



# CITY OF CAMBRIDGE

## BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 SEP 12 PM 2:35

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

### BZA Application Form

**BZA Number: 287025**

#### General Information

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

Special Permit:   X                        Variance:                             Appeal:       

**PETITIONER:** Daniel J. Stubbs

**PETITIONER'S ADDRESS:** 55 Chestnut Street. #2, Cambridge, MA 02139

**LOCATION OF PROPERTY:** 55 CHESTNUT ST , Unit 2 , Cambridge, MA

**TYPE OF OCCUPANCY:** Residential

**ZONING DISTRICT:** Residence C-1 Zone

**REASON FOR PETITION:**

#### **DESCRIPTION OF PETITIONER'S PROPOSAL:**

This application is for special permit relief from sections 5.31 and 8.22.1.d to allow the alteration of an existing double hung window within an alcove shower as part of an overall bathroom renovation separately permitted under permit #260645.

The petitioner acknowledges that the structure of 55 Chestnut Steet is non-conforming on a narrow lot with a setback dimension (on the applicable side yard) of +/- 7'-0" from the adjacent property line. This dimension does not meet the minimum setback of 7'-6" set forth in Article 5.31, and therefore the proposed alteration requires relief from the ZBA.

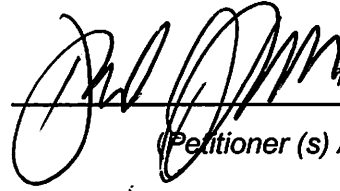
The petitioner puts forth that the proposed alteration to the existing window does not "result in a use for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent than the existing use, or which are undertaken to accommodate a new conforming use." Per Article 8.22.2 the petitioner requests that the permit granting authority ... finds that "such change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming use."

As illustrated in the attached documents provided, the proposed window alteration is only 13" wider than the existing window and several inches shorter than the existing opening. The practical design goal of this alteration is to simply raise the sill of the window out of the water flow within the alcove tub/shower but also attempt to maximize its width and to center the new window within the tub alcove for overall aesthetic reasons. The proposed window is a shorter, but slightly wider awning window that has less than half of the current glass area of the existing double hung window with an overall reduction in area from 5.5 SF to 2.2 SF.

#### **SECTIONS OF ZONING ORDINANCE CITED:**

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

Original  
Signature(s):



(Petitioner (s) / Owner)

Daniel J. Stubbs

(Print Name)

Address:

55 Chestnut #2 - 02139

Tel. No.

617-875-6007

E-Mail Address:

stubbs.dan@gmail.com

Date: 9/11/24

**BZA Application Form**

**DIMENSIONAL INFORMATION**

**Applicant:** Daniel J. Stubbs  
**Location:** 55 CHESTNUT ST., Unit 2., Cambridge, MA  
**Phone:** 617-875-6007

**Present Use/Occupancy:** Residential  
**Zone:** Residence C-1 Zone  
**Requested Use/Occupancy:** Residential

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		N/A	N/A	N/A	(max.)
<u>LOT AREA:</u>		N/A	N/A	N/A	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup></u>		N/A	N/A	N/A	
<u>LOT AREA OF EACH DWELLING UNIT</u>		N/A	N/A	N/A	
<u>SIZE OF LOT:</u>	WIDTH	N/A	N/A	N/A	
	DEPTH	N/A	N/A	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	N/A	N/A	N/A	
	REAR	N/A	N/A	N/A	
	LEFT SIDE	N/A	N/A	N/A	
	RIGHT SIDE	7'-0"	7'-0"	7'-6"	
<u>SIZE OF BUILDING:</u>	HEIGHT	N/A	N/A	N/A	
	WIDTH	N/A	N/A	N/A	
	LENGTH	N/A	N/A	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		N/A	N/A	N/A	
<u>NO. OF DWELLING UNITS:</u>		N/A	N/A	N/A	
<u>NO. OF PARKING SPACES:</u>		N/A	N/A	N/A	
<u>NO. OF LOADING AREAS:</u>		N/A	N/A	N/A	

**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.

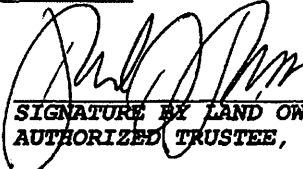
I/We Daniel J. Stubbs & Gail S. Stubbs  
(OWNER)

Address: 55 Chestnut Street, #2, Cambridge, MA 02139

State that I/We own the property located at 55 Chestnut Street, #2, which is the subject of this zoning application.

The record title of this property is in the name of \_\_\_\_\_  
Daniel J. Stubbs & Gail S. Stubbs

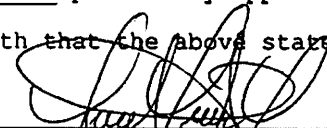
\*Pursuant to a deed of duly recorded in the date 12/17/99, Middlesex South County Registry of Deeds at Book 30969, Page 0203; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

  
\_\_\_\_\_  
SIGNATURE BY LAND OWNER OR  
AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

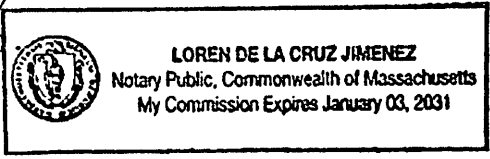
\*Written evidence of Agent's standing to represent petitioner may be requested.

-----  
Commonwealth of Massachusetts, County of Middlesex

The above-name Daniel J. Stubbs personally appeared before me, this 26 of August, 2024, and made oath that the above statement is true.

  
\_\_\_\_\_  
Notary

My commission expires January 3<sup>rd</sup> 2031 (Notary Seal)



• 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 55 CHESTNUT ST , Unit 2 , Cambridge, MA (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:**

It is the opinion of the petitioner that the proposed change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming use. Once complete, the altered window will be smaller than the existing double hung window. The trim and siding will be modified to accommodate the new size and therefore the change to the aesthetic appearance to the neighborhood and abutters will be negligible.

**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:**

N/A

**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 change in the window dimension will have no impact on the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance and will not be adversely affected by the nature of the proposed use

**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 overall size of the existing rough opening is being substantially reduced. Therefore any concerns of fire transfer to an adjacent property are reduced in the proposed window configuration. The proposed window reduces any concern about health, safety and welfare of the occupants.

**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 altered window will be smaller than the existing double hung window. The trim and siding will be modified to accommodate the new size and therefore the change to the aesthetic appearance once complete to the neighborhood and abutters will be negligible.


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

**BZA APPLICATION FORM**  
**DIMENSIONAL INFORMATION**

**APPLICANT:** Daniel Stubbs **PRESENT USE/OCCUPANCY:** Residential

**LOCATION:** 55 Chestnut Street, #2 **ZONE:** C

**PHONE:** 617-875-6007 **REQUESTED USE/OCCUPANCY:** Residential

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS<sup>1</sup></u>
<u>TOTAL GROSS FLOOR AREA:</u>	<u>3,050 GSF</u>	<u>No Change requested</u>	<u>3,270 SF (max.)</u>
<u>LOT AREA:</u>	<u>5,450 GSF</u>		<u>5,000 SF (min.)</u>
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:<sup>2</sup></u>	<u>0.56</u>		<u>0.60 (max.)</u>
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>2,725 GSF</u>		<u>1,800 SF (min.)</u>
<u>SIZE OF LOT:</u>			
<u>WIDTH</u>	<u>36'-4"</u>		<u>50'-0" (min.)</u>
<u>DEPTH</u>	<u>150'-0"</u>		
<u>Setbacks in Feet:</u>			
<u>FRONT</u>	<u>3'-0"</u>		<u>24'-0" (min.)</u>
<u>REAR</u>	<u>86'-0"</u>		<u>24'-0" (min.)</u>
<u>LEFT SIDE</u>	<u>3'-0"</u>		<u>7'-6" (min.)</u>
<u>RIGHT SIDE</u>	<u>7'-0"</u>		<u>7'-6" (min.)</u>
<u>SIZE OF BLDG.:</u>			
<u>HEIGHT</u>	<u>+/- 35'-0"</u>		<u>35'-0" (max.)</u>
<u>LENGTH</u>	<u>60'-0"</u>		
<u>WIDTH</u>	<u>26'-4"</u>		
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:<sup>3</sup></u>	<u>0.62</u>		<u>0.36 (min.)</u>
<u>NO. OF DWELLING UNITS:</u>	<u>2</u>		<u>(max.)</u>
<u>NO. OF PARKING SPACES:</u>	<u>0</u>		<u>(min./max)</u>
<u>NO. OF LOADING AREAS:</u>	<u>0</u>		<u>(min.)</u>
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	<u>N/A</u>		<u>(min.)</u>

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.

N/A

---



---



---



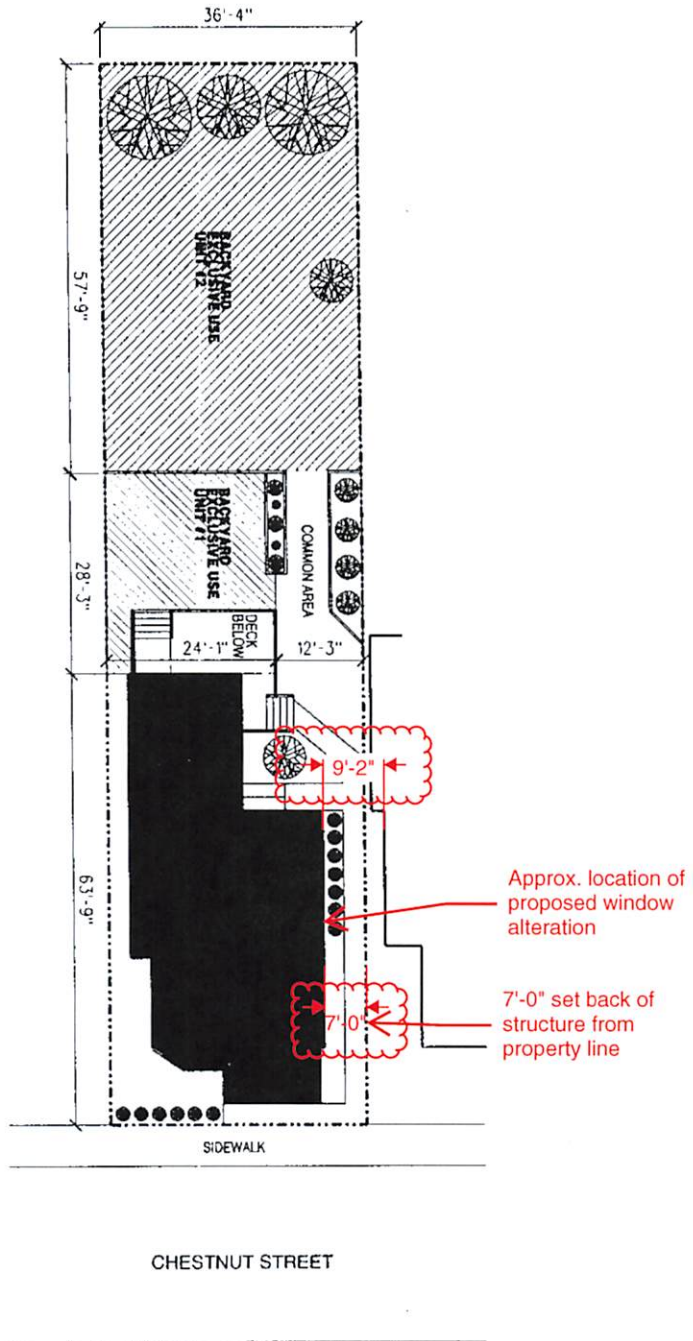
---

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'.



55 CHESTNUT STREET CONDOMINIUMS  
55 CHESTNUT STREET  
CAMBRIDGE, MA 02139

SITE PLAN



LEGEND  
[Hatched Box] Exclusive Use Areas

Unit Certification

I hereby certify that the plans show the unit certification of this unit being done and that I am immediately adjoining unit and that they fully and accurately depict the layout of the unit, its location, dimensions, approximate area, main entrance and immediate common area to which it has access as built.

Signature: *McCarthy*

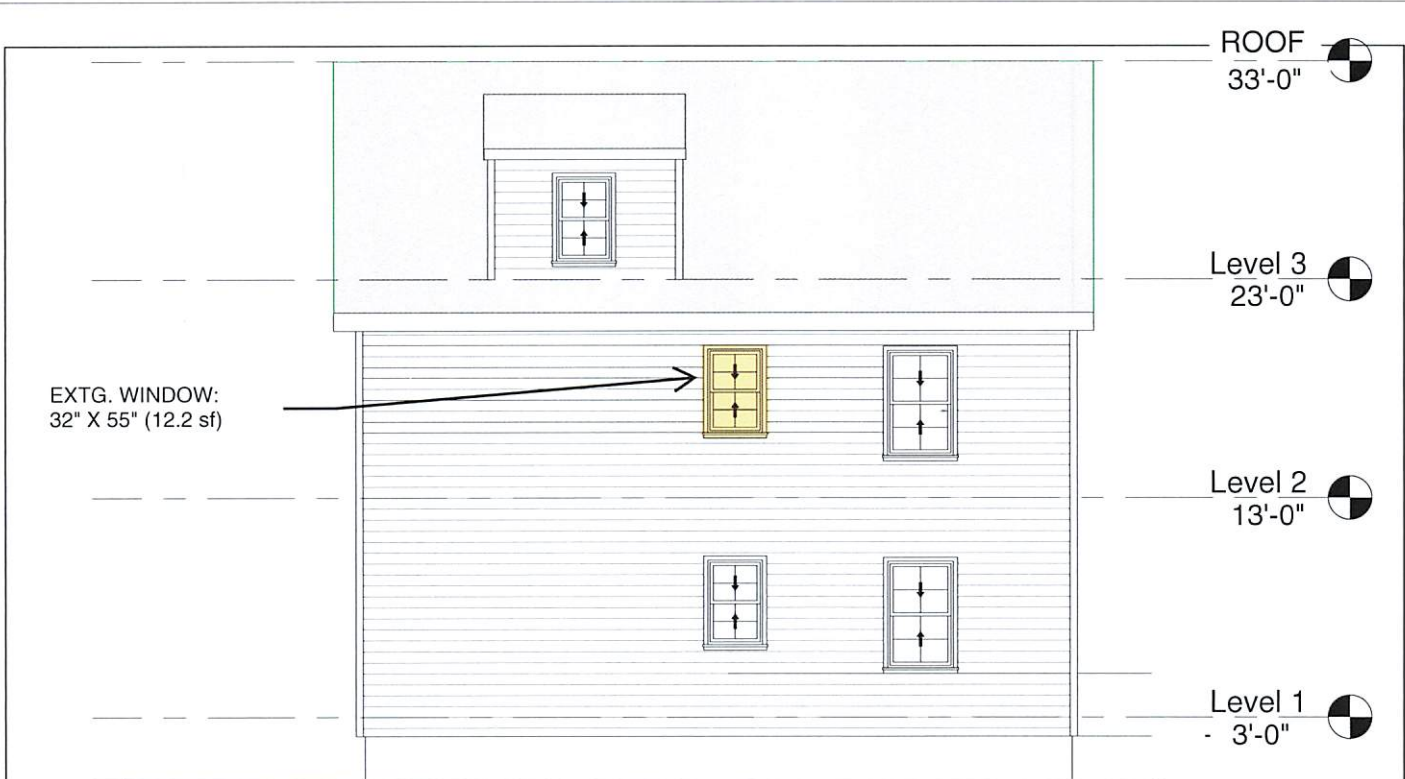
Date: 12-17-97



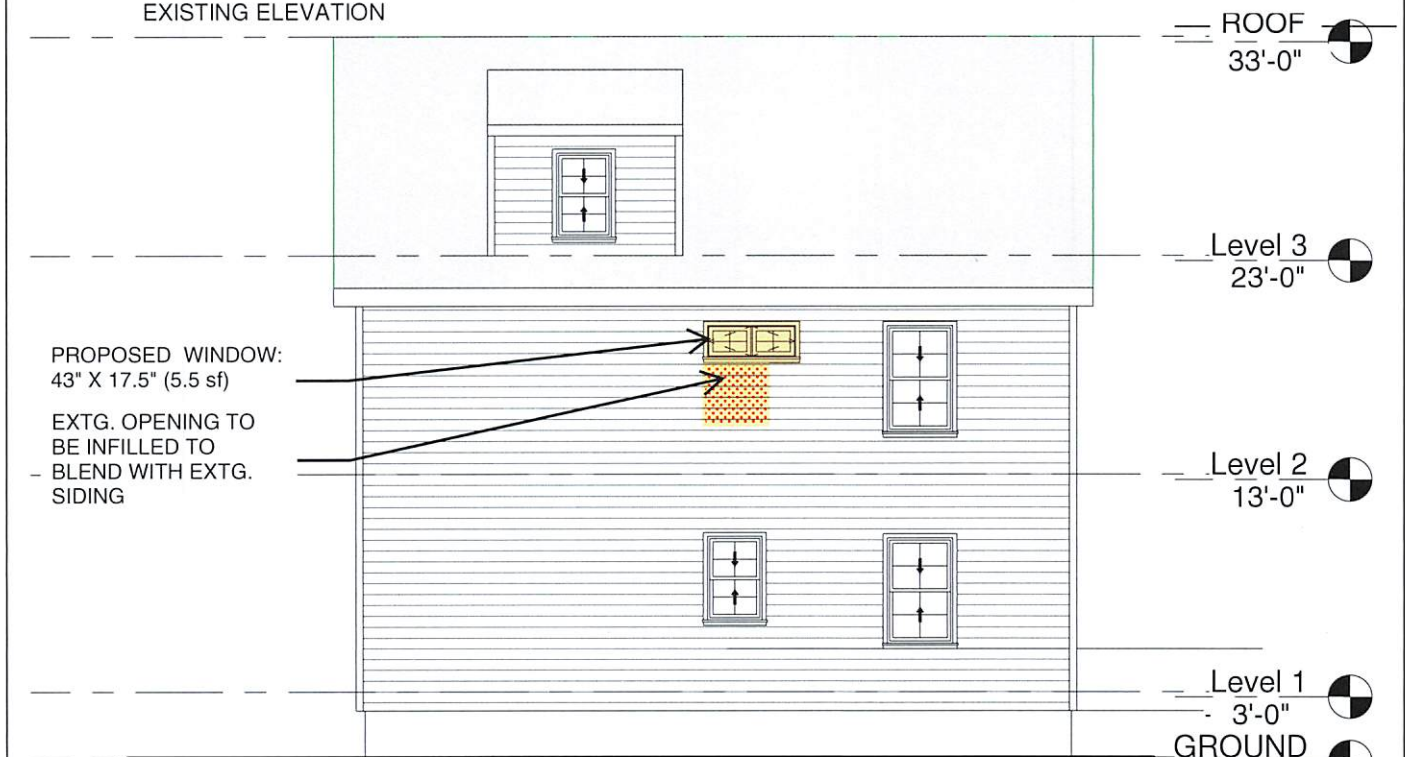
Signature: *McCarthy*

Date: 12-17-97

REGISTRY USE



EXISTING ELEVATION



PROPOSED ELEVATION

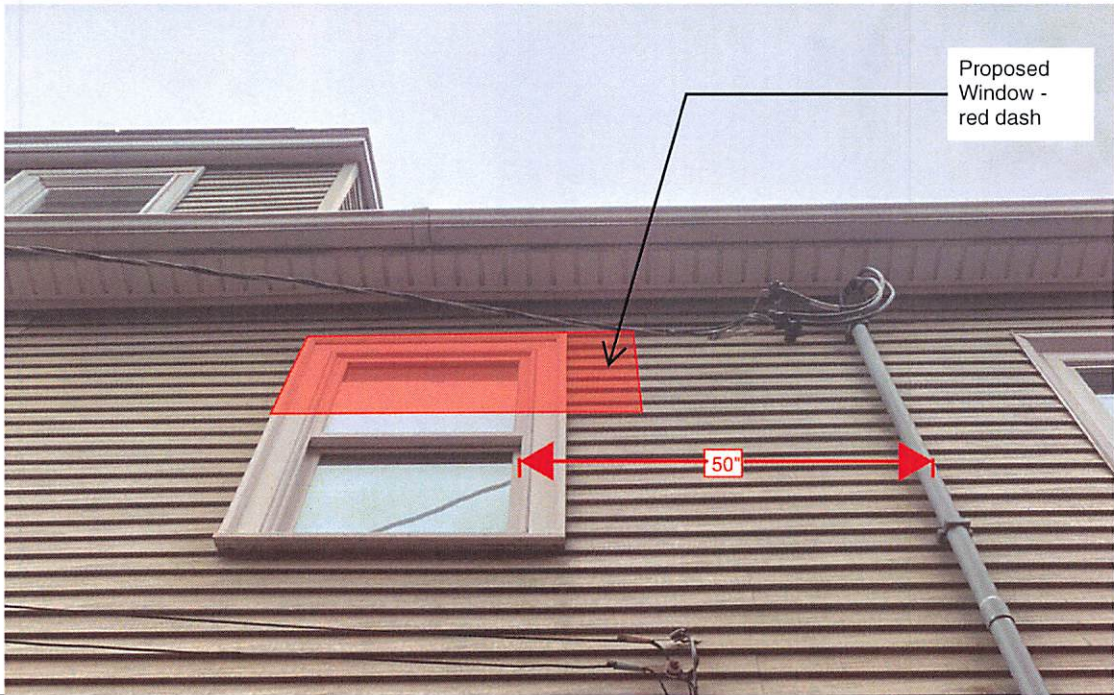
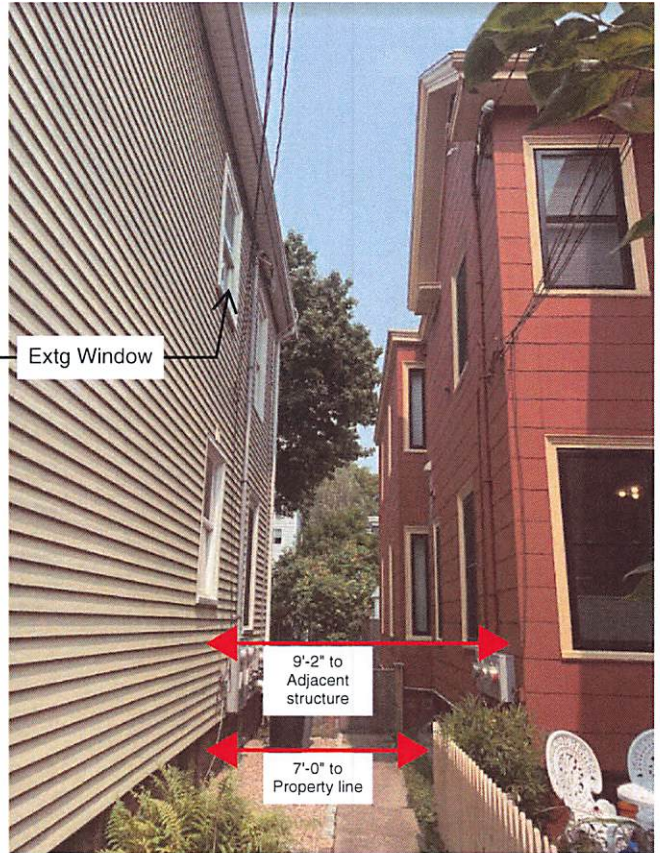
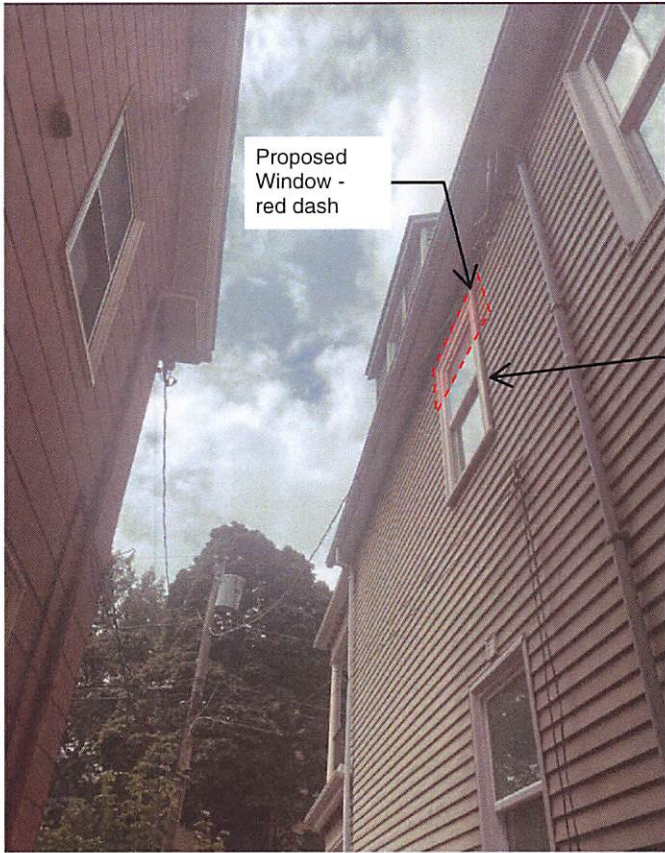
STUBBS  
55 CHESTNUT STREET. #2  
CAMBRIDGE, MA

Stubbs  
Bathroom Reno

Side Elevation

Project number	01	<b>A301</b>
SPECIAL PERMIT	- 08/26/24	
Drawn by	Author	
Checked by	Checker	
Scale		1/8" = 1'-0"



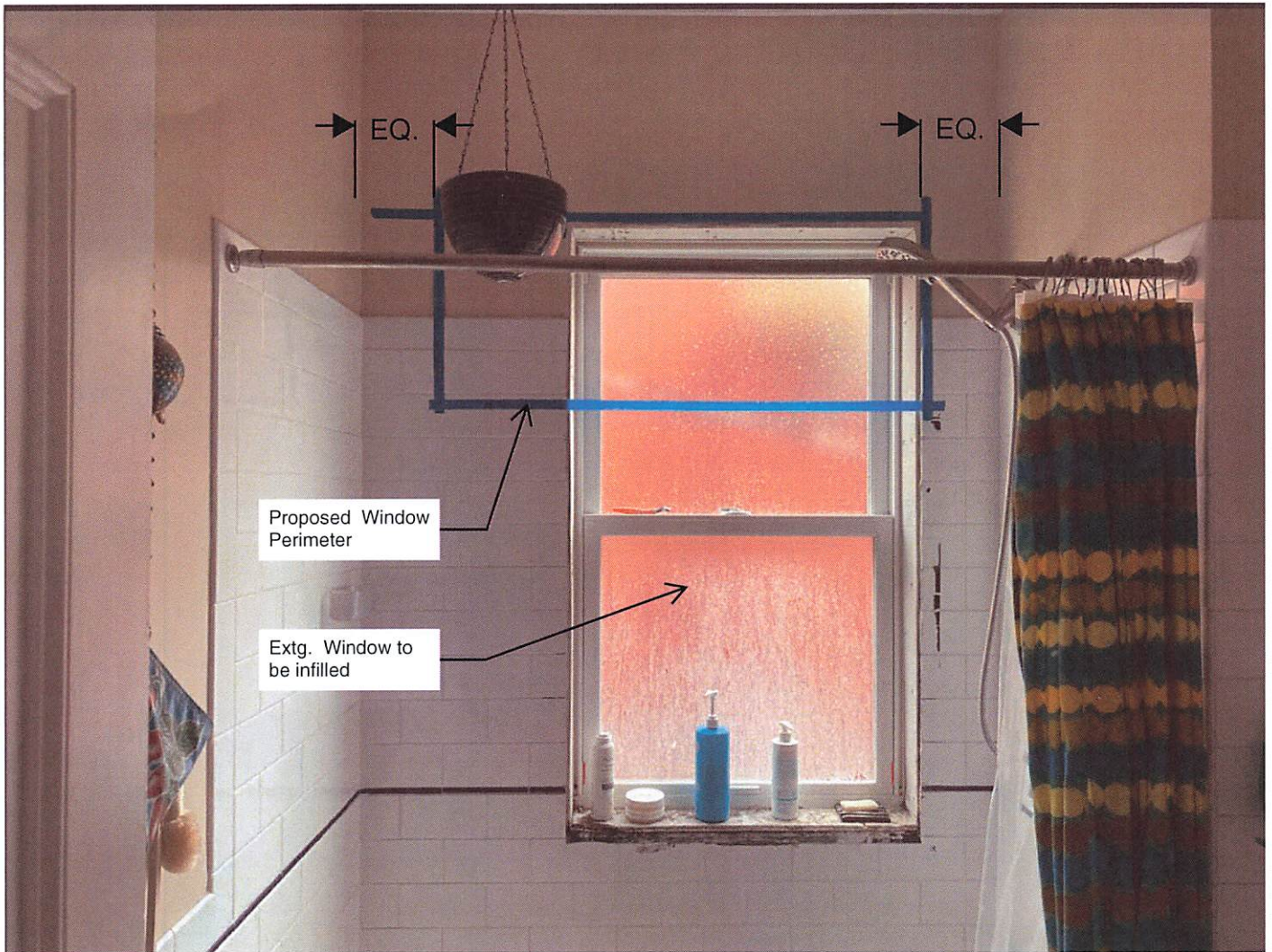


STUBBS  
 55 CHESTNUT STREET. #2  
 CAMBRIDGE, MA

Stubbs  
 Bathroom Reno

Context Photos		A302
Project number	01	
SPECIAL PERMIT	- 08/26/24	
Drawn by	Author	
Checked by	Checker	
		Scale





Special Permit proposal for window alteration:  
 Replace existing double hung window within the shower alcove with a shorter and slightly wider ( +13" ) to raise the sill of the window out of the shower flow and to center the overall window opening within the alcove.

This work to occur as part of a general bathroom renovation as permitted under #260645.

STUBBS 55 CHESTNUT STREET. #2 CAMBRIDGE, MA	<b>Stubbs</b>  <b>Bathroom Reno</b>	<b>Context Photos</b>		
		Project number	01	<b>A303</b>
		SPECIAL PERMIT	- 08/26/24	
		Drawn by	Author	
Checked by	Checker	Scale		

**Date:** 3.4.2024

**Justin Santolucito**  
Just Woodcraft, Inc.  
2464 Massachusetts Avenue, #100  
Cambridge, MA 02140

**Re: 55 Chestnut Street #2 – Bathroom Renovation – Condominium Approval**

Dear Mr. Santolucito,

The Trustees of 55 Chestnut Street Condominiums unanimously approve the scope of work for the proposed bathroom renovation for Unit #2 owned by Daniel and Gail Stubbs.

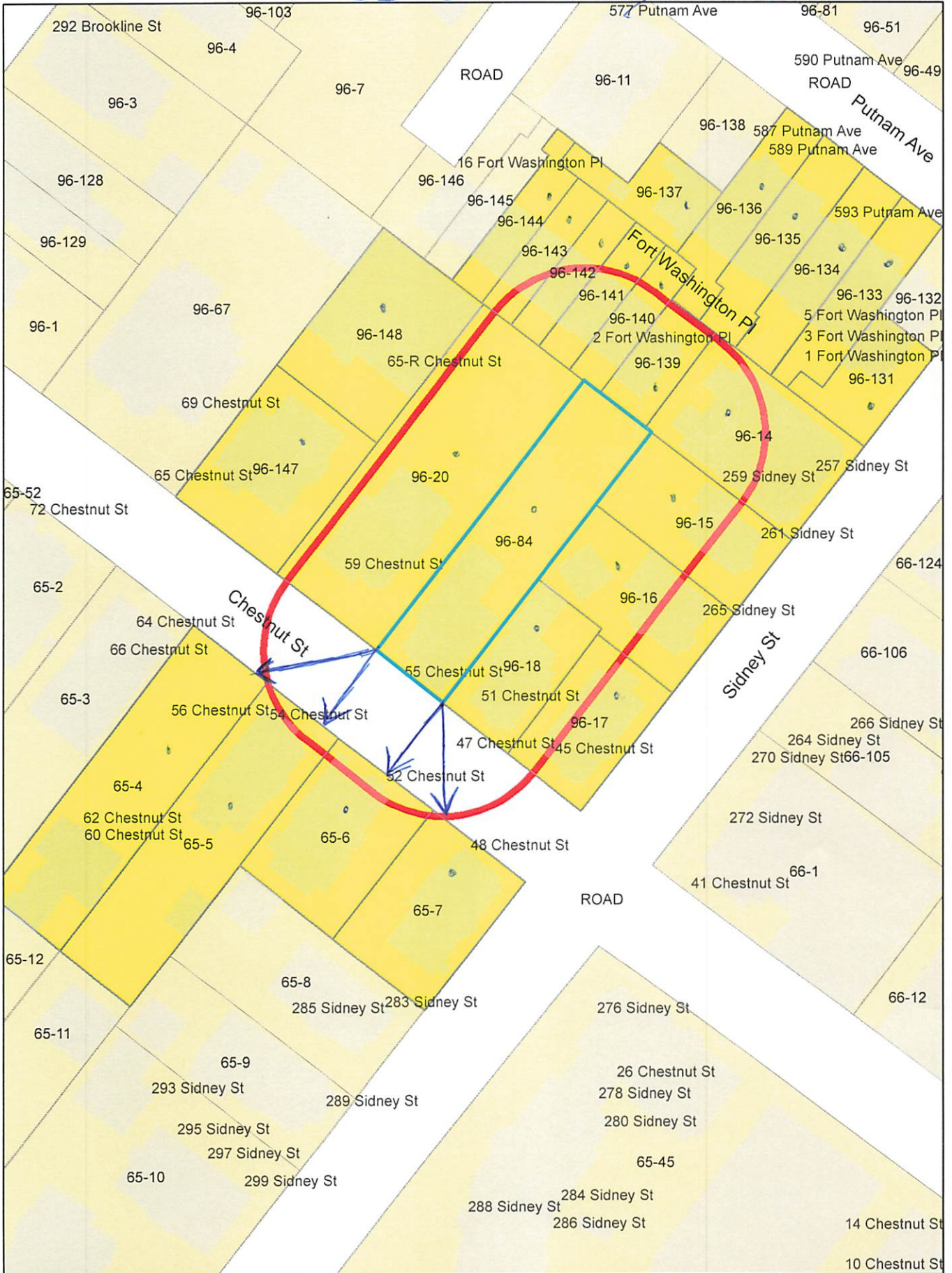
Sincerely,

A handwritten signature in black ink, appearing to read "Dan Stubbs", written over a printed name.

**Dan Stubbs**  
Trustee



55 Chestnut St. #2





55 Chestnut St. #2

Petitioner

96-133  
CHENG, ISAAC SHEE UNG  
595 PUTNAM AVENUE  
CAMBRIDGE, MA 02139

96-137  
MATHEWS, GARY J. & LYDIA CHIANG  
11 FORT WASHINGTON PL  
CAMBRIDGE, MA 02139

96-84  
STUBBS, DANIEL J. & GAIL S. STUBBS  
55 CHESTNUT ST. UNIT 2  
CAMBRIDGE, MA 02139

96-135  
DESAI, BINA J. & JEETEN PATEL  
591 PUTNAM AVE.  
CAMBRIDGE, MA 02139

96-136  
MIT 589 PUTNAM AVE FEE OWNER LLC  
C/O MIT INVESTMENT MANAGEMENT CO  
ONE BROADWAY, 9TH FL. SUITE 200  
CAMBRIDGE, MA 02142

96-141  
BOZAS, ANA MARIA & VLAD ROMASCANU  
6 FT WASHINGTON PL  
CAMBRIDGE, MA 02139

96-144  
CHAN, BRIAN  
12 FORT WASHINGTON PL  
CAMBRIDGE, MA 02139

96-131  
PALLAIS, JUAN CARL AMY E DUWEL TRS  
1 ROCKINGHAM PL  
CAMBRIDGE, MA 02139

96-134  
YU, JEFFERY  
5 FORT WASHINGTON PL., UNIT B  
CAMBRIDGE, MA 02139

96-139  
TALIAFERRO, RYAN D.  
2 FORT WASHINGTON PL  
CAMBRIDGE, MA 02139

96-15  
FARRELL, BRIAN,  
TR. OF THE 261 SIDNEY STREET TRUST  
261 SIDNEY ST  
CAMBRIDGE, MA 02139-4824

96-16  
FLORIO, GLENN  
P O BOX 809  
SHIRLEY, MA 01464-0809

96-17  
PHIPPS, DANIEL & JESSICA B. MURPHY  
45 CHESTNUT ST UNIT 1  
CAMBRIDGE, MA 02139

96-14  
MAZZONE, ANNETTE DUCLOS &  
ANDREW D. MAZZONE  
257 SIDNEY ST., UNIT DUPLEX  
CAMBRIDGE, MA 02139

96-17  
WINCH, JORDAN B.  
45-47 CHESTNUT ST. UNIT 47/3  
CAMBRIDGE, MA 02139

96-147  
BRIGHTMAN, LAURA OBBARD &  
HOWARD S. BRIGHTMAN  
65 CHESTNUT ST  
CAMBRIDGE, MA 02139

96-134  
FREBEL, ANNA LUISE  
593 PUTNAM AVE, UNIT A  
CAMBRIDGE, MA 02139

96-20  
GOLDSTEIN, H. SUSAN  
59 CHESTNUT ST  
CAMBRIDGE, MA 02139-4835

65-6  
CARSON, KENNETH L. & SALLY ORR FOSTER  
52 CHESTNUT ST.  
CAMBRIDGE, MA 02139-4836

65-7  
ALPERS, JANE E., TRS  
48 CHESTNUT ST  
CAMBRIDGE, MA 02139

96-148  
CAMBRIDGEPORT CHILD CARE, INC  
65R CHESTNUT ST  
CAMBRIDGE, MA 02139

96-143  
HASSAN-ZAHRAEE, MINA, TRUSTEE  
10 FORT WASHINGTON PL  
CAMBRIDGE, MA 02139

65-4  
DOURMASHKIN, PTER ANDREW &  
DOROTHEA F. CAGOL  
60-62 CHESTNUT ST.  
CAMBRIDGE, MA 02139-4836

65-5  
MCGANNON, JOHN P. III  
56 CHESTNUT ST  
CAMBRIDGE, MA 02139-4836

96-18  
PEARSON, MICHAEL A. &  
JULIE H. TOWNSEND  
51 CHESTNUT ST, UNIT 2  
CAMBRIDGE, MA 02139

96-18  
TOWNSEND, KATHERINE  
TRUSTEE OF TOWNSEND FAM TR.  
51 CHESTNUT ST  
CAMBRIDGE, MA 02139

96-142  
BANIECKI MARY L  
8 FORT WASHINGTON PL  
CAMBRIDGE, MA 02139

96-17  
COLLINS, JAMIE BRENDAN NOONAN  
47 CHESTNUT ST - UNIT 2  
CAMBRIDGE, MA 02139

96-140  
DELGRANDE, PATRICIA  
TR. OF THE PATRICIA DELGRANDE LIVING TR  
2722 PINE ST  
SAN FRANCISCO, CA 94115

96-14  
JADHAV, VASANT VAISHALI & SHREY JADHAV  
257 SIDNEY ST - UNIT A  
CAMBRIDGE, MA 02139

55 Chestnut St. # 2

96-14  
STEINKELLER, PIOTR JENAI  
WU STEINKELLER TRS  
257 SIDNEY ST UNIT B  
CAMBRIDGE, MA 02139