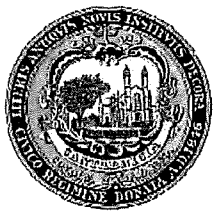


HSAR 2/15/17



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

BZA APPLICATION FORM

Plan No: BZA-012262-2016

GENERAL INFORMATION

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

Special Permit : \_\_\_\_\_ Variance :   v   Appeal : \_\_\_\_\_

PETITIONER : Tamerillo LLC - C/O Anthony D. Galluccio, Esq.

PETITIONER'S ADDRESS : 1498 Cambridge Street Cambridge, MA 02139

LOCATION OF PROPERTY : 40 Bow St Cambridge, MA

TYPE OF OCCUPANCY : Fast food ZONING DISTRICT : Office 3 Zone

REASON FOR PETITION :

Change in Use / Occupancy

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner is seeking a variance to conduct fast order food within existing floor area including the first floor and basement (accessory only).

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) :

(Petitioner(s) / Owner)

Anthony D. Galluccio, Esq  
(Print Name)

Address : 1498 Cambridge St

Cambridge MA 02139

Tel. No. : 617 445 2577

E-Mail Address : anthony.galluccio@tamerillo.com

Date : 12/20/16

**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 Anthony D Galuccio Esq  
(OWNER)

Address: c/o Galuccio & Watson, 1448 Cambridge ST  
Cambridge, MA 02139

State that I/We own the property located at 40 Bow ST,  
which is the subject of this zoning application.

The record title of this property is in the name of Tamarillo, LLC

\*Pursuant to a deed of duly recorded in the date 01/31/13, Middlesex South  
County Registry of Deeds at Book 61105, Page 584; 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 Anthony Galuccio personally appeared before me,  
this 20 of December 2016, and made oath that the above statement is true.

[Signature] Notary

My commission expires 2-3-2023 (Notary Seal).



CHERYL WATSON FISHER  
NOTARY PUBLIC  
Commonwealth of Massachusetts  
My Commission Expires  
February 3, 2023

- 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:

The 0-3 district does not allow the proposed use although the location is adjacent to similat uses and is consistent with the surroundings.

- 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 building and lot footprint is very small and has historically been used for retail and restuarant. Residential would be very challenging at grade and small for office.

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

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

This locationnn has significant foot traffic from students and visitors crossing from Mt Auburn Street to Eliot Street. This European style coffee house will be an asset to the Mt Auburn Street side of the Square.

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

The petitioner has preserved the building, renovated the upper floor housing and is restoring the original grandfathered use at grade.

- \* 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 40 Bow 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:  
There is a need for takeout coffee and light food on the Mt Auburn Street edge especially in light of the Holyoke/Smith Center renovations. There is a need to support foot traffic.
- 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 establishment will serve pedestrians and 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 use is consistent with adjacent uses and will support and enhance adjacent uses.
- 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 owner has renovated residential units on upper floors and has a vested interest in causing no harm or nuisance.
- 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 use will enhance and activate this isolated corner due to the unusual shape of the ground floor. Despite being "sandwiched" the location supports high volume food and beverage.

**BZA APPLICATION FORM**

**DIMENSIONAL INFORMATION**

APPLICANT: Anthony D. Galbraith Kathleen Moore PRESENT USE/OCCUPANCY: VACANT  
 LOCATION: 40 Bow St Cambridge, MA ZONE: Office 3 Zone  
 PHONE: \_\_\_\_\_ REQUESTED USE/OCCUPANCY: FAST food

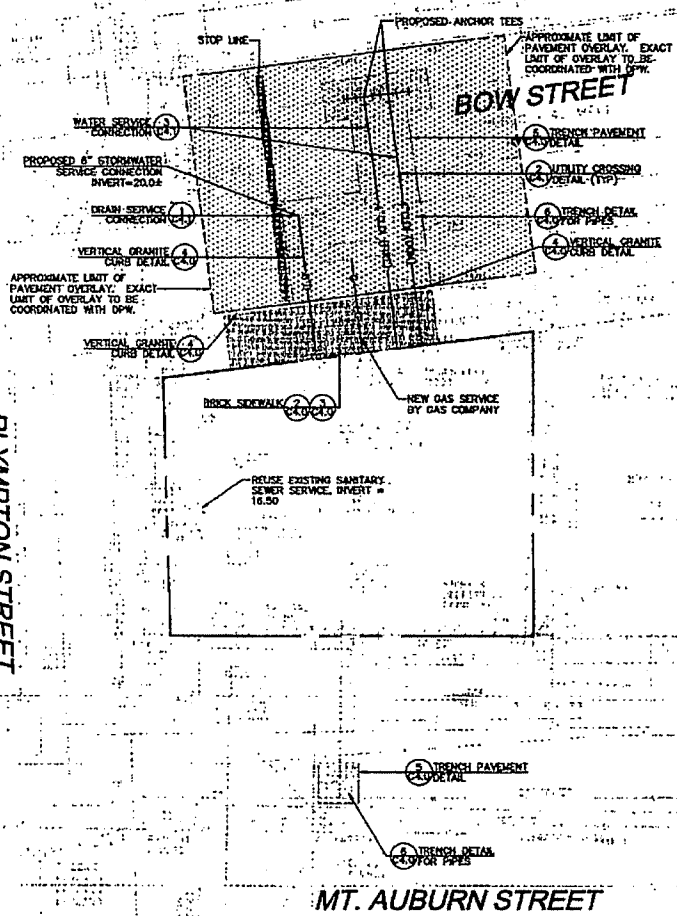
	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>	7875 sf	7875 sf	3192	(max.)
<u>LOT AREA:</u>	1597 sf	1597 sf	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> <sup>2</sup>	4.93	4.93	2.0	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	532	532	300	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	27 ft (at wide	32.7 (at widest	50	(min.)
DEPTH	.8 sf (at deepes	.18 (at deepes	50	
<u>SETBACKS IN FEET:</u>				
FRONT	0	0	18.6	(min.)
REAR	0	0	18.6	(min.)
LEFT SIDE	0	0	15	(min.)
RIGHT SIDE	0	0	15	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	48 ft	48 ft	90/120	(max.)
LENGTH	45.2	45.2	90/120	
WIDTH	32.7	32.7	90	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	0	0	10%	(min.)
<u>NO. OF DWELLING UNITS:</u>	3	3	16	(max.)
<u>NO. OF PARKING SPACES:</u>	0	0	1 per	(min./max)
<u>NO. OF LOADING AREAS:</u>	0	0	0	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	n/a	n/a	5	(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.

Similar use

- 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'.

PLYMPTON STREET



**LEGEND**

- S SANITARY SEWER
- CS COMBINED SEWER & DRAIN
- D DRAIN LINE
- W WATER LINE
- E ELECTRIC LINE
- G GAS LINE
- SANITARY SEWER MANHOLE
- DRAIN MANHOLE
- UNKNOWN MANHOLE
- ELECTRIC MANHOLE
- HAND HOLE
- LIGHT POLE
- FIRE HYDRANT
- WATER GATE
- GAS GATE
- PARKING METER
- SPOT ELEVATION
- ▨ TRENCH PAVEMENT
- ▨ BRICK SIDEWALK
- ▨ PAVEMENT OVERLAY

**GENERAL NOTES:**

1. SITE SURVEY CONDUCTED BY DESIGN CONSULTANTS, INC., AND DATED FEBRUARY 2012.
2. THIS PLAN DOES NOT NECESSARILY DEPICT THE EXACT LOCATION AND SIZE OF ALL UTILITIES WHICH MAY EXIST AT THIS TIME INSIDE OR OUTSIDE OF EXISTING OR PROPOSED BUILDINGS, ON THE SUBJECT PROPERTY, WITHIN THE STREET R.O.W. OR ON ADJUTING LOTS.
3. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND RECORDING THE LOCATION OF EACH PROPOSED UTILITY CONNECTION.
4. THE CITY OF CAMBRIDGE MUNICIPAL UTILITIES (WATER, SEWER & DRAIN) MAY NOT BE PART OF DIG-SAFE. THE CONTRACTOR SHALL CONTACT THE CITY OF CAMBRIDGE FOR THE MARKING OF CAMBRIDGE MUNICIPAL UTILITIES, AND SHALL ALSO CONTACT DIG-SAFE AT 1-800-344-7233 OR 1-800-322-4844 AT LEAST 72 HOURS PRIOR TO EXCAVATION.
5. THE CONTRACTOR SHALL SUPPLY ALL PIPING, STRUCTURES, MATERIALS, AND APPURTENANCES, NECESSARY TO PERFORM ALL WET AND/OR DRY TAPS AS PART OF THIS CONTRACT.
6. NEW WATER SERVICES MUST BE LEFT SHUT OFF AT THE MARK ON THE STREET UNTIL ACTIVATED BY THE CITY OF CAMBRIDGE.
7. A DIE TEST SHALL BE PERFORMED BY A CITY OF CAMBRIDGE INSPECTOR PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT.
8. THE RESPONSIBILITY OF OWNERSHIP AND MAINTENANCE OF THE SEWER, WATER, AND DRAIN CONNECTIONS ON PRIVATE PROPERTY AND/OR PRIVATE AND PUBLIC WAYS SHALL REMAIN THAT OF THE OWNER.
9. THE CITY OF CAMBRIDGE RESERVES THE RIGHT TO INSPECT ALL PRIVATE FACILITIES DISCHARGING TO MUNICIPAL FACILITIES.
10. DURING EXCAVATION AND CONSTRUCTION OF PIPES AND STRUCTURES, TRENCHES MUST BE ADEQUATELY BRACED AND PROTECTED AGAINST CAVE-IN.
11. ALL WORK PERFORMED AS PART OF THIS PROJECT SHALL CONFORM TO STANDARDS OF THE CITY OF CAMBRIDGE DEPARTMENT OF PUBLIC WORKS AND ANY OTHER AGENCY OR BODY WITH AUTHORITY IN THIS AREA.
12. ALL EXISTING UTILITY SERVICE CONNECTIONS, SEWER DISPOSAL FACILITIES, AND WELLS SHALL BE ABANDONED UNLESS NOTED OTHERWISE. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE EXACT LOCATION OF EACH CONNECTION, THE WATER, DRAIN, AND SEWER SERVICES SHALL BE CAPPED AND GUT AT THE MAN IN THE STREET BY THE CONTRACTOR. ABANDONMENT OF EXISTING CONNECTIONS SHALL BE COORDINATED BY THE CONTRACTOR WITH THE RESPECTIVE UTILITY COMPANY.
13. ALL UTILITIES SHOWN ON THIS SITE ARE TO THE EXTERIOR OF THE BUILDING FOUNDATION ONLY. UTILITIES THROUGH THE FOUNDATION AND INSIDE THE BUILDING ARE APPROXIMATE AND THE RESPONSIBILITY OF THE MECHANICAL ENGINEER. (SEE MECHANICAL ENGINEER PLANS)
14. CONTRACTOR SHALL ADJUST ALL GATES, SERVICE BOXES, ETC. WITHIN THE RECONSTRUCTION OF THE SIDEWALK AREA.
15. ADJACENT ADJUTERS(S) SHALL BE NOTIFIED PRIOR TO ANY CONSTRUCTION LOCATED ON THEIR PROPERTY.
16. EXACT LIMITS OF WELL AND OVERLAY TO BE COORDINATED WITH THE CITY AT THE TIME OF BUILDING PERMIT APPLICATION.

**PIPE MATERIALS:**

DOMESTIC WATER SERVICE: 4-INCH DUCTILE IRON CEMENT-LINED (DCL) CLASS 52  
 FIRE SERVICE: 4-INCH DUCTILE IRON CEMENT-LINED (DCL) CLASS 52

STORM DRAIN: HOPE SMOOTH INTERIOR  
 IF OR AS DETERMINED BY MEP ENGINEER  
 SLOPE=0.010 FT/FT (MINIMUM)

**THRUST BLOCKS:**

CONCRETE THRUST BLOCKS TO BE USED ONLY WHERE IT WILL BEAR ON UNDISTURBED EARTH. USE RESTRAINT JOINT FITTINGS (MEGALUG OR APPROVED EQUAL) WHERE CONCRETE THRUST BLOCK IS UNACCEPTABLE. SIZE OF BLOCK OR MEGALUG TO BE DESIGNED FOR SPECIFIC CONDITIONS.

**PIPE COVER:**

ALL WATER SERVICE AND WATER MAIN PIPING SHALL BE INSTALLED WITH A MINIMUM COVER OF FIVE (5) FEET THROUGHOUT.

PROJECT: **Early Site Utility Upgrades - 40 Bow Street**  
 PREPARED FOR: **McMillian Realty Trust**

**PIRJA ARCHITECTS**

700 Massachusetts Avenue  
 Cambridge, MA 02139

Tel: 617-354-3551  
 Fax: 617-354-1487

www.pjarch.com

**Project Team:**

Design Consultants, Inc.  
 120 Middlesex Ave.  
 Suite 201  
 Somerville, MA 02145

Tel: 617-778-3350  
 Fax: 617-778-7710

www.dci-ma.com

**Keyplan**

Date:	Revisions:
5.28.12	Switched Dom & Fire Service Loc.
11.18.12	Plan Revisions

**Drawing Title:**

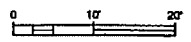
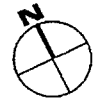
**SITE PLAN**

Scale: 1"=10' Drawing No.

Job No.: 2012-011

Date: 8/22/2012

**C3.0**

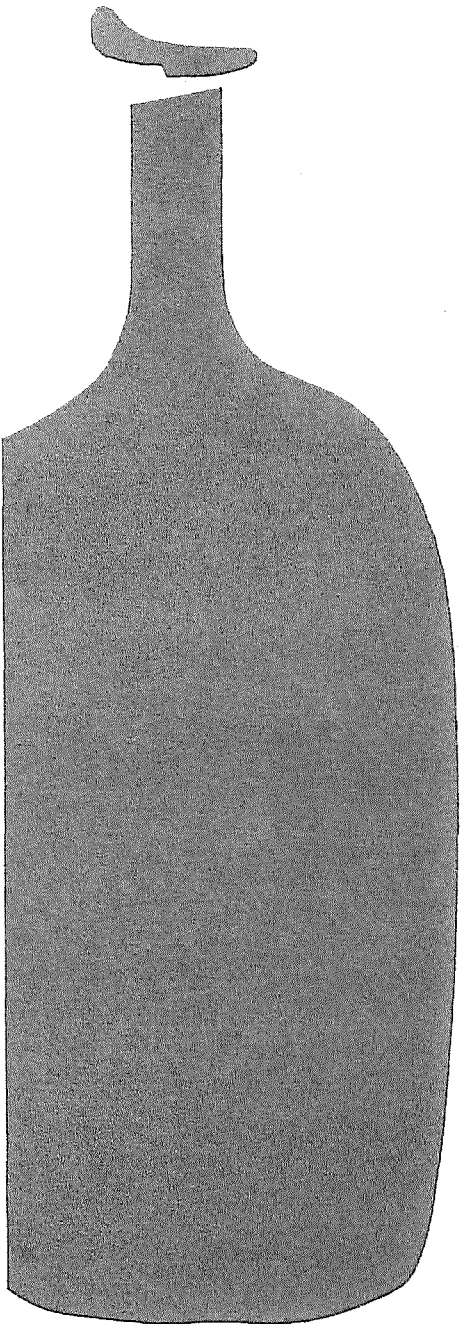




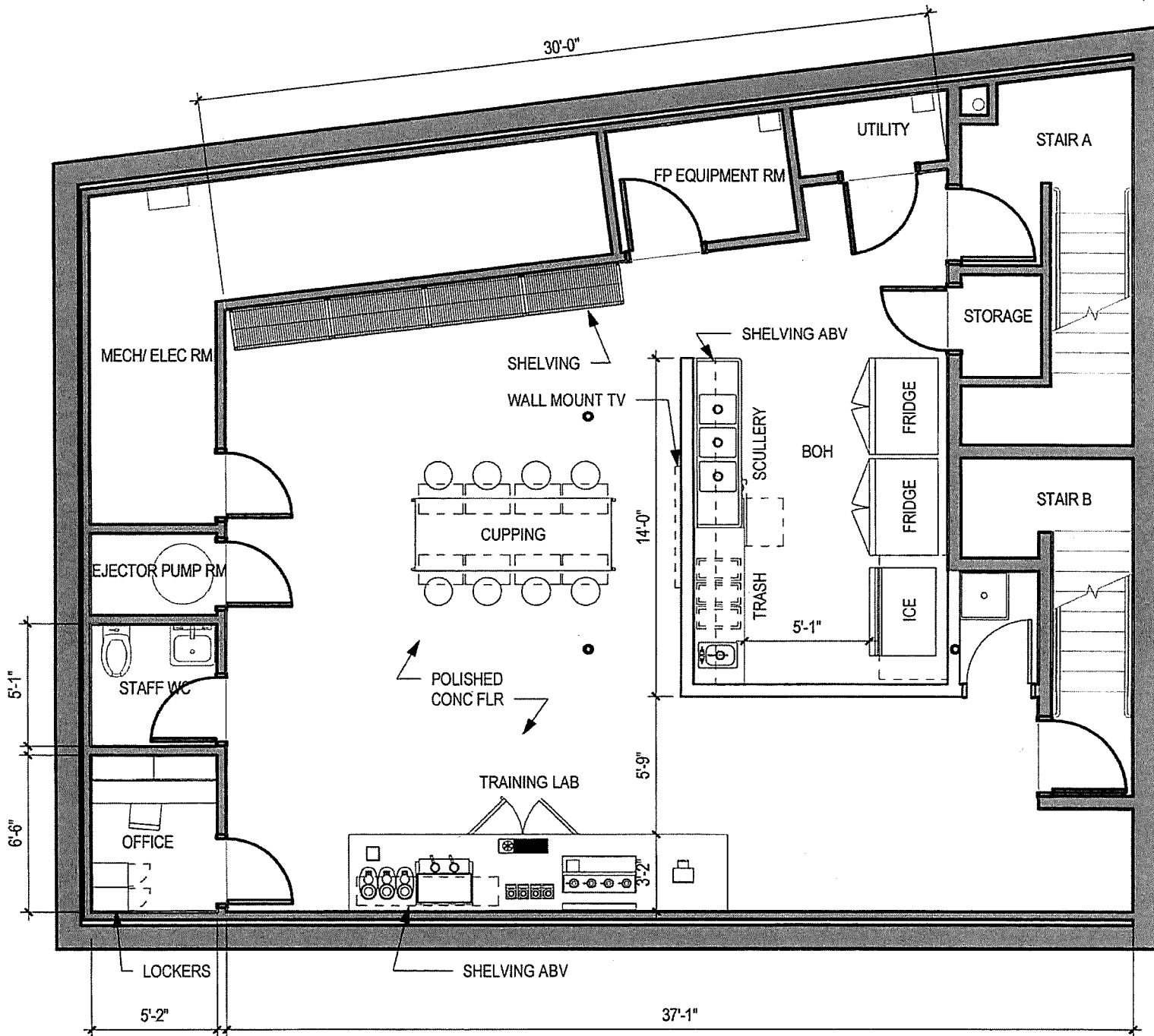
# BLUE BOTTLE HARVARD SQUARE

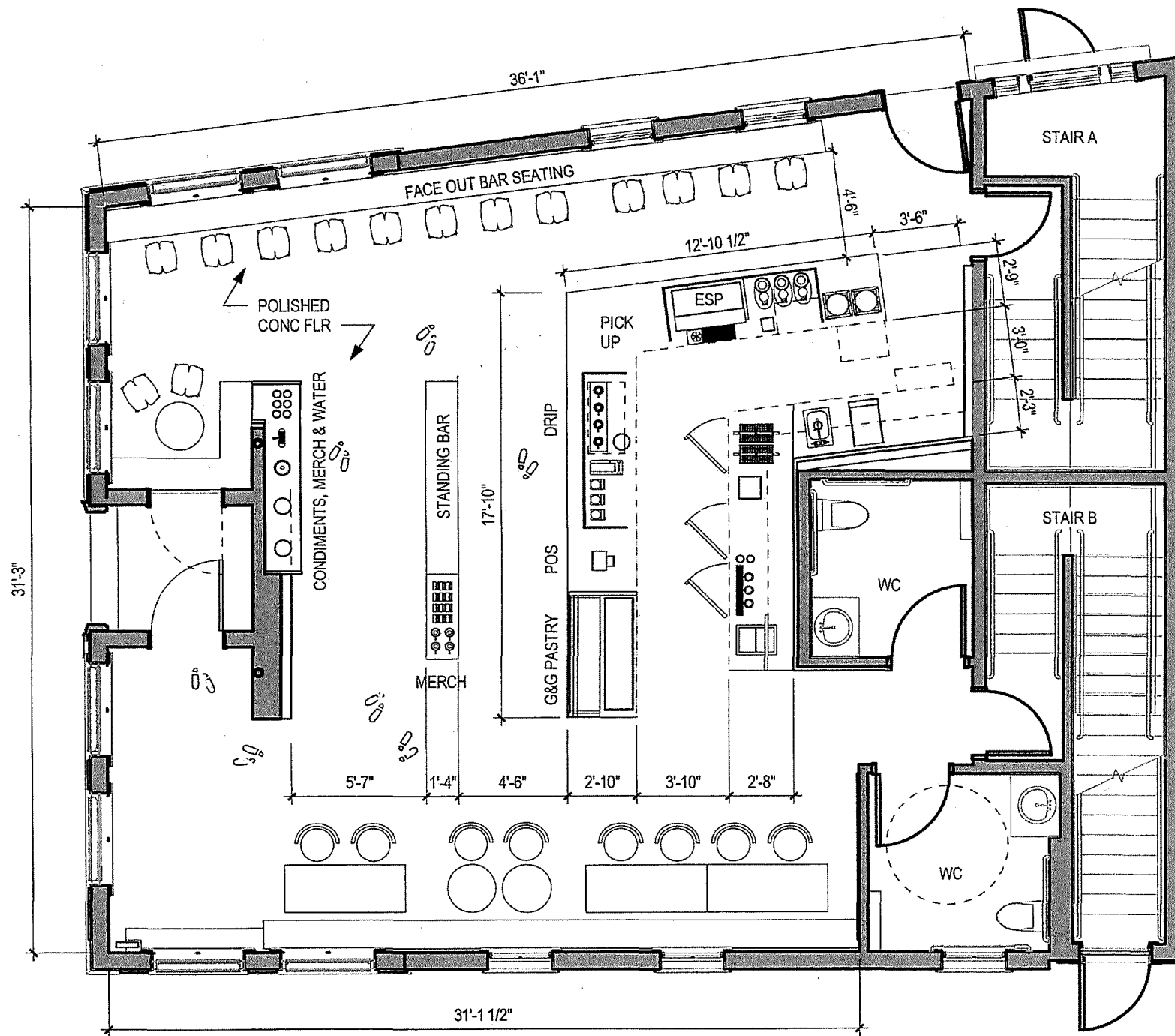
40 BOW STREET, CAMBRIDGE, MA  
TENANT'S PLANS  
Bohlin Cywinski Jackson

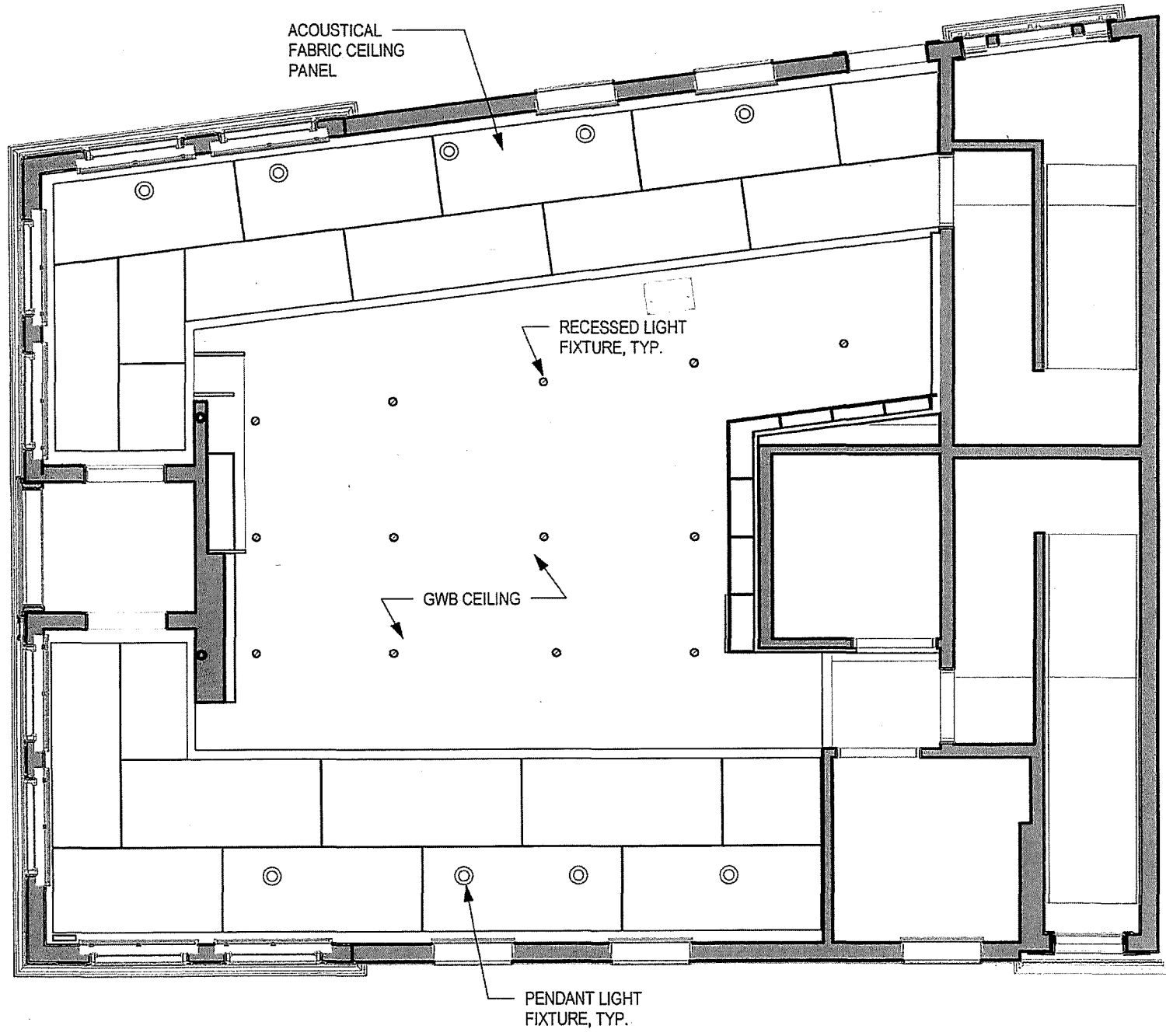
- A1.0 BASEMENT BUILDING PLAN
- A1.1 FIRST FLOOR PLAN
- A2.0 REFLECTED CEILING PLAN
- A5.1 SIGNAGE DETAILS
- OPERATIONAL PLAN
- MENU

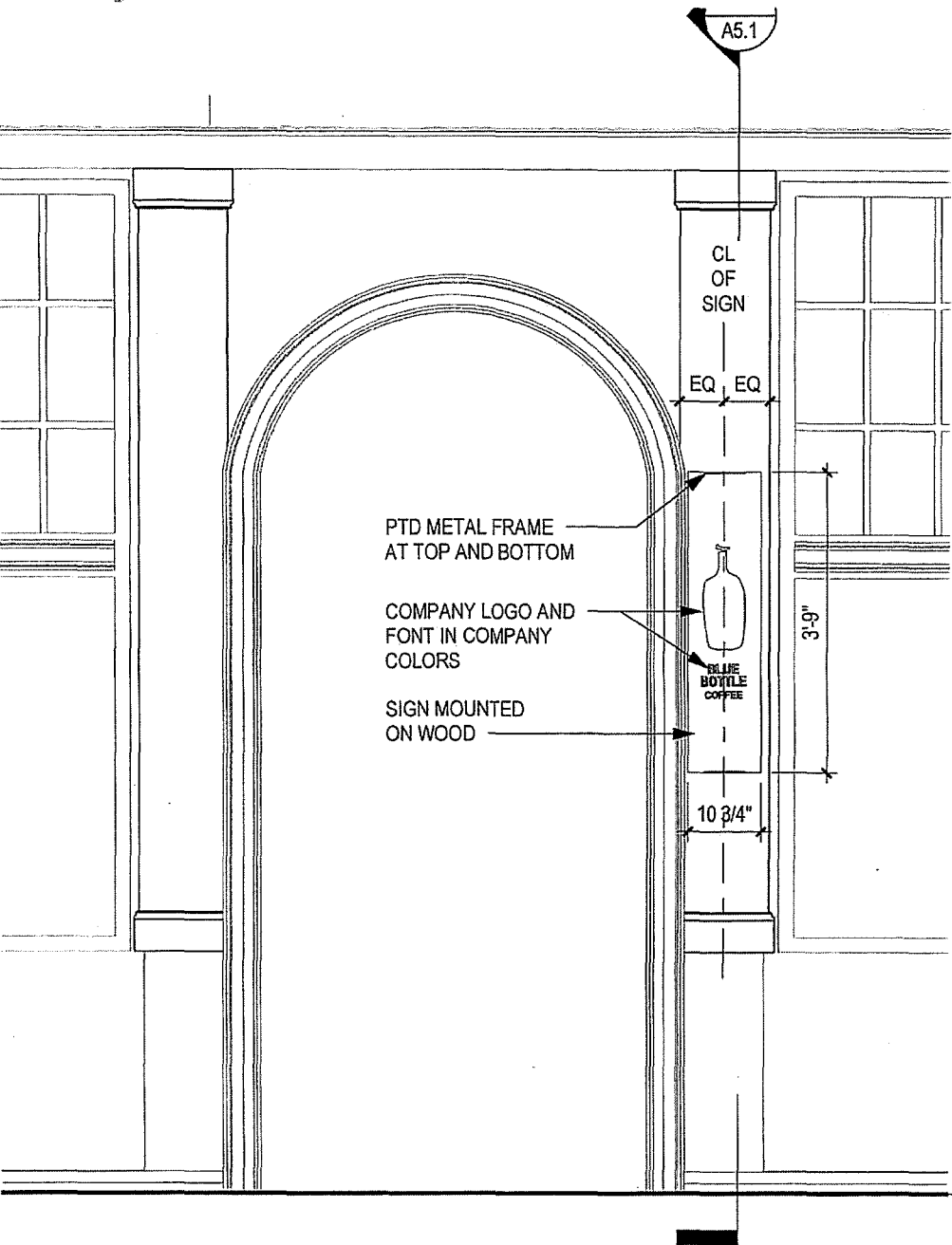






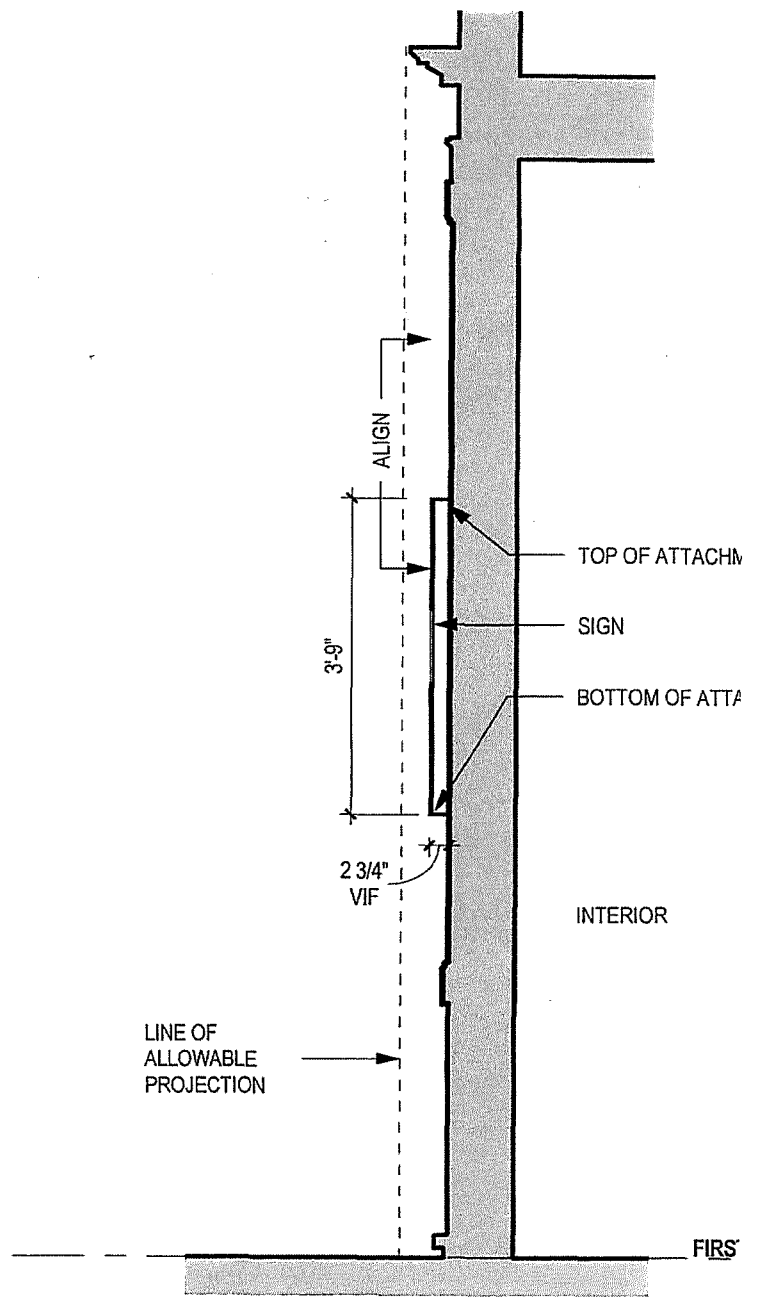






FIRST FLOOR  
24'-9"

2 ELEVATION OF SIGN  
SCALE: 1/2" = 1'-0"



FIRST FLOOR

1 ELEVATION AT SIGN  
A5.1 SCALE: 1/2" = 1'-0"



# CAMBRIDGE HISTORICAL COMMISSION

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

Telephone: 617 349 4683 TTY: 617 349 6112

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

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 40 Bow 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  
No CHC review of land use or fast food issues.
- 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 December 28, 2016

Received by Uploaded to Energov

Date December 28, 2016

Relationship to project BZA 12262-2016

cc: Applicant  
Inspectional Services Commissioner