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CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

2011 MAY 19 AM 8:38

#05032011

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

RECEIVED

JUN 06 2011

CAMBRIDGE HISTORICAL COMMISSION

INSTRUCTIONS:

In order to obtain permission for a driveway cut or opening you must first get approval from the Department of Inspectional Services on the zoning requirements for off-street parking, including the cooperation of your immediate abuttors.

To receive a review from Inspectional Services you must fill out Part I of the application. Be sure to draw your plot plan on Drawing 1, choosing the lot that represents your lot,s position, i.e. corner or interior. You must also include a sketch of the proposed driveway, including dimensions, on Drawing 2. You may then calculate the cost of the driveway by using the formula based on your chose of surfaces. You must also include signed forms from abutters on the sides and rear of the property and from all property owners located across the street(s) from the property.

Once you have gathered this information on the application, it should be submitted to:

Zoning Officer
Inspectional Services
831 Massachusetts Avenue
Cambridge, MA 02139

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, the Historical Commission and the Department of Public Works. If approved by Public Works, the application and backup will be sent to the City Council for their approval. Once the City Council approves, the driveway curb cut can be installed. However, the full cost of the cut must be paid to Public Works before the work will start.

If, however, Inspectional Services denies your application you may then appeal to the Zoning Board of Appeals.

DATE: 10/1/10

PART I:

Address of proposed curb cut or off-street parking facility: 21 Decatur St.

Frontage: 42' Block and Lot: 94-144

Setback (distance from building to sidewalk): 8' 1"

Distance from proposed driveway to surrounding structures and property line: 3' 6"

Dimensions of proposed driveway: 16' x 18'

Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: None

☑ Plot plan is included

☑ Sketch of driveway with cost estimate is included

☑ All abuttor's forms are included

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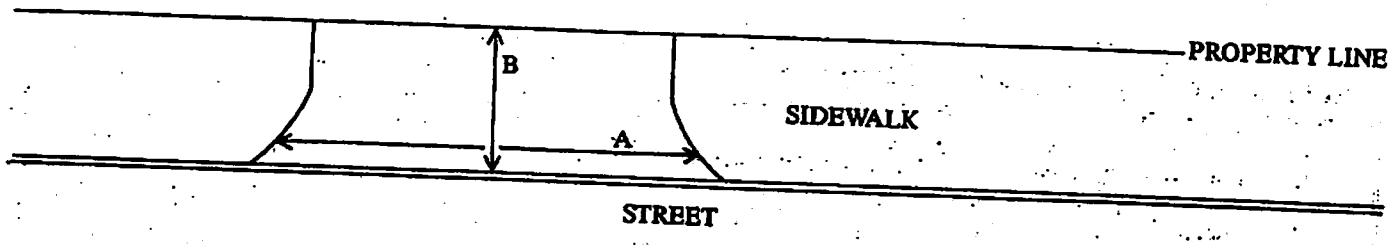
DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



A = 16 FT. ÷ 3 = 5.3 YARDS

B = 6 FT. ÷ 3 = 2 YARDS

A × B = 10.6 SQUARE YARDS

COST ESTIMATE:

BRICK: 10.6 SQUARE YARDS × $70/SQUARE YARD = $_____

BRICK ON CONCRETE:_____SQUARE YARDS × $85/SQUARE YARD = $_____

CONCRETE: 10.6 SQUARE YARDS × $40/SQUARE YARD = $ 424.00

ASPHALT:_____SQUARE FEET × 1 TON/40 SQUARE FEET × $125/TON = $_____

DEPARTMENT OF PUBLIC WORKS SCHEDULED DATE FOR CONSTRUCTION: / /

DEPARTMENT OF PUBLIC WORKS STATED FEE: $_____

The undersigned agrees to pay the stated fee for the driveway installation in full within two (2) weeks of the estimated starting date of construction before the Department of Public Works shall proceed with construction:

Owner's signature: [signature]

Address: 24 Bogle St, Weston MA 02493 Date: 10-1-10

Funds Received: $_____ Check Number:_____

joshnewbury@yahoo.com

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 30 Decatur St,

Cambridge, Massachusetts, I do hereby declare ☑ approval ☐ disapproval

of the installment of:

Off-Street Parking Facility located at 21 Decatur St

Signed: [illegible] Date: 10/8/10

Address: 30 Decatur St Camb.

To Whom It May Concern:

As owner or agent of 19 Decatur St,

Cambridge, Massachusetts, I do hereby declare ☑ approval ☐ disapproval

of the installment of:

Off-Street Parking Facility located at 21 Decatur St

Signed: [illegible] Date: 10/23/10

Address: 19 Decatur St, Cambridge

To Whom It May Concern:

As owner or agent of 17 Decatur St.,

Cambridge, Massachusetts, I do hereby declare ☑ approval ☐ disapproval

of the installment of:

Off-Street Parking Facility located at 21 Decatur St.

Signed: [illegible] Date: 10/23/10

Address: 17 Decatur St., Cambridge

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 24 Decatur

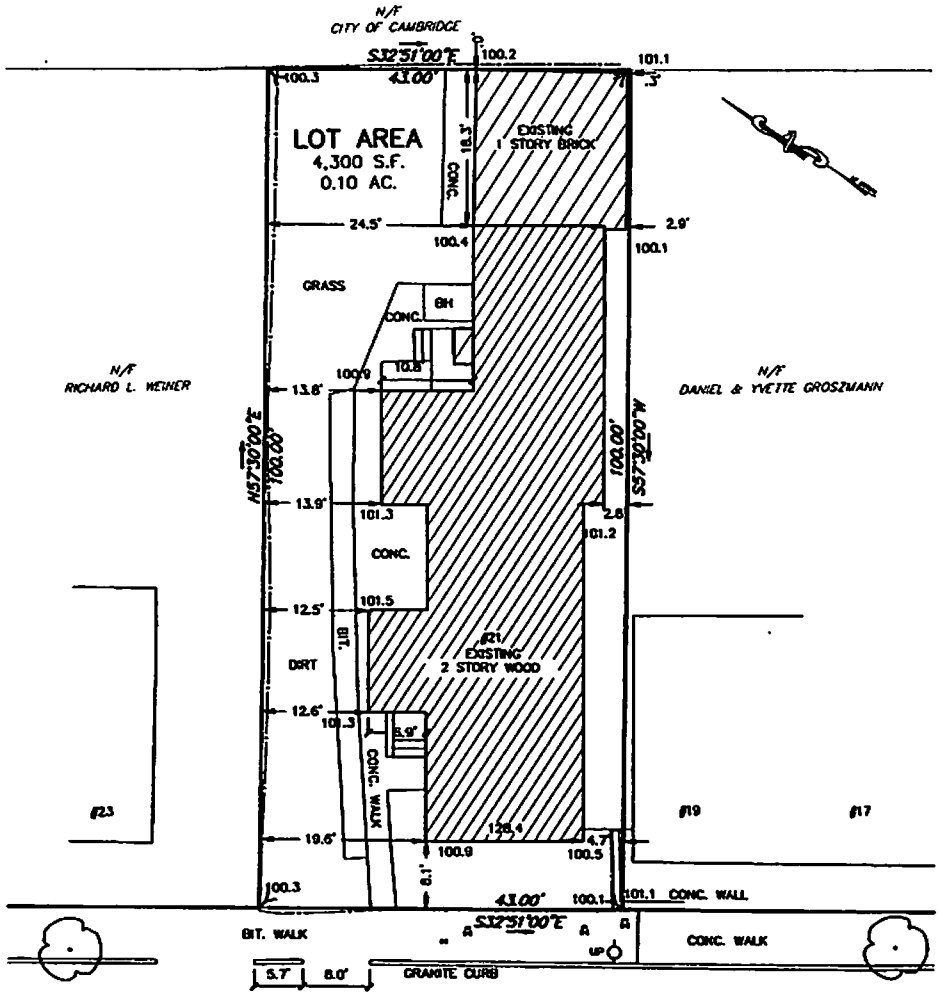
Cambridge, Massachusetts, I do hereby declare ☑ approval ☐ disapproval

of the installment of:

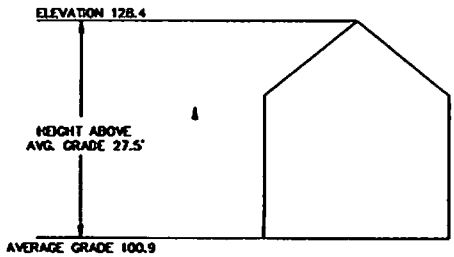
Off-Street Parking Facility located at 21 Decatur

Signed: Mary Hall Date: October 22, 2010

Address: 24 Decatur St. Cambridge, Ma 02139



DECATUR (PUBLIC - 40' WIDE) STREET



((100.5+100.9+101.2+100.1+101.1+100.2+100.4+100.9+101.3+101.5+101.3)/8)=100.9

PREPARED FOR:

JOSH NEWBURY
28 STERLING ROAD 1ST
WALTHAM, MA 02451

PLOT PLAN

FOR

21 DECATUR STREET

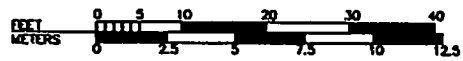
IN

CAMBRIDGE, MASS.

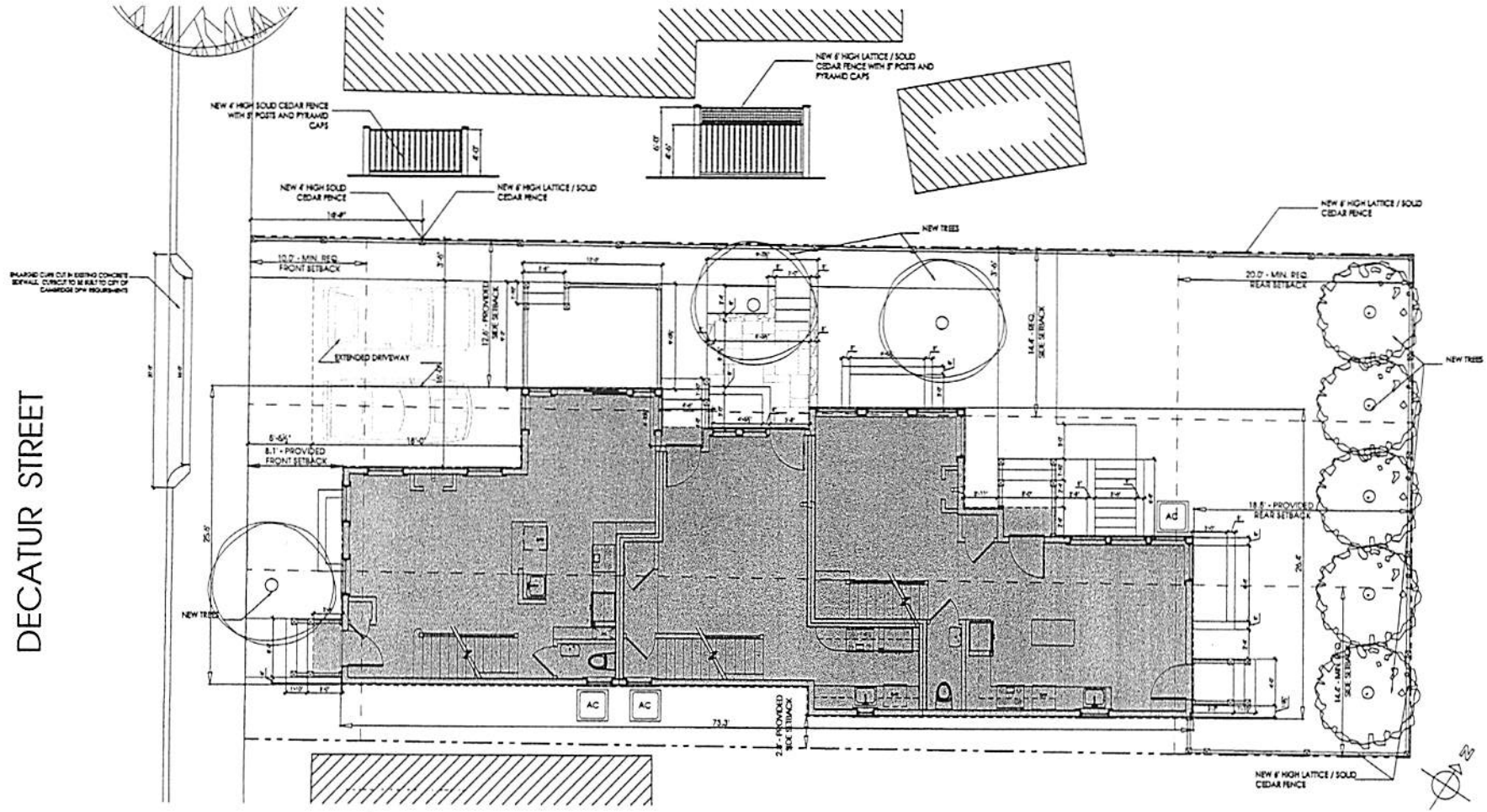
SCALE: 1"=10' SEPTEMBER 8, 2010

C & G SURVEY COMPANY
37 JACKSON ROAD
SCITUATE, MA. 02066
1-877-302-8440

NOTES:
1. ZONING CLASSIFICATION – RESIDENTIAL C
2. LOCUS LIES IN ZONE X AS SHOWN ON FIRM MAP COMMUNITY PANEL #25017C 0576 E, DATED JUNE 4, 2010
3. PLAN REFERENCES:
   A) MIDDLESEX REGISTRY OF DEEDS BOOK 4351 END
   B) MIDDLESEX REGISTRY OF DEEDS LANDCOURT PLAN 25569A
   C) MIDDLESEX REGISTRY OF DEEDS PLAN 378 OF 1999
4. LOCUS DEED:
   MIDDLESEX REGISTRY OF DEEDS BK. 34523 PG 564
   ASSESSORS MAP/LOT 94/144



PROGRESS PRINT



1 SITE PLAN
1/4" = 1'-0"

JOSH NEWBURY	BOYES-WATSON ARCHITECTS	21 DECATUR STREET, CAMBRIDGE MA	17740	1/4"=1'-0"	PERMIT SET		A-101
		PROPOSED SITE PLAN		01.06.11			

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Page: 1 of 4 01/10/2011 12:20 PM

City of Cambridge

MASSACHUSETTS

2010 DEC 17 A 10: 32

BOARD OF ZONING APPEAL

OFFICE OF THE CITY CLERK

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

CASE NO: 10010

LOCATION: 21 Decatur Street, Cambridge, MA — Residence C Zone

PETITIONER: URP Group, LLC
owner C/o Josh Newbury

PETITION: Variance: To relocate and add non-conforming FAR; front and rear stoops in setback, raise roof of back ell, add 1 off street parking space and allow parking within front yard setback.

Special Permit: Fenestration changes (including skylights) in existing non-conforming setbacks.

VIOLATION: Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).
Art. 8.000, Sec. 8.22.2 (Non-Conforming Structure).
Art. 6.000, Sec. 6.42 & 6.44 (Parking Requirements). 56010-102

DATE OF PUBLIC NOTICE: October 8 & 15, 2010

DATE OF PUBLIC HEARING: October 28, 2010

MEMBERS OF THE BOARD:

CONSTANTINE ALEXANDER - CHAIR	✓
TIMOTHY HUGHES –VICE CHAIR	✓
BRENDAN SULLIVAN	✓
THOMAS SCOTT	✓

ASSOCIATE MEMBERS:

CHRISTOPHER CHAN	
MAHMOOD R. FIROUZBAKHT	
DOUGLAS MYERS	
SLATER W. ANDERSON	
TAD HEUER	✓

Mail to
URP Group LLC Att Josh Newbury
24 Bogle St
Weston MA 02493

Members of the Board of Zoning Appeal heard testimony and viewed materials submitted regarding the above request for relief from the requirements of the Cambridge Zoning Ordinance. The Board is familiar with the location of the petitioner's property, the layout and other characteristics as well as the surrounding district.

Case No. 10010
Location: 21 Decatur Street
Petitioner: URP Group, LLC c/o Josh Newbury

On October 28, 2010, Petitioner Josh Newbury appeared before the Board of Zoning Appeal with his architect Mark Boyes-Watson requesting a variance in order to relocate and add nonconforming FAR, including building front and rear stoops in the setbacks, raising the roof of the back ell, adding one off street parking space and a special permit in order to change fenestration, including skylights, in existing nonconforming setbacks. The Petitioner requested relief from Article 5, Section 5.31, Article 8, Section 8.22.2, and Article 6, Sections 6.42 and 6.44 of the Cambridge Zoning Ordinance ("Ordinance"). The Petitioner submitted application materials including information about the project, plans, and photographs.

Mr. Boyes-Watson stated that the house was in need of renovation. He stated that by raising the roof in the rear ell slightly, Building Code compliant headroom would be provided. He stated that by reworking the parking on the lot, the amount of parking and open space would be increased. He stated that the renovation plan also included entry stoops and window and skylight changes, which also needed relief. Mr. Newbury stated that he had canvassed the abutters and they offered no objections.

The Chair asked if anyone wished to speak in favor of or in opposition to the proposal, no one indicated such.

After discussion, the Chair moved that the Board grant the variance for relief in order to relocate and add nonconforming FAR, including building front and rear stoops in the setbacks, raising the roof of the back ell, adding one off street parking space and allowing for parking within the front yard setback based on the finding that a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the Petitioner. The Chair moved that the Board find that the hardship relates to the structure being in poor condition and in need of an upgrade. The Chair moved that the Board find that the hardship is owing to circumstances relating to the shape of the lot and the location of the structures on the lot. The Chair moved that the Board find that relief may be granted without substantial detriment to the public good or nullifying or substantially derogating from the intent or purpose of the Ordinance. The Chair moved that the Board find that the relief being sought is modest and creates only a slight increase in FAR. The Chair moved that the Board grant the variance on the condition that the work proceed in accordance with plans prepared by Boyes-Watson Architects, numbered 0001, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, with the first page

initialed by the Chair, except that if the City Council does not grant a second curb cut, then only one car may be parked in the existing curb cut.

The five member Board voted unanimously in favor of finding a hardship and of granting a variance (Alexander, Hughes, Sullivan, Scott, and Heuer) with the above conditions. Therefore, the variance is granted.

The Board specifically finds that, based upon all the information presented, there are circumstances involving a substantial hardship relating to this property within the meaning of M.G.L. c. 40A § 10. The Board also finds that desirable relief could be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Ordinance.

After discussion, the Chair moved that the Board grant the special permit for relief in order to change fenestration, including skylights, in existing nonconforming setbacks based on the finding that these changes will not cause congestion, hazard or substantial change in established neighborhood character or affect traffic generated or patterns of access or egress. The Chair moved that the Board find that the continued operation or development of adjacent uses will not be adversely affected by what is proposed. The Chair moved that the Board find that no nuisance or hazard will be created to the detriment of the health, safety and/or welfare of the occupant or the citizens of the city. The Chair moved that the Board find that the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of the Ordinance. The Chair moved that the Board find that the impact of the proposed changes are modest and raise no concerns from the neighbors. The Chair moved that the Board grant the special permit on the condition that the work proceed in accordance with the plans identified in the variance grant above.

The five member Board voted unanimously in favor of granting the special permit (Alexander, Hughes, Sullivan, Scott, and Heuer) with the above conditions. Therefore, the special permit is granted.

The Board based its decision upon all the information presented, the above findings and upon the following:

1) The meeting of the requirements of the Ordinance;
2) Traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in the established neighborhood character;
3) The continued operation of or the development of adjacent uses as permitted in the Ordinance would not be adversely affected by the nature of the proposed uses;
4) Nuisance or hazard would not be created to the detriment of the health, safety and /or welfare of the occupants of the proposed use;

5) The proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the Ordinance, and in fact would be a significant improvement to the structure and benefit the neighborhood, and;
6) The new use or building construction is not inconsistent with the Urban Design Objectives set forth in Section 19.30 of the Cambridge Zoning Ordinance.

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the petitioner in any way from the duty to comply with local ordinances and regulations of the other local agencies, including, but not limited to the Historical Commission, License Commission and/or compliance with requirements pursuant to the Building Code and other applicable codes.

Constantine Alexander, Chair

Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on 12-17-10 by Maria Pacheco, Clerk.

Twenty days have elapsed since the filing of this decision.

No appeal has been filed ✓.

Appeal has been filed and dismissed or denied.

Date: JAN. 10TH, 2011 D. Margaret Drury City Clerk.

JAN 10 2011

1-10-11

COMMONWEALTH OF MASSACHUSETTS
MIDDLESEX S. S.
SOUTH DIST. REGISTRY OF DEEDS
CAMBRIDGE, MA
I HEREBY CERTIFY THE FOREGOING
IS A TRUE COPY OF A PAPER
RECORDED IN BOOK 56254
PAGE 486

Eugene C. Brune REGISTER

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☑ Application approved ☐ Application denied

Reason: BZA 10010

Signature: Date: 5/18/11

Title: Zoning

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature: Date: 6·6·2011

Title: EXEC. DIRECTOR, CHC

PART IV: HISTORICAL COMMISSION

☒ Application approved ☐ Application denied

Reason:

Signature: Date: 5-31-11

Title: Traffic Engineer

PART V: PUBLIC WORKS DEPARTMENT

☑ Application approved ☐ Application denied

Reason:

Signature: Date: 6/1/2011

Title: Superintendent of Streets & Sidewalks

Owner/Developer is responsible for Construction/install of curbcut & Sidewalk entire length of frontage of property.

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260
FAX (617) 349-4269
tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

May 24, 2011

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Josh Newbury, requesting a curb cut *at the premises numbered 21 Decatur Street, Cambridge, Massachusetts.* The City Council has directed that all curb cut petitions be submitted to the appropriate Neighborhood Associations for the locality where the curb cut would be made, so that the association may have an opportunity for review, prior to action by the City Council.

Please indicate by return mail your approval or disapproval of the petition within twenty-one days from the date of this letter. If the response is "disapproval" please state reasons. Be sure to sign the form and include a daytime phone number. I have enclosed a self-addressed stamped envelope to facilitate your reply.

As soon as this office has received both the completed application and your neighborhood association response, I will place the petition on the agenda for the next City Council meeting. If I do not receive a response from your neighborhood organization by twenty-one days from the date of this letter, I will place the petition on the agenda for the next City Council meeting.

If your neighborhood association cannot complete its review by twenty-one days from today, you may extend the reply time another seven days by requesting an extension by letter to me with a copy to the petitioner. However, I urge you to make every effort to complete your review as soon as possible.

Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
D. Margaret Drury
City Clerk

Dana Park Neighborhood Association – Bill August

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no.

cc: Petitioner