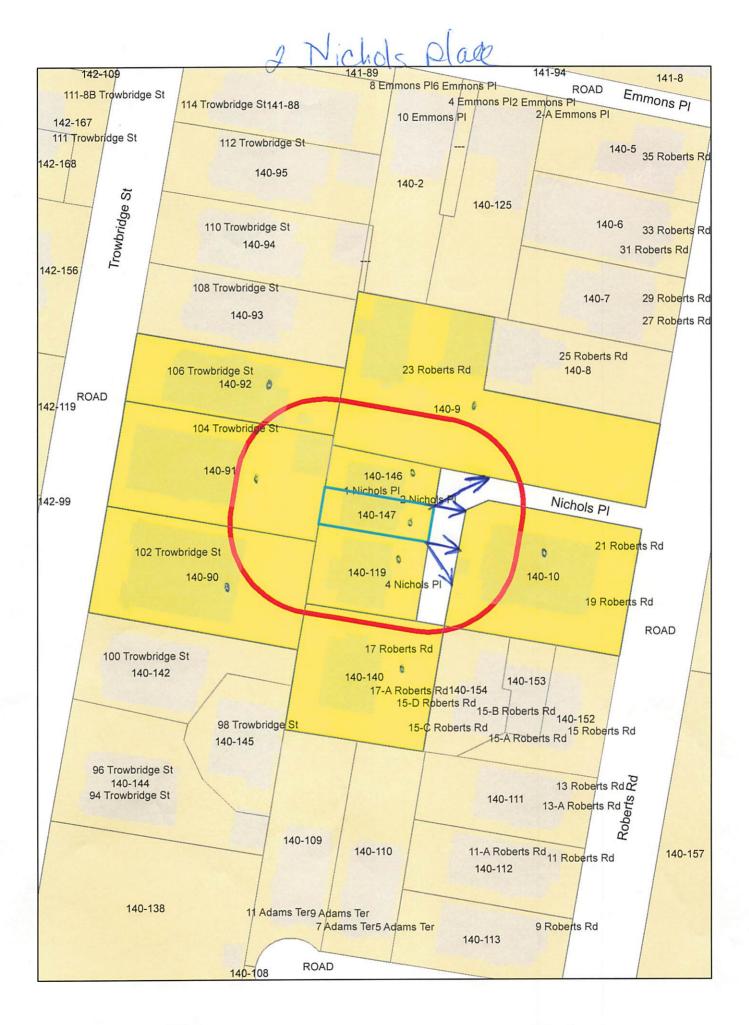
All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. Approved plans and specifications are incorporated by reference into this certificate.

This certificate is granted upon the condition that the work authorized herein is commenced within six months after the date of issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding six months each may be allowed in writing by the Chair.

Case Number: <u>MC 6929</u> Date of Certificate: <u>January 30, 2024</u>

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on <u>January 30, 2024</u>. By <u>Tony Hsiao/aac</u>, Chair

Twenty days have elapsed since the filing of this decision. No appeal has been filed _____. Appeal has been filed _____. Date______ City Clerk:



140-90 TROWBRIDGE APARTMENTS LLC C/O MERGO REALTY GROUP P.O. BOX 171435 BOSTON, MA 02117

140-91 LIN, YUIN & LIN LIN 104 TROWBRIDGE ST., UNIT #6 CAMBRIDGE, MA 02138

140-91 CHAN, DARYL 2 SAGE LANE FRAMINGHAM, MA 01701

140-10 WOPPMANN, ANDREAS & BARBARA WOPPMANN 21 ROBERTS RD CAMBRIDGE, MA 02138

140-140 HALL, ANDREW & KATHERINE SLIVENSKY 17 ROBERTS RD - UNIT 17A CAMBRIDGE, MA 02138

140-146 CLASS, RYAN DAVID & JULIA CLASS 1 NICHOLS PL CAMBRIDGE, MA 02138

2 Nichols place

140-91 TAM, KIMO Y.F 104 TROWBRIDGE ST UNIT 1 CAMBRIDGE, MA 02138

140-92 WRIGHT, DAVID T. & MARIE J WRIGHT 106 TROWBRIDGE ST CAMBRIDGE, MA 02138-3102

140-91 PAKIZEGI, YASAMIN 104 TROWBRIDGE ST., #5 CAMBRIDGE, MA 02138

140-10 SCHNAPP, JEFFREY T. & MARIA GOUGH 19 ROBERTS RD CAMBRIDGE, MA 02138

140-9 MCLAUGHLIN, ANDREW P 16 EVERGREEN PL MAPLEWOOD, NJ 07040

timer

140-147 MARKS, BENJAMIN J & LUCY TAN 2 NICHOLS PL CAMBRIDGE, MA 02138

140-119 HUTCHINSON, JAQUETH K. 4 NICHOLS PL CAMBRIDGE, MA 02138-3208

140-91 QIN, YIZHOU 104 TROWBRIDGE ST., #4 CAMBRIDGE, MA 02138

140-91 YANG ZHONGQUN 104 TROWBRIDGE ST UNIT 2 CAMBRIDGE, MA 02138

140-140 RUSSELL, CAMERON 17 ROBERTS RD - UNIT 17B CAMBRIDGE, MA 02138