

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: X Variance: Appeal:

PETITIONER: AMORINO GELATO JFK, LLC

PETITIONER'S ADDRESS: 50 JFK Street, CAMBRIDGE, MA, 02138

LOCATION OF PROPERTY: 50 JFK St.

TYPE OF OCCUPANCY: \$4.35 (o), Fast Order Food Establishment ZONING DISTRICT: BB-HSQ

REASON FOR PETITION:

<u> </u> Additions	<u> </u> New Structure
<u> X </u> Change in Use/Occupancy	<u> </u> Parking
<u> </u> Conversion to Addi'l Dwelling Unit's	<u> </u> Sign
<u> </u> Dormer	<u> </u> Subdivision
<u> </u> Other: <u> </u>	

DESCRIPTION OF PETITIONER'S PROPOSAL:

Change the previous use (retail store selling shoes) to the proposed use (cafe selling gelato and coffee, for consumption both on-site and via take-out).

SECTIONS OF ZONING ORDINANCE CITED:

Article 4 Section 35 (o)

Article Section

Article Section

Applicants for a **Variance** must complete Pages 1-5

Applicants for a **Special Permit** must complete Pages 1-4 and 6

Applicants for an **Appeal** to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

Original Signature(s):


Lea SASPORTES
(Print Name)

Address: 50 JFK Street

CAMBRIDGE MA 02138

Tel. No.: 617-953-7682

E-Mail Address: lea.sasportes@gmail.com

Date: 5 September 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 Roger V. Janes
351 Shorewood Dr. (OWNER) East Falmouth, MA 02536
Address: 724 Provincetown Dr, Naples, FL 34104

State that I/We own the property located at 50 JFK St.,
which is the subject of this zoning application.

The record title of this property is in the name of _____
Roger V. Janes, 50 JFK Street Realty Trust

*Pursuant to a deed of duly recorded in the date 3/5/1952 Middlesex South
County Registry of Deeds at Book 7871, Page 472; or
7338 267
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Roger V. Janes
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 Roger V. Janes personally appeared before me,
this 12 of September 2017, and made oath that the above statement is true.

Notary
My commission expires 05/04/2023 (Notary Seal).

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

RECEIVED - DEPARTMENT OF THE ARMY

THIS DOCUMENT IS NOT TO BE DISTRIBUTED OUTSIDE THE DEPARTMENT OF THE ARMY

1. TITLE: *Handwritten title text*

2. AUTHOR: *Handwritten author text*

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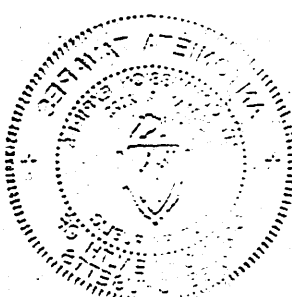
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BZA APPLICATION FORM
SUPPORTING STATEMENT FOR A SPECIAL PERMIT

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 50 JFK Street, Cambridge, MA 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 proposed use will be pedestrian friendly, require no parking and will operate without cooking, fumes, odors, etc. In addition, there will be trash receptacles available to the public, and the use will compliment other nearby businesses and the surrounding residential community.

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 proposed use would have no additional detriment to traffic, access, or egress than the previous retail use within this existing tenancy. The proposed use would contribute to the vitality of the pedestrian experience along JFK Street and requires no dedicated parking, as the business relies primarily on foot traffic.

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 proposed gelato store would not affect the adjacent uses in any way as existing ingress/egress would remain. The proposed gelato café use would complement other existing retail and food service establishments in the area and would be compatible with the nearby residential community.

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.

The gelato shop would not produce loud noise or noxious fumes, no cooking or venting is necessary and the capacity and hours of operation are in keeping with the general small business operations nearby.

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:

The proposed use is a non-intrusive fast order food use serving gelato and related items and soft drinks. As such, the proposed use will blend in appropriately with the many retail and food service uses in the neighborhood, and will contribute to the viability of the Harvard Square business district without causing any negative impact on the surrounding neighborhood.

BZA APPLICATION FORM
DIMENSIONAL INFORMATION

APPLICANT: _____ PRESENT USE/OCCUPANCY: _____

LOCATION: 50 J=K St ZONE: BB-HSQ

PHONE: _____ REQUESTED USE/OCCUPANCY: _____

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
<u>TOTAL GROSS FLOOR AREA:</u>	1,681 SF (tenancy), 6,654 SF (bldg)	1,681 SF (tenancy)	8,011 SF max	(max.)
<u>LOT AREA:</u>	2,913 SF		none	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:²</u>	2.28 (bldg)		2.75/3.0	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	n/a	n/a	300 sf	(min.)
<u>SIZE OF LOT:</u>				
	WIDTH	37.91'	none	(min.)
	DEPTH	78.64'		
<u>Setbacks in Feet:</u>				
	FRONT	none	none	(min.)
	REAR	none	none	(min.)
	LEFT SIDE	none	none	(min.)
	RIGHT SIDE	none	none	(min.)
<u>SIZE OF BLDG.:</u>				
	HEIGHT	35'	35'	(max.)
	LENGTH	64.33'		
	WIDTH	37.91'		
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:³</u>	no open space	no open space	none	(min.)
<u>NO. OF DWELLING UNITS:</u>	4	4	10	(max.)
<u>NO. OF PARKING SPACES:</u>				(min./max)
<u>NO. OF LOADING AREAS:</u>				(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	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 scope singularly involves renovating the interior of an existing retail tenancy with wood frame construction. The existing building is mixed-use (restaurants, retail, residential) and will remain so. Only minor cosmetic changes are proposed for the exterior and have been approved by the Cambridge Historical Commission. Signage has been approved.

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'.

This map illustrates the Winthrop Square area in Boston, featuring a grid of streets and numerous property lots. The central focus is a red circular boundary that encloses a cluster of lots, with blue arrows indicating a clockwise path around this area. The streets shown include Winthrop St, JFK St, South St, Dunster St, and Mt Auburn St. Property lots are labeled with their addresses, such as 162-54, 162-36, and 162-31. The map also shows surrounding areas like 161-58 and 162-61.

50 JFK. ST.

162-9
TARTARIAN, LLC
1188 CENTRE ST.
NEWTON, MA 02459

162-31
THE UNIVERSITY LUTHERAN ASSOCIATION
OF GREATER BOSTON
66 WINTHROP ST.
CAMBRIDGE, MA 02138

Petitioners
AMORINO GELATO JFK, LLC
C/O LEA SASPORTES
50 JFK STREET
CAMBRIDGE, MA 02138

162-36
MCMILLAN, GENEVIEVE,
TRUSTEE OF MC MILLAN REALTY TRUST
P.O. BOX 380209
CAMBRIDGE, MA 02238

162-54
CRIMSON GALERIA LIMITED PARTNERSHIP
C/O RAJ DHANDA
1299 BEACON STREET
BROOKLINE, MA 02446

162-48-32-47-51
PRESIDENT & FELLOWS OF HARVARD COLLEGE
C/O HARVARD REAL ESTATE, INC.
HOLYOKE CENTER, ROOM 1000
1350 MASSACHUSETTS AVE
CAMBRIDGE, MA 02138

162-69
CITY OF CAMBRIDGE
C/O LOUS DEPASQUALE
CITY MANAGER

162-69
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

162-69
CAMBRIDGE CITY OF PWD
147 HAMPSHIRE ST
CAMBRIDGE, MA 02139

162-72
JANES, ROGER V.
351 SHOREWOOD DRIVE
EAST FALMOUTH, MA 02536

162-73
HARVARD SQUARE HOLDINGS LLC.
1299 BEACON ST
BROOKLINE, MA 02446

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: x

Variance:

Appeal:

2017 OCT 20 AM 10:38
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

PETITIONER: AMORINO GELATO JFK, LLC

PETITIONER'S ADDRESS: 50 JFK Street, CAMBRIDGE, MA, 02138

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Change the previous use (retail store selling shoes) to the proposed use (cafe selling gelato and coffee, for consumption both on-site and via take-out).

SECTIONS OF ZONING ORDINANCE CITED:

Article 4 Section 35 (o)

Article 11 Section 11.30

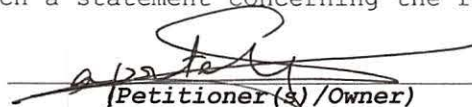
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Applicants for an **Appeal** to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

Original Signature(s):


(Petitioner(s)/Owner)

Lea SASPORTES
(Print Name)

Address:

50 JFK Street
CAMBRIDGE, MA, 02138

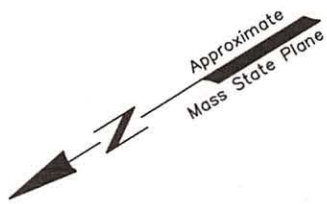
Tel. No.:

617-953-9682

E-Mail Address:

lea.sasportes@gmail.com

Date: 5 September 2017



Winthrop Street

Private - Variable width

Granite curb

Brick sidewalk

Asphalt sidewalk

Steps

Brick sidewalk

Granite curb

N/F The University Lutheran
Association of Greater Boston

Bk 32202 Pg 315

Concrete sidewalk

Concrete sidewalk

Lot area =
2,913 +/- S.F.

8 foot
passageway

Asphalt driveway

Asphalt driveway

N/F Harvard Square
Holdings, Inc.
Bk 55713 Pg 280

Stairwell
entrance
13.67'
9.68'
6.98'

First story
entrance

7.88'
9.21'
16.30'

Dumpster
storage

Wood fence

3 Story
Brick building
#50

1st floor area = 2,253 s.f.
2nd & 3rd floor area = 2,180 s.f.
Basement floor area not determined

3 Story
Wood frame building
#54

First story
entrance
4.87'

Upper story
entrance
Basement
entrance
30.72'

Steps

Fire escapes

Light pole

4" Deciduous tree

John F. Kennedy Street

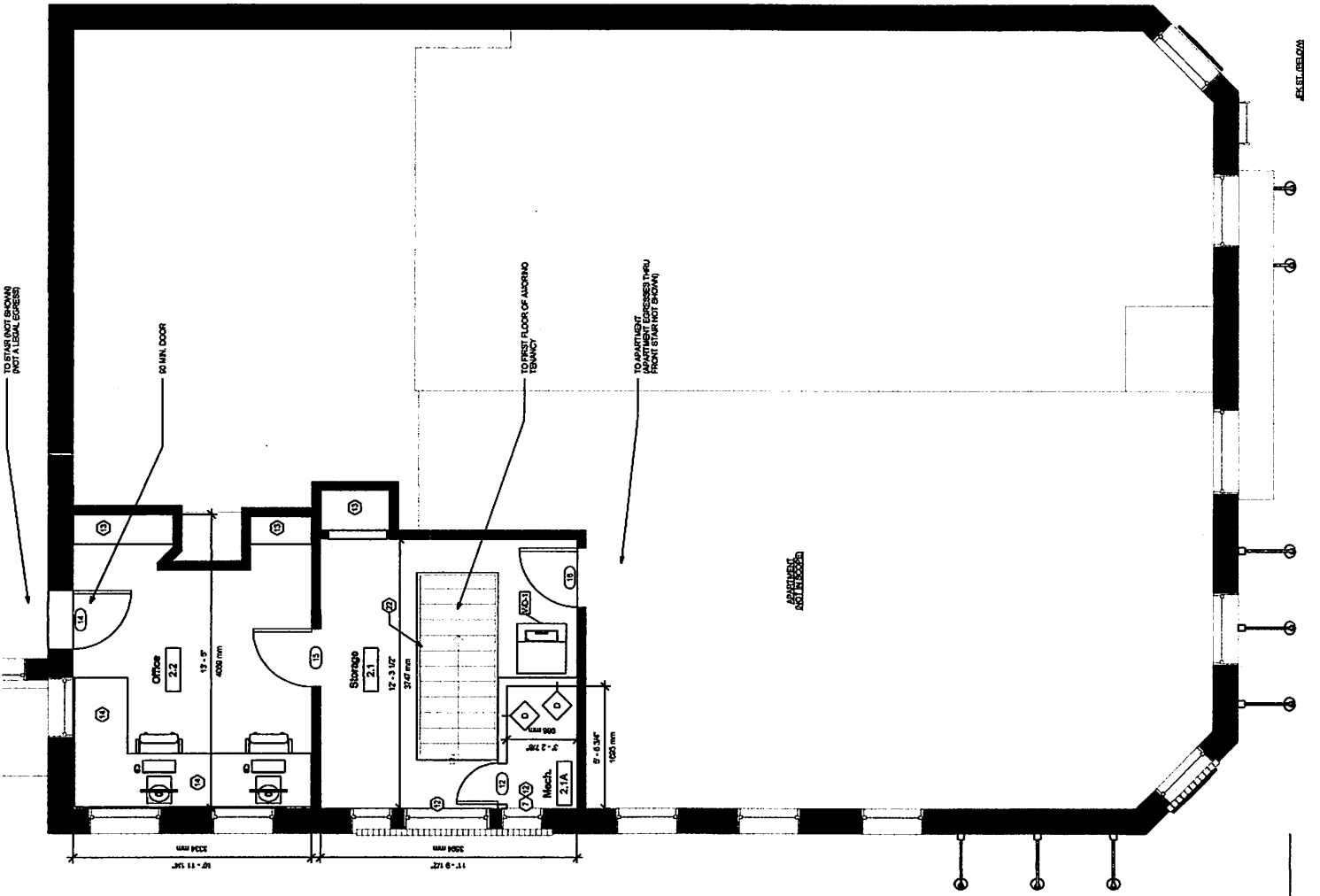
Public - 60 feet wide



In my professional opinion, I certify to Marc Fournier and the City of Cambridge that as a result of a survey made on the ground to the normal standard of care of professional land surveyors practicing in Massachusetts I find that the property falls outside

Existing Conditions Plan of Land
in
Cambridge, Massachusetts

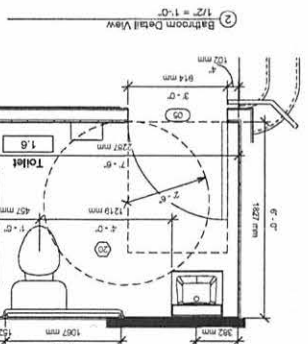
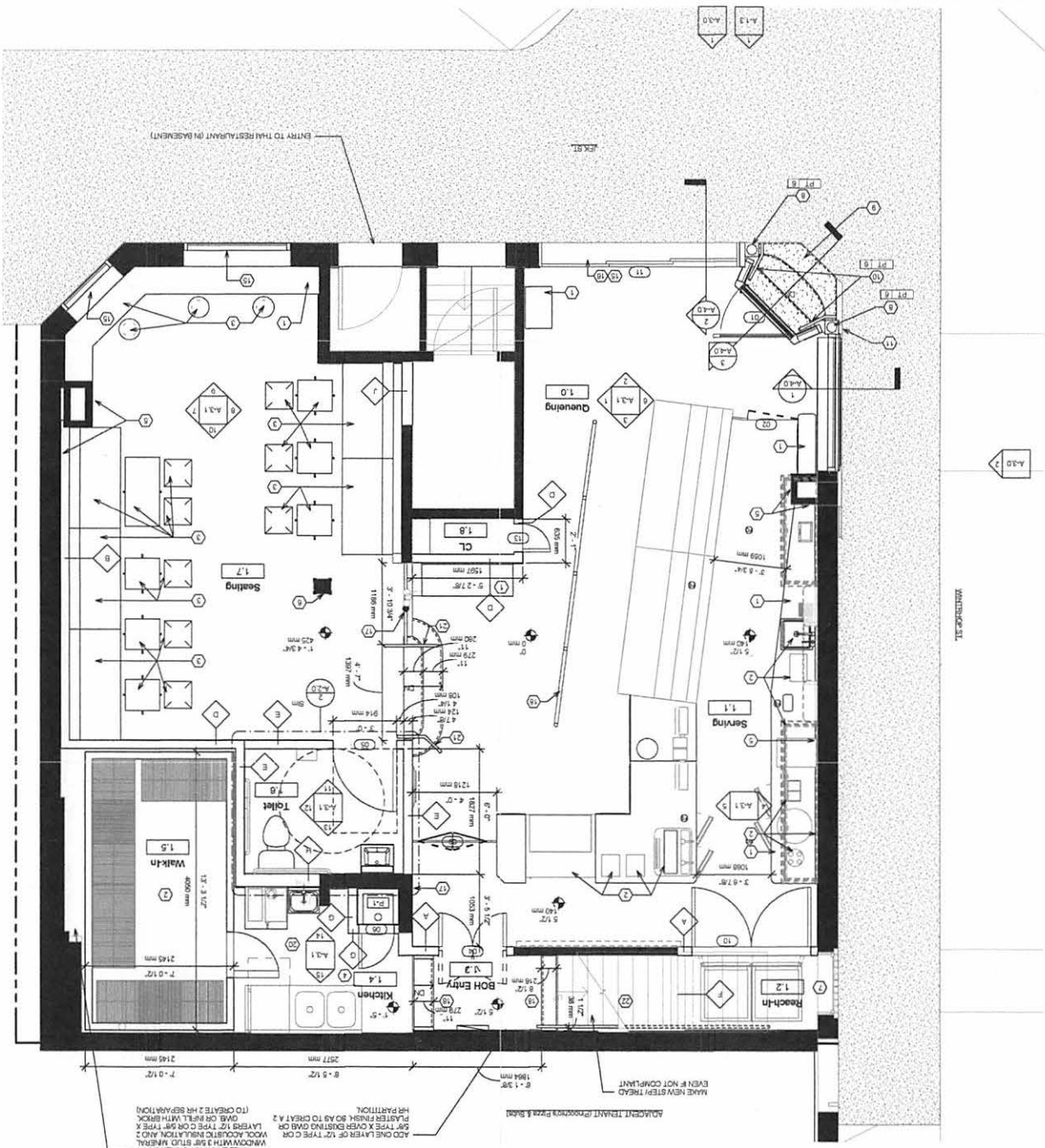




Second Floor Equipment Schedule				
Type	Count	Description	Manufacturer or	Type Comments
NAF-1		Stained Walnut Door	Stamco	21 5/8" x 37" x 2 1/8" (2004173)

CONSTRUCTION	CONSTRUCTION
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22

1 Level 1 Proposed Construction Plan
3/8" = 1'-0"



- CONSTRUCTION NOTES**
1. ALL EXISTING WALLS AND PARTITIONS SHALL BE REMOVED AND RECONSTRUCTED AS SHOWN ON THIS PLAN.
 2. ALL NEW WALLS AND PARTITIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 3. ALL NEW FLOORS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 4. ALL NEW ROOFS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 5. ALL NEW MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE 2015 INTERNATIONAL MECHANICAL, ELECTRICAL, AND PLUMBING CODE (IMC).
 6. ALL NEW WINDOWS AND DOORS SHALL BE INSTALLED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 7. ALL NEW LIGHTING FIXTURES SHALL BE INSTALLED IN ACCORDANCE WITH THE 2015 INTERNATIONAL ELECTRIC CODE (IEC).
 8. ALL NEW PAINT SHALL BE APPLIED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 9. ALL NEW FLOORING SHALL BE INSTALLED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 10. ALL NEW CEILING SHALL BE INSTALLED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 11. ALL NEW STAIRS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 12. ALL NEW ELEVATORS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).
 13. ALL NEW VENTILATION SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE 2015 INTERNATIONAL MECHANICAL, ELECTRICAL, AND PLUMBING CODE (IMC).
 14. ALL NEW FIRE PROTECTION SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC).

50 JFK St.



DEREK RUBINOFF ARCHITECT

101 Laurel Street, West Roxbury, MA 02132-3135 617-504-2599 drubinoff@derekubinoff.com

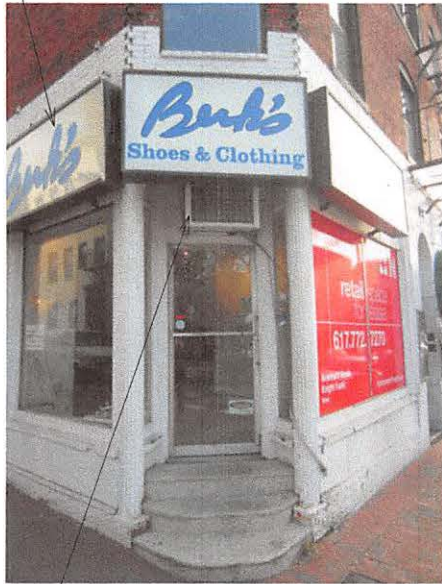
Existing Photos

Amorino Harvard Square

50 JFK St.
Cambridge, MA 02138

JOB
SCA
DAT
DWI
CRC

BOX SIGNS TO BE REMOVED



AIR CONDITIONER TO BE REMOVED AND INFILLED.



REMOVE INFILL MATERIAL FOR FULL-HEIGHT SLIDING WINDOW



WORN TERRAZZO STEPS TO BE RESURFACED.
REPLACE DOOR

REPLACE ALL STORE EXTERIOR GLAZING

REPLACE NON-COMPLIANT RAILING

REMOVE EXISTING BERK'S BELT SIGNS



INFILL DIS
EXISTING RESTAUR
VIOLIN SH
SIGNS/AW



STOREFRONT IS IN POOR SHAPE AND NOT ENERGY CODE COMPLIANT.



VIOLIN SHOP AND THAI RESTAURANT SIGNS MUST REMAIN (NOT IN SCOPE)



AIR CONDITIONER TO BE REMOVED AND INFILLED.

INTERIOR OF STOREFRONT HAS DETERIORATED AND IS NOT ENERGY CODE COMPLIANT



DEREK RUBINOFF ARCHITECT

101 Lasell Street, West Roxbury, MA 02132-3135 617-504-2599 drubinoff@derekubinoff.com

Existing Photos

Amorino Harvard Square
50 JFK St.
Cambridge, MA 02138

JOE
SC/1
DA/1
DW
CR/1

BOOK

7871

PAGE

472

Before me, this day personally appeared _____, to me well known, and well known by me to be the person described in and who executed the foregoing instrument as Collector of Internal Revenue for the _____, and he acknowledged before me that he executed the same as such Collector of Internal Revenue, and for the purpose herein expressed.

WITNESS my hand and official seal at _____ day of _____, 19____, in the County _____ and State aforesaid, this _____

To _____

[SEAL]

(Official title)

Rec'd & entered for record March 5, 1952 at 4h. 36m. P.M. #326

Harvard Trust Company

Vincent Z. Janes

in it dated September 16, 1948

recorded with Middlesex So. Dist.

Deeds, Book 7338

Page 267

for consideration paid, releases to said Vincent Z. Janes

the holder of a mortgage by

all interest acquired under said mortgage in the following described portion of the mortgaged premises namely:-

Lot A-2 on a "Subdivision plan of land in Cambridge, Mass." by Dana P. Perkins and Sons, Inc., C. E. dated Feb. 21, 1952 to be recorded herewith, being the Southwesterly portion of Lot A described in said mortgage the building thereon being at present number 52-54 Boylston Street, Cambridge, bounded and described as follows:

- NORTHWESTERLY by Boylston Street, fifty-four and 76/100 (24.75) feet;
- NORTHEASTERLY by a straight line which in part coincides with the face of the brick wall of the building on Lot A-1 on said first mentioned plan, seventy-eight and 10/100 (78.10) feet;
- SOUTHEASTERLY by land of owners unknown, fifty-one and 73/100 (51.75) feet;
- SOUTHWESTERLY by a line through a common passageway as shown on said plans, seventy-seven and 40/100 (77.40) feet.

Containing 4000 square feet of land. Be all said measurements more or less or however otherwise bounded or described.

Together with a right to pass and repass on foot and with vehicles over the "5-foot passageway" as shown on said first mentioned plan across the Southeasterly end of Lot A-1 to and from Winthrop Street.

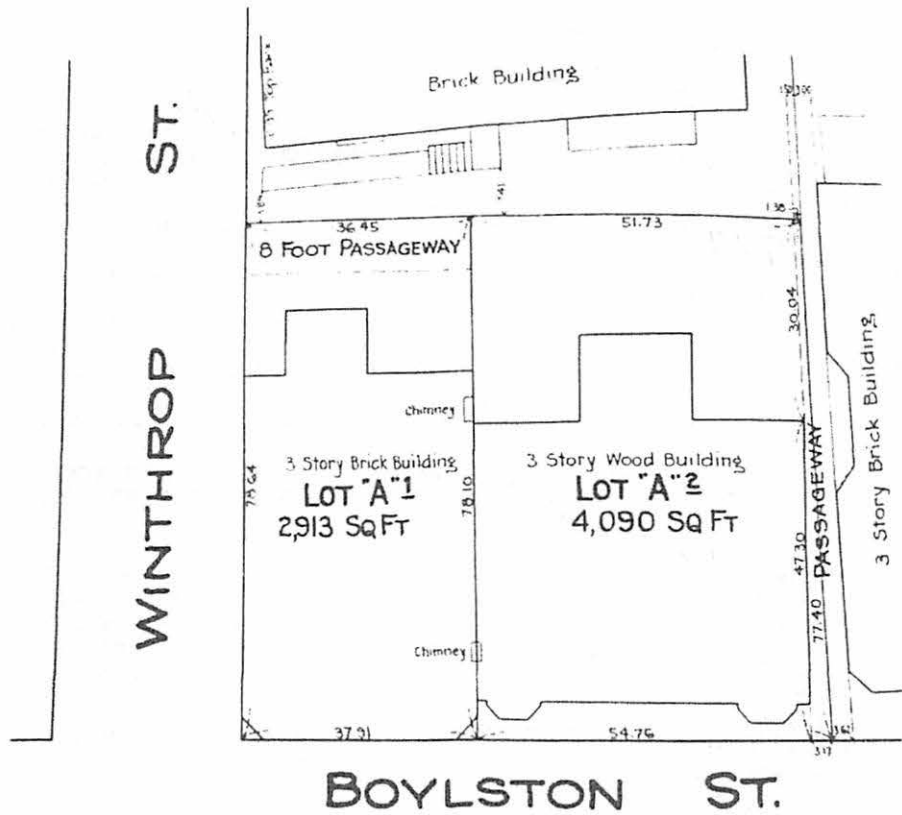
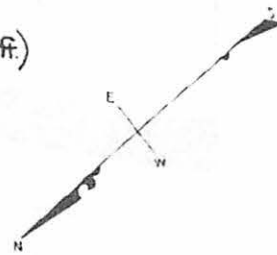
Also rights of way as appear of record in common with others entitled thereto in the "Passageway" shown on said plans along the Southwesterly side of the released premises.

Together with the right and easement to have the building on the above described premises if, and to the extent that, it encroaches on the remaining land described in said mortgage on the Northeast side of the released premises, remain in its present location and to make repairs and alterations thereto until such time as said building is demolished; and subject to the right and easement reserved for the benefit of the remaining land described in said mortgage to have the building thereon if, and to the extent that, it encroaches on the released premises, remain in its present location and to make repairs and alterations thereto until such time as said building is demolished.

Approved: _____ Vice President

Subdivision of Land
in
CAMBRIDGE MASS.
Scale: 1"=10' Feb. 21, 1952
Dana F. Perkins and Sons, Inc.
Civil Engineers and Surveyors
Reading, Mass.

(Original on file.)
(Scale of this plan: 1 in.=20 ft.)



Middlesex Registry of Deeds, So. Dist.
CAMBRIDGE, MASS.
Plan Number 258 of 1952
Rec'd. Mar. 5, 1952 at 4.15 PM
with Deed
Vincent Z. Jones
Genevieve McMillan
Recorded, Book 7871 Page 471
Attest *Albert R. Kuttisim*

In witness whereof the said
Arthur M. Wright
March

Harvard Trust Company

and these presents to be signed in its name and behalf by
hereto duly authorized
its Treasurer/ this fifth day of

A. D. 19 52.

For authority see General
note recorded in Book
468, Page 468.

HARVARD TRUST COMPANY

by *Arthur M. Wright*
Treasurer



Commonwealth of Massachusetts

March 5,

19 52.

Middlesex

Then personally appeared the above named Arthur M. Wright

and acknowledged the foregoing instrument to be the free act and deed of Harvard Trust Company

before me

Notary Public

My commission expires



Rec'd & entered for record March 5, 1952 at 4h. 50m. P.M. #327

L. Vincent Z. Jones

Medford, Middlesex

expressed, for consideration paid, grant to

Genevieve McMillan

County, Massachusetts,

Cambridge in said County with quitclaim covenants
a certain parcel of land the buildings thereon being at present num-
ber 52-54 Boylston Street, Cambridge, being shown as Lot A-2
in a "Subdivision Plan of Land in Cambridge, Mass." dated Feb. 21,
1950 by Dana F. Perkins and Sons, Inc. C. E. to be recorded herewith
being the Southwesterly portion of Lot A on a plan recorded with
Middlesex So. Dist. Deeds in Book 7338, Page 264), bounded:

NORTHWESTERLY by Boylston Street, fifty-four and 76/100 (54.76)
feet;
NORTHEASTERLY by a straight line which in part coincides with
the face of the brick wall of the building on
Lot A-1 on said first mentioned plan, seventy-
eight and 10/100 (78.10) feet;
SOUTHEASTERLY by land of owners unknown, fifty-one and 73/100
(51.73) feet;
SOUTHWESTERLY by a line through a common passageway as shown
on said plans, seventy-seven and 40/100 (77.40)
feet.

Containing 4090 square feet of land. Be all said measurements more
or less or however otherwise bounded or described.
Together with a right to pass and repass on foot and with vehicles
over the "8-foot passageway" as shown on said first mentioned plan
across the Southeasterly end of Lot A-1 to and from Winthrop Street.
Also rights of way as appear of record in common with others en-
titled thereto in the "Passageway" shown on said plans along the
Southwesterly side of the granted premises.

BOOK

7871

PAGE

474

Together with the right and easement to have the building on the above described premises if, and to the extent that, it encroaches on the remaining land of the grantor on the Northeast side of the granted premises, remain in its present location and to make repairs and alterations thereto until such time as said building is demolished, at which time the grantee for herself and her successors in title covenants with the grantor and his heirs and assigns that she or they will on request execute and deliver to the then owners of lot A-1 on the plan first above referred to a release of this right and easement.

This conveyance is specifically made subject to the right and easement reserved by the grantor for his benefit and that of his successors in title to have the building on his remaining land on the Northeast side of the granted premises if, and to the extent that, it encroaches on the granted premises, remain in its present location and to make repairs and alterations thereto until such time as said building is demolished, at which time the grantor for himself and his successors in title covenants with the grantee and her heirs and assigns that he or they will on request execute and deliver to the then owners of the herein granted premises a release of this right and easement.

Subject also to taxes assessed for the year 1952.

Being a portion of the premises conveyed to me by deed recorded with said Deeds in book 7338, Page 264.

As an integral part of the consideration for this conveyance the grantor for himself and her successors in title to the granted premises covenants and agrees with the grantee and his successors in title to his remaining property adjoining the granted premises on the Northeast side thereof that if and when one or they replace the building on the granted premises with another building so that they will, unless a space unoccupied by such new building is left between such new building and the present building of the grantor on his adjoining property wide enough to permit the passage of persons, install at her or their expense flashing or some other adequate type of construction between the buildings so that any space between said buildings will be adequately protected from the weather; and that if a space is left between the buildings wide enough to permit the passage of persons, both he and her successors and to remain the property of the grantor, with she and her successors and the grantor and his successors shall have free and unlimited access to such space for the sole purpose of repairing and maintaining the wall of the buildings facing such space.

As an appurtenance of the granted premises and for the consideration aforesaid the grantor for himself and his successors in title to the property adjoining the granted premises on the Northeast side thereof covenants and agrees with the grantee and his successors in title to the granted premises that if and when one or they replace the building on said adjoining premises with another building so that they will, unless a space unoccupied by such new building is left between such new building and the present building of the grantee on her property wide enough to permit the passage of persons, install at his or their expense flashing or some other adequate type of construction between the buildings so that any space between said buildings will be adequately protected from the weather; and that if a space is left between the buildings wide enough to permit the passage of persons, both he and his successors and the grantee and her successors shall have free and unlimited access to such space for the sole purpose of repairing and maintaining the wall of the buildings facing such space.

I, Elinore G. Jones

Signature of said grantor,
wife

release to said grantee all rights of ~~common~~ ~~lower and homestead~~ and other interests therein.

Witness our hand and seal this

5th

day of

March 1952



Signature of Elinore G. Jones

Middlesex

March 5, 1952.

BOOK

7871

PAGE

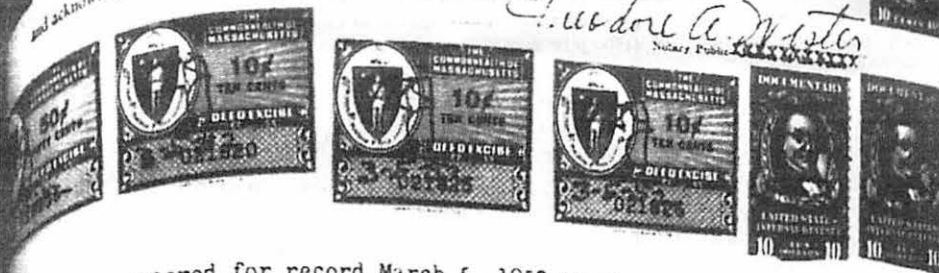
475

Then personally appeared the above named Vincent Z. Janes

and acknowledged the foregoing instrument to be his

free act and deed, before me

Frederic C. Master
Notary Public



Rec'd & entered for record March 5, 1952 at 4h. 50m. P.M. #328

Know all men by these presents

I, Genevieve McMillan, having no husband, of Cambridge,
Middlesex County, Massachusetts

in consideration of Twelve thousand dollars
paid by Harvard Trust Company a corporation
established under the laws of the Commonwealth of Massachusetts, the receipt whereof is hereby
acknowledged, do hereby give, grant, bargain, sell and convey unto the said corporation

A certain parcel of land the buildings thereon being at present
number 52-54 Boylston Street, Cambridge, being shown as Lot A-2
on a "Subdivision Plan of Land in Cambridge, Mass." dated Jan. 31,
1952 by Dana F. Perkins and Sons, Inc. C. E. to be recorded here-
with (being the Southwesterly portion of Lot A on a plan recorded
with Middlesex So. Dist. Deeds in Book 7338, Page 264), bounded:

NORTHWESTERLY by Boylston Street, fifty-four and 76/100
(54.76) feet;

NORTHEASTERLY by a straight line which in part coincides
with the face of the brick wall of the build-
ing on Lot A-1 on said first mentioned plan,
seventy-eight and 10/100 (78.10) feet;

SOUTHEASTERLY by land of owners unknown, fifty-one and 73/100
(51.73) feet;

SOUTHWESTERLY by a line through a common passageway as shown
on said plans, seventy-seven and 40/100 (77.40)
feet.

Containing 4080 square feet of land. Be all said measurements
more or less or however otherwise bounded or described.

Together with a right to pass and repass on foot and with vehicles
over the "8-foot passageway" as shown on said first mentioned plan
across the Southeasterly end of Lot A-1 to and from Winthrop Street.

Also rights of way as appear of record in common with others en-
titled thereto in the "Passageway" shown on said plans along the
Southwesterly side of the granted premises.

862 10 131

being the same premises conveyed to me by deed to be recorded herewith; this mortgage being executed and recorded simultaneously with said deed to me as a part of the same transaction and to secure a loan used as part of the purchase price of said premises. Together with and subject to the easements set forth in the deed from Vincent Z. Jones to me of even date herewith to be herewith recorded.

To have and to hold the granted premises, with all the privileges and appurtenances thereto belonging, to the said Harvard Trust Company and its assigns to its and their use and behoof forever.

And I hereby for myself and my heirs, executors, and administrators, covenant with the grantee and its assigns that I am lawfully seized in fee simple of the granted premises, that they are free from all incumbrances, except as aforesaid,

that I have good right to sell and convey the same as aforesaid; and that I will and my heirs, executors, and administrators shall warrant and defend the same to the grantee and its assigns forever against the lawful claims and demands of all persons, except as aforesaid.

Provided nevertheless that if I or my heirs, executors, administrators, or assigns, shall pay unto the grantee or its assigns the sum of Twelve thousand Dollars (\$12,000.00) in the installments and at the times and with interest at the times and rate, and as specified in my promissory note (secured hereby) to this grantee of even date herewith, reference to which note is hereby specifically made for a more complete setting forth of the terms hereof;

Thirty days default in the performance of any term, condition, or covenant herein contained shall render the whole sum then secured hereby immediately due and payable at the option of the holder hereof notwithstanding the waiver of any prior breach; and if I or they shall at all times keep the buildings on the mortgaged premises in good inside and outside repair and condition;

and such other conditions as may reasonably be required by the holder hereof, shall keep the buildings on said premises insured against fire in a sum not less than is satisfactory to said grantee for the benefit of the grantee and its assigns, in such form and at such insurance offices as they shall approve, and at least two days before the expiration of any policy on said premises, shall deliver to the grantee or its assigns a new and sufficient policy to take the place of the one so expiring; and shall not commit or suffer any strip or waste of the granted premises, or any breach of any covenant herein

contained, — and shall on April 15, 1952, and thereafter on the day of each month pay to the grantee or its assigns sums each equal to one-twelfth (1/12) of the then current tax on the real estate hereby conveyed figured on the most recent information from time to time available and with the October payment in each year such further sum if any as is needed in addition to said monthly payments to enable the holder hereof from such tax payments to pay such taxes in full together with any interest and costs accrued thereon; and that in case foreclosure proceedings are begun hereunder and redemption is later offered by the owner of the equity of redemption, the holder hereof shall be entitled to collect all costs, charges and expenses incurred up to the time of such redemption, and that in case of foreclosure sale the holder hereof shall be entitled to retain one per cent (1%) of the purchase money in addition to the costs, charges and expenses allowed under the statutory power of sale;—then this deed, as also a note of even date herewith signed by me, whereby I promise to pay to this grantee or order the said sum and interest at the times aforesaid shall be void,

BOOK
7871
PAGE
477

But upon any default in the performance or observance of the foregoing condition, the grantee
may sell the granted premises, or such portion thereof as may remain subject to this
partial release heretofore, together with all improvements that may be thereon, at
Cambridge
Middlesex County
once a week for three successive weeks in some one newspaper published in
the first publication of such notice to be not less than
the day of sale, and may convey the premises so sold by proper deed or deeds
absolutely and in fee simple; and such sale shall forever bar me and
from all right and interest in the said premises, whether at law or
in equity. And out of the money arising from such sale the grantee or its assigns shall be entitled to retain
all sums then secured by this deed, whether then or thereafter payable, including all costs, charges, and
expenses incurred or sustained by them by reason of any default in the performance or observance of said
condition, rendering the surplus, if any to me or my heirs or assigns
And I hereby, for myself and my heirs and assigns, covenant with the grantee and
assigns that, in case a sale shall be made under the foregoing power I or they will upon
request, execute, acknowledge, and deliver to the purchaser or purchasers a deed or deeds of release con-
firming such sale, and the said grantee and assigns are hereby appointed and constituted the attorney or
attorneys irrevocable of the said grantor to execute and deliver to the said purchaser a full transfer of all
policies or insurance on the buildings upon the land covered by this mortgage at the time of such sale.

And it is agreed that the grantee or its assigns, or any person or persons in its or their behalf,
may purchase at any sale made as aforesaid, and that no other purchaser shall be answerable for the
application of the purchase money; and that, until default in the performance or observance of the
condition of this deed, I and my heirs and assigns may hold and enjoy
the granted premises and receive the rents and profits thereof

~~And after the consideration of the said~~
~~the grantee shall release the said premises from all and singular the above recited covenants, conditions and~~
~~provisions, and shall execute and deliver to the said grantor a deed of release confirming such sale, and the said grantee and assigns are hereby appointed and constituted the attorney or~~
~~attorneys irrevocable of the said grantor to execute and deliver to the said purchaser a full transfer of all~~
~~policies or insurance on the buildings upon the land covered by this mortgage at the time of such sale.~~

In witness whereof I the said Genevieve McMillan

hereto set my hand and seal this 5th day of March
in the year one thousand nine hundred fifty-two.

~~Witness my hand and seal this~~

Genevieve McMillan

The Commonwealth of Massachusetts

Middlesex ss March 5, 1952.
Then personally appeared the above named Genevieve McMillan

and acknowledged the foregoing instrument to be her free act and deed, before me

Theodore A. Neates
Notary Public - Middlesex County, Mass.

My commission expires Oct 17, 1958
Rec'd & entered for record March 5, 1952 at 4h. 50m. P.M. #329

BOOK
7871
PAGE
478

I, Genevieve McMillan,
of Cambridge,
being unmarried, for consideration paid, grant to
Middlesex
Vincent Z. Janes
of Cambridge, Massachusetts,
County, Massachusetts,

with mortgage coupons, to secure the payment of
thirty-five hundred (\$3,500.00) -
payable in ^{monthly} installments of one hundred (\$100.00) dollars each beginning
April 5, 1952, and all in or within thirty-five (35) months from date
hereof with ~~interest~~ five (5%)
monthly beginning April 5, 1952,
as provided in one note of even date *and with the acceleration clause*
set forth in said note:

the land in Cambridge, the building thereon being at
present numbered 52-54 Boylston Street, Cambridge
being shown as Lot A-2 on a plan entitled "Subdivision
of land in Cambridge" dated February 21, 1952, by
Eva F. Perkins & Sons Inc. to be recorded here with
being the same premises conveyed to me by this grantor
by deed of even date herewith, to be herewith recorded.

Together with and subject to the rights, easements
and privileges set forth in said deed.

Subject to a mortgage to Harvard Trust Company
to be recorded herewith.

This mortgage is upon the statutory condition.

Witness my hand and seal this fifth day of March 1952.

Genevieve McMillan

The Commonwealth of Massachusetts

Middlesex

March 5, 1952

Genevieve McMillan

and acknowledged the foregoing instrument to be her

Theodore A. Neath
Notary Public
E & 17, 58

Rec'd & entered for record March 5, 1952 at 4h. 50m. P.M. #330

BE IT REMEMBERED THAT I, Vincent Z. Janes, of Cambridge, in the County of Middlesex and Commonwealth of Massachusetts, being of sound mind and memory, but knowing the uncertainty of life, do make and publish this as and for my Last Will and Testament, hereby revoking any and all former Wills and Codicils by me at any time heretofore made.

After the payment of my just debts and funeral charges, I bequeath and devise as follows:

1. I hereby nominate and appoint my son, Roger V. Janes, now of said Cambridge, Executor of this my Will and Testament and request that he shall not be required to furnish a surety or sureties on his official bond.

2. To John M. Hall, Jr., now of 95 Rice Street, Cambridge, Massachusetts, I give and bequeath the sum of One Hundred Fifty (\$150) Dollars.

3. To Jeanette H. Wadhuga, now of 105 Rice Street, Cambridge, Massachusetts, I give and bequeath the sum of One Hundred Fifty (\$150) Dollars.

4. To my son, Daryl C. Janes, I give and bequeath the sum of One Hundred Fifty (\$150) Dollars.

5. All the rest, residue and remainder of my property, whether the same be real, personal or mixed and wheresoever situated I give, devise and bequeath to my son, Roger V. Janes.

6. If my said son, Roger V. Janes, should pre-decease me, then all the rest, residue and remainder of my property whether the same be real, personal or mixed, and wheresoever situated I give devise and bequeath to the wife of my son, Roger V. Janes, and to my son, Daryl C. Janes, in equal shares, share and share alike.

IN WITNESS WHEREOF, I, the said Vincent Z. Janes, hereunto set my hand and seal and in the presence of three witnesses

WILL OF VINCENT JAMES

bequeath and devise as follows:

1. I hereby nominate and appoint my son, Roger V. Janes, now of said Cambridge, Executor of this my Will and Testament and request that he shall not be required to furnish a surety or sureties on his official bond.

2. To John M. Hall, Jr., now of 95 Rice Street, Cambridge, Massachusetts, I give and bequeath the sum of One Hundred Fifty (\$150) Dollars.

3. To Jeanette H. Wadhuga, now of 105 Rice Street, Cambridge, Massachusetts, I give and bequeath the sum of One Hundred Fifty (\$150) Dollars.

4. To my son, Daryl C. Janes, I give and bequeath the sum of One Hundred Fifty (\$150) Dollars.

5. All the rest, residue and remainder of my property, whether the same be real, personal or mixed and wheresoever situated I give, devise and bequeath to my son, Roger V. Janes.

6. If my said son, Roger V. Janes, should pre-decease me, then all the rest, residue and remainder of my property whether the same be real, personal or mixed, and wheresoever situated I give devise and bequeath to the wife of my son, Roger V. Janes, and to my son, Daryl C. Janes, in equal shares, share and share alike.

IN WITNESS WHEREOF, I, the said Vincent Z. Janes, hereunto set my hand and seal and in the presence of three witnesses declare this to be my Last Will and Testament, this twenty-eighth day of August in the year One Thousand Nine Hundred Seventy.

Vincent Z. Janes

On this twenty-eighth day of August 1970, Vincent Z. Janes of Cambridge, Massachusetts, signed the foregoing instrument in our presence declaring it to be his Last Will and Testament, and we three do now at his request, in his presence, and in the presence of each other, hereto subscribe our names as witnesses.

Margaret E. Shant

Shirley E. Gerlach

Wilbur F. Nixon

Middlesex, ss.

Probate Court

True copy, Attest:

John V. Harney

Register

5022K SA





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>

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 50 JFK 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
Alterations to store exterior and signs approved by CHC. No CHC review of use.
- ☐ 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 SLB

Date October 23, 2017

Received by Uploaded to Energov

Date October 23, 2017

Relationship to project BZA 14793-2017

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>



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>

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William G. Barry, Jr., Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*

Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

CERTIFICATE OF NONAPPLICABILITY

Property: 50 John F. Kennedy Street

Applicant: 50 JFK St. Realty Trust, owner, o/b/o
Lea Sasportes, Amorino New England, tenant

The Cambridge Historical Commission hereby certifies, pursuant to Chapter 2.78, Article III of the Code of the City of Cambridge and order establishing the Harvard Square Conservation District, that the work described below does not involve any activity requiring issuance of a Certificate of Appropriateness or Hardship:

Storefront alterations that conform to the sign and storefront design guidelines of the Harvard Square Conservation District including,

1. New window and door glazing in existing openings
2. Installation of signs that conform to the Cambridge Zoning Code, Art. 7.0 and related external lighting
3. Repair of the front steps and steel columns

All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. Approved plans and specifications are incorporated by reference into this certificate.

This certificate is granted upon the condition that the work authorized herein is commenced within six months after the date of issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding six months each may be allowed in writing by the Chair.

Case Number: 3735

Date of Certificate: April 27, 2017

Attest: A true and correct copy of decision filed with the office of the City Clerk and the Cambridge Historical Commission

on April 27, 2017.

By Charles M. Sullivan/slb, Executive Director.

.....
Twenty days have elapsed since the filing of this decision.
No appeal has been filed _____. Appeal has been filed _____.
Date _____, City Clerk



CAMBRIDGE HISTORICAL COMMISSION

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Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

CERTIFICATE OF APPROPRIATENESS

Property: 50 John F. Kennedy Street

Applicant: 50 JFK St. Realty Trust o/b/o

Attention: Lea Sasportes
Amorino New England
50 JFK St.
Cambridge, Mass. 02138

Derek Rubinoff, Architect
101 Lasell St.
West Roxbury, Mass. 02132

The Cambridge Historical Commission hereby certifies, pursuant to the Massachusetts Historic Districts Act (MGL Ch. 40C) and the Cambridge Historical Buildings and Landmarks Ordinance (Cambridge City Code, Ch. 2.78), that the work described below is not incongruous to the historic aspects or architectural character of the building or district:

1. Lower the sill of the west facing storefront window on the JFK Street elevation and install new glazing.
2. Install retractable awnings on three windows with illuminated lettering.
3. Install a blade sign on JFK Street with natural or external illumination only.

With the exception of #3 above, all work is to be carried out as indicated in the plans by Derek Rubinoff Architect titled, "Amorino Harvard Square," and dated January 10, 2017.

Approval was granted on the condition that the blade sign not be internally illuminated and that construction details be reviewed and approved by staff. The Commission further suggested that the number of overall number of signs and lighting fixtures be reduced.

Other storefront improvements that conform to the Harvard Square design guideline have been approved with a certificate of non-applicability.

Alterations to improve handicap accessibility are to be brought back to the Commission at such time that a design approach is determined.

All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. Approved plans and specifications are incorporated by reference into this certificate.

This certificate is granted upon the condition that the work authorized herein is commenced within six months after the date of issue. If the work authorized by this certificate is not commenced within six months after the date of issue, or if such work is suspended in significant part for a period of one year after the time the work is commenced, then this certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time, for periods not exceeding six months each, may be allowed in writing by the Chair.

Case Number: 3735

Date of Certificate: 5/8/2017

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on 5/8/2017.

By William B. King, Chair.

Twenty days have elapsed since the filing of this decision.

No appeal has been filed _____. Appeal has been filed _____.

Date _____, City Clerk