



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

BZA APPLICATION FORM

Plan No: BZA-010003-2016

GENERAL INFORMATION

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

Special Permit : _____ Variance : √ Appeal : _____

PETITIONER : Rosalie Sard - C/O James J. Rafferty, Esq.

PETITIONER'S ADDRESS : 675 Massachusetts Avenue Cambridge, MA 02139

LOCATION OF PROPERTY : 272 Walden St Cambridge, MA

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

REASON FOR PETITION :

Change in Use / Occupancy

DESCRIPTION OF PETITIONER'S PROPOSAL :

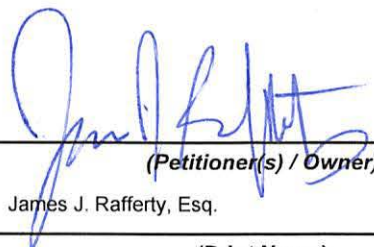
Petitioner seeks to conduct a retail use at a location previously containing a convenience store.

SECTIONS OF ZONING ORDINANCE CITED :

Article 4.000 Section 4.35.A.2 (Retail Use).

Article 10.000 Section 10.30 (Variance).

Original Signature(s) :


(Petitioner(s) / Owner)
James J. Rafferty, Esq.

(Print Name)

Address : 675 Massachusetts Avenue

Cambridge, MA 02139

Tel. No. : (617) 492-4100

E-Mail Address : jrafferty@adamsrafferty.com

Date : 4/21/16

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

(Owner or Petitioner)

Address: c/o James J. Rafferty 675 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 272 Walden Street

the record title standing in the name of Tarquinio Family Trust

whose address is 35 Draper Avenue, Arlington MA 02474

(Street)

(City or Town)

(State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book 13732 Page 340 or _____ Registry

District of Land Court Certificate No. _____ Book _____ Page _____

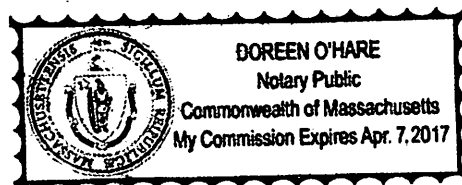
Paul D Tarquinio 1/20/16
(Owner) (Trustee)

=====

On this 28 day of January, 2016, before me, the undersigned notary public, personally appeared Paul D Tarquinio proved to me through satisfactory evidence of identification, which were MA Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Doreen O'Hare
Notary Public

My commission expires:



OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

(Owner or Petitioner)

Address: c/o James J. Rafferty 875 Massachusetts Avenue, Cambridge, MA 02139

Location of Premises: 373 Western Street

the record file existing in the name of [Petitioner's Family Trust]

whose address is 33 Dwyer Avenue, Arlington MA 02474
(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book 13732 Page 340 or Registry

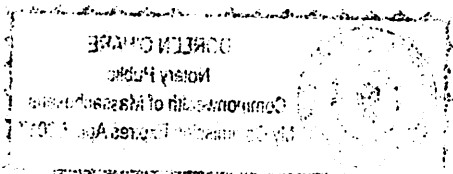
District of Land Court Certificate No. Book Page

(Owner)

On this day of January, 2018, before me, the undersigned Notary Public, personally appeared _____, who proved to me through satisfactory evidence of identification, which were _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public

My commission expires



BZA APPLICATION FORM

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:

A literal enforcement of the Ordinance would prevent the petitioner from operating a retail establishment at this location.

- 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:

The hardship is directly related to the size, layout and condition of the existing building which was built as a retail store more than 110 year ago and has been used for commercial purposes since that time.

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

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

The continued use of this space as a retail store will not create any detriment to the public good.

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

Relief is only necessary because a change in the "category" of retail uses occurred when a convenience store operated in the building. The variance would allow for a change from one non-conforming retail use (convenience store) to an "other retail use" (pet supplies).

- * 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: James Rafferty, Esq. **PRESENT USE/OCCUPANCY:** convenience store
LOCATION: 272 Walden St Cambridge, MA **ZONE:** Residence C-1 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** retail

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		<u>+/-950</u>	<u>no change</u>	<u>2,788 sf</u>	<u>(max.)</u>
<u>LOT AREA:</u>		<u>3,718 sf</u>	<u>no change</u>	<u>5,000 sf</u>	<u>(min.)</u>
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: 2</u>		<u>.255</u>	<u>no change</u>	<u>.75</u>	<u>(max.)</u>
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>(min.)</u>
<u>SIZE OF LOT:</u>	WIDTH	<u>40'</u>	<u>no change</u>	<u>50'</u>	<u>(min.)</u>
	DEPTH	<u>92.5'</u>	<u>no change</u>	<u>n/a</u>	
<u>SETBACKS IN FEET:</u>	FRONT	<u>+/-5'</u>	<u>no change</u>	<u>10'</u>	<u>(min.)</u>
	REAR	<u>+/-45'</u>	<u>no change</u>	<u>20'</u>	<u>(min.)</u>
	LEFT SIDE	<u>+/-1'</u>	<u>no change</u>	<u>7'6"</u>	<u>(min.)</u>
	RIGHT SIDE	<u>+/-12'</u>	<u>no change</u>	<u>7'6"</u>	<u>(min.)</u>
<u>SIZE OF BLDG.:</u>	HEIGHT	<u>+/-15'</u>	<u>no change</u>	<u>35'</u>	<u>(max.)</u>
	LENGTH	<u>+/-45'</u>	<u>no change</u>	<u>n/a</u>	
	WIDTH	<u>+/-30'</u>	<u>no change</u>	<u>n/a</u>	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		<u>-</u>	<u>no change</u>	<u>30%</u>	<u>(min.)</u>
<u>NO. OF DWELLING UNITS:</u>		<u>0</u>	<u>no change</u>	<u>n/a</u>	<u>(max.)</u>
<u>NO. OF PARKING SPACES:</u>		<u>2</u>	<u>no change</u>	<u>2</u>	<u>(min./max)</u>
<u>NO. OF LOADING AREAS:</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>(min.)</u>
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>(min.)</u>

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.

- 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 APR 22 AM 10:47
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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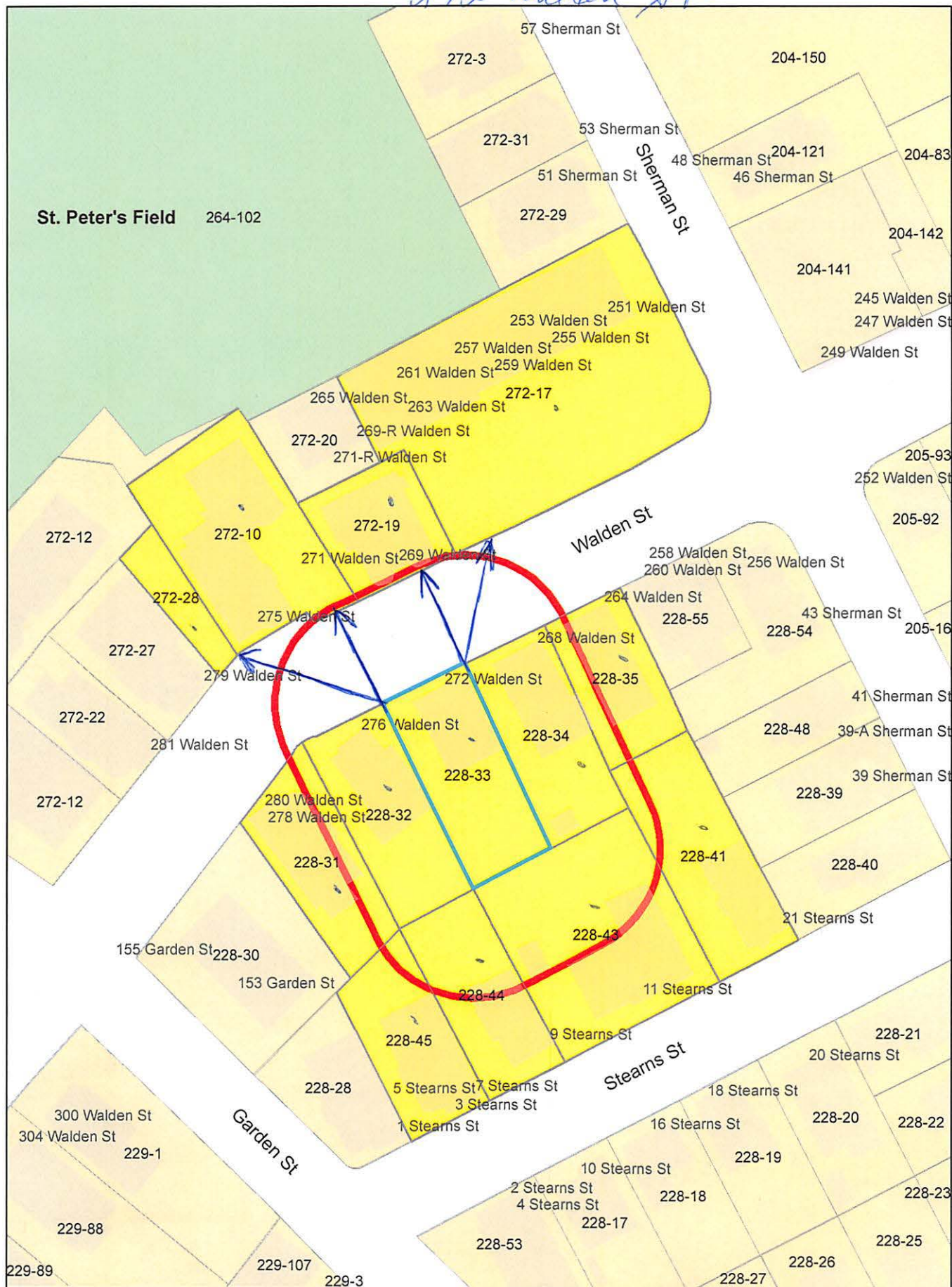
Cambridge, MA 02139

Tel. No. : (617) 492-4100

E-Mail Address : jrafferty@adamsrafferty.com

Date : 4/21/16

272 Walden St.



272 Walden St.

Petitioner

228-32
BERNARD, PHILLIP M. & CARMEN BERNARD
276 WALDEN ST., UNIT #2
CAMBRIDGE, MA 02138

228-35
PERRY, CHRISTOPHER J, ESME E. GREEN &
CITY OF CAMBRIDGE TAX TITLE
264 WALDEN ST., UNIT #1
CAMBRIDGE, MA 02138

JAMES J. RAFFERTY, ESQ.
675 MASS AVENUE – 5TH FL.
CAMBRIDGE, MA 02139

228-43
NEWMAN, JAMES L. & E. SARAH SLAUGHTER
11-17 STEARNS ST.
CAMBRIDGE, MA 02138

228-44
YANNATOS, NYIA ANN
9 STEARNS STREET
CAMBRIDGE, MA 02138

228-35
BROWN, CHRISTOPHER L. &
CITY OF CAMBRIDGE TAX TITLE
264 WALDEN ST., UNIT #2
CAMBRIDGE, MA 02138

272-10
DAVIS, NANCY E.
275 WALDEN ST., # 2
CAMBRIDGE, MA 02138

272-10
KEMPTON, PATRICIA C.
330 BEECHWOOD AVE
EWING, NJ 08618

272-10
WILLIAMS, EARL
6101 ELM TREE CIRCLE
TAMARAC, FL 33319

272-10
HO, KENNETH D. & HUI-HUI HU
275 WALDEN ST., UNIT #5
CAMBRIDGE, MA 02138

272-28
CITY OF CAMBRIDGE
C/O RICHARD ROSSI,
CITY MANAGER

272-28
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

228-34
TARQUINIO, ANNA MARIE &
ERNEST D. TARQUINIO
268 WALDEN ST
CAMBRIDGE, MA 02138

272-19
D'SOUZA, MERWYN S. & VICTORIA M. D'SOUZA
269-271 WALDEN ST. UNIT#1
CAMBRIDGE, MA 02138

228-32
ROSENBERG, FERNANDO
276 WALDEN ST., UNIT #1
CAMBRIDGE, MA 02138

272-19
ROGERS, ANN
269-271 WALDEN ST. UNIT#2
CAMBRIDGE, MA 02138

272-19
HOAGLAND, ERIC M.,
TR. OF WALDEN ST. CONDO. NOM. TR.
273 WALDEN ST., #3
CAMBRIDGE, MA 02138

228-31
CHATTERJEE, ROHIT & SHAMOYITA MUKHERJEE
280 WALDEN ST. UNIT 1
CAMBRIDGE, MA 02138

272-10
MARRION, SHANE
56 HARVEY ST
CAMBRIDGE, MA 02140

272-17
DAVID W. MASSE
253 WALDEN ST
CAMBRIDGE, MA 02140

228-31
WALCOTT, TERRENCE K. & CHRISTINE WALCOTT
5 SODEN ST.
CAMBRIDGE, MA 02139

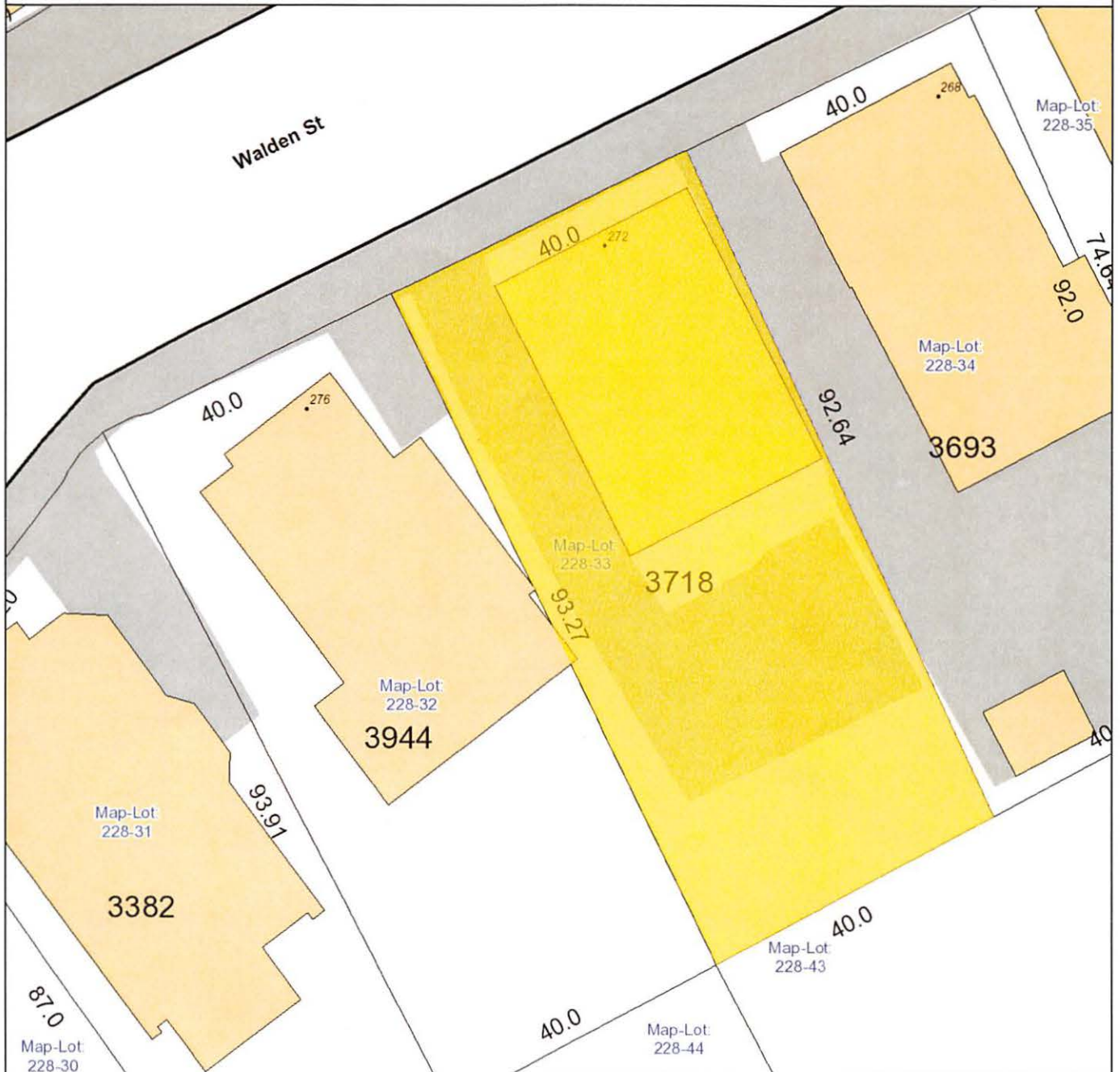
228-31
MILLER, KIMBERLY
280 WALDEN ST., #3
CAMBRIDGE, MA 02138

272-10
VOLKOV, VITALY
275 WALDEN ST., #6
CAMBRIDGE, MA 02138

228-45
DUGGAN, CAMERON, EDWARD B. DUGGAN &
MATTHEW J. DUGGAN
7 STEARNS ST
CAMBRIDGE, MA 02138

228-33
TARQUINIO, ERNESTO &
HELEN F TARQUINIO TRS OF
TARQUINIO FAMILY TRUST
35 DRAPER AVE
ARLINGTON, MA 02474

228-41
CIOFFI, LESLIE A.
21 STEARNS ST
CAMBRIDGE, MA 02138



City of Cambridge
Massachusetts

1" = 19 ft

All data is provided for graphic representation only. The City of Cambridge expressly disclaims all warranties of any type, expressed or implied, including, but not limited to, any warranty as to the accuracy of the data, merchantability, or fitness for a particular purpose.

www.cambridgema.gov/gis



- Address
- Rail
- Building Footprints
- Parcels
- Paved Surfaces
 - Paved Roads
 - Bridges
 - Unpaved Roads
 - Unpaved Parking
 - Sidewalks
 - Driveways
 - Alleys
 - Other Paved Surface
 - Public Footpath



BZA 10003-2016



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd 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

272 Walden Street (built 1906 as store)

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 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 SRB

Date 4/26/2016

Received by Uploaded to Energov

Date "

Relationship to project _____

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

Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139

Ph: 617/349-4683 or TTY: 617/349-6112

<http://www.cambridgema.gov/Historic/demolitiondelay.html>



WALDE
SPA
FOODS
MARKET
& DELI

chicken
inside
Dennis
Benzan
State Senate
APRIL 13
He
wrecked
your
school