



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

2017 JAN 11 AM 11:32

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Plan No: BZA-012299-2016

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: v Variance: Appeal:

PETITIONER: Rob Colman - C/O Huong Le

PETITIONER'S ADDRESS: 425 Cambridge ST Cambridge, Ma 02141

LOCATION OF PROPERTY: 425 Cambridge St Cambridge, MA 02141

TYPE OF OCCUPANCY: 4.35.e ZONING DISTRICT: Business A Zone

REASON FOR PETITION :

Parking

DESCRIPTION OF PETITIONER'S PROPOSAL :

Request 5 additional parking spaces for 24 additional seats in existing restaurant

SECTIONS OF ZONING ORDINANCE CITED :

Article 6.000 Section 6.35 (Reduction of Parking).

Article 10.000 Section 10.40 (Special Permit).

Original Signature(s) :

(Petitioner(s) / Owner)

Huong LE

(Print Name)

Address :

425 Cambridge St

Cambridge MA 02141

Tel. No. :

617 659-2369

E-Mail Address :

lrestaurant425@yahoo.com

Date :

1/9/17

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 Huong Le (OWNER)

Address: 250 Hammond Pond Park way, Chestnut Hill, Ma

State that I/We own the property located at 425 Cambridge St., which is the subject of this zoning application.

The record title of this property is in the name of Ethos Business Partners, Inc
250 Hammond Pond Park way, Chestnut Hill, Mass.

*Pursuant to a deed of duly recorded in the date Feb 12, 2015 Middlesex South County Registry of Deeds at Book 64905, Page 511; or Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.



[Signature]
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 Middlesex

The above-name Huong Q Le personally appeared before me, this 3rd of November, 2016, and made oath that the above statement is true.

[Signature] Notary

My commission expires Feb. 25 2022 (Notary Seal).

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

DECLARATION OF ADOPTION OF A RESOLUTION

to be adopted by the Board of Directors of the Corporation of the City of Boston, Massachusetts, on the 15th day of February, 2022.

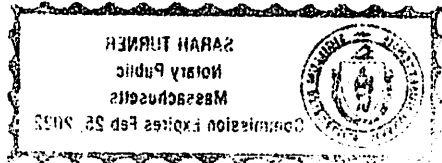
I, the undersigned, being a duly qualified and authorized officer of the Corporation of the City of Boston, do hereby certify that the foregoing is a true and correct copy of the resolution as the same was adopted by the Board of Directors of the Corporation of the City of Boston, Massachusetts, on the 15th day of February, 2022.

Witness my hand and the seal of the Corporation of the City of Boston, Massachusetts, at the City Hall, Boston, Massachusetts, this 15th day of February, 2022.

[Signature]
City Clerk

[Signature]
Notary Public

[Signature]
City Clerk



Notary Public for the State of Massachusetts

[Faint, illegible text]

[Faint, illegible text]

[Faint, illegible text]

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 425 Cambridge St Cambridge, MA 02141 (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:
- Per 6.35(e) 24 additional seats require 5 parking spaces. There are approximately 150 parking spaces within a three block radius. # 69 bus stops on same corner, commercial activity relatively light. No instances have been observed of full utilization of parking spaces. No complaints from customers regarding availability of parking. Increased seating would ease congestion thru reduced wait times.
- 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:
- This is a neighborhood restaurant and majority of customers are walk-ins. Increased seating not intended to attract additional traffic but to accommodate existing customers. There have been no complaints by customers or neighbors regarding parking or traffic congestion.
- C)** 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:
- Increased seating would not change existing use but would allow for better service for the intended use of the restaurant. Therefore it should have no material impact, but would ease wait times inside restaurant during peak times at dinner on weekends.
- D)** 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:
- This is merely a continuation of the existing use, in the same building, with a larger seating area in place of vacant office space which was original intended use. Traffic should not be materially increased, but rather wait times would be reduced, and attendant crowding eliminated.
- E)** 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:
- A completed refurbishing of the building has already occurred and a viable restaurant already exists. Le's Restaurant currently has insufficient seating and experiences wait times of up to 20 minutes during peak periods. Additional seating would facilitate the intended use of the restaurant to provide good service to its customers.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Le's Restaurant & Sushi Bar **PRESENT USE/OCCUPANCY:** restaurant
LOCATION: 425 Cambridge St Cambridge, MA 02141 **ZONE:** Business A Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** restaurant

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	4220	4220	no change	(max.)
<u>LOT AREA:</u>	2928	2928	no change	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²	1.44	1.44	no change	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	2928	2928	no change	(min.)
<u>SIZE OF LOT:</u>	WIDTH	48	48	(min.)
	DEPTH	61	61	(min.)
<u>SETBACKS IN FEET:</u>	FRONT	9.5	9.5	(min.)
	REAR	1	1	(min.)
	LEFT SIDE	8.33	8.33	(min.)
	RIGHT SIDE	0	0	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	30	30	(max.)
	LENGTH	60	60	(min.)
	WIDTH	48	48	(min.)
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	.025	.025	no change	(min.)
<u>NO. OF DWELLING UNITS:</u>	1	1	no change	(max.)
<u>NO. OF PARKING SPACES:</u>	5	10	10	(min./max)
<u>NO. OF LOADING AREAS:</u>	0	0	no change	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	0	0	no change	(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.

No other buildings on lot.
Tenant barber shop facing fifth st.
Dwelling unit on second floor.

- 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'.



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 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., Shary Page Berg, Robert G. Crocker, Chandra Harrington,

Jo M. Solet, *Members*; Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

Jurisdiction Advice

To the Owner of Property at 425 Cambridge 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 demolition proposed. No CHC review of use or parking.
- 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 January 9, 2017

Received by Uploaded to Energov

Date January 9, 2017

Relationship to project BZA 12299-2016

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.

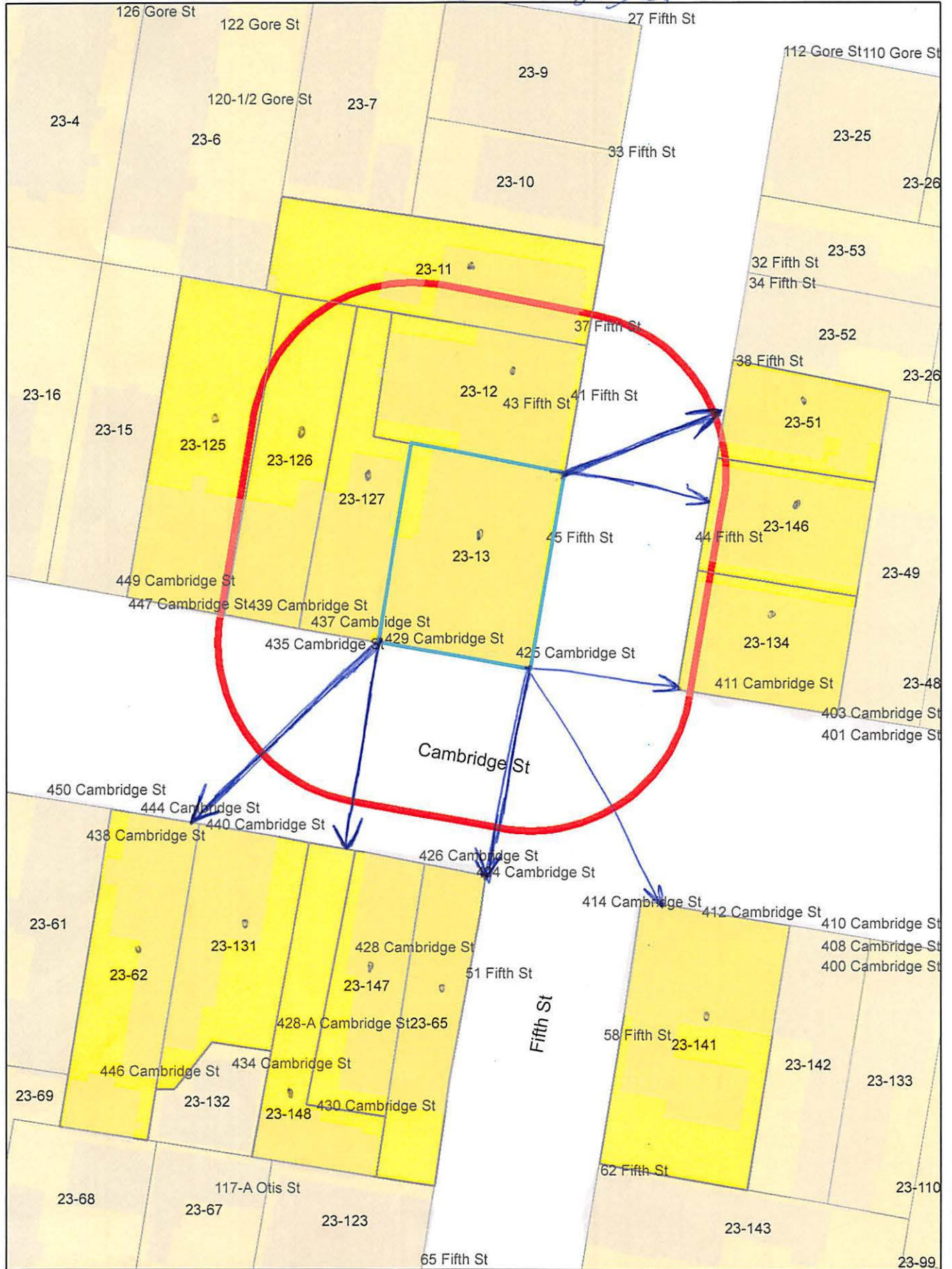
Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that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

425 Cambridge St.



425 Cambridge St.

Petitioner

23-11
DICLEMENTE, VINCENT &
MARY A. DICLEMNTE, LIFE ESTATE
37 FIFTH ST
CAMBRIDGE, MA 02141

23-12
CRAWLEY, PETER A.
88 THORNDIKE ST
CAMBRIDGE, MA 02141

HUONG LE
425 CAMBRIDGE STREET
CAMBRIDGE, MA 02141

23-51
PAIVA, NATALIA & CARLA S. PAIVA
TRUSTEES, THE PAIVA IRREV TRUST
38 FIFTH ST
CAMBRIDGE, MA 02141

23-62
SATORIA LLC
88 THORNDIKE ST
CAMBRIDGE, MA 02141

23-65
TAURO, WALTER J. JR, DANIEL PATRICK TAURO
& WALTER TAURO SR. TRS OF WDGB REAL TR.
40 SHELLEY RD.
ARLINGTON, MA 02476

23-126
FOSTER, ROSALIE
439 CAMBRIDGE ST.
CAMBRIDGE, MA 02141

23-127
BARING-GOULD, JONATHAN
29 BEVERLY RD
NEWTON, MA 02461

23-131
BABAJITIS, ELAINE & STEPHEN J. DITUCCI
440 CAMBRIDGE ST
CAMBRIDGE, MA 02141

23-134
CASCAP REALTY INC.
231 SOMERVILLE AVENUE
SOMERVILLE, MA 02143

23-141
FRAMMARTINO, EDWARD J. ,
TR. OF FRAMMARTINO TRUST CAMBRIDGE
15 PINE RIDGE RD
NORTH READING, MA 01864

23-146
LUSITANIA RECREATIVE CLUB &
SOCCER TEAM OF CAMBRIDGE
42 FIFTH ST
CAMBRIDGE, MA 02141

23-147
WAGNER, PETER P. & DEBORAH L. WAGNER
426-428 CAMBRIDGE ST
CAMBRIDGE, MA 02141

23-148
RACINE, MARIE & TERLONGE RACINE
430 CAMBRIDGE ST
CAMBRIDGE, MA 02141

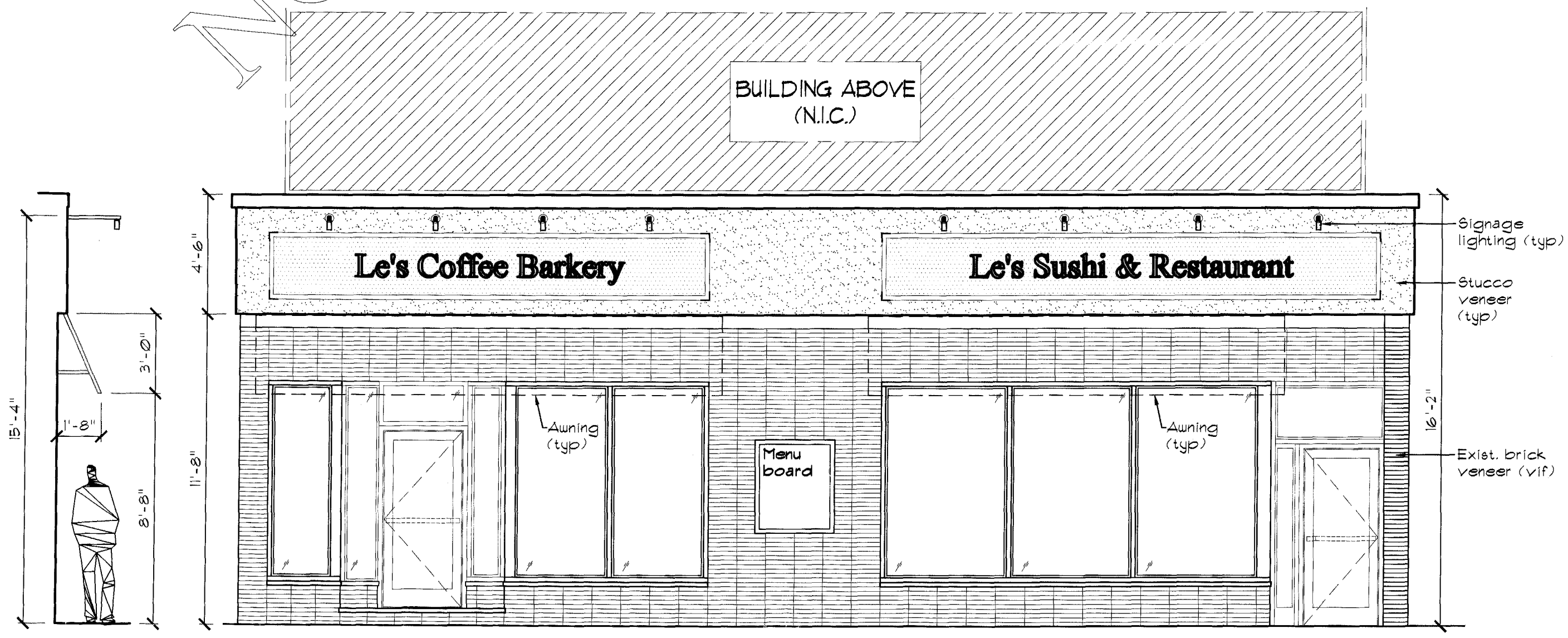
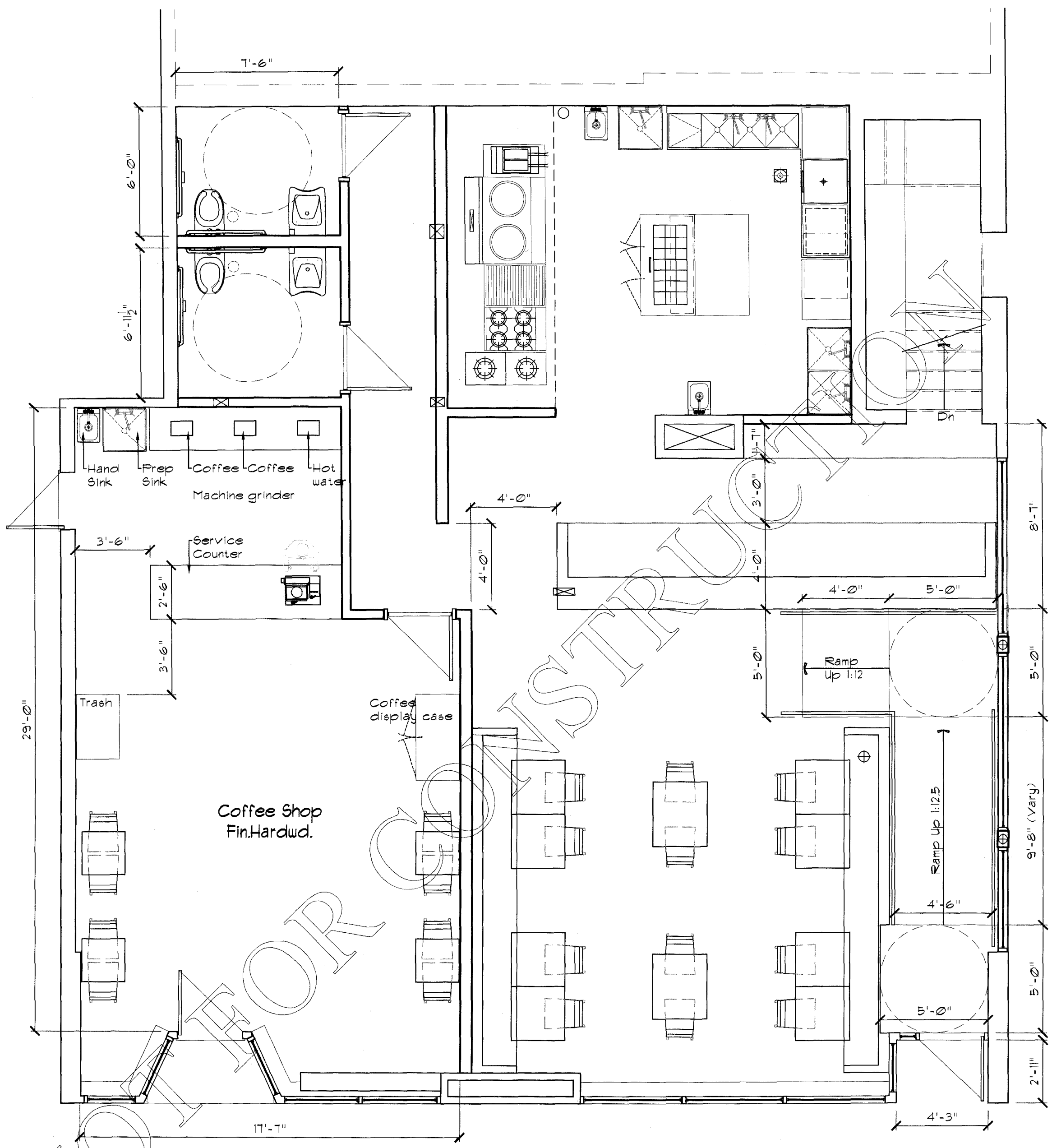
23-125
ERTEL, DANNY & SARAH J. REYNOLDS
265 MARLBORO RD
SUDBURY, MA 01776

23-125
JUREIDINI, PAUL M.
447 CAMBRIDGE ST., #3
CAMBRIDGE, MA 02141

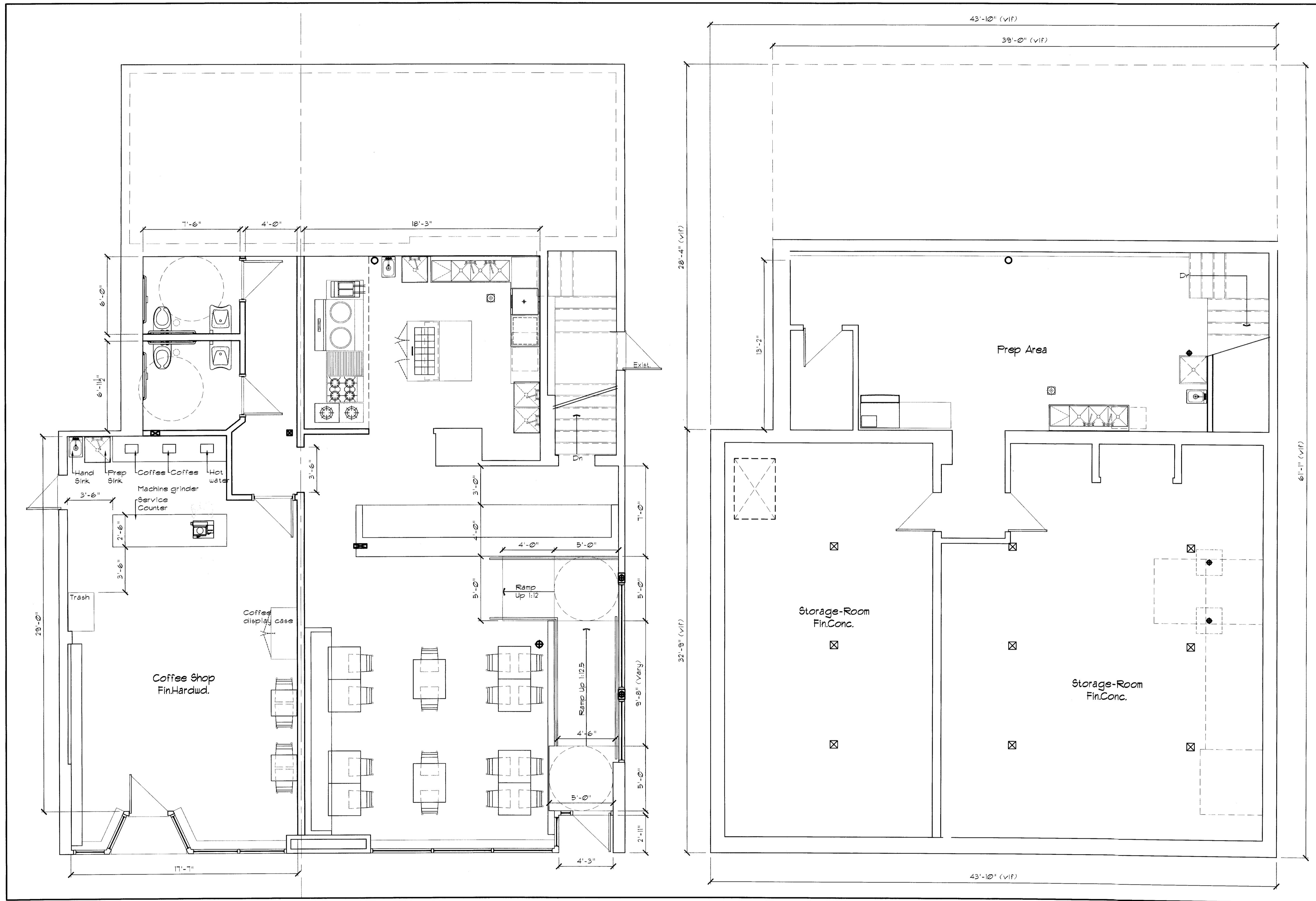
23-125
BUTLER, ALISON J.
447 CAMBRIDGE ST. #2
CAMBRIDGE, MA 02141

23-13
ETHOS BUSINESS PARTNERS, INC
C/O LE REAL ESTATE LLC
429 CAMBRIDGE ST
CAMBRIDGE, MA 02141

Rob Colman, Esq.
39 Washburn Ave
Wellesley, MA 02481
↓
Petitioner



0-0 3-31-16	Revisions: _____ Date: _____	Location: 425 Cambridge Street Cambridge, MA	Plan and Elevation	Sheet Name: _____	Design Professional
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2 First Floor Plan
 SK-1 SCALE: 1/4" = 1'-0"

1 Basement Plan
 SK-1 SCALE: 1/4" = 1'-0"

RENEY, MORAN & TIVNAN
 REGISTERED LAND SURVEYORS
 75 HAMMOND STREET - FLOOR 2
 WORCESTER, MA 01610-1723
 PHONE: 508-752-8885
 FAX: 508-752-8895
 RMT@HSTGROUP.NET
 A Division of H. S. & T. Group, Inc.

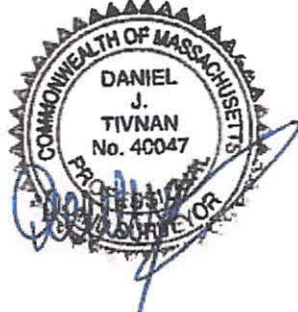
MORTGAGE INSPECTION PLAN

NAME _____
 LOCATION 425-429 CAMBRIDGE STREET
CAMBRIDGE, MA
 SCALE 1" = 20' DATE 01-13-15

JOB # 12-606-14

REGISTRY MIDDLESEX SOUTH

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW).
 NOTE: NOT DEFINED ARE ABOVEGROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREIN IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.



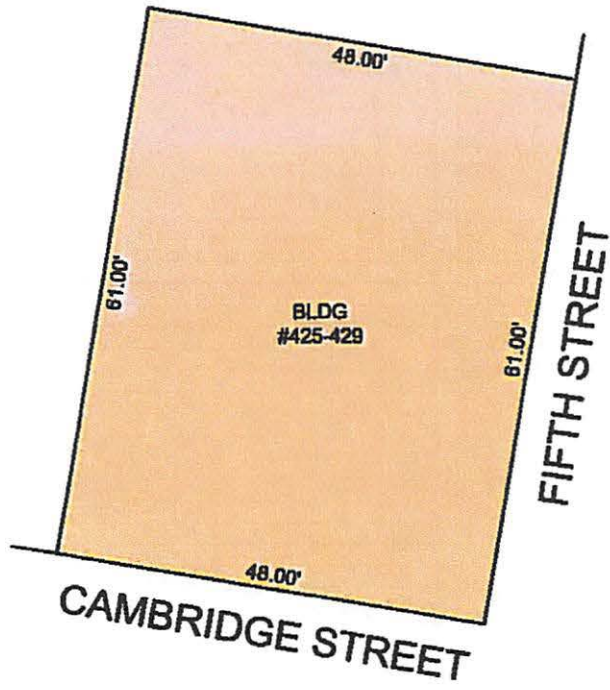
DEED BOOK/PAGE 49069/573

PLAN BOOK/PLAN DEED & ASSESSORS

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FEMA MAP:

577 E DTD 06-04-10

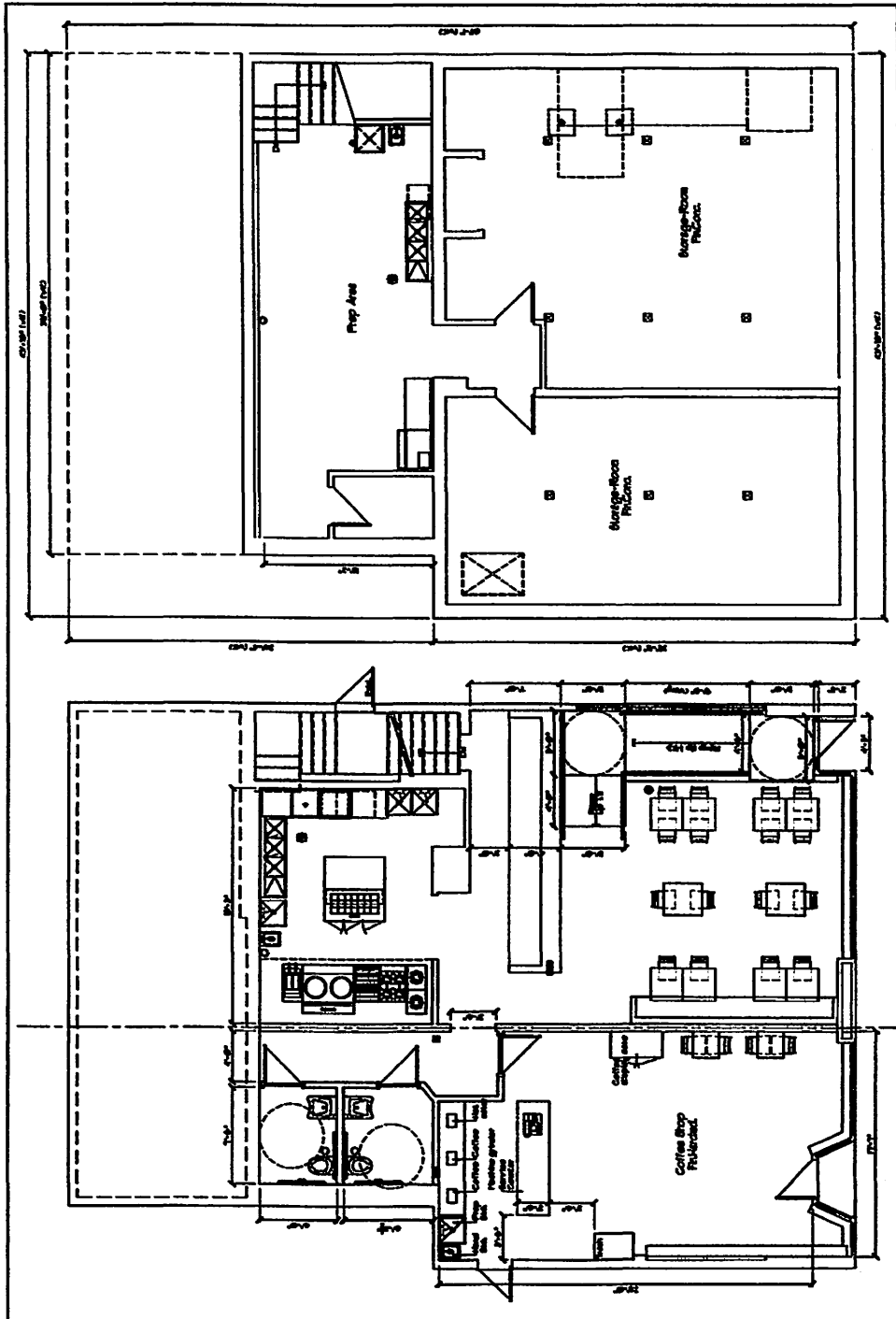
FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY FEMA AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



Rob Colman
617 659-2369

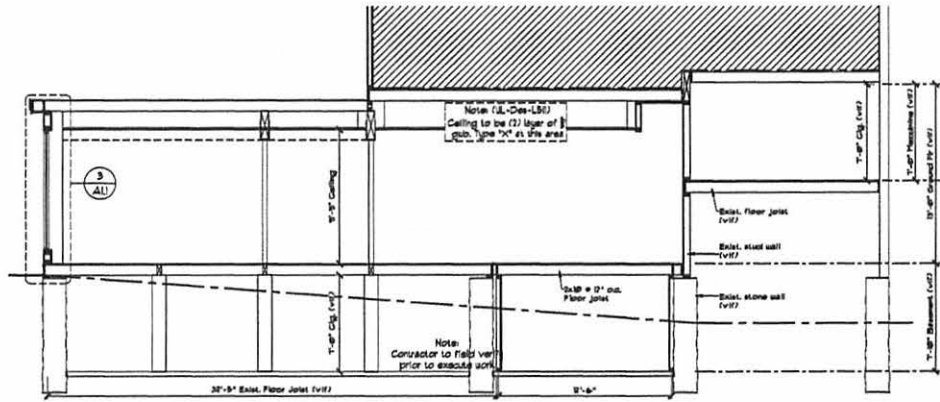
B21 012299-2016
Le's Restaurant

T Design Professional Engineers 1200 Massachusetts Ave Boston, MA 02115	Sheet Name As Built Plan	Location 425 Cambridge Street Cambridge, MA	Scale 1/8" = 1'-0"	SK-1
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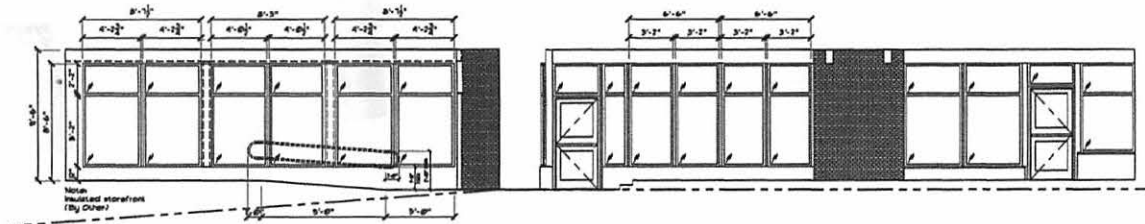


1 Basement Plan
Scale: 1/8" = 1'-0"

2 First Floor Plan
Scale: 1/8" = 1'-0"

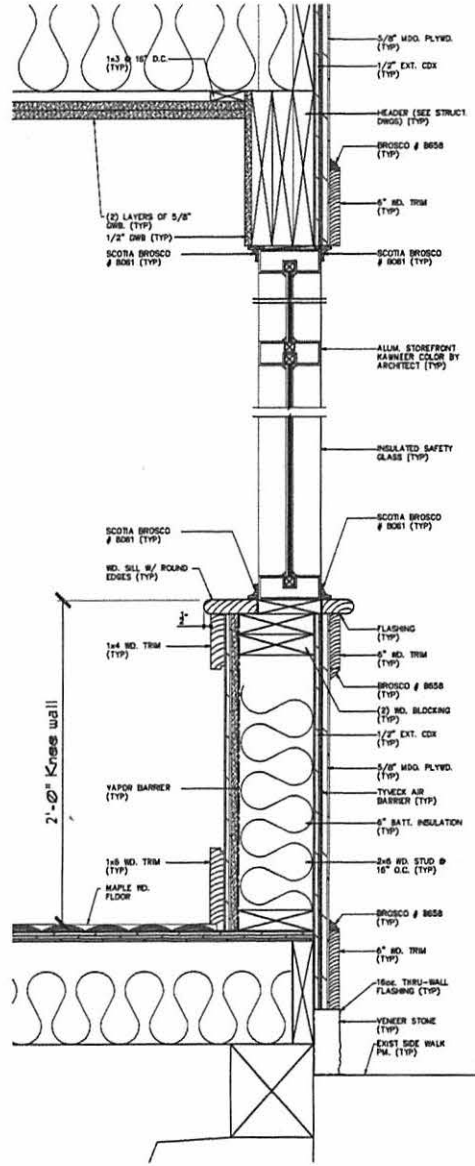


1 Building Longitudinal Section
 A-1 SCALE: 1/4" = 1'-0"



5 Ramp Interior Elevation
 A-1 SCALE: 1/4" = 1'-0"

4 Cambridge Street Interior Elevation
 A-1 SCALE: 1/4" = 1'-0"



3 Enlarged Building Section
 A-1 SCALE: 3/8" = 1'-0"

T Design
 Professional-Engineer
 1248 Randolph Ave.
 Millis, MA 02186

Sheet Name:

Enlarged Details, and Notes

Location:

425 Cambridge Street
 Cambridge, MA

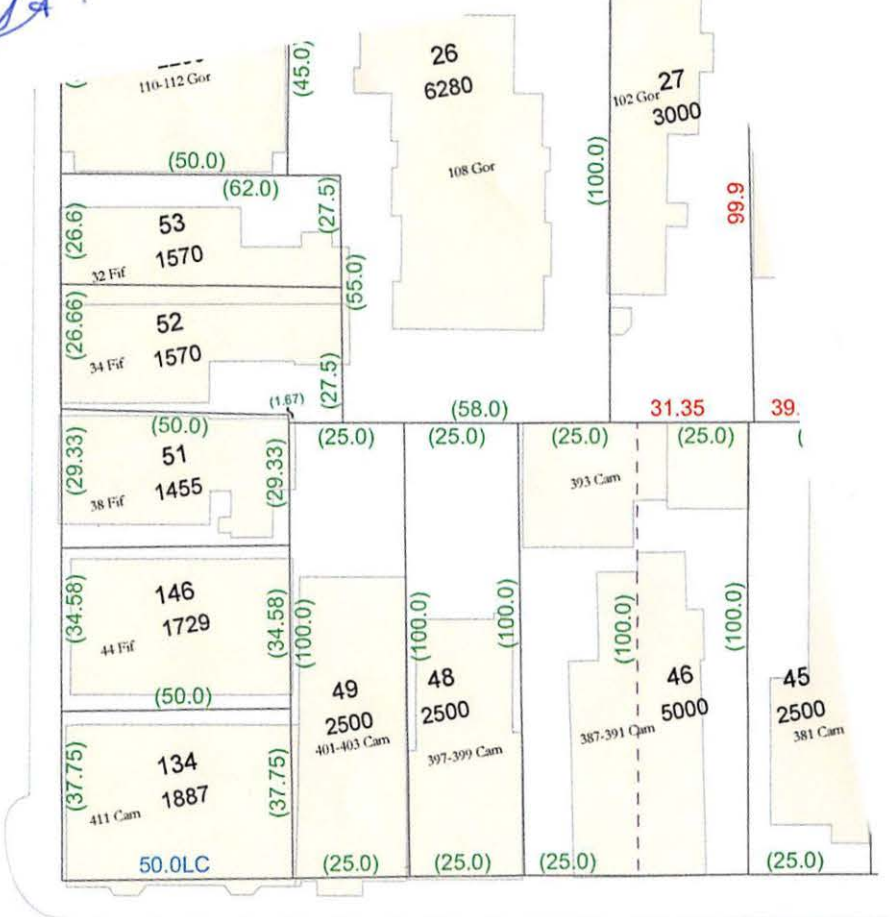
4 of 6
 8/18/15

A-1.1

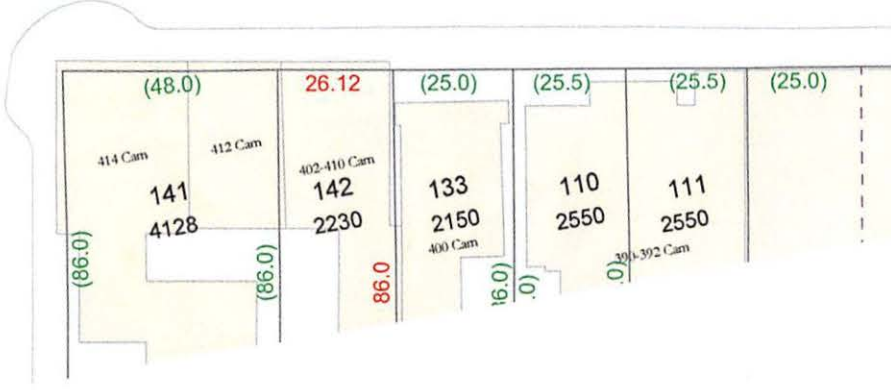
425 Cambridge



Fifth St



Cambridge St



Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Information

Document Number : 19295
Document Type : DEED
Recorded Date : February 12, 2015
Recorded Time : 02:05:27 PM

Recorded Book and Page : 64905 / 511
Number of Pages(including cover sheet) : 3
Receipt Number : 1780426
Recording Fee (including excise) : \$4,685.00

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 02/12/2015 02:05 PM
Ctrl# 218667 10117 Doc# 00019295
Fee: \$4,560.00 Cons: \$1,000,000.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.cambridgedeeds.com

Quitclaim Deed

WJC Realty, LLC a Massachusetts Limited Liability Company having a principal place of business at 425 Cambridge Street, Cambridge, Middlesex County, Commonwealth of Massachusetts for consideration paid \$1,000,000.00 – One Million Dollars grant to Ethos Business Partners, Inc. of 250 Hammond Park Parkway, Chestnut Hill, Norfolk County, Commonwealth of Massachusetts

with quitclaim covenants

A certain parcel of land with the buildings thereon, situated in Cambridge, Middlesex County, Commonwealth of Massachusetts, bounded and described as follows:

Commencing at the corner formed by the intersection of Cambridge Street and North Fifth Street;

THENCE running Westerly on Cambridge Street, forty-eight (48.00) feet;

THENCE turning and running Northerly at a right angle with Cambridge Street by land formerly of Mary H. Clark, et al. sixty-one (61.00) feet;

THENCE turning and running at a right angle and running Easterly on land formerly of said Clark, et al, forty-eight (48.00) feet to North Fifty Street;

THENCE turning and running Southerly on said North Fifth Street sixty-one (61.00) feet to the point of beginning.

The property is not subject to any Homestead rights of the grantor.

425 Cambridge Street, Cambridge, MA 02141

Grantor states that the sale is being made in the ordinary course of the GRANTOR's business and that the Grantor is not classified for the current taxable year as a corporation for federal income tax purposes.

For Grantor's title, see deed dated February 6, 2007, and recorded with Middlesex South District Registry of Deeds in Book 49069 and Page 573.

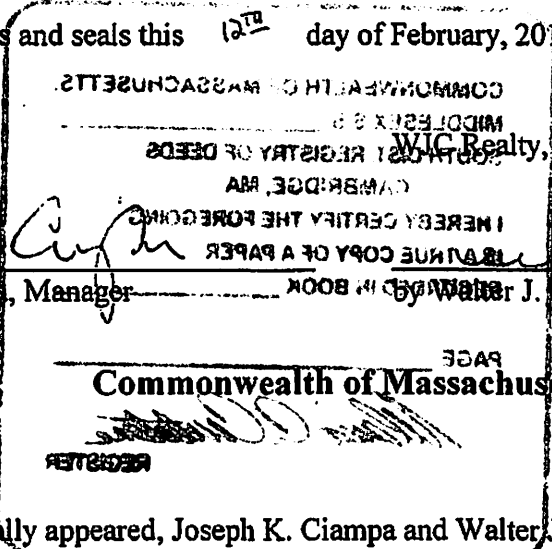
Witness our hands and seals this 12th day of February, 2015.

WJC Realty, LLC

Joseph K. Ciampa
by Joseph K. Ciampa, Manager

WJC Realty, LLC

Walter J. Ciampa, Jr.
by Walter J. Ciampa, Jr.



Middlesex, ss.

February 12, 2015

Then personally appeared, Joseph K. Ciampa and Walter J. Ciampa, Managers of the WJC Realty, LLC, and being personally known to me proved to me to be the persons whose names are signed on this document and acknowledged the foregoing instrument to be their free act and deed, and that of the WJC Realty, LLC, for its stated purpose, before me.

James K. Ferraro
Notary Public – James K. Ferraro
My commission expires:

SEP 07 2016

COMMONWEALTH OF MASSACHUSETTS.
MIDDLESEX S.S. _____
SOUTH DIST. REGISTRY OF DEEDS
CAMBRIDGE, MA

I HEREBY CERTIFY THE FOREGOING
IS A TRUE COPY OF A PAPER
RECORDED IN BOOK 04905

PAGE 511

William C. Chittenden
REGISTER



EXTERIOR ON CAMBRIDGE AVE



RESTAURANT SEATING CURRENT SPACE ①



ADDITIONAL SEATING (PROPOSED)



KITCHEN