



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

2016 NOV 22 PM 1:32

**BZA APPLICATION FORM**

OFFICE OF THE CITY CLERK  
Plan No: BZA-012016-2016  
CAMBRIDGE, MASSACHUSETTS

**GENERAL INFORMATION**

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

Special Permit : \_\_\_\_\_ Variance :   ✓   Appeal : \_\_\_\_\_

PETITIONER : Salt & Olive Inc. - C/O Sean D. Hope, Esq.

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

LOCATION OF PROPERTY : 1160 Massachusetts Ave Cambridge, MA 02138

TYPE OF OCCUPANCY : 4.35(r) ZONING DISTRICT : Residence C-2B Zone

**REASON FOR PETITION :**

Change in Use / Occupancy

**DESCRIPTION OF PETITIONER'S PROPOSAL :**


Petitioner requests Variance relief to expand an existing food-retail business into adjacent ground floor commercial space.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article 4.000 Section 4.35.R (Bakery/retail)

Article 10.000 Section 10.30 (Variance)

Original Signature(s) :

  
(Petitioner(s) / Owner)

Sean D. Hope  
(Print Name)

Address : 675 Massachusetts Avenue  
Cambridge, MA 02139

Tel. No. : 617-492-0220

E-Mail Address : sean@hopelegal.com

Date : November 18, 2016

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 Peter Givertzman  
(OWNER)

Address: # 68 Moulton St Cambridge MA

State that I/We own the property located at 1156 MASS AVE. which is the subject of this zoning application.

The record title of this property is in the name of 1154-1166 MASS AVE LLC.

\*Pursuant to a deed of duly recorded in the date \_\_\_\_\_, Middlesex South County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_, or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

Peter Givertzman  
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT\*



ROBERT M. SPRAGER  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
April 27, 2023

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

-----  
Commonwealth of Massachusetts, County of MIDDLESEX  
The above-name Peter Givertzman personally appeared before me, this 19 of September 2020 and made oath that the above statement is true.

[Signature]  
Notary  
My commission expires 9.27.23 (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 the property (on Massachusetts Avenue) contains mostly non-conforming retail oriented businesses all of which are prohibited by the Residence C-2B. Further the adjacent street is a commercial/retail corridor which would be incompatible with the residential allowed uses therefore necessitating a Variance from the Ordinance.

**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 preexisting nonconforming building Uses and setbacks that predate zoning and aren't practicable for the allowed residential uses.

**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 good because the proposed Use is replacing a non-conforming commercial use. Additionally the proposed food-retail Use will allow for the expansion of a thriving small business that is compatible with the retail corridor.

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

Granting relief will not derogate from the intent and purpose of the Ordinance and will occupy a vacant storefront.

**\* 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**

**DIMENSIONAL INFORMATION**

**APPLICANT:** Sean Hope, Esq. **PRESENT USE/OCCUPANCY:** Retail  
**LOCATION:** 1160 Massachusetts Ave Cambridge, MA 02138 **ZONE:** Residence C-2B Zone  
**PHONE:** \_\_\_\_\_ **REQUESTED USE/OCCUPANCY:** Food-retail

	<b><u>EXISTING CONDITIONS</u></b>	<b><u>REQUESTED CONDITIONS</u></b>	<b><u>ORDINANCE REQUIREMENTS</u></b> <sup>1</sup>	
<b><u>TOTAL GROSS FLOOR AREA:</u></b>	8474	8474	5122	(max.)
<b><u>LOT AREA:</u></b>	2927	2927	n/a	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u></b> <sup>2</sup>	2.9	2.9	1.75	(max.)
<b><u>LOT AREA FOR EACH DWELLING UNIT:</u></b>	n/a	n/a	600	(min.)
<b><u>SIZE OF LOT:</u></b>				
<b>WIDTH</b>	51'	51'	50'	(min.)
<b>DEPTH</b>	81.75'	81.75'	n/a	
<b><u>SETBACKS IN FEET:</u></b>				
<b>FRONT</b>	0	0	10'	(min.)
<b>REAR</b>	0	0	20'	(min.)
<b>LEFT SIDE</b>	0	0	h+1/5	(min.)
<b>RIGHT SIDE</b>	0	0	h+1/5	(min.)
<b><u>SIZE OF BLDG.:</u></b>				
<b>HEIGHT</b>	33'+/-	33'+/-	45'	(max.)
<b>LENGTH</b>	32'	32'	n/a	
<b>WIDTH</b>	78'	78'	n/a	
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>	>30%	>30%	30%	(min.)
<b><u>NO. OF DWELLING UNITS:</u></b>	0	0	4.8	(max.)
<b><u>NO. OF PARKING SPACES:</u></b>	0	0	0	(min./max)
<b><u>NO. OF LOADING AREAS:</u></b>	0	0	0	(min.)
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u></b>	n/a	n/a	0	(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.

Building contains only retail & office space. No external construction is proposed

- 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'.

THE UNIVERSITY OF CHICAGO  
LIBRARY

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# 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 1160 Massachusetts Avenue

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 hearing for interior alterations or 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 December 8, 2016

Received by Uploaded to Energov

Date December 8, 2016

Relationship to project BZA 12016-2016

cc: Applicant  
Inspectional Services Commissioner



## Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

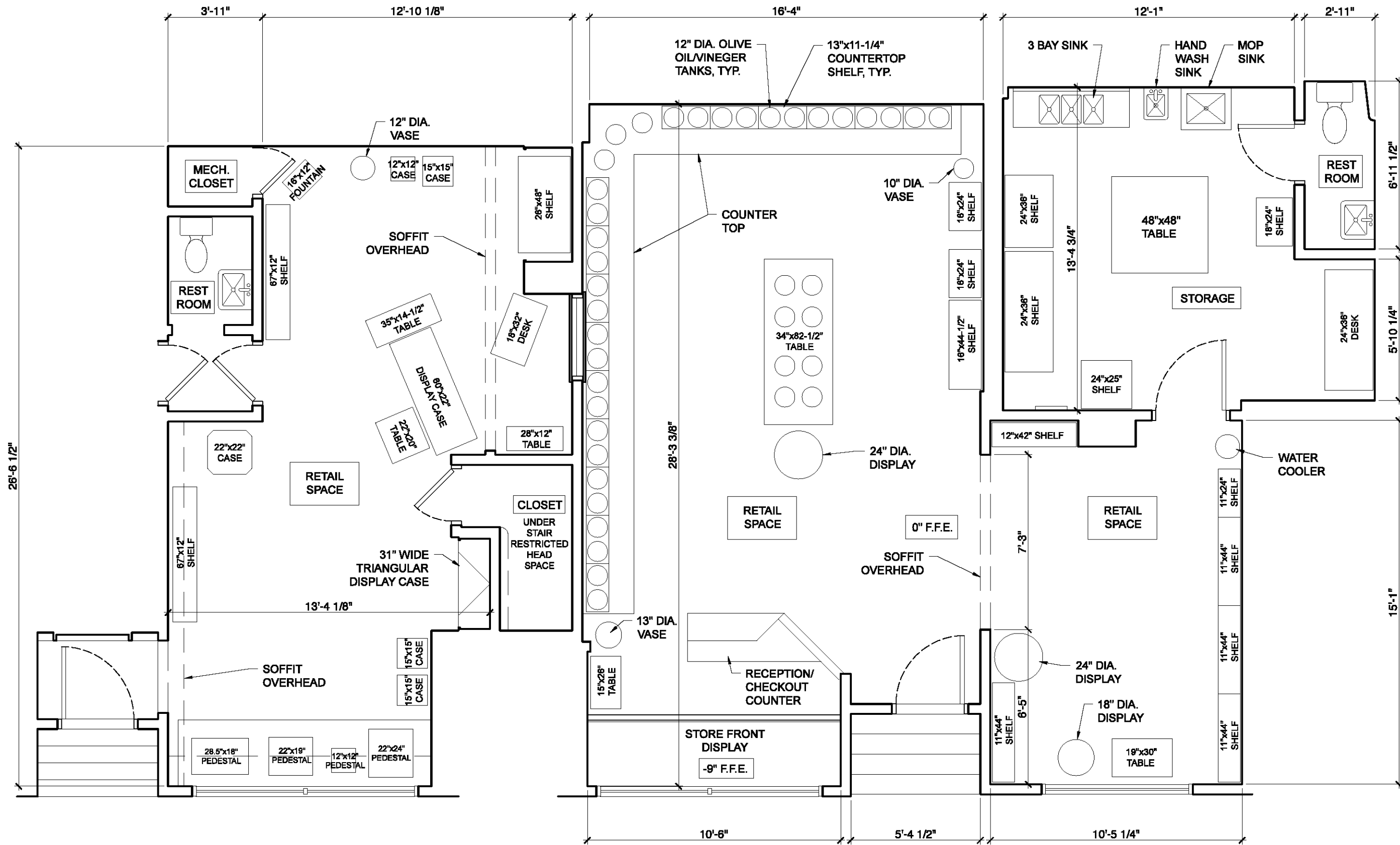
Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission  
831 Massachusetts Ave., 2<sup>nd</sup> Fl.  
Cambridge, MA 02139  
Ph: 617/349-4683 or TTY: 617/349-6112  
<http://www.cambridgema.gov/Historic>



**SCHEMATIC  
NOT FOR  
CONSTRUCTION**

**Salt & Olive**  
Cambridge, MA

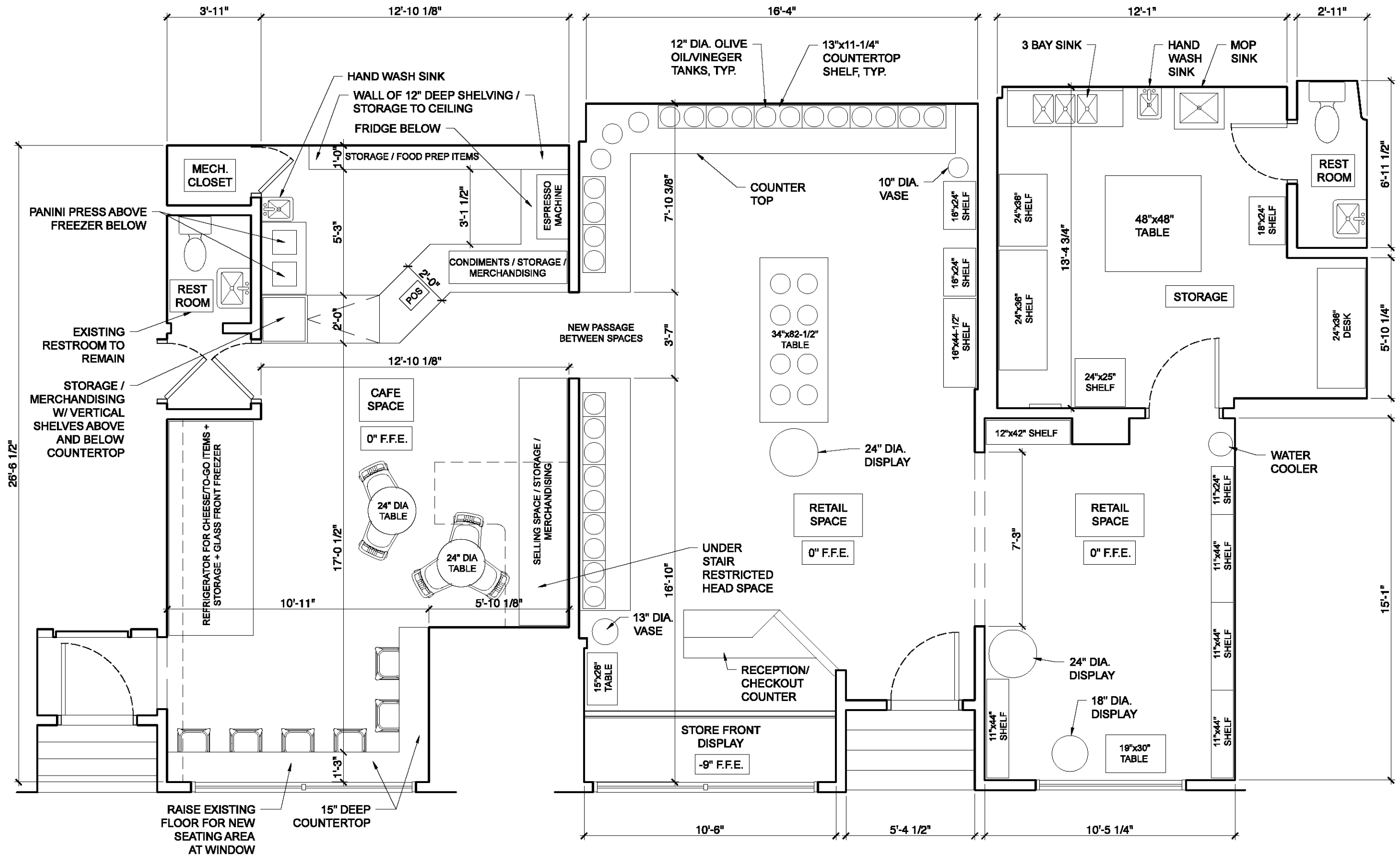
Project #: 4035.00  
Content: EXISTING INTERIOR  
Issued: 09.06.2016  
Revisions:

Sheet: **I-011**

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**1** EXISTING INTERIOR FLOOR PLAN  
1/4" = 1'-0"





**SCHEMATIC  
NOT FOR  
CONSTRUCTION**

**1** PROPOSED INTERIOR FLOOR PLAN  
1/4" = 1'-0"

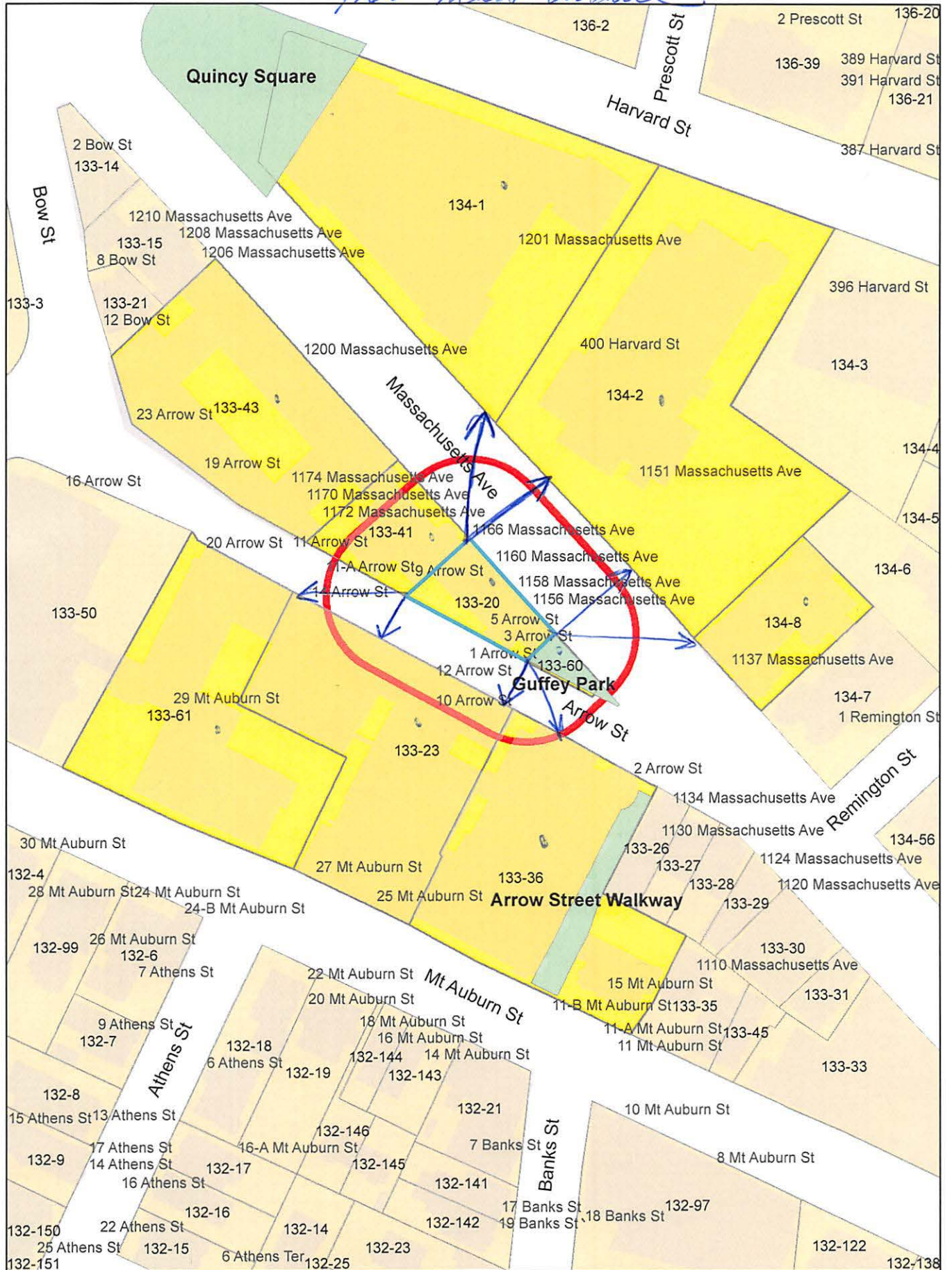
Salt & Olive  
Cambridge, MA

Project #: 4035.00  
Content: PROPOSED PLAN  
Issued: 09.15.2016  
Revisions:

Sheet: **I101**

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1160 Mass Avenue





1160 Mass Ave

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Petitioner

133-20  
1154-1166 MASS AVE, LLC  
C/O ORIENTAL FURNITURE  
68 MOULTON ST 3RD FLR  
CAMBRIDGE, MA 02138

133-23  
DOWSE, GRANTON H., JR.,  
IRENE A. M. DOWSE & LEONARD  
H. DOWSE, TRS. OF BBC TR  
14 ARROW ST. SUITE 21  
CAMBRIDGE, MA 02138

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

133-41  
AUGMENT INVESTMENTS, LLC  
4 TROWBRIDGE PLACE, UNIT 2D  
CAMBRIDGE, MA 02138

133-41  
TOPGYAL, TSERING  
1174 MASSACHUSETTS AVE., #74C  
CAMBRIDGE, MA 02138

133-41  
LOPEZ, CATHERINE ORTIZ  
1168-1 MASS AVE  
CAMBRIDGE, MA 02138

133-41  
MERRILL, ROBERT D.  
1168 MASS AVE. UNIT#68/2  
CAMBRIDGE, MA 02139

133-41  
YANG, LIN  
1168 MASSACHUSETTS AVE., #68/3  
CAMBRIDGE, MA 02138

133-41  
STEINBERGH, ALEX M. GENERAL PARTNER THE 1168  
MASSACHUSETTS AVENUE LIMITED PART.  
C/O GEORGE & FIDA SARKIS  
1170 MASS AVE., UNIT #2  
CAMBRIDGE, MA 02139

133-41  
GISABELLA, BARBARA  
11 BOWDON ST  
SOMERVILLE, MA 02143

133-41  
LIU, WEI & WEI SUN  
1170 MASSACHUSETTS AVE., #70/7  
CAMBRIDGE, MA 02138

133-41  
WOLFE-SIDBERRY, NANCY  
6413 WATERFORD DR  
BRENTWOOD, TN 37027

133-41  
MUGAMBI, ROSEMARY  
330 BROADWAY  
CAMBRIDGE, MA 02139

133-41  
SCADDEN, DAVID T. & KATHLEEN T. O'CONNELL  
62 LEXINGTON STREET  
WESTON, MA 02493

133-41  
PANGANAMATA, JOYCE RAO  
1172 MASSACHUSETTS AVE., #72/11  
CAMBRIDGE, MA 02138

133-60  
CITY OF CAMBRIDGE  
C/O LOUIS DePASQUALE  
CITY MANAGER

133-60  
CAMBRIDGE CITY OF  
795 MASSACHUSETTS AVE  
CAMBRIDGE, MA 02139

133-60  
CITY OF CAMBRIDGE  
C/O NANCY GLOWA  
CITY SOLICITOR

134-2  
OLD CAMBRIDGE BAPTIST CHURCH  
400 HARVARD  
CAMBRIDGE, MA 02138

134-8  
LATHAM, RAMONA M.  
8 ROCKY PASTURE RD  
GLOUCESTER, MA 01930

134-8  
WINTHROP, MORTON M.,  
TR. VAUGIRARD TRUST  
44 LOCKELAND AVE.  
ARLINGTON, MA 02474

134-8  
GUZMAN, JOHANN  
777 N ASHLEY DR. UNIT 3104  
TAMPA, FL 33602

134-8  
ENTWISLE, JEREMY C. R. & MINAKO ENTWISLE  
C/O PREMIER PROPERTY SOLUTIONS  
311 SUMMER STREET  
BOSTON, MA 02110

134-8  
PEREZ, MAYNOR  
1137 MASS AVE., UNIT #5  
CAMBRIDGE, MA 02139

134-8  
PETER, ANNE  
45 CALDWELL RD  
WALTHAM, MA 02453

133-61  
ROMAN CATHOLIC ARCHBISHOP OF BOSTON  
CORPORATION SOLE  
29 MT AUBURN STREET  
CAMBRIDGE, MA 02138

134-8  
DIAZ, TINA KOLB, KOSTAS TERZIDIS, PAUL  
CREELAN & ANNE PETER TRUSTEE  
1730 MASSACHUSETTS AVE  
CAMBRIDGE, MA 02138

134-1  
PRESIDENT & FELLOWS OF HARVARD COLLEGE  
C/O HARVARD REAL ESTATE INC.  
HOLYOKE CENTER - ROOM #1000  
1350 MASS AVE  
CAMBRIDGE, MA 02138

134-8  
DIAZ, TINA K.  
1137 MASSACHUSETTS AVE. - UNIT #21  
CAMBRIDGE, MA 02139

134-8  
TAKASHIMA, ERI MIHO  
1137 MASS AVE. UNIT#22  
CAMBRIDGE, MA 02138

1160 Mass Ave

202

134-8  
LEE, EDMUND & ALICE LEE  
1137 MASS AVE., UNIT #23  
CAMBRIDGE, MA 02138

134-8  
MORRIS, BARRY S.  
46B COTTAGE RD  
NEWBURY, MA 01951

134-8  
DAVIS JAFFERY W.  
C/O STOYANOVA, BORISLAVA &  
LEONARD GUARE  
93 STANTON AVE  
AUBURNDALE, MA 02466

134-8  
SONG, SEUNG HYE & JAE KYUNG  
3 BELLEVUE RD  
ARLINGTON, MA 02174

134-8  
EMSBO-MATTINGLY, LISA &  
STEPHEN EMSBO- C/O LEO HOLDINGS, LLC  
19 SOUTH RINDGE AVE  
LEXINGTON, MA 02420

134-8  
FRANKINA, JAN F.,  
TR. THE JAN FRANCES FRANKINA REV TRS.  
1137 MASSACHUSETTS AVE., #31  
CAMBRIDGE, MA 02138

134-8  
CHAN, CARSON KA-SING  
GARTENSTR. 91  
10115  
BERLIN, \_ \_

134-8  
WANG, ANGELA X.,  
TR. THE 1137 MASS AVE #33 REALTY TR  
1137 MASSACHUSETTS AVE., #33  
CAMBRIDGE, MA 02138

134-8  
TAKASHIMA, ERI M.  
1137 MASS AVE., #22  
CAMBRIDGE, MA 02138

134-8  
MURPHY, KEVIN  
1137 MASS AVE #35  
CAMBRIDGE, MA 02138

134-8  
HYSON, ANNE M.  
C/O OXFORD ST REALTY, INC  
P.O BX 400354  
CAMBRIDGE, MA 02138

134-8  
VORVIS, ATHANASIOS  
1137 MASS AVE. UNIT#37  
CAMBRIDGE, MA 02138

134-8  
WING, FRANK  
1137 MASS AVE., UNIT #41  
CAMBRIDGE, MA 02138

134-8  
HARRIS, ZACH  
1137 MASS AVE. UNIT#42  
CAMBRIDGE, MA 02138

134-8  
BOUDREAU, CATHERINE A.  
140 CLARENDON ST #1209  
BOSTON, MA 02116

134-8  
CROSBY, GEORGE DE F.  
5473 N. BAY ROAD  
MIAMI BEACH, FL 33140

134-8  
CUNNINGHAM, HELEN M.  
240 E 30TH STREET  
NEW YORK, NY 10016

134-8  
YANG, DIAN  
1137 MASSACHUSETTS AVE., #47  
CAMBRIDGE, MA 02138

133-43  
ARROW ASSOCIATES, L.L.C  
C/O HAMILTON REALTY CO.  
39 BRIGHTON AVE  
ALLSTON, MA 02134

134-8  
HARRIS, ZACHARY M. & CILLA R. HARRIS  
1034 CIRCLE ON THE GREEN  
COLUMBUS, OH 43235

134-8  
TERZIDIS, CONSTANTINOS  
1137 MASS AVE. UNIT#52  
CAMBRIDGE, MA 02138

134-8  
J. V. JOVI CRUCES  
1137 MASS AVE., UNIT#53  
CAMBRIDGE, MA 02139

134-8  
TUTAK, JENNIFER L.  
1137 MASSACHUSETTS AVE., #54  
CAMBRIDGE, MA 02138

134-8  
EINZIGER, MICHAEL A.  
C/O PROVIDENT FINANCIAL MANAGEMENT  
2850 OCEAN PARK BLVD. STE 300  
ATTN: KELLY AMADOR  
SANTA MONICA, CA 90405

134-8  
VAN RICE, RICK  
1137 MASSACHUSETTS AVE. UNIT 56  
CAMBRIDGE, MA 02138

134-8  
RUSTEM, UNVER  
1137 MASS AVE., UNIT #57  
CAMBRIDGE, MA 02138

133-36  
PRESIDENT & FELLOWS OF HARVARD COLLEGE  
C/O HARVARD REAL ESTATE SERVICES,  
1350 MASS AVE  
CAMBRIDGE, MA 02139

133-36  
MT. AUBURN CONDOMINIUM LLC,  
453 HARRIS RD.  
BEDFORD HILL, NY 10507