

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 AUG 19 AM 11:24

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 281057

General Information

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

Special Permit: X Variance: Appeal:

PETITIONER: Catherine Hayden and David Thurston

PETITIONER'S ADDRESS: 29 Ash Street, Cambridge, MA 02139

LOCATION OF PROPERTY: 29 Ash St , Cambridge, MA

TYPE OF OCCUPANCY: Single Family

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

/Additions/

DESCRIPTION OF PETITIONER'S PROPOSAL:

The work is to enclose the existing rear covered porch on the rear of the house for use as a garden and tool shed. The house sits within the side and rear setbacks.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
- Article: 8.000 Section: 8.22.2.d (Non-conforming Structure).
- Article: 10.000 Section: Section 10.40 (Special Permit).

Original
Signature(s):

(Petitioner (s) / Owner)

Catherine Hayden
(Print Name)

Address:

Tel. No.

E-Mail Address:

617-840-7566

thornhouse90@gmail.com

Date: _____

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 Catherine Hayden + David Thurston
(OWNER)

Address: 30 Ash St

State that I/We own the property located at 29 Ash St,
which is the subject of this zoning application.

The record title of this property is in the name of Catherine Hayden
David Thurston

*Pursuant to a deed of duly recorded in the date 5/17/23 Middlesex South
County Registry of Deeds at Book 81543 Page 73; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____

Catherine Hayden David B Thurston
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

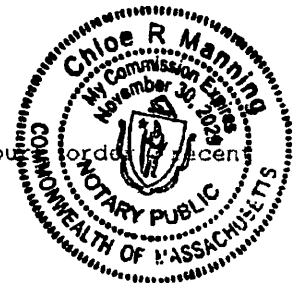
Commonwealth of Massachusetts, County of Norfolk

The above-name Catherine Hayden / David Thurston personally appeared before me,
this 16th of August, 2023, and made oath that the above statement is true.

Chloe Manning Notary

My commission expires November 30 2029 (Notary Seal).

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



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 29 Ash Street (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:

Enclosing the covered porch will not increase the non-conformity already existing.

- 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:

Access to the enclosed porch from the rear yard remains the same. There will be less activity and more privacy in the abutting rear yards because newly enclosed covered porch will no longer serve as an egress from the house nor will it have exposed storage

- 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:

The enclosed covered porch will serve as secured storage rather than egress.

- 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:

Nuisance or hazard will be reduced because items stored in an enclosed porch will not attract 'porch theft' which has been a neighborhood problem.

- 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 integrity of the district and adjoining district will not be impaired as the enclosed porch is behind the house and out of view from the public way.

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Catherine Hayden and David Thurston
Location: 29 Ash St., Cambridge, MA
Phone: 617-840-7566

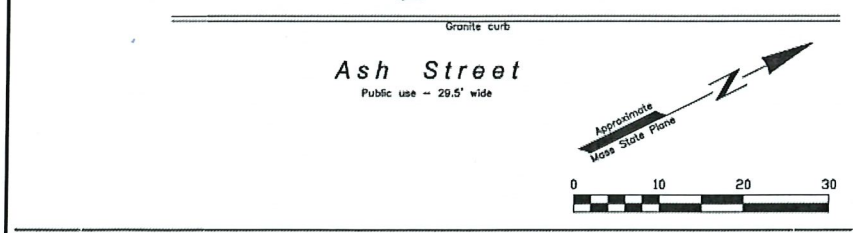
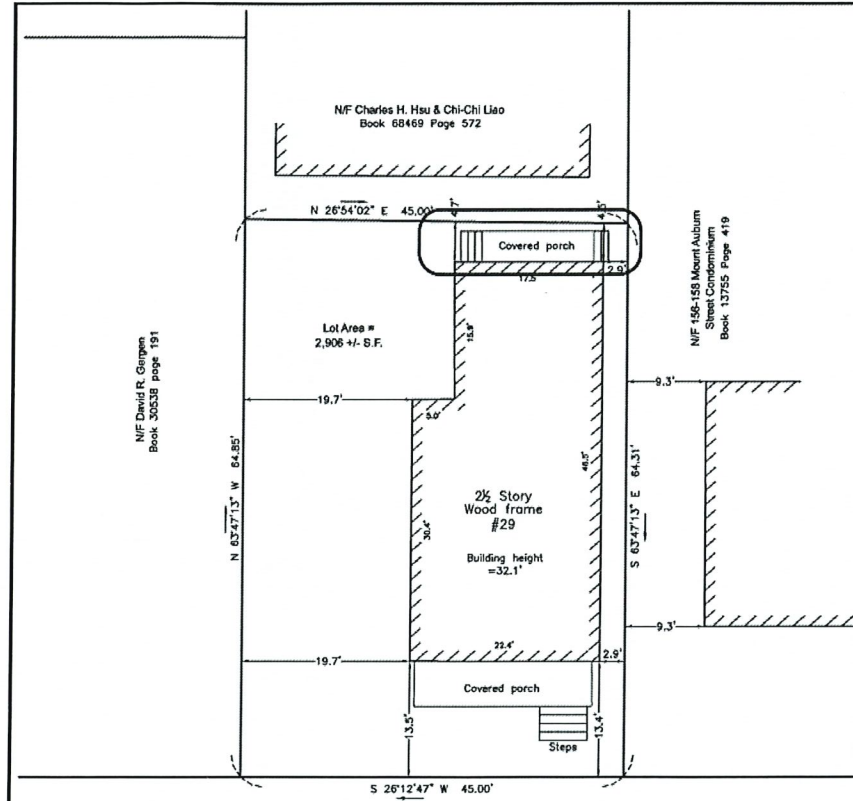
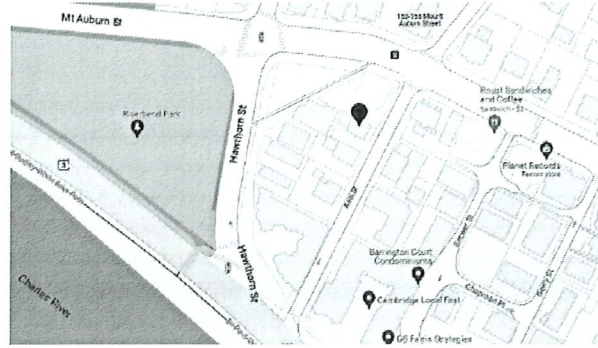
Present Use/Occupancy: Single Family
Zone: Residence C-1 Zone
Requested Use/Occupancy: Single Family

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		3,518 sf	3,518 sf	2,180 sf	(max.)
<u>LOT AREA:</u>		2,906 sf	2,906 sf	5,000 sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		1.21	1.21	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>		2,906 sf	2,906 sf	1,500 sf	
<u>SIZE OF LOT:</u>	WIDTH	45'	45'	50'	
	DEPTH	64.85'	64.85'	64.85'	
<u>SETBACKS IN FEET:</u>	FRONT	23.1'	23.1'	21.7'	
	REAR	4.5'	1.2'	17.4'	
	LEFT SIDE	19.7'	19.7'	17.4'	
	RIGHT SIDE	2.9'	2.9'	7.5'	
<u>SIZE OF BUILDING:</u>	HEIGHT	31.9'	31.9'	35.0'	
	WIDTH	22.4'	22.4'	22.4'	
	LENGTH	55.3'	55.3'	55.3'	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		30.3%	30.3%	30%	
<u>NO. OF DWELLING UNITS:</u>		1	1	1	
<u>NO. OF PARKING SPACES:</u>		2	2	1	
<u>NO. OF LOADING AREAS:</u>		0	0	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		na	na	na	

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.:

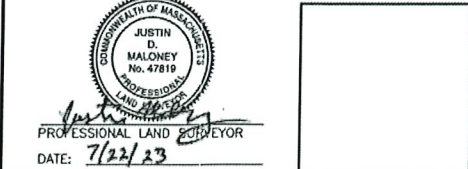
na

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'.

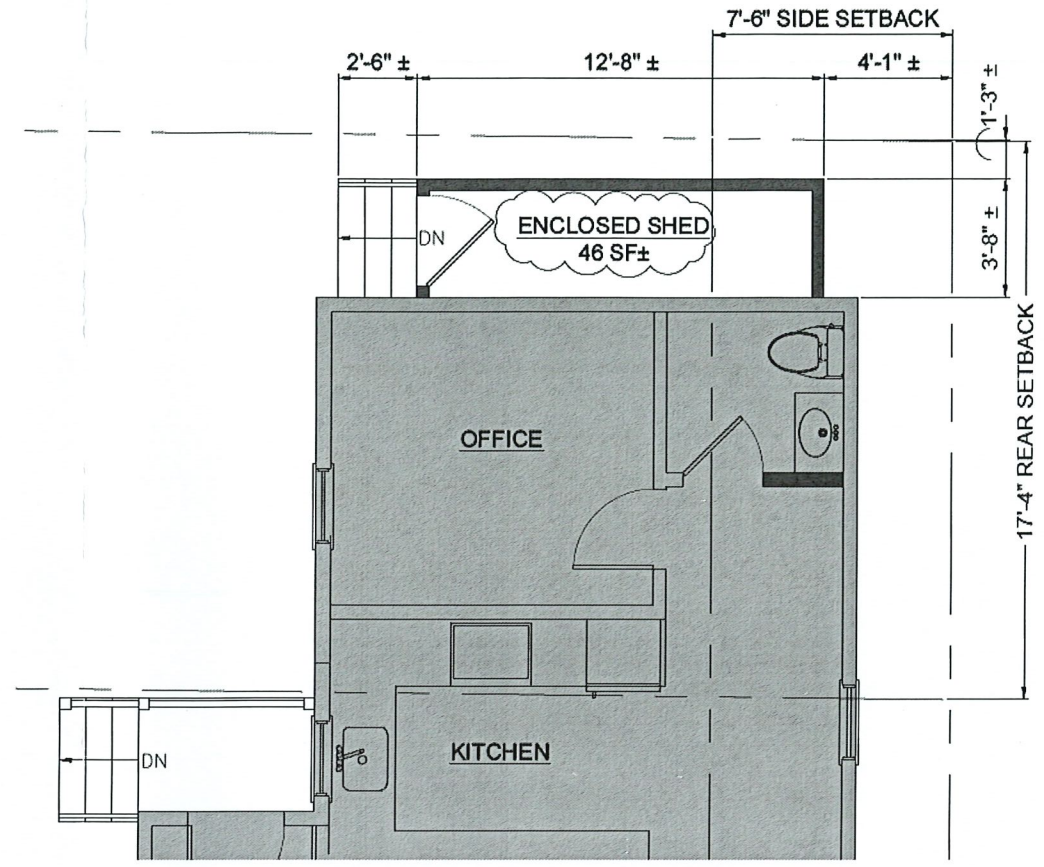


In my professional opinion, I certify to Catherine Hayden and the City of Cambridge that as a result of a survey made on the ground to the normal standard of care of professional land surveyors practicing in Massachusetts, I find that the property falls outside of the special flood hazard area as shown on the F.I.R.M. for Middlesex County, Massachusetts, Map #25017C0557E Dated: June 4, 2010 and that the location of the improvements are as shown hereon.

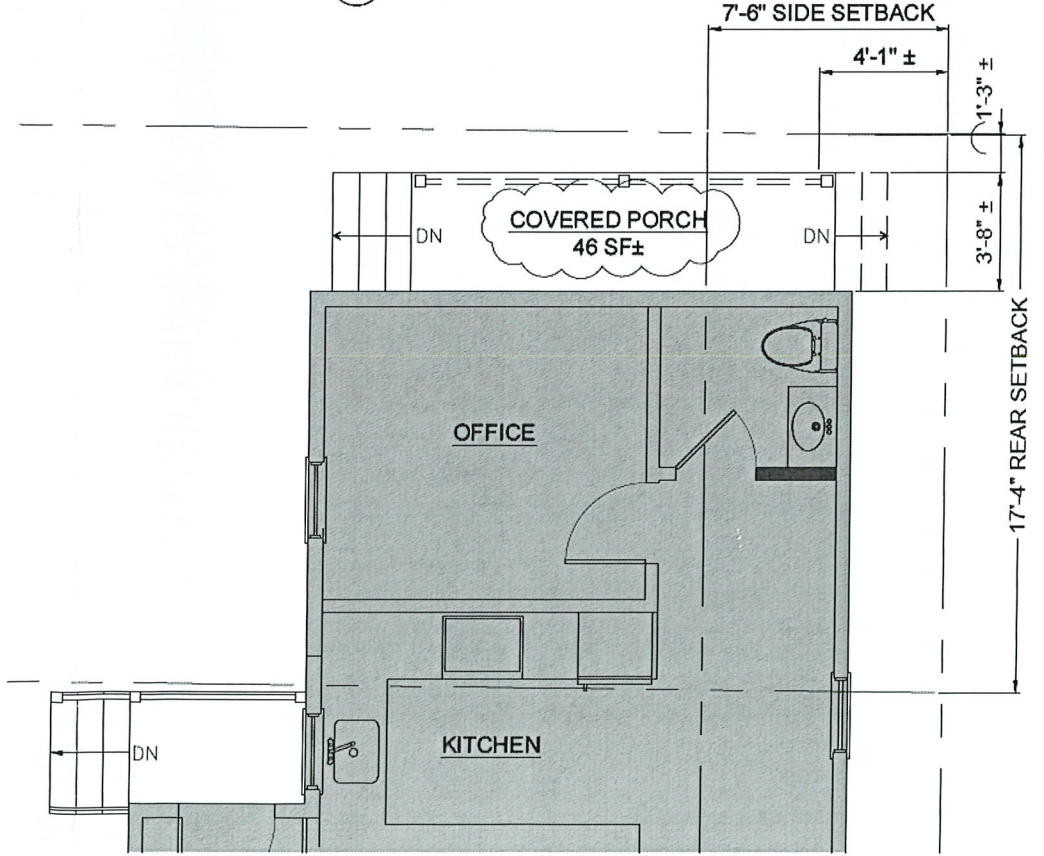
Plan of Land
 in
Cambridge, Massachusetts
 Prepared For: Catherine Hayden
 Scale: 1" = 10' Date: July 22, 2023



MALONEY GEOSPATIAL
 7 Walnut Road Somerville, MA 02145 817-744-9002 maloneygeo.com
 Deed recorded at Middlesex Registry of Deeds, Bk 81543 Pg 74
 Assessors Map 166, Lot 49
 Zoning District: C-1
 Hill Crown-Morsh Neighborhood Conservation District



2 PROPOSED PARTIAL FIRST FLOOR PLAN
 1/4" = 1'-0"



1 EXISTING PARTIAL FIRST FLOOR PLAN
 1/4" = 1'-0"

Location
**EXTENSION OF LIVING SPACE
 INTO BSMT AND DORMER ADD
 29 ASH STREET
 CAMBRIDGE, MA 02138**

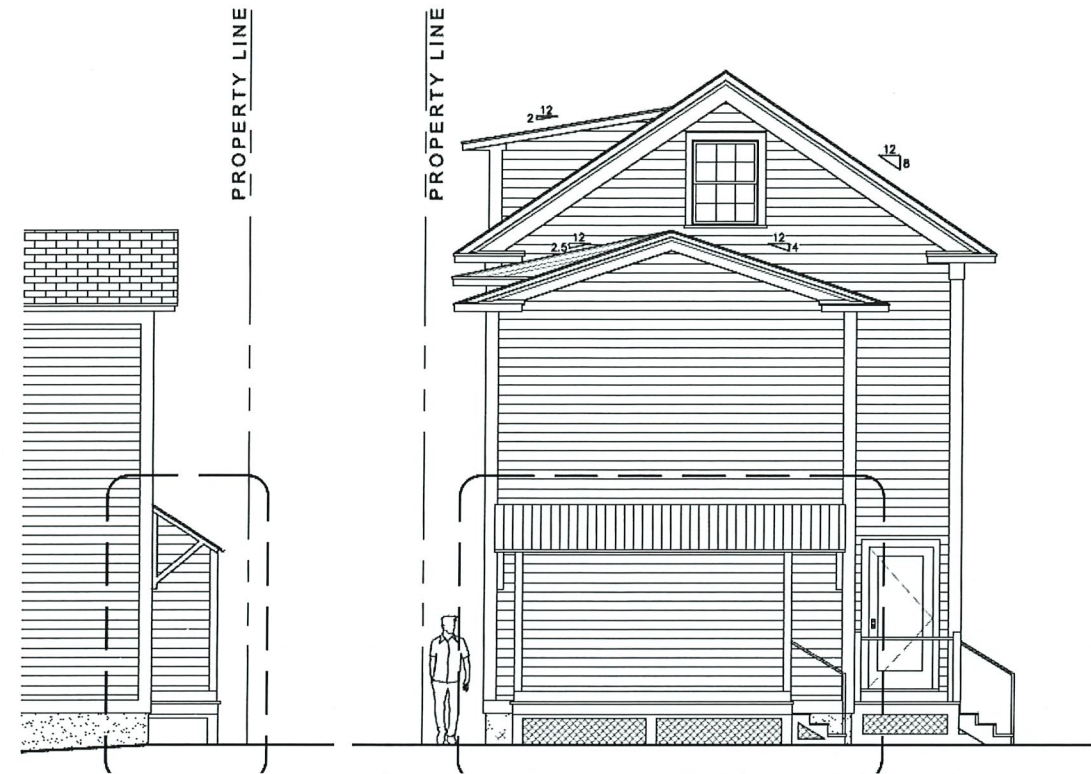


No.	Revision Date
	03-12-2024
	04-01-2024
	07-15-2024

Project No: 2023156
 Scale: AS NOTED
 Date: 10-31-2023
 Drawn By: AMF / DF

Drawing Name
**PLAN OF LAND
 & EX'G & PROP.
 PARTIAL FIRST
 FLOOR PLANS**

Sheet No.
A-1.9

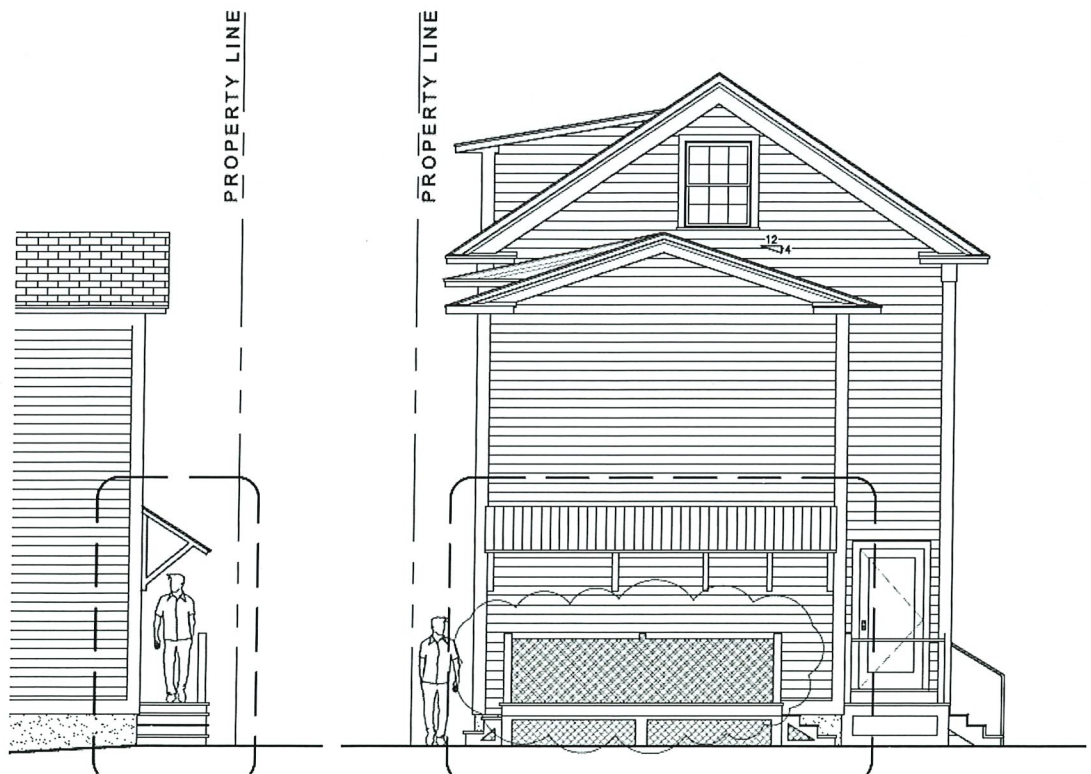


4 PROPOSED RIGHT SIDE ELEV.
1/4" = 1'-0"

5 PROPOSED REAR ELEVATION
1/4" = 1'-0"



6 PROPOSED LEFT SIDE ELEV.
1/4" = 1'-0"



1 EXISTING RIGHT SIDE ELEV.
1/4" = 1'-0"

2 EXISTING REAR ELEVATION
1/4" = 1'-0"



3 EXISTING LEFT SIDE ELEV.
1/4" = 1'-0"

Location
**EXTENSION OF LIVING SPACE
 INTO BSMT AND DORMER ADD**
 29 ASH STREET
 CAMBRIDGE, MA 02138

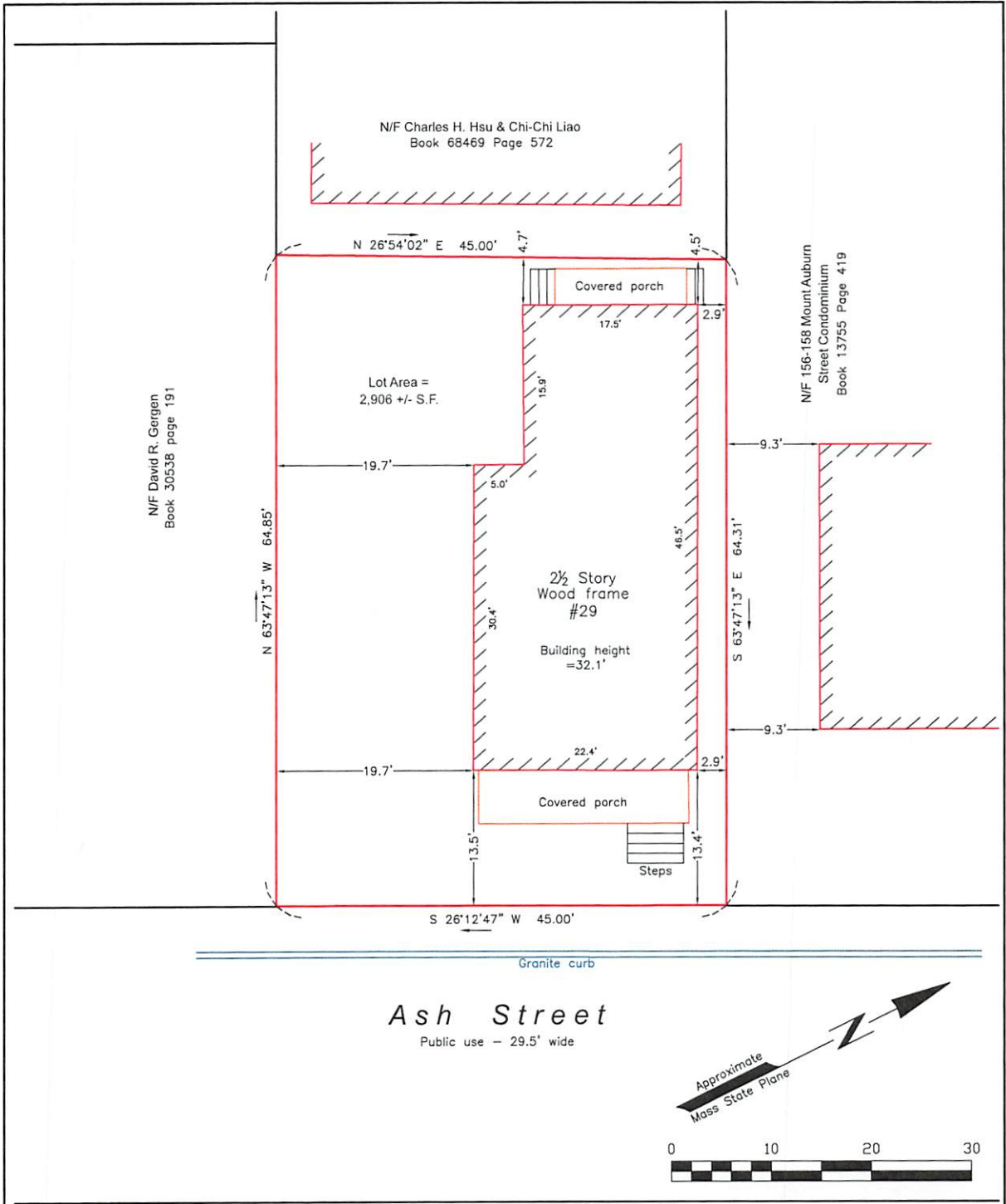
Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-786-7727 Fax 617-786-7715

No.	Revision Date
	03-12-2024
	04-01-2024
	07-15-2024

Project No: 2023156
 Scale: AS NOTED
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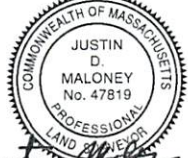
Drawing Name
 EXISTING/
 PROPOSED
 ELEVATIONS


Sheet No.
A-1.10



In my professional opinion, I certify to Catherine Hayden and the City of Cambridge that as a result of a survey made on the ground to the normal standard of care of professional land surveyors practicing in Massachusetts, I find that the property falls outside of the special flood hazard area as shown on the F.I.R.M. for Middlesex County, Massachusetts, Map #25017C0557E Dated: June 4, 2010 and that the location of the improvements are as shown hereon.

Plan of Land
in
Cambridge, Massachusetts
Prepared For: Catherine Hayden
Scale: 1" = 10' Date: July 22, 2023


 Justin D. Maloney
 PROFESSIONAL LAND SURVEYOR
 DATE: 7/22/23


 7 Walnut Road
 Somerville, MA 02145
 617-744-9002
 maloneygeo.com
 Deed recorded at Middlesex Registry of Deeds, Bk 81543 Pg 74
 Assessors Map 166, Lot 49
 Zoning District: C-1
 Half Crown-Marsh Neighborhood Conservation District



29 Ave St.



urban determination

architecture planning design

office@urbandetermination.com
(617) 750-0402

Zoning Board of Appeal, City of Cambridge

Re: Firefighter Response Procedures and Expectations

I am writing on behalf of the homeowner of 29 Ash St, Cambridge with regard to the possible impact on First Responders of enclosing the existing covered porch at the rear of this home. I have years of experience as an authority on life safety and code and I am a recognized expert in the field having authored books, written numerous articles, and given presentations on the topic.

In order to provide this opinion I examined the project elevations and plans, visited the site, reviewed the relevant codes and discussed with First Responders.

It is important to state at the outset that neither the Massachusetts State Building Code (780 CMR) nor the MA Uniform Fire Prevention Code (527 CMR) contain regulations for fire-fighter access beyond a requirement for "Emergency Escape and Rescue Openings" in bedrooms of un-sprinklered residential buildings.

Based on a review of the subject of firefighter response it is clear that first responders will enter a building at which an alarm has sounded if they suspect a fire is in progress or an occupant is in danger. If flames and smoke are verified to be present personnel will be fully equipped in turnout gear with self-contained breathing apparatus (SCBA), a personal alert safety system (PASS), and communication equipment. They are also likely to be hauling the nozzle end of a handline connected either to a hydrant or a fire truck. The decision to enter would likely be accompanied by an awareness that time is of the essence. For all of these reasons responders will take the most direct route from their apparatus to the building interior, i.e., the front door.

Depending on the immediacy of the situation firefighters will typically examine the property. Their intent would be simply to gather additional information about the status of the property, not to determine if there is a preferable means of access.

The project at 29 Ash has removed interior doors to the covered back porch and added a new door for a second means of egress along the side of the building. From the point of view of both access and egress, there is no decrease in occupant safety. Based on the discussion above enclosing the covered back porch will not impact firefighter response not will it pose any hazard to first responders.

Sincerely



Vernon Woodworth FAIA

Board of Zoning Appeal
City of Cambridge
831 Mass Ave
Cambridge, MA 02139

Members of the Board of Zoning,

I am writing in support of Catherine Hayden's proposal at 29 Ash to change the windows on the north side and to enclose the existing covered porch in the rear of the house.

Sincerely,



James Woodman
27 Ash St

PS The south-facing wall of my property directly faces the north-facing windows in question -

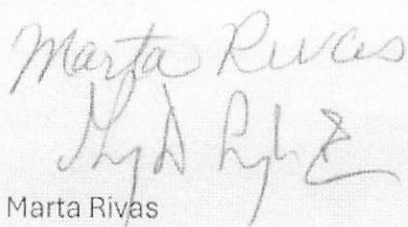
In regards the proposed changes as a distinct IMPROVEMENT!

Board of Zoning Appeal
City of Cambridge
831 Mass Ave
Cambridge, MA 02139

Members of the Board,

We are neighbors behind 29Ash St and are writing to support Catherine Hayden's proposal to enclose the current covered porch on the back of the house.

Sincerely,

The image shows two handwritten signatures in cursive. The first signature is 'Marta Rivas' and the second is 'George Langdon'. The signatures are written in dark ink on a light-colored background.

Marta Rivas
George Langdon
999 Memorial Drive
Cambridge

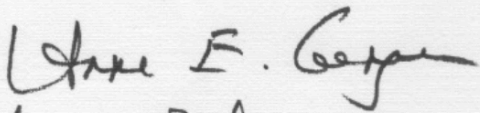
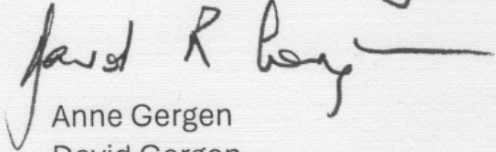
Board of Zoning Appeal
City of Cambridge
831 Mass Ave
Cambridge, MA 02139

Dear Members of the Board,

Re: 29 Ash Street

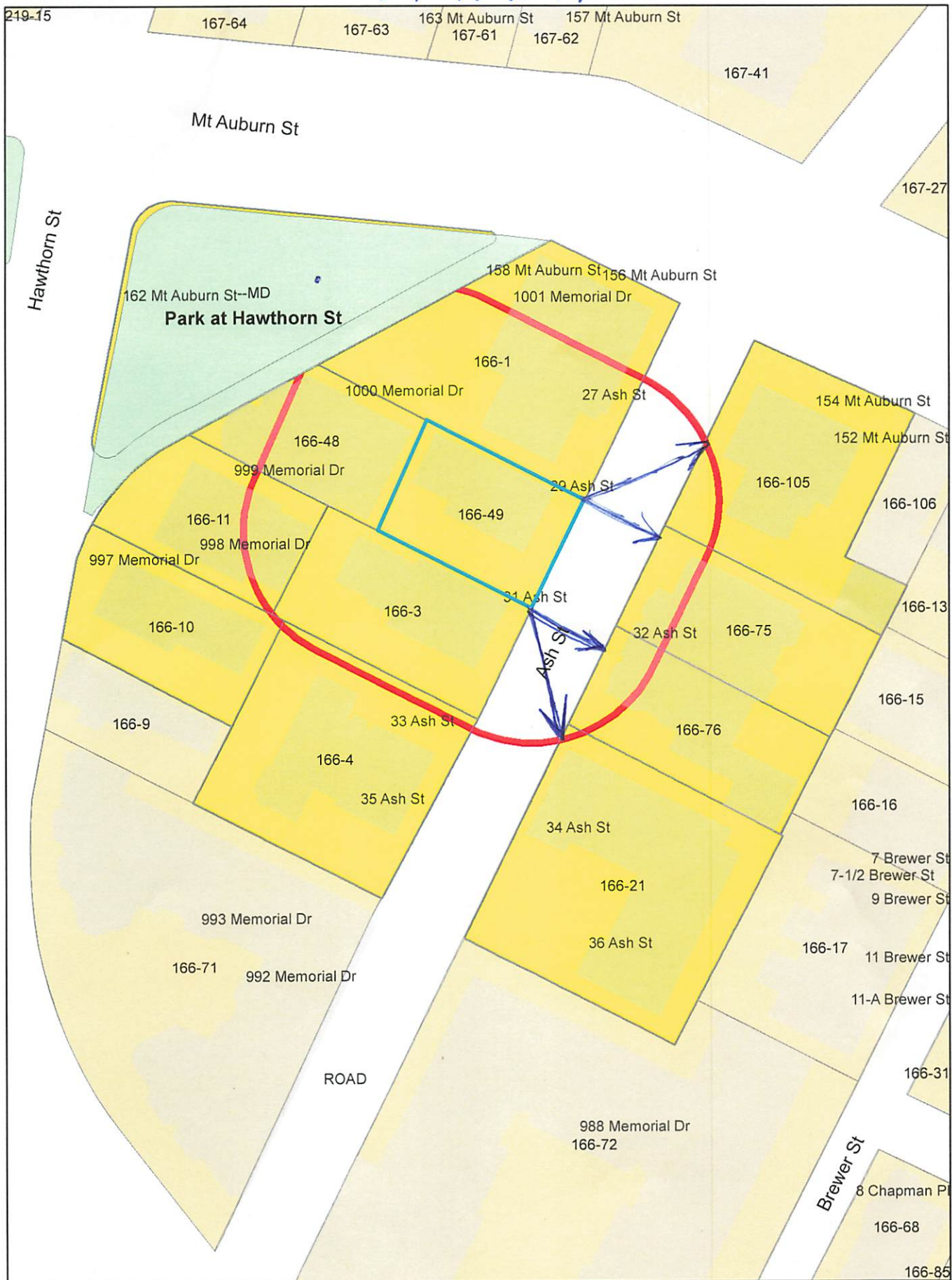
We are writing to support Catherine Hayden's application
to enclose the rear covered porch.

Sincerely,

Anne Gergen
David Gergen
31 Ash St

29 Ash St.



29 Ash St.

Petitioner

166-10
CONNOLLY, SARAH T.
TR. OF THE 997 MEMORIAL DR NOMINEE R.T
997 MEMORIAL DR
CAMBRIDGE, MA 02138

166-1
OKUN, DOUGLAS,
TRUSTEE THE DOUGLAS OKUN REV TRS
334 WALDEN ST
CAMBRIDGE, MA 02138

CHOO & COMPANY, INC.
C/O DAVID FREED
1 BILLINGS ROAD
NORTH QUINCY, MA 02171

166-4
ROSEN, OLIVER & CECILY WARDELL
35 ASH ST.
CAMBRIDGE, MA 02138

166-105
JONES, SHARISSA Y. & DANIEL S. MEDWED
154 MT AUBURN ST
CAMBRIDGE, MA 02139

166-75-49
HAYDEN, CATHERINE D. DAVID B. THURSTON
30 ASH ST.
CAMBRIDGE, MA 02138

166-21
HARRATI, JALLEL
1928 MONTEREY AVE.
BERKELEY, CA 94707

166-21
KERVICK, JANE L. & JOHN J. COSTELLO
34-36 ASH ST UNIT B1
CAMBRIDGE, MA 02138

166-76
KONTOPOULOS, EIRENE &
ANTHONY PHILIPPAKIS
32 ASH ST
CAMBRIDGE, MA 02138

166-21
DORTZ, JUDITH R.
36 ASH ST
CAMBRIDGE, MA 02138-4868

166-21
SINIOSSOGLU, MARIA AMARYLLIS
39 MYTLE AVE
CAMBRIDGE, MA 02138

166-1
ROTHFARB, HERBERT I.
1001 MEMORIAL DR
CAMBRIDGE, MA 02138

166-21
YAWAND-WOSSEN, HEYWOT YADEY
YAWAND-WOSSEN
34 ASH ST UNIT 103 (U-2)
CAMBRIDGE, MA 02138

166-48
HSU, CHARLES H. &
CHI-CHI LIAO TRUSTEE OF MRH REALTY TR
1000 MEMORIAL DR
CAMBRIDGE, MA 02138

166-21
LANDSMAN, A. L.
34 ASH ST UNIT 1
CAMBRIDGE, MA 02138

166-21
SHIELDS, VIRGINIA & EDWARD BARRETT
36 ASH ST UNIT 11
CAMBRIDGE, MA 02138-4868

166-21
BEINART, DOREEN,
TRUSTEE THE BAY SQUARE REALTY TRUST
7 LONGFELLOW PARK
CAMBRIDGE, MA 02138

166-11
LANGDON, GEORGE D., III & MARTA R. RIVAS
999 MEMORIAL DRIVE
CAMBRIDGE, MA 02138

166-1
ELIZABETH L. PUGH STEVEN L. GORTMAKER
44 PAYSON TERRANCE
BELMONT, MA 02478

166-11
BELL, JONATHAN & MARY ELLEN MALLOY
998 MEMORIAL DR. UNIT 2
CAMBRIDGE, MA 02139

166-21
GUO HONGTAO & ZHIJIE XIAO
89 MANET RD
CHESTNUT HILL, MA 02467

166-1
WOODMAN, JAMES F.
TR OF THE 27 ASH STREET NOMINEE TR.
27 ASH ST
CAMBRIDGE, MA 02138

166-21
MURPHY, WILLIAM JOSEPH
TRS WILLIAM JOSEPH MURPHY REV. TRUST
10 THACKERAY RD
CONCORD, NH 03301

166-4
MOROUN, MADELEINE
33 ASH ST
CAMBRIDGE, MA 02138

166-21
PRATT, MARIA THERESA W
34 ASH ST UNIT 12
CAMBRIDGE, MA 02138

166-21
XU, MENGJUN
34 ASH STREET - UNIT 5
CAMBRIDGE, MA 02138

166-21
XU, FENG
C/O ORIANA VAN DAELE
P.O.BOX 380253
CAMBRIDGE, MA 02238

166-21
36 ASH LLC
17 MASCONOMO ST
MANCHESTER, MA 01944

166-3
ELSM LLC
C/O CHOATE HALL & STEWART
TWO INTERNATIONAL PL
BOSTON, MA 02110

166-21
BAKER, MICHAEL
267 LEXINGTON ST - UNIT 3
EAST BOSTON, MA 02128

29 Ash St.

166-21
GOLDEN AMBERWOOD LLC
GOLDIE LONGWOOD LLC
22 WOODRIDGE RD
DOVER, MA 02030

166-1
AGRAWAL, APARNA BANDANA AGRAWAL TRS
53 ORCHARD ST - UNIT 1
CAMBRIDGE, MA 02139

166-21
QUADIR, IQBAL
9 BUSHNELL DR
LEXINGTON, MA 02421

CITY OF CAMBRIDGE
RE: PARK AT HAWTHORN ST.
C/O YI-AN HUANG
CITY MANAGER

CITY OF CAMBRIDGE
RE: PARK AT HAWTHORN ST.
C/O MEGAN BAYER
CITY SOLICITOR



Half Crown-Marsh Neighborhood Conservation District Commission

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139
Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112
E-mail: histsncds@cambridgema.gov

Marie-Pierre Dillenseger, Chair; Aaron Kemp, Vice Chair;
Ruby Booz, Donna Marcantonio, Peter Schur, Jo Solet, James Van Sickle

CERTIFICATE OF NON-APPLICABILITY

Property: 29 Ash Street

Applicant: Catherine Hayden

The Half Crown-Marsh 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:

Enclose rear porch; convert rear window to door; remove window at rear.

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 extension not exceeding six months may be allowed in writing by the Chair.

Case Number: HCM-638

Date of Certificate: 04/02/2024

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on 04/02/2024.

By Eric J. Hill, CHC Staff

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

Date _____ City Clerk: _____