

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139 9 PM 1: 19

617-349-6100

BZA Application Form

BZA Number: 269132

General Information

| The undersigned | hereby petition | ns the Board of Zoning | Appeal for the following: |
|---|--------------------------------|---------------------------|---|
| Special Permit: _ | X | Variance: | Appeal: |
| | | | |
| PETITIONER: 4 | O Royal Avenue | e LLC C/O Scott Zink | |
| PETITIONER'S A | ADDRESS: 7 M | lorrison Road West, W | akefield, MA 01880 |
| LOCATION OF P | ROPERTY: 40 | Royal Ave , Cambrid | lge, MA |
| TYPE OF OCCU | PANCY: SNGL | -FAM-RES | ZONING DISTRICT: Residence B Zone |
| REASON FOR P | ETITION: | | |
| DESCRIPTION | OF PETITIO | NER'S PROPOSAL: | |
| pre-existing nonc | onforming heig | | and window wells which technically slightly increases the nanging the average grade, and (2) the addition of two new ard. |
| SECTIONS OF Z | ONING ORDIN | IANCE CITED: | |
| Article: 5.000 Article: 8.000 Article: 8.000 Article: 10.000 | Section: 8.22 Section: 8.22 | | onconforming Structure). Pre-existing Nonconformity). |
| | | Original Signature(s): | Andrew Collins (Petitioner (s) / Owner) Andrew Collins |
| | | | (Print Name) |

Address:

7 Morrison Rd. Wat, Wakefield, MA 01880

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OMMER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals. I/Ae Scott ZINK Address: 7 Marison Rd Wast Wakefield MA 01880

State that I/We own the property located at 40 Royal Avenue. Address: 7 Marrison Rd Wast which is the subject of this zoning application. The record title of this property is in the name of *Pursuant to a deed of duly recorded in the date 10/12/23, Middlesex South County Registry of Deeds at Book \$209/, Page 110; or Middlesex Registry District of Land Court, Cartificate No._____ Book _____ Page __ SIGNATURE BY LAND OWNER OR AUTHURIZED TRUSTKE, OFFICER OR AGENT' *Written evidence of Agent's standing to represent petitioner may be requested. Scatt Zink personally appeared before me, The above-name this 3rd of April , 2024, and made oath that the above statement is true. Notary My commission expires October 2nd 2026 (Notary Seal). ROBERT A. BRABANT, JR Notary Public COMMONWEALTH OF MASSACHUSETTS My Commission Expires October 2, 2026

 If ownership is not shown in recorded deed, e.g. if by court order, recent 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 <u>40 Royal Ave</u>, <u>Cambridge</u>, <u>MA</u> (location) would not be a detriment to the public interest because:

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

Article 8.22.2.d of the Cambridge Zoning Ordinance allows the alteration or enlargement of preexisting dimensionally nonconforming detached single-family which increases a preexisting dimensional nonconformity but does no create a new dimensional nonconformity, as long as the Board of Zoning Appeals find that the alteration or enlargement shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood, and that the alteration or enlargement satisfies the criteria of in Section 10.43. The addition of the window wells at 40 Royal Street modestly changes the preexisting nonconforming building height by lowering the average grade, but does not create any new nonconformities, and is not more detrimental than the existing nonconformity. Article 8.22.2.c allows for the addition of the two new first floor window openings on the preexisting nonconforming wall providing there is no further violation of the dimensional requirements.

- Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:
 - The special permit requested will have no impact on traffic generated or patterns of access or egress.
- 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 special permit requested will have no adverse impact on the adjacent uses. The residential use of the property will remain unchanged, consistent with the adjacent uses and the zoning district.
- 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 special permit requested will add light, fresh air and life safety to the existing basement and first floor. It will not create a detriment to the health, safety, and/or welfare of the occupants or the citizens of the City.
- For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

The proposed continued residential use of the structure and the addition of first floor windows and basement egress wells is in line with the character of the neighborhood and would not impair the integrity of the district or the adjoining district or otherwise derogate from the intent or purpose of this ordinance.

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

Tel. No.

617-650-1929

E-Mail Address:

scott@zredevelopment.com

Date: 7 6 24

BZA Application Form

DIMENSIONAL INFORMATION

Applicant:

40 Royal Avenue LLC

Location:

40 Royal Ave , Cambridge, MA

Phone:

617-650-1929

Present Use/Occupancy: SNGL-FAM-RES

Zone: Residence B Zone

Requested Use/Occupancy: SNGL-FAM-RES

| | | Existing Conditions | Requested Conditions | <u>Ordinance</u> Requirements | |
|---|---------------|---------------------|-------------------------|----------------------------------|--------|
| TOTAL GROSS FLOOR AREA: | | 3,474 | 3,474 | 2,632.65 | (max.) |
| LOT AREA; | | 5,379 | 5,379 | 5,000 | (min.) |
| RATIO OF GROSS FLOOR AREA TO LOT AREA; ² | | .65 | .65 | .5/.35 | |
| LOT AREA OF EACH DWELLING UNIT | | 5,379 | 5,379 | 2,500/4,000 | |
| SIZE OF LOT: | WIDTH | 52.6 | 52.6 | 50 | |
| | DEPTH | 104.8 | 104.8 | N/A | |
| SETBACKS IN FEET: | FRONT | 14.25 | 14.25 | 15 | |
| | REAR | 39.2 | 39.2 | 26.25 | |
| | LEFT SIDE | 5.4 | 5.4 | 7.5/Sum of 20 | |
| | RIGHT SIDE | 17.4 | 17.4 | 7,5/Sum of 20 | |
| SIZE OF BUILDING: | HEIGHT | 39.7 | 39.8 | 35 | · |
| | WIDTH | 28.8 | 28.8 | N/A | |
| | LENGTH | 49.8 | 49.8 | N/A | |
| RATIO OF USABLE OPEN SPACE TO LOT AREA: | | 55.7 | 55.1 | 40 | |
| NO. OF DWELLING UNITS: | | 1 | 1 | 2 | |
| NO. OF PARKING SPACES: | | 2 | 2 | 0 | |
| NO. OF LOADING AREAS: | | 0 | 0 | 0 | |
| DISTANCE TO NEAREST BLDG. ON SAME LOT | | N/A | N/A | N/A | |

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

40 ROYAL RESIDENCE WINDOWS & WELLS BZA APPLICATION SET

DRAWING LIST

G-100 COVER

G-101 SITE PHOTOS

Z-100 ZONING

A-100 BASEMENT PLAN EXISTING & PROPOSED

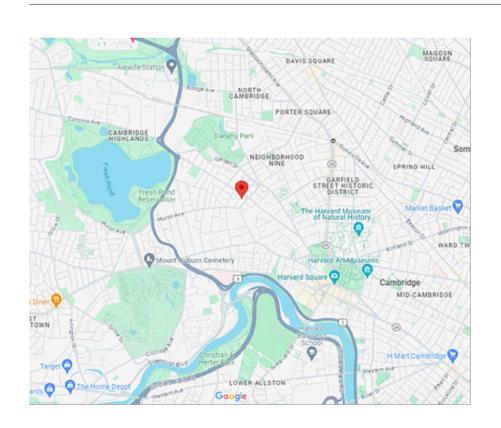
A-101 FIRST FLOOR PLAN EXISTING & PROPOSED

A-200 FRONT ELEVATION EXISTING & PROPOSED

A-201 REAR ELEVATION
EXISTING & PROPOSED

A-202 LEFT ELEVATION EXISTING & PROPOSED

VICINITY MAP



PROJECT DESCRIPTION

40 ROYAL AVENUE IS CURRENTLY A SINGLE FAMILY RESIDENCE LOCATED IN CAMBRIDGE. THE PROJECT OF THE 40 ROYAL RESIDENCE WINDOWS & WELLS IS TO ADD TWO WINDOW WELLS AND EGRESS WINDOWS TO THE BASEMENT, AS WELL AS TWO WINDOWS ON THE FIRST FLOOR. IT IS NOT LOCATED IN ANY FLOOD ZONES.

DESCRIPTION OF WORK:

- 1. REMOVAL OF AN EGRESS WINDOW AND WELL UNDER THE FRONT
- 2. THE ADDITION OF TWO NEW EGRESS WINDOWS AND WELLS ON WALLS WITH CONFORMING YARDS, ONE AT THE FRONT OF THE HOUSE AND ONE AT THE REAR. THE ADDITION OF THE WINDOW WELLS EXTENDS A PREEXISTING HEIGHT NONCONFORMITY.
- 3. THE ADDITION OF TWO NEW FIRST FLOOR WINDOWS ON THE LEFT SIDE WHERE THERE IS A NONCONFORMING YARD.

40 ROYAL STREET LLCPO BOX 391975
CAMBRIDGE, MA 02139

ARCHITECT:
HAMMER DESIGN & DEVELOPMENT, LLC
556 FRANKLIN STREET #3
CAMBRIDGE, MA 02139
617-733-5053 AHAMMER@HAMMERDESIGN.COM

STRUCTURAL:

DAVIDSON ENGINEERING ASSOCIATES, INC

377 SOMERVILLE AVENUE

SOMERVILLE, MA 02143

SURVEY:
PETER NOLAN & ASSOCIATES, LLC
80 JEWETT STREET, SUITE TWO
NEWTON, MA 02458

NO. <u>DD.MM.YY</u> <u>DESCRIPTION</u>

PROJECT NO. 2312

40 ROYAL
WINDOWS & WELLS

40 ROYAL STREET CAMBRIDGE, MA

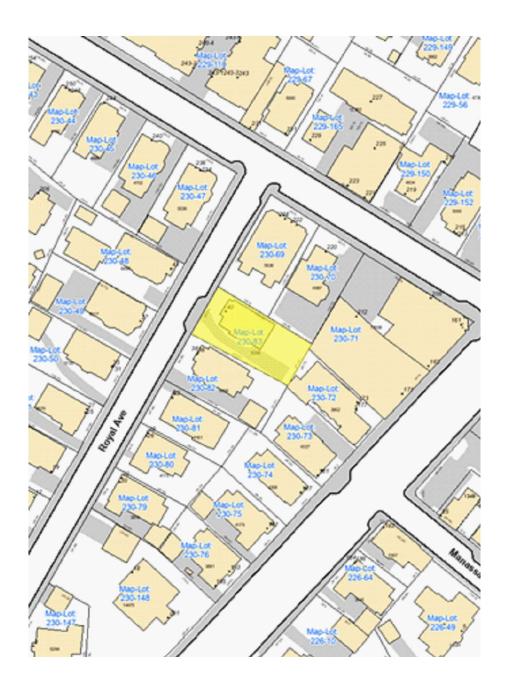
COVER



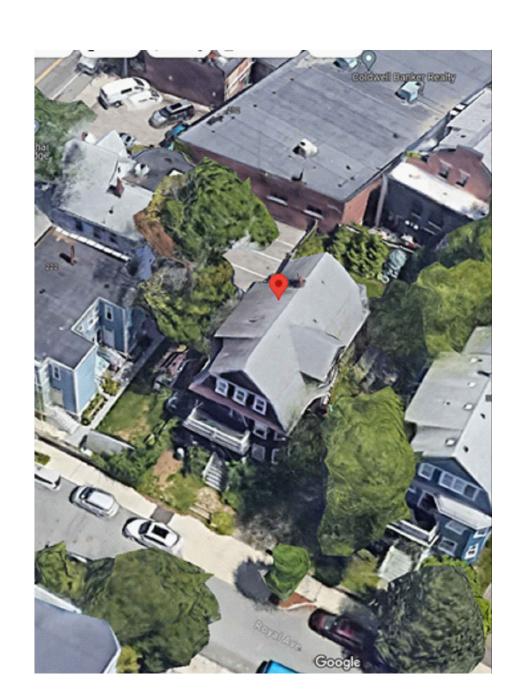
DATE: 05.02.2024

SCALE: AS NOTED DRAWN BY: CHECKED BY:

G-100



AREA MAP NTS



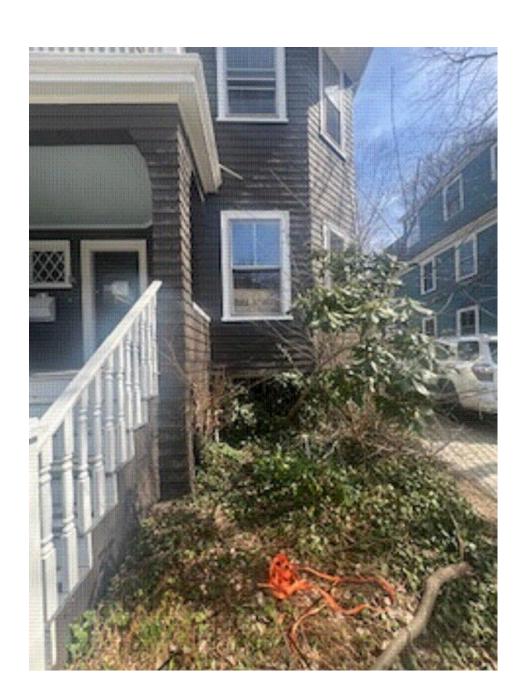
 $2^{rac{\mathsf{AERIAL}\,\mathsf{VIEW}}{\mathsf{NTS}}}$



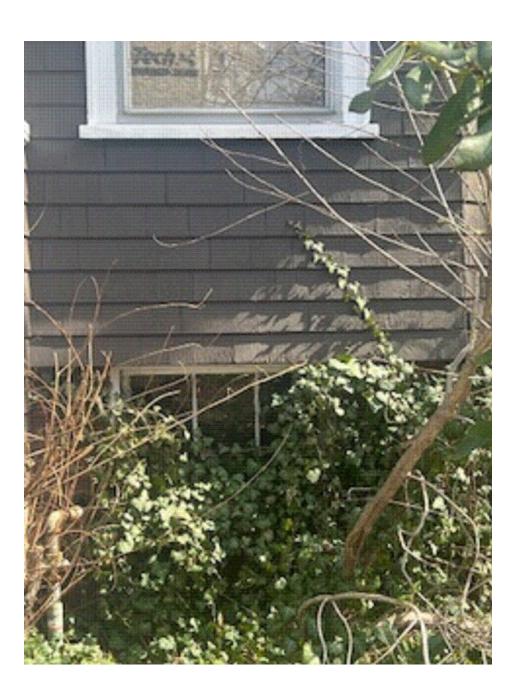
 $3^{\frac{\text{STREET VIEW}}{\text{NTS}}}$



4 STREET VIEW -LEFT ELEVATION NTS



 $5 \, rac{ ext{VICINITY OF PROPOSED FRONT WELL}}{ ext{NTS}}$



 $_{\overline{\text{NTS}}}^{\text{CLOSE UP OF PRPOSED FRONT WELL}}$



 $7^{\frac{\mathsf{REAR}\;\mathsf{ELEVATION}}{\mathsf{NTS}}}$



 $8^{\frac{\text{VICINITY OF PROPOSED REAR WELL}}{\text{NTS}}}$

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SOMERVILLE, MA 02143

SURVEY:
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NEWTON, MA 02458

NO. <u>DD.MM.YY</u> <u>DESCRIPTION</u>

PROJECT NO. 2312

40 ROYAL WINDOWS & WELLS

40 ROYAL STREET CAMBRIDGE, MA

SITE PHOTOS



DATE: 05.02.2024

SCALE: AS NOTED DRAWN BY: CHECKED BY:

G-101

Address: 40 Royal Ave Zone: Res B

| | PROPOSED | | ALLOWED | NOTE |
|---------------|------------|------------|----------|---------------------------|
| GENERAL | PROPOSED | | ALLOVVED | NOTE |
| USE | SINGLE FAM | SINGLE FAM | Υ | |
| LOT AREA | 5,379 | 5,379 | 5,000 | MEASURED, RECORDED 5,360 |
| LOT WIDTH | , 52.26 | , 52.26 | 50 | , |
| GFA | 3,474 | 3,474 | 2632.65 | PREEXISTING NONCONFORMING |
| FAR | 0.65 | 0.65 | .5/.35 | PREEXISTING NONCONFORMING |
| LOT AREA/UNIT | 5,379 | 5,379 | 2,500 | |
| UNITS | 1 | 1 | 2 | |
| HEIGHT | 39.7 | 39.8 | 35 | PREEXISTING NONCONFORMING |
| SETBACKS | | | | |
| FRONT | 14.25 | 14.25 | 15 | PREEXISTING NONCONFORMING |
| REAR | 39.2 | 39.2 | 26' | |
| LEFT | 5.4 | 5.4 | 7'-6" | PREEXISTING NONCONFORMING |
| RIGHT | 17.4 | 17.4 | 13'-6" | |
| OPEN SPACE | | | | |
| TOTAL OS | 55.7% | 55.1% | 40% | |
| PRIVATE OS | 26.4% | 26.1% | 20% | |
| PERMEABLE OS | 51.2% | 50.6% | 20% | |
| PARKING | 2 | 2 | Υ | |

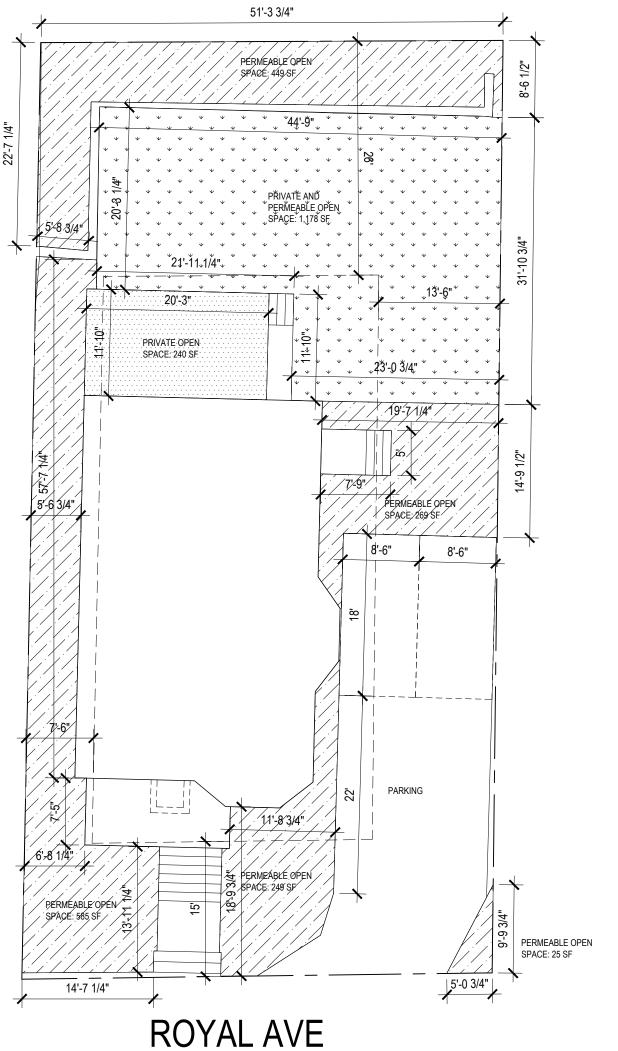
| OPEN SPACE TABLE | | | | |
|-----------------------|----------|-------|----------|-------|
| | EXISTING | | PROPOSED | |
| | SF | PCT | SF | PCT |
| PRIVATE OPEN SPACE | | | | |
| PRIVATE & PERMABLE | 1,178 | 21.9% | 1,166 | 21.7% |
| W/I 10' OF LOWEST RES | 240 | 4.5% | 240 | 4.5% |
| TOTAL PRIVATE | 1,418 | 26.4% | 1,406 | 26.1% |
| PERMEABLE ONLY | 1,577 | 29.3% | 1,557 | 28.9% |
| | | | | |

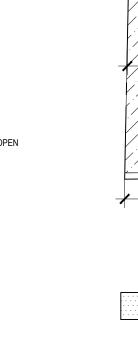
51'-3 3/4"

PERMEABLE OPEN

| Existing Avg Grade per survey | 104.1 |
|-------------------------------|--------|
| Permimeter of bldg (ft) | 152 |
| Length of new wells (ft) | 7.67 |
| Elevation of bottom of well | 102.1 |
| New Avg Grade w/ well | 104.00 |
| Roof Peak | 143.8 |
| Existing Height | 39.70 |
| Proposed Height | 39.80 |

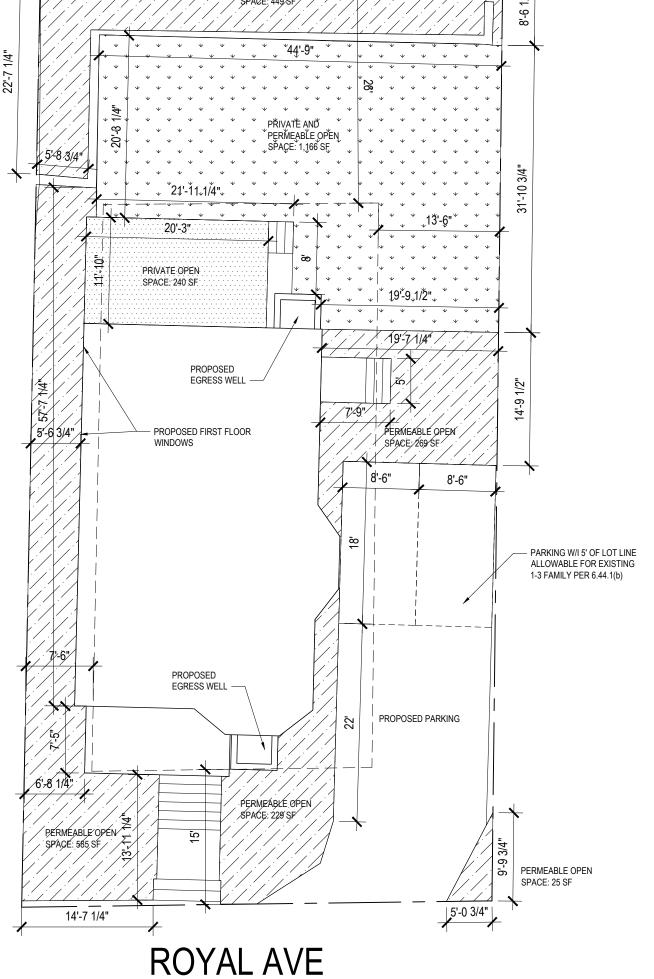
$\frac{1}{N}$ DIMENSIONAL INFORMATION NTS

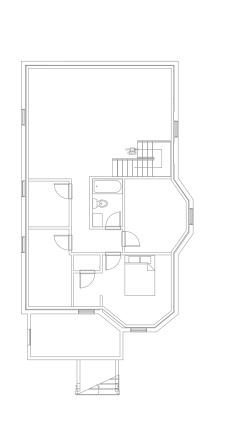




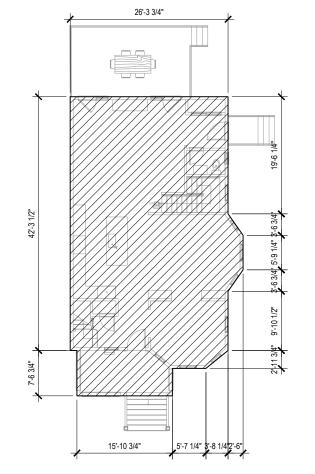
PRIVATE OPEN SPACE

W/I 10' OF LOWEST RES



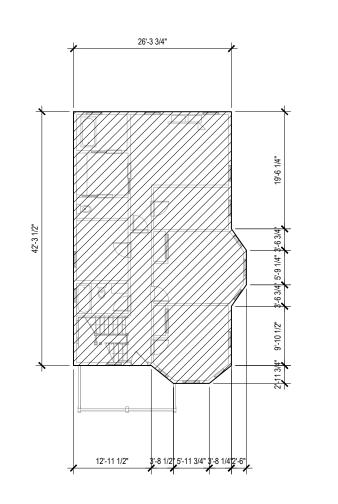




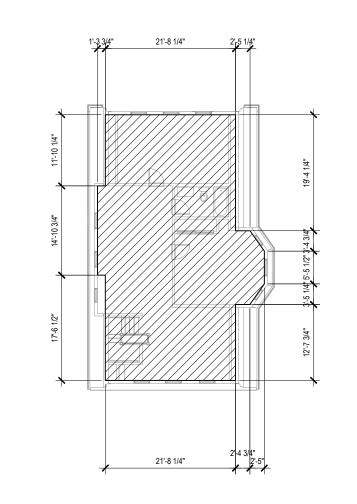


EXISTING & PROPOSED CONDITION
FIRST FLOOR
1,278 SF GFA
CALCULATED TO EXTERIOR SIDING
INCLUDES COVERED PORCH 50% ENCLOSED
& NOT SHADED AREA
OMITS COVERED PORCH NOT 50% ENCLOSED

& SHADED AREA



EXISTING & PROPOSED CONDITION
SECOND FLOOR
1,165 SF GFA
CALCULATED TO EXTERIOR SIDING
OMITS COVERED PORCH NOT 50% ENCLOSED
& NOT SHADED AREA



EXISTING & PROPOSED CONDITION
THIRD FLOOR
1,031 SF GFA
CALCULATED TO 5' HEIGHT, INTERIOR OF
EXTERIOR WALLS

40 ROYAL STREET LLCPO BOX 391975
CAMBRIDGE, MA 02139

ARCHITECT:
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556 FRANKLIN STREET #3
CAMBRIDGE, MA 02139
617-733-5053 AHAMMER@HAMMERDESIGN.COM

STRUCTURAL: **DAVIDSON ENGINEERING ASSOCIATES, INC**377 SOMERVILLE AVENUE
SOMERVILLE, MA 02143

SURVEY:
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NEWTON, MA 02458

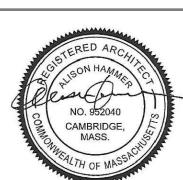
NO. DD.MM.YY DESCRIPTION

PROJECT NO. 2312

40 ROYAL WINDOWS & WELLS

40 ROYAL STREET CAMBRIDGE, MA

ZONING



DATE: 05.02.2024

SCALE: AS NOTED

SCALE: AS NOTED DRAWN BY: AH CHECKED BY:

Z-000

PRIVATE & PERMEABLE

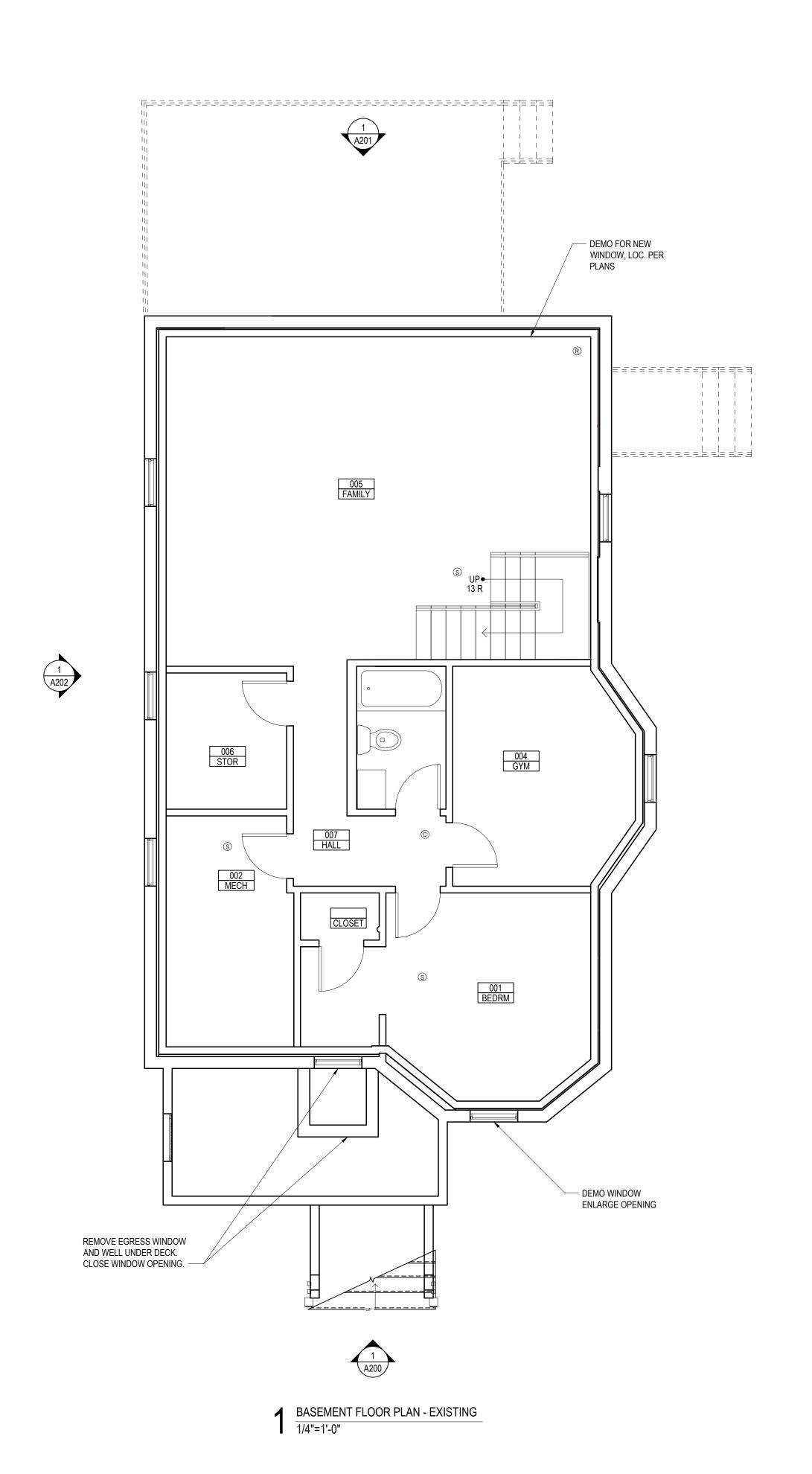
PERMEABLE OPEN SPACE

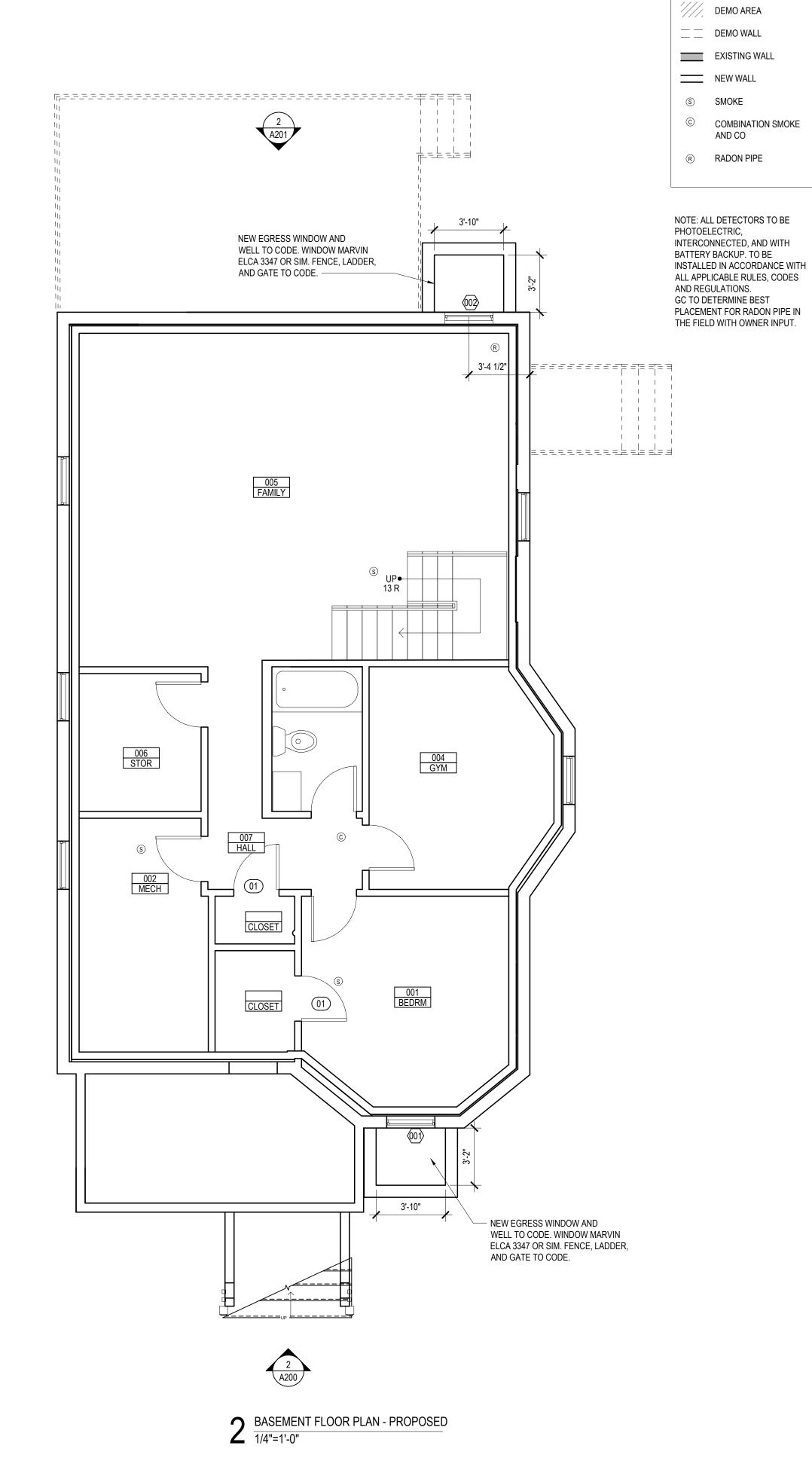
PERMEABLE OPEN SPACE

→ PRIVATE & PERMEABLE

PRIVATE OPEN SPACE

W/I 10' OF LOWEST RES





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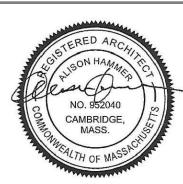
NO. <u>DD.MM.YY</u> <u>DESCRIPTION</u>

PROJECT NO. 2312

40 ROYAL WINDOWS & WELLS

40 ROYAL STREET CAMBRIDGE, MA

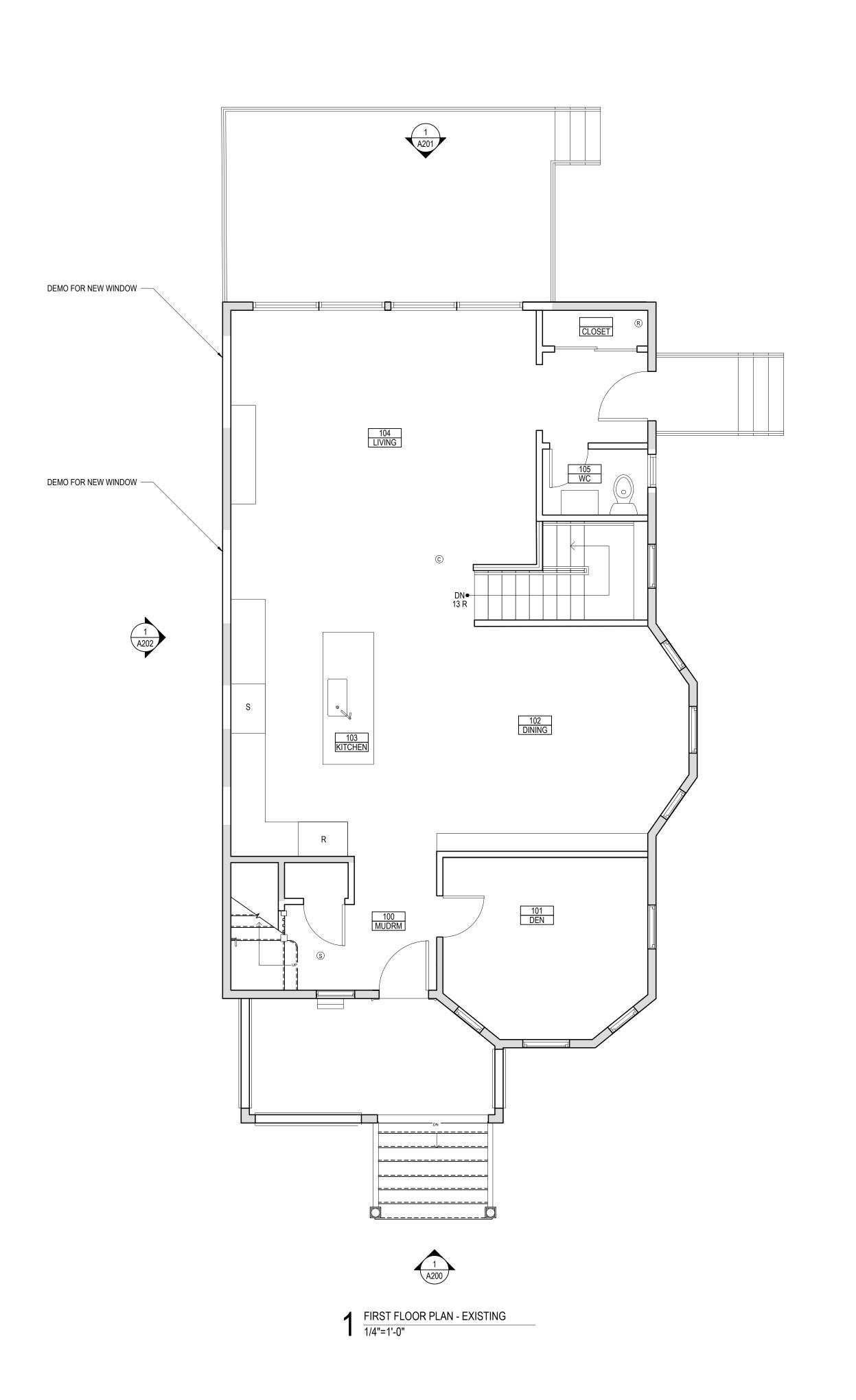
BASEMENT FLOOR PLAN EXISTING & PROPOSED

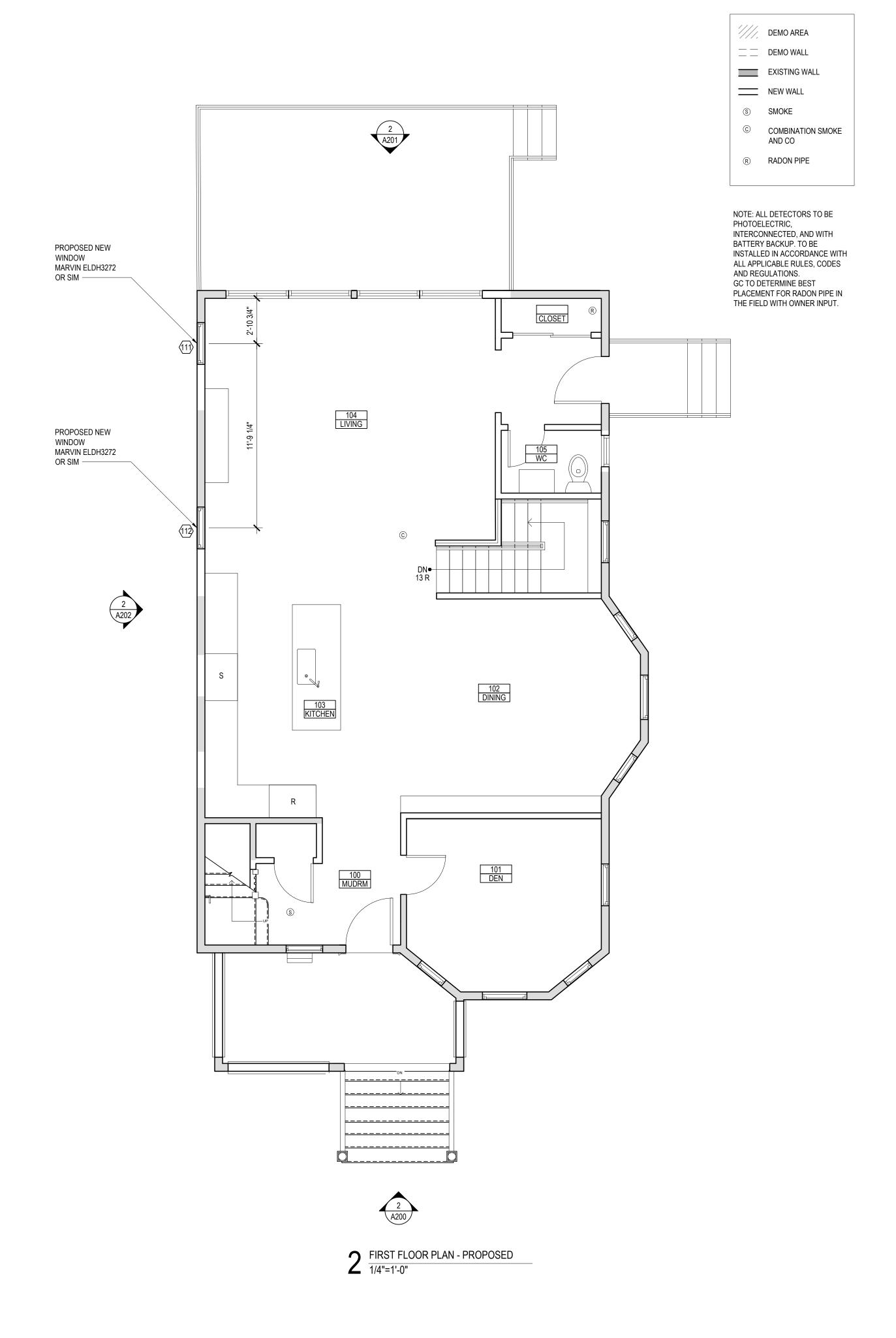


DATE: 05.02.2024

SCALE: AS NOTED DRAWN BY: AH CHECKED BY:

A-100





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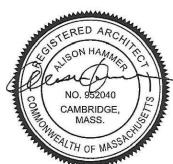
NO. <u>DD.MM.YY</u> <u>DESCRIPTION</u>

PROJECT NO. 2312

40 ROYAL WINDOWS & WELLS

40 ROYAL STREET CAMBRIDGE, MA

FIRST FLOOR PLAN EXISTING & PROPOSED



DATE: 05.02.2024

SCALE: AS NOTED DRAWN BY: AH CHECKED BY:

A-101





FRONT ELEVATION - EXISTING 1/4"=1'-0"

PRONT ELEVATION - PROPOSED 1/4"=1'-0"

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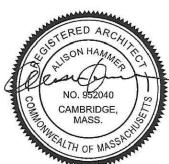
NO. DD.MM.YY DESCRIPTION

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40 ROYAL WINDOWS & WELLS

40 ROYAL STREET CAMBRIDGE, MA

FRONT ELEVATION EXISTING AND PROPOSED



DATE: 05.02.2024

SCALE: AS NOTED DRAWN BY: AH CHECKED BY:

A-200





FRONT ELEVATION - EXISTING 1/4"=1'-0"

2 FRONT ELEVATION - PROPOSED 1/4"=1'-0"

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CAMBRIDGE, MA 02139
617-733-5053 AHAMMER@HAMMERDESIGN.COM

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PETER NOLAN & ASSOCIATES, LLC
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NEWTON, MA 02458

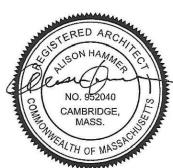
NO. <u>DD.MM.YY</u> <u>DESCRIPTION</u>

PROJECT NO. 2312

40 ROYAL WINDOWS & WELLS

40 ROYAL STREET CAMBRIDGE, MA

REAR ELEVATION EXISTING AND PROPOSED



DATE: 05.02.2024

SCALE: AS NOTED DRAWN BY: AH CHECKED BY:

A-201



ARCHITECT:
HAMMER DESIGN & DEVELOPMENT, LLC
556 FRANKLIN STREET #3
CAMBRIDGE, MA 02139
617-733-5053 AHAMMER@HAMMERDESIGN.COM

STRUCTURAL:

DAVIDSON ENGINEERING ASSOCIATES, INC

377 SOMERVILLE AVENUE

SOMERVILLE, MA 02143

SURVEY:
PETER NOLAN & ASSOCIATES, LLC
80 JEWETT STREET, SUITE TWO
NEWTON, MA 02458

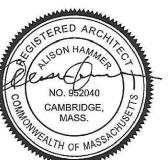
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40 ROYAL WINDOWS & WELLS

40 ROYAL STREET CAMBRIDGE, MA

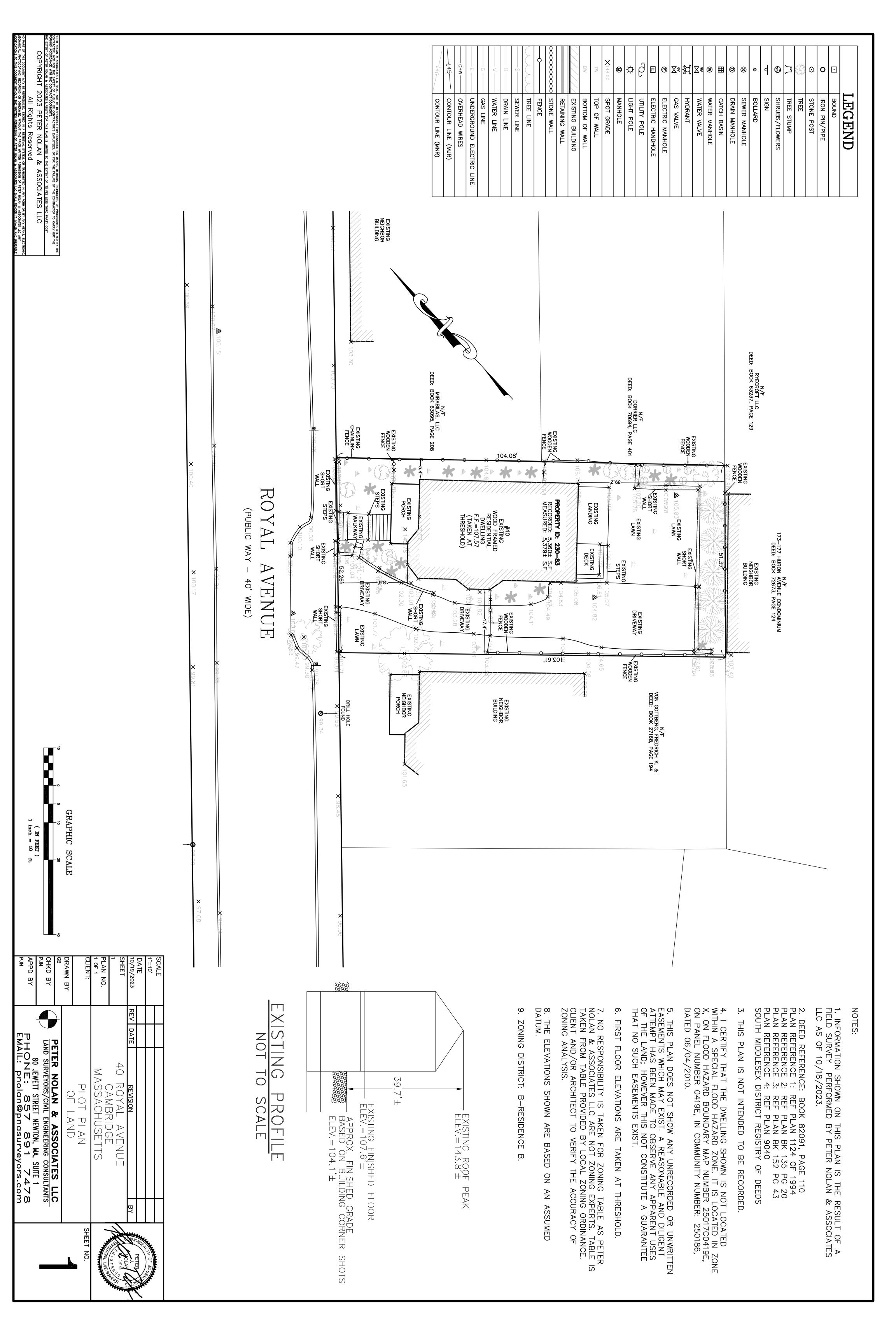
LEFT ELEVATION EXISTING AND PROPOSED



DATE: 05.02.2024

SCALE: AS NOTED DRAWN BY: AH CHECKED BY:

A-202



40 hoyal the

| To margae xive |
|--|
| 245-22 Concord Ave 245-19 Concord Ave 243-8 Concord Ave |
| 245-21 Concord Ave 243-6 Concord Ave 229-111 229-158 36 Kelle 243-7 Concord Ave 243-7 Concord Ave |
| 229-110 243-5 Concord Ave 243-4 Concord Ave 243-4 Concord Ave |
| 254 Concord Ave 243-2 Concord Ave 243-3 Concord Ave |
| 243-1 Concord Ave243 Concord Ave |
| 230-43 |
| 244 Concord Ave |
| 230-44 231 Concord Ave 229-165 240 Concord Ave 229 Concord Ave |
| |
| 230-45 Concord Ave 225 Concord Ave 217 Concord 229-150 |
| 230-46 230-46 229-150 229-150 |
| 206 Appleton St 230-46 223 Concord Ave 221 Concord Ave 221 Concord Ave |
| 230-47 |
| 230-127 224 Concord Ave 222 Concord Ave 215 Concord |
| 213 Concord |
| 41 Royal Ave 220 Concord Ave 220-69 |
| A3 Royal Ave |
| 230-70 208 Concord |
| 230-49 \$ 40 Royal Ave |
| 37 Royal Ave 212 Concord Ave 161 Huron |
| 230-83 |
| 38 Royal Ave 36 Royal Ave |
| 33 RDVal Ave |
| 31 Royal Ave © 230-82 171 Huron Ave |
| 27 Royal Ave 2 177 Huron Ave |
| 230-51 25 Royal Ave |
| 28 Royal Ave 230-81 226 Royal Ave 230-73 |
| |
| 230-52 19 Royal Ave 22 Royal Ave 230-80 20 Royal Ave 20 Royal Ave 230-74 187 Huron Ave 226-67 |
| 20 Royal Ave 187 Huron Ave |
| 226-6 |
| 230-137 230-79 230-75 191 Huron Ave 182 Huron Ave 226 Manassas |
| 230-137 230-79 230-75 191 Huron Ave 182 Huron Ave 226-63 |
| 230-76 186 Huron Ave 226-63 |
| 230-148 18 Royal Ave 193 Huron Ave ROAD |
| 195 Huron Ave 226-64 226-49 |
| 230-147 |
| |

230-47 NULSEN, PAUL E.J. & SUSAN NULSEN 234 CONCORD AVE UNIT 1 CAMBRIDGE, MA 02138

230-70 DORRIER LLC PO BOX 590179 NEWTON, MA 02459

230-71 RYECROFT LLC PO BOX 590179 NEWTON CENTRE, MA 02459

230-48 LAVELLE, BRIANE O. WENDY LABRON 41 ROYAL AVENUE, CAMBRIDGE, MA 02138

230-72 ROBINSON, LISA A. ROBERT S. HANSEL 173-177 HURON AVE, UNIT 177 CAMBRIDGE, MA 02138

230-73 AICHELMANN, RICHARD G. & PAULA L. PELLEGRINO 179-181 HURON AVE UNIT 179 CAMBRIDGE, MA 02138

230-72 KIBURZ, JONATHAN MORGAN BRADYLYONS 173 HURON AVE CAMBRIDGE, MA 02138 40 Royal Ave

230-47 KACHROO, GAYTRI 236 CONCORD AVE UNIT 2 CAMBRIDGE, MA 02139

230-47 LEOPOLD, PETER E. & LESLIE A. NYSTUEN 236 CONCORD AVE UNIT 3 CAMBRIDGE, MA 02138

230-73 CACCIOLA, MARIE 181 HURON AVE CAMBRIDGE, MA 02138

230-48 CAGANDA, ROBERTO ELIAS 43 ROYAL AVE, UNIT 2 CAMBRIDGE, MA 02138

230-49 HASSETT S DONALD 37 ROYAL AVE CAMBRIDGE, MA 02138

230-81 MOUKAD, JOHN C. CLAIRE B. SPINNER TRS 32-34 ROYAL AVE CAMBRIDGE, MA 02138 230-83
40 ROYAL AVENUE LLC
C/O SCOTT ZINK & ANDREW COLLINS
7 MORRISON RD W
WAKEFIELD, MA 01880

230-69 MIRABILAS, LLC C/O NCP MANAGEMENT CO. PO BOX 590179 NEWTON, MA 02459

230-82 VON GOTTBERG, FREDRICH K. & ANTONIA J.M. VON GOTTBERG 36-38 ROYAL AVE CAMBRIDGE, MA 02138-1302

230-48 SUNG-LING LEE, DEAN JEAN FU-CHUN LEE 43 ROYAL AVE, UNIT 1 CAMBRIDGE, MA 02138

230-48 MURPHY, CHRISTOPHER WILLIAM 43 ROYAL AVE - UNIT 3 CAMBRIDGE, MA 02138

230-74 DU RONGQING TRS RONGQING DU 2021 REVOCABLE TR. 100 BLACK OAK RD WESTON, MA 02493