



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge, MA 02139

617-349-6100

2024 OCT -9 PM 2:10
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 785300

General Information

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

Special Permit: X Variance: Appeal:

PETITIONER: William and Teresa Heller C/O Maggie Booz, SmartArchitecture

PETITIONER'S ADDRESS: 33 Lawn Street, Cambridge, 02138

LOCATION OF PROPERTY: 6 Acacia St., Cambridge, MA

TYPE OF OCCUPANCY: Single family. **ZONING DISTRICT:** Residence A-2 Zone

REASON FOR PETITION:

DESCRIPTION OF PETITIONER'S PROPOSAL:

Alteration to windows at the rear facade of the house. Require rear yard setback is 27', actual existing wall is setback 20.7' from rear property line.

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)

MAGGIE BOOZ / SMARTARCHITECTURE

(Print Name)

Address:

33 LAWN ST. CAMB., 02138

Tel. No.

617-576-2720

E-Mail Address:

maggie@smartarchitecture.net

Date: 10.4.24

BZA Application Form

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 William B. and Teresa P. Heller
(OWNER)

Address: 3304 Almar Dr., Vestal, NY 13850

State that I/We own the property located at 6 Acacia St., Cambridge, MA 02138, which is the subject of this zoning application.

The record title of this property is in the name of William B. Heller & Teresa P. Heller

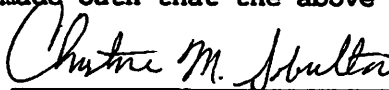
*Pursuant to a deed of duly recorded in the date 12/31/2012, Middlesex South County Registry of Deeds at Book 60860, Page 108; or Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.


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

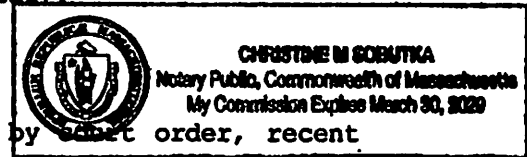
**Written evidence of Agent's standing to represent petitioner may be requested.*

Commonwealth of Massachusetts, County of Middlesex

The above-name William and Teresa Heller personally appeared before me, this 28th of September, 2024, and made oath that the above statement is true.

 Notary

My commission expires 3/30/2029 (Notary Seal).



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

BY A TESTIMONIAL FORM - UNIVERSITY INFORMATION

To be completed by OWNER, signed before a notary and returned to the Secretary of the Board of Land Appeals.

Name of Applicant: _____
(OWNER)

Address: _____

State that I was on the property located at _____ which is the subject of this zoning application.

The record title of this property is in the name of _____

Reference to a deed of gift recorded in the date _____

County Registry of Deeds at Book _____ Page _____

Midwestern Registry District of Land Court, Certificate No. _____

Page _____

RECEIVED BY _____
UNIVERSITY TRUSTEE, OFFICER OR AGENT

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

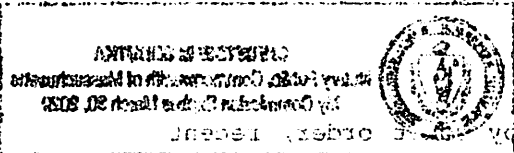
Continuation of Affidavit of _____

The above name _____ personally appeared before me,

this _____ of _____ and made oath that the above statement is true.

Notary _____

My commission expires _____



If ownership is not shown in record deed, e.g. if deed or instrument placed under construction.

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 6 Acacia St., 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:

We are proposing to alter an unusual/unconventional pattern of window openings + one door to a deck into a window pattern more consistent with the architecture of the house. There is minimal change to actual glass area. Removal of the rear deck dictates replacement of existing door with a window instead.

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 window changes result in all windows being egress-worthy. The changes eliminate one door, but there are three other first floor doors on the house. The changes do not cause congestion or hazard in the neighborhood, and only serve to enhance neighborhood character due to their architectural appropriateness.

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:

No adjacent uses or their development are affected by the proposed window changes.

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:

No nuisance or hazard are created to the occupants nor to other Cambridge citizens y these window changes.

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 proposed changes create a more harmonious facade to the house, and are accompanied by removal of an above-ground deck. Contrary to impairing district integrity, either aesthetic or pragmatic, the changes enhance both.

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

DIMENSIONAL INFORMATION

Applicant: William and Teresa Heller
Location: 6 Acacia St., Cambridge, MA
Phone: 617-576-2720

Present Use/Occupancy: Single family
Zone: Residence A-2 Zone
Requested Use/Occupancy: Single family

		Existing Conditions		Requested Conditions		Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		3706 SF		3706 SF		3652 SF	(max.)
LOT AREA:		7304 SF		7304 SF		6000 SF min	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		.507		.507		.50	
LOT AREA OF EACH DWELLING UNIT		7304		7304		4500	
SIZE OF LOT:	WIDTH	66 LF		66 LF		65 LF	
	DEPTH	110.67 LF		110.67 LF		NA	
SETBACKS IN FEET:	FRONT	40 LF		40 LF		20 LF	
	REAR	20.7 LF		20.7 LF		27 LF	
	LEFT SIDE	9.5 LF		9.5 LF		10 LF	
	RIGHT SIDE	15 LF		15 LF		15 LF	
SIZE OF BUILDING:	HEIGHT	34 LF		34 LF		35 LF	
	WIDTH	49 LF		49 LF		63.67 LF max	
	LENGTH	41.5 LF		41.5 LF		41 LF max	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		58%		58%		50% open	
NO. OF DWELLING UNITS:		1+accessory apt		1		1+accessory apt	
NO. OF PARKING SPACES:		2		2		1-2	
NO. OF LOADING AREAS:		NA		NA		NA	
DISTANCE TO NEAREST BLDG. ON SAME LOT		NA		NA		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.:

No other buildings 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'.

HELLER RESIDENCE

6 ACACIA STREET, CAMBRIDGE, MA

ARCHITECT
SMART ARCHITECTURE
 33 LAWN STREET, CAMBRIDGE, MA 02138
 T: 617.576.2720 www.smartarchitecture.net

GENERAL CONTRACTOR
RICCI BROS. CONSTRUCTION
 51 HOWARD STREET, WATERTOWN, MA 02472
 T: 617.592.7071

DRAWING INDEX:

- A-0.0 Cover Page
- A-2.1 First Floor Demolition Plan
- A-2.2 Second Floor Demolition Plan
- A-3.1 Proposed First Floor Plan
- A-3.2 Proposed Second Floor Plan
- A-6.2 Existing Rear Elevation
- A-7.2 Proposed Rear Elevation

ZONING:

A2 ZONING DISTRICT

	EXISTING	REQUIRED
FY SETBACK	40'	20'
SY SETBACK E	9.5'	10'
SY SETBACK W	15'	10'
RY SETBACK	20.7'	27'

WINDOW CHANGES AT EAST SIDE ARE IN CONFORMING EAST WALL OF REAR ELEVATION.

FAR REMAINS UNCHANGED.

OPEN SPACE REMAINS UNCHANGED.

Stretch Energy Code Compliance - Prescriptive Option for Residential Alterations

Alterations to this existing building shall conform to International Energy Efficiency Code 2021 and MA CMR (Code of Massachusetts Regulations) Section 22.0, and shall further demonstrate compliance with:

1. Implementation of the Energy Star Qualified Homes Thermal Bypass Inspection List:
 -Overall Air Barrier and Thermal Barrier Alignment - Insulation shall be installed in full contact with sealed interior and exterior air barrier except for alternate to interior air barrier under *Walls Adjoining Exterior Walls or Unconditioned Spaces*.

-Walls Adjoining Exterior Walls or Unconditioned Spaces - Fully insulated wall aligned with air barrier at both interior & exterior, or, Alternate for Climate Zones 1 thru 3, sealed exterior air barrier aligned with RESNET grade 1 insulation fully supported. Continuous top and bottom plates or sealed blocking.

-Floors between Conditioned and Exterior Spaces - Air barrier is installed at any exposed fibrous insulation edges. Insulation is installed to maintain permanent contact with sub-floor above including necessary supports. Blanket insulation is verified to have no gaps, voids or compression. Blown-in insulation is verified to have proper density with firm packing.

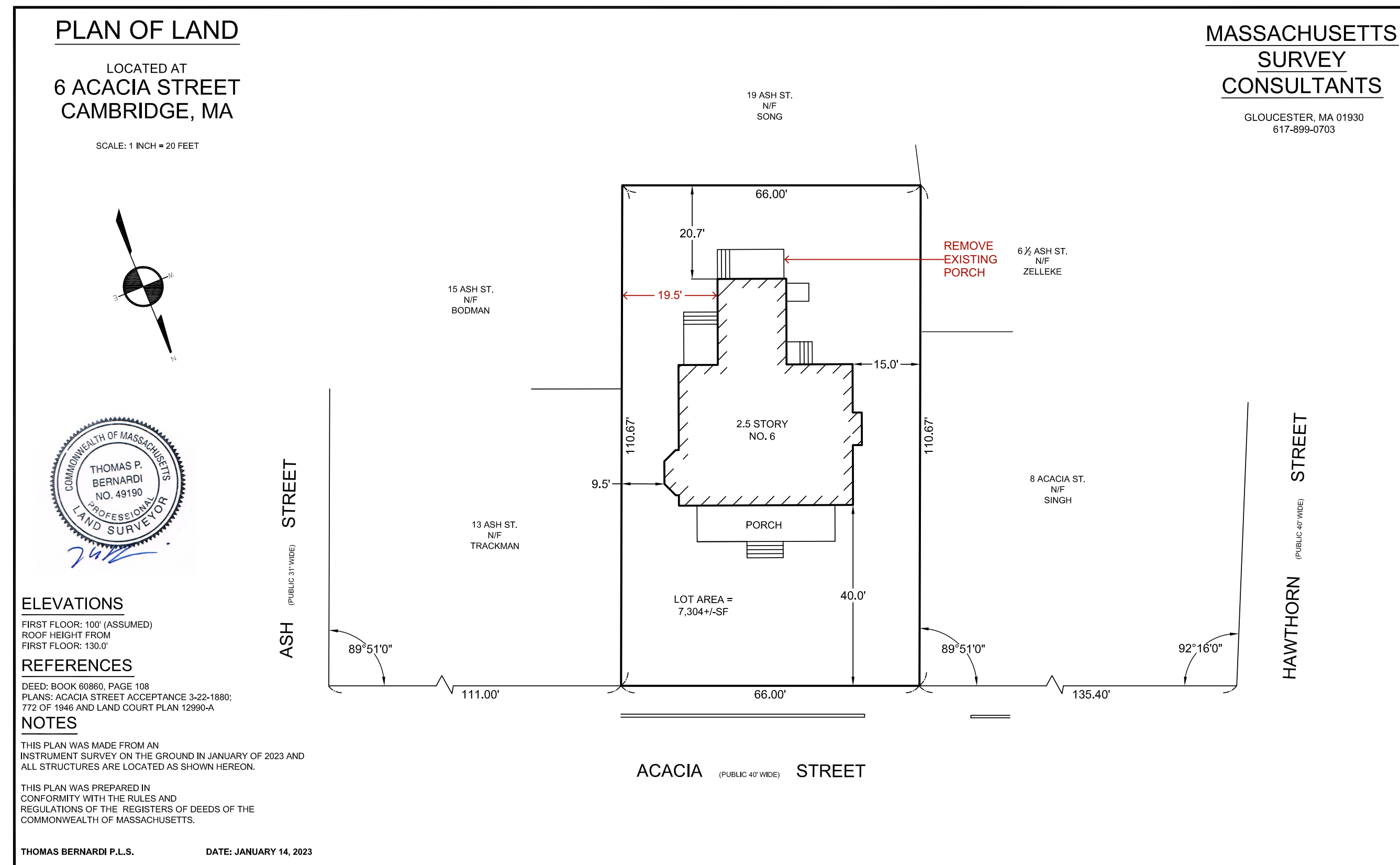
-Shafts - Opening to unconditioned space are fully sealed with solid blocking or flashing and any remaining gaps are sealed with caulk or foam (provide fire-rated collars and caulking where req'd).

-Attic/ Ceiling Interface - All attic penetrations and dropped ceilings include a full interior air barrier aligned with insulation with any gaps fully sealed with caulk, foam or tape. Movable insulation fits snugly in opening and air barrier is fully gasketed.

2. All Windows, Doors, and Skylights shall meet the minimum Energy Star Requirements for U-factor: Windows ≤ 0.30 ; Solid Doors ≤ 0.21 ; More than 50% Glass ≤ 0.32 ; Skylights ≤ 0.55

3. Ducts for new HVAC systems shall be sealed and tested post-construction to demonstrate leakage to outdoors of less than or equal to 4 cfm per 100 SF of conditioned floor area, except where the air handler and all ducts are located within *conditioned space*.

4. Electrical Power and Lighting Systems: Lighting equipment (Prescriptive). A minimum of 50 percent of the lamps in permanently installed lighting fixtures shall be high-efficiency lamps.



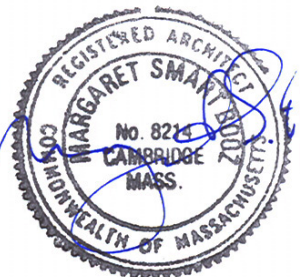
MASSACHUSETTS SURVEY CONSULTANTS
 GLOUCESTER, MA 01930
 617-899-0703

ELEVATIONS
 FIRST FLOOR: 10' (ASSUMED)
 ROOF HEIGHT FROM FIRST FLOOR: 130.0'

REFERENCES
 DEED: BOOK 80880, PAGE 108
 PLANS: ACACIA STREET ACCEPTANCE 3-22-1890;
 772 OF 1946 AND LAND COURT PLAN 12990-A

NOTES
 THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND IN JANUARY OF 2023 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.
 THIS PLAN WAS PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

THOMAS BERNARDI P.L.S. DATE: JANUARY 14, 2023



General Drawing Note:
 Do not scale off these drawings. Written dimensions take precedence. Contractor to verify all written dimensions in field before proceeding with work. Notify architect and owner of any dimensional discrepancies before proceeding with work. Exterior dimensions given are to framing, interior dimensions given are to finished surfaces.

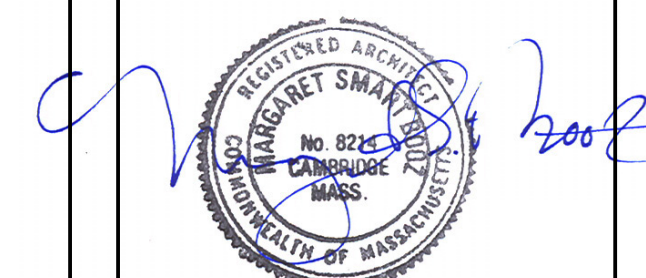
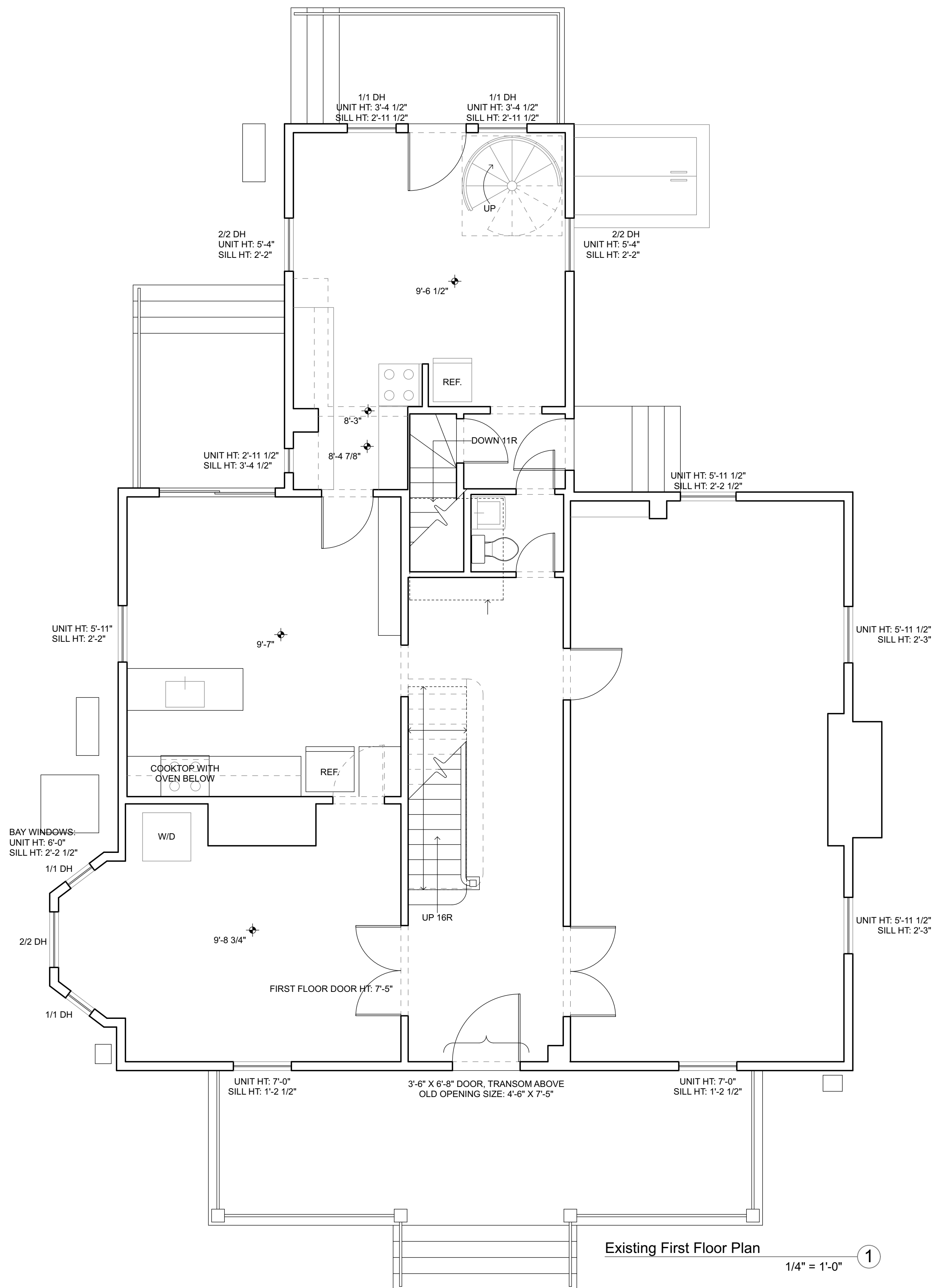
SMART ARCHITECTURE
 33 LAWN STREET, CAMBRIDGE, MA 02138

Heller Residence
 6 Acacia Street
 Cambridge, MA 02138

Job number	2301
Scale	as noted
Date	09.24.24
Drawn by	rb
Checked by	msb

Cover Page

A-0.0



General Drawing Note:
Do not scale off these drawings. Written dimensions take precedence. Contractor to verify all written dimensions in field before proceeding with work. Notify architect and owner of any dimensional discrepancies before proceeding with work. Exterior dimensions given are to framing, interior dimensions given are to finished surfaces.

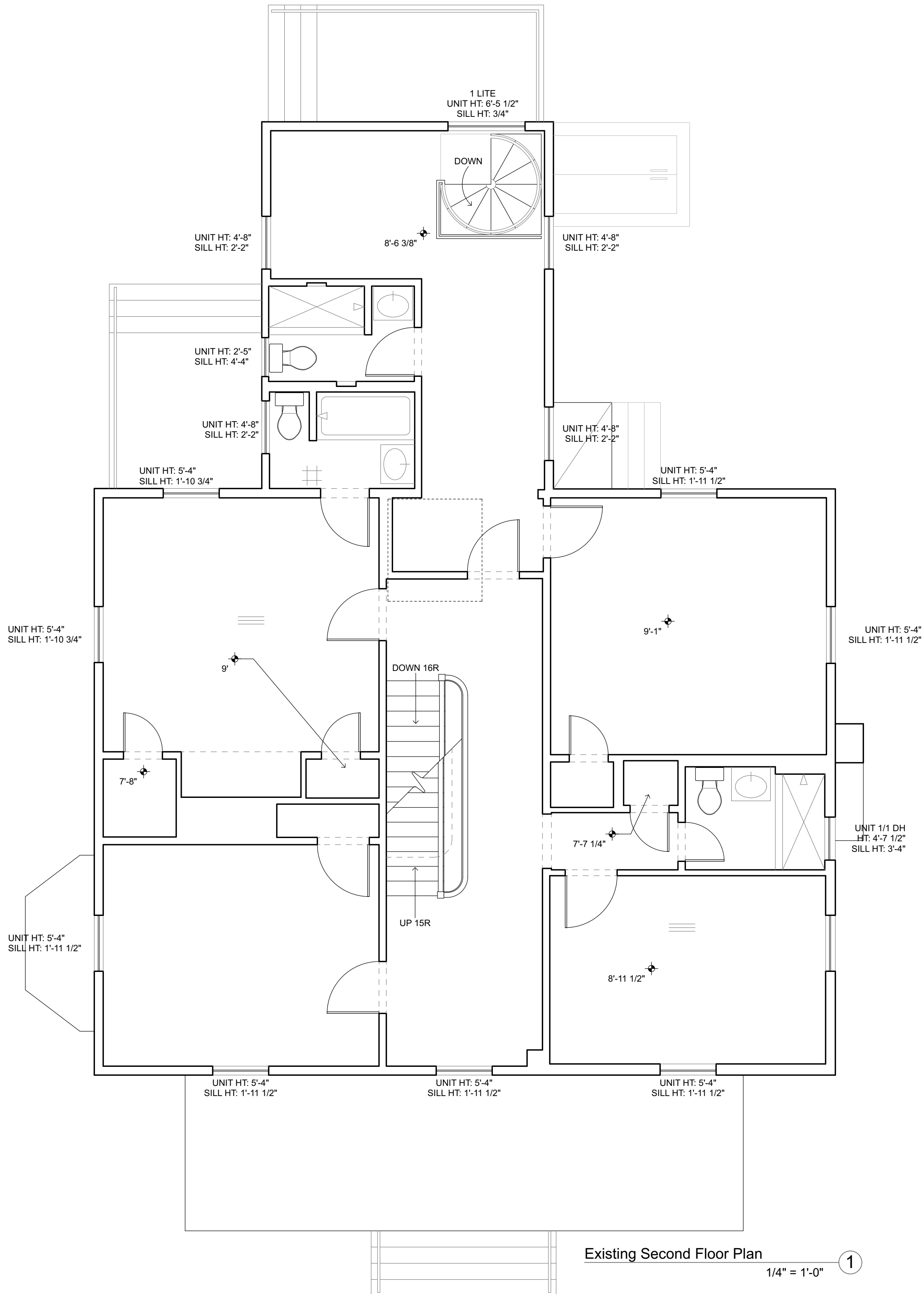
SMART ARCHITECTURE
33 LAWN STREET, CAMBRIDGE, MA 02138

Heller Residence
6 Acacia Street
Cambridge, MA 02138

Job number	2301
Scale	as noted
Date	09.24.24
Drawn by	rb
Checked by	msb

Existing First Floor Plan

A-2.1



Existing Second Floor Plan ①
1/4" = 1'-0"



General Drawing Note:
Do not scale off these drawings. Written dimensions take precedence. Contractor to verify all written dimensions in field before proceeding with work. Notify architect and owner of any dimensional discrepancies before proceeding with work. Exterior dimensions given are to framing, interior dimensions given are to finished surfaces.

SMART ARCHITECTURE
33 LAWN STREET, CAMBRIDGE, MA 02138

Heller Residence
6 Acacia Street
Cambridge, MA 02138

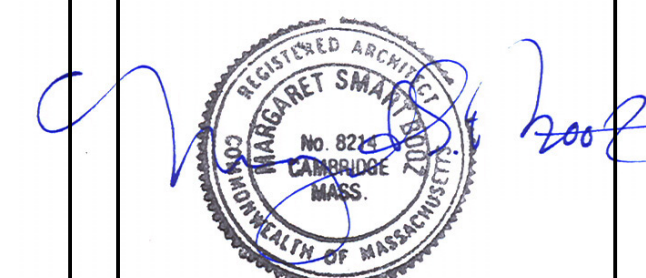
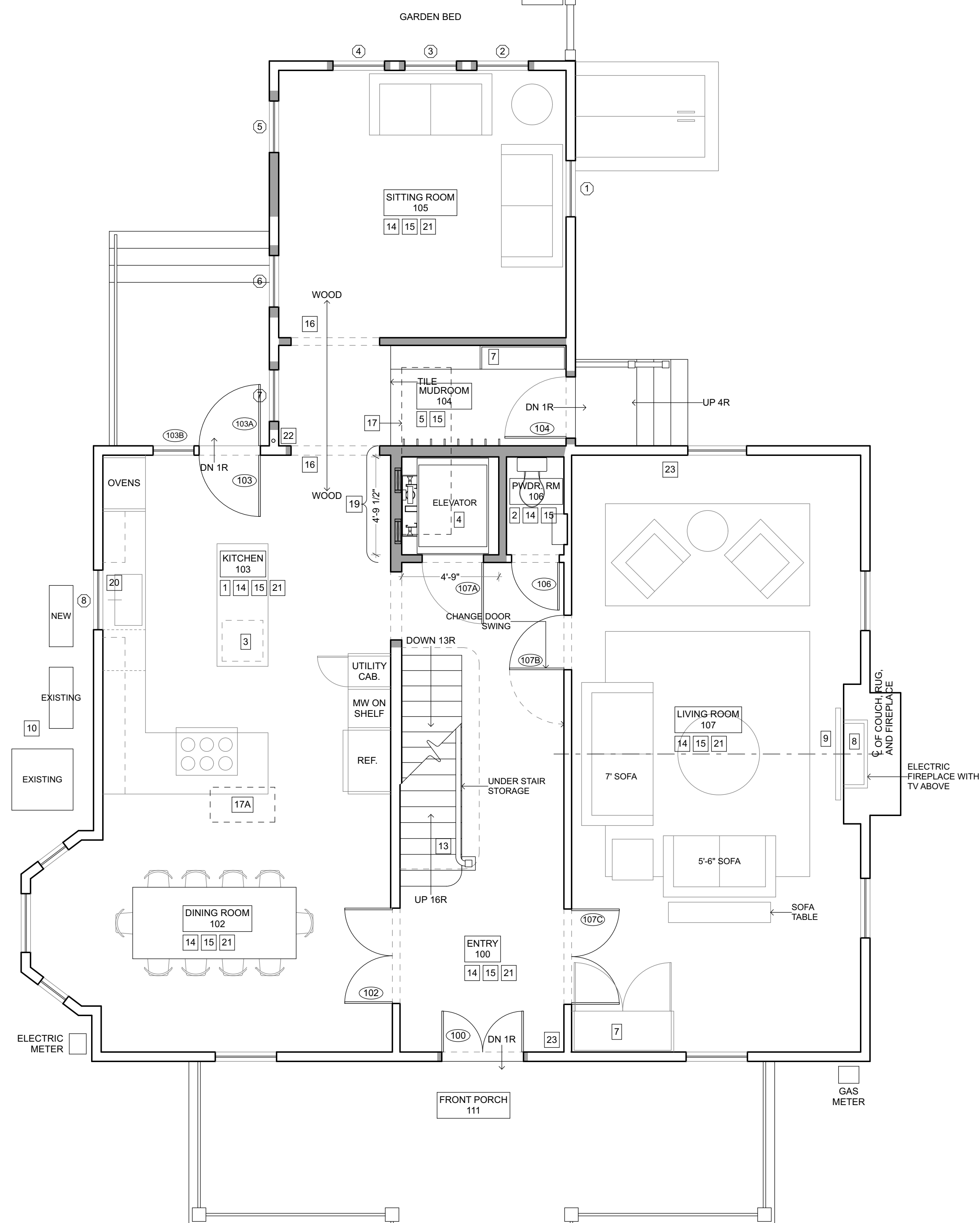
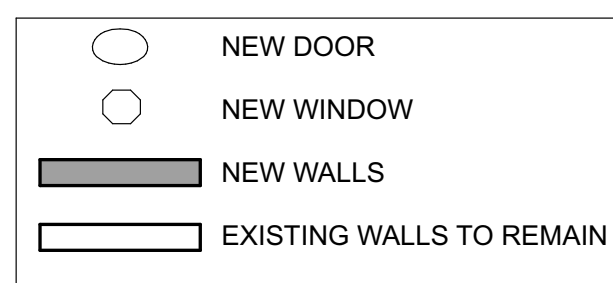
Job number	2301
Scale	as noted
Date	09.24.24
Drawn by	rb
Checked by	msb

Existing Second Floor Plan

A-2.2

PROPOSED CONSTRUCTION NOTES:

- 1 NEW KITCHEN. NEW 36" INDUCTION COOKTOP WITH HOOD ABOVE, FLUSH IN CEILING AND VENTED TO EXTERIOR. (1) WALL OVEN, 36" STAINLESS STEEL REFRIGERATOR, DISHWASHER, STONE COUNTER WITH UNDERMOUNT SINK, CUSTOM WOOD CABINETS, DESIGN TBD, MW ON SHELF, 2'-10" ISLAND HEIGHT.
- 2 NEW POWDER ROOM WITH WC AND WALL HUNG SINK RECESSED INTO WALL.
- 3 POTS/PANS STORAGE HANGER MOUNTED TO CEILING ABOVE ISLAND.
- 4 NEW 3 STOP ELEVATOR.
- 5 NEW MUDROOM WITH TILE FLOOR.
- 6 NEW AREA OF HOOKS ON BOARD.
- 7 NEW CUSTOM PAINTED BUILT-IN CABINETS, DESIGN TBD.
- 8 NEW ELECTRIC FIREPLACE.
- 9 NEW TV LOCATION.
- 10 A/C CONDENSERS LOCATION.
- 11 NEW PAINTED WOOD FENCE WITH GATE, APPROXIMATELY 20 LF.
- 12 GRANITE BOTTOM STEP.
- 13 SAND AND REFINISH STAIRS AND RAILINGS.
- 14 NEW WOOD FLOOR.
- 15 PAINT ROOM.
- 16 NEW CASING OPENING.
- 17 FRAME IN FLOOR WHERE STAIR IS REMOVED.
- 17A FRAME IN FLOOR WHERE CHIMNEY IS REMOVED.
- 18
- 19 NEW BEAM ABOVE.
- 20 RAISE SILL OF WINDOW TO ACCOMMODATE KITCHEN CABINETS.
- 21 WHERE FRAMING IS EXPOSED, INSULATE EXTERIOR WALLS TO MAXIMUM POSSIBLE R-VALUE, NEW BLUEBOARD AND SMOOTH PLASTER WALLS AND CEILINGS.
- 22 2" CONDUIT FROM ROOF TO BASEMENT TO SOLAR EQUIPMENT/MANIFOLD.
- 23 MAKE REPAIRS TO FLOOR, WALLS, CEILING WHERE CHASE IS REMOVED, MATCHING FINISHES.



General Drawing Note:
Do not scale off these drawings. Written dimensions take precedence. Contractor to verify all written dimensions in field before proceeding with work. Notify architect and owner of any dimensional discrepancies before proceeding with work. Exterior dimensions given are to framing, interior dimensions given are to finished surfaces.

SMART ARCHITECTURE
33 LAWN STREET, CAMBRIDGE, MA 02138

Heller Residence
6 Acacia Street
Cambridge, MA 02138

Job number	2301
Scale	as noted
Date	09.24.24
Drawn by	rb
Checked by	msb




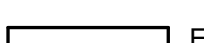
Proposed First Floor Plan

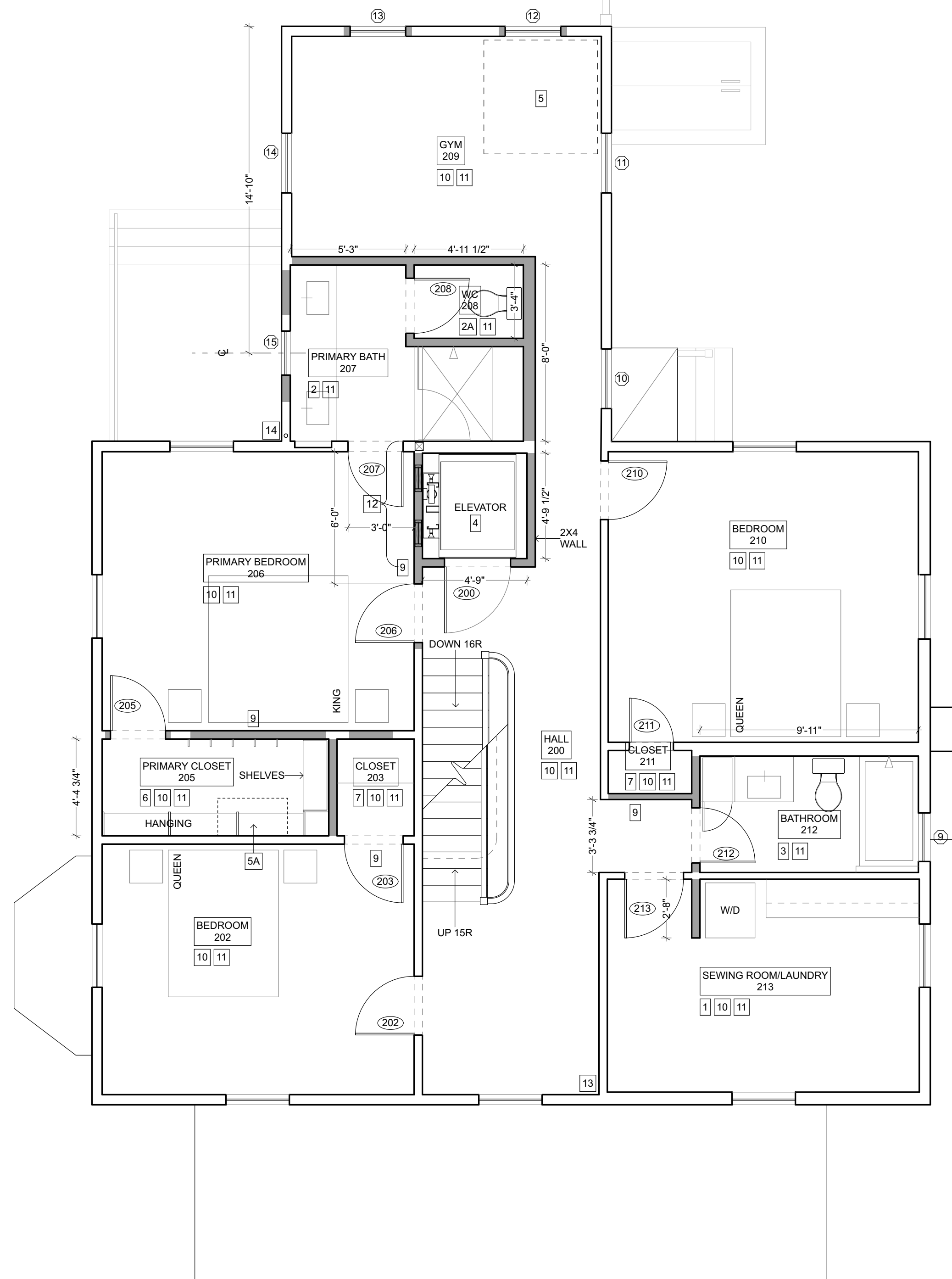
A-3.1

Proposed First Floor Plan 1/4" = 1'-0" 1

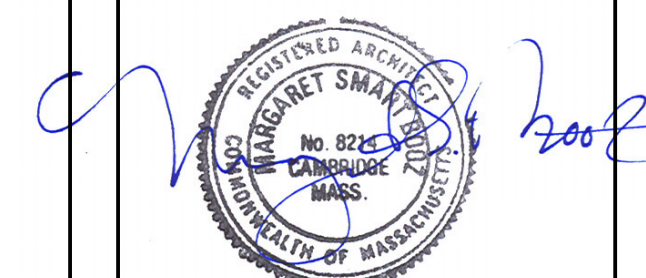
PROPOSED CONSTRUCTION NOTES:

- 1 NEW LAUNDRY ROOM. STACKABLE WASHER & DRYER, VENT DRYER TO EXTERIOR. WOOD CABINETS AND COUNTER, DESIGN TBD.
- 2 NEW BATHROOM. TILED FLOOR, TILED SHOWER WITH STONE BENCH, TILED SOAP NICHE, AND GLASS DOOR, CUSTOM PAINTED WOOD VANITY WITH STONE COUNTER AND UNDERMOUNT SINKS. RECESSED MED. CAB. IN SIDE WALL.
- 2A NEW W.C. BEHIND DOOR WITHIN BATHROOM.
- 3 RENOVATE BATHROOM. TILED FLOOR, BATHTUB WITH SHOWER AND STONE BENCH, NEW W.C., PAINTED WOOD LINEN CUPBOARD AND VANITY WITH STONE TOP AND UNDERMOUNT SINK, DESIGN TBD.
- 4 NEW 3-STOP ELEVATOR LOCATION.
- 5 FRAME IN FLOOR WHERE STAIR IS REMOVED.
- 5A FRAME IN FLOOR WHERE CHIMNEY IS REMOVED.
- 6 NEW PRIMARY CLOSET WITH HOOKS, POLES, & SHELVES.
- 7 NEW CLOSET WITH POLE AND SHELF.
- 8 NEW CUSTOM PAINTED WOOD BUILT-IN CABINETS.
- 9 FRAME AND PATCH OPENINGS, MATCHING PLASTER AND TRIM.
- 10 NEW WOOD FLOOR.
- 11 PAINT ROOM.
- 12 NEW BEAM ABOVE.
- 13 MAKE REPAIRS TO FLOOR, WALLS, AND CEILING WHERE CHASE IS REMOVED, MATCHING FINISHES.
- 14 2" CONDUIT FROM ROOF TO BASEMENT TO SOLAR EQUIPMENT, MANIFOLD.

-  NEW DOOR
-  NEW WINDOW
-  NEW WALLS
-  EXISTING WALLS TO REMAIN



Proposed Second Floor Plan 1
1/4" = 1'-0"



General Drawing Note:
Do not scale off these drawings. Written dimensions take precedence. Contractor to verify all written dimensions in field before proceeding with work. Notify architect and owner of any dimensional discrepancies before proceeding with work. Exterior dimensions given are to framing, interior dimensions given are to finished surfaces.

SMART ARCHITECTURE
33 LAWN STREET, CAMBRIDGE, MA 02138

Heller Residence
6 Acacia Street
Cambridge, MA 02138

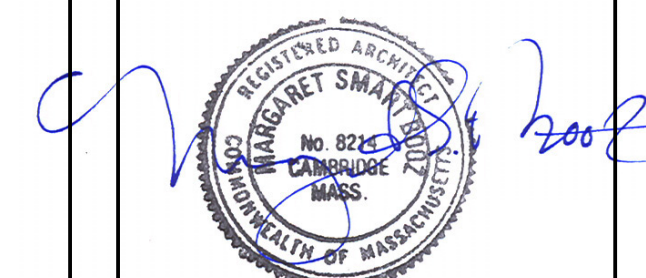
Job number	2301
Scale	as noted
Date	09.24.24
Drawn by	rb
Checked by	msb

Proposed Second Floor Plan

A-3.2



1/4" = 1'-0" ①



General Drawing Note:
Do not scale off these drawings. Written dimensions take precedence. Contractor to verify all written dimensions in field before proceeding with work. Notify architect and owner of any dimensional discrepancies before proceeding with work. Exterior dimensions given are to framing, interior dimensions given are to finished surfaces.

SMART ARCHITECTURE
33 LAWN STREET, CAMBRIDGE, MA 02138

Heller Residence
6 Acacia Street
Cambridge, MA 02138

Job number	2301
Scale	as noted
Date	09.24.24
Drawn by	rb
Checked by	msb

Existing Rear Elevation

A-6.2



Proposed Rear (South) Elevation

1/4" = 1'-0"

1



General Drawing Note:
Do not scale off these drawings. Written dimensions take precedence. Contractor to verify all written dimensions in field before proceeding with work. Notify architect and owner of any dimensional discrepancies before proceeding with work. Exterior dimensions given are to framing, interior dimensions given are to finished surfaces.

SMART ARCHITECTURE
33 LAWN STREET, CAMBRIDGE, MA 02138

Heller Residence
6 Acacia Street
Cambridge, MA 02138

Job number	2301
Scale	as noted
Date	09.24.24
Drawn by	rb
Checked by	msb

Proposed Rear Elevation

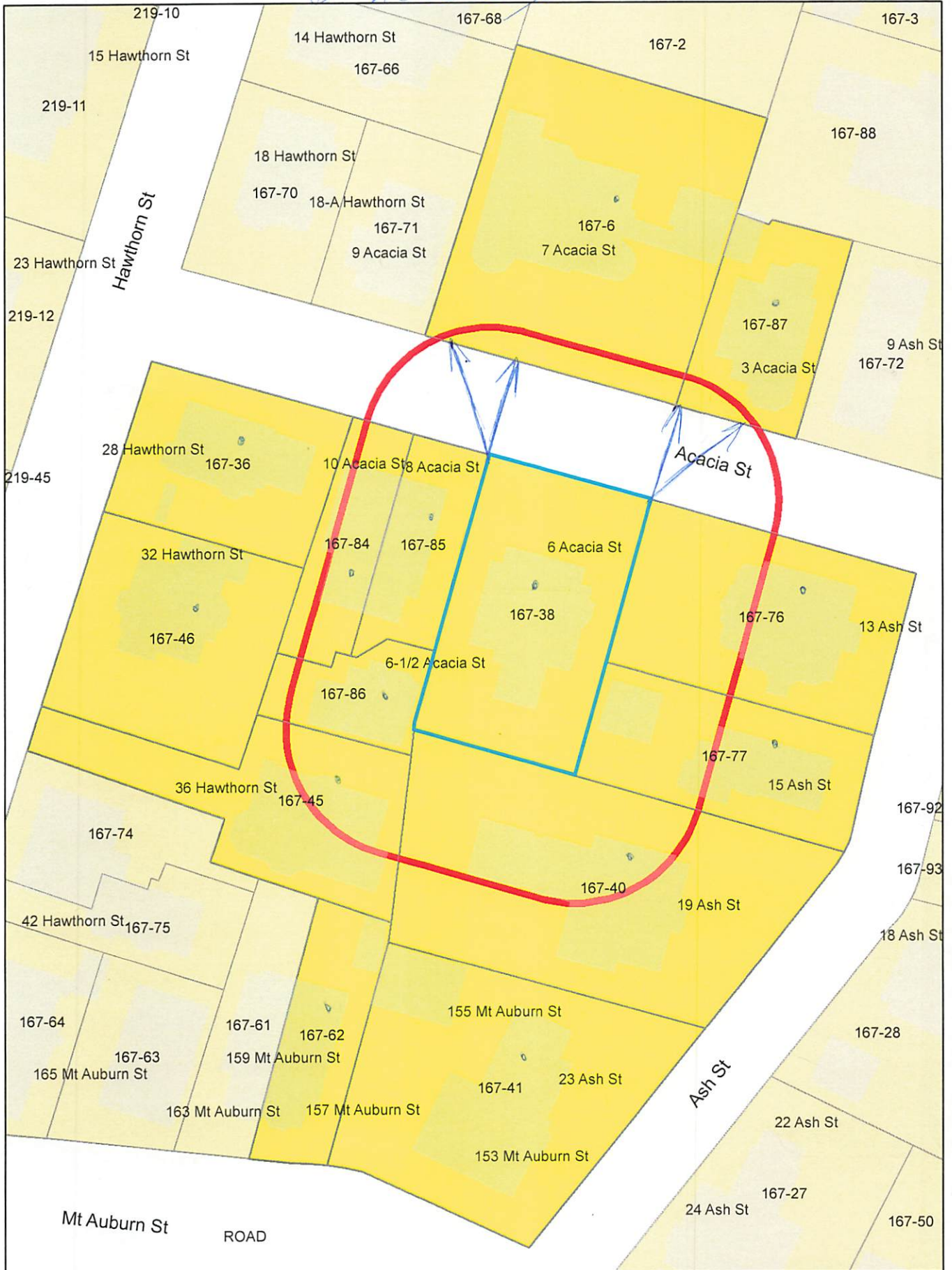
A-7.2

6 Acacia St.





6 Acacia St.



6 Acacia St.

Petitioner

167-38
HELLER, WILLIAM B. & TERESA P. HELLER
3304 ALMAR DR.
VESTAL, NY 13850

167-6
SPENCE, RINA K.
7 ACACIA ST.
CAMBRIDGE, MA 02138-4818

SMARTARCHITECTURE
C/O MAGGIE BOOZ, ARCHITECT
33 LAWN STREET
CAMBRIDGE, MA 02138

167-46
LEVENKRON, HOLLY B.
32 HAWTHORN ST
CAMBRIDGE, MA 02138

167-62
RORICK, MICHEAL J. &
MARGARET L. RORICK
157 MT AUBURN ST
CAMBRIDGE, MA 02138

167-86
ZELLEKE, ANDARGACHEW S. &
DINA G. ZELLEKE
6 1/2 ACACIA ST
CAMBRIDGE, MA 02138

167-76
TRACKMAN, PHILIP C. &
WINIFRED J. HENTSCHEL, TRUSTEES
13 ASH ST
CAMBRIDGE, MA 02138

167-40
SONG, SOYOUN K. & MEGAN B. SONG
19 ASH ST
CAMBRIDGE, MA 02138

167-41
PRESIDENT & FELLOWS OF HARVARD
COLLEGE HOLYOKE CENTER
1350 MASS AVE RM 1000
CAMBRIDGE, MA 02138

167-84
DE NEUFVILLE, RICHARD LAWRENCE
VIRGINA D. LYONS, TRS
10 ACACIA ST
CAMBRIDGE, MA 02138

167-45
SAROTTE, MARY ELISE, MARK J. SCHIEFSKY
36 HAWTHORN ST UNIT 3
CAMBRIDGE, MA 02138

167-87
THREE ACACIA PROPERTY LLC
9 E LOOCKERMAN ST STE 311
KENT, DE 19901

167-45
TRIPPE, BLAIR L & DAVID R HARDING TRS
36 HAWTHORNE ST - UNIT 2
CAMBRIDGE, MA 02138

167-85
SINGH, DIPINDER & MEERA
TRS THE DIPINDER & MEERA SINGH 2022
8 ACACIA ST
CAMBRIDGE, MA 02138

167-36
REICH, DAVID
28 HAWTHORN ST
CAMBRIDGE, MA 02138

167-77
HOFFMAN, ALICE
15 ASH ST
CAMBRIDGE, MA 02138

167-45
BRUZELIUS, MARGARET
36 HAWTHORN ST UNIT 1
CAMBRIDGE, MA 02138