



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

BZA APPLICATION FORM

Plan No: BZA-014778-2017

GENERAL INFORMATION

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

Special Permit : \_\_\_\_\_ Variance : ✓ Appeal : \_\_\_\_\_

PETITIONER : 115 Hampshire Street LLC - C/O Marc Resnik, Beantown Companies

PETITIONER'S ADDRESS : 138 Harvard Avenue Allston, MA 02134

LOCATION OF PROPERTY : 115 Hampshire St Cambridge, MA 02141

TYPE OF OCCUPANCY : Commercial ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :

Additions

**DESCRIPTION OF PETITIONER'S PROPOSAL :**

10 year variance for previous building owner was granted in Case #7770, allowing for three retail stores and an ATM (convenience store, laundromat, and cafe). Petitioner wishes to extend the variance permanently or in the alternative for another ten (10) years and confirm that parking is adequate for the space.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article <u>4.000</u>	Section <u>4.34.E (Bank Institution).</u>
Article <u>4.000</u>	Section <u>4.35.A.1 (Retail Business Establishment).</u>
Article <u>4.000</u>	Section <u>4.35.C (Laundry Establishment).</u>
Article <u>4.000</u>	Section <u>4.35.0 (Fast Order Food Establishment).</u>
Article <u>6.000</u>	Section <u>6.36.3 (Schedule Parking Requirements).</u>

Original Signature(s) :

Brian Spencer  
(Petitioner(s) / Owner)

Brian Spencer  
(Print Name)

Address :

138 Harvard Avenue  
Allston, MA 02134

Tel. No. :

617-782-7800

E-Mail Address :

Bavetta.Beantown@gmail.com

Date :

Oct 20, 2017

**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 Bradford Spencer, Member, 115 Hampshire St. LLC  
(OWNER)

Address: 138 Harvard Ave, Allston, 02134

State that I/We own the property located at 115 Hampshire Street  
which is the subject of this zoning application.

The record title of this property is in the name of 115 Hampshire  
Street LLC

\*Pursuant to a deed of duly recorded in the date Sept 29, 2010, Middlesex South  
County Registry of Deeds at Book 55307, Page 586; or

Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_

Book \_\_\_\_\_ Page \_\_\_\_\_.

Bradford Spencer  
SIGNATURE BY LAND OWNER OR  
AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

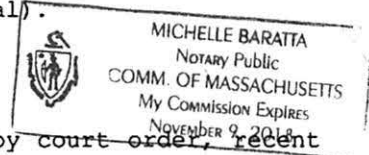
\*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Suffolk

The above-name Bradford Spencer personally appeared before me,  
this 20th of October, 2017, and made oath that the above statement is true.

[Signature] Notary

My commission expires November 9, 2018 (Notary Seal).



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

~~MEMORANDUM~~  
**SUPPORTING STATEMENT FOR A VARIANCE**

**EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:**

- A)** A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

Petitioner would be forced to completely change the construction of the building and find all new tenants, at a substantial financial hardship.

- B)** The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

Parcel is not uniformly shaped, with uneven sides and a long strip in the back. It is fairly large and sits on a corner.

- C)** **DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:**

- 1)** Substantial detriment to the public good for the following reasons:

The public has come to rely on the retail services in this location and would have to find alternative locations, which may not be convenient to them.

- 2)** Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

The retail establishments have been in this area for the past 20 years and have proven to be in the character of the neighborhood and have brought value to the neighborhood. Continuing to allow their existence would not derogate from the intent of the Ordinance and would be in line with their purposes of improving economic development and encouraging rational use of land.

- \*** If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.

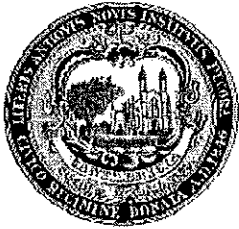
**BZA APPLICATION FORM****DIMENSIONAL INFORMATION**

**APPLICANT:** Beantow Companies      **PRESENT USE/OCCUPANCY:** Retail  
**LOCATION:** 115 Hampshire St Cambridge, MA 02141      **ZONE:** Residence C-1 Zone  
**PHONE:** \_\_\_\_\_ **REQUESTED USE/OCCUPANCY:** Retail

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>		15,000	15,000		(max.)
<u>LOT AREA:</u>		5,301	5,301	5,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> <sup>2</sup>		2.83	2.83	.75	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		1767	1767	1800	(min.)
<u>SIZE OF LOT:</u>	WIDTH	74.30	74.30	50	(min.)
	DEPTH	73.0	73.0	0	
<u>SETBACKS IN FEET:</u>	FRONT		UNCHANGED	10	(min.)
	REAR		UNCHANGED	20	(min.)
	LEFT SIDE		UNCHANGED	H+L/5	(min.)
	RIGHT SIDE		UNCHANGED	H+L/5	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	35	35	35	(max.)
	LENGTH	74	74		
	WIDTH	73	73		
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>				36%	(min.)
<u>NO. OF DWELLING UNITS:</u>		6	6		(max.)
<u>NO. OF PARKING SPACES:</u>		4	4		(min./max)
<u>NO. OF LOADING AREAS:</u>		0	0		(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		NA	NA		(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.

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'.



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2017 OCT 25 PM 12:23

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Original Signature(s) :

Brian Spencer

(Petitioner(s) / Owner)

Brian Spencer

(Print Name)

Address :

138 Harvard Ave  
Allston, MA 02134

Tel. No. :

617 782-7800

E-Mail Address :

Brian@Beantown@gmail.com

Date :

Oct 20, 2017



## CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2<sup>nd</sup> Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: <http://www.cambridgema.gov/Historic>

Bruce A. Irving, *Chair*; Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director*  
William G. Barry, Jr., Robert G. Crocker, Joseph V. Ferrara, Chandra Harrington, Jo M. Solet, *Members*  
Gavin Kleespies, Paula Paris, Kyle Sheffield, *Alternates*

### Jurisdiction Advice

To the Owner of Property at 115 Hampshire Street

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 CHC review of land use.**
- ☐ No jurisdiction: not a designated historic property and the structure is less than fifty 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 SLB

Date October 23, 2017

Received by Uploaded to Energov

Date October 23, 2017

Relationship to project BZA 14778-2017

cc: Applicant  
Inspectional Services Commissioner

## **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.

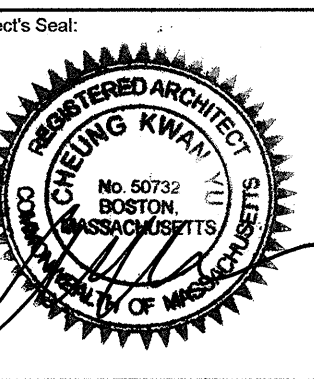
Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that 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

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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>





119 HAMPSHIRE ST  
-NOT FOR CONSTRUCTION-

[illegible]

PROJECT TITLE

MPSHIRE STREET

---

T

SEANTOWN COMPANIES

CT ADDRESS







5 - 119 HAMPSHIRE ST  
CAMBRIDGE, MA

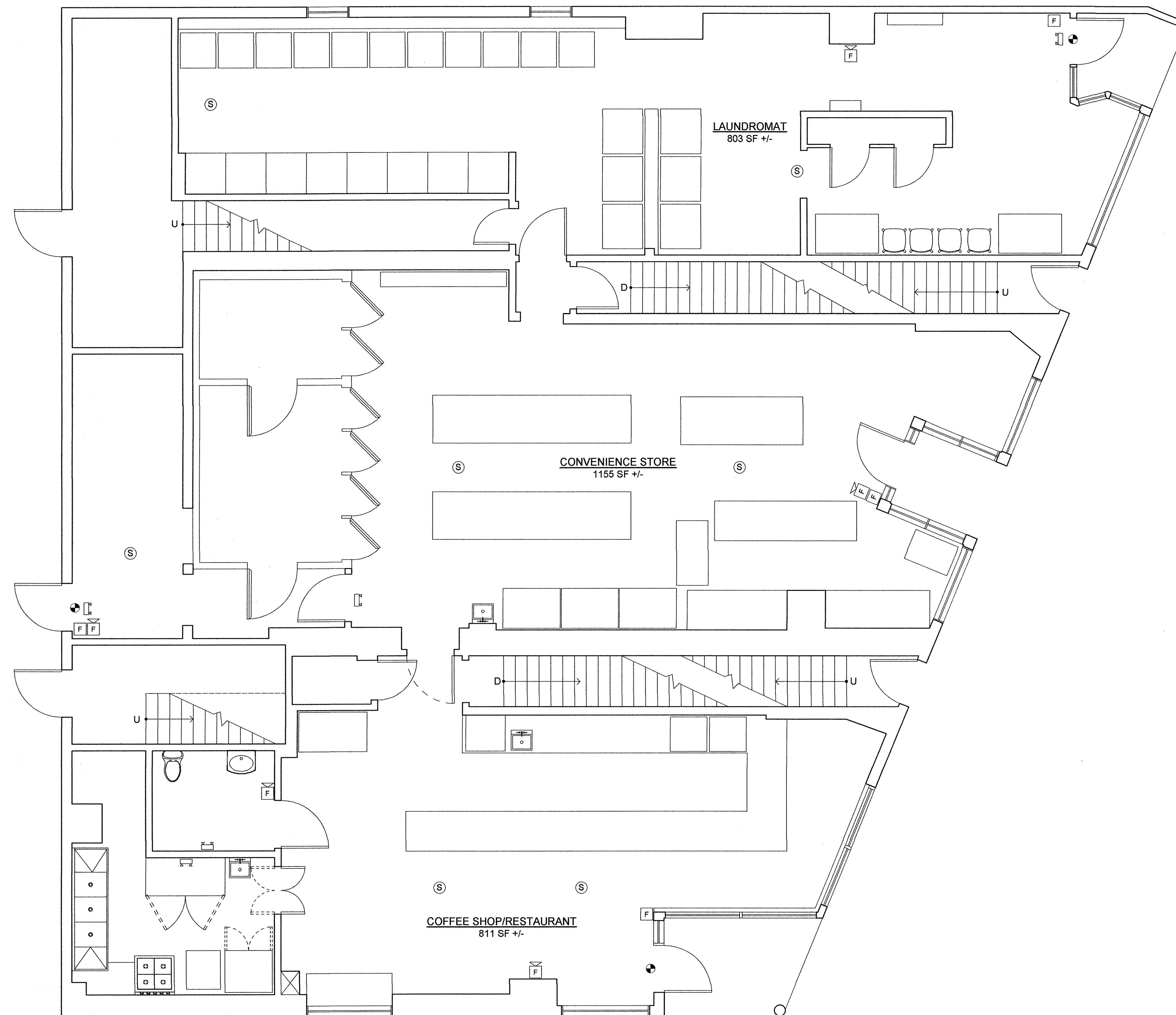
EXISTING  
1ST FLOOR PLAN

ING NO.

EX-1.0

## LEGENDS

	EXISTING CONSTRUCTION
	EXIT
	EMERGENCY LIGHTING
	PULL STATION
	FIRE ALARM HORN/STROBE
	SMOKE DETECTOR



### EXISTING FIRST FLOOR

Scale: 1/4" : 1"

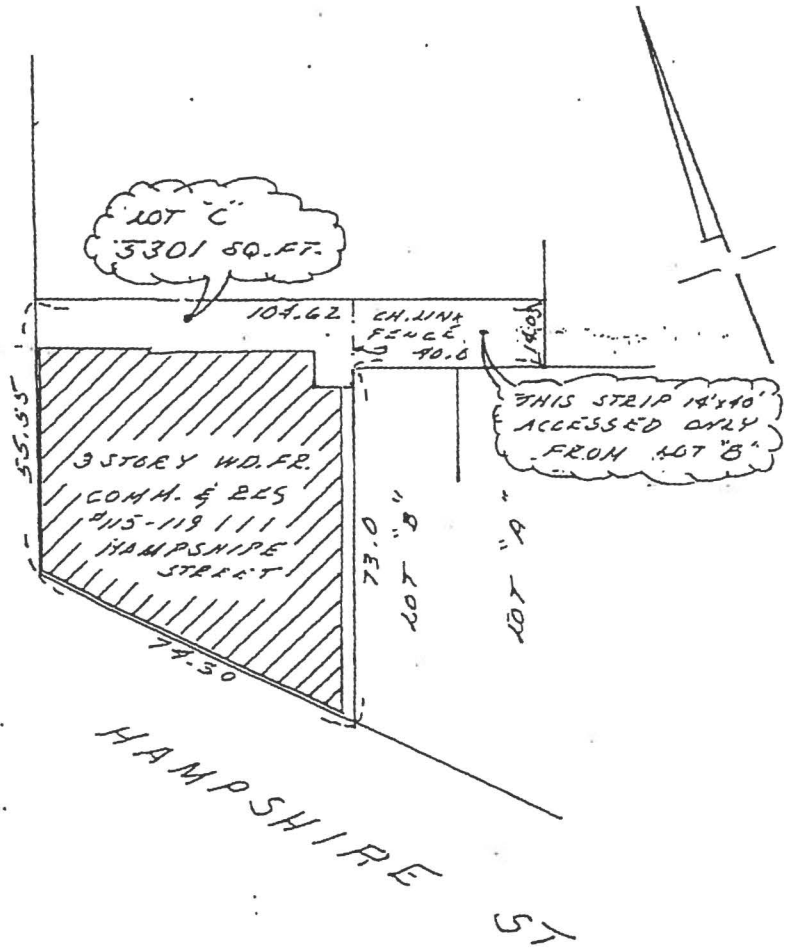
### DRAWING NOTES

2. IT'S THE ARCHITECT'S INTENT TO ACCURATELY SHOW PROPOSED CONDITIONS AS WELL AS THE EXISTING CONDITIONS FOR THE PROJECT. HOWEVER, FIELD CONDITIONS MAY VARY AND IT IS THEREFORE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY FIELD CONDITIONS AND IMMEDIATELY REPORT ANY MAJOR DISCREPANCIES OR OMISSIONS TO THE ARCHITECT.



NOTE: THIS PLAN IS FOR MORTGAGE PURPOSES ONLY  
AND SHALL NOT BE USED FOR ANY OTHER PURPOSE.

COLUMBIA ST.



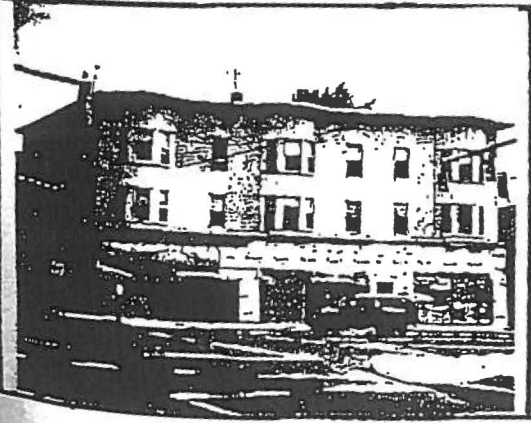
I CERTIFY TO LAWRENCE SAVINGS BANK  
AND THE TITLE INSURANCE COMPANY THAT THIS BUILDING IS  
LOCATED ON THE GROUND AS SHOWN, AND CONFORMED TO THE  
ZONING BY-LAWS IN EFFECT WHEN CONSTRUCTED, UNLESS NOTED  
OTHERWISE. I FURTHER CERTIFY THAT THERE ARE NO VISIBLE  
EASEMENTS OR ENCRUMBMENTS EXCEPT AS SHOWN, AND THAT  
THE PROPERTY LIES IN A ZONE "C", AS DESIGNATED BY THE  
NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL  
NUMBER 250156-0003-B.

CENSUS TRACT NO. 352B

DEED BOOK 26955 PAGE 191

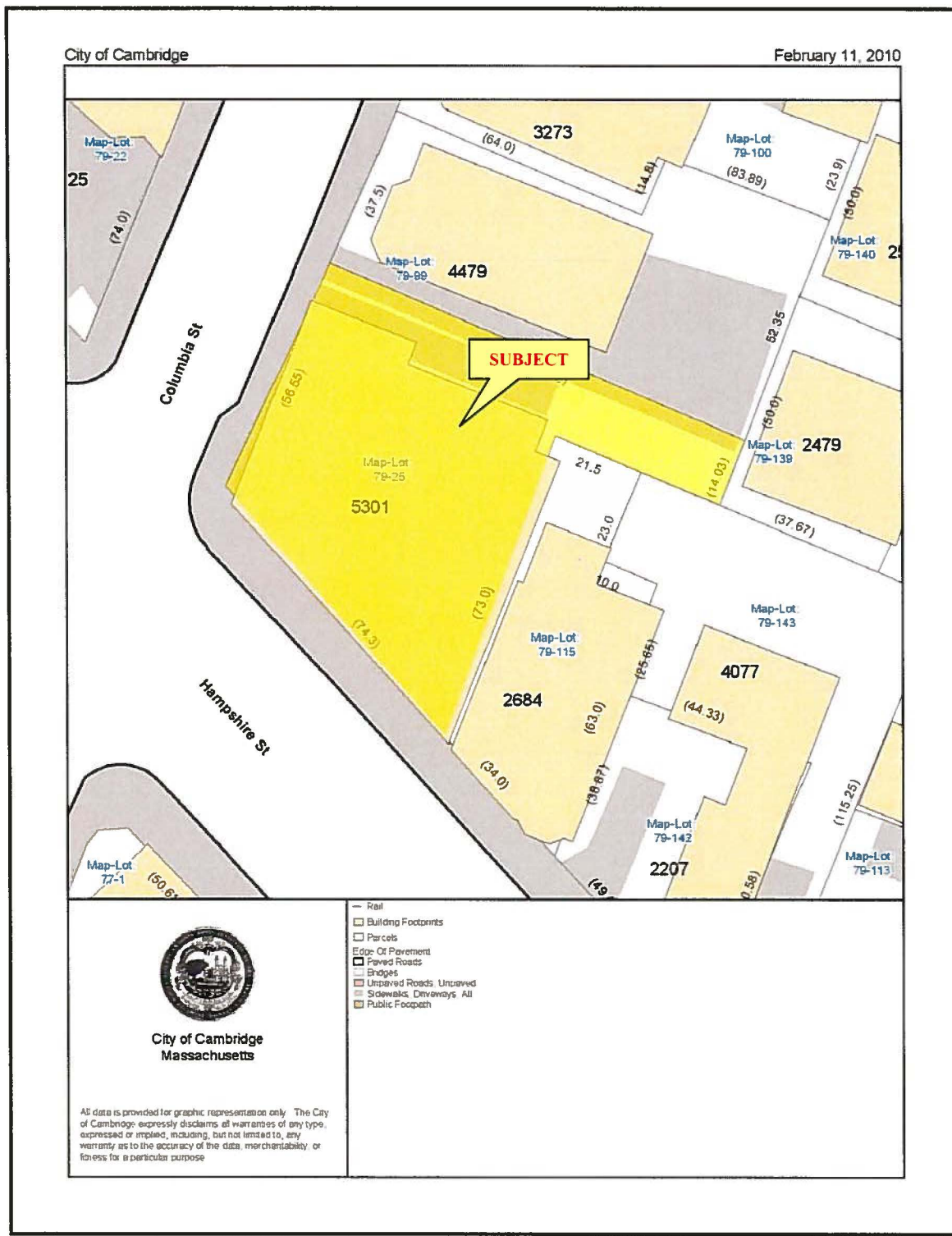
PLAN BK. 7672 PG. 303 2057 OF 1950

ASSESSORS MAP 79



PLOT PLAN OF LAND  
IN  
CAMBRIDGE, MASS.  
SCALE 1"=30' JULY 14, 1998  
CHARLES J. KANE & ASSOCIATES  
ENGINEERS & SURVEYORS  
700 BEDFORD ST., ABINGTON, MA.

# Site Plan





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The map displays a neighborhood with a proposed transit route highlighted in red. The route starts at the top left, near Elm St and Hampshire St, and proceeds in a clockwise loop through the center of the neighborhood. Blue arrows indicate the direction of travel along the route. The map includes numerous street names and lot numbers, such as 85-60, 79-1, 79-16, 79-15, 79-106, 79-121, 79-31, 79-30, 79-44, 79-19, 79-20, 79-29, 79-132, 79-45, 79-100, 79-99, 79-140, 79-48, 79-50, 79-51, 79-59, 79-58, 79-57, 79-56, 79-55, 79-54, 79-53, 79-52, 79-51, 79-50, 79-49, 79-48, 79-47, 79-46, 79-45, 79-44, 79-43, 79-42, 79-41, 79-40, 79-39, 79-38, 79-37, 79-36, 79-35, 79-34, 79-33, 79-32, 79-31, 79-30, 79-29, 79-28, 79-27, 79-26, 79-25, 79-24, 79-23, 79-22, 79-21, 79-20, 79-19, 79-18, 79-17, 79-16, 79-15, 79-14, 79-13, 79-12, 79-11, 79-10, 79-9, 79-8, 79-7, 79-6, 79-5, 79-4, 79-3, 79-2, 79-1, 79-0. The map also shows the locations of Elm/Hampshire Plaza, Union Ter, and Turner Ct.

115 Hampshire St.

Petitioner

77-1  
FREY, MARY ALLISON & CYRUS R. EYSTER  
114 HAMPSHIRE ST  
CAMBRIDGE, MA 02139

77-84  
QUINN, DON JOSEPH  
110 HAMPSHIRE ST.  
CAMBRIDGE, MA 02139

115 HAMPSHIRE STREET LLC  
C/O MARC RESNIK  
138 HARVARD AVENUE  
ALLSTON, MA 02134

79-22  
PEREZ, LEONIDAS &  
CITY OF CAMBRIDGE TAX TITLE  
230 PROSPECT ST  
CAMBRIDGE, MA 02139

79-25  
115 HAMPSHIRE STREET LLC,  
138 HARVARD AVE  
ALLSTON, MA 02134

79-50  
WAHL, SARAH J. & ERIC M. WAHL  
27 UNION ST  
CAMBRIDGE, MA 02141

79-51  
STEIN, MATTHEW S.  
25 UNION STREET  
CAMBRIDGE, MA 02141

79-99  
PASTELIS, ANTHONY F. & CHRISTINE P. RITCH  
40 BOYDEN RD  
WRENTHAM, MA 02093

79-100  
AVAKIAN, ARTHUR J.  
292 COLUMBIA STREET  
CAMBRIDGE, MA 02141

79-113  
FINN, ANN MARGARET & ALONSO GUZMAN  
107 HAMPSHIRE ST.  
CAMBRIDGE, MA 02139

79-115  
LUO, TONG & MIN HUI, CO  
TR. OF THE TONG LUO AND MIN HUI REV. TRS.  
2053 RANCHO HIGUERA COURT  
FREMONT, CA 94539

79-139  
BOEHM, ELIZABETH W.  
2-4 UNION TERR., UNIT #4  
CAMBRIDGE, MA 02141

79-139  
BENNETT, DAVID E.  
23 CHESTNUT ST.#2  
CHELSEA, MA 02150

79-139  
DUALE, KAREN MCNERNEY AMY DODGE LANE  
BOX 925  
BLOCK ISLAND, RI 02807

79-140  
DENVER, KERRY J.  
1 UNION TER  
CAMBRIDGE, MA 02141

79-140  
SPILLER, RACHEL  
3 UNION TERR.  
CAMBRIDGE, MA 02141

79-142  
CARLSON, ELISSA & JOHN B. LEVINE  
111 HAMPSHIRE ST.  
CAMBRIDGE, MA 02139

79-143  
RIVERA, ELBA C.  
109 HAMPSHIRE ST  
CAMBRIDGE, MA 02139

86-107  
BONILLA, ROBEL S. & MARIA A. BONILLA  
251 COLUMBIA ST.  
CAMBRIDGE, MA 02139

86-107  
ORELLANA, WILFREDY & DINA H. ORELLANA  
253 COLUMBIA ST.  
CAMBRIDGE, MA 02139

86-107  
WOLDEYONAS, HABTEHANS &  
TEBERTH NEGASH TEKLU  
255 COLUMBIA ST  
CAMBRIDGE, MA 02139

86-107  
TAVARES, HENRIETTA T.  
257 COLUMBIA ST.  
CAMBRIDGE, MA 02139

86-107  
MARROW, LOUISE B.  
259 COLUMBIA STREET  
CAMBRIDGE, MA 02139

86-107  
FENESTOR, TANYA  
261 COLUMBIA ST., UNIT #6  
CAMBRIDGE, MA 02139

86-107  
JONES, DARLENE J.  
263 COLUMBIA ST.  
CAMBRIDGE, MA 02139

86-107  
WOLDE, HAGOS K. & ELSA K. YILMA  
265 COLUMBIA ST.  
CAMBRIDGE, MA 02139

86-107  
JURADO, JOHN & ANA BERRIO  
267 COLUMBIA ST., 1ST. FL.  
CAMBRIDGE, MA 02139

86-107  
MACDONALD, SONIA  
267 COLUMBIA ST., UNIT #2  
CAMBRIDGE, MA 02139

86-107  
ANDREWS, CYNTHIA J.  
267 COLUMBIA ST., 3RD. FL.  
CAMBRIDGE, MA 02139

86-107  
CLAUDE, MYRTO & DELVARINE JOSEPH  
118 HAMPSHIRE ST.  
CAMBRIDGE, MA 02139

115 Hampshire St.

86-107  
DE FATIMA BALDE, MARIA  
120 HAMPSHIRE ST. UNIT#13  
CAMBRIDGE, MA 02141

86-107  
COLE, FRANCES E.  
122 HAMPSHIRE STREET  
CAMBRIDGE, MA 02139

86-107  
NUTT, SUSAN M.  
124 HAMPSHIRE ST  
CAMBRIDGE, MA 02139

86-107  
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# Site Plan

