BZA Number: 165777

**General Information**

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

Special Permit: _____ X _____ Variance: _____ Appeal: _____

**PETITIONER:** Ting-Ho Tam, Barry Tam

**PETITIONER'S ADDRESS:** 22 HARDWDICK STREET, BOSTON, MA 02135

**LOCATION OF PROPERTY:** 50 Church St, Cambridge, MA

**TYPE OF OCCUPANCY:** Commercial/retail/office-bubble  
**ZONING DISTRICT:** Business B Zone 
**tea shop**

**REASON FOR PETITION:**

/My business is a formula business in other words a franchise named Gong Cha and needs special permitting per Olivia from zoning/

**DESCRIPTION OF PETITIONER'S PROPOSAL:**

Need approval for building permit #160507 to move forward on the zoning plan review. Because my business is described as an upcoming formula business specifically franchise, it needs special permitting due to its BB zone in Harvard Sq. The use of occupancy is restaurant/office and will remain the same. On top of that the previous tenant, Dado, was also a bubble tea shop that served selections of food. My business is the same concept except I am strictly serving bubble tea drinks and beverages, no food. I am hoping we can get relief to move the building permit first while processing this special permit.

**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: 10.40 (Special Permit)

Original Signature(s):

(Petitioner(s) / Owner)

(Ting-Ho Tam / Barry Tam)

Address: ____________________________
RZA Application Form

DIMENSIONAL INFORMATION

Applicant: Ting-Ho Tam, Barry Tam  
Location: 50 Church St., Cambridge, MA  
Phone: 617-888-3083

Present Use/Occupancy: Commercial/retail/office-bubble tea shop  
Zone: Business B Zone  
Requested Use/Occupancy: Commercial/retail-bubble tea shop

<table>
<thead>
<tr>
<th>Existing Conditions</th>
<th>Requested Conditions</th>
<th>Ordinance Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL GROSS FLOOR AREA:</td>
<td>23528</td>
<td>0</td>
</tr>
<tr>
<td>LOT AREA:</td>
<td>703</td>
<td>0</td>
</tr>
<tr>
<td>RATIO OF GROSS FLOOR AREA TO LOT AREA:</td>
<td>33.47</td>
<td>0</td>
</tr>
<tr>
<td>LOT AREA OF EACH DWELLING UNIT</td>
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<td>0</td>
</tr>
<tr>
<td>SIZE OF LOT:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WIDTH</td>
<td>26.5</td>
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<tr>
<td>DEPTH</td>
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<td>0</td>
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<tr>
<td>SETBACKS IN FEET:</td>
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<td></td>
</tr>
<tr>
<td>FRONT</td>
<td>none</td>
<td>0</td>
</tr>
<tr>
<td>REAR</td>
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<td>0</td>
</tr>
<tr>
<td>LEFT SIDE</td>
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<td>0</td>
</tr>
<tr>
<td>RIGHT SIDE</td>
<td>none</td>
<td>0</td>
</tr>
<tr>
<td>SIZE OF BUILDING:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HEIGHT:</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td>WIDTH</td>
<td>n/a</td>
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</tr>
<tr>
<td>RATIO OF USABLE OPEN SPACE TO LOT AREA:</td>
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<td>0</td>
</tr>
<tr>
<td>NO. OF DWELLING UNITS:</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td>NO. OF PARKING SPACES:</td>
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<td>0</td>
</tr>
<tr>
<td>NO. OF LOADING AREAS:</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>DISTANCE TO NEAREST BLDG. ON SAME LOT:</td>
<td>n/a</td>
<td>0</td>
</tr>
</tbody>
</table>

Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

Proposing construction is interior only so everything is cosmetic and nothing exterior related or structural will be touched. Steel framing will be used for the cosmetic construction. Building will stay the same as currently is.

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.
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 ________ 50 Church St Realty Trust (OWNER) ________
Address: 50 Church St. Cambridge MA 02138

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

The record title of this property is in the name of Garrett Horizons (I Bourli LLC)

*Pursuant to a deed of duly recorded in the date 12/18/15, Middlesex South County Registry of Deeds at Book 72626, Page 181; or Middlesex Registry District of Land Court, Certificate No. __________

Book ________ Page ____________

\[Signature\] of Trustee

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

------------------------------------------
Commonwealth of Massachusetts, County of Middlesex

The above-name John Di Giovanni personally appeared before me, this 16th of March, 2022, and made oath that the above statement is true.

\[Signature\] of Notary

My commission expires Oct 1, 2023 (Notary Seal)

\[Signature\] of Notary

DENISE A. JILLSON
Notary Public Commonwealth of Massachusetts
My Commission Expires October 19, 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 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 Church 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:

The location conforms to city ordinances and does not violate any codes. Nothing structural is altered and the only construction happening is interior so everything is cosmetic. Therefore, we do not need to meet any ordinance requirements because there are none.

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:

We are not taking up any parking lots nor any parking spaces and we are not occupying the sidewalks or streets so we do not generate any congestion or traffic. Our business concept is order and pick up so there will be little to no affect.

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:

We are not changing the use of occupancy and we are operating a similar business as the previous tenant, Dado. Therefore, we will not be grossly violating any zoning ordinances.

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:

We are certified food handlers with allergen certificates as well. We have trained staff in everything food related and health safety. We serve non-toxic and non-alcoholic drinks and beverages that would never harm any person nor the environment.

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:

My business doesn't produce traffic, does not cause pollution, or disrupt other businesses nor the normality of the community. My business is like many other businesses in Harvard Sq that only wish to serve in the best interests of the city and its locals, students, and residents in mind. We want to preserve the historic aspect of the city as much as possible and we acknowledge the importance of history especially in Harvard Sq.

*If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.
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 50 Church St Realty Trust (OWNER)

Address: 50 Church St, Cambridge, MA 02138

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

The record title of this property is in the name of Gazit Horizons (13 of 14 LLC)

*Pursuant to a deed of duly recorded in the date 12/19/16, Middlesex South County Registry of Deeds at Book 72026, Page 181; 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 Middlesex.

The above-name John DiGiovanni personally appeared before me, this 18th of March, 2022, and made oath that the above statement is true.

Denise Jillson Notary

My commission expires Oct. 19, 2023 (Notary Seal) DENISE A. JILLSON
Notary Public
Commonwealth of Massachusetts
My Commission Expires October 19, 2023

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

(ATTACHMENT B - PAGE 3)
Gong cha

GONG CHA- Bubble Tea

50 Church St.
Cambridge, MA

CONSTRUCTION DOCUMENTS
12.7.21
UPDATED
3.21.22

ARCHITECT
Lavelle & Associates
1972 Massachusetts Ave.
Cambridge, MA 02140

Project Manager:
Monique Jeremiason
617-232-2600
monique@lavellearch.com

TENANT
Tinglin Tan
781-503-3194
b7kent@bellevieconl@gmail.com

Benny Tan
617-384-3063
b7kent@bellevieconl@gmail.com

PROJECT DESCRIPTION
The project consists of 756 SF of retail and interior B out in favor of provided shell space.

PROJECT SCOPE
Exterior, interior, doors, windows, millwork, stair and wall finishes, light fixtures, millwork, cabinetry, unfinished open space, mechanical electrical, and plumbing in accordance with the site drawings, if required.

SAFETY OF SPACE
NO MODIFICATIONS REQUIRED.

LOCATION MAP - Harvard Square Zoning Overlay - BA

Sheet List

Sheet Number: A0.0

Sheet Name:

1. Title Sheet
2. Demolition Plan and RCP
3. Construction Plan and RCP
4. Detail Plan and Schedules

Gong Cha - Cambridge
50 Church St.
Cambridge, MA 02138

Design Title: A0.0

Issued By: ND

Framing Plan: 1/8" 1/4"
Gong cha

Specifications:
* 1" D 040 Aluminum welded to return with red vinyl.
* 1/2" pvc letter
* Letter boxes to be mounted on the existing mounting plates.
Sign installed in location shown on attached photo

Blade Sign

Customer: Barry Tam
Company: Gong Cha
Phone: 617-888-3083
Original: 12/17/2021 Revision:
Estimate($0 Means No Price):

Address: 50 Church St.
City/Town: Cambridge
State/Zip: MA 02138
File Name: Gong Cha Cambridge
Job No: 03490

NEW CC SIGN
259 Quincy Ave. Quincy, MA 02169
TEL: 617.479.8552 / 617-210-7982
Fax: 617.479.4952
ccsignboston@gmail.com

NEW CC Sign All Rights Reserved

This image is for general reference only, and may not accurately represent the actual product.
169-82
PRESIDENT & FELLOWS OF HARVARD COLLEGE
C/O HARVARD REAL ESTATE INC.
HOLYOKE CENTER ROOM 1000
1350 MASS AVE
CAMBRIDGE, MA 02138

169-93
HARVARD COOPERATIVE SOCIETY
C/O THOMAS A. WAGNER, JR. CFO
1400 MASSACHUSETTS AVE
CAMBRIDGE, MA 02138-9103

169-46-47-50
AP BRATTLE SQUARE, LP
C/O ASANA PARTNERS, LP
1616 CAMDEN RD. SUITE #210
CHARLOTTE, NC 28203

160-64
HADLEY, LILIAN H,
HARRY LEBARON SAPSON, TR.
C/O THOMAS HADLEY TRUST
411 WALNUT ST
GREEN COVE SPRINGS, FL 32043

169-84
DIGIOVANNI, JOHN P.
TRUSTEE OF 45 BRATTLE STREET REALTY TRUST.
P.O. BOX 380212
CAMBRIDGE, MA 02238

169-12
PRESIDENT & FELLOWS OF HARVARD COLLEGE
C/O HARVARD REAL ESTATE INC.
HOLYOKE CENTER, ROOM 1017
1350 MASS AVE
CAMBRIDGE, MA 02138-3895

169-98
GAZIT HORIZONS (9 BRATTLE) LLC,
1696 NE MIAMI GARDENS DRIVE NORTH
MIAMI BEACH, FL 33179

160-63
HAVENTREE LLC
15 ELMER ST
CAMBRIDGE, MA 02138

169-42
HARVARD COOPERATIVE SOCIETY
C/O THOMAS A. WAGNER, JR.
1400 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02138-9103

160-57
HARVARD COLLECTION LLC
C/O EQUITY ONE, INC. ATTN: CONTROLLER
P.O. BOX 790830
SAN ANTONIO, TX 78279

BTS VENTURE, LLC
C/O TING-HO TAM, BARRY TAM
22 HARDWICK STREET
BOSTON, MA 02135-1722
April 1, 2022

Board of Zoning Appeals
Cambridge Inspectional Services
City of Cambridge
831 Massachusetts Ave # 1
Cambridge, MA 02139

RE: Letter of Support for Gong Cha from Trinity

Dear To Whom It May Concern,

I am writing to express our support both for Gong Cha’s concept as well as for the operators themselves. The wide range of tea offerings provided by Gong Cha will be a welcome addition to Church St. as well as the broader Harvard Square community. The operators are passionate about tea and providing a high-quality experience to customers. We are excited to them to open and start serving their tea.

Sincerely,

Phil Cunningham
Trinity Property Management, Inc.,
As agent for 50 Church Street Realty Trust
To: Maria Pacheco  
Board of Zoning Appeals  
Cambridge Inspection Services  
City of Cambridge  
831 Massachusetts Ave #1  
Cambridge MA 02139

From: Bonde Fine Wine Shop  
54 Church Street  
Cambridge MA 02138  
617.945.2360

To Whom it may concern,

I'm writing to you today to let you know our total support to the special permit request to operate the new business at 50 Church Street in Harvard Square, by (will be known as) Gong Cha bubble tea.

We are extremely positive to see more activity and diversified business on Church Street. With the closing of the similar concept on JFK, Gong Cha Bubble tea will definitely fill a need in the Square.

Also, to see some young operators have the desire to start a business to our Square is the most exciting thing can happen to renew with new energy and new vision our commercial district.

Please accept my best regards

Bertil Jean-Chronberg  
Owner of Bonde Fine Wine
Gong cha