



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

BZA APPLICATION FORM

Plan No: BZA-016359-2018

GENERAL INFORMATION

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

Special Permit : ✓ Variance : ✓ Appeal :

PETITIONER : Joao De Andrade Bairos - C/O Jason A. Panos, Esq.

PETITIONER'S ADDRESS : 246 Andover Street, Suite 301 Peabody, MA 01960

LOCATION OF PROPERTY : 22, 24 & 26 Berkshire St Cambridge, MA 02141

TYPE OF OCCUPANCY : Mult-Res-4-8-Apt ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :

New Structure

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner proposes replacing with one (1) structure, the existing two (2) principal structures containing a total of six (6) apartment dwelling units (one, two (2) family apartment building, one, four (4) family apartment building) and an accessory, garage structure accommodating one (1) parking space located on one parcel of land (22,24 & 26 Berkshire Street). The property is located at the intersection of Berkshire and Plymouth Streets.

The proposed structure requires relief from the provisions of the Cambridge Zoning Ordinance, Article 5.00, "Development Standards", Section 5.30, "District Dimensional Regulations" and Article 6.00, "Off Street Parking and Loading Requirements", Section 6.30, "Parking Quantity Requirements". Specifically variances and a special permit are requested as set forth in attached "Dimensional Information" section of this Application.

The existing apartment buildings were totally destroyed by the December 2016 fire and were condemned by the City of Cambridge Building Commissioner on or about June 23, 2017. No use variances are required or sought. The proposed structure is more particularly described in the plans and renderings provided herewith.

In summary, the proposed structure will contain six (6) apartment dwelling units with accomodation for three (3) parking spaces on site, bicycle parking, and an electric car charging station and other appurtenances not currently provided or existing on the site. Also, the proposed structure will be compliant, in all respects and without waiver, with the applicable provisions of the current version of the "Building Code" as adopted in Massachusetts as the Ninth Edition codified in M.G.L. c. 143, ss 93 through 100 and 780 CMR which adopts and incorporates by reference the "International Building Code-2015" and Chapter 11 of the Building Code, "Accessibility", M.G.L. c. 22, s 13A and 521 CMR "Architectural Access Board Rules and Regulations" prescribing rules and regulations to make public buildings and facilities accessible to, functional for, and safe for use by persons with disabilities.

While the proposed structure requires dimensional and relief as more particularly set forth in the "Dimensional Information" section of this application, it will reduce or eliminate every existing, dimensional and parking non-conformity on the property.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Article 6.000 Section 6.35.1 (Reduction of Required Parking).

Article 6.000 Section 6.36.1.G (Off Street Parking).

Original Signature(s) :



(Petitioner(s) / Owner)

Jason A. Panos Att for Jacob D Baird

(Print Name)

Address :

276 Andover St. #301

#301 Pesbody, ma 01960

Tel. No. :

978-406-9979

E-Mail Address :

jpanos@panos-law.com

Date : May 10, 2018

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 Joao DeAndrade Bairos
(OWNER)

Address: 59 Plymouth Street, Cambridge, MA 02141

State that I/We own the property located at 22, 24 & 26 Berkshire Street, Cambridge, MA which is the subject of this zoning application.

The record title of this property is in the name of Joao DeAndrade Bairos

*Pursuant to a deed of duly recorded in the date August 2, 1978, Middlesex South County Registry of Deeds at Book 13506, Page 451; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Joao Andrade Bairos
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above name Joao DeAndrade Bairos personally appeared before me, this 2nd of May, 2018, and made oath that the above statement is true.

My commission expires October 21, 2022 (Notary Seal)



- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

REPUBLIC OF PHILIPPINES

IN SENATE

COMMITTEE ON EDUCATION

REPORT

ON THE

PROPOSED

REVISIONS

TO THE

EDUCATION ACT OF 1904

AS AMENDED

BY SENATE BILL NO. 123

AND HOUSE BILL NO. 456

AS PASSED BY THE HOUSE OF REPRESENTATIVES

ON MAY 15, 1908

AND THE SENATE

ON JUNE 10, 1908

AND APPROVED BY THE PRESIDENT

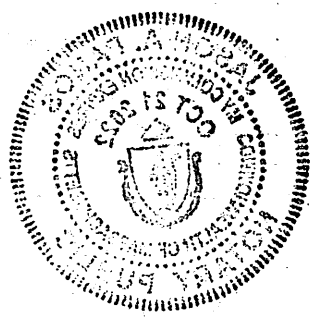
ON JUNE 15, 1908

AND TAKEN EFFECTIVE

ON JUNE 20, 1908

AND THE SENATE

ON JUNE 25, 1908



107

JOSEPH J. FURTADO AND VICTORIA C. FURTADO

of Cambridge Middlesex County, Massachusetts,

for consideration paid, and in full consideration of \$48,000.00

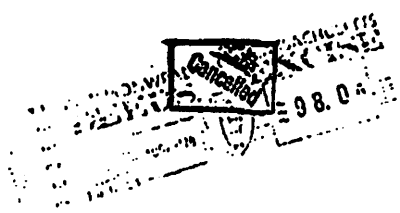
grants to JOAO DeAndrade Bairos 273 PORTLAND ST of Cambridge, Middlesex County, Massachusetts with quitclaim warranty

includes

XXXXXXXXXXXXXXXXXXXX

The land in Cambridge, bounded and described as follows: Being the Northwesterly parts of lots numbered thirty-four and thirty-five on a plan of land of the estate of the late Henry Vandine dated March 31, 1882, drawn by James G. Chase, Civil Engineer and recorded with Middlesex South District Deeds, Book of plans thirty-eight (38) plan four (4) bounded and described as follows: Via Northwesterly by Berkshire Street seventy (70) feet; Northeasterly by lot numbered thirty-three (33) on said plan, fifty-three and fourty-three hundredths (53.43) feet; Southeasterly by the other parts of lots numbered thirty-four (34) and thirty-five (35), deeded by these Grantors to Harry Greenstein, et al, seventy (70) feet; Southwesterly by Plymouth Street fifty-four and seventy-one hundredths feet (54.70). Containing about three thousand seven hundred and eighty-five square feet. Be any, or all, said measurements more or less.

Being the same premises conveyed to us by Deed dated August 29, 1968, and recorded with Middlesex South District Deeds in Book 11566, Page 654.



Witness our hands and seals this 2nd day of August 1978.

Joseph J. Furtado
Victoria C. Furtado

The Commonwealth of Massachusetts

MIDDLESEX, ss. August 2, 1978.

Then personally appeared the above named Joseph J. Furtado and Victoria C. Furtado and acknowledged the foregoing instrument to be their free act and deed before me

Phillip Nasson
My commission expires 3-10-83

(*Individual--Joint Tenants--Tenants in Common--Tenants by the Entirety.)

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

442ME 10.15 2:55 4:22 PM 10-7-78

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

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

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

The apartment buildings on the property were built according to City of Cambridge records in or around 1900. The current and proposed use of the property containing a total of six (6) apartment dwelling units is allowed by right. The existing buildings are dimensionally non-conforming. The proposed structure in each instance reduces the existing non-conformities and requires relief from the dimensional and parking requirements of the Zoning Ordinance Articles 5, "Development Standards", Section 5.30, "District Dimensional Regulations, Residential Districts" and Article 6, "Off Street Parking and Loading Requirements", Section 6.30 "Parking Quantity Requirements" only.

The apartment buildings along with many others in the neighborhood were destroyed by the December 2016 fire and were subsequently condemned by the City of Cambridge Building Commissioner and cannot be reconstructed as they currently exist under any circumstances. Required compliance with the Building Code and Accessibility statutes, rules, regulations and requirements alone, preclude reconstruction of the existing condition. Therefore, the existing structures must be replaced. That proposed petition reduces or eliminates the existing non-conformities in each instance and will be compliant with the applicable provisions of the Building Code and Accessibility Requirements.

Also, the petitioner cannot enjoy the benefit of pre-existing, non-conforming, "grand-fathered" dimensional status for the structure on the property in accordance with the provisions of Zoning Ordinance Article 8.00, "Nonconformity" because reconstruction of the property will exceed the original foot prints of the buildings. The petitioner must seek variances to accommodate the proposed structure.

Without the requested dimensional and parking variances resulting in a far superior and desirable development than the existing condition allows petitioner will be deprived the by right and pre-existing use of the property for six (6) apartment dwelling units causing a substantial, financial hardship.

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

The existing buildings on the property are unique in that there are two (2) principal structures on the property with one (1) accessory parking garage structure. The smaller dwelling structure is a two (2) family apartment building while the larger dwelling structure is a four (4) family apartment building. Both principal structures stand approximately 2.3' apart.

Also, the soil condition of the property is sandy and porous and cannot support redevelopment of the existing principal structures using basements and foundations as currently exist without significant geo-technical engineering. Proposed in its place is to fill the existing basements and utilize slab on grade construction built with subsurface pilings driven into the ground to ensure adequate structural support of the single, proposed structure which contains the same number of units as currently exist but provides for more parking and other appurtenances.

This combination of unique conditions related specifically to the property requires replacing the existing condition with a structure which will, in every instance, reduce the impacts of the existing non-conformities but which nonetheless, requires relief from the applicable provisions of Zoning Ordinance Articles 5 and 6.

C) **DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:**

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

The proposed construction of one (1) structure containing six (6) apartment units, provides for three (3) parking spaces and provides for other desirable appurtenances in place of the existing condition (six (6) apartment units in two (2) principal structures which are 2.3' apart providing only one (1) off street parking space) WILL NOT cause any detriment to the public good and will be a marked improvement over the existing condition.

Each non-conformity of the existing condition is reduced or eliminated in the case of eliminating the 2.3' foot distance between 2 buildings where 10' is required, which is an improvement to the existing condition. Also, the proposed use is no different than that which existed prior to the December 2016 fire which destroyed many houses in the neighborhood and at the very least, no greater impacts to the public detriment are caused by the proposed development.

Also, the new structure will be compliant with the current and applicable provisions of the Building Code and Accessibility, ~~statutes~~ regulations and requirements unlike that existing currently.

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

Zoning Ordinance Article 1.00, "Preamble", Section 1.30, "Purpose" sets forth the purpose of the Ordinance. Among the purposes prescribed is to lessen congestion in the streets, secure safety from fire, flood, panic, and other danger, to conserve the value of land and buildings, to facilitate the adequate provision of open space to prevent blight and to encourage rational use of land. In each instance, the proposed development accomplishes and DOES NOT derogate from the intent of the Zoning Ordinance as prescribed.

Specifically, i) by providing three (3) parking spaces where only one (1) is currently provided, congestion in the streets is lessened; ii) by eliminating two (2) principal structures on the property and putting its place only one (1) which is sprinkled and Building Code compliant in every respect and a nonconformity is eliminated, safety from fire, flood, panic, and other danger is secured; iii) the value of land is conserved by maintaining the current uses with added appurtenances and accommodations iv) with the addition of courtyards and other appurtenances, open space as a percentage to overall lot area is increased more than 3 times; v) by facilitating the tear down of condemned and uninhabitable structures and replacing them with the proposed structure, blight is prevented vi) by reducing in each instance the existing non-conformities, rational use of land is encouraged.

Also, because only modest dimensional variances are sought the effect of which is to reduce each instance eliminate the existing non-conformities of the current condition, there is no substantial derogation from the intent or purposes of the Cambridge Zoning Ordinance.

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

BZA APPLICATION FORM

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 **22, 24 & 26 Berkshire Street, Cambridge, MA 02141** (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:

This Special Request, to the extent required, is governed by the provisions of Zoning Ordinance section 6.35, "Relief from Parking Requirements" and is requested in the alternative in the event the BZA finds that a variance is not necessary as required in a "Turn Down" letter from the Cambridge Building Commissioner dated April 23, 2018 provided herewith.

The existing use of the Property containing six (6) dwelling units in two (2) buildings (two (2) units are located in a two (2) family apartment house and four (4) units are located in a four (4) family apartment house) with one accessory parking garage accommodating one (1) off street parking space, is pre-existing, non-conforming. The apartment houses were destroyed by fire in December 2016 along with several other dwelling houses in the neighborhood.

A related Petition to the Board of Zoning Appeal ("BZA") for dimensional variances under the provisions of the Zoning Ordinance, Article 5.30, "District Dimensional Regulations" (the "Variance Petition") seeks dimensional relief for a proposed structure containing six (6) residential dwelling units to replace those destroyed. The proposed improvements pursuant to the Variance Petition are more particularly depicted in the plans, rendering, and elevations submitted with the Variance Petition and submitted herewith.

The proposed redevelopment of the Property also includes plans to increase the off street parking at the Property from the one (1) space currently provided to three (3) off street parking spaces including one (1) space which is designated for the exclusive use of the accessible unit. The proposed re-development of the Property results in a significant reduction in the current parking nonconformity at the Property. No change or alteration in use at the Property is proposed.

Accordingly, pursuant to Ordinance Section 8.20, "Nonconformance", subsection 8.22.1, alterations, reconstructions, extensions, and/or enlargements of non-conforming structures which do not result in a use for a substantially different purpose in a substantially different manner or to a substantially greater extent than the existing use shall be permitted after the issuance of a building permit by the Superintendent of Buildings. This is particularly the case under subsection 8.22.1(e) when demolition of a structure or portions of a structure that (1) reduces the extent of an existing nonconformity, or (2) does not increase or otherwise affect any existing nonconformity, and that (3) does not create a new zoning violation.

In the instant case, all three criteria are met. The proposed re-development of the property: (1) reduces and/or eliminates the extent of all existing nonconformities and such is especially the case regarding parking when one (1) off street parking space is currently provided while three (3) are proposed; (2) does not increase or otherwise affect any existing non-conformity and, in fact, such non-conformities are reduced and/or eliminated; and (3) no new zoning violation is created by the proposed parking arrangement.

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:

As depicted on the plans provided herewith, ingress and egress to and from the Property is improved because parking is proposed within and below the proposed apartment dwelling structure rather the existing condition which provides only one (1) off street parking space directly off Plymouth Street. The existing condition provides little room to turn and the car is forced to back out from the Property on to Plymouth Street. No changes are proposed to the existing curb-cut which will be used for access to and from the Property via Plymouth Street to and from the three (3) proposed off-street parking spaces at the Property. Also, the proposed re-development of the Property will result in a net increase of two (2) off street parking spaces and addition of a handicap accessible parking space. The result is that congestion hazards in and around the Berkshire and Plymouth Street neighborhood will be reduced which will positively enhance the character of the neighborhood.

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

There is NO adverse impact which will result from the proposed re-development of the Property. By reducing traffic congestion in the neighborhood and on Berkshire and Plymouth Streets by providing more off street parking at the Property than the existing condition accommodates, continued operation of or the development of adjacent uses permitted in the Zoning Ordinance is enhanced and NOT adversely impacted.

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 re-development of the Property is of a pre-existing, non-conforming use which use will not change. The proposed parking arrangement results in a total of three (3) off street parking spaces where only one (1) currently exists. Also, the proposal includes provision for a dedicated handicap accessible, off-street parking space at the Property where none exists currently. By reducing traffic congestion in the neighborhood and on Berkshire and Plymouth Streets by providing more off street parking at the Property than the existing condition accommodates, 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. Accordingly, the

proposed parking arrangement will positively impact health, safety and/or welfare of the occupant(s) of the proposed/existing use and/or for the 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:

For all of the aforementioned reasons, the continued use of the Property with accommodation for additional off street parking WILL NOT impair the integrity of the district adjoining district or otherwise derogate from the intent or purpose of this Ordinance but WILL create a positive improvement. Specifically, Zoning Ordinance, Article 1.00, "Preamble", Section 1.30, "Purpose" sets forth the purpose of the Ordinance. Among the purposes prescribed, is to lessen congestion in the streets and to encourage rational use of land. In each instance, the proposed development accomplishes and DOES NOT derogate from the intent of the Zoning Ordinance as prescribed.

Specifically, i) by providing three (3) off street parking spaces where only one (1) is currently provided, congestion in the streets is lessened; ii) by reducing and/or eliminating in each instance, the existing non-conformities, including the reduction in the pre-existing off street parking nonconformity, rational use of land is encouraged.

(ATTACHMENT B - PAGE 6)

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

Joao DeAndrade Bairos c/o Jason A. Panos,

APPLICANT: Esquire PRESENT USE/OCCUPANCY: 6 Dwelling Unit Apartment

LOCATION: 22, 24 & 26 Berkshire St., Cambridge, MA 02141 ZONE: Residence C-1 Zone

PHONE: 978-406-9979 REQUESTED USE/OCCUPANCY: 6 Dwelling Unit Apartment

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>6,773 sf</u>	<u>6,204 sf</u>	<u>2,838 sf</u>	(max.)
<u>LOT AREA:</u>	<u>3,784 sf</u>		<u>5,000 sf</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:²</u>	<u>1.79</u>	<u>1.64</u>	<u>0.75</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>630 sf</u>	<u>630 sf</u>	<u>1,500 sf</u>	(min.)
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	<u>70' (Berkshire) 54' (Plymouth)</u>	<u>50'</u>	(min.)
	<u>DEPTH</u>	<u>0.2' (Berkshire) 0.5' (Berkshire)</u>		
<u>Setbacks in Feet:</u>	<u>FRONT</u>	<u>0.9' (Plymouth)</u>	<u>0.9' (Plymouth)</u>	<u>10'</u> (min.)
	<u>REAR</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u> (min.)
	<u>LEFT SIDE</u>	<u>(L = Berkshire) 0.1' 0.8'</u>	<u>15'(Calc.)/7.5'</u>	(min.)
	<u>RIGHT SIDE</u>	<u>(R = Plymouth) 0.6' 5.2'</u>	<u>21'(Calc.)/7.5'</u>	(min.)
<u>SIZE OF BLDG.:</u>	<u>HEIGHT</u>	<u>28' +/-</u>	<u>35'</u>	<u>35'</u> (max.)
	<u>LENGTH</u>			
	<u>WIDTH</u>			
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:³</u>	<u>5.5%</u>	<u>18.2%</u>	<u>30%</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>6</u>	<u>6</u>	<u>2</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>1</u>	<u>3</u>	<u>6 (min.)</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	<u>2.3'</u>	<u>N/A</u>	<u>10'</u>	(min.)

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

Occupancies on the same lot consist of that for residential dwelling purposes only and there is no change proposed from the existing use which is allowed by right according to the Zoning Ordinance. The Three (3) existing structures (one, two (2) dwelling apartment building, one four (4) dwelling apartment building and one accessory, one (1) car garage) are prosed to be replaced by on structure as described above. Proposed construction is Type 5- Wood Frame Constructio

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. 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'.



CAMBRIDGE HISTORICAL COMMISSION

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

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

Jurisdiction Advice

To the Owner of Property at 22-24 & 26 Berkshire Street

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

- Old Cambridge Historic District
- Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
- Avon Hill Neighborhood Conservation District
- Half Crown – Marsh Neighborhood Conservation District
- Harvard Square Conservation District
- Mid Cambridge Neighborhood Conservation District
- Designated Landmark
- Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
- Preservation Restriction or Easement (as recorded)
- Structures is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). See the back of this page for definition of demolition.
Historical Commission hearing scheduled for June 7, 2018.
- No jurisdiction: not a designated historic property and the structure is less than fifty years old.
- No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
Staff comments: _____

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

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

CHC staff initials SLB

Date May 25, 2018

Received by Uploaded to Energov

Date May 25, 2018

Relationship to project BZA 16359-2018

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

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

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

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

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

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

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

July 2003

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



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

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

2018 MAY 10 PM 3:10

BZA APPLICATION FORM
GENERAL INFORMATION

Plan No: BZA-016359-2018

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Petitioner proposes replacing with one (1) structure, the existing two (2) principal structures containing a total of six (6) apartment dwelling units (one, two (2) family apartment building, one, four (4) family apartment building) and an accessory, garage structure accommodating one (1) parking space located on one parcel of land (22,24 & 26 Berkshire Street). The property is located at the intersection of Berkshire and Plymouth Streets.

The proposed structure requires relief from the provisions of the Cambridge Zoning Ordinance, Article 5.00, "Development Standards", Section 5.30, "District Dimensional Regulations" and Article 6.00, "Off Street Parking and Loading Requirements", Section 6.30, "Parking Quantity Requirements". Specifically variances and a special permit are requested as set forth in attached "Dimensional Information" section of this Application.

The existing apartment buildings were totally destroyed by the December 2016 fire and were condemned by the City of Cambridge Building Commissioner on or about June 23, 2017. No use variances are required or sought. The proposed structure is more particularly described in the plans and renderings provided herewith.

In summary, the proposed structure will contain six (6) apartment dwelling units with accomodation for three (3) parking spaces on site, bicycle parking, and an electric car charging station and other appurtenances not currently provided or existing on the site. Also, the proposed structure will be compliant, in all respects and without waiver, with the applicable provisions of the current version of the "Building Code" as adopted in Massachusetts as the Ninth Edition codified in M.G.L. c. 143, ss 93 through 100 and 780 CMR which adopts and incorporates by reference the "International Building Code-2015" and Chapter 11 of the Building Code, "Accessibility", M.G.L. c. 22, s 13A and 521 CMR "Architectural Access Board Rules and Regulations" prescribing rules and regulations to make public buildings and facilities accessible to, functional for, and safe for use by persons with disabilities.

While the proposed structure requires dimensional and relief as more particularly set forth in the "Dimensional Information" section of this application, it will reduce or eliminate every existing, dimensional and parking non-conformity on the property.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Article 6.000

Section 6.35.1 (Reduction of Required Parking).

Article 6.000

Section 6.36.1.G (Off Street Parking).

Original Signature(s) :



(Petitioner(s) / Owner)

JASON A. PANOS Att for Jane D. Baird
(Print Name)

Address :

246 Andover St. #301
#301 Peabody, MA 01960

Tel. No. :

978-406-9979

E-Mail Address :

jpanos@panos-law.com

Date :

May 10, 2018

CASE NO. BZA-016359-2018

22, 24 & 26 Berkshire Street

Map/Lot: 40-143

Residence C-1 Zone

JOAO DE ANDRADE BAIROS - C/O JASON A. PANOS, ESQ.

Variance: To replace two (2) fire destroyed buildings containing six (6) apartment dwelling units with one structure containing six (6) units requiring dimensional relief, ~~and also requiring a variance for off street parking requiring six (6) spaces where three (3) are proposed.~~

*Removed By
Admin: Panos
5/10/18*

Special Permit: Relief from Parking Requirements for off street parking requiring six (6) spaces where three (3) are proposed.

Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

Art. 6.000, Sec. 6.36.1. (g) (Off Street Parking).

Art. 6.000, Sec. 6.35 (Relief from Parking Requirements)

CASE NO. BZA-016359-2018

22, 24 & 26 Berkshire Street

Map/Lot: 40-143

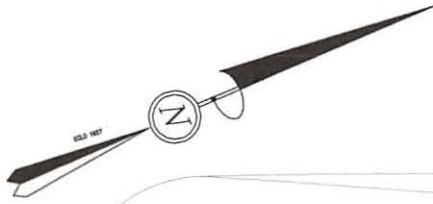
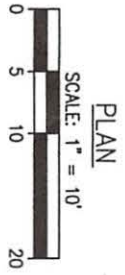
Residence C-1 Zone

JOAO DE ANDRADE BAIROS - C/O JASON A. PANOS, ESQ.

Variance: To replace two (2) fire destroyed buildings containing six (6) apartment dwelling units with one structure containing six (6) units requiring dimensional relief for total gross floor area, lot area, ratio of gross floor area to lot area, lot area for each dwelling unit, setbacks, number of allowed dwelling units and open space and also requiring a variance for off street parking requiring six (6) spaces where three (3) are proposed.

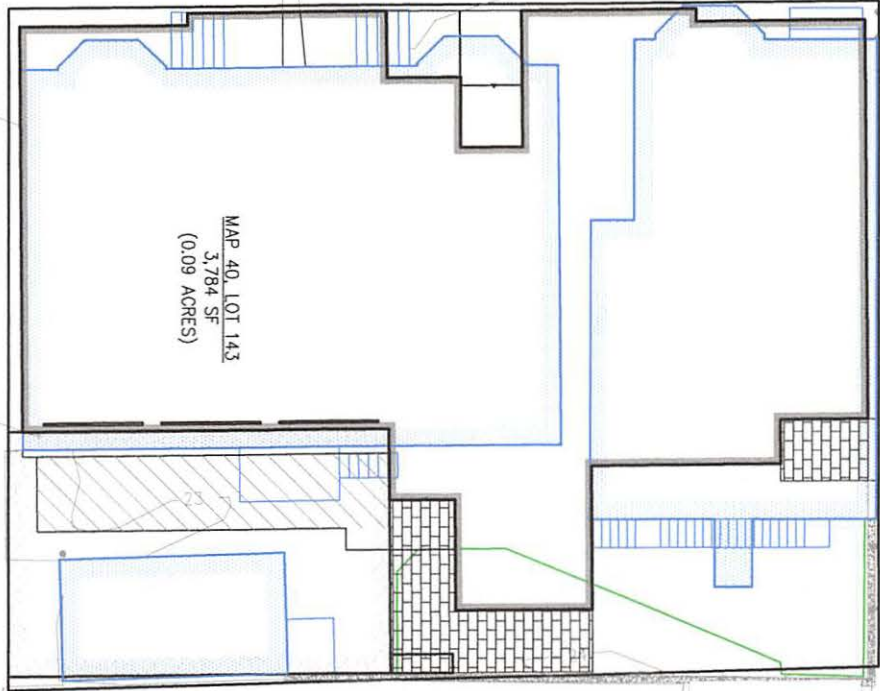
Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

Art. 6.000, Sec. 6.36.1. (g) (Off Street Parking).



BERKSHIRE STREET

PLYMOUTH STREET



MAP 40, LOT 143
3,784 SF
(0.09 ACRES)

N/F
LUZ, HERCULANO F. &
MARIA M.
MAP 40 LOT 140-3

ZONING COMPARISON PLAN
IN
CAMBRIDGE, MASSACHUSETTS
22, 24, & 26 BERKSHIRE STREET

PREPARED FOR:
MR. JOAO BAIROS

DATE: 4-11-18
SCALE: 1"=10'

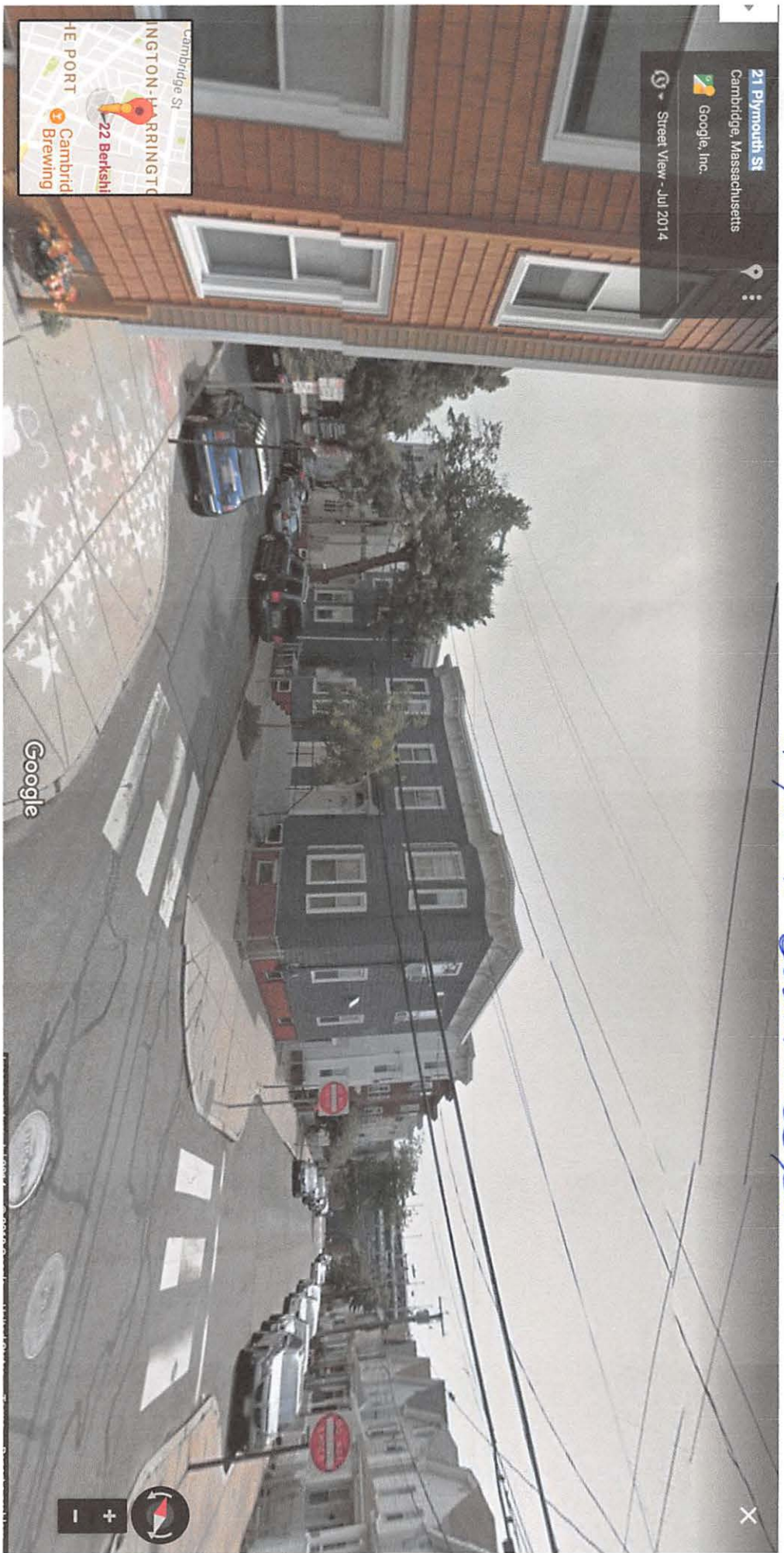
The
Morin-Cameron
GROUP, INC.

CIVIL ENGINEERS | ENVIRONMENTAL CONSULTANTS
LAND SURVEYORS | LAND USE PLANNERS
80 ELM STREET, DANVERS, MASSACHUSETTS 01923
P: 978-777-8586, F: 978-774-3488, W: WWW.MORINCAMERON.COM



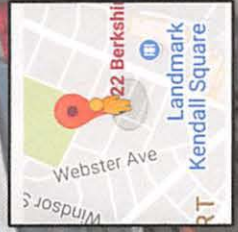
PROJ. 3625

22, 24-26 Berkshire St.

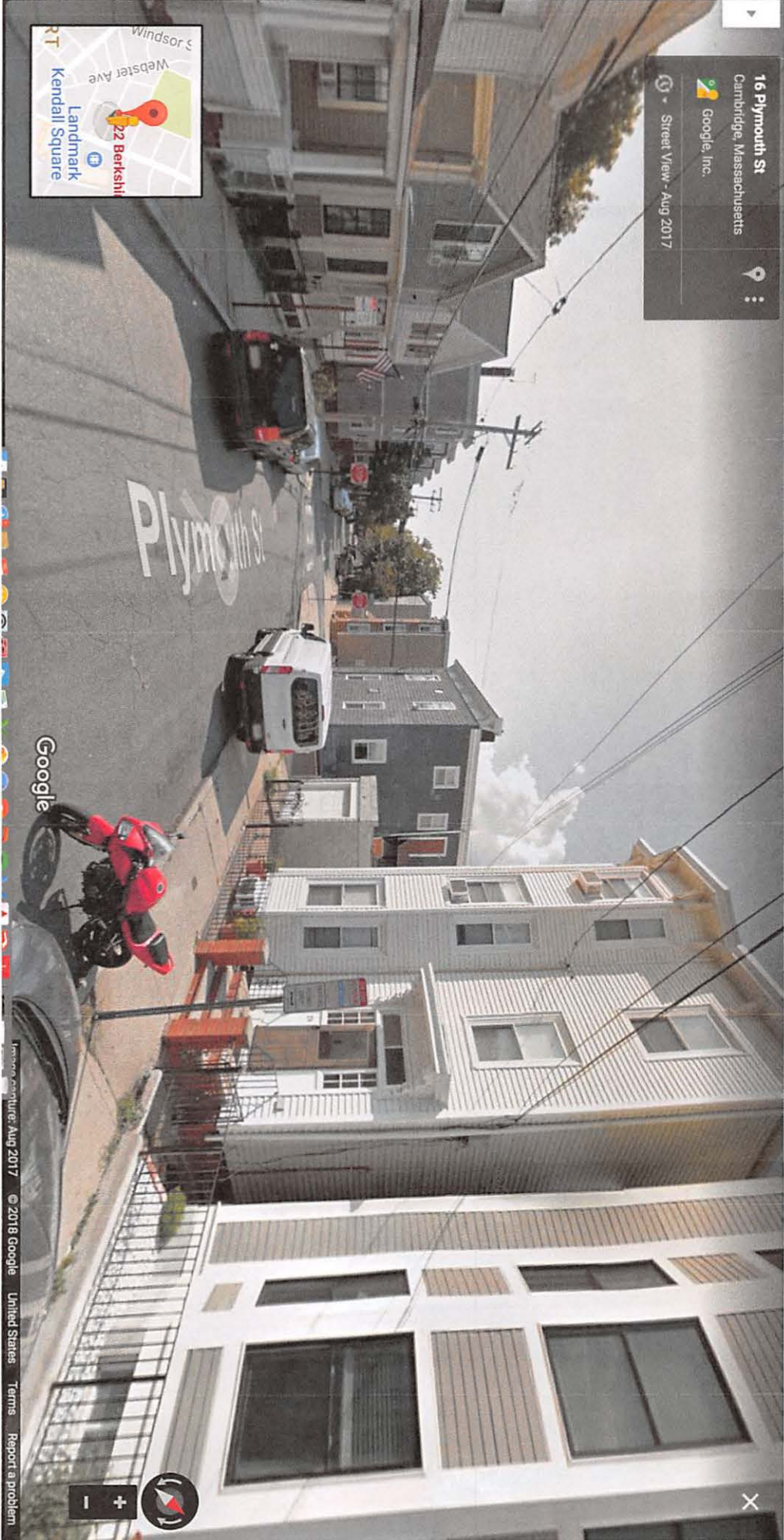
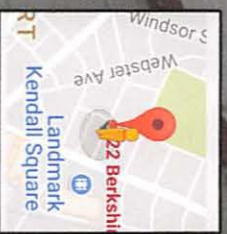




20 Plymouth St
Cambridge, Massachusetts
Google, Inc.
Street View - Aug 2017



16 Plymouth St
Cambridge, Massachusetts
Google, Inc.
Street View - Aug 2017



Google

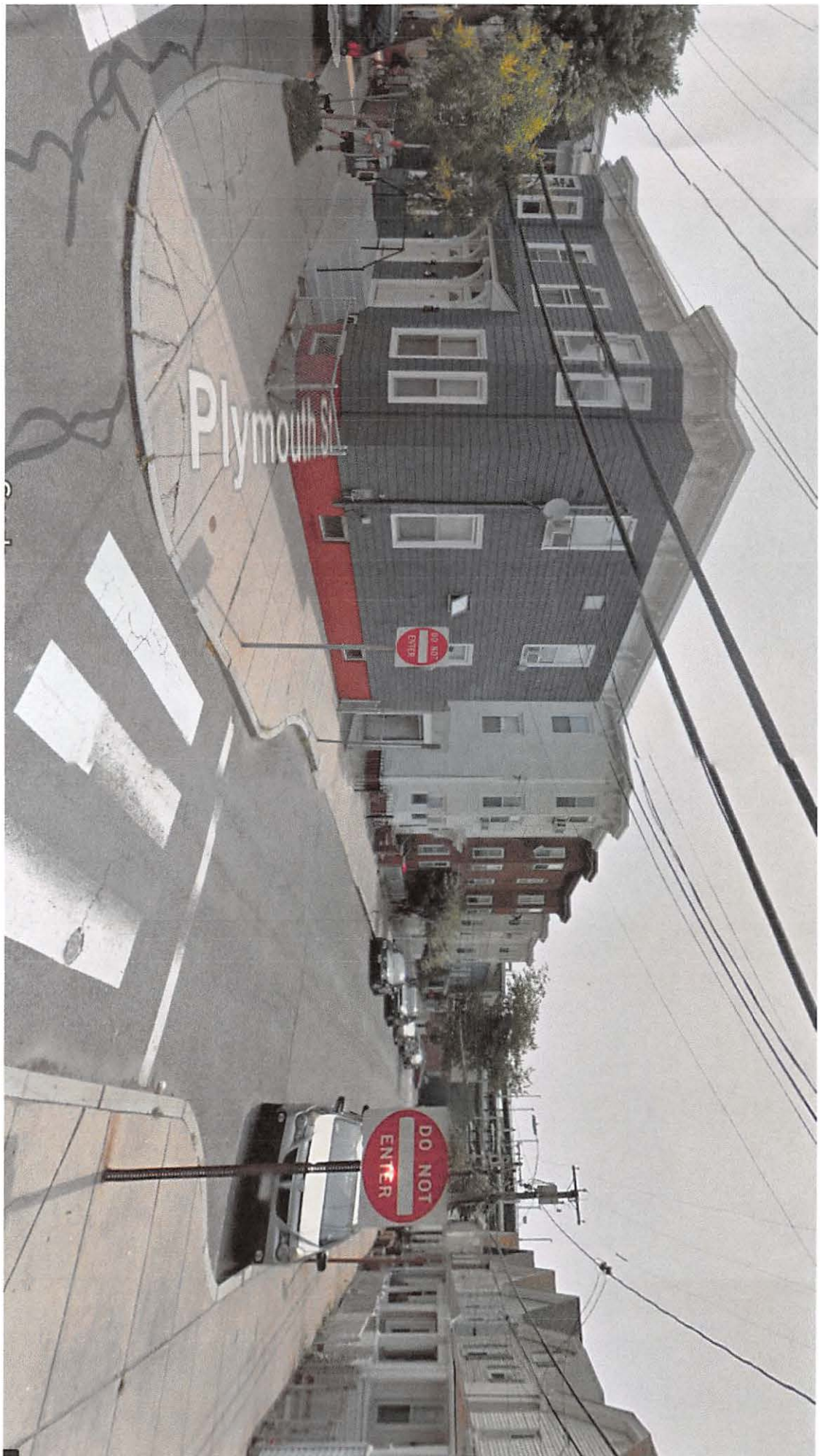






X







Google

STOP

77

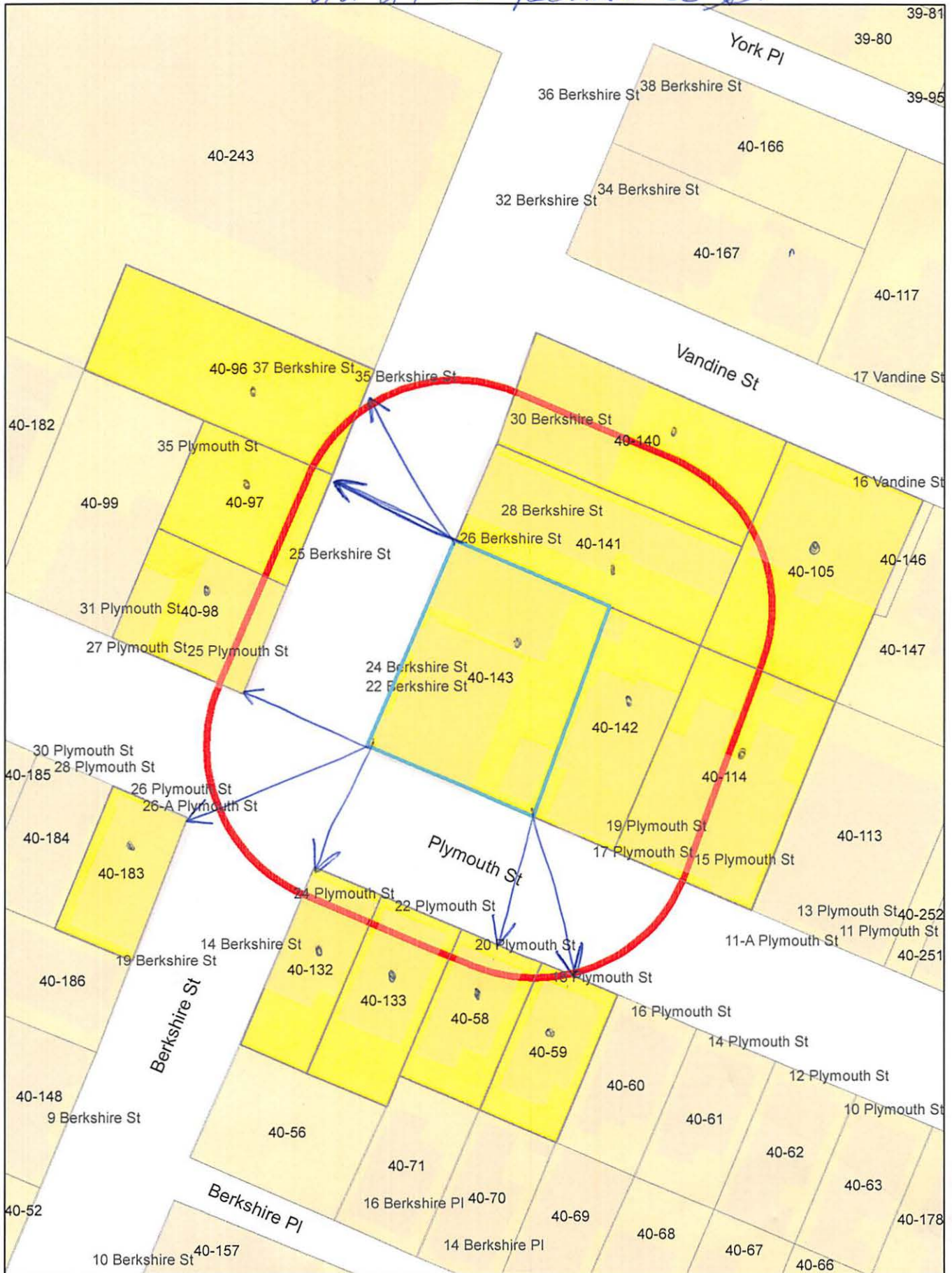
77

NO
STOPPING

Google



22-24-26 Berkshire St.



22-24-26 Berkshire St

Petitioner

40-58
ZHANG, JIN
20 PLYMOUTH ST
CAMBRIDGE, MA 02141

40-59
GANNON, THOMAS M. & GAIL F. GANNON
18 PLYMOUTH ST
CAMBRIDGE, MA 02141

JASON A. PANOS, ESQ.
246 ANDOVER STREET - SUITE 301
PEABODY, MA 01960

40-97
DELL'OLIO, RICHARD, ANDREW, LINDA, CARON
ANN & EMILY CAMARA
27 BERKSHIRE ST
CAMBRIDGE, MA 02141

40-98
DELL'OLIO, RICHARD, ANDREW, LINDA, CARON
ANN & EMILY CAMARA
27 PLYMOUTH ST
CAMBRIDGE, MA 02141

40-105
ANNAcone, ANGELO L. AND
MARION J. ANNAcone
2 HENRY STREET
MEDFORD, MA 02155

40-114
PEONY REALTY, LLC
64 PARKER STREET
NEWTON, MA 02459

40-132
KAIRIS, VICTOR A. & BEVERLY KAIRIS &
CHRISTOPHER KAIR
24 PLYMOUTH ST
CAMBRIDGE, MA 02141

40-133
ANTONITUS, EMILY D. & TENA ANTONITUS
22 PLYMOUTH ST
CAMBRIDGE, MA 02141

40-142
LUZ, HERCULANO F. & MARIA M. LUZ
19 PLYMOUTH ST
CAMBRIDGE, MA 02141

40-143
BAIROS, JOAO DE ANDRADE
59 PLYMOUTH ST
CAMBRIDGE, MA 02141

40-183
ASMUSSEN, ERIK & LAUREN SCHIFFER
26-26 PLYMOUTH ST. UNIT#1
CAMBRIDGE, MA 02141

40-183
CHIN, YU PING, TUNG YUN CHIN,
CHI KEUNG CHAN & SHO-PING CHIN
26-26A PLYMOUTH ST., #2
CAMBRIDGE, MA 02141

40-183
GERSTEIN, REBEKAH S.
26-26A PLYMOUTH ST., #3
CAMBRIDGE, MA 02141

40-141
JEFFREY, CHRISTINA
28 BERKSHIRE ST., #1
CAMBRIDGE, MA 02141

40-141
AL-RAWL, AHLAM, HASSAN, DUAA, &
ALI MOHAMMAD &
CITY OF CAMBRIDGE TAX TITLE
28 BERKSHIRE ST., UNIT #2
CAMBRIDGE, MA 02141

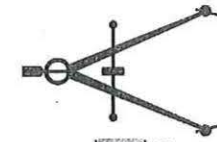
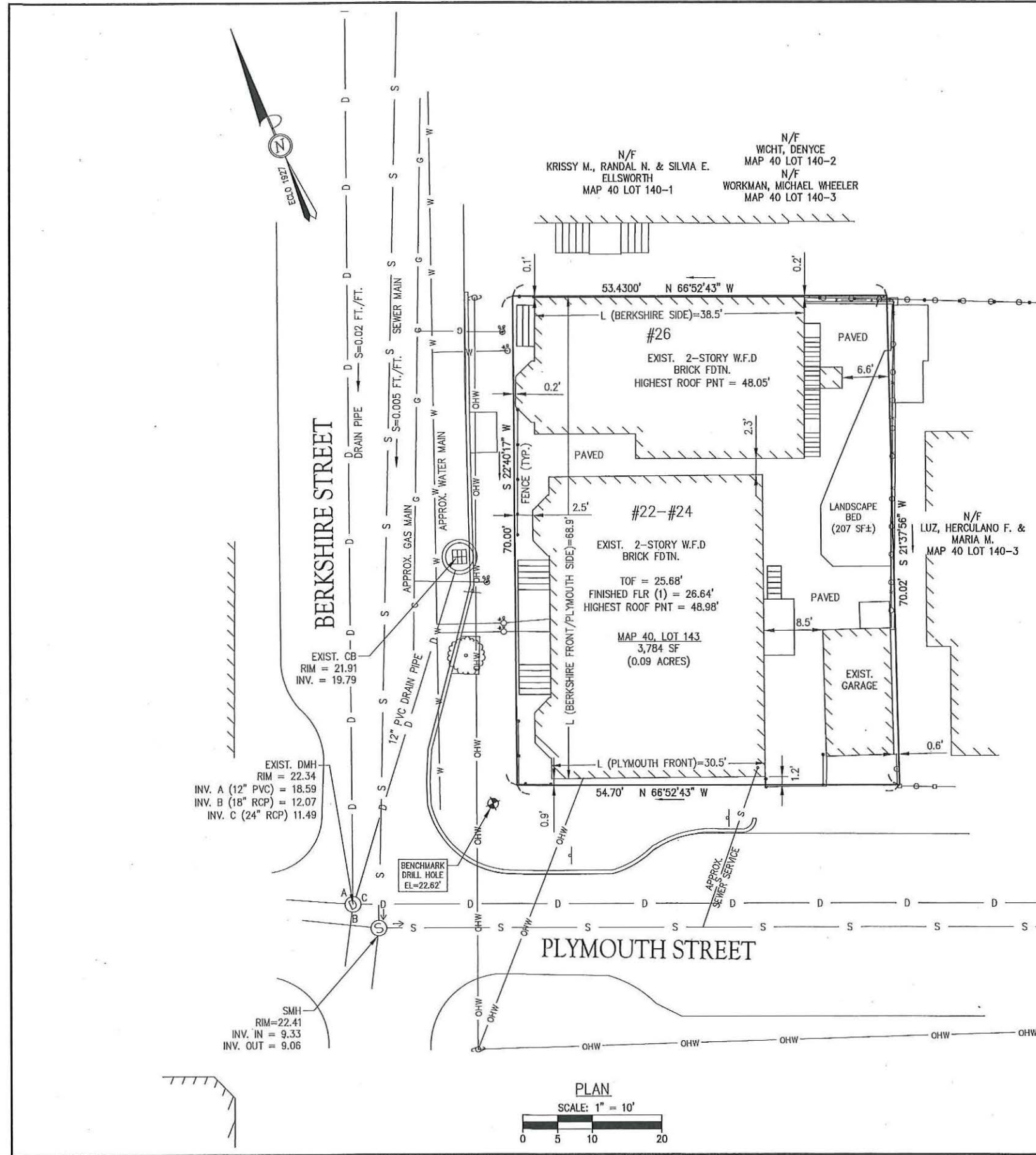
40-141
KING, MICHAEL ANTHONY
38 VAN HORN ST.
WEST SPRINGFIELD, MA 01089

40-140
ELLSWORTH, KRISSY M., RANDAL N. ELLSWORTH
& SILVIA E. ELLSWORTH
30 BERKSHIRE ST., UNIT #1
CAMBRIDGE, MA 02139

40-140
WORKMAN, MICHAEL WHEELER
30 BERKSHIRE ST., #3
CAMBRIDGE, MA 02141

40-140
WICHT, DENYCE
30 BERKSHIRE ST., UNIT #2
CAMBRIDGE, MA 02141

40-96
KHF PLYMOUTH LLC
1551 CENTRAL ST
STOUGHTON, MA 02072



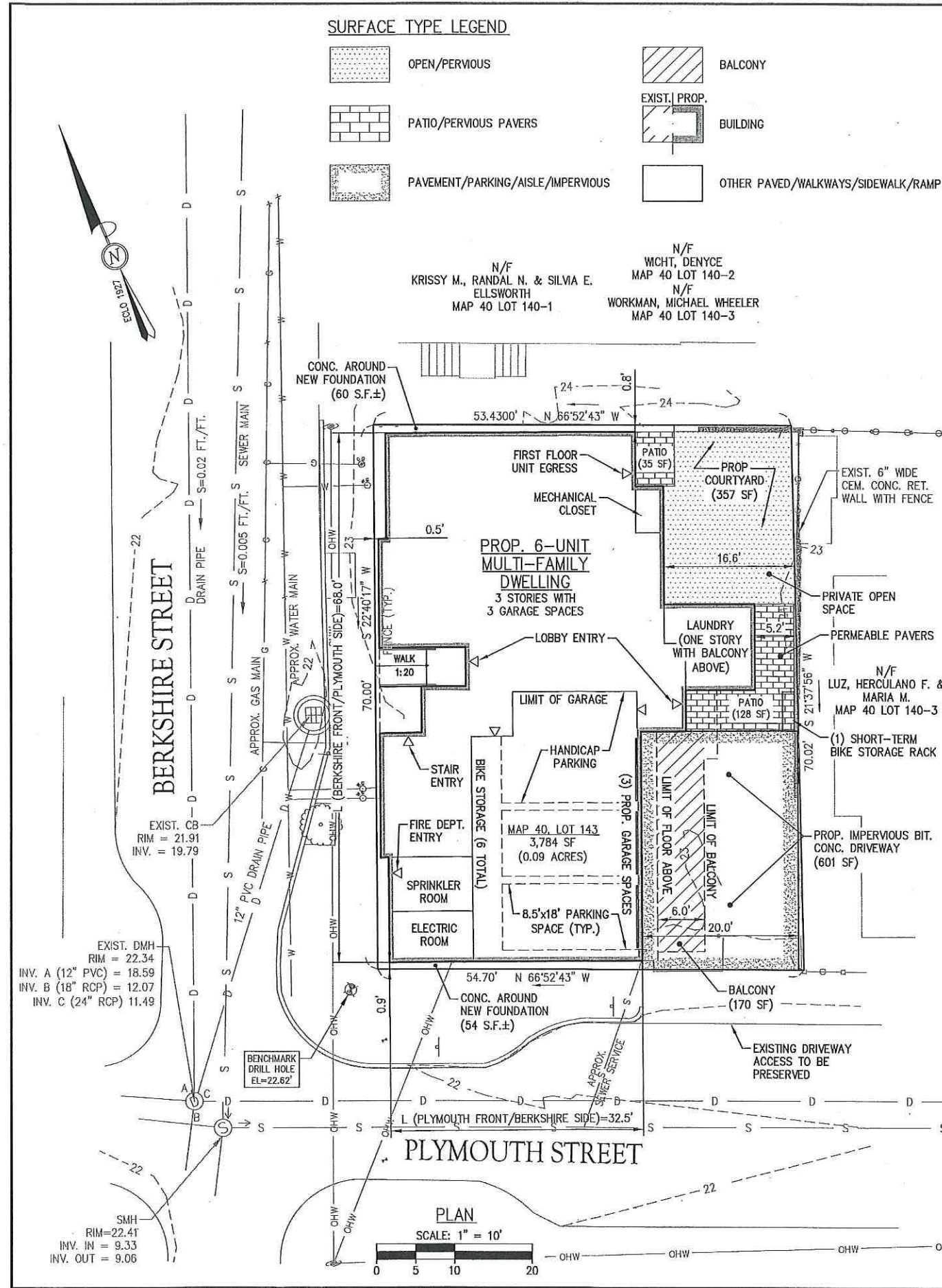
The Morin-Cameron GROUP, INC.
CIVIL ENGINEERS | ENVIRONMENTAL CONSULTANTS
LAND SURVEYORS | LAND USE PLANNERS
100 STATE STREET, SUITE 200, CAMBRIDGE, MA 02142
P: 978-774-8888, F: 978-774-3488, W: WWW.MORINCAMERON.COM

FIELD SURVEY BY: C.S.I.	DATE:
DRAFTED BY: ABC/MCL	DATE:
CHECKED BY: MJS	DATE:
APPROVED BY: MJS	DATE:
SCALE: 1"=10'	DATE:
DATE: MAY 2, 2018	

REVISIONS	
NO.	DESCRIPTION

PLAN TO ACCOMPANY BOARD OF ZONING APPEAL APPLICATION
IN
CAMBRIDGE, MASSACHUSETTS
22, 24 & 26 BERKSHIRE STREET
(ASSESSOR'S MAP 40, LOT 143)
PREPARED FOR:
MR. JOAO BAIROS

CERTIFIED PLOT PLAN
SHEET NO.
1 OF 2



ZONING & PARKING MATRIX: RESIDENCE C-1 DISTRICT

DESCRIPTION	EXISTING	REQUESTED	REQUIRED	
TOTAL GROSS FLOOR AREA (SF)	6,773	6,204	2,838 (MAX.)	
LOT AREA (SF)	3,784	NO CHANGE	5,000 (MIN.)	
RATIO OF GROSS FLOOR AREA TO LOT AREA	1.79 (1)	1.64 (2)	0.75	
LOT AREA FOR EACH DWELLING UNIT (SF)	630	NO CHANGE	1,500 (MIN.)	
SIZE OF LOT	WIDTH	70' (BERKSHIRE) 54' (PLYMOUTH)	NO CHANGE	50' (MIN.)
	DEPTH	N/A	N/A	N/A
SETBACKS (FT)	FRONT (TO STREET CENTERLINE)	BERKSHIRE (26' REQ'D) (20.4' EXIST.) PLYMOUTH (17' REQ'D) (21.3' EXIST.)	BERKSHIRE (26' REQ'D) (20.7' PROP.) PLYMOUTH (17' REQ'D) (21.3' PROP.)	(H+L)/4
	FRONT (TO LOT LINE)	BERKSHIRE (0.2' EXIST.) PLYMOUTH (0.9' EXIST.)	BERKSHIRE (0.5' PROP.) PLYMOUTH (0.9' PROP.)	10' MIN. (REQ'D)
	REAR	N/A	N/A	N/A
	SIDE	BERKSHIRE (15' REQ'D) (0.1' EXIST.) PLYMOUTH (21' REQ'D) (0.6' EXIST.)	BERKSHIRE (14' REQ'D) (0.8' PROP.) PLYMOUTH (21' REQ'D) (5.2' PROP.)	(H+L)/5 OR 7.5' MIN.
SIZE OF BUILDING	HEIGHT	< 35	35	35 (MAX.)
	LENGTH	43.3' / 23.0' (3)	68.0'	N/A
	WIDTH	32.8' / 41.3' (3)	48.1'	N/A
RATIO OF USABLE OPEN SPACE TO LOT AREA	5.5%	18.2%	30%	
NO. OF DWELLING UNITS	6	6	2 (4)	
NO. OF PARKING SPACES	1 (EXIST.)	3 (PROP.)	1 SPACE PER DWELLING UNIT (6 REQ'D)	
NO. OF LOADING AREAS	N/A	N/A	N/A	
DISTANCE TO NEAREST BUILDING ON SAME LOT	2.3'	N/A	10'	

- GROSS FLOOR AREA OBTAINED FROM ASSESSOR'S DATABASE AND MEASUREMENT OF ACCESSORY GARAGE, AND 100 SF WAS EXCLUDED FOR ESTIMATED FOOTPRINT OF MECHANICAL EQUIPMENT.
- GROSS FLOOR AREA EXCLUDES UNDERGROUND GARAGE, UNROOFED BALCONIES, SPRINKLER/ELECTRIC ROOMS AND MECHANICAL CLOSETS.
- THE LENGTHS AND WIDTHS OF THE TWO EXISTING BUILDINGS ARE REPRESENTED ABOVE AS FOLLOWS: #22-#24 / #26.
- UNIT COUNT IS BASED ON A MINIMUM LOT AREA PER DWELLING UNIT OF 1,500 S.F. AND ACCORDINGLY IS BASED ON DIMENSIONAL CRITERIA ONLY, AND NOT ALLOWED USE.

OPEN SPACE SUMMARY:
EXISTING CONDITIONS:
 -PRIVATE OPEN SPACE (PERMEABLE LANDSCAPING) = 207 S.F.
 -TOTAL = 207 S.F.

PROPOSED CONDITIONS:
 -PRIVATE OPEN SPACE (PERMEABLE COURTYARD) = 357 S.F.
 -ADDITIONAL PERMEABLE OPEN SPACE (PERMEABLE PAVERS PATIO) = 163 S.F.
 -ADDITIONAL BALCONY PRIVATE OPEN SPACE = 170 S.F.
 -TOTAL = 690 S.F.

DWELLING UNIT SCHEDULE:
 SIX (6) DWELLING UNITS EXISTING IN TWO BUILDINGS
 SIX (6) DWELLING UNITS PROPOSED IN ONE BUILDING

PARKING NOTES:

- PROPOSED BUILDING WILL INCLUDE THREE (3) UNDERGROUND GARAGE SPACES.
- ONE GARAGE SPACE WILL BE HANDICAP ACCESSIBLE.
- EXISTING SITE ACCOMMODATES ONE (1) ACCESSORY GARAGE SPACE.
- SIX (6) LONG-TERM AND ONE (1) SHORT-TERM BICYCLE PARKING SPACE(S) ARE REQUIRED AND PROVIDED.

GENERAL NOTE:
 THESE PLANS ARE PREPARED FOR OUR CLIENTS USE ONLY FOR THE SPECIFIC PURPOSE OF OBTAINING PERMITS AND LOCAL APPROVALS, AND ARE NOT TO BE USED OR RELIED UPON AS A CONSTRUCTION DOCUMENT OR ANY OTHER USE BY OTHERS WITHOUT THE WRITTEN CONSENT OF THE MORIN-CAMERON GROUP, INC.

RECORD OWNER/APPLICANT:
 BAIROS, JOAO DE ANDRADE
 59 PLYMOUTH STREET, CAMBRIDGE, MA
 DEED BOOK 13516 PAGE 593
 ASSESSORS MAP 40 LOT 143

DATUM:
 ELEVATIONS HEREON REFER TO CITY OF CAMBRIDGE DATUM.

The Morin-Cameron GROUP, INC.

CIVIL ENGINEERS | ENVIRONMENTAL CONSULTANTS
 LAND SURVEYORS | LAND USE PLANNERS
 68 ELM STREET, DANVERS, MASSACHUSETTS 01923
 P: 978-777-6586, F: 978-774-5488, W: WWW.MORINCAMERON.COM

FIELD SURVEY BY: C.S.I.
 DRAFTED BY: ABC/MCL
 CHECKED BY: SPC
 APPROVED BY: SPC
 SCALE: 1"=10'
 DATE: MAY 2, 2018

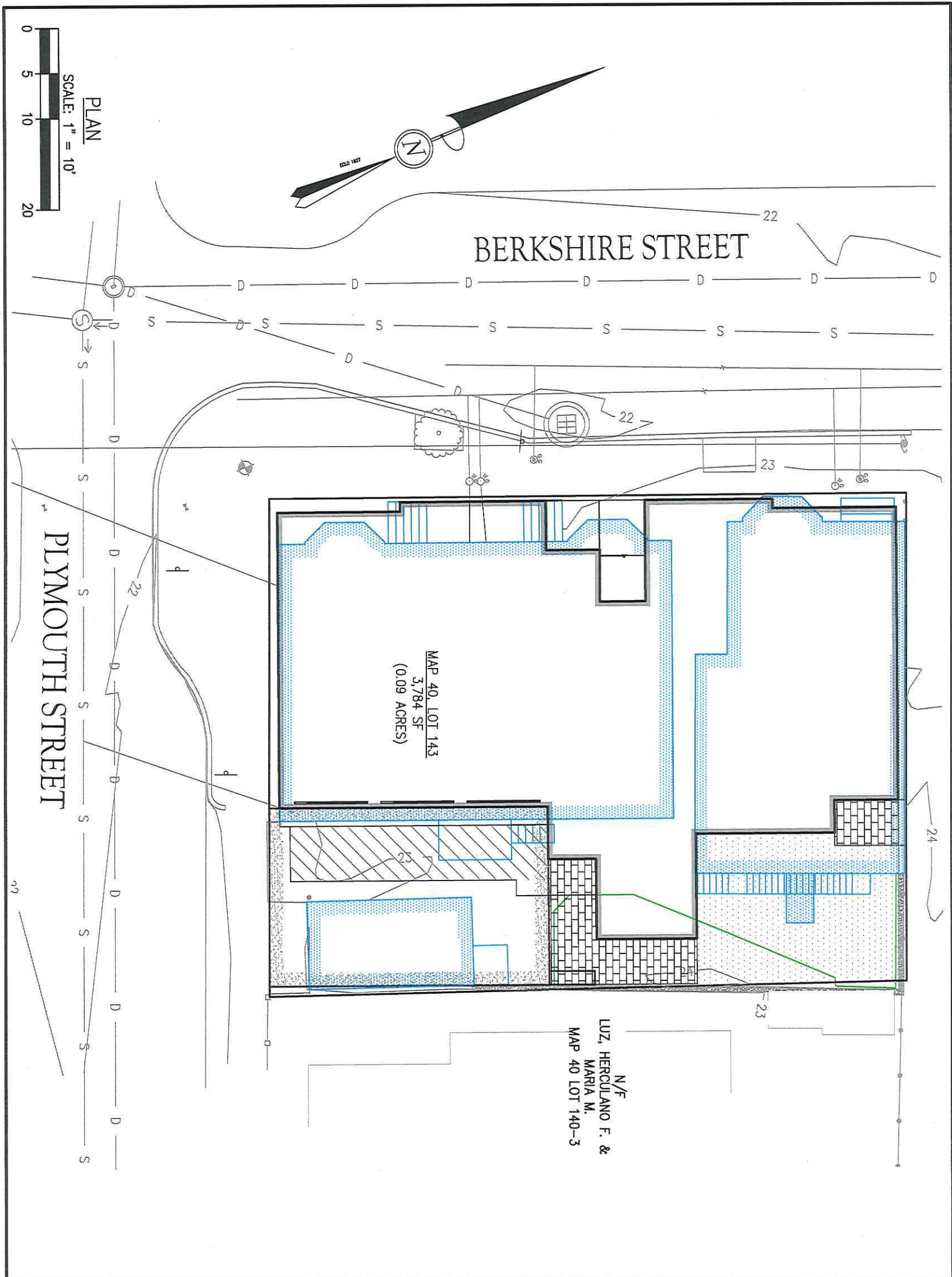
NO.	DESCRIPTION	DATE

PLAN TO ACCOMPANY BOARD OF ZONING APPEAL APPLICATION
 IN
CAMBRIDGE, MASSACHUSETTS
 22, 24 & 26 BERKSHIRE STREET
 (ASSESSOR'S MAP 40, LOT 143)
 PREPARED FOR:
MR. JOAO BAIROS

PROPOSED SITE PLAN

SHEET NO.
2 OF 2

DRAFT



ZONING COMPARISON PLAN
IN
CAMBRIDGE, MASSACHUSETTS
22, 24, & 26 BERKSHIRE STREET
PREPARED FOR:
MR. JOAO BAIROS

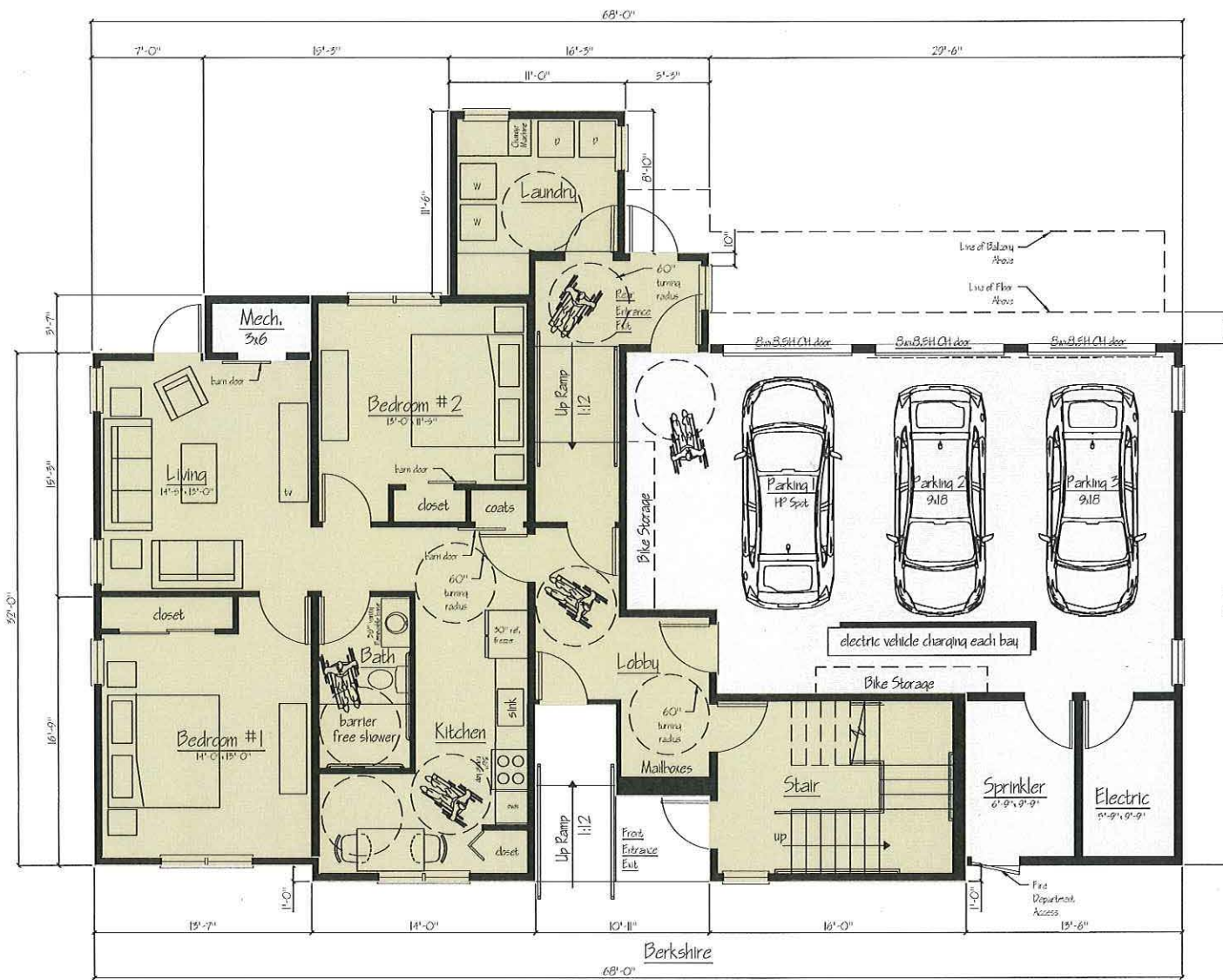
PROJ. 3625

DATE: 4-11-18
SCALE: 1"=10'

The Morin-Cameron GROUP, INC.

CIVIL ENGINEERS | ENVIRONMENTAL CONSULTANTS
LAND SURVEYORS | LAND USE PLANNERS
66 ELM STREET, DANVERS, MASSACHUSETTS 01923
P: 978-777-8586, F: 978-774-3488, W: WWW.MORINCAMERON.COM





○ Sidewalk Level
 SCALE: 1/4" = 1'-0"

Color Legend

- Area included in FAR
- Area excluded in FAR

Area included in FAR - First Floor	1,305 sf
Area excluded in FAR - First Floor	
Mechanical -(inside unit)	26 sf
Garage/ Sprinkler/ Electric	876 sf
Area included in FAR - Second Floor	2,304 sf
Area excluded in FAR - Second Floor	79 sf
Area included in FAR - Third Floor	2,395 sf
Area excluded in FAR - Third Floor	50 sf
Total Area included in FAR	6,204 sf
Total Area excluded in FAR	1,031 sf



SeaGlass Architects, LLC
 246 Andover Street
 Peabody, MA 01960

prepared for Mr. Joao Bairos

22, 24, & 26
 Berkshire Street
 Cambridge, MA

Sidewalk Level

A-1

DATE
 4-10-18



Second Floor Plan
 SCALE: 1/4" = 1'-0"

Color Legend

- Area included in FAR
- Area excluded in FAR

Area included in FAR - First Floor	1,505 sf
Area excluded in FAR - First Floor	
Mechanical - (inside unit)	26 sf
Garage/ Sprinkler/ Electric	876 sf
Area included in FAR - Second Floor	2,304 sf
Area excluded in FAR - Second Floor	79 sf
Area included in FAR - Third Floor	2,395 sf
Area excluded in FAR - Third Floor	50 sf
Total Area included in FAR	6,204 sf
Total Area excluded in FAR	1,031 sf



Eric H. Gjerde AIA
 Architect

SeaGlass Architects, LLC
 246 Andover Street
 Peabody, MA 01960

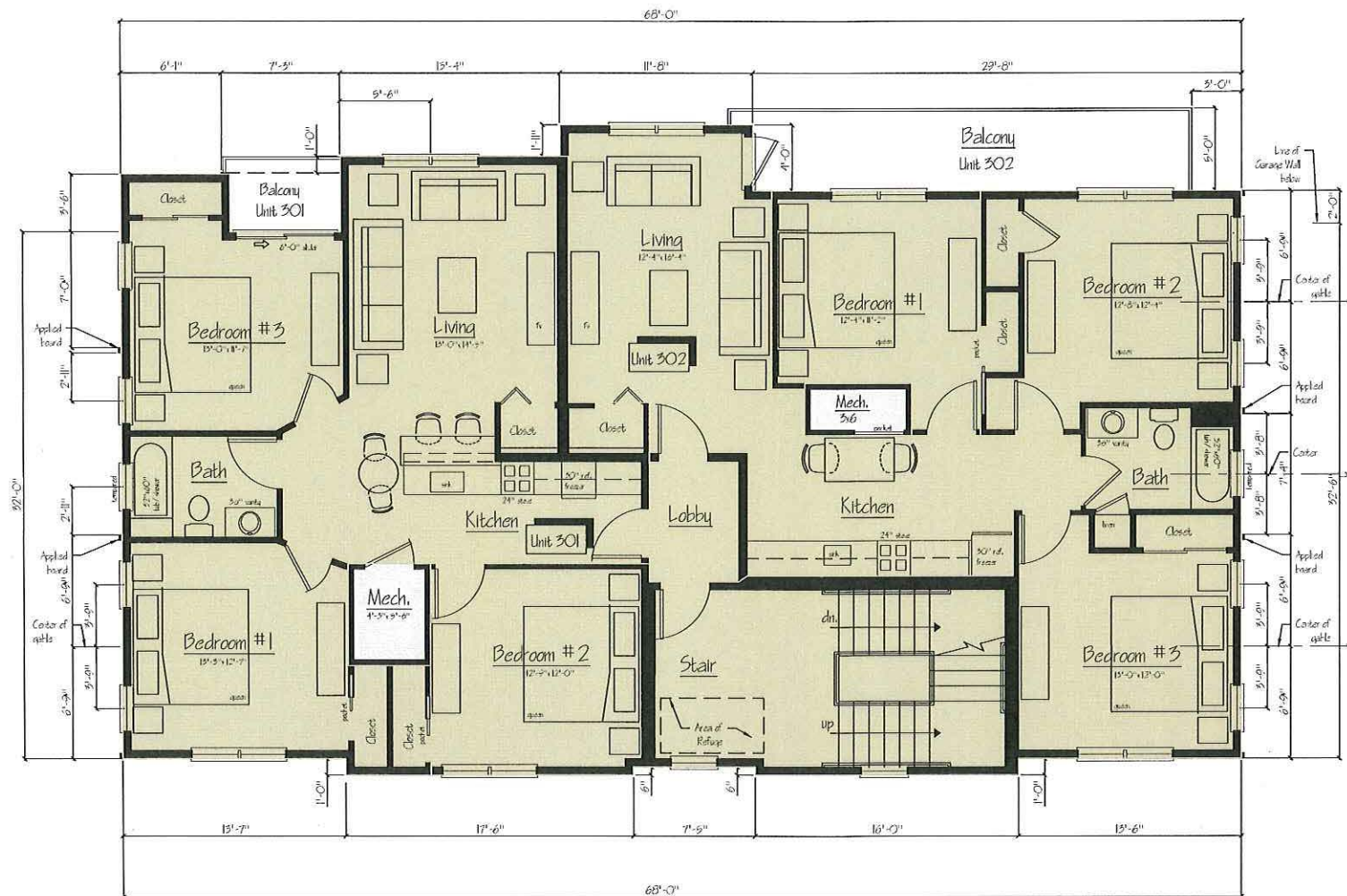
prepared for Mr. Joao Bairos

22, 24, & 26
 Berkshire Street
 Cambridge, MA

Second Floor Plan

A-2

DATE
 4-10-18



Third Floor Plan
 SCALE: 1/4" = 1'-0"

Color Legend

- Area included in FAR
- Area excluded in FAR

Area included in FAR - First Floor	1,505 sf
Area excluded in FAR - First Floor	
Mechanical - (inside unit)	26 sf
Garage/ Sprinkler/ Electric	876 sf
Area included in FAR - Second Floor	2,304 sf
Area excluded in FAR - Second Floor	79 sf
Area included in FAR - Third Floor	2,395 sf
Area excluded in FAR - Third Floor	50 sf
Total Area included in FAR	6,204 sf
Total Area excluded in FAR	1,031 sf



SeaGlass Architects, LLC
 246 Andover Street
 Peabody, MA 01960

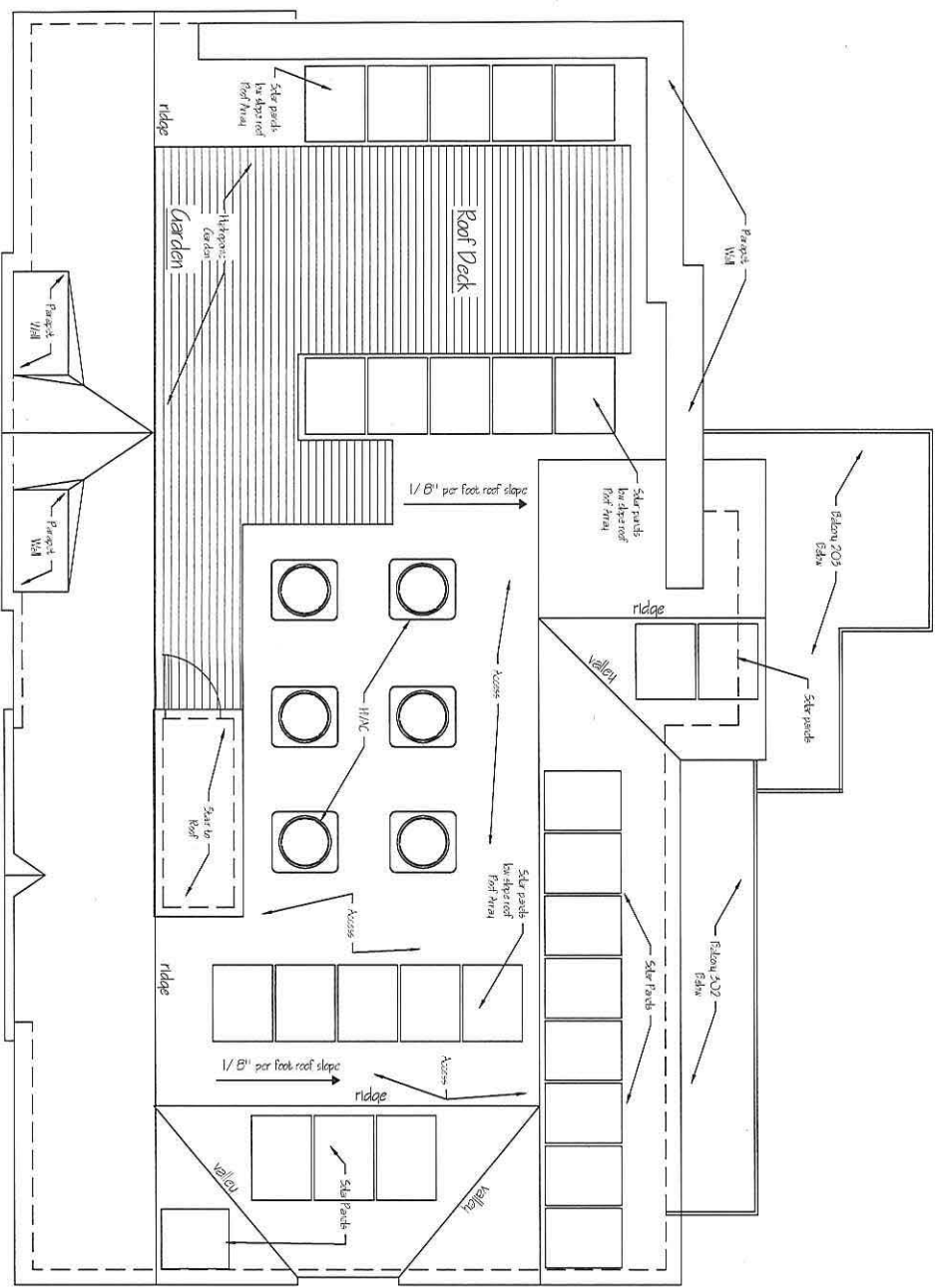
prepared for Mr. Joao Bairos

22, 24, & 26
 Berkshire Street
 Cambridge, MA

Third Floor Plan

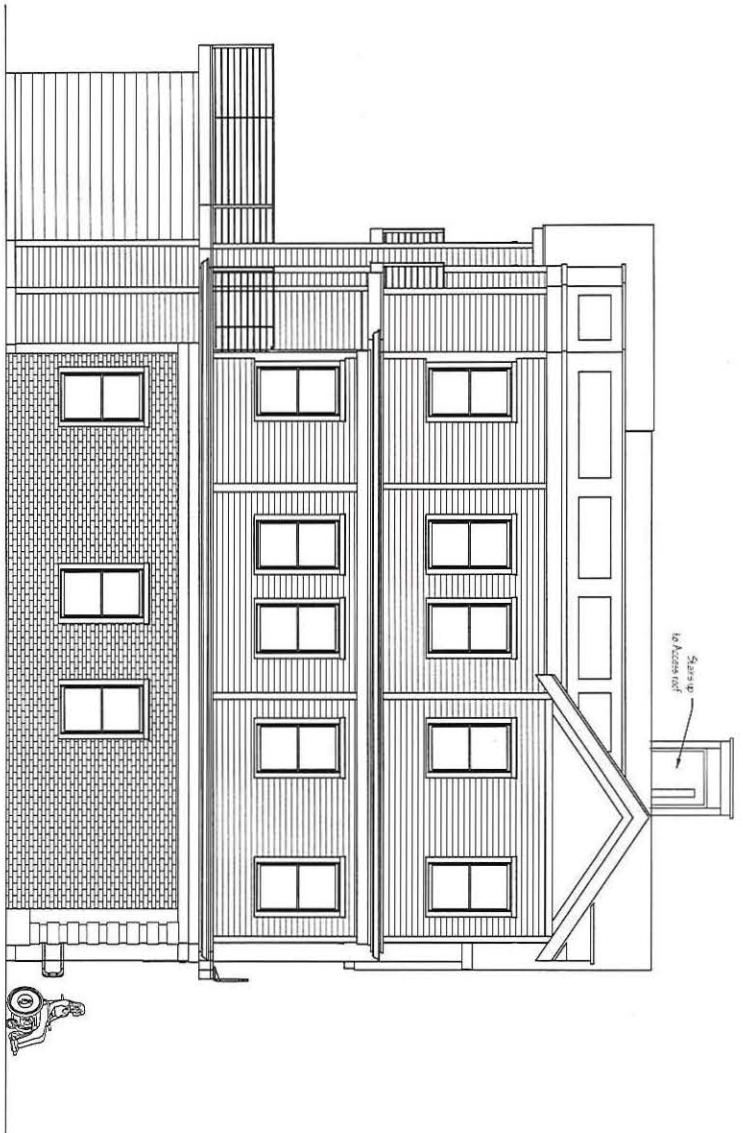
A-3

DATE
 4-10-18



Roof Plan
SCALE: 1/4" = 1'-0"

DATE 4-10-18	A-4	Roof Plan	22, 24, & 26 Berkshire Street Cambridge, MA	SeaGlass Architects, LLC 246 Andover Street Peabody, MA 01960 prepared for Mr. Joao Bairos	 <p>SEA GLASS Architects Eric H. Glazier AIA Architect</p>
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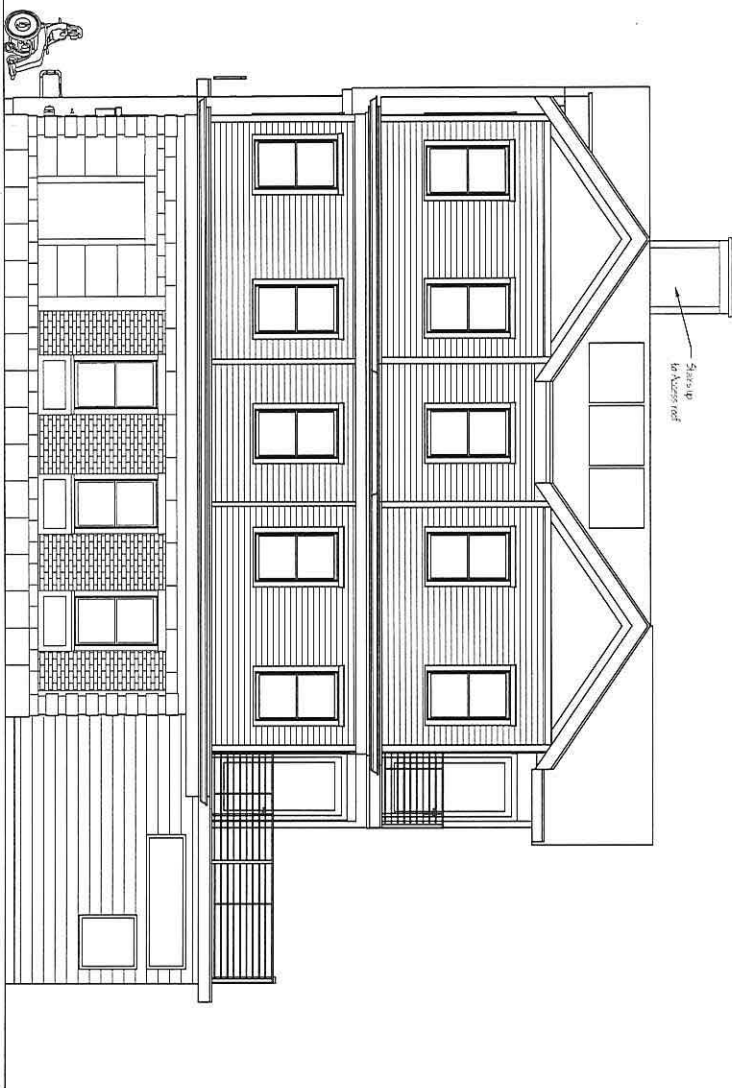


Left Elevation
SCALE: 1/4" = 1'-0"



Berkshire Street Elevation
SCALE: 1/4" = 1'-0"

<p>DATE 4-10-18</p>	<p>A-5</p>	<p>Berkshire Street Elevation Left Elevation</p>	<p>22, 24, & 26 Berkshire Street Cambridge, MA</p>	<p>SeaGlass Architects, LLC 246 Andover Street Peabody, MA 01960</p> <p>prepared for Mr. Joao Bairos</p>	 <p>SEAGLASS Architects Eric H. Gierde MA Architect</p>
-------------------------	------------	--	--	--	--



Plymouth Street Elevation

SCALE: 1/4" = 1'-0"



Rear Elevation

SCALE: 1/4" = 1'-0"



SEA GLASS
ARCHITECTS
Eric H. Glende MA
Architect

SeaGlass Architects, LLC
246 Andover Street
Peabody, MA 01960

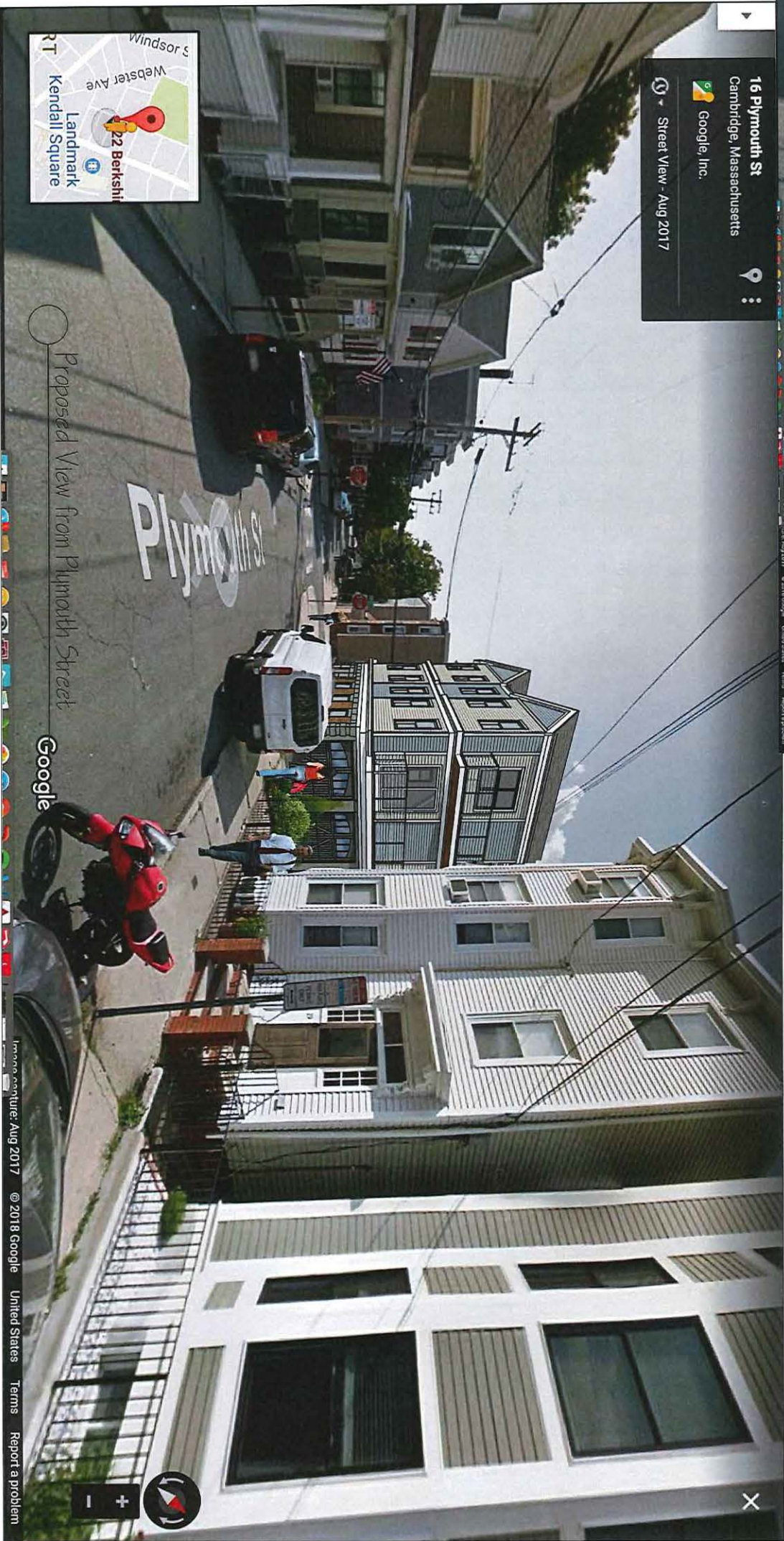
prepared for Mr. Joao Bairos

22, 24, & 26
Berkshire Street
Cambridge, MA

Berkshire Street Elevation
Left Elevation

A-6

DATE
4-10-18



<p>Views</p> <p>DATE 4-10-18</p>	<p><u>View from Plymouth Street</u> <u>Existing & Proposed Views</u></p>	<p><u>22, 24, & 26</u> <u>Berkshire Street</u> <u>Cambridge, MA</u></p>	<p>SeaGlass Architects, LLC 246 Andover Street Peabody, MA 01960</p>	 <p>Eric H. Girde AIA Architect</p>
			<p>prepared for Mr. Joao Bairos</p>	



○ View from the corner of Berkshire & Plymouth Looking North East



Eric H. Cjerde AIA
Architect

SeaGlass Architects, LLC
246 Andover Street
Peabody, MA 01960

prepared for Mr. Joao Bairos

22, 24, & 26
Berkshire Street
Cambridge, MA

Corner of Berkshire & Plymouth Street,
Existing & Proposed Views

Views

DATE
4-10-18

From: "Singanayagam, Ranjit" <ranjits@cambridgema.gov>
Subject: RE: 22, 24, & 26 Berkshire St (Assessor's Map 40, Lot 143)
Date: April 23, 2018 at 3:10:29 PM EDT
To: Jason Panos <JPanos@panos-law.com>

Dear Attorney Panos,

I reviewed the proposed plans for the above referenced property. Your proposal is to demolish exiting two buildings and build a new building .The new building requires a variance from the Cambridge Zoning Board of appeals. The proposed building as shown on the plans submitted, violates dimensional requirements pursuant to article 5 Section 5.31 and Article 6 of the City of Cambridge Zoning Ordinance.

If you disagree with my decision ,you may appeal it to the Board of Zoning Appeal within thirty of this letter.

Ranjit Singanayagam
ISD

From: Jason Panos [mailto:JPanos@panos-law.com]
Sent: Thursday, April 12, 2018 5:55 PM
To: Singanayagam, Ranjit <ranjits@cambridgema.gov>
Cc: Emanuel Coelho <coelho33077@gmail.com>;
scott@morincameron.com; eric@seaglassarchitects.com
Subject: 22, 24, & 26 Berkshire St (Assessor's Map 40, Lot 143)

Dear Commissioner Singanayagam-

Thank you for meeting with Emanuel Coelho, Joao Bairos, Scott Cameron and me today to discuss the proposed redevelopment at the above referenced property located in there C-1 Zoning District.

I am requesting a so called turn down letter from your office which details the necessary relief required from the Cambridge Zoning Board of Appeal for the proposed redevelopment of the property as presented to you.

Specifically, we reviewed and left you with copies of:

1. Site Plan of Land in Cambridge, Massachusetts with Zoning & Parking Matrix (full sized);
2. Zoning Comparison Plan in Cambridge, Massachusetts (11x17) depicting an overlay of the existing condition with that proposed; and
3. Architectural Plans depicting street views, floor plans, and elevation plans for the proposed re-construction in 8 sheets (full size).

As noted at our meeting, the existing buildings were completely destroyed by the 2016 fire requiring complete re-development of the site. Accordingly, the two existing principal buildings and accessory building on one parcel of land, for a number, of reasons, cannot be rebuilt, as is, without substantial modification resulting from, among other things, current building code requirements. We designed the re-development which, in each instance, reduces the existing non-conformities at the property from the existing condition in an entirely new building as depicted on the Site Plan with prescribed current zoning requirements against those existing and those proposed in the Zoning & Parking Matrix.

You informed us that because we proposed redevelopment of the site in a way that contemplates complete demolition of the existing buildings at the property with a new building in their place, we would need to apply to the Zoning Board of Appeal for dimensional relief.

Please let me know if there is anything else you need us to provide for your turn down letter and I look forward to hearing from you soon. We will be prepared to file a Zoning Board of Appeal Application upon receipt of your turn down letter.

In the meantime, we are preparing a Demolition Permit Application and we will contact the Historical Commission and coordinate the demolition with them.

Thanks again for your time today. We look forward to working with you, Inspectional Services, and the City to help re-build this important Cambridge neighborhood.

-J

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THE PANOS LAW GROUP

COUNSELORS AT LAW

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May 10, 2018

DELIVERY BY HAND

Maria Pacheco,
Secretary
City of Cambridge
Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Re: 22, 24 & 26 Berkshire Street, Cambridge, MA (Map 40, Lot 143)
Variance/Special Permit Application Filing to the Cambridge Board of Zoning Appeal

Dear Ms. Pacheco-

Enclosed for filing on behalf of the property owner, Joao DeAndrade Bairos, are the following with regard to the above referenced matter:

1. A completed BZA Application Form Checklist and in that regard the following:
 - a. The Variance/Special Permit Application Supporting Statements which were previously completed through the preliminary, online application process and/or transmitted to you by e-mail;
 - b. A check representing the application fee of Two Thousand Two Hundred Eighty Three (\$2,283.00) Dollars per the Invoice you previously transmitted;
 - c. Assessor's GIS "Block Map" for Map 40, Lot 143;
 - d. Dimensional Form;
 - e. Original Ownership Certificate for the Property signed by Joao DeAndrade Bairos;
 - f. Floor Plans prepared by Seaglass Architecture (Plan Sheets A-1 – A-4) previously sent to you by e-mail;
 - g. Elevation Plans prepared by Seaglass Architecture (Plan Sheets A-5 – A-6) previously sent to you by e-mail;
 - h. "Certified Plot Plan" for the Property (Sheet 1 of 2) prepared by The Morin-Cameron Group, Inc. previously sent to you by e-mail;
 - i. "Zoning Comparison Plan" for the Property prepared by The Morin-Cameron Group, Inc. previously sent to you by e-mail; and
 - j. Photographs of the Property depicting the existing condition.

Note: The Parking Plan is included with the Proposed Site Plan referenced below.

2. Plans Depicting Street views of the Property with renderings of the proposed

BZA Secretary
Variance/Special Permit Application
22, 24 & 26 Berkshire Street, Cambridge, MA
May 10, 2018
Page 2 of 2

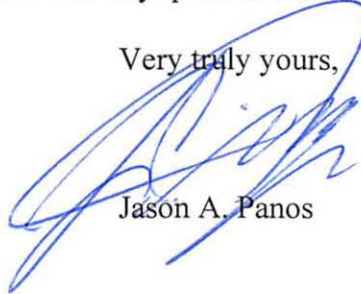
- improvements prepared by Seaglass Architecture previously sent to you by e-mail; and
3. "Proposed Site Plan" for the Property (Sheet 2 of 2) which includes a Parking Plans prepared by The Morin-Cameron Group, Inc. previously sent to you by e-mail; and
 4. "Turn Down" Letter issued by the Cambridge Building Commissioner dated April 23, 2018.

Note, we will print three copies of the BZA Application and I will sign them on Mr. Bairos' behalf during my visit at the Inspectional Services Department today.

Please file same for acceptance at by the BZA for placement on the June 28, 2018 BZA Hearing Agenda.

Please do not hesitate to contact me with any questions or comments.

Very truly yours,



Jason A. Panos



Encl.
Check No. 1287
CC: Client