



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

BZA Application Form

BZA Number: 266931

General Information

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

Special Permit: _____ Variance: _____ Appeal: X

RECEIVED BY THE CITY OF CAMBRIDGE, MASSACHUSETTS
2024 APR 24 AM 10:29

PETITIONER: Fox Club Undergraduate Association, Inc. C/O Sarah Like Rhatigan, Esq., Trilogy Law LLC

PETITIONER'S ADDRESS: 12 Marshall Street, Boston, MA 02108

LOCATION OF PROPERTY: 6 Francis Ave., Cambridge, MA

TYPE OF OCCUPANCY: Cited for use as Lodge or other fraternal sororal meeting facility. **ZONING DISTRICT:** Residence A-2 Zone

REASON FOR PETITION:

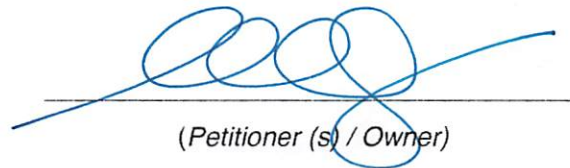
DESCRIPTION OF PETITIONER'S PROPOSAL:

Zoning enforcement letter issued by Building Commissioner, dated March 26, 2024 and addressed to the "Harvard Fox Club, c/o Kevin Wallace"; in which the occupant of the premises is cited for the use of premises located in a Residence A-2 zoning district as a "lodge or other fraternal sororal meeting facility" in violation of the Cambridge Zoning Ordinance.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 4.000 Section: 4.30 (Table of Uses)
Article: 4.000 Section: 4.33 (Institutional Use Regulations)
Article: 10.000 Section: 10.20 (Appeal)

Original
Signature(s):


(Petitioner (s) / Owner)

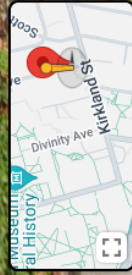
Sarah Like Rhatigan, Esq. on behalf of Petitioner

Address: Trilogy Law LLC, 12 Marshall Street, Boston, MA 02108
Tel. No. 617-543-7009
E-Mail Address: sarah@trilogylaw.com

Date: April 23, 2024



6 Francis Ave
Cambridge, Massachusetts
Google Street View
Nov 2020 [See more dates](#)



April 23, 2024

VIA Email and Hand Delivery

Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

Re: NOTICE OF APPEAL TO BOARD OF ZONING APPEAL PURSUANT TO ARTICLE 10, SECTION 10.21 OF BUILDING COMMISSIONER ZONING ENFORCEMENT LETTER DATED MARCH 26, 2024 ADDRESSED TO “HARVARD FOX CLUB, C/O KEVIN WALLACE” RE: ALLEGED USE VIOLATION AT 6 FRANCIS AVENUE, CAMBRIDGE, MA

Dear Members of the Board:

This firm represents Fox Club Undergraduate Association, Inc. (“FCUA”), the tenant under a lease of the premises located at 6 Francis Avenue, Cambridge, Massachusetts.

Reference is made to that certain zoning enforcement letter issued by Mr. Peter J. McLaughlin, City of Cambridge Building Commissioner, dated March 26, 2024 and addressed to the “Harvard Fox Club, c/o Kevin Wallace” (the “Zoning Enforcement Letter”) in which the occupant of the premises is cited for the use of premises located in a Residence A-2 zoning district as a “lodge or other fraternal sororal meeting facility” in violation of the Cambridge Zoning Ordinance (“CZO”).

On behalf of FCUA, we hereby file this notice of appeal to the Board of Zoning Appeal, as a party aggrieved by the Building Commissioner’s Zoning Enforcement Letter, pursuant to CZO Article 10, Section 10.21 and Massachusetts General Laws, Chapter 40A, Section 8. FCUA requests a hearing before the Board at its next available meeting.

FCUA respectfully requests this Board to stay the Building Commissioner’s Zoning Enforcement Letter to allow FCUA time to relocate to an alternative site. Further, FCUA asks this Board to stay the issuance of any fines against its organization, during the pendency of this appeal.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'SARAH L. RHATIGAN', with a long horizontal flourish extending to the right.

Sarah Like Rhatigan, Esq.

Enclosure

 An official website of the United States government [Here's how you know](#)



6 Francis Ave

Property Information

Property Class	SNGL-FAM-RES
State Class Code	101
Zoning (Unofficial)	A-2
Map/Lot	146-86
Land Area (sq. ft)	5,951

Property Value

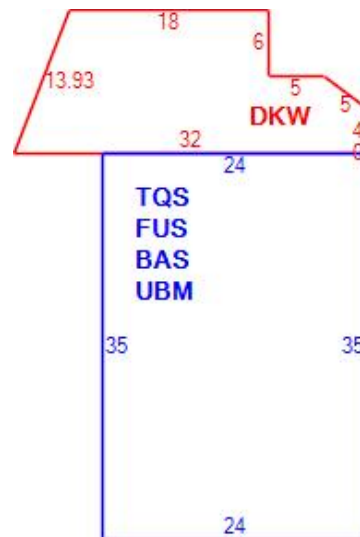
Year of Assessment	2024
Tax District	R5
Residential Exemption	No
Building Value	\$1,269,900
Land Value	\$1,801,300
Assessed Value	\$3,071,200
Sale Price	\$1,541,000
Book/Page	47547/346
Sale Date	May 31, 2006
Previous Assessed Value	\$2,926,200

Owner Information

Photos



Sketches



Owner(s)	WOLBACH, EMMA C. 241 PLANTATION ROAD PALM BEACH, FL 33180
-----------------	---

Building Information*Residential Building Number 1, Section 1***Exterior**

Style	COLONIAL
Occupancy	SNGL-FAM-RES
Number of Stories	2.75
Exterior Wall Type	Frame-Clapbrd
Roof Type	Gable
Roof Material	Aspahlt Shingl

Interior

Living Area (sq. ft.)	2,310
Number of Units	1
Total Rooms	10
Bedrooms	3
Kitchens	1
Full Baths	3
Half Baths	1
Fireplaces	3

Systems

Heat Type	Forced Air
Heat Fuel	Gas
Central A/C	Yes

Condition & Grade

Year Built	1941
Interior Condition	Good
Overall Condition	Very Good
Overall Grade	Good

Parking

Open Parking	1
Covered Parking	0

Subareas

Code	Description	Gross Area	Living Area
BAS	First Floor	840	840
DKW	Deck Wood	324	0
FUS	Upper Story, Finished	840	840
TQS	Three Quarter Story	840	630
UBM	Basement	840	0
Total:		3,684	2,310



CITY OF CAMBRIDGE
INSPECTIONAL SERVICES DEPARTMENT 831 MASS. AVE.
CAMBRIDGE, MASSACHUSETTS 02139 (617) 349-6100

Peter McLaughlin
Building Commissioner

March 26, 2024
BY REGULAR MAIL AND CERTIFIED MAIL – RETURN RECEIPT REQUESTED

HARVARD FOX CLUB
C/O KEVIN WALLACE
6 FRANCIS AVENUE
CAMBRIDGE MA 02138

RE: Institutional Use at 6 Francis Avenue, Cambridge, MA

Dear Kevin Wallace

As you are aware, we are receiving complaints regarding the use of 6 Francis Avenue as a Club, lodge or other fraternal sororal meeting facility. 6 Francis Avenue is located in a Residence A-2 zoning district. Pursuant to Article 4, Section 4.50 of the Cambridge Zoning Ordinance, lodge or other fraternal sororal meeting facility is not allowed outside of the Institutional Use Overlay Districts.

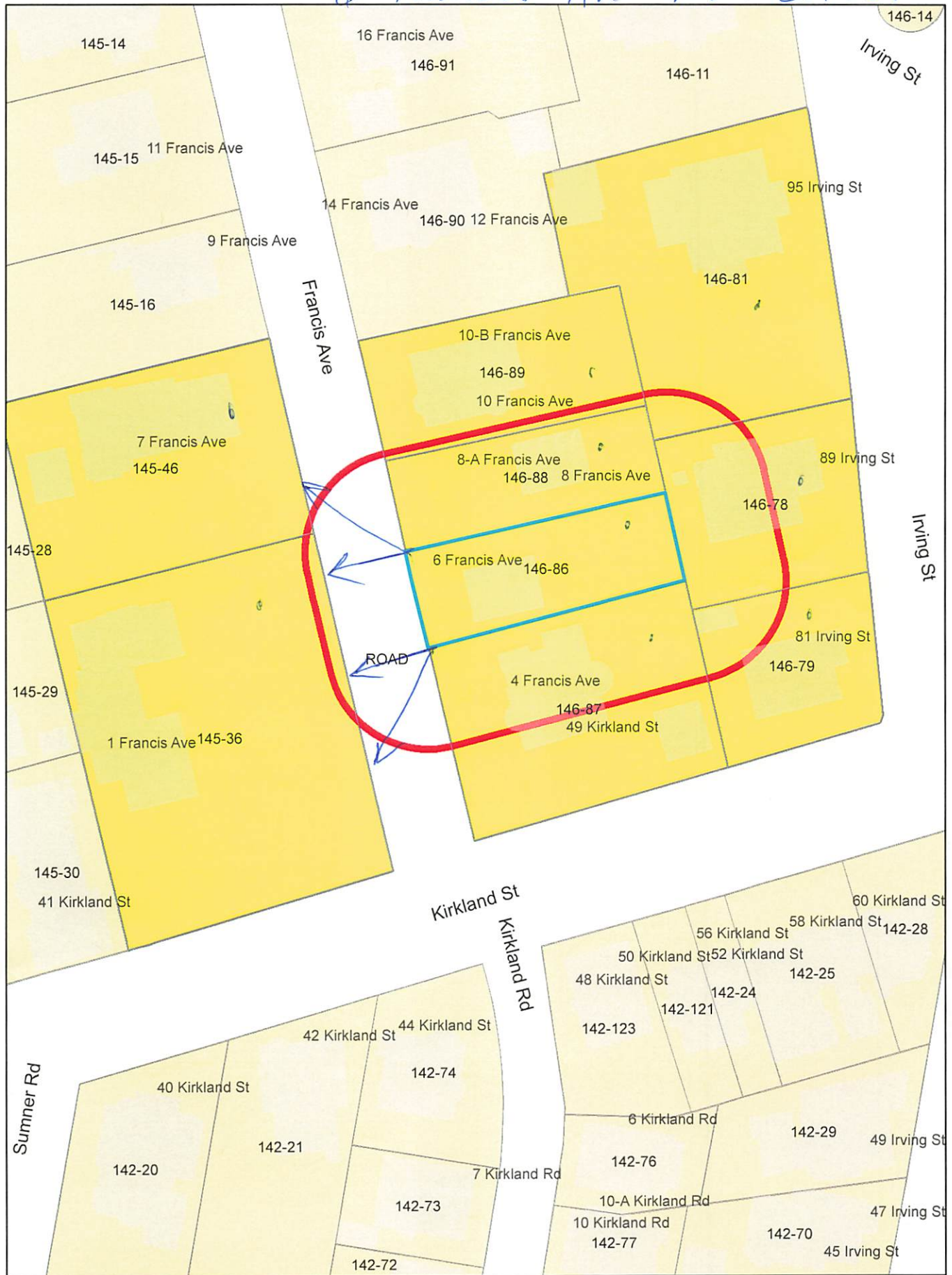
Please cease and desist this activity immediately. If you fail to comply with this order, further steps may be taken, including court action and/or fines of up to \$300 per day, pursuant to Article 9, Section 9.16 of the Cambridge Zoning Ordinance. You have the right to appeal this decision to the Board of Zoning Appeal within 30 days from the date of this letter.

If you have questions, contact me at (617) 349-7221. Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read "Peter McLaughlin".

Peter McLaughlin
Building Commissioner

6 Francis Ave - BZA-266931



7 Francis Ave

Petitioner

145-36
PRESIDENT & FELLOWS OF HARVARD COLLEGE
C/O HARVARD REAL ESTATE, INC.
HOLYOKE CENTER, ROOM 1000
1350 MASSACHUSETTS AVE
CAMBRIDGE, MA 02138-3895

146-79
FIELD, MARTHA AMANDA
81 IRVING ST
CAMBRIDGE, MA 02138-2025

TRIOLOGY LAW LLC
C/O SARAH LIKE RHATIGAN, ESQ.
12 MARSHALL STREET
BOSTON, MA 02108

146-78
ZECKHAUSER, BRYN
89 IRVING ST
CAMBRIDGE, MA 02139

146-87
RIAL, NANCY E.
4 FRANCIS AVE.
CAMBRIDGE, MA 02138

146-86
WOLBACH, EMMA C.
241 PLANTATION ROAD
PALM BEACH, FL 33180

145-46
GRAHAM, LOREN R. & PATRICIA A. GRAHAM
7 FRANCIS AVE UNIT 1
CAMBRIDGE, MA 02138

146-88
WOLF, DENNIS P.
8 FRANCIS AVE
CAMBRIDGE, MA 02138-2010

145-46
DEVLIN, PHILLIP M.
7 FRANCIS AVE UNIT 3
CAMBRIDGE, MA 02138

146-89
NAGURNEY, JOHN T. AND
WENDY K. MARINER
10 FRANCIS AVE
CAMBRIDGE, MA 02138-2010

146-81
FOX & PRINCE 86 LLC & IML 45 LLC
10 CHANNING ST
CAMBRIDGE, MA 02138

146-81
FOX & PRINCE 86 LLC &
IML 45 LLC
2 TOWER LN - SUITE 305
AVON, CT 06001

145-46
GRAHAM, LOREN R. & PATRICIA A. GRAHAM
7 FRANCIS AVE UNIT 1
CAMBRIDGE, MA 02138

Pacheco, Maria

From: Stephen Coit <steve.coit@gmail.com>
Sent: Monday, June 17, 2024 4:47 PM
To: Pacheco, Maria
Cc: Patricia Nolan
Subject: Petition Re: 6 Francis Avenue BZA Case Nos. 266931 and 267305
Attachments: Petition Six Francis Ave.xlsx

Board of Zoning Appeal
831 Massachusetts Ave
Cambridge MA
Re: 6 Francis Avenue
BZA Case Nos. 266931 and 267305

I am Stephen Coit, 24 Francis Avenue, Cambridge, MA 02138. Cell 617 851 0128. Please contact me if you have any questions. I plan to attend the hearing on the 20th.

I am attaching a list of 46 Cambridge Citizens, mostly our neighbors who live on or near Francis Avenue, and more than 30 others who may live elsewhere but have reason to be concerned with this issue, who have signed an online petition OPPOSING both appeals involving the property at 6 Francis Avenue.

The online petition they signed was as follows:

"Keep Social Clubs Out Of Our Residential Neighborhoods "

Started by Stephen Coit

Board of Zoning Appeals City of Cambridge

BZA Case No. 266931: The Fox Club

BZA Case No. 267305: Emma C. Wolbach

The undersigned residents of Cambridge, Massachusetts, oppose the use of a private residence in our neighborhood for the operation of a social club, lodge, fraternity or sorority. There is no dispute that 6 Francis Avenue is a private residence in Residential Zone A-2 and was leased to and occupied by the Fox Club, a private fraternity that has no affiliation with any university or other educational or city institution.

We urge the Board of Zoning Appeals to deny the appeals in these two cases and instruct the City of Cambridge to support and enforce its established residential zoning ordinances.

Thank you

Keep Social Clubs Out Of Our Residential Neighborhoods

Name	City	State	Postal Code	Country	Signed On
Allan Green	Cambridge	MA	2138	US	6/16/2024
Mischa Karplus	Cambridge	MA	2138	US	6/14/2024
Sara Hunter	Cambridge	MA	2138	US	6/14/2024
Sylvia Fine	Cambridge	MA	2140	US	6/14/2024
Joan Friebely	Cambridge	MA	2138	US	6/14/2024
Thomas Weisenbeck	Cambridge	MA	2139	US	6/14/2024
Heli Meltsner	Cambridge	MA	2139	US	6/14/2024
Louisa Kasdon	Cambridge	MA	2140	US	6/14/2024
Shelly Greenfield	Cambridge	MA	2138	US	6/13/2024
Jane Knowles	Cambridge	MA	2139	US	6/13/2024
Jeanne Gibson	Cambridge	MA	2140	US	6/13/2024
Neal Carney	Cambridge	MA	2138	US	6/13/2024
Brian Howard	Cambridge	MA	2138	US	6/13/2024
John Toby nagurney	Cambridge	MA	2138	US	6/13/2024
Rachel Lee	Cambridge	MA	2139	US	6/13/2024
nancy Rial	Cambridge	MA	2139	US	6/12/2024
Thomas Wolf	Cambridge	MA	2139	US	6/12/2024
Katie Lapp	Cambridge	MA	2138	US	6/12/2024
Jeffrey Newton	Cambridge	MA	2138	US	6/12/2024
Allan Brandt	Cambridge	MA	2138	US	6/12/2024
Scheri Fultineer	Cambridge	MA	2138	US	6/12/2024
Adam Pool	Cambridge	MA	2140	US	6/12/2024
Bhanu Jena	Cambridge	MA	2138	US	6/12/2024
Jane Kamine	Cambridge	MA	2139	US	6/12/2024
Ellen van Bever	Cambridge	MA	2138	US	6/12/2024
Kathryn Lasky	Cambridge	MA	2138	US	6/12/2024
David Oran	Cambridge	MA	2138	US	6/12/2024
Julia Powell	Cambridge	MA	2138	US	6/12/2024
Jayant Shah	Cambridge	MA	2139	US	6/12/2024
Sue Stafford	Cambridge	MA	2139	US	6/12/2024
Isabella Ehrlich	Cambridge	MA	2138	US	6/12/2024
DONALD POGORZELSKI	Cambridge	MA	2138	US	6/12/2024
Barbara Powell	Cambridge	MA	2139	US	6/12/2024
tom hexner	Cambridge	MA	2139	US	6/12/2024
Bryn Zeckhauser	Cambridge	MA	2138	US	6/12/2024
Susan Pharr	Cambridge	MA	2138	US	6/12/2024
Clift Jones	Cambridge	MA	2138	US	6/12/2024
Christopher Knight	Cambridge	MA	2138	US	6/12/2024

Kristina Gjerde	Cambridge	MA	02138-2025	US	6/12/2024
David Cullen	Cambridge	MA	2138	US	6/12/2024
Nancy Salzman	Cambridge	MA	2138	US	6/12/2024
Wendy Mariner	Cambridge	MA	2138	US	6/12/2024
Stephen Coit	Cambridge	MA	2138	US	6/11/2024
Michael Byrne	Cambridge	MA	2138	US	6/11/2024
Charles Wyzanski	Cambridge	MA	2138	US	6/11/2024
Susan Carter	Cambridge,	MA	2138	US	6/12/2024
David R. Lautenschlager, Jr.	Mobile	AL	36604	US	6/14/2024
Vincent Somma	Chula Vista	CA	91910	US	6/14/2024
Rachel Kanter	Washington	DC	20036	US	6/12/2024
Linda S. Aglio, MD MS	Orlando	FL	32801	US	6/12/2024
Katherine Gator	Tampa	FL	33607	US	6/14/2024
Marlen Valadez	Oak Forest	IL	60452	US	6/13/2024
Donald wleklinski	Terre Haute	IN	47803	US	6/12/2024
Nathan Baker	Louisville	KY	40207	US	6/15/2024
Silvia Arrom	Acton	MA	1720	US	6/12/2024
Tim Ehrlich	Boston	MA	20210	US	6/12/2024
Phillip Devlin (he, him, his)	Boston	MA	2115	US	6/12/2024
Ralphie Beam	Cumberland	MD	21502	US	6/15/2024
Walter Stafford	Islesboro	ME	4848	US	6/17/2024
Jay Harris	Saint Louis	MO	63116	US	6/17/2024
Alana Preziosi	Swedesboro	NJ	8085	US	6/17/2024
Aliyah Cukaj	Hampton Bays	NY	11946	US	6/16/2024
John Comaroff	New York	NY	10118	US	6/12/2024
Ash Beans	Portland	OR	97206	US	6/17/2024
Gordon Poston	Kingstree	SC	29556	US	6/16/2024
Kimberly Dross	San Antonio	TX	78201	US	6/13/2024
chelsea hardy	camas	WA	98607	US	6/13/2024
Elizabeth Spelke	Angers	MA	49100	France	6/13/2024
Vivian M	Boston	MA	2169	Greece	6/12/2024
Morag Bamforth	Greenwich	ENG	SE10	UK	6/15/2024

Pacheco, Maria

From: Nancy RIAL <nrial47@gmail.com>
Sent: Monday, June 17, 2024 1:04 PM
To: Pacheco, Maria
Subject: Fwd:
Attachments: 20240617_124436.jpg; 20240617_124427.jpg

Dear Maria,

Please accept these two documents in support of my OPPOSITION to the following petition for APPEAL:

CASE NO: BZA-266931

LOCATION: 6 FRANCIS AVE, CAMBRIDGE, MA

PETITIONER: Fox Club Association, Inc
c/o Sarsh L. Rhatigan, Esq.

ZONING DISTRICT: Residence A-2 ZONE

Thank you, Nancy Rial
4 Francis Ave, Cambridge, Ma
617-710-3085

----- Forwarded message -----

From: **Nancy RIAL** <nrial47@gmail.com>
Date: Mon, Jun 17, 2024 at 12:50 PM
Subject:
To: <nrial47@gmail.com>

09/18/2024 10:08 AM

Form Form



CAMBRIDGE POLICE DEPARTMENT CAMBRIDGE, MA

INCIDENT # / REPORT #
24001358 - 1

OFFICER
TOPOUZOGLOU, ANDREW

RATE REVIEW STATUS
OFF APPROVED

INCIDENT # 24001358 DATA
As Of 09/18/2024 11:11

BASIC INFORMATION

CASE TYPE NOISE COMPLAINT	LOCATION FRANKS AVE	APT/UNIT #
DATE/TIME REPORTED 09/18/2024 13:30:00	DATE/TIME OCCURRED 09/18/2024 13:30 to 09/18/2024 14:07	
INCIDENT TYPE(S)/OFFENSE(S) (MISCELLANEOUS)MISC. REPORT TYPE		

PERSONS

ROLE	NAME	SEX	RACE
REPORTING PERSON	[REDACTED]	FEMALE	WHITE
INVOLVED PARTY	[REDACTED]	MALE	WHITE
INVOLVED PARTY	[REDACTED]	MALE	
INVOLVED PARTY	[REDACTED]	FEMALE	UNKNOWN
INVOLVED PARTY	[REDACTED]	MALE	
INVOLVED PARTY	[REDACTED]	FEMALE	
INVOLVED PARTY	[REDACTED]	MALE	WHITE

[NO OFFENDERS]

[NO VEHICLES]

[NO PROPERTY]

OFFICER REPORT: 24001358 - 1 / TOPOUZOGLOU, ANDREW (545)

DATE/TIME OF REPORT
09/18/2024 15:30:17

TYPE OF REPORT
INCIDENT

REVIEW STATUS
APPROVED