



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 APR 24 PM 3:05

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 267305

General Information

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

Special Permit: _____ Variance: _____ Appeal: X

PETITIONER: Emma C. Wolbach C/O Bailey Buchanan, Attorney

PETITIONER'S ADDRESS: Metaxas Brown Pidgeon LLP, MA, Danvers 01923

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

TYPE OF OCCUPANCY: n/a **ZONING DISTRICT:** A-2

REASON FOR PETITION:

DESCRIPTION OF PETITIONER'S PROPOSAL:

Ms. Wolbach appeals the zoning enforcement letter issued by the Building Commissioner, dated March 25, 2024 to her, the owner of the premises and lessor to the Fox Club Undergraduate Association, Inc., ("FCUA" or "tenant"), under a lease dated 12/6/2023, citing Ms. Wolbach for alleged violations of the Zoning Ordinance by the tenant and violation notices issued to Ms. Wolbach pursuant to Article 9, Section 9.16 of the Cambridge Zoning Ordinance, for the tenant's violations of the ordinance. Ms. Wolbach appeals and contests the violation notices, citations and any assessment of fines and seeks an appeal of any fees assessed and stay of any further fees pending appeal.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 4.000 Section: 4.21 (Accessory Uses)
- Article: 4.000 Section: 4.5 (Institutional Use Regulations)
- Article: 9.000 Section: 9.16.2 (Non Criminal Disposition)
- Article: 10.000 Section: 10.20 (Appeal).

Original
Signature(s):

[Signature] Attorney
 (Petitioner (s) / Owner)
 For Emma C. Wolbach
Bailey Buchanan
 (Print Name)

Address:

Metaxas Brown Pidgeon 2nd Floor
10 Elm St,
Danvers, MA
01923

Tel. No.

9782324267

E-Mail Address:

bbuchanan@metaxasbrown.com

Date: 4-24-2024

DIMENSIONAL INFORMATION

Applicant: Emma C. Wolbach
Location: 6 Francis Ave., Cambridge, MA
Phone: 9782324267

Present Use/Occupancy: n/a
Zone: A-2
Requested Use/Occupancy: n/a

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>
<u>TOTAL GROSS FLOOR AREA:</u>		3,684	N/A	n/a (max.)
<u>LOT AREA:</u>		5,951	n/a	n/a (min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.619	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	n/a	n/a	n/a
<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>		1	n/a	n/a
<u>NO. OF PARKING SPACES:</u>		1	1	n/a
<u>NO. OF LOADING AREAS:</u>		n/a	n/a	n/a
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		n/a	n/a	n/a

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

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'.

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 Emma C. Wolbach
(OWNER)

Address: 241 Plantation Road, Palm Beach, Florida

State that I/We own the property located at 6 Francis Avenue, Cambridge, Massachusetts which is the subject of this zoning application.

The record title of this property is in the name of Emma C. Wolbach

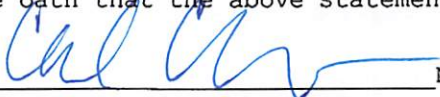
*Pursuant to a deed of duly recorded in the date 5/31/2006, Middlesex South County Registry of Deeds at Book 47547, Page 346; or Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.


SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*
Bailey Buchanan, as Agent/Attorney for Owner

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

Commonwealth of Massachusetts, County of Essex

The above-name Bailey Buchanan personally appeared before me, this 23rd of April, 2024, and made oath that the above statement is true.


Notary

My commission expires 2/13/2026 (Notary Seal).



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

April 24, 2024

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

Re: NOTICE OF APPEAL of the Cease and Desist Order dated March 25, 2023 and Notices of Violation Issued to and Assessment of Fines upon Emma Wolbach, Property Owner and Lessor of 6 Francis Ave., Cambridge MA, for alleged violations of the Zoning Ordinance by the Tenant, Fox Club Undergraduate Association, Inc.

Notice of Appeal Pursuant to M.G.L. c. 40A §§ 8 and 15 and Cambridge Zoning Ordinance Article 10, § 10.21.

Dear Board Members:

Please be advised that this law firm represents Emma C. Wolbach, property owner of 6 Francis Ave., Cambridge, MA (“the property”). Ms. Wolbach has directed us to file this Notice of Appeal informing you that she is appealing the zoning enforcement letter issued by the Building Commissioner, dated March 25, 2024 directed at her, the owner of the premises and lessor to the Fox Club Undergraduate Association, Inc. (FCUA), under a lease dated December 6, 2023, citing Ms. Wolbach for violations of the Zoning Ordinance by the tenant (“the Enforcement Decision”). Ms. Wolbach hereby appeals the Enforcement Decision and further appeals and contests all enforcement actions taken against her including the Violation Notices issued to her pursuant to Article 9, Section 9.16 of the Cambridge Zoning Ordinance and any assessment of fines, for her tenant’s violations of the ordinance. She further requests that all notices of violations and assessment of fines be stayed pending appeal and requests an abatement of any and all fines that have been or may be assessed.

M.G.L. c. 40A, § 8 provides that “[a]n appeal to the permit granting authority as the zoning ordinance or by-law may provide, may be taken by [. . .] any person including an officer or board of the city or town, or of an abutting city or town aggrieved by an order or decision of the inspector of buildings, or other administrative official, in violation of any provision of this chapter or any ordinance or by-law adopted thereunder.” Article 10, §10.21 of the Cambridge Zoning Ordinance provides that “[a]ny party specified in Section 8, Chapter 40A, G.L.,

aggrieved [. . .] by any order, requirement, decision or determination made by the Superintendent of Buildings or other permit granting authority in the enforcement of this Ordinance may appeal to the Board of Zoning Appeal. Ms. Wolbach is aggrieved by the Enforcement Decision of the Building Commissioner to issue the Cease and Desist letter and Violation Notices to assess any fines beginning on or about April 11, 2024 and as may be continuing. As such, she is entitled under M.G.L. c. 40A, § 8 and Article 10, § 10.21 of the Cambridge Zoning Ordinance to file this Notice of Appeal.

Ms. Wolbach has owned the property since May 31, 2006 but currently resides in Florida. She is 77 years old. Her presence is required in Florida to provide care for her elderly husband who has significant health issues and to attend to her stepdaughter's care and medical issues as she undergoes treatment for a serious illness. She does not occupy or use the premises.

In December 2023, Ms. Wolbach leased the premises to the Fox Club Undergraduate Association, Inc. ("FCUA"). Accordingly, the premises are not under the control of Ms. Wolbach. Pursuant to the holding of the Massachusetts Supreme Judicial Court in Commonwealth v. Wentworth, 146 Mass. 36, 37 (1888), "[i]f a building is let to a tenant who enters into possession under a lease, the building is not under the control of the landlord, but is under the control of the tenant while he continues in possession under the lease, unless there are special provisions in the lease which give the control to the landlord." There are no such special provisions in the lease which give control to the lessor, Ms. Wolbach. However, the lease does specifically prohibit the FCUA from making any use of the property that "is unlawful, improper, noisy or offensive or contrary to any law or any municipal by-law or ordinance in force in the city or town in which the premises are situated." The FCUA explicitly agreed with this prohibition and knowingly assumed an affirmative duty to comply with all municipal by-laws or ordinances and to not use the premises in any unlawful, improper, noisy or offensive way.

On March 25, 2024, the Building Commissioner issued the letter, attached hereto as Exhibit A, to Ms. Wolbach citing the use of the 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. On March 26, 2024, a similar letter was sent to the FCUA, which is also attached hereto as Exhibit B. The March 25, 2024 letter to Ms. Wolbach informed her that "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." The March 25, 2024 letter to Ms. Wolbach fails to comply with the mandatory notice requirements of M.G.L. c. 40, § 21D. See Maroney v. Planning Bd. of Haverhill, 97 Mass. App. Ct. 678, 686 (2020) (holding that "building inspector's July 2015 and August 2016 letters were not notices under § 21D; neither mentioned the District Court, nor indicated that fines were to be imposed for actions that had already occurred.")

On or about April 11, 2024, the City of Cambridge began issuing Ms. Wolbach "Violation Notices" by mail to her in Florida and these fines may be continuing. To date, Ms. Wolbach has received Violation Notices numbered 102428 and 102432. Written notice is hereby

given that Ms. Wolbach contests these Violation Notices and the assessment of fines as she is not in control of the premises and the tenant has control of the premises. She cannot be held liable for the tenant's use of the premises. See Commonwealth v. Wentworth, 146 Mass. 36, 37 (1888). Ms. Wolbach is not the "offender" under M.G.L. c. 40, § 21D. By requiring the tenant, FCUA, under the lease to comply with all municipal by-laws or ordinances and to not use the premises in any unlawful, improper, noisy or offensive way, and issuing a notice of default and notice to quit the premises concurrently with filing this Appeal, (see Exhibit C attached hereto which is being served on the Lessee concurrently) Ms. Wolbach is taking all reasonable steps to stop any alleged violations and evict the tenant. See id.

Ms. Wolbach, respectfully: (i) requests that the Board overturn the Enforcement Decision as directed at her; (ii) requests that the Board overturn the Violation Notices and abate any assessment of fines against her; (iii) hereby submits notice that she contests said Violation Notices; and (iv) requests that all further Violation Notices and assessment of fines be stayed against her pending appeal and as she seeks to evict the tenant for violating the lease covenants, obligations and agreements requiring compliance with all municipal by-laws and ordinances.

Respectfully yours,



Bailey Buchanan

BB:dd
Enclosures

cc: Emma C. Wolbach

EXHIBIT A



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

Peter McLaughlin
Building Commissioner

March 25, 2024
BY REGULAR MAIL AND CERTIFIED MAIL – RETURN RECEIPT REQUESTED

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

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

Dear Emma C. Wolbach

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.

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

Peter McLaughlin
Building Commissioner

EXHIBIT B



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

EXHIBIT C



April 24, 2024

VIA CERTIFIED MAIL/RRR
AND VIA CONSTABLE SERVICE

Fox Club Undergraduate Association, Inc., Lessee
6 Francis Ave.
Cambridge, MA 02138

**THIRTY (30) DAY DEFAULT NOTICE AND NOTICE TO QUIT
AND TERMINATION OF TENANCY**

Re: Lessor: Emma Wolbach
Premises: 6 Francis Ave, Cambridge MA

Dear Club Steward Kevin Wallace and/or other Sir or Madam acting on behalf of the Lessee, the Fox Club Undergraduate Association Inc.:

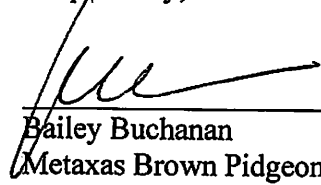
Please be advised that I represent your lessor, Emma Wolbach (the "Lessor"), owner of 6 Francis Avenue, Cambridge, MA (the "Premises").

Notice is hereby given pursuant to Articles 19 and 20 of the lease agreement dated December 6, 2023 between Ms. Wolbach as Lessor and the Fox Club Undergraduate Association Inc. ("FCUA") as the Lessee and executed by Mr. Kevin Wallace, Club Steward, on behalf of the FCUA, that FCUA has defaulted in the observance or performance of its covenants, agreements and obligations under Articles 8 and 9 of the lease agreement on numerous occasions. Namely, it has been cited for numerous municipal violations and is using the premises in unlawful, improper, noisy and offensive ways. It has also used the premises repeatedly for parties and other events that have created a nuisance in the neighborhood and that are not permitted under the express terms of the lease.

Notice is hereby given that your tenancy for the Premises is hereby terminated, and that you are to quit and deliver up the Premises now occupied by you on or before May 25, 2024. This notice is being sent to you because the lessee has committed multiple defaults and is not based on rent arrears, if any there be.

Please be prepared to remove your personal property from the Premises, leave the Premises in the same condition as when you moved in, and deliver the key (if any) to this office on behalf of the Lessor. Any payment of rent after your receipt of this notice will be accepted without waiving any rights of eviction. Fail not, or I shall have no alternative but to take such legal action as may be necessary to remove you from said premises.

Respectfully,



Bailey Buchanan
Metaxas Brown Pidgeon LLP
10 Elm Street, Second Floor
Danvers, MA 01923

BB:dd

cc: Sarah Like Rhatigan, Esq.
Emma C. Wolbach

April 24, 2024

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

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aggrieved [. . .] by any order, requirement, decision or determination made by the Superintendent of Buildings or other permit granting authority in the enforcement of this Ordinance may appeal to the Board of Zoning Appeal. Ms. Wolbach is aggrieved by the Enforcement Decision of the Building Commissioner to issue the Cease and Desist letter and Violation Notices to assess any fines beginning on or about April 11, 2024 and as may be continuing. As such, she is entitled under M.G.L. c. 40A, § 8 and Article 10, § 10.21 of the Cambridge Zoning Ordinance to file this Notice of Appeal.

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On March 25, 2024, the Building Commissioner issued the letter, attached hereto as Exhibit A, to Ms. Wolbach citing the use of the 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. On March 26, 2024, a similar letter was sent to the FCUA, which is also attached hereto as Exhibit B. The March 25, 2024 letter to Ms. Wolbach informed her that "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." The March 25, 2024 letter to Ms. Wolbach fails to comply with the mandatory notice requirements of M.G.L. c. 40, § 21D. See Maroney v. Planning Bd. of Haverhill, 97 Mass. App. Ct. 678, 686 (2020) (holding that "building inspector's July 2015 and August 2016 letters were not notices under § 21D; neither mentioned the District Court, nor indicated that fines were to be imposed for actions that had already occurred.")

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Board of Zoning Appeal
City of Cambridge
April 24, 2024
Page 3

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Ms. Wolbach, respectfully: (i) requests that the Board overturn the Enforcement Decision as directed at her; (ii) requests that the Board overturn the Violation Notices and abate any assessment of fines against her; (iii) hereby submits notice that she contests said Violation Notices; and (iv) requests that all further Violation Notices and assessment of fines be stayed against her pending appeal and as she seeks to evict the tenant for violating the lease covenants, obligations and agreements requiring compliance with all municipal by-laws and ordinances.

Respectfully yours,



Bailey Buchanan

BB:dd
Enclosures

cc: Emma C. Wolbach

EXHIBIT A



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

Peter McLaughlin
Building Commissioner

March 25, 2024
BY REGULAR MAIL AND CERTIFIED MAIL – RETURN RECEIPT REQUESTED

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

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

Dear Emma C. Wolbach

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.

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

Peter McLaughlin
Building Commissioner

EXHIBIT B



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.

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Peter McLaughlin
Building Commissioner

EXHIBIT C

April 24, 2024

VIA CERTIFIED MAIL/RRR
AND VIA CONSTABLE SERVICE

Fox Club Undergraduate Association, Inc., Lessee
6 Francis Ave.
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AND TERMINATION OF TENANCY**

Re: Lessor: Emma Wolbach
Premises: 6 Francis Ave, Cambridge MA

Dear Club Steward Kevin Wallace and/or other Sir or Madam acting on behalf of the Lessee, the Fox Club Undergraduate Association Inc.:

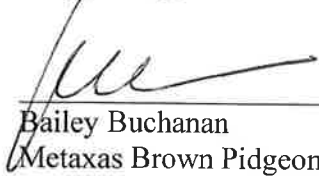
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Notice is hereby given that your tenancy for the Premises is hereby terminated, and that you are to quit and deliver up the Premises now occupied by you on or before May 25, 2024. This notice is being sent to you because the lessee has committed multiple defaults and is not based on rent arrears, if any there be.

Please be prepared to remove your personal property from the Premises, leave the Premises in the same condition as when you moved in, and deliver the key (if any) to this office on behalf of the Lessor. Any payment of rent after your receipt of this notice will be accepted without waiving any rights of eviction. Fail not, or I shall have no alternative but to take such legal action as may be necessary to remove you from said premises.

Respectfully,

A handwritten signature in black ink, appearing to read 'Bailey Buchanan', is written over a horizontal line.

Bailey Buchanan
Metaxas Brown Pidgeon LLP
10 Elm Street, Second Floor
Danvers, MA 01923

BB:dd

cc: Sarah Like Rhatigan, Esq.
Emma C. Wolbach

6 Francis Ave - BZA-267305



6 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

METAXAS BROWN PIDGEON LLP
C/O BAILEY BUCHANAN, ESQ.
10 ELM STREET - 2ND FLOOR
DANVERS, MA 01923

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