



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

BZA APPLICATION FORM

Plan No: BZA-017202-2019

GENERAL INFORMATION

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

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

PETITIONER : Barre Family Day Care, Khadija Barre - C/O Sean D. Hope, Esq.

PETITIONER'S ADDRESS : 907 Mass Avenue Cambridge, MA 02139

LOCATION OF PROPERTY : 156 Rindge Ave Cambridge, MA

TYPE OF OCCUPANCY : 4.33 (b) ZONING DISTRICT : Residence B Zone

REASON FOR PETITION :

Change in Use / Occupancy

**DESCRIPTION OF PETITIONER'S PROPOSAL :**

Petitioner requests Variance relief to convert and existing commercial structure into a Children's Daycare Use and Special permit to reduce the parking requirement of the Ordinance.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article 6.000 Section 6.35 (Reduction in Required Parking).

Article 10.000 Section 10.30 (Special Permit).

Article 10.000 Section 10.40 (Variance).

Article 4.000 Section 4.56.C.1 (Institutional Use).

Article 4.000 Section 4.33.B.2 (Day Care)

Original Signature(s) :

Sean Hope

(Petitioner(s) / Owner)

Sean Hope

(Print Name)

Address : 907 Mass Ave Suite 300  
Cambridge, MA 02139

Tel. No. : \_\_\_\_\_

E-Mail Address : Sean@hopelegal.com

Date : 10/29/19

**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 SUSAN SULLIVAN  
(OWNER)

Address: 29 BANKS ST SOMERVILLE, MA 02144

State that I/We own the property located at 152-156 RINDGE AVE, CAMBRIDGE MA  
which is the subject of this zoning application.

The record title of this property is in the name of SUSAN HAMILTON WELSH

\*Pursuant to a deed of duly recorded in the date Aug 6, 1980, Middlesex South County Registry of Deeds at Book 14026, Page 512; or Middlesex Registry District of Land Court, Certificate No.         
Book        Page       .

Susan Sullivan

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 Susan Sullivan personally appeared before me,  
this 17<sup>th</sup> of September, 2019, and made oath that the above statement is true.

Desmon Overshown Notary

My commission expires 7/18/2025 (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 involve a substantial hardship to the Petitioner because the premises has a long history of Non-conforming Commercial Uses and the building itself is not suitable for residential dwelling.

Granting the requested relief will allow for a continued Commercial of the premises that will support the growing family-oriented neighborhood of North Cambridge.

- 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 non-conforming one-story structure designed and built for non-residential purposes that is sited in a residential only district. Because the dwelling is not compatible for the permitted Uses in the district any viable commercial reuse of the premises would as well require zoning relief.

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

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

Desirable relief may be granted without substantial detriment to the public because the proposed Operator is known by the community and runs a Home Daycare in the neighborhood without issue. Granting the requested relief will allow for improved classroom and activity space along with the additional parking in the rear of the building.

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

Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Ordinance because Petitioner's proposed Use is a much-needed service in the neighborhood and will support the families with small children in North Cambridge.

**\* 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 156 Rindge Ave Cambridge, MA  
(location) would not be a detriment to the public interest because:

- A)** Requirements of the Ordinance can or will be met for the following reasons:  
With the requested relief the requirements of the ordinance will be satisfied
- B)** Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:  
No congestion, hazard, or substantial change in the established neighborhood character will result from approval because Petitioner has Seven parking spaces which is only Two less than the required Nine spaces. Further Petitioner's clientele are largely residents who live in close proximity so traffic and congestions should be minimal.
- C)** The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:  
The continued operation of or the development of adjacent uses will not be adversely affected because the adjacent properties are mostly residential with the other significant non-residential use being the Vineyard church which operates mostly on weekends.
- D)** Nuisance or hazard would not be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:  
No nuisance or hazard will be created nor will any detriment to the health, safety and/or welfare of the of occupants of the proposed use or the citizens of the City because the proposed Day care already exists in the neighborhood and currently doesn't have parking. This proposed facility will increase the number of children than can be served and also provide more off-street parking.
- 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 Day care is in a building that has a history of commercial, retail and restaurants uses all of which have added to the character of the mostly residential neighborhood. The proposed use serves a need in the community and will support the growing number of families in North Cambridge.

**BZA APPLICATION FORM****DIMENSIONAL INFORMATION**

**APPLICANT:** Hope Legal law Offices      **PRESENT USE/OCCUPANCY:** Restaurant/Commercial  
**LOCATION:** 156 Rindge Ave Cambridge, MA      **ZONE:** Residence B Zone  
**PHONE:** 6174920220      **REQUESTED USE/OCCUPANCY:** Day Care/Commercial

	<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>	2040sf	2040sf	2686.5sf	(max.)
<b><u>LOT AREA:</u></b>	5373sf	5373sf	5000sf	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u></b> <sup>2</sup>	.381	.381	.5	(max.)
<b><u>LOT AREA FOR EACH DWELLING UNIT:</u></b>	n/a	n/a	2500sf	(min.)
<b><u>SIZE OF LOT:</u></b>				
WIDTH	47.6'	47.6'	50'	(min.)
DEPTH	109'	109'	n/a	
<b><u>SETBACKS IN FEET:</u></b>				
FRONT	0	0	15'	(min.)
REAR	n/a	n/a	25'	(min.)
LEFT SIDE	0	0	7.5'	(min.)
RIGHT SIDE	0	0	7.5'	(min.)
<b><u>SIZE OF BLDG.:</u></b>				
HEIGHT	12'	12'	35'	(max.)
LENGTH	39'	39'	n/a	
WIDTH	47.6'	47.6'	n/a	
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>	0	0	35%	(min.)
<b><u>NO. OF DWELLING UNITS:</u></b>	n/a	n/a	3	(max.)
<b><u>NO. OF PARKING SPACES:</u></b>	7	7	9	(min./max)
<b><u>NO. OF LOADING AREAS:</u></b>	n/a	n/a	n/a	(min.)
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u></b>	n/a	n/a	10'	(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.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



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2019 OCT 30 PM 2:45

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

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Original Signature(s) :

Sean Hope

(Petitioner(s) / Owner)

Sean Hope

(Print Name)

Address : 907 Mass Ave Suite 300  
Cambridge, Ma 02139

Tel. No. :                     

E-Mail Address : Sean@hopelegal.com

Date :

10/29/19

**Pacheco, Maria**

156 Rindge Ave

**From:** Clara Hendricks <hendricks.clara@gmail.com>  
**Sent:** Monday, November 11, 2019 2:40 PM  
**To:** Pacheco, Maria  
**Subject:** Khadija Barre daycare

Hello Ms. Pacheco,

I'm writing this email in support of Khadija Barre being able to expand her home daycare to a rental space on Rindge Ave. My daughter Rosalie was in Khadija's care from 7 months to 27 months old. We experienced an incredible level of care, attention, and education from Khadija and her staff. She is an institution in the neighborhood, when home daycares are closing left and right. It would be of immense value to the families of North Cambridge to have Khadija's daycare expanded to a bigger space.

Thank you,

Clara Hendricks  
6 Rice Circle

**Pacheco, Maria**

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156 Rindge

BZA-017202-2019

**From:** Megan Sheahan <megan.sheahan@gmail.com>  
**Sent:** Tuesday, November 12, 2019 10:37 PM  
**To:** Pacheco, Maria  
**Subject:** Reference for Khadija Barre

Hello Maria,

Khadija Barre requested that I be in touch with you about my experience with her home daycare as input into the zoning board's decision about her plans to expand to the property previously occupied by NOCA.

My son has been happily attending Khadija's home daycare since January 2018. We trust her immensely and are excited about her plans to expand her daycare offerings.

If there is particular information that would be useful to you, please let me know. I'm happy to answer any specific questions you might have about our experience.

All the best,  
Megan



**Pacheco, Maria**

156 Rindge BZA-017202-2019

**From:** Jodi Sperber <jodibeth@gmail.com>  
**Sent:** Wednesday, November 13, 2019 10:27 AM  
**To:** Pacheco, Maria  
**Subject:** Letter in support of Khadija Barre

Dear Ms. Pacheco,

I am writing in support of Khadija Barre's plans to expand her daycare service into the space at 156 Rindge Avenue. I believe she is an asset to our community and expanding into this space would have a positive impact on the surrounding community.

I have had the pleasure of knowing Khadija for the past eight years as she provided care for my son from the time he was 5 months old until he went to preschool. As a family daycare provider, she created a loving and warm space in her home for my son and the other children in her care.

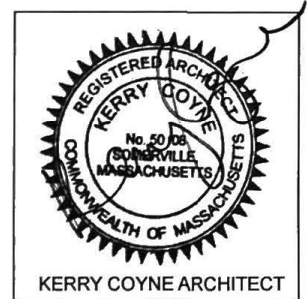
From his perspective, it was a fantastic place to spend the day. From the perspective of me and my wife, we were highly satisfied with the level of care provided, the attention to treating each child as an individual, her ability to identify responsible and trustworthy staff to assist her, and how she used both her home and the surrounding community as a learning lab to safely explore.

My son is now in second grade, but we still see Khadija in the neighborhood and every time it is a welcomed reunion. She's known throughout the parent community as someone who provides great care, and I am so pleased she is seeking to expand the work she's doing.

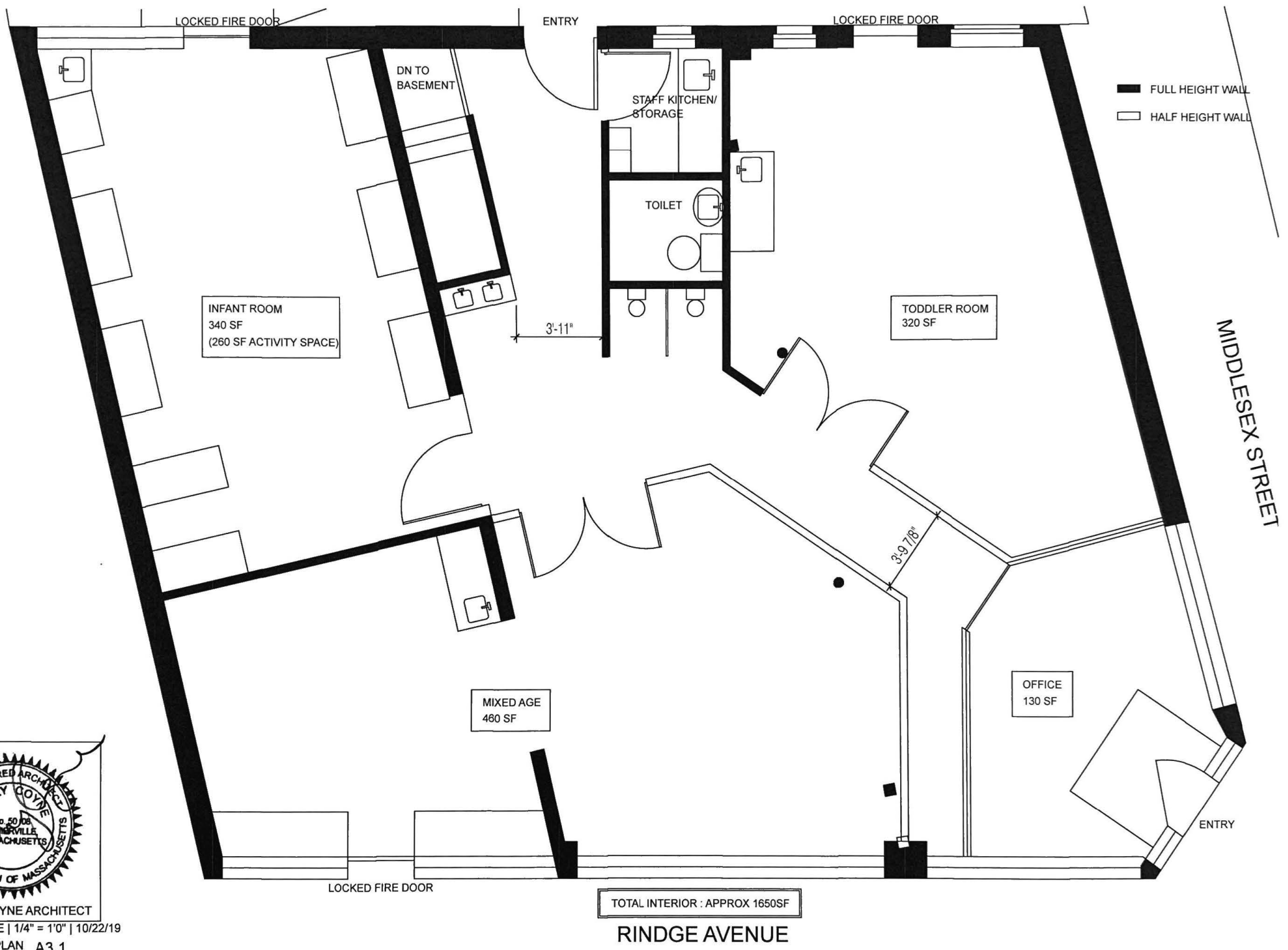
If there's any specific information I might be able to provide to further support her use of this space, please don't hesitate to call or email me. Given the peace of mind she provided to us and excellent care she provided my son when he was so young, I can't repay her enough!

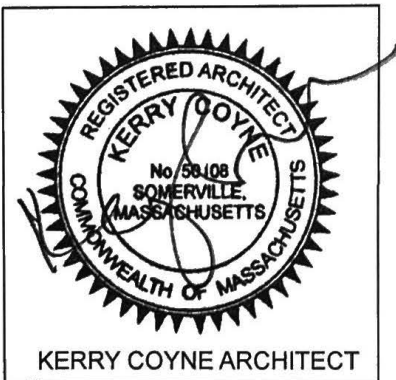
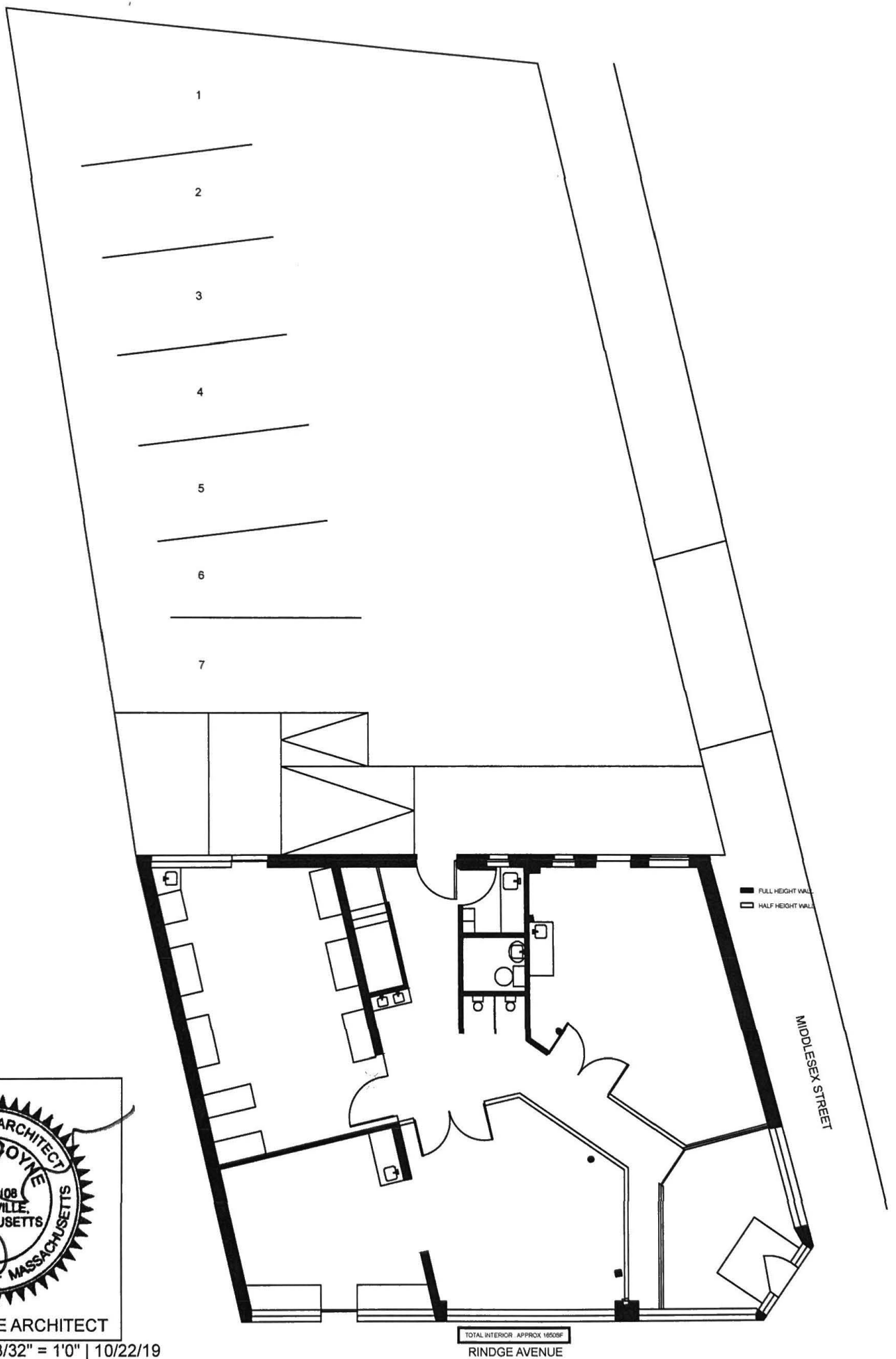
Best,  
Jodi.

Jodi Sperber  
[jodibeth@gmail.com](mailto:jodibeth@gmail.com)  
617-606-3458  
[www.jodisperber.com](http://www.jodisperber.com)



154-156 RINDGE | 1/4" = 1'0" | 10/22/19  
SITE PLAN A3.1





154-156 RINDGE | 3/32" = 1'0" | 10/22/19

SITE PLAN A4.1





156 Bridge Ave











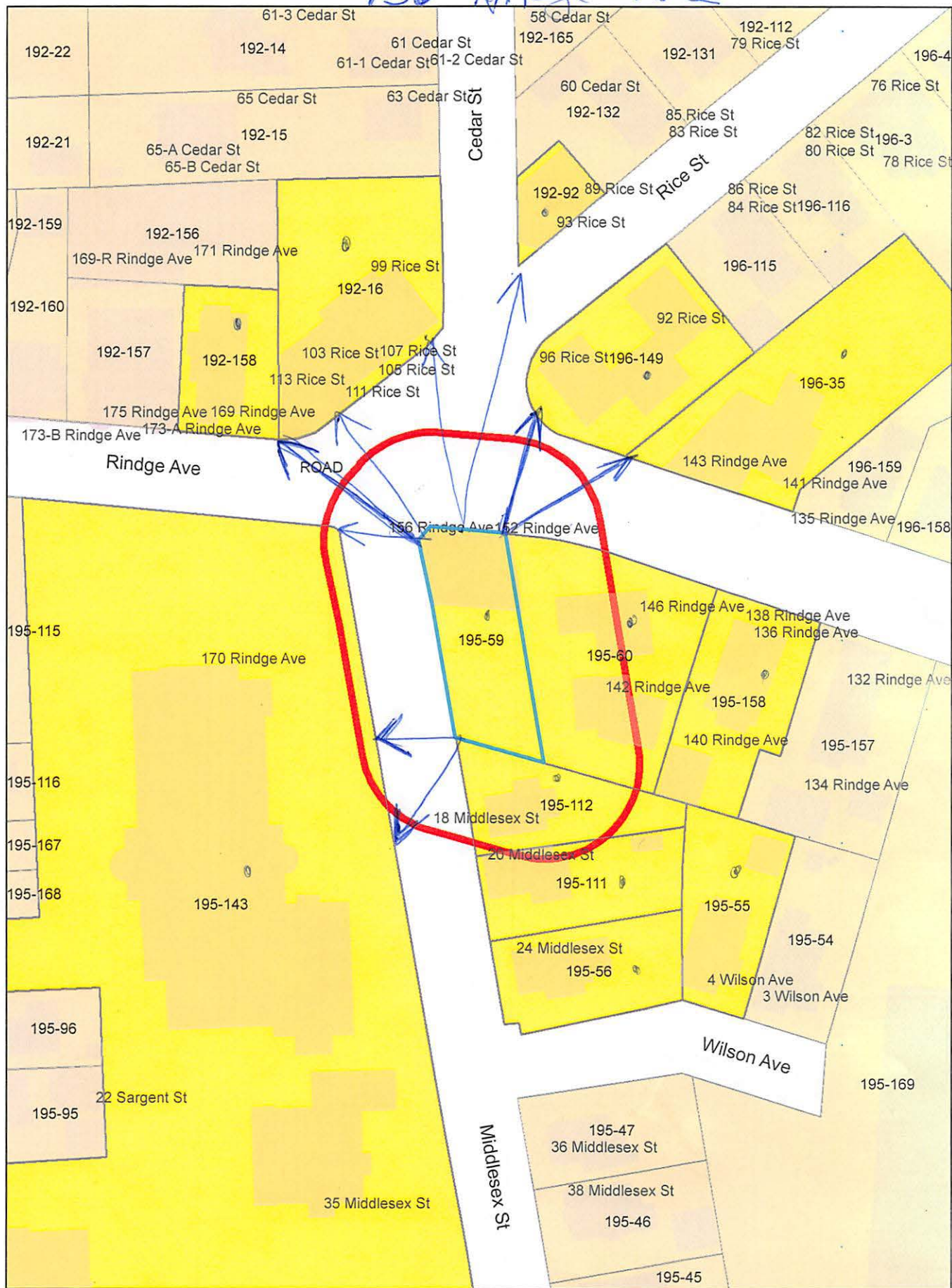








156 Rindge Ave



156 Rindge Ave

Petitioner

192-158  
MCNULTY, STEVEN & KATE M. BERSETH  
62 MT. PLEASANT ST.  
CAMBRIDGE, MA 02140

195-60  
BROOTEN, BERNADETTE J.  
142 RINDGE AVE., #142  
CAMBRIDGE, MA 02140

SEAN D. HOPE, ESQ.  
907 MASS AVENUE - SUITE 300  
CAMBRIDGE, MA 02139

195-112  
CLEMENS, DAVID T. & TAWNYA L. LEWIS  
18 MIDDLESEX ST  
CAMBRIDGE, MA 02140

195-56  
LAWRENCE, LESLIE  
24 MIDDLESEX ST  
CAMBRIDGE, MA 02140-2504

195-59  
SULLIVAN, SUSAN H.  
29 BANKS ST  
SOMERVILLE, MA 02144

195-158  
DALEY, MARILYN  
136-138 RINDGE AVE  
CAMBRIDGE, MA 02140

192-92  
89 RICE STREET, LLC  
44 DALY ROAD  
MEDFORD, MA 02155

196-149-35  
LAVERTY, CHARLES R. JR.,  
PAUL R. LOHNES ET-AL  
C/O LAVERTY / LOHNES PROP  
75 CAMBRIDGE PKWY, STE 100  
CAMBRIDGE, MA 02142-1229

195-55  
O'SULLIVAN, MARY E.  
4 WILSON AVE  
CAMBRIDGE, MA 02140

195-60  
McCARTHY, KATHLEEN,  
TRUSTEE THE KATHLEEN MCCARTHY LIV TR  
144 RINDGE AVE UNIT #144  
CAMBRIDGE, MA 02140

195-60  
EMISON, GRANT K. & LYNN K. BETLOCK  
146 RINDGE AVE. UNIT#146  
CAMBRIDGE, MA 02140

195-111  
DERHAM, ELIZABETH M.  
20 MIDDLESEX STREET  
CAMBRIDGE, MA 02140

195-143  
VINEYARD CHRISTIAN  
FELLOWSHIP OF CAMBRIDGE  
15 NOTRE DAME AVENUE  
CAMBRIDGE, MA 02140

192-16  
SULLIVAN, ELLEN & PETER RICH  
99 RICE ST., #111  
CAMBRIDGE, MA 02140

192-16  
HU, BIN,  
TRUSTEE THE YUFU REALTY TRUST  
99 RICE ST., #105  
CAMBRIDGE, MA 02140

192-16  
FITCH, JASON R.  
99 RICE STREET, UNIT #103  
CAMBRIDGE, MA 02140

192-16  
WALDRON, MICHAEL, R.  
2 CURTIS ST.  
LITTLETON, MA 01460

192-16  
LANGMUIR, CHARLES  
99 RICE ST., #107  
CAMBRIDGE, MA 02140