

To: Board of Zoning Appeal
From: Harvard Square Advisory Committee
Date: August 16, 2023
Re: **65 JFK Street (BZA 226790) and 61 Church Street (BZA 226781)**

Overview

The Harvard Square Advisory Committee (the “Committee”) met on Wednesday, August 16, 2023 to discuss special permit applications for Dunkin Donut locations at 65 JFK Street and 61 Church Street. The meeting was conducted pursuant to the provisions of Section 20.50 of the Cambridge Zoning Ordinance in advance of the applicant’s request for special permits from the Board of Zoning Appeal (BZA). Committee members present were Allison Crosbie, Lauren Curry, John DiGiovanni (recused), Frank Kramer, Kari Kuelzer, Alexandra Offiong, Matt Simitis (Chair), and Nicola Williams. Absent was Steven Ng. After discussion, the Committee decided to forward a report to the BZA with a positive recommendation for both applications, with eight (8) members present voting in favor and one (1) recusing.

Proposal Description

The Applicant proposes a change of ownership for two Dunkin Donuts franchise locations at 65 JFK Street and 61 Church Street. This use is considered both a Formula Business and a Fast Order/Quick-Service Food Establishment. Fast Order/Quick-Service Food Establishments in the Harvard Square Overlay District require a special permit from the Board of Zoning Appeal if they are a Formula Business. Section 11.33 of the Zoning Ordinance notes that existing special permits issued under this Section may not be transferred to a new owner.

Committee Comments

The Committee voted to recommend that the applications be approved by the BZA and to transmit the below summary of comments:

- The Committee expressed encouragement to the Applicant to provide longer operating hours but understands that the hours submitted are a business decision. Any conditions included by the BZA relative to operating hours should allow flexibility for staying open later. Previous approvals had allowed for a closing time of midnight and the Committee is supportive of this time.
- Conditions of the BZA special permits should include those conditions approved for previous Dunkin Donut owners at these locations with respect to signage, design, and operating hours. The Committee particularly noted the history of negotiated signage agreements at these locations.
- Temporary signage shall follow the requirements of the zoning ordinance and all other applicable regulations.
- All other aspects of the business shall comply with the requirements of the zoning ordinance.

Public Comments

Below are a summary of questions and comments provided by members of the public during the HSAC meeting:

- Suzanne Blier – Noted that these two locations were open later at night under previous owners and raised concerns with the increasing lack of nighttime business activity in Harvard Square. Additionally raised questions on whether the temporary plastic banners in front of the business went through a regular approval process.
- James Williamson – Commented that he was not against the issuance of a permit by the BZA, but raised a list of specific concerns: that the hours of operation may have been reduced from midnight to 10 p.m.; concerns with change of operations with new owners; general cleanliness of restroom facilities; and possible violations of signage rules.

Respectfully submitted for the Committee,

A handwritten signature in black ink, appearing to read "Mason Wells". The signature is fluid and cursive, with the first name "Mason" and the last name "Wells" clearly distinguishable.

Mason Wells

Community Development Department