



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

BZA APPLICATION FORM

Plan No: BZA-013109-2017

GENERAL INFORMATION

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

Special Permit : _____ Variance : √ Appeal : _____

PETITIONER : Jackson Hall - C/O Sean D. Hope, Esq.

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

LOCATION OF PROPERTY : 62 Walden St Cambridge, MA

TYPE OF OCCUPANCY : 4.35(o), 4.35 A (1) ZONING DISTRICT : Residence C-1A Zone

REASON FOR PETITION :

Other: Use Variance

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner requests Variance relief for fast order food establishment in addition to the pre-existing non-conforming convenience store/retail Use.

SECTIONS OF ZONING ORDINANCE CITED :

Article 4.000 Section 4.35.0 (Fast Order Food Establishment).

Article 11.000 Section 11.30 (Fast Order Food Establishment).

Article 10.000 Section 10.30 (Variance).

Original Signature(s) :

Sean D. Hope
(Petitioner(s) / Owner)

Sean Hope
(Print Name)

Address :

675 Massachusetts Ave.
Cambridge, MA 02139

Tel. No. : 617-492-0220

E-Mail Address : Sean@hopelegal.com

Date : April 25, 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 Scott Schneider
(OWNER)

Address: 1018 Beacon Street, 2nd floor Brookline, MA 02446.

State that I/We own the property located at 60-62 Wilder Street,
which is the subject of this zoning application.

The record title of this property is in the name of MANVE Properties LLC

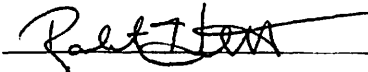
*Pursuant to a deed of duly recorded in the date 6/21/2017, Middlesex South
County Registry of Deeds at Book 62066, Page 596; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.


SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

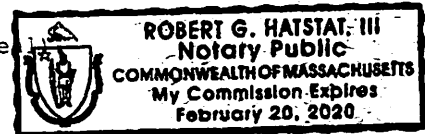
***Written evidence of Agent's standing to represent petitioner may be requested.**

Commonwealth of Massachusetts, County of Suffolk

The above-name Scott Schneider personally appeared before me,
this 28th of February, 2017, and made oath that the above statement is true.

 Notary

My commission expires 2/6/20 (Notary Seal)



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

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 be a substantial hardship to the Petitioner because the ground floor of this multi-family/mixed-use property has contained a retail/convenience store with a beer and wine license store for several decades. Petitioner's desire to upgrade the convenience store to Use that would include prepared food on premises similar to a neighborhood specialty food store. Without relief Petitioner would be limited to the pre-existing non-conforming convenience store Use that is less compatible with the growing family oriented neighborhood along Richdale Avenue and Walden Street.

- 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 owing to the mixed use structure containing a grandfathered ground floor commercial Use that cannot be altered without triggering Variance relief because the site is located in a residential district that doesn't allow for the proposed food-retail Use.

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

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

Desirable relief may be granted without substantial detriment to the public because the proposed food-retail Use will greater food options that the convenience store and the proposed interior renovations will allow for ADA compliant access and facilities.

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

Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Ordinance because the proposed Use has been in existence for decades and with the Variance approval the former convenience store will be substantially upgrading to meet the needs of the surrounding neighborhood.

- *** 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

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 62 Walden St Cambridge, MA (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:
With the requested relief the requirements of the ordinance will be satisfied.
- 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:
No congestion, hazard, or substantial change in the established neighborhood character will result from approval of the proposed Fast Order food Use because the existing convenience store will better serve the neighborhood if takeaway food items are added as an option.
- 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:
The continued operation of or the development of adjacent uses will not be adversely affected because there is no change to the mixed-use property and the location is sited at the corner of Walden and Richdale which faces a busy street on two sides.
- 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:
No nuisance or hazard will be created nor will any detriment to the health, safety and/or welfare of the of occupants of the proposed use or the citizens of the City because ground floor use will be equipped with code compliant cooking facilities and will not have a detrimental effect on abutting residential properties.
- 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:
Granting the requested relief will allow for the underutilized convenience store Use to serve a greater portion of the neighborhood and provide much needed neighborhood food options.

BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: Sean Hope, Esq. PRESENT USE/OCCUPANCY: Retail/convenience

LOCATION: 62 Walden St Cambridge, MA ZONE: Residence C-1A Zone

PHONE: _____ REQUESTED USE/OCCUPANCY: Fast Food/retail

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		<u>2,530*</u>	<u>2,530*</u>	<u>553.75</u>	(max.)
<u>LOT AREA:</u>		<u>4443</u>	<u>4443</u>	<u>5000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		<u>1.22</u>	<u>1.22</u>	<u>1.25</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		<u>888.6</u>	<u>888.6</u>	<u>1,000</u>	(min.)
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	<u>60'</u>	<u>60'</u>	<u>50</u>	(min.)
	<u>DEPTH</u>	<u>75'</u>	<u>75'</u>	<u>n/a</u>	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	<u>0</u>	<u>0</u>	<u>10'</u>	(min.)
	<u>REAR</u>	<u>0</u>	<u>0</u>	<u>n/a</u>	(min.)
	<u>LEFT SIDE</u>	<u>8</u>	<u>8</u>	<u>9.1</u>	(min.)
	<u>RIGHT SIDE</u>	<u>0</u>	<u>0</u>	<u>11.2</u>	(min.)
<u>SIZE OF BLDG.:</u>	<u>HEIGHT</u>	<u>32'</u>	<u>32'</u>	<u>45'</u>	(max.)
	<u>LENGTH</u>	<u>69'</u>	<u>69'</u>	<u>n/a</u>	
	<u>WIDTH</u>	<u>50'</u>	<u>50'</u>	<u>n/a</u>	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		<u>0</u>	<u>0</u>	<u>15%</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>		<u>5</u>	<u>5</u>	<u>4</u>	(max.)
<u>NO. OF PARKING SPACES:</u>		<u>1</u>	<u>1</u>	<u>5</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>		<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	(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 existing structure has faive residential units over a first floor convenience/grocery/beer and wine shop totalling 5,416sf.

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 APR 26 PM 12:03

BZA APPLICATION FORM

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Original Signature(s) :

Sean D. Hope

(Petitioner(s) / Owner)

Sean Hope

(Print Name)

Address :

675 Massachusetts Ave.
Cambridge, MA 02139

Tel. No. :

617-492-0220

E-Mail Address :

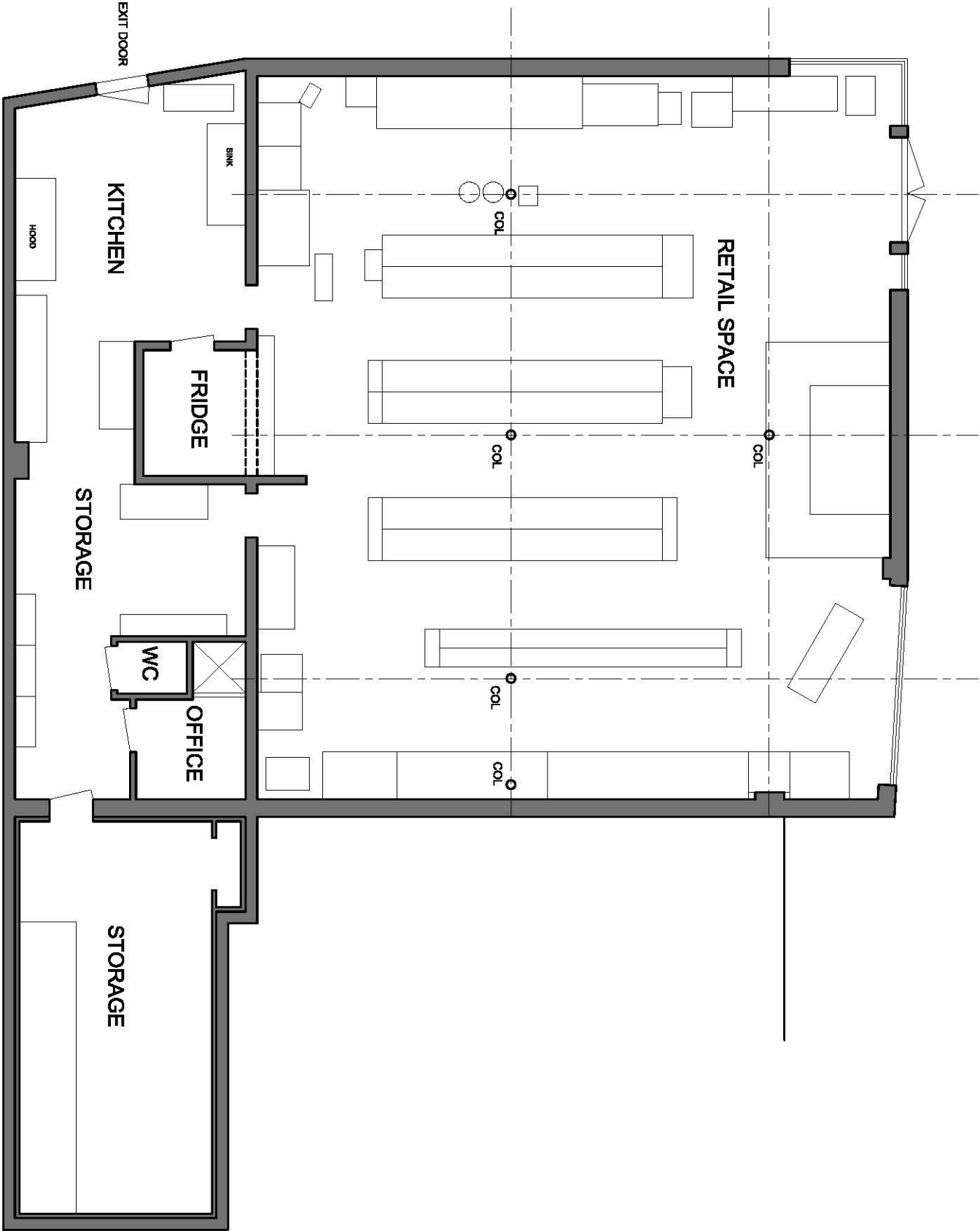
sean@hopelegal.com

Date :

April 25, 2017

RICHDALE AVENUE

WALDEN STREET



03/29/17

EXISTING FLOOR PLAN

SCALE: 1/8" = 1'

PROJECT:

THISTLE AND SHAMROCK
62 WALDEN STREET
CAMBRIDGE MA

OWNER:

JACKSON HALL

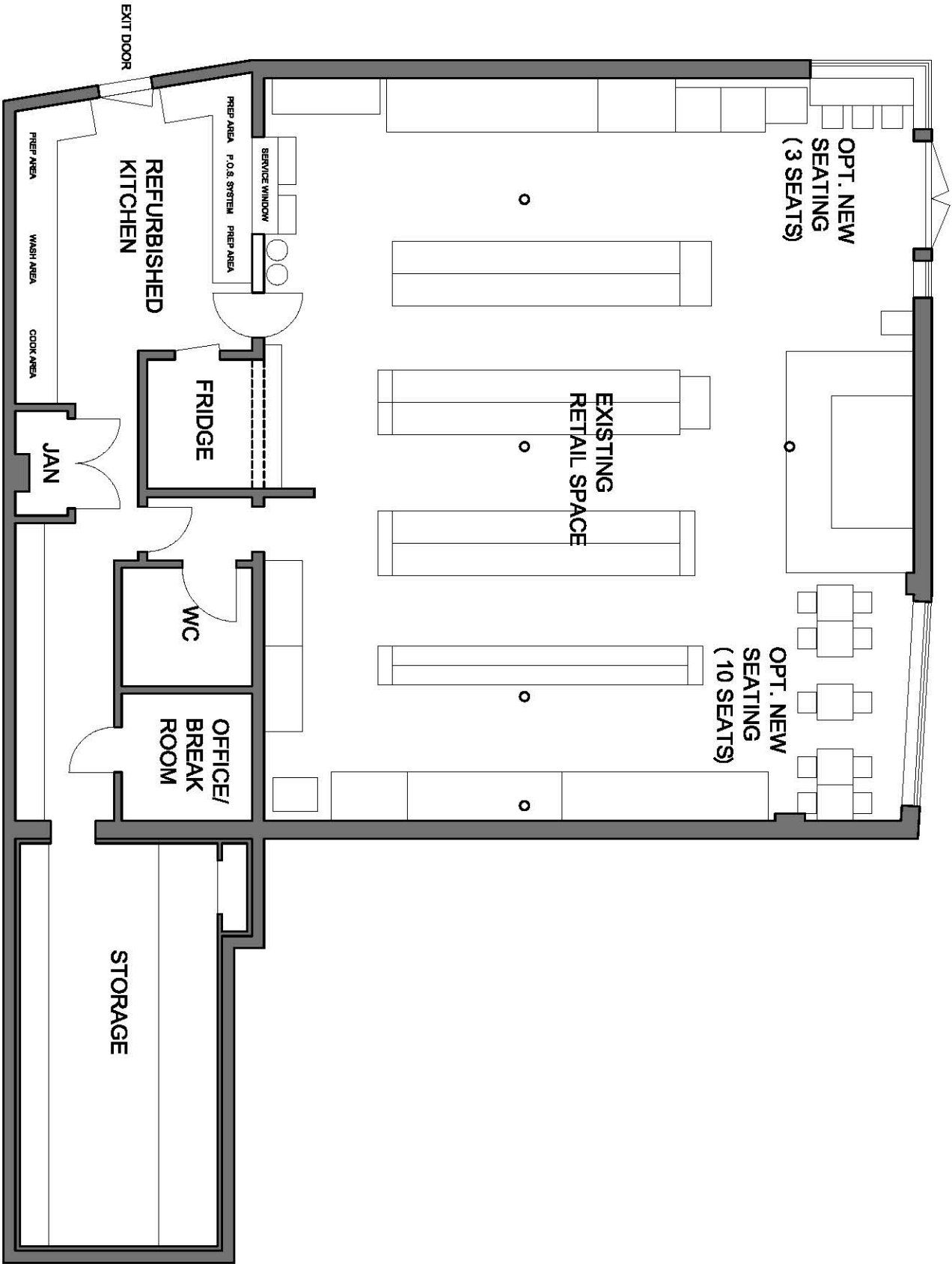
ARCHITECT:

ANDREW RICHARD
565 FRANKLIN STREET
CAMBRIDGE, MA 02139
617-775-1942
richarddesign@comcast.net

A0

RICHDALE AVENUE

WALDEN STREET



03/29/17

PROPOSED FLOOR PLAN

SCALE: 1/8" = 1'

PROJECT:

THISTLE AND SHAMROCK
62 WALDEN STREET
CAMBRIDGE MA

OWNER:

JACKSON HALL

ARCHITECT:

ANDREW RICHARD
565 FRANKLIN STREET
CAMBRIDGE, MA 02139
617-775-1942
richarddesign@comcast.net

A1

The map displays a residential neighborhood with numerous streets and property lots. A red oval highlights a central area bounded by Walden St, Richdale Ave, and Buena Vista Pk. Blue arrows point from the center of this highlighted area to various surrounding lots, indicating a specific focus or relationship. The map also shows a railroad (RR) running through the area and various lot numbers and addresses.

62 Walden St.

Petitioner
SEAN D. HOPE, ESQ.
675 MASS AVENUE
CAMBRIDGE, MA 02139

202-90
FLECK-HENDERSON, ANN
113 RICHDALE AVE., UNIT 11
CAMBRIDGE, MA 02140

202-90
PINGREE, ALLISON
113 RICHDALE AVE., #17
CAMBRIDGE, MA 02140

202-90
LAAZIZ, KHADIJA & ABDELKRIM NAJRI
113 RICHDALE AVE #15
CAMBRIDGE, MA 02140

202-90
VAUGHAN, TIMOTHY E. & BRIGID L. VAUGHAN
113 RICHDALE AVE. UNIT 14
CAMBRIDGE, MA 02140

202-90
GROSSER, MILDRED
113 RICHDALE AVE., UNIT #12
CAMBRIDGE, MA 02140

202-90
BRYAN, III, JOHN H. & ANDERLI A.
113 RICHDALE AVE 21
CAMBRIDGE, MA 02140

202-90
GRACEY, HARRY L & MARYBELLE
113 RICHDALE AVE., UNIT #27
CAMBRIDGE, MA 02140

202-90
BROWNE, DAVID S. & YUKO TAKAGI
113 RICHDALE AVE., #26
CAMBRIDGE, MA 02140

202-90
GROSSMAN, JUDITH
113 RICHDALE AVE. UNIT#25
CAMBRIDGE, MA 02140

202-90
IKRAM, MUHAMMAD & KANIZ FATIMA
113 RICHDALE AVE., UNIT #24
CAMBRIDGE, MA 02140

202-90
YANG, ZINGER C. & SU-JEN YANG
113 RICHDALE AVE., UNIT 23
CAMBRIDGE, MA 02140

202-90
NEUMANN, DIANE
113 RICHDALE AVE., UNIT #22
CAMBRIDGE, MA 02140

202-90
ZHANG, HONG X. & KA YAN JOYCE LO
113 RICHDALE AVE., #32
CAMBRIDGE, MA 02140

202-90
ENLOE, CYNTHIA H. & JONI SEAGER
113 RICHDALE AVE., UNIT #37
CAMBRIDGE, MA 02140

202-90
REEF, HOWARD S. & DEBORAH M. REEF
113 RICHDALE AVE., #36
CAMBRIDGE, MA 02140

202-90
KETCHUM, ROBERT H. & PATRICIA S. KETCHUM
113 RICHDALE AVE., UNIT #35
CAMBRIDGE, MA 02140

202-90
GLARDON, XAVIER & CORINNE NICOLE PETRY GL
C/O KALOW, BRUCE & CELIA CHIN
113 RICHDALE AVE., #34
CAMBRIDGE, MA 02140

202-90
NAGAYA, YOSHIMI
113 RICHDALE AVE., UNIT #33
CAMBRIDGE, MA 02138

202-90
ZHANG, HONG XI & KA YAN JOYCE LO
113 RICHDALE AVE., UNIT #32
CAMBRIDGE, MA 02140

202-26
BAHIJ M. BANDAR, MARJORIE DECKER-BANDAR
63 WALDEN ST
CAMBRIDGE, MA 02140

202-26
MARSHALL, STEPHEN, AILEEN SALARES & C/O
BEERBOHM, ERIC & LESLIE J. DUHAYLOGS
124 RICHDALE AVE., UNIT 124
CAMBRIDGE, MA 02140

202-26
SCHOFIELD, DARAH
112 RICHDALE AVE., #122
CAMBRIDGE, MA 02140

202-26
RYAN, COLM A. & VERONICA N. KOS
63 WALDEN ST., #63
CAMBRIDGE, MA 02142

200-100
MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY
10 PARK PLAZA
BOSTON, MA 02116

201-1
ACCARDI, ALFRED E. & RUTH J. ACCARDI,
A LIFE ESTATE
56 WALDEN ST
CAMBRIDGE, MA 02140

201-2
MANE PROPERTIES LLC
191 STRATFORD ROAD
NEEDHAM, MA 02140

201-3
17-73 ELM STREET, LLC.
C/O MARIA SALVIA
45 MT. VERNON ST. APT#4B
BOSTON, MA 02108

201-4
MAY, DART E. & DAN NICHOLAS
93 RICHDALE AVE.
CAMBRIDGE, MA 02138

201-4
KEPNER, JEREMY & ALEXANDRA S. KEPNER
95 RICHDALE AVE
CAMBRIDGE, MA 02140

62 Walden St.

201-113
92-96 RICHDALE AVE, LLC
31 PHILEMON STREET
ARLINGTON, MA 02474

201-10
JUN, TIMOTHY M.
66 WALDEN ST., #1
CAMBRIDGE, MA 02140

201-10
KELLY, COPELY T.
C/O BURNS, JAMES G. & SARAH B. STEWARD
66 WALDEN ST., UNIT #2
CAMBRIDGE, MA 02140

202-90
COTTON, JASON M. & JUDITH C. COTTON
113 RICHDALE AVE 16
CAMBRIDGE, MA 02140



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., 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 62 Walden 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 permit anticipated based on scope of work described. 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 April 26, 2017

Received by Uploaded to Energov

Date April 26, 2017

Relationship to project BZA 13109-2017

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

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>

