

The Board of Zoning Appeal will hold a Public Meeting, THURSDAY – NOVEMBER 5, 2009, At City Hall, Ackermann Room - 2<sup>nd</sup> Floor, 795 Mass Ave., Cambridge, Massachusetts. The following cases will be heard.

7:30 P.M. CASE NO. 9854

72 HAMILTON STREET

Special District - 10

66-72 HAMILTON STREET, LLC – C/O JAMES J. RAFFERTY, ESQ.

Appeal: To appeal the determination of the Building Commissioner that a dwelling unit count that complies with the provisions of Article 5.28.22 exceeds the maximum number of units allowed within the meaning of Article 11.203.2.C. Art. 5.000, Sec. 5.28.22 (Dwelling Units). Art 11.000, Sec. 11.203.2.C (Inclusionary Housing). Art. 10.000, Sec. 10.20 (Appeal).

8:00 P.M. CASE NO. 9855

45 FOSTER STREET

Residence A-2 Zone

JOHN E. GREENUP, TR.

Special Permit: To obtain a finding that reconstruction of the pre-existing nonconforming portion of the single family dwelling does not intensify existing nonconformities pursuant to G.L. c. 40A, s.6 and to obtain any necessary zoning relief thru the grant of a special permit, if the Board should decide one is required. Originally filed as Cases 9626 and 9569, as continued. Art. 8.000, Sec. 8.22.2.C (Non-Conforming Structure).

8:30 P.M. CASE NO. 9856

135-137 ELM STREET

Residence C-1 Zone

STEPHAN DUBOULOZ- C/O CAMPBELL ELLSWORTH, ARCHITECT

Special Permit: To modify parking relative to north side setback. This will allow for a modified as-of-right structure for Units 3 and 4. Modify location of Units 1 and 2 south windows to allow for better correlation to interior layout. Windows do not exceed allowable 25% (780 CMR, Table 704.8, footnote b). Art. 8.000, Sec. 8.22.2.C (Non-Conforming Structure). Art. 6.000, Sec. 6.44.1 (Footnote B & G).

8:45 P.M. CASE NO. 9857

135-137 ELM STREET

Residence C-1 Zone

DOUG DEMAY & NELL MA'LUF

Appeal: To appeal the issuance of a building permit. Art. 10.000, Sec. 10.20 (Appeal).

9:00 P.M. CASE NO. 9858

41 HAWTHORN STREET

Residence B Zone

DOUGLAS OKUN

Special Permit: To alter building by adding dormers, no increase in FAR. Art. 8.000, Sec. 8.22.2.C (Alteration to Non-Conforming Structure).

9:15 P.M. CASE NO. 9859

2419 MASS AVE/1-29 CAMP STREET

Business A-2/Residence B Zone

CODACAM LLC – GREGORY COHEN, MANGER – C/O ANDREW BRAM, ESQ.

Variance: To subdivide parcel to sell 2419 Mass Avenue wholly within BA-2 District, and to retain 1-29 Camp Street subject to a prior variance granted by the Board in 2007 in Case No. 9436. Art. 4.000, Sec. 4.34(d) (Office Use). Art. 5.000, Sec. 5.33 (Table Of Dimensional Requirements). Sec. 5.15 (Change Shape of Lot).

9:30 P.M. CASE NO. 9860

983 MASS AVENUE

Business B-2 Zone

MILLSTONE LLC – D/B/A CANTEEN – C/O JIMMY MURRAY

Special Permit: To occupy as environmentally friendly quick serve café. Art. 4.000, Sec. 4.35.0. (Use Table). Art. 11.000, Sec. 11.30 (Fast Food Establishment).

9:45 P.M. CASE NO. 9861

400 MAIN STREET

Residence C-3B/Partial MXR Overlay

SPRINT SPECTRUM, LLC – C/O ADAM F. BRAILLARD, ESQ.

Special Permit: To install three (3) sectors of four (4) antennas per sector to be mounted on the rooftop of the existing building on the Property. Petitioner also proposed to install an equipment shelter toward the center of the rooftop of the building. Power & Telco are to come from existing sources within the buildings. Art. 4.000, Sec. 4.32.G.1 (Footnote 49) (Telecommunication Facility). Art. 10.000, Sec. 10.40 (Special Permit).

COPIES OF THIS PETITION ARE ON FILE IN THE OFFICE OF THE CITY CLERK, CITY HALL, CAMBRIDGE, MA. CASES CAN BE REVIEWED AT INSPECTIONAL SERVICES DEPARTMENT, LOCATED AT 831 MASS AVENUE. CONTINUED CASES ARE NOT ADVERTISED BUT POSTED IN THE OFFICE BOARD AT CITY CLERK'S OFFICE CITY HALL.

INTERESTED PERSONS MAY PROVIDE COMMENTS TO THE BOARD OF ZONING APPEAL BY APPEARING IN PERSON AT THE HEARING OR MAY PROVIDE WRITTEN COMMENTS FOR THE BOARD'S CONSIDERATION BY SENDING OR FAXING THEM TO THE ATTENTION OF THE SECRETARY (BOARD OF ZONING APPEAL), 831 MASSACHUSETTS AVENUE, 02139/FAX 349-6183. COMMENTS MUST BE SUBMITTED PRIOR TO THE HEARING AND INCLUDE THE CASE NUMBER.