

# CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139 617 349-6100

**BZA APPLICATION FORM** 

Plan No:

BZA-010312-2016

**GENERAL INFORMATION** 

The unders		ons the Board of Zon Varia		ne rollowing:  Appeal :
PETITIONE			-	rence P. Morris, Esq.
PETITIONE	ER'S ADDRESS :	57 Elm Road N		
LOCATION	OF PROPERTY:	1108 Cambridge	St Cambridg	ge, MA 02139
TYPE OF C		Fast Order Food Establishment	z	ZONING DISTRICT: Business A Zone
REASON F	OR PETITION :			
	Chang	ge in Use / Occup	pancy	
DESCRIPT	ION OF PETITIONE	R'S PROPOSAL :		
accordin amount o granting	g to the Table	of Use Regulati ired for this us	ons. Section	al permit in a Business A district 6.36.5.0 Footnote 6 states that the t the disretion of the special permit
Article	4.000	Section 4.35.0	(Fast Order	Food Establishment).
Article	11.000	Section 11.30	(Fast Order E	Food Establsihemnt).
Article	6.000	Section 6.36.5	.0 & Footnote	e 6 (Parking).
Article	10.000	Section 10.40	(Special Perm	mit).
		Original	Signature(s) :	SHANKA A. DYCE (Print Name)
			Address:	HUDE PHUL MIN. CO136
			Tel. No.:	Co17. 331. 8124
Date :	5/26/1	6	E-Mail Addre	ess: DLD 529 (2 gmay), coro

### 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, AGY Stinbarch, Manager of1100-1108 Cambridge Street LLC,

Address: c/o RCG LLC, 17 Ivaloo Street, Somerville, MA 02143

State that the aforesaid LLC owns the property located at 1108

Cambridge Street, which is the subject of this zoning application.

The record title to this property is in the name of 1100-1108

Cambridge Street LLC.

Pursuant to a deed of duly recorded on September 20, 2012 in the Middlesex South Registry of Deeds at Book 60051, Page 171.

SIGNATURE BY LANDOWNER OR

AUTHORIZE TRUSTEE, OFFICER OR AGENT\*

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

Commonwealth of Massachusetts

County of Middlesex, ss.

The above named, Alex Steinbergh, Manager as aforesaid, personally appeared before me, this post of May, 2016, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of 1100-1108 Cambridge Street LLC.

Alsem 1

FLORENCE A. ROWINSKY

Notary Public

COMMONWEALTH OF MASSACHUSETTS

My Commission Expires

September 5, 2019



### **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 1108 Cambridge St Cambridge, MA 02139 (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:

The particulars of this location, which is situated in a thriving business district with no parking, and its proposed use as a fast order food establishment, are generally found in the Business A District and consistent with the other uses permitted in the neighborhood, which are small retail/service in nature.

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 extent of the commercial district, and the proposed use as a pizza shop is compatible and complementary with otheruses that generate pedestrian activity necessary for vibrant neighborhood commercial area.

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:

A pizza shop is entirely consistent with the variety of retail/ service uses that exist in the neighborhood.

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:

To the contrary a fast order food establishment is the type of service that is a benefit to the neighborhood and general public given the time demand often imposed on people in today's fast-paced lifestyle.

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:

Same as above.

### **BZA APPLICATION FORM**

### **DIMENSIONAL INFORMATION**

APPLICANT: Law offices of Terrence Morris PRESENT USE/OCCUPANCY: vacant (former retail)

LLC

LOCATION: 1108 Cambridge St Cambridge, MA 02139 ZONE: Business A Zone

PHONE: REQUESTED USE/OCCUPANCY: Pizza Shop

			===		
		EXISTING CONDITIONS	REQUESTED CONDITIONS	<u>ORDINANCE</u> <u>REQUIREMENTS</u>	1
TOTAL GROSS FLOOR AREA:		1144	1144	N/A	(max.)
LOT AREA:		2832	2832	None	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: 2		.40	.40	1.0	(max.)
LOT AREA FOR EACH DW	ELLING UNIT:	N/A	N/A	N/A	(min.)
SIZE OF LOT:	WIDTH	N/A	N/A	None	(min.)
•	DEPTH	N/A	N/A	None	
SETBACKS IN FEET:	FRONT	0	0	None	(min.)
	REAR	pre-existing	pre-existing	20	(min.)
	LEFT SIDE	0	0	None	(min.)
	RIGHT SIDE	0	0	None	(min.)
SIZE OF BLDG.:	HEIGHT	25	25	35	(max.)
	LENGTH	65	65	N/A	
	WIDTH	20	20	N/A	
RATIO OF USABLE OPEN TO LOT AREA:	SPACE	None	None	None	(min.)
NO. OF DWELLING UNITS:		N/A	N/A	N/A	(max.)
NO. OF PARKING SPACES:		0	0	0	(min./max)
NO. OF LOADING AREAS:		0	0	0	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:		N/A	N/A	N/A	(min.)

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

The locus comprises the smaller (1,144 sf) of two street level commercial units located in an existing 2-story woodframe building constructed circa 1900. The larger unit (1,254 sf) is occupied by Pino Brothers Tattoo shop.

- 1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
- TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5')
  DIVIDED BY LOT AREA.
- OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



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2016 MAY 27 AM 10: 30

**BZA APPLICATION FORM** 

**GENERAL INFORMATION** 

Plan No OF | BZA-010312-2016 CAMBRIDGE, MASSACHUSETTS

The under	signed h	ereby petit	ions the Boa	ard of Zoning Appeal for t	he following:
Special Pe	7.			Variance :	Appeal :
PETITION	ER:	Pizza Ar	ytime Cor	oporation - C/O Ter	rence P. Morris, Esq.
PETITIONI	ER'S ADI	DRESS:	57 Elm	Road Newton, MA 03	2460
OCATION	N OF PRO	OPERTY:	1108 Ca	ambridge St Cambrid	ge, MA 02139
TYPE OF (	OCCUPA		Fast Orde: Establish		ZONING DISTRICT: Business A Zone
REASON F	FOR PET	ITION:			
		Chang	ge in Use	/ Occupancy	
DESCRIPT	TION OF	PETITIONE	R'S PROPOS	SAL:	
accordir	ng to t of park	he Table ing requ	of Use R	egulations. Section	ial permit in a Business A district n 6.36.5.0 Footnote 6 states that the at the disretion of the special permit
SECTIONS	OF ZON	IING ORDIN	IANCE CITE	D:	
Article	4.000		Section	4.35.0 (Fast Order	Food Establishment).
Article	11.000	)	Section	11.30 (Fast Order	Food Establsihemnt).
Article	e 6.000 Section 6.36.5.0 & Footnote 6 (Parking).				
Article	10.000	)	Section	10.40 (Special Per	emit).
				Original Signature(s) :	SHANIKA A. DYCE (Print Name)
				Address :	26 Osceda St. Hyde PARK MA. 02136
				Tel. No. :	617.331.8124
	-	-12/	. 1	E-Mail Add	ress: DD \$29 @ gmail Con





Applicant

Inspectional Services Commissioner

cc:

# CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2<sup>nd</sup> Fl., Cambridge, Massachusetts 02139 Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112 E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director* William G. Barry, Jr., M. Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members* Shary Page Berg, Joseph V. Ferrara, Susannah Barton Tobin, *Alternates* 

Jurisdiction Advice To the Owner of Property at The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below: Old Cambridge Historic District Fort Washington Historic District (M.G.L. Ch. 40C, City Code §2.78.050) Avon Hill Neighborhood Conservation District Half Crown – Marsh Neighborhood Conservation District Harvard Square Conservation District Mid Cambridge Neighborhood Conservation District Designated Landmark Property is being studied for designation: (City Code, Ch. 2.78., Article III, and various City Council Orders) Preservation Restriction or Easement (as recorded) Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). See the back of this page for definition of demolition.

No Jemo proposed, No CHC Leviller of use,

No jurisdiction: not a designated historic property and the structure is less than lifty years old. No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request. Staff comments: The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board. If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required. CHC staff initials Received by Locaded Relationship to project Date

## **Demolition Delay Ordinance and Application Information**

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. In addition to complete demolition of a building, the following actions may require a demolition permit,

- removal of a roof,
- removal of one side of a building,
- gutting of a building's interior to the point where exterior features (windows, etc.) are impacted,
   and
- removal of more than 25% of a structure.

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission 831 Massachusetts Ave., 2<sup>nd</sup> Fl. Cambridge, MA 02139 Ph: 617/349-4683 or TTY: 617/349-6112 http://www.cambridgema.gov/Historic/demolitiondelay.html 1108 Cambridge St.

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1108 Cambridge St.

Petitioner\_
RENCE P. MORRIS, ESQ.

82-57-58 CLUBE DESPORTIVO FAIALENSE, INC. 1121 CAMBRIDGE ST CAMBRIDGE, MA 02139 85-93 CARDOSO, DAVID T. & DOMINGAS M. DOCANTO 269 ELM STREET CAMBRIDGE, MA 02139 TERRENCE P. MORRIS, ESQ. 57 ELM ROAD NEWTON, MA 02460-2144

85-27 CERQUEIRA, JOSEPH A., TR. OF BETTENCOURT & NETO REALTY TR. 87 PRICHARD AVE. 85-30 RIVERA, M. MARGARITA 259 ELM STREET CAMBRIDGE, MA 02139 SHANIKA A. DYCE 26 OSCEOLA ST. HYDE PARK, MA 02136

85-25 SOUSA, CAROLE A. 354 NORFOLK ST. CAMBRIDGE, MA 02139

SOMERVILLE, MA 02144

82-56 CILLO, ANTONIO & ADRIANA CILLO, TR. OF THE CAMBRIDGE STREET REALTY TR. 34 ARBORFIELD RD ROSLINDALE, MA 02131

85-72-26 PINTO, MARIA V. 1124 CAMBRIDGE ST CAMBRIDGE, MA 02139

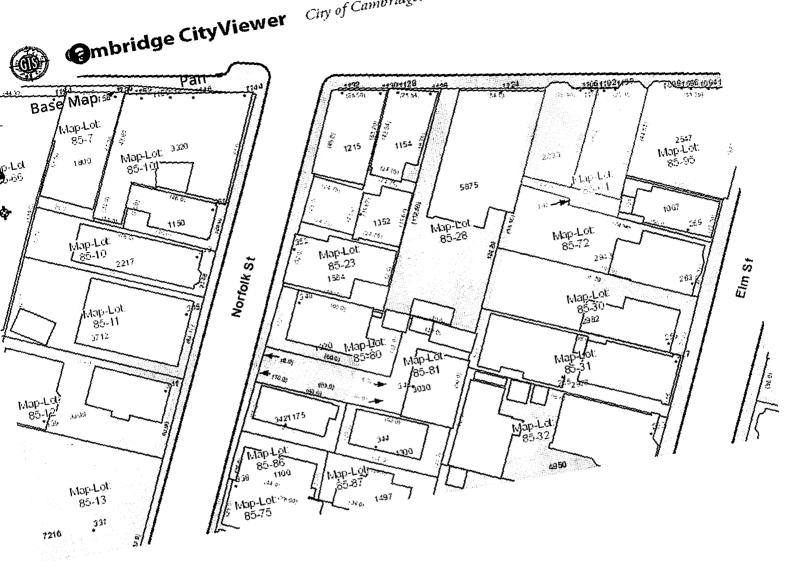
85-31 BETTENCOURT, EMMANUEL A. 257 ELM ST CAMBRIDGE, MA 02139 85-95
DESOUSA, MANUEL C., MARIA C. SOUSA &
ANTONIO F. RIBEIRO
TRS OF CAMBELM REALTY
1092 CAMBRIDGE ST
CAMBRIDGE, MA 02139

85-81 LEAL, RITA M. 346 NORFOLK ST CAMBRIDGE, MA 02139

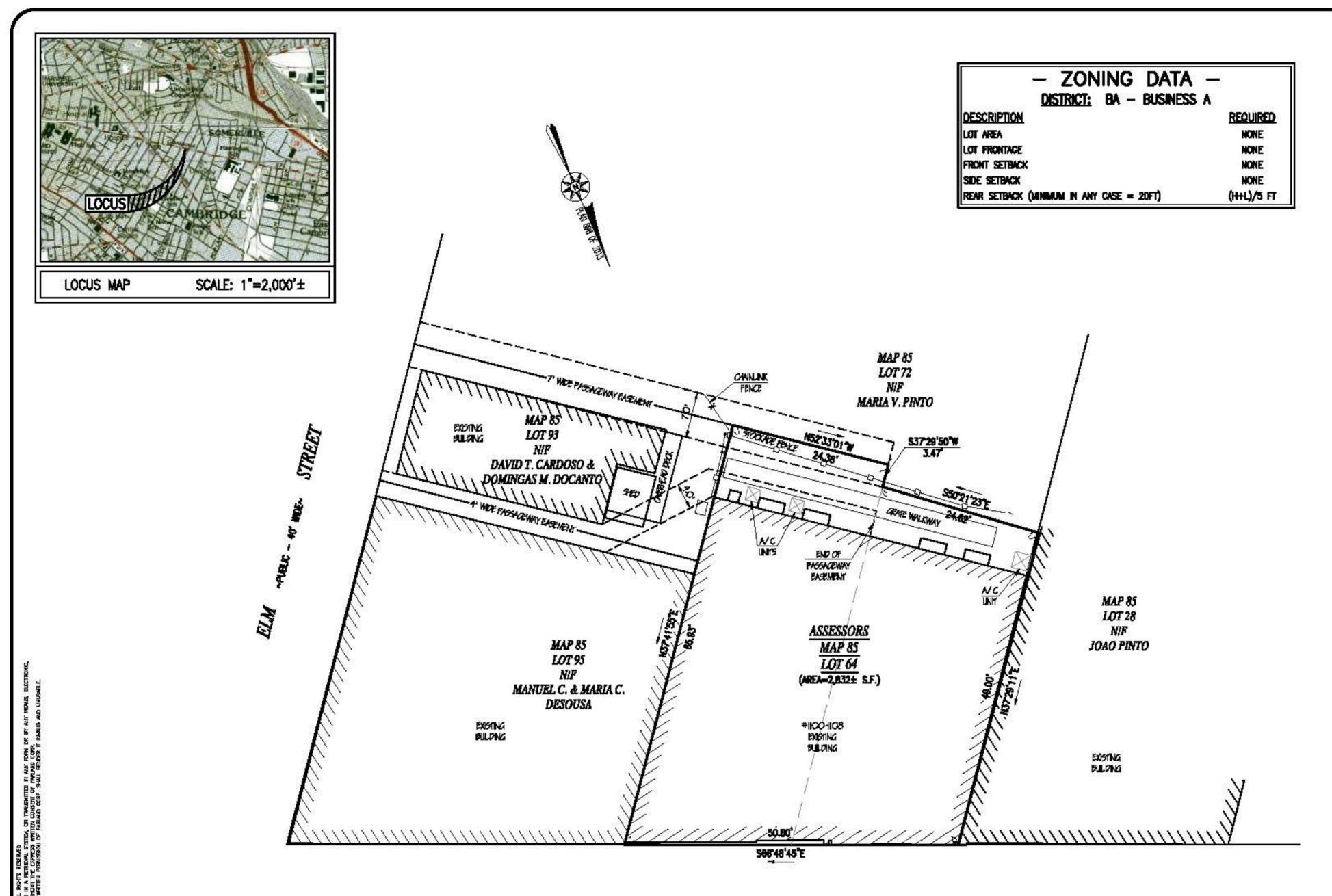
85-64 1100-1108 CAMBRIDGE STREET LLC C/O RCG LLC 17 IVALOO ST., SUITE 100 SOMERVILLE, MA 02143 82-79 ZUCHER, CARLOS 1103 CAMBRIDGE ST CAMBRIDGE, MA 02139 82-54 1099 CAMBRIDGE. LLC, 148 OAKLEY RD. BELMONT, MA 02478

85-80 LEAL, RITA & ROBERT C. LEAL 348 NORFOLK ST CAMBRIDGE, MA 02139 85-23 SEEGER, JEREMY 352 NORFOLK ST CAMBRIDGE, MA 02139 85-28 PINTO, JOAO C/O GORE STREET PROPERTIES LLC 1124 CAMBRIDGE ST CAMBRIDGE, MA 02139

City of Cambridge, MA ection, legend, location, share) Assessing Department Viewer







PLAN REFERENCES: PLAN BOOK 37 PAGE 285

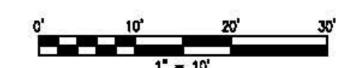
PLAN #979 OF BOOK 1978
PLAN #979 OF BOOK 1978
PLAN #1217 OF BOOK 1984
PLAN #506 OF BOOK 1988
PLAN #961 OF BOOK 1994
PLAN #698 OF BOOK 2013

RECORD OWNER:
ASSESSORS MAP B5 LOT 64
1100-1108 CAMBRIDGE STREET, LLC
C/O RCG, LLC
17 NALOO STREET, SUITE 100
SOMERMILE, MA 02143
DEED BOOK 60051 PAGE 171

CAMBRIDGE ~PUBLIC - 66' WIDE~ STREET

NOTES:

1. PROPERTY LINE SURVEY PERFORMED BY FARLAND CORP., INC. IN FEBRUARY OF 2016.



REVISIONS



ww.FerlandCorp.con

401 COUNTY STREET
NEW BEDFORD, MA 02740
P.508.717.3479
OFFICES IN:
TAUNTON
MARLBOROUGH
WARWICK, RI

DRAWN BY: MAN DESIGNED BY: — CHECKED BY: BAM

CHECKED BY: BAM

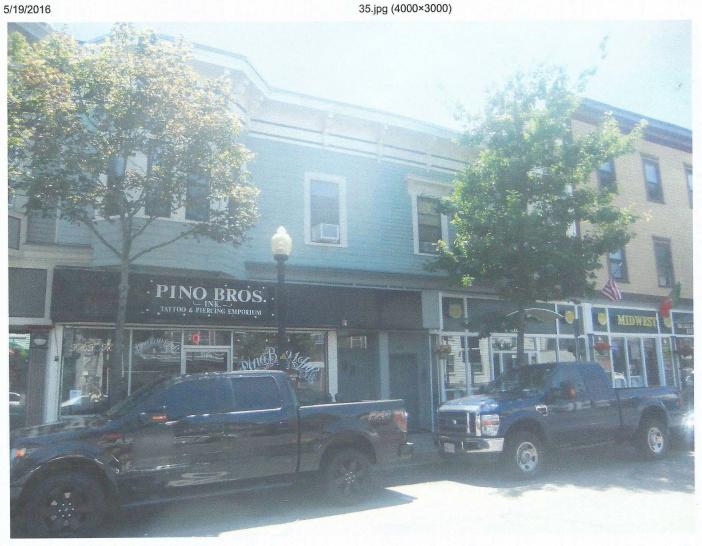
TIFTED PLOT PLAN
1108 CAMBRIDGE STREET —
ESSORS MAP 85 LOT 64
BRIDGE, MASSACHUSETTS

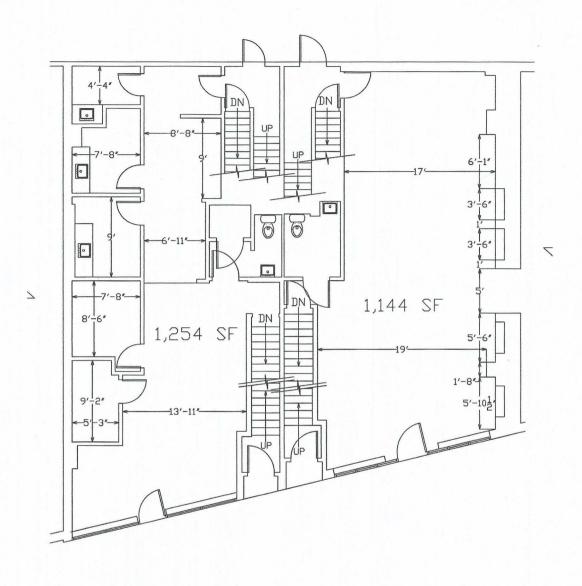
REPARED RETH UNKED

MARCH 14, 2016 SCALE: 1"-10"

JOB NO. 16-128 LATEST REVISION:

SHEET 1 OF 1





1 1100-1108 CAMBRIDGE STREET FIRST FLOOR PLAN

