

# **CITY OF CAMBRIDGE**

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139
2023 NOV 16 AM II: 57

617-349-6100

## **BZA Application Form**

**BZA Number: 245989** 

### **General Information**

The undersigned	hereby petitions t	he Board of Zoning	Appeal for the followi	ng:
Special Permit: _	X	Variance:		Appeal:
PETITIONER: 5	Channing Street	LLC C/O Robert Pu	<u>ırdy</u>	
PETITIONER'S A	DDRESS: 15 We	estwood Road, Som	erville MA, 02143, So	merville, MA 02143
LOCATION OF P	ROPERTY: 5 Ch	anning St , Cambr	idge, MA	
TYPE OF OCCU	PANCY: Single Fa	amil <u>y</u>	ZONING DISTRIC	T: Residence A-1 Zone
REASON FOR P	ETITION:			
/Additions/ /Cha	nge in Use/Occup	oancy//Dormer/		
DESCRIPTION	OF PETITIONI	ER'S PROPOSAL:		
			ming addition to an ex the nature of the existi	kisting non-conforming Single Faming nonconformity.
SECTIONS OF Z	ONING ORDINA	NCE CITED:		
Article: 8.000 Article: 5.000 Article: 10.000		d (Non-Conforming able of Dimensiona Special Permit).		
		Original Signature(s):	Ro	hert Micely Petitioner (s) / Owner)
			ROBERT	PURDY (Print Name)
		Address: Tel. No.	15 WESTWOOD 6177334425	RD, SOMEDUILLE MA

E-Mail Address:

purdyconstruction@yahoo.com

1/4

Date: 11/14/23

#### 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 5 Channing Street LLC c/o Robert Purdy
(OWNER)
Address: 15 Westwood Road, Somerville MA 02143
State that I/We own the property located at 5 Channing Street, Cambridge MA,
which is the subject of this zoning application.
The record title of this property is in the name of 5 Channing Street LLC
*Pursuant to a deed of duly recorded in the date11/18/2022, Middlesex South
County Registry of Deeds at Book80968 _, Page00110 _; or
Middlesex Registry District of Land Court, Certificate No
BookPage
*Written evidence of Agent's standing to represent petitioner may be requested.
Commonwealth of Massachusetts, County of
The above-name Robbert Purot personally appeared before me,
thisof, 20_23, and made oath that the above statement is true.  Bouch in ission 5: 20.20   13.20.
My commission expires 5.13.2021 (Notary Seal Notary Publication ALTH OF MARKET)
• 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>5 Channing St</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:

MGL Chapter 40a, Section 6 and Article 8 Section 8.22.2.d of the Cambridge Zoning Ordinance allow for the alteration or enlargement of existing nonconforming structures where no new dimensional nonconformity is created, provided that the BZA determine that the proposed alteration is not substantially more detrimental to the neighborhood than the existing nonconforming structure. The proposed alterations and extensions at 5 Channing Street are not more detrimental than the existing non-conforming structure for the following reasons: 1. The proposed addition / alterations conform to the dimensional requirements of the A-1 Zoning District, 2. Existing setback violations in the right Side Yard of the property have been eliminated, 3. The renovations / alterations do not increase the non-conforming nature of the structure, and 4. The proposed Single Family is consistent with the development patterns in the surrounding neighborhood.

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:

The proposed development will not alter patterns of access or egress given that the driveway and curb cut will remain in their current location. No increase in congestion hazard will be created because the number of dwelling units in the proposed project will not be increased.

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 driveway curb cut will remain it exists allowing traffic patterns to remain the same. The proposed parking spaces will be in the same general location as the existing parking spaces maintaining existing relationships to adjacent uses. The proposed addition will conform to the dimensional requirements of the 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:

Open Space will be retained and meet the district requirements. Traffic patterns and driveway ingress and egress will remain consistent for the adjacent residents. There will be no hazard or nuisance created by the requested relief.

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 addition, driveway and parking design are consistent with other uses in the neighborhood and the larger district. The intensity of the use of this single family dwelling will not

√ 11/14/2-8, 1:04 PM about:blank

change. The proposed addition and site planning will conform to the dimensional requirements of the district.

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

about:blank 11/14/23, 1:04 PM

## **BZA Application Form**

#### **DIMENSIONAL INFORMATION**

Applicant: 5 Channing Street LLC

5 Channing St, Cambridge, MA Location:

Phone:

6177334425

Present Use/Occupancy: Single Family

Zone: Residence A-1 Zone

Requested Use/Occupancy: Single Family

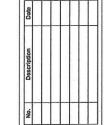
		Existing Conditions	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		3059	3615	3617	(max.)
LOT AREA:		7234	7234	8000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>		.42	.50	.50	
LOT AREA OF EACH DWELLING UNIT		7234	7234	6000	
SIZE OF LOT:	WIDTH	51.67	51.67	80	
	DEPTH	140	140	n/a	
SETBACKS IN FEET:	FRONT	29.7'	28.3'	25'	
	REAR	63.4'	39.08'	35'	
	LEFT SIDE	6.2'	6.2'	7.5'	
	RIGHT SIDE	0'	12.16'	7.5'	
SIZE OF BUILDING:	HEIGHT	32.3'	32.9'	35'	
	WIDTH	42.3'	66.6'	n/a	
	LENGTH	45.5'	33.3'	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		67.7%	55.8%	50%	
NO. OF DWELLING UNITS:		1	1	1	
NO. OF PARKING SPACES:		1	1	0	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		n/a	n/a	10'	

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.:

There are no other structures on the lot.

- 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'.**

2024 JAN 22 P 3: 29





**5 CHANNING STREET** 

**REVISED 01.21.24** 

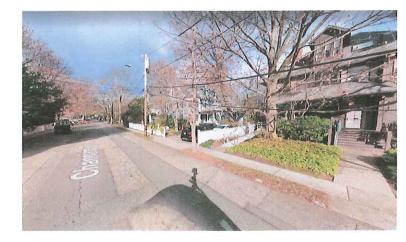
5 CHANNING STREET

COVER

22-060

BZA SPECIAL PERMIT DOCUMENTS















THIS SITE --



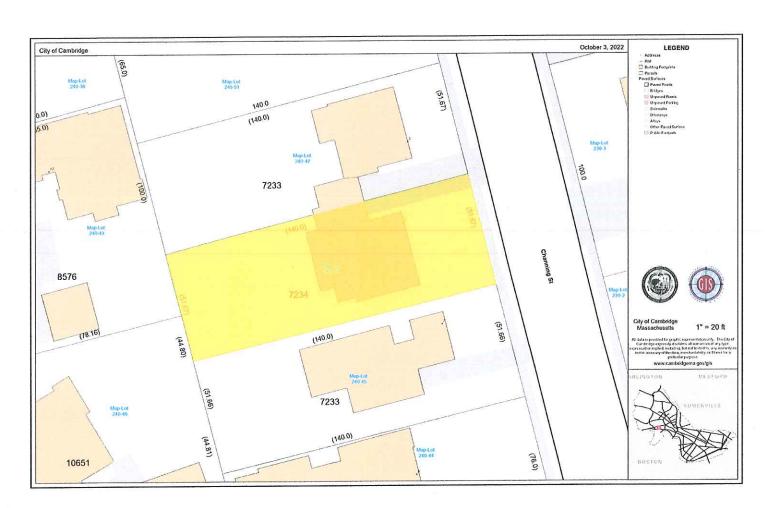


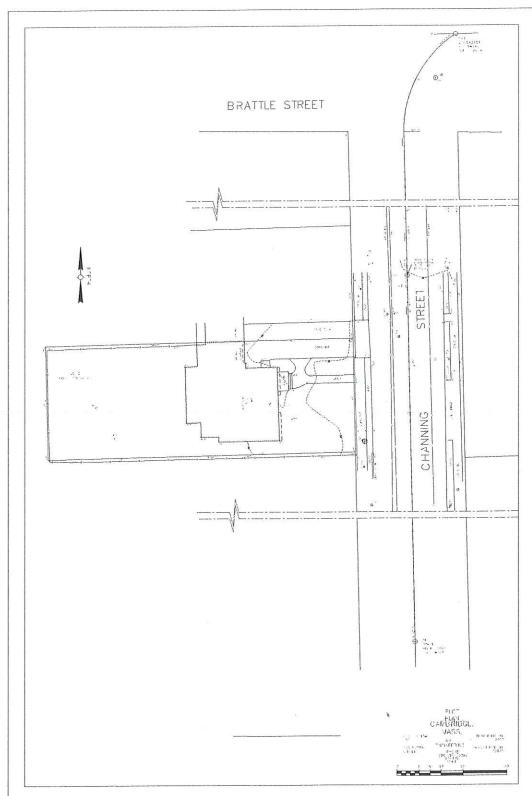


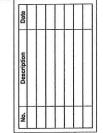


5 CHANNING STREET CONTEXT IMAGES

BZA SPECIAL PERMIT DOCUMENTS





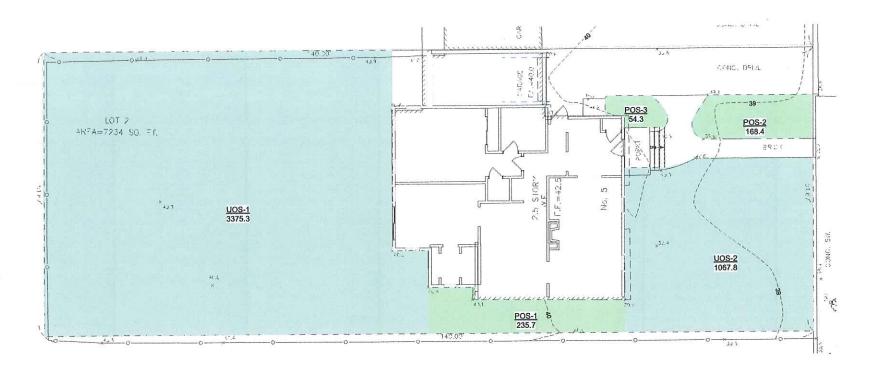




SITE SURVEY AND ASSESSORS MAP

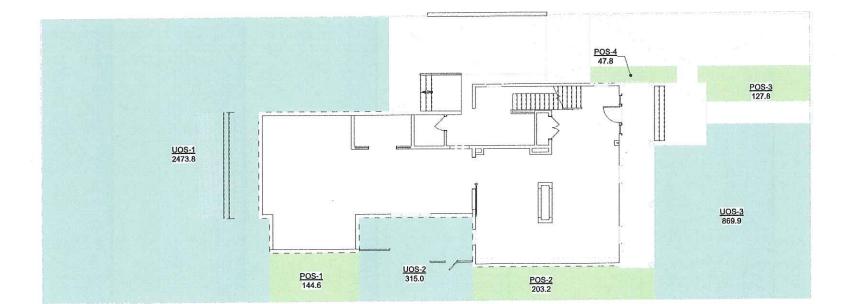
5 CHANNING STREET 22-060 1" = 20'-0"

BZA SPECIAL PERMIT DOCUMENTS



EXISTING	OPEN SPACE	
Nome	AREA	% LOT AREA
15 X 15		
UOS-1	3,375,3 SF	46.7%
UOS-2	1,067.8 SF	14.8%
PERMEABLE		
POS-1	235.7 SF	3.3%
POS-2	168.4 SF	2.3%
POS-3	54.3 SF	0.8%
TOTAL OPEN SPACE	4.901.5 SF	67.8%





PROPOSE	D OPEN SPACE	
Name	AREA	% LOT AREA
15' X 15'		
UOS-1	2,473.8 SF	34.2%
UOS-2	315.0 SF	4.4%
UOS-3	847.9 SF	12.0%
PER/MEABLE		
POS-I	144.6 SF	2.0%
POS-2	203.2 SF	2.8%
PO\$-3	127.8 SF	1.8%
POS-4	47.8 SF	0.7%
TOTAL OPEN SPACE	4,182.0 SF	57.8%
REQUIRED OPEN SPACE	3617.SF	50%





OPEN SPACE DIAGRAMS 5 CHANNING STREET

22-060 1/8" = 1'-0" 01/21/24

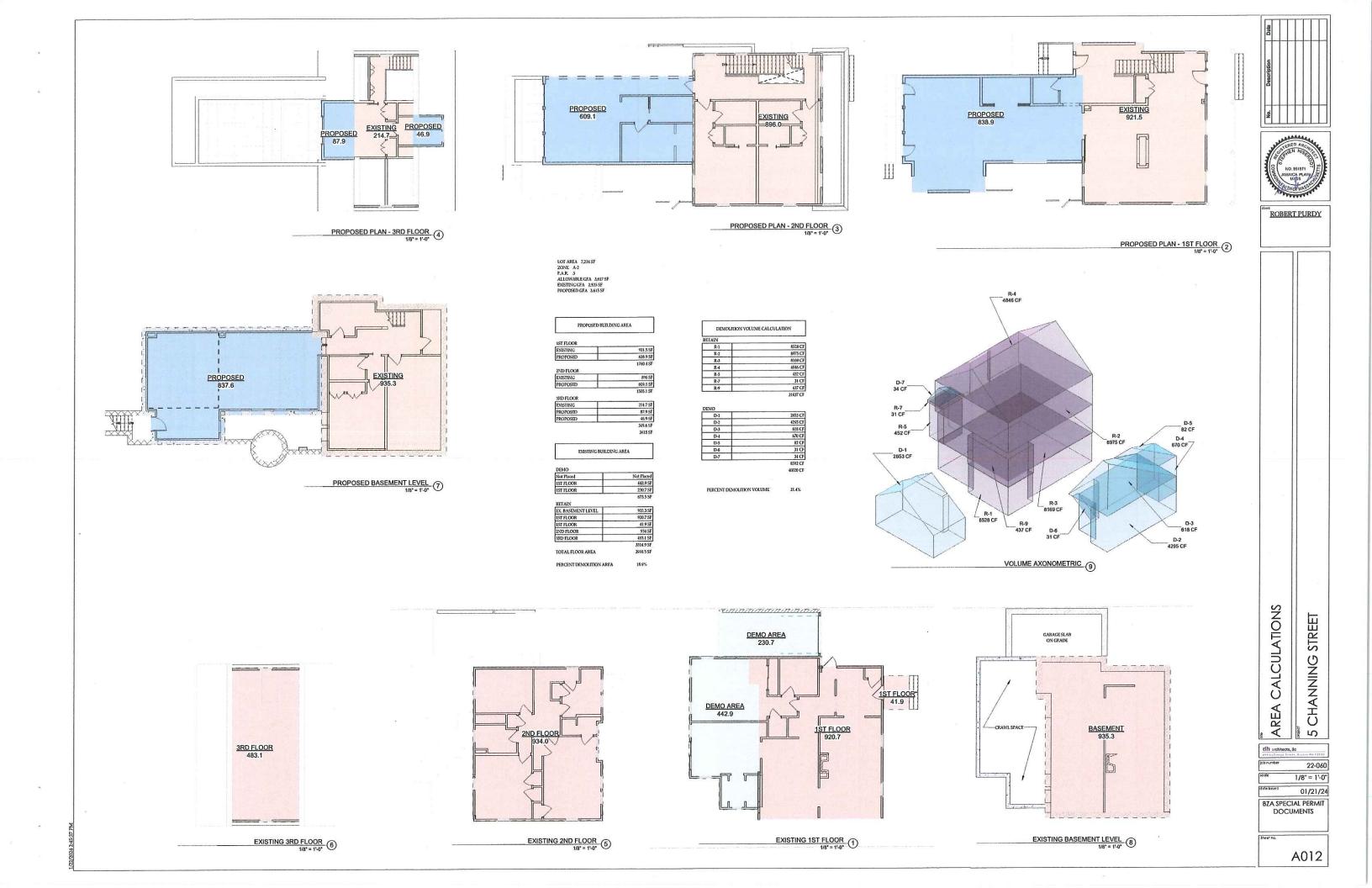
BZA SPECIAL PERMIT DOCUMENTS

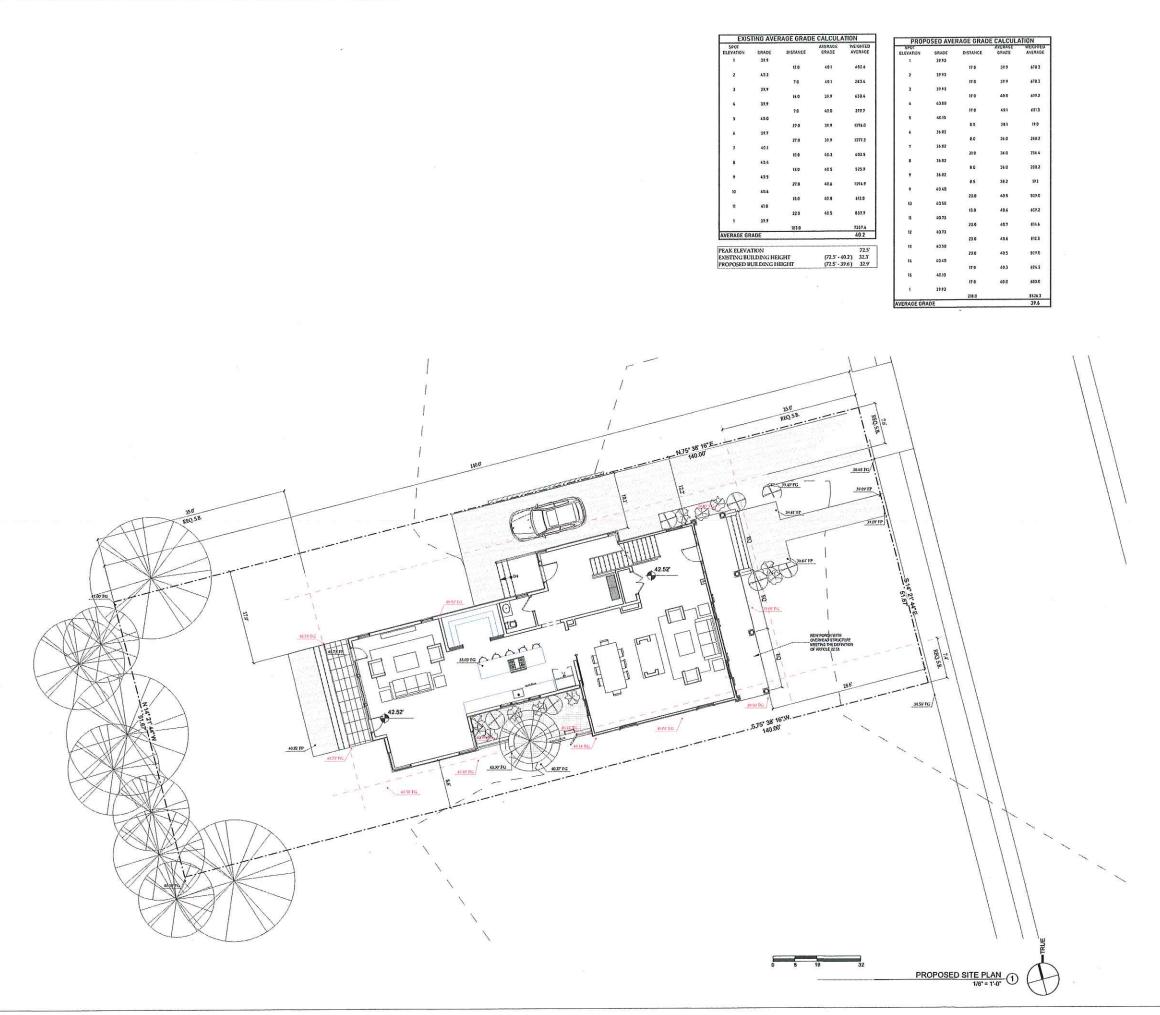
A011

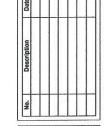
PROPOSED - OPEN SPACE 2

EXISTING - OPEN SPACE

1/8" = 1'-0"





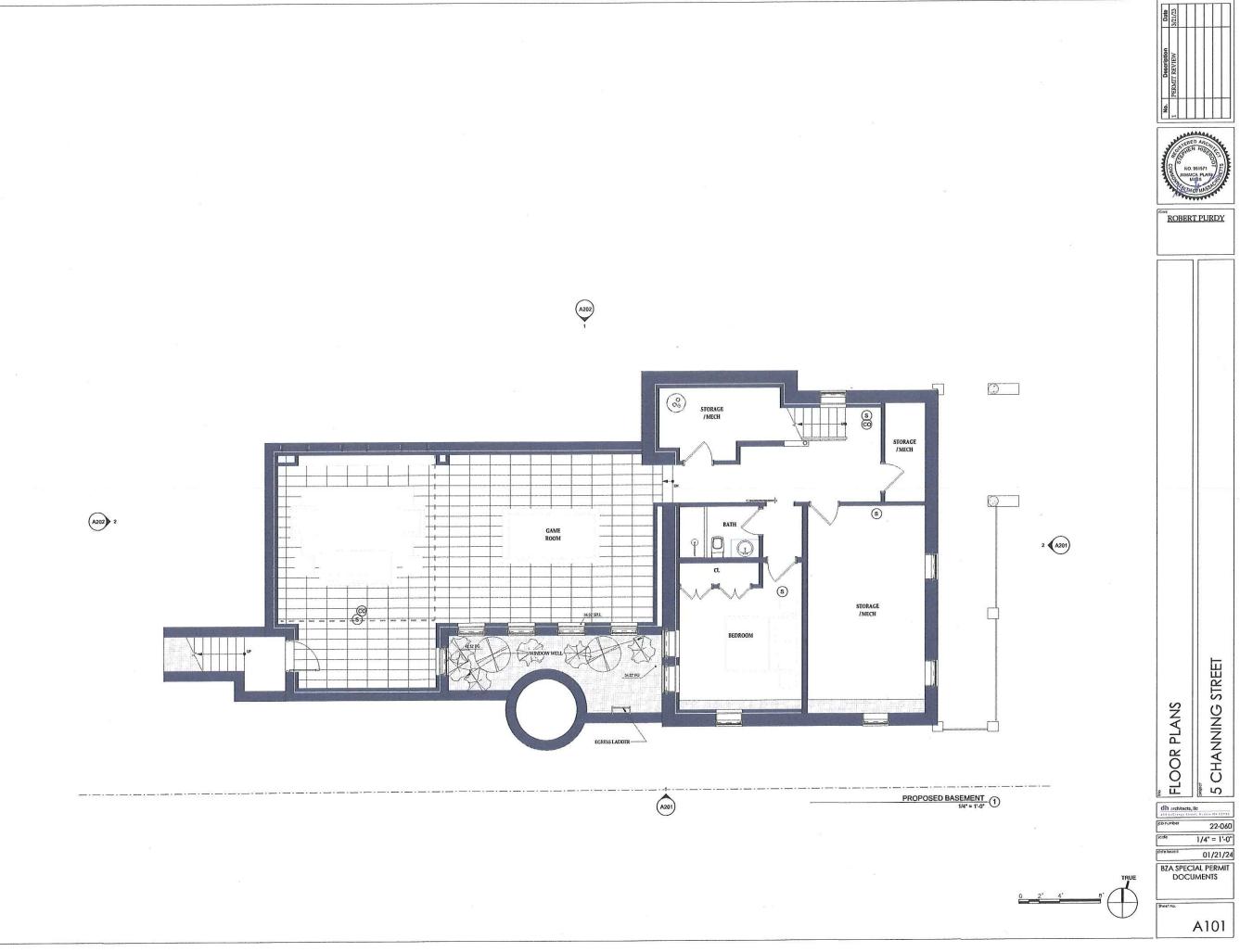




5 CHANNING STREET SITE PLAN

22-060 1/8" = 1'-0"

01/21/24 BZA SPECIAL PERMIT DOCUMENTS

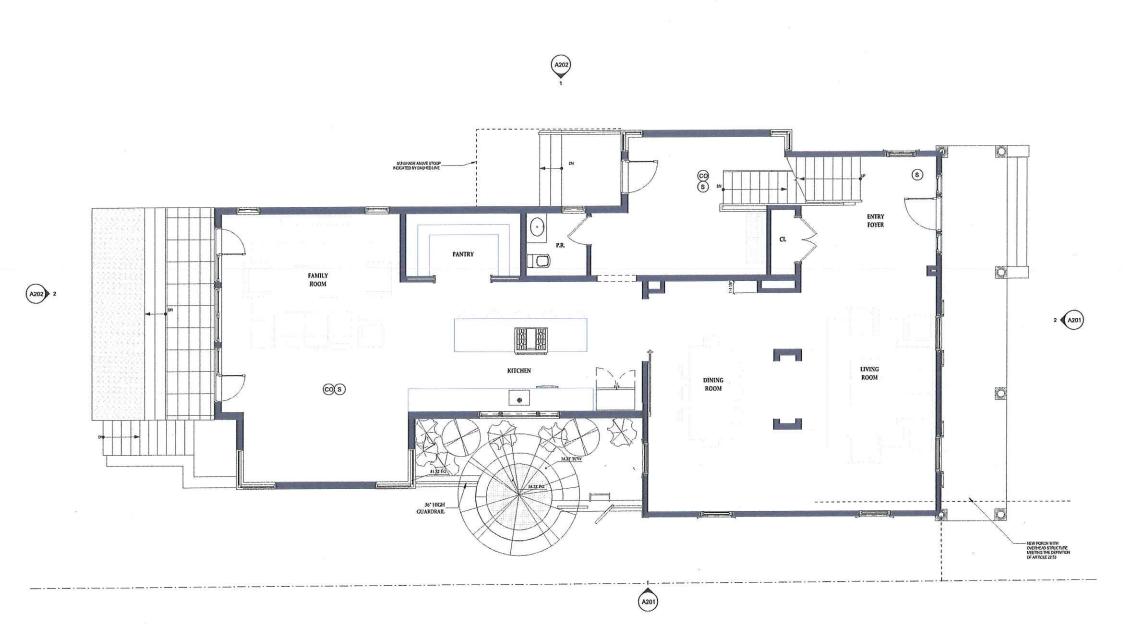




KEYNOTES







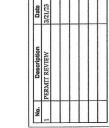
FLOOR PLANS
FECT

5 CHANNING STREET

22-060 1/4" = 1'-0" 01/21/24

BZA SPECIAL PERMIT DOCUMENTS

KEYNOTES





s e 2 (A201) PORCH COVER / SUN-SHADE MEETING THE DEFINITION ARTICLE 22.53 - EXCLUDED FROM GFA CALCULATION

A201

A202 2



22-060 1/4" = 1'-0"

FLOOR PLANS

BZA SPECIAL PERMIT DOCUMENTS

A103

5 CHANNING STREET

KEYNOTES 3 MECH A202 2 MECH OPEN TO BELOW 1'-7 7/8' A201 PROPOSED 3RD FLOOR
1/4" = 1'-0"



5 CHANNING STREET FLOOR PLANS

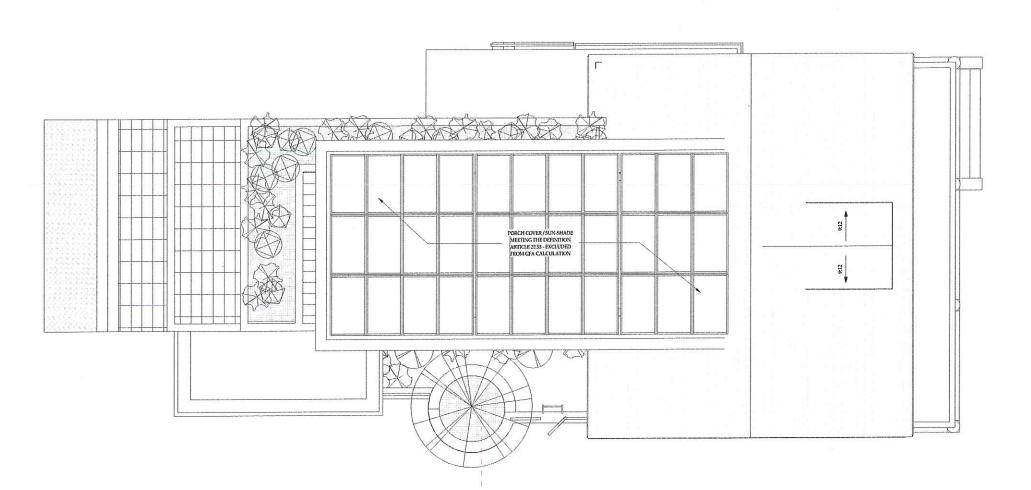
22-060 1/4" = 1'-0"

01/21/24 BZA SPECIAL PERMIT DOCUMENTS

KEYNOTES







ROOF PLAN (1)

	1
	1
	0
	ш
	0
	ŏ
	$\sim$
1	lub.

5 CHANNING STREET 22-060 1/4" = 1'-0"

01/21/24 BZA SPECIAL PERMIT DOCUMENTS



PACTION INVANCE
MINISTER INVANCE
MINISTE

PROPOSED LEFT ELEVATION

1/4"= 1'-0"

1)





ROBERT PURDY

ROBERT PURD

PROPOSED ELEVATIONS
5 CHANNING STREET

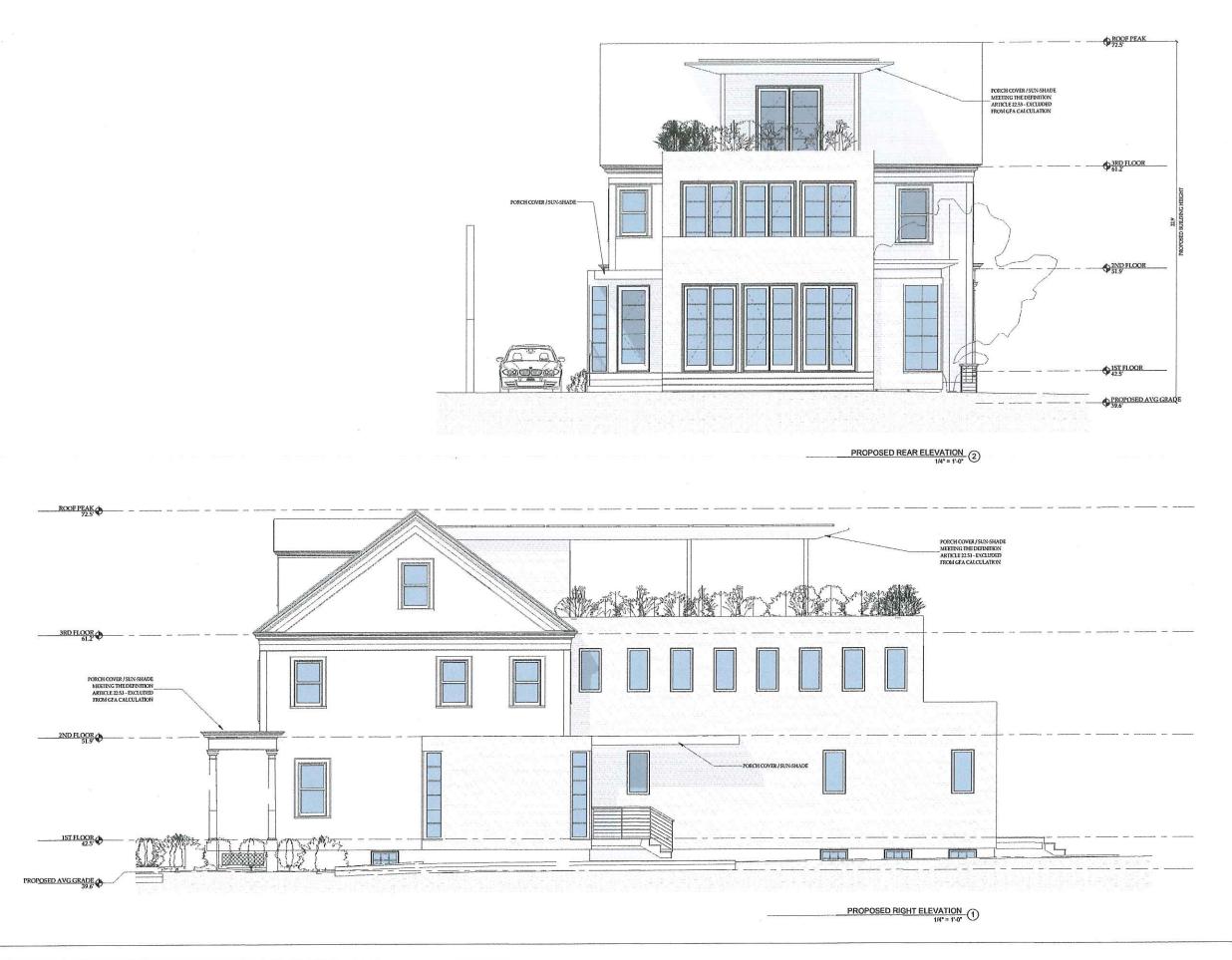
dh architects, lic

scale 1/4" = 1'-0"

Gala issued 01/21/24

BZA SPECIAL PERMIT DOCUMENTS

Sheetr



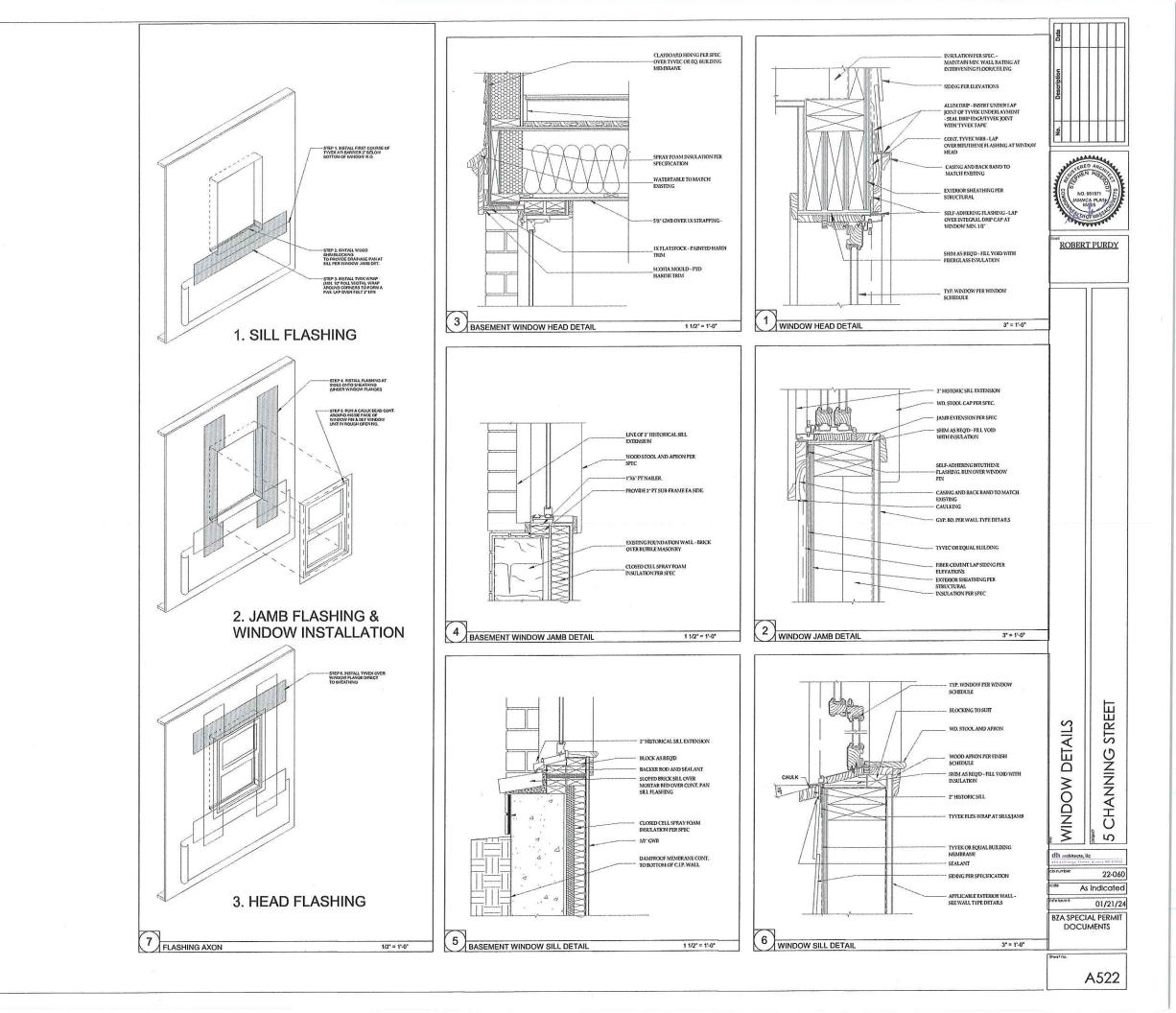


PROPOSED ELEVATIONS
FROM STREET

22-060

01/21/24

BZA SPECIAL PERMIT DOCUMENTS













BZA SPECIAL PERMIT DOCUMENTS

dh architects, lic

EXISTING ELEVATIONS

5 CHANNING STREET

22-060 3/16" = 1'-0"

01/21/24

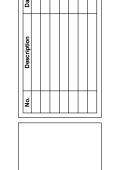
R201

			No. Description Date
			dient ROBERT PURD
			COVER SOCIET STREET
		5 CHANNING STREET	dh architects, lic ass subsequent states while 22-4 scale  date issued 10/09
23 5-01-52 PM			CAMBRIDGE BZ/ SPECIAL PERMIT







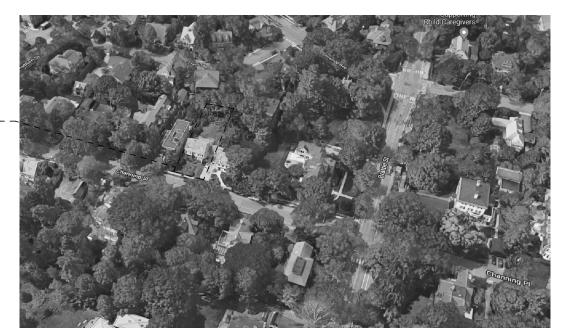








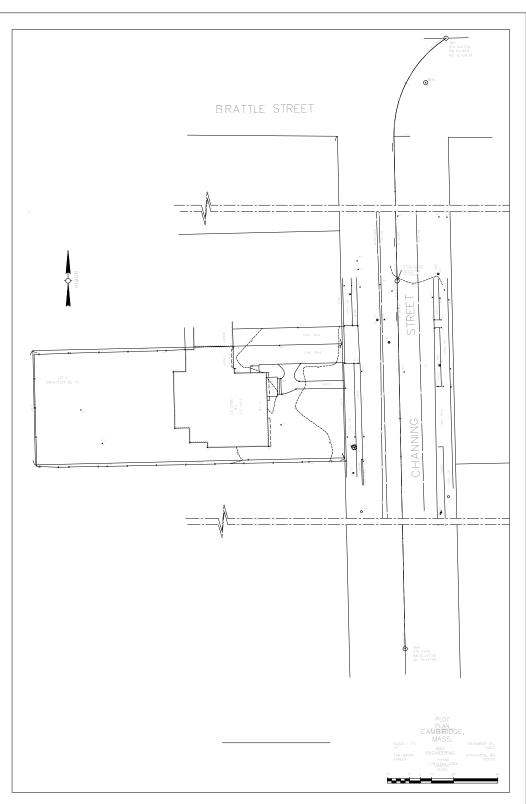




THIS SITE -

5 CHANNING STREET **CONTEXT IMAGES** 

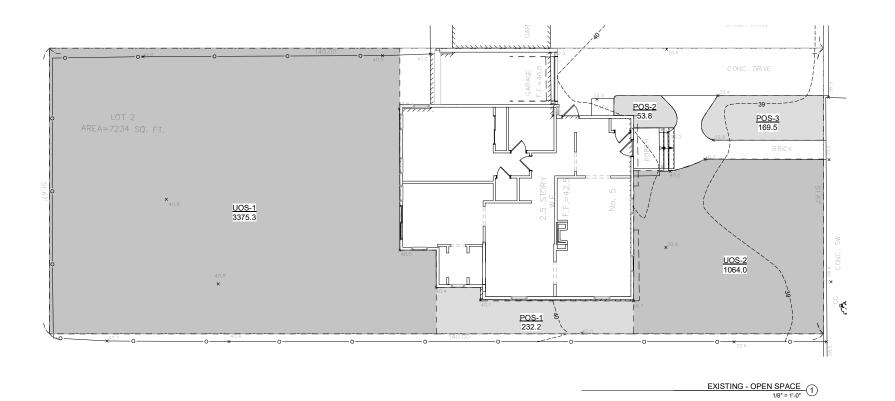




SITE SURVEY AND ASSESSORS MAP
SITE SURVEY AND ASSESSORS MAP
5 CHANNING STREET

22-060 1" = 20'-0"

CAMBRIDGE BZA SPECIAL PERMIT



UOS-2 336.3

POS-2 197.6

POS-1 130.4

<u>UOS-1</u> 2357.9

	EXISTING	OPEN SPACE	
Name		AREA	% LOT AREA
15' X 15'			
	UOS-1	3,375.3 SF	46.7%
	UOS-2	1,064.0 SF	14.7%
PERMEABLE			
	POS-1	232.2 SF	3.2%
	POS-2	53.8 SF	0.7%
	POS-3	169.5 SF	2.3%
TOTAL OPEN SPACE		4.894.8 SF	67.7%

POS-3 144.4

UOS-3 870.4

PROPOSED - OPEN SPACE

1/8" = 1'-0"

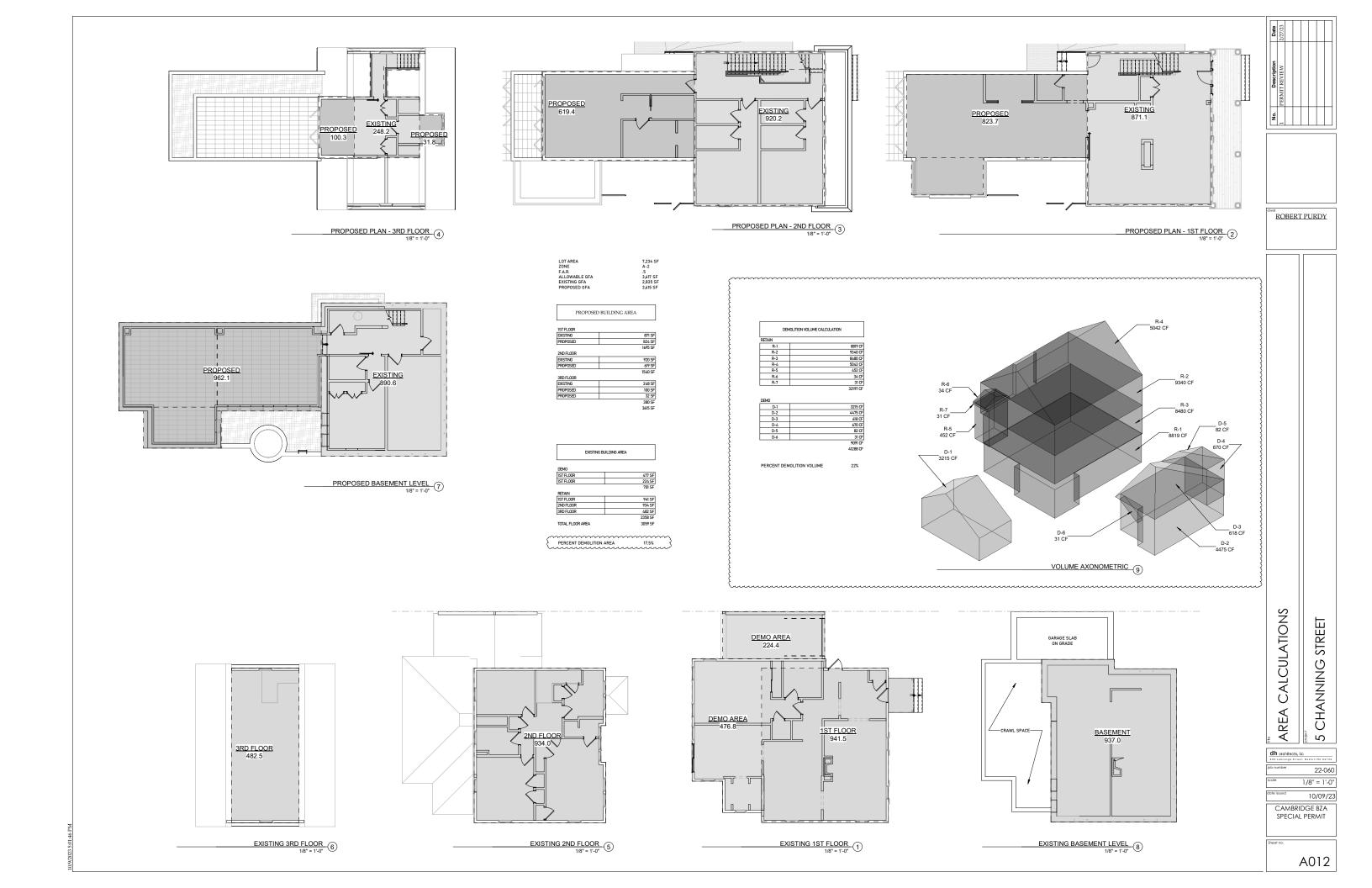
2

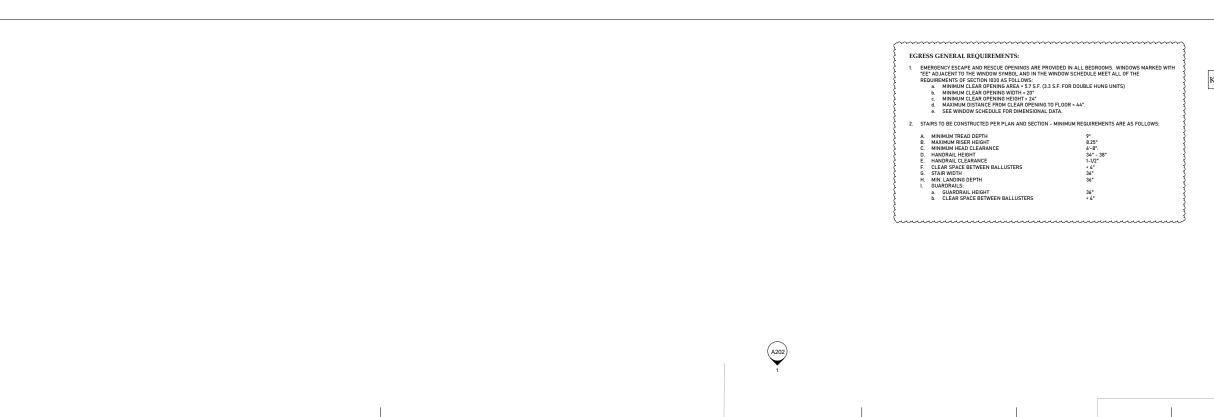
ž			Ш	
client Re	OBERT	PU	RDY	(
1		1		

_	AREA	% LOT AREA
-1	2,357.9 SF	32.6%
	336.3 SF	4.6%
-2	870.4 SF	12.0%
Т		
-1	130.4 SF	1.8%
-2	197.6 SF	2.7%
-3	144.4 SF	2.0%
Т	4,036.9 SF	55.8%

© OPEN SPACE DIAGRAMS	5 CHANNING STREET
dh architects,	UC et, Boston MA 02132
job number	22-060
scale	1/8" = 1'-0"
date issued	10/09/23
CAMBRI	DGE B7 A

CAMBRIDGE BZA SPECIAL PERMIT





3

GAME ROOM

MEDIA ROOM

4

D - -

A202 2

KEYNOTES

S

 $\bigcirc$ s

STORAGE / MECH

011

BATH #4

33.52

S

(X3)

A201)

UTIL



ROBERT PURDY



0 2' 4' 8'

(X1)

PROPOSED BASEMENT
1/4" = 1'-0"

SPECIAL PERMIT

CAMBRIDGE BZA

A101

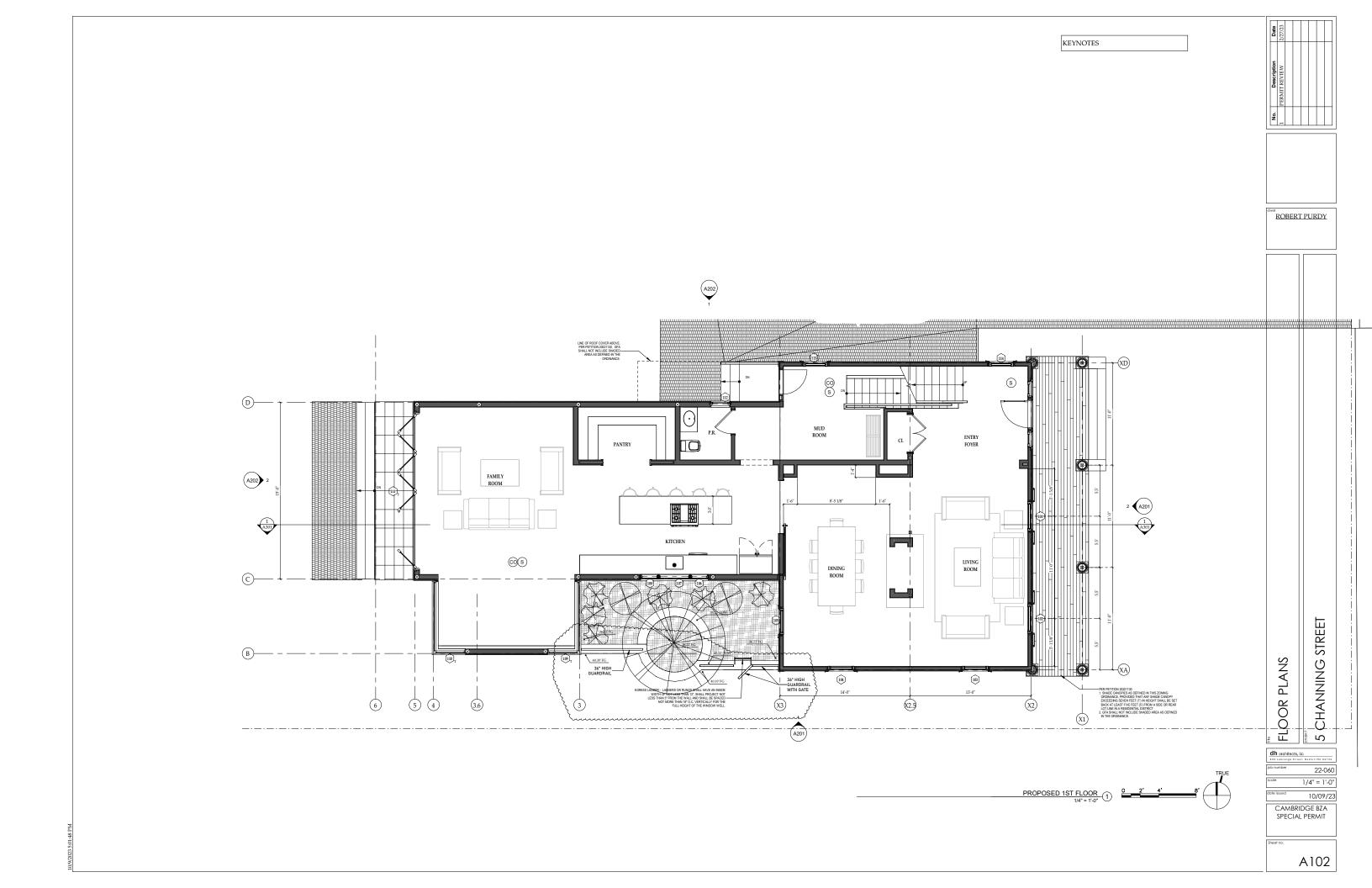
CHANNING STREET

2

22-060 1/4" = 1'-0" 10/09/23

FLOOR PLANS

dh architects, llc



KEYNOTES A202 223 216 217  $\bigcirc$ (S) (CO) A202 2 MASTER BATH 208<sub>T</sub> 211 210 BEDROOM #2 BEDROOM #1 PROPOSED 2ND FLOOR
1/4" = 1'-0"

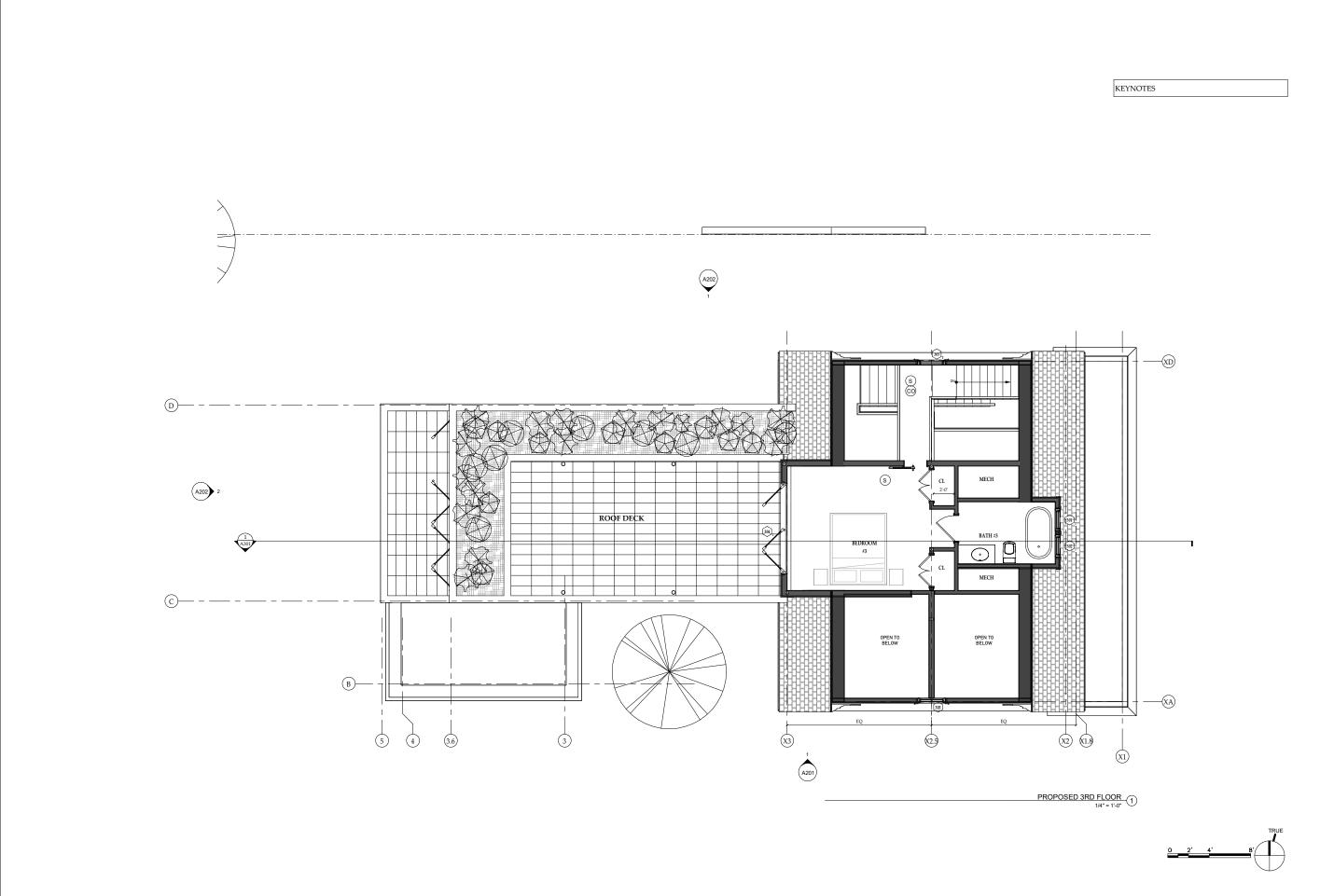
ROBERT PURDY

SECOND FLOOR PLAN

5 CHANNING STREET

22-060 1/4" = 1'-0"

CAMBRIDGE BZA
SPECIAL PERMIT



5 CHANNING STREET THIRD FLOOR PLAN

22-060

CAMBRIDGE BZA SPECIAL PERMIT

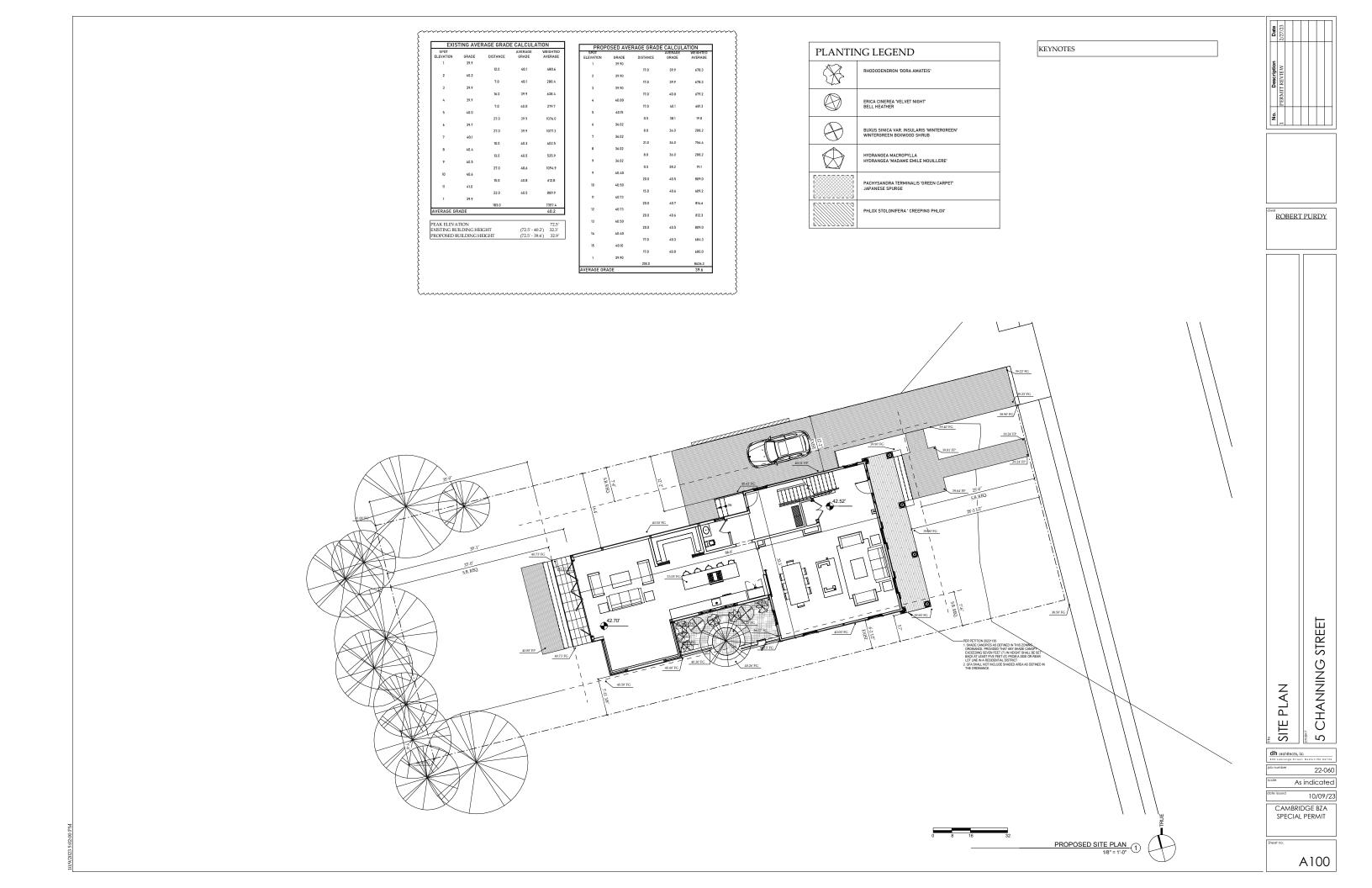
KEYNOTES A202 2 2 (A201) ROOF PLAN  $(\chi_1)$ 5 4 6 X2 X1.8 ROOF PLAN 1/4" = 1'-0"

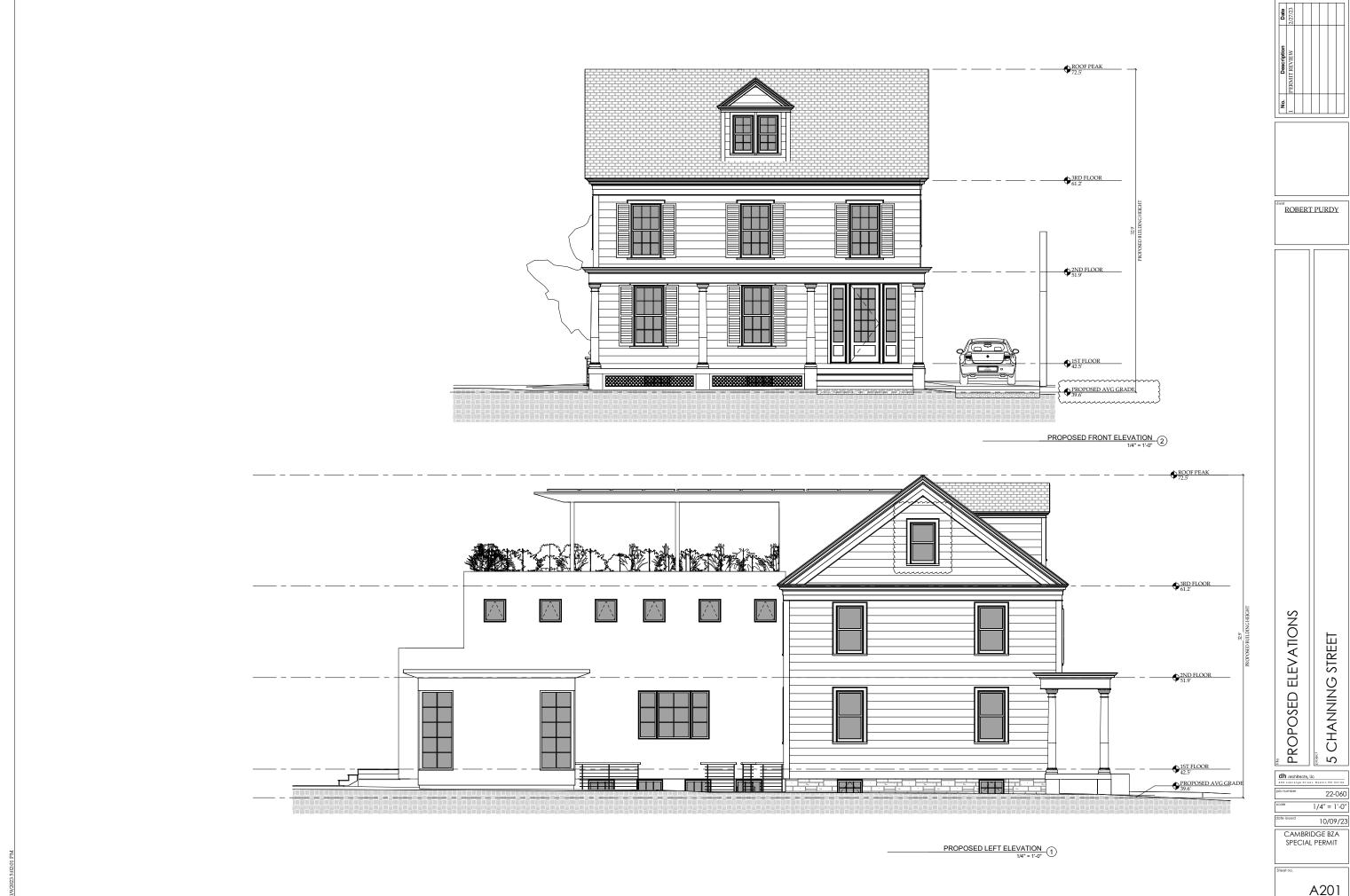
ROBERT PURDY

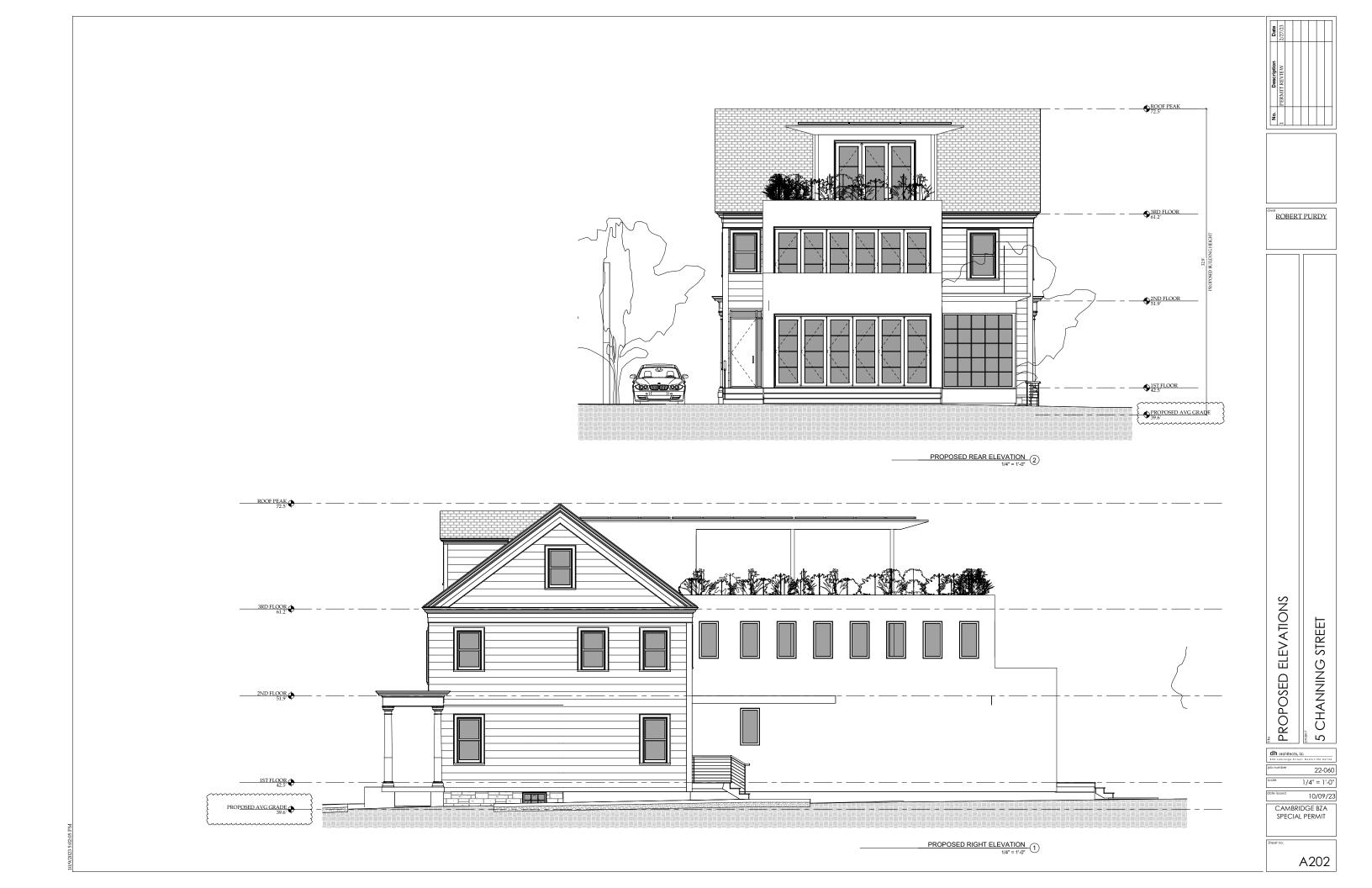
5 CHANNING STREET

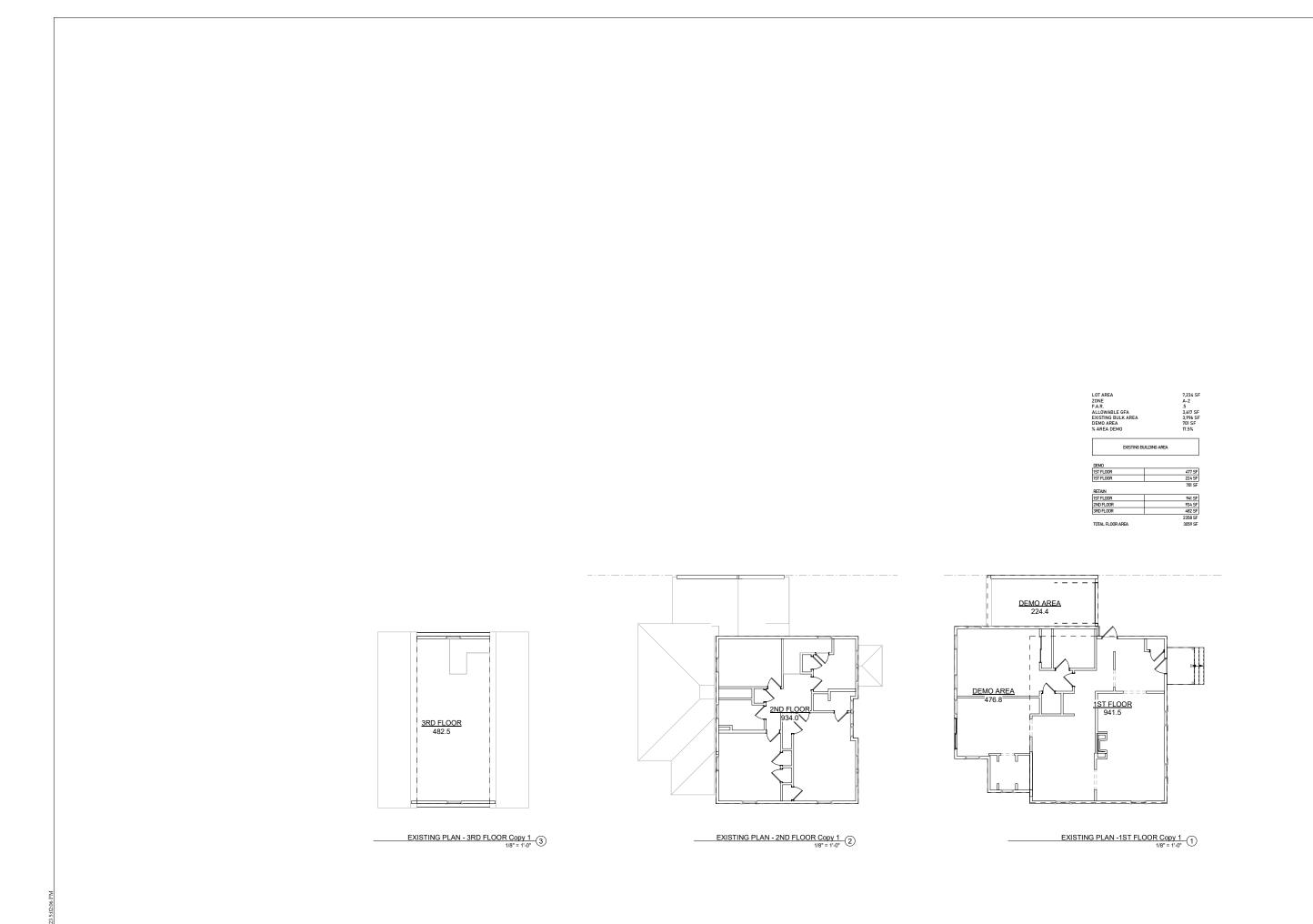
22-060

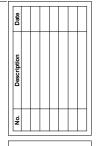
CAMBRIDGE BZA SPECIAL PERMIT











ROBERT PURDY

EXISTING AREA AND DEMOLITION CALCULATION

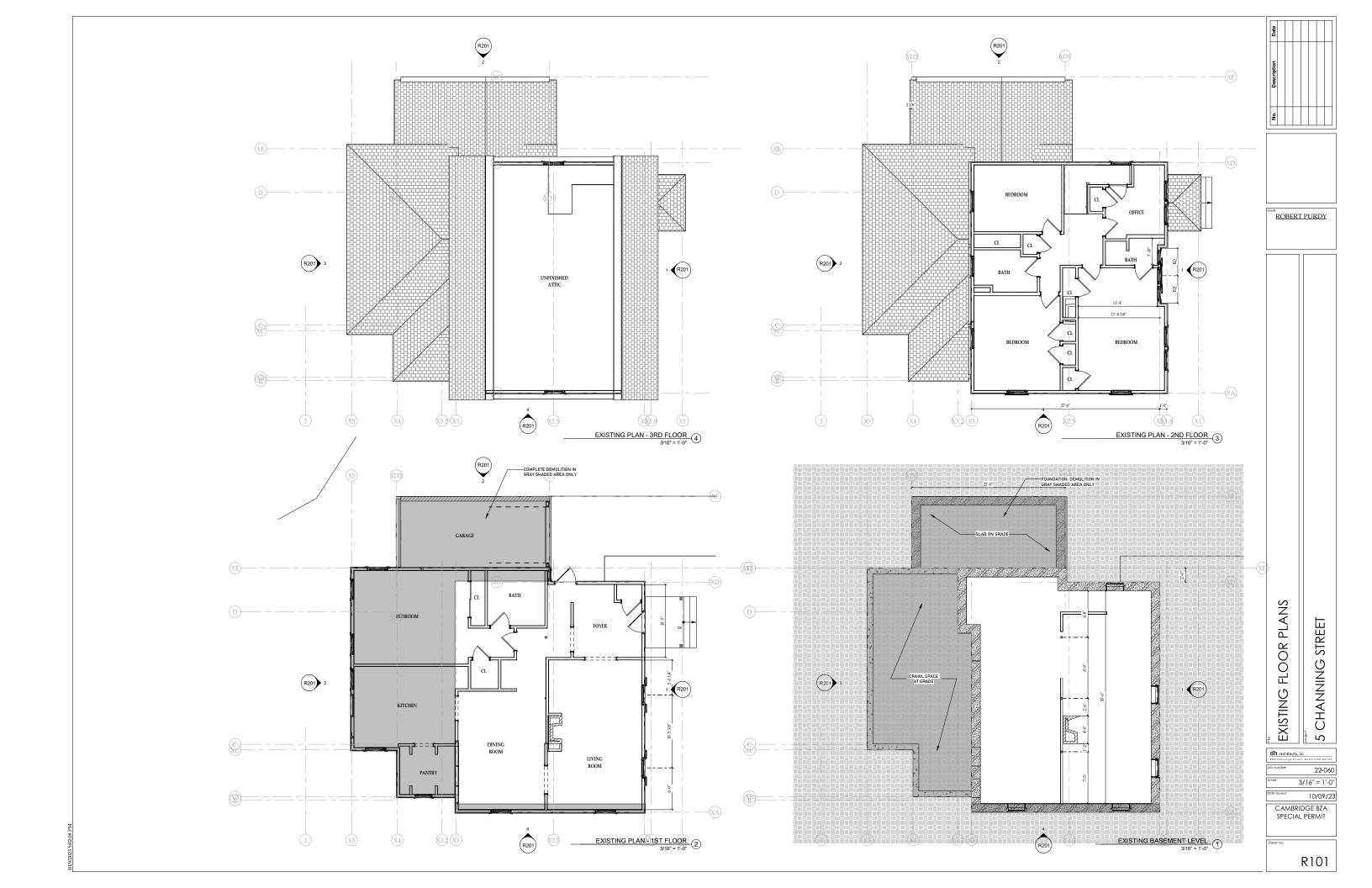
COMPANY STATE STATE AND STATE STATE STATE AND STATE STATE

1/8" = 1'-0" e issued 10/09/23

CAMBRIDGE BZA SPECIAL PERMIT

\_

R011





ROBERT PURDY

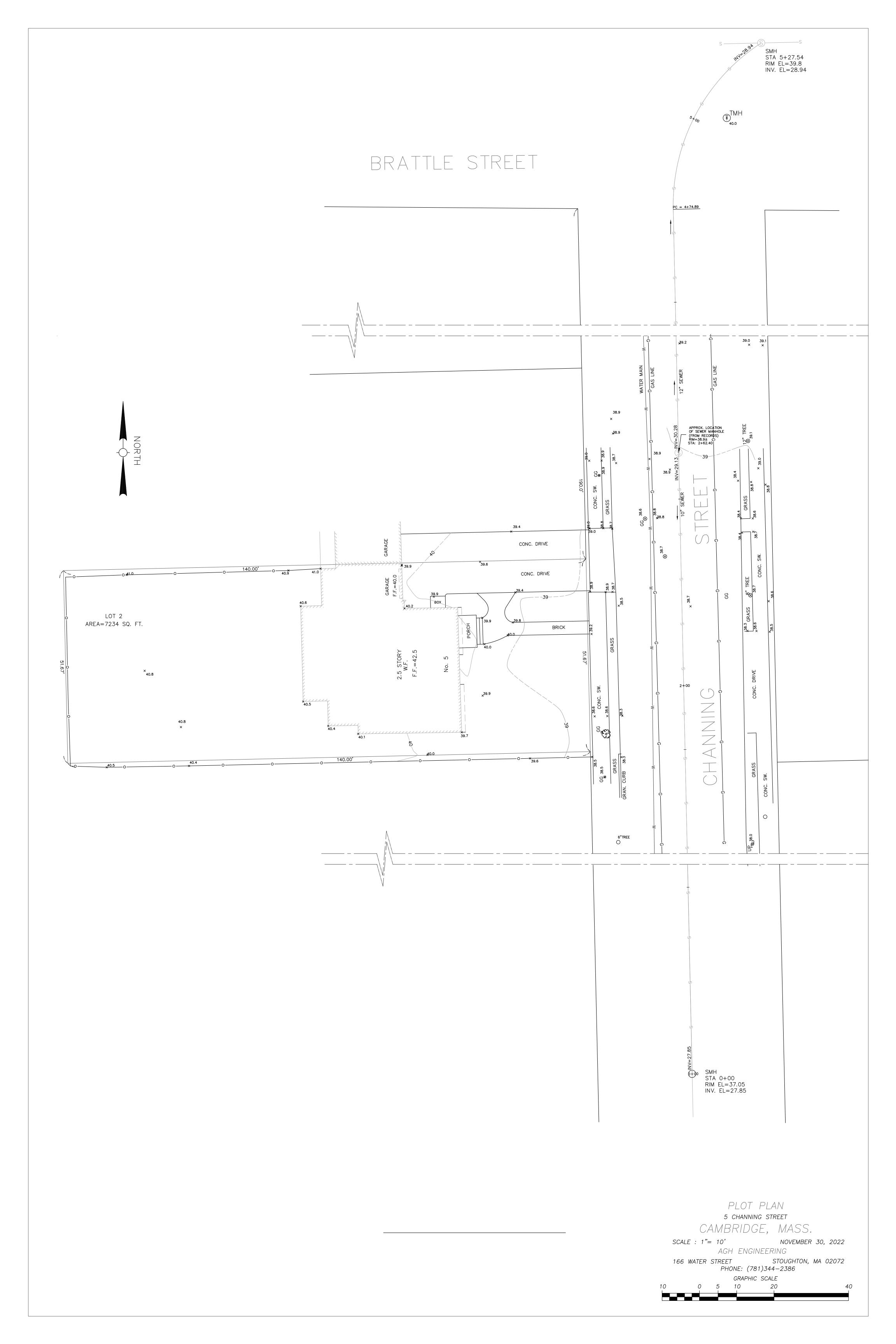
EXISTING ELEVATIONS
5 CHANNING STREET dh architects, llc

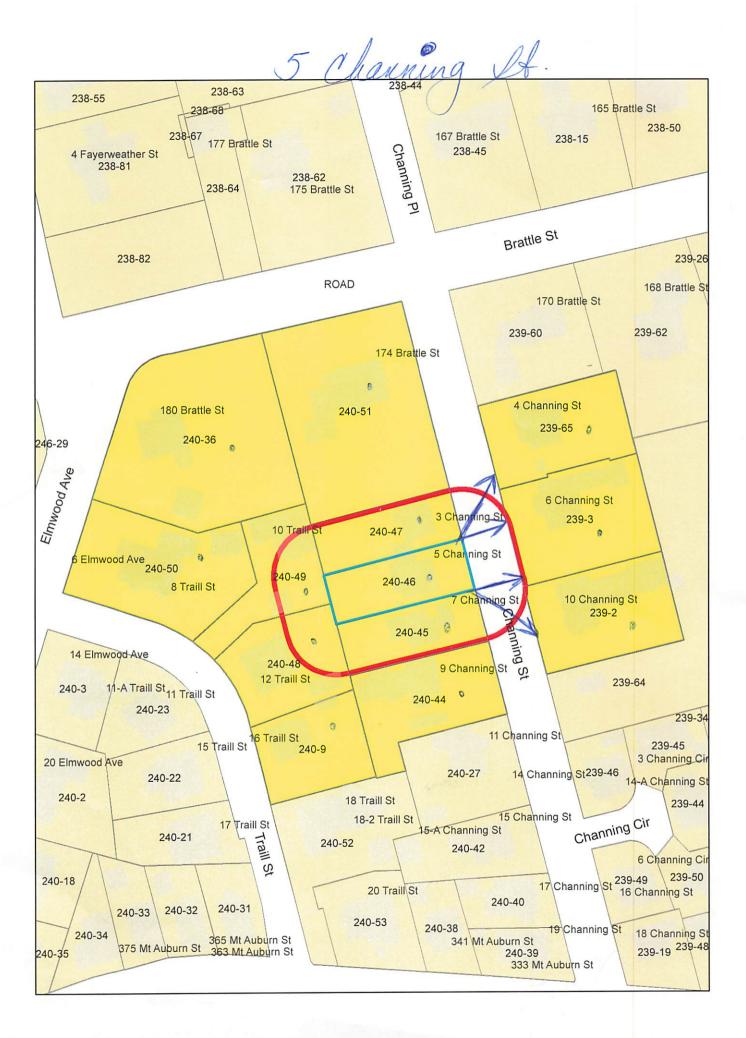
> 22-060 3/16" = 1'-0"

> > 10/09/23

R201

CAMBRIDGE BZA SPECIAL PERMIT





5 Chaining St.

240-44 SZABO-IMREY, DIANE 9 CHANNING ST CAMBRIDGE, MA 02138-4713

SINER, JOEL L. & ELINOR M. SINER 6 CHANNING ST CAMBRIDGE, MA 02138-4714

239-3

240-46
5 CHANNING STREET LLC
C/O ROBERT PURDY
15 WESTWOOD RD
SOMERVILLE, MA 02143

240-49 MCCUE, GERALD M., TR. OF GERALD M. & BARBARA W. MCCUE TR. 10 TRAILL ST CAMBRIDGE, MA 02138 240-36 JEFFREY, ANNA STREET C/O TYLER & REYNOLDS, PC 77 SUMMER ST 6TH FLR BOSTON, MA 02110

STEPHEN HISERODT, ARCHITECT 499 LAGRANGE ST WEST ROXBURY, MA 02132

240-50 BEATY, RICHARD R. 8 TRAILL STREET CAMBRIDGE, MA 02138

240-9

240-48
BIEMANN, HANS-PETER N & KAREN A. BIEMANN
12 TRAIL ST
CAMBRIDGE, MA 02138

240-51 GOSNELL, SILVIA, TRS THE 174 BRATTLE ST NOM TRUST 174 BRATTLE ST CAMBRIDGE, MA 02138

QUESADA PETER DEIRDRE & FANNING QUESADA P.O. BOX 7525 PORTLAND, ME 04112 239-2 CHANNING ST LLC 7 CORPORATE DR KEENE, NH 03431

240-45 HILDERBRAND, GARY R. & PAMELA GORGONE 7 CHANNING ST CAMBRIDGE, MA 02138

240-47
PUTZIGER, MYRNA
TRS THE MYRNA PUTZIGER 2008 REVOCABLE TR
3 CHANNING ST
CAMBRIDGE, MA 02138

239-65 PALITZ, SUZANNE 4 CHANNING STREET CAMBRIDGE, MA 02138 13 December 2023

Board of Zoning Appeal City of Cambridge

%: Maria Pacheco mpacheco@cambridgema.gov

Re: BZA-245989 Special Permit-5 Channing Street

To the Cambridge Board of Zoning Appeal,

My name is Tom Stohlman and I live at 19 Channing Street, Cambridge, MA.

I have reviewed the application for a Special Permit for 5 Channing Street and have the following concerns:

- 1) The application was submitted on November 14, 2023 at a time the renovation and addition were almost complete. This leaves the City and neighborhood in an unfortunate and awkward situation of reviewing a required permit after the project is done.
- 2) The Dimensional Information shown on Page 2 of 4 of the BZA Application Form (Page 5 of the submittal) may be incorrect in the following areas:
- 2.1) The Requested Total Gross Floor Area is closer to 5200 SF than the 3615 SF stated in the application.

This is likely due to not counting the Basement SF, which is shown on the plan (A101-Page 11 of the submittal) as changing from mostly mechanical and crawl space in the existing building to mostly Media Room/Game Room/Bedroom/Bath space, which should be counted under 5.25 of the Zoning Ordinance. It appears to have a ceiling height over 7'-0" and is not devoted to mechanical space. These add approximately 1559 SF. Their remains a small room in the southeast corner of the Basement Level devoted to mechanical, which would not count towards Gross Floor Area.

There is also an error in the submitted plans which do not show a small building extension on the north side, first level. It adds approximately 28 SF to the stated total.

- 2.2) The requested FAR is closer to 0.72 than the 0.5 stated in the application. (See explanation above.)
- 3) If I am correct, I feel the now-completed "change, extension, or alteration" is substantially more detrimental to the neighborhood and had the special permit been requested at a more appropriate time, a greater number changes could have been possible to meet the spirit of the Zoning Ordinance. That opportunity is gone.

That said, I do not feel demolition/removal of offending structures is appropriate at this point. The quality of construction is good and the building, though much more massive than before, is pleasant enough from the street.

Some relief could be gained for the immediate neighbors with new landscaping, including mature trees and fencing to mitigate light pollution and mass. Some relief could be gained overall by requiring some appropriate donation for improvements to the surrounding neighborhood. And given that the owner is benefitting from much more interior space than zoning would normally permit, I trust it will be reflected in the valuation of the property.

Thank you, Tom Stohlman 19 Channing Street Cambridge, MA 02138

#### 3 Channing Street Cambridge, Massachusetts 02130

December 12, 2023

By email to <a href="mpacheco@cambridgema.gov">mpacheco@cambridgema.gov</a> Cambridge Board of Zoning Appeal 831 Massachusetts Avenue Cambridge, MA

Re: Case No. BZA-245989

5 Channing Street, Cambridge MA

#### Ladies and Gentlemen:

I live at 3 Channing Street and am direct abutter to the property which is the subject of this application for a Special Permit under Article 10, Section 10.40, which seeks permission, after the fact, to build an addition to the non-conforming single family dwelling at 5 Channing Street. The addition is fully constructed at this date.

Let me begin by expressing my frustration and anger that this application is filed now, when it should have been filed before a building permit was issued to allow this addition. There is plenty of blame to go around. The owner, it's architect and lawyer all should have identified the need for zoning relief prior to filing an application for a building permit. Mr. Robert Purdy, the principal of both the owner and the contractor, has done several construction projects in Cambridge and is responsible to know the regulations under which he conducts his business. The Inspectional Service Department, whose job it is to enforce the Zoning Ordinance, should have more carefully reviewed the plans and withheld a building permit until zoning relief was granted. None of this happened.

Had this application been filed in advance of construction, I would have expressed opposition to the size of the addition in the rear yard. The addition renders the lot, nonconforming in size to begin with, far more dense and having less open space than substantially all of the properties in the surrounding neighborhood. The addition almost doubles the footprint of a prior addition in the rear, now demolished, but that addition was only a single story. The new addition which is the subject of this application has a height of three stories, taking into account the covered roof deck. Thus it is volumetrically substantially more "present" to its neighbors than the prior condition.

5 Channing Street was originally constructed as part of a four lot subdivision in 1935, creating four small lots in a neighborhood of very large lots developed with substantial open space. The houses built in that subdivision, including 3 and 5 Channing Street, were small and proportional to their lot size, thus having relatively generous open space. Generous open space is a characteristic of this neighborhood. The altered property, with the addition in the rear yard,

Cambridge Board of Zoning Appeal December 12, 2023 Page 2

is no longer consistent with the neighborhood.

Unfortunately, I find myself constrained from making that argument now. To argue for the denial of the Special Permit is, in essence, to argue for the demolition, in whole or in part, of what has already been built. I find that too severe a punishment. Accordingly, I begrudgingly request that the Special Permit be granted, but with conditions. Those conditions would include (1) requiring substantial plantings of mature trees to visually screen the mass of the addition from neighboring properties, and (2) minimization of light pollution emanating from the addition.

Very truly yours,

Myrna Putziger

Mysna Putziger

13 December, 2023

Abbutters' letter to Cambridge Board of Zoning Appeal re: Special Permit for 5 Channing St. Case No. BZA-245989

From Owners of 12 Traill Street

Dear Board Members,

Our family strenuously objects to the approval of the permit without appropriate modifications agreed with abutters.

Scale, appearance, visibility/albedo, illumination of and from the <u>rear addition</u>, are fundamentally inconsistent with the neighborhood. Comparing the recent development pattern in the neighborhood, one may compare the photos below to <u>rear half</u> of two abutting new homes:

- 12 Traill (2009 design received unanimous support from Historical Commission and from neighbors. Passers-by unanimously state that house appears it had always been there)
- 7 Channing (full support of neighbors and supportive approval from Historical Commission ~2014)

#### Specifically,

- 1) The scale and style of the solar canopy is brash, evoking a suburban strip hotel façade looming next to the surrounding houses and Historical District properties. It is larger in some respects than shownin the original drawings.
  - One neighbor, at 10 Traill St., is a highly noted architect with  $\sim$ 40 years as an abutter to 5 Channing. He said to me on 12/11 that the addition appears designed by someone who does not understand or have any appreciation of the neighborhood.
- 2) The 4 rear sconces, each with lamps pointing both up and down, cast lots of light seen from abutter lots, even through the plantings at 12 Traill; 10 Traill has no plantings to screen. The block's norm is extremely limited exterior illumination (plus a few security lights extremely rarely used). The rear exterior of new house emits 50-500x illumination of the houses on each side and other houses on the block. Photo demonstrating this is available on request. The recessed light cans that appear to be in the solar roof will add to the direct illumination, shining from a third-floor vantage point onto four abutters, when completed.

The prominence and proximity of the elements above are a direct function of the addition's size.

My wife and I note the sequence with which the owner constructed the building in 'by right' mode without requirement or any voluntary initiative to present plans to abutters, and now asks for forgiveness, with scant notice. This aligns 100% with caricatures of deceptive developers' strategies. If this is rewarded (with as much as a 7-figure-increment profit, then imagine the precedence-setting and encouragement that will have to be dealt with in coming years.

In the many decades residing in the immediate neighborhood, on two sides of 5 Channing, three generations of our family have been closely engaged with neighborhood architecture/historical projects, research, and organizations. None of us has found reason to register objection to a new design here until now. We have instead assisted and welcomed new neighbors who brought in their architectural contributions.

500-800 additional above-ground square feet can yield a million, or approach two million dollars in sale revenue. Using a key means of considering the allowable floor area explained by BZA staff on 12/12, I estimated the excess built floor area at 863 Sqft. Next page has a summary that I created shared with BZA staff on 12/12, after meeting. The increased foundation footprint provided increased valuable living area at the lower level, not addressed in the page 2 analysis.

Cambridge Board of Zoning Appeal – Biemann letter December 13, 2023 Page 2

#### Estimation of currently allowable expansion area for this pre-1940 house that had a rear addition.

- As developed by H-P Biemann following a 12/12/23 meeting with Olivia Ratay, Cambridge Zoning Specialist.
- Based on primary elements noted in the meeting as relevant from the code and drawings in the application.
  - A) Original building living space in 1930s prior to ordinance instituted in 1940s

1st 941

2<sup>nd</sup> 934

3<sup>rd</sup> 482 Total = 2,357 (not including garage or later rear addition)

B) Currently allowable living area for a conforming rear addition to original 1930s house footprint =

10% of original living space listed above (236)

+ rear addition that was demolished/replaced in 2023 construction (477)

Total = **713** 

C) Actual built area of 2023 addition onto the original 1930s footprint:

1<sup>st</sup> 962

2<sup>nd</sup> 619 Total = 1,581

Special Permit will allow additional floor area of 1,581 - 713 = 868 sqft

The exterior lighting and massing need to be addressed. Any environmental advantage of the current size of the roof canopy is a distinct issue from the zoning requirements protecting Cambridge neighborhoods' character. Alternative means can/should be chosen for property to reach the similar environmental benefit.

We appreciate the upcoming analysis by the Board and respectfully request that any conclusion is allowed more time for consideration and input following 12/14. Most neighbors began to gain understanding of the permit request features and prior agreements by the owner only in the last 2 days. These elements were obscure to me until speaking with staff on 12/11-12.

Regards,

Hans-Peter Biemann

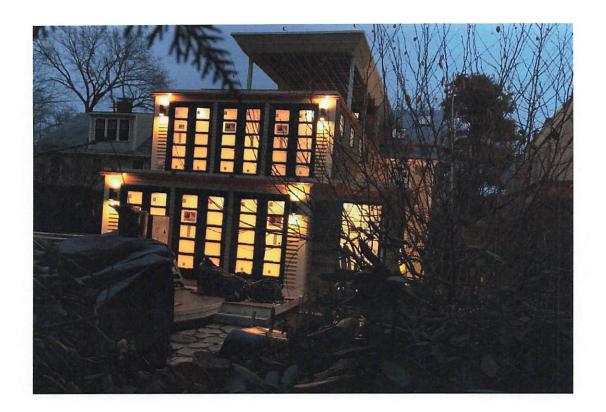
Cambridge Board of Zoning Appeal – Biemann letter December 13, 2023 Page 3

#### **December Photos.**

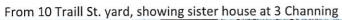
From 12 Traill St. property at boundary

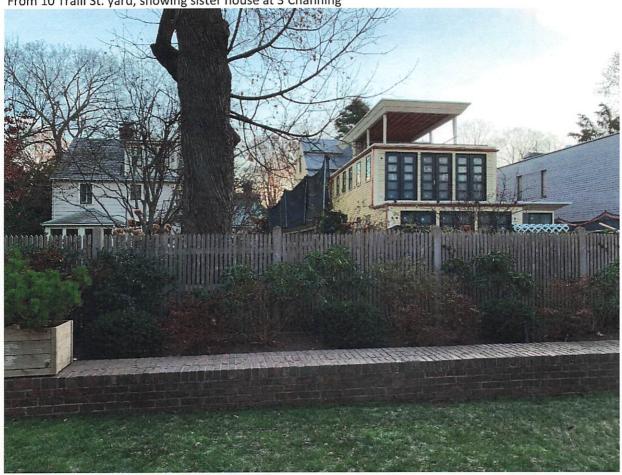


### Internal



Cambridge Board of Zoning Appeal – Biemann letter December 13, 2023 Page 4





End

#### 14 December 2023

By email to mpacheco@cambridgema.gov

Cambridge Board of Zoning Appeal 831 Massachusetts Avenue Cambridge MA 02139

Re:

Case No. BZA-245989

5 Channing Street, Cambridge MA

Dear members of the BZA, staff, and good neighbors:

We are owners of No. 7 Channing Street, Cambridge, and direct abutters immediately south of the property seeking a Special Permit at No. 5 Channing Street under Article 10, Section 10.40.

We are unhappy as abutters regarding all-night lighting that may be out of compliance with our city's ordinance, especially with respect to dark sky practices; but we are focused more specifically on overbuilding that yields excessive profit for developers while altering the physical and spatial nature of our neighborhood.

The proponent seeks a Special Permit for what appears to us to be an egregious lack of compliance on gross floor area. They did not seek zoning relief, and this request for forgiveness goes way beyond a calculating error. In the sales market bonanza we face, it seems intentional.

We are told that the project is overbuilt by 868 square feet. If this is the case, and we are willing to be corrected on this, the value that has been unfairly gained exceeds \$1.6M profit over the fair and reasonable sale value of the renovated home. A recent sale at 10 Channing Street demonstrates that a residential gut renovation brings a \$2,000 per square foot on this street.

If the finding is indeed intentional evasion of compliance, the BZA needs to demand fair retribution. If the BZA grants the special permit with a light penalty, you will set a precedent that encourages property developers to take greater risks: Don't ask for zoning relief, feign compliance in the permit documents, build more than zoning allows, and hope for the best—because the profit reward will outweigh the penalty and you pocket more. Bad precedent.

We welcome productive investment in property in our city, especially by homeowners like us, and, inevitably, by property developers who do it for profit—but also, hopefully, from an interest in building community. We ask you to be vigilant in zoning enforcement and assure us that excess profit derived through deceptive practices does not proliferate in our neighborhood and our city. That is your duty.

Thank you for your diligence in this matter.

Pamela Gorgone Gary Hilderbrand 7 Channing Street, Cambridge MA 0138 Dear members of the Cambridge Board of Zoning Appeal,

I have being informed of Case # BZA-245989, which your Board is responsible for, and would like to provide you with some perspective that you might find useful.

#### Experience with Bob Purdy and his Company

- We bought the single family house at 21 Lowell Street 30 years ago, as I was hired as COO of Cambridge Energy Research Associates, headquartered in Harvard Square. The house was built in the 1930s and needed a lot of repair/renovation.
- We learned of Bob Purdy's experience, capability and honesty through friends.
- His work was a complete repair of the house, and a small addition to the original kitchen, a half-bathroom, and a back-door entrance. All plans were approved by the City of Cambridge, and we respected entirely the original style of the house.
- My wife was daily reviewing the project's work because of my heavy professional duties, and travel. As an
  American woman of New England origin and background, she got to know Bob Purdy very well, and was
  impressed by his management skills, technical capability, his respect for the historical origin of the house, his
  integrity, and providing suggestions for improvements and their related costs.
- Years later, we applied for a permit for an expansion of the house's first floor, which the City reviewed in-depth before giving approval to proceed. That was another major job. Having experienced Bob Purdy's high quality work before, I contracted him to be totally in charge. Without giving you more detail, Bob performed extremely well. His work and his supervision resulted in having, not an "addition", but a seamless "larger first floor", a true cultural and technical achievement.

#### Conclusion on Bob Purdy, and the 5 Channing Street project.

- Bob Purdy is an extremely knowledgeable expert in renovation and transformation of houses/buildings of any kind, size, historical culture, respect for neighborhood environment, and obviously meeting all requirements of the City of Cambridge.
- Critically important, Bob Purdy is the most honest person in the housing industry than I have seen/used in my 50+ years of global experience. His level of integrity, honesty, complete respect of local needs and constraints, and total respect and execution of local legislation and procedures, are exemplary.
- Also importantly, from an esthetics and "neighborly atmosphere":
  - The renovated house on <u>5 Channing</u>, contrary to its previous condition, is of a much higher quality construction, has a much better and attractive appearance from the street, and contains the obvious "local spirit" and historical perspective highly appreciated in Cambridge neighborhoods.
  - The house on <u>3 Channing</u> also looks much better now as a truly single home, without the original shared driveway and garage structure.

So, I am very pleased and fortunate to be able to give Bob Purdy and his Company my full support, respect and truth for what has been done at 5 Channing Street.

Yours truly,

U.S.A.

#### Philippe Michelon

philippe@michelon.orgHome line +1 617 497 8895 (answering machine available)21 Lowell Street,Cambridge, MA 02138-4725

## JOSEPH GLENMULLEN, MD 68 Sparks Street Cambridge, MA 02138

Board of Zoning Appeals
City of Cambridge
Cambridge, MA

January 22, 2024

Dear Members of the Board,

I am writing in support of Bob Purdy's application for a special permit for 5 Channing Street. Last spring, the building department issued Bob a permit to undertake the renovations he has been making to the house. The renovations are now almost complete. Bob could not have anticipated that based on the back and forth between city departments, he would be asked to retroactively apply for a special permit. This is no one's fault. Bureaucracies sometimes contradict themselves. The improvements appear be within the allowed square footage for a conforming addition to a non-conforming house since the city does not include basement space. The house's street presence has been greatly enhanced by Bob's work.

I am disturbed to see some neighbors' letters to the board questioning Bob's character. I have known Bob for over three decades. Bob only works in Cambridge. He has an incredible commitment to the city and community. When he developed a property in Cambridgeport, he deliberately built enough condos so that one of them would be an affordable housing unit. He could easily have built fewer, larger units to avoid this requirement. A Cambridge native who was a victim of the Boston Marathon bombing was fortunate enough to be awarded the unit, which Bob made handicapped accessible for him. Bob recently renovated the Boston Area Rape Crisis Center's Cambridge location in Central Square, donating two kitchens to the center. He has spent Saturdays delivering Meals on Wheels to house-bound elderly and disabled people for as long as I have known him. Farther afield, for a decade he spent summers volunteering in Guatemala building nine schools and thirty homes. The homes were given to poor families so they could afford to send their children to school instead of needing them to work in the fields. In short, Bob's character is unimpeachable. At the same time, he is a modest man. I'm sure he would have objected had I asked his permission to share this information with you. But I am well aware of the breadth and depth of his community service because I have known him for so long.

Sincerely Mennulle



# City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

## BZA

## POSTING NOTICE - PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name:	POBELT PROY	Date: _	
Address:	5 Chaning St.	•	· · ·
Case No	B7A-245-989	ž	
Hearing Date:	12/14/23	·	

Thank you, Bza Members

## dh architects, llc

To: Members of the BZA and ISD Zoning Staff

From: DH Architects

Date: December 12<sup>th</sup>, 2023

Re: BZA Case 245989 – 5 Channing Street

On behalf of the 5 Channing Street LLC, I am writing to request a Continuance for BZA Case 245989 – 5 Channing Street. Our Legal Council has a schedule conflict and will not be able to attend.

Thank you,

Stephen Hiserodt DH Architects, LLC



## City of Cambridge

MASSACHUSETTS

2023 DEC 18 AP 10: 33

BOARD OF ZONING APPEAL

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

## **Board of Zoning Appeal Waiver Form**

The Board of Zoning Appeal 831 Mass Avenue Cambridge, MA 02139

RE: Case # <u>B7A - 245989</u>

Address:	5 Channing	St.		
□ Owner, □ Petition	er, or Representative: _	Steplen Hiserast		
		(Print Name)		
hereby waives the required time limits for holding a public hearing as required by				
Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts,				
Massachusetts General Laws, Chapter 40A. The 🗆 Owner, 🗆 Petitioner, or 🗆				
Representative further hereby waives the Petitioner's and/or Owner's right to a				
Decision by the Board of Zoning Appeal on the above referenced case within the time				
period as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of				
Massachusetts, Massachusetts General Laws, Chapter 40A, and/or Section 6409 of the				
federal Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C.				
51455(a), or any other relevant state or federal regulation or law.				

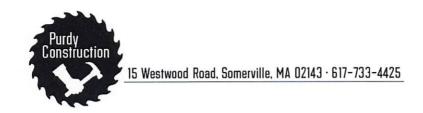
1 (7:03 p.m.)2 Sitting Members: Jim Monteverde, Steven Ng, Virginia 3 Keesler, William Boehm, and Thomas Miller 4 JIM MONTEVERDE: Next case is BZA-245989 -- 5 5 Channing Street. And I believe this is to be continued. 6 Yes, we have a letter from Stephen Hiserodt, DH Architects, 7 dated December 12, 2023. 8 "On behalf of the 5 Channing Street LLC, I'm 9 writing to request a continuance for the case 5 Channing 10 Street." 11 What do we have available? January 25? So since 12 everyone was already available for that one, is that all 13 right? 14 15 STEVEN NG: Yep. JIM MONTEVERDE: Let me make a motion to continue 16 this matter to January 25, 2024. That's going to take me a 17 18 while to get used to that. On the condition that the petitioner change the 19 posting sign to reflect the new date of January 25, 2024 and 20 the new time of 6:00 p.m. 21

Also that the petitioner sign a waiver to the

22

statutory requirements for the hearing. This waiver can be 1 obtained from Maria Pacheco or Olivia Ratay at the 2 Inspectional Services Department. 3 I ask that you sign the waiver and return it to 4 the Inspectional Services Department by a week from this 5 coming Monday. Failure to do so will de facto cause this 6 Board to give an adverse ruling on this case. 7 Also that if there are any new submittals, changes 8 to the drawings, dimensional forms, or any supporting 9 statements that those be in the files by 5:00 p.m. on the 10 Monday prior to the continued meeting date. 11 12 On the motion to continue this matter until January 25, 2024, by voice vote, Virginia? 13 VIRGINIA KEESLER: In favor. 14 15 JIM MONTEVERDE: Bill? BILL BOEHM: In favor. 16 JIM MONTEVERDE: Steven? 17 18 STEVEN NG: In favor. 19 JIM MONTEVERDE: Thomas? THOMAS MILLER: In favor. 20 JIM MONTEVERDE: And Jim Monteverde in favor. 21 [All vote YES] 22

JIM MONTEVERDE: Granted. We're early. Oh no, we're not. We're good. we are. We're early. We've got to wait nine minutes. Anyone has some electronic Christmas shopping to do? See you back in nine minutes. STEVEN NG: Okay. [Pause] 



Dear Hans-Peter,

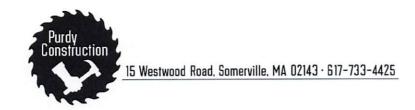
This is Robert Purdy, the owner of the property and Project at #5 Channing Street. I am writing to address the concerns stated in your letter to the BZA and, in particular, illicit whatever suggestions you and your wife have in mind to alleviate visibility and illumination issues. Wish that you enjoyed the design more but I'm happy to accommodate whatever possible.

I have been building exclusively in Cambridge for over forty years and value my relationships with the neighborhoods I work in as well as with the building Department that I answer to. I assure you that our late request for a hearing on this particular set-back issue came to me as much of a surprise as it was to the neighbors, but it was in no way an attempt to evade compliance. All the work that we have done on Channing Street is allowed by our permit. We have been working with ISD since March to determine how to retain the small portion of the existing building that sits in the left yard setback and they recently concluded that we would need a Special Permit.

I would prefer to meet with you both in person to discuss, and hopefully resolve, as many of the issues as possible. I look forward to hearing back from you.

Sincerely,

**Bob Purdy** 



Dear Pamela and Gary,

This is Robert Purdy, the owner of the property and project underway at 5 Channing Street. I'm writing to address the concerns stated in your letter to the ZBA, and to ask for your input as it pertains to your privacy from the second and third floor decks at #5.

I've been building exclusively in Cambridge for over forty years and value my relationships with the neighbors I work with, as well as the Building Department that I answer to. I assure you that our late request for a hearing on this particular set-back issue came as much of a surprise to me as it was to the neighborhood. It was in no way an attempt to evade compliance. We have been working with ISD since March to determine how to retain the small portion of the existing building that sits in the left yard setback, and they only recently concluded that we would need a special permit. All of the work that we have done on Channing Street is allowed by our permit.

I would prefer to meet with you both to discuss this in more detail, and I would also enjoy showing you the inside of the project, and in particular discuss how best to give you privacy in your open space patio. Myrna has also suggested I reach out to you, Gary, because of your obvious expertise in choosing the best mature plantings, and for other suggestions you may have for landscaping, particularly for the garden-level plantings.

I believe you already have my contact information, but please feel free to reach out to me at your convenience at the below email or phone number any time.

I look forward to meeting you both.

Sincerely,

**Bob Purdy**