



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

2017 NOV 20 PM 3:51

BZA APPLICATION FORM

Plan No:

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS
BZA-015061-2017

GENERAL INFORMATION

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

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : Sayed Mousawi - C/O Sean D. Hope Esq.

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

LOCATION OF PROPERTY : 294-302 Windsor St Cambridge, MA

TYPE OF OCCUPANCY : 4.35 (e) ZONING DISTRICT : Residence C-1

REASON FOR PETITION :

Change in Use / Occupancy

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner requests a Use Variance to convert an existing ground floor Commercial space into a Cafe/Coffee Shop with 20 seats.

SECTIONS OF ZONING ORDINANCE CITED :

Article 4.000 Section 4.35.E (Restaurant).

Article 10.000 Section 10.30 (Use Variance).

Original Signature(s) :


(Petitioner(s) / Owner)

Sean D. Hope Esq.

(Print Name)

Address : 675 Massachusetts Avenue

Cambridge, MA 02139

Tel. No. : 617-492-0220

E-Mail Address : sean@hopelegal.com

Date : November 15, 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 Joseph P. Bisognano III, Manager
(OWNER)

Address: c/o Torrington Properties, Inc., 60 K Street, Boston, MA 02127

State that I/We own the property located at 88-90 Hampshire Street and
which is the subject of this zoning application. 294-298 Windsor Street, Cambridge, MA

The record title of this property is in the name of _____
UEP JBBP LLC

*Pursuant to a deed of duly recorded in the date 09/22/15, Middlesex South
County Registry of Deeds at Book 66111, Page 328; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

[Signature]
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

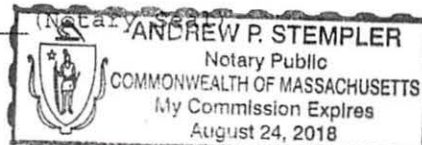
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Suffolk

The above-name Joseph P. Bisognano III personally appeared before me,
this 14th of Sept, 2017, and made oath that the above statement is true.

My commission expires _____

[Signature] Notary



- 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 is sited at the ground floor and has had a long history on commercial uses, most recently a babershop, and is not suitable for residential purposes.

Granting the requested relief will allow for the continued commercial Use that is consistent with the evolving windsor street cooridor.

- 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 non-conforming building front yard setback and existing Uses that were designed for non-residential purposes. Additionally any use beyond residential would require zoning relief.

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

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

Desirable relief can be granted without detriment to the public good because the proposed Cafe will continue to activate the street scape and support other adjacent food/retail businesses at the corner of Hampshire and Windsor streets.

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

The proposed use is consistent with intent of the ordinance which promotes the highest and best use for land in the City of Cambridge. A continued commercial Use is practical in this location and will be a benefit to the neighborhood.

- * 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**

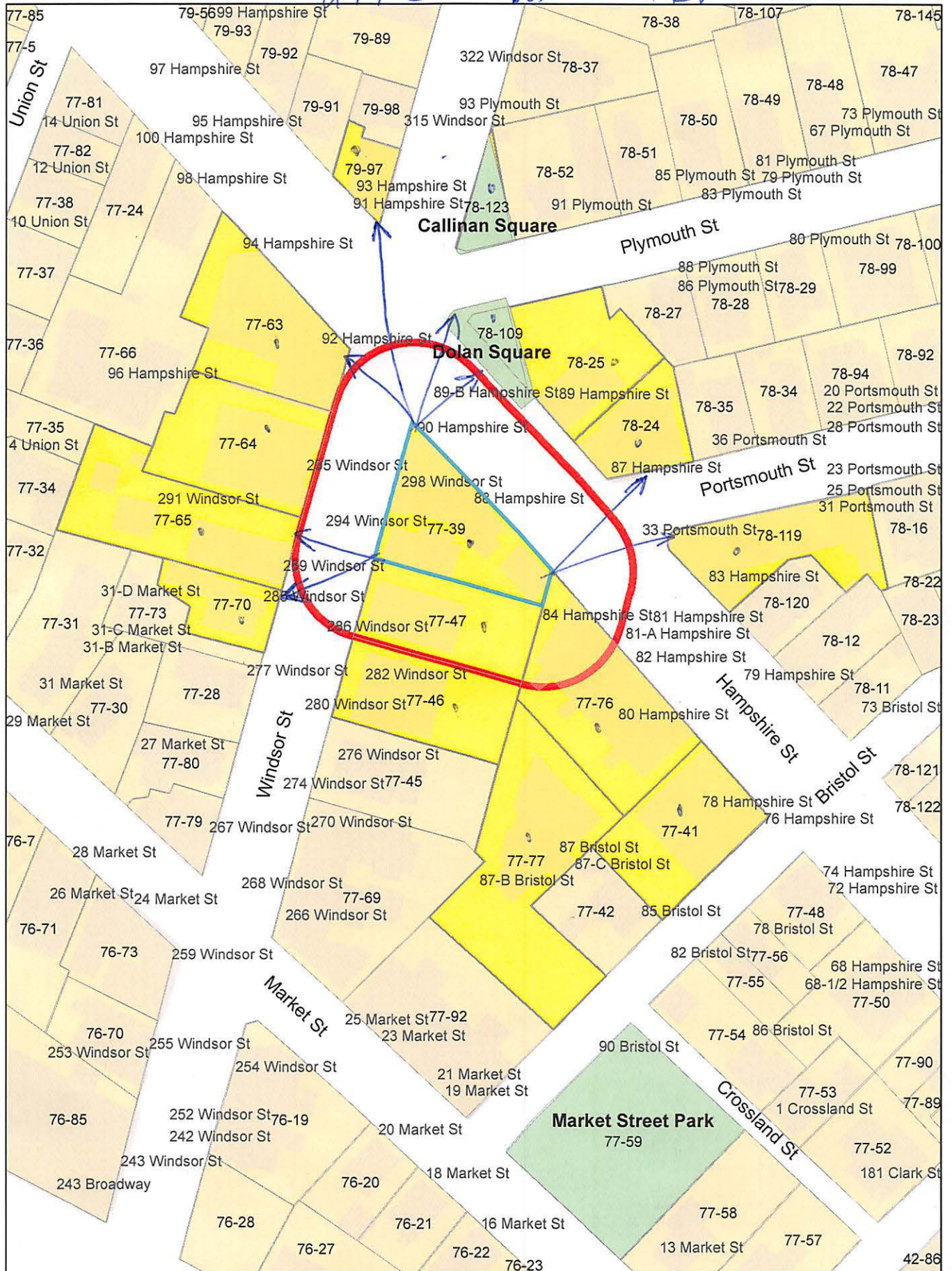
APPLICANT: Hope Legal law Offices **PRESENT USE/OCCUPANCY:** Commercial
LOCATION: 294-302 Windsor St Cambridge, MA **ZONE:** Residence C-1
PHONE: 6174920220 **REQUESTED USE/OCCUPANCY:** Commercial

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		<u>6,632sf</u>	<u>6,632sf</u>	<u>4851.75</u>	(max.)
<u>LOT AREA:</u>		<u>6,469sf</u>	<u>6,469sf</u>	<u>5,000sf</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		<u>1.02</u>	<u>1.02</u>	<u>.75</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		<u>650</u>	<u>650</u>	<u>1,500sf</u>	(min.)
<u>SIZE OF LOT:</u>	WIDTH	<u>93.13'</u>	<u>93.13'</u>	<u>50'</u>	(min.)
	DEPTH	<u>129.89'</u>	<u>129.89'</u>	<u>n/a</u>	
<u>SETBACKS IN FEET:</u>	FRONT	<u>0'</u>	<u>0'</u>	<u>10'min</u>	(min.)
	REAR	<u>n/a</u>	<u>n/a</u>	<u>20'min</u>	(min.)
	LEFT SIDE	<u>1'</u>	<u>1'</u>	<u>7'6"</u>	(min.)
	RIGHT SIDE	<u>33'</u>	<u>33'</u>	<u>7'6"</u>	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	<u>30'</u>	<u>30'</u>	<u>35'</u>	(max.)
	LENGTH	<u>84'</u>	<u>84'</u>	<u>n/a</u>	
	WIDTH	<u>47'</u>	<u>47'</u>	<u>n/a</u>	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		<u>0.07</u>	<u>0.07</u>	<u>.30</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>		<u>7</u>	<u>7</u>	<u>4</u>	(max.)
<u>NO. OF PARKING SPACES:</u>		<u>3</u>	<u>3</u>	<u>7</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>		<u>0</u>	<u>0</u>	<u>n/a</u>	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		<u>3'</u>	<u>3'</u>	<u>10'min</u>	(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'.

294-302 Windsor St.



294-302 Windsor St.

Petitioner

77-39
UEP JBPP LLC,
C/O TORRINGTON PROPERTIES INC.
60 K STREET
BOSTON, MA 02127

77-41
83 BRISTOL LLC
65 EAST INDIA ROW, UNIT 28E
BOSTON, MA 02110

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

77-65
291 WINDSOR CAMBRIDGE LLC
289-291 WINDSOR ST
CAMBRIDGE, MA 02139

77-70
SMITH, JULIA
285 WINDSOR ST
CAMBRIDGE, MA 02139

77-76
FONSECA, ARNOLD S. &
MARIA R. FONSECA TRUSTEES
471 KENDALL RD
TEWKSBURY, MA 01876

77-77
SLATYER, TRACY
87 BRISTOL ST., #1A
CAMBRIDGE, MA 02139

77-77
DIENER, JOHN L.
87 BRISTOL ST., UNIT #1B
CAMBRIDGE, MA 02139

77-77
WEED, LOUISE & JOHN KEOGH
87 BRISTOL ST. UNIT#1C
CAMBRIDGE, MA 02139

77-77
HSIEH, VIVIAN
710 LAUREL AVE., APT C8
SAN MATEO, CA 94401

77-77
WILSON, SUSAN C.
87 BRISTOL ST., UNIT 2B
CAMBRIDGE, MA 02139

77-77
FALOON, PATRICK WAYNE
87 BRISTOL ST., #2C
CAMBRIDGE, MA 02141

77-77
SISAK, STEPHEN G.
87 BRISTOL ST #3A
CAMBRIDGE, MA 02139

77-77
MUNSON, HELENE
87 BRISTOL ST., #3B
CAMBRIDGE, MA 02139

77-77
DELEON, PAMELA PONCE,
TRS PAMELA J. PONCE DE LEON REV LIV TR.
87 BRISTOL ST., #3C
CAMBRIDGE, MA 02139

78-24
YOGEL, MURRAY & MINNA YOGEL,
TRS. THE DAVID YOGEL REALTY TRUST
C/O R.J. REALTY LIMITED PARTNERSHIP
87 HAMPSHIRE ST.
CAMBRIDGE, MA 02139

78-25
LOGIUDICE, VINCENT & ANGELO LOGIUDICE
TRUSTEES OF VAJ TRUST
89A HAMPSHIRE STREET
CAMBRIDGE, MA 02139

78-109-123
CITY OF CAMBRIDGE PUBLIC WORKS DEPT.
147 HAMPSHIRE ST
CAMBRIDGE, MA 02139

78-119
REDLEAF, LLC
P.O. BOX 590179
NEWTON, MA 02459

78-109-123
CITY OF CAMBRIDGE
C/O LOUIS DEPASQUALE
CITY MANAGER

78-109-123
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

77-46
STERN, BODO M.
1719 HARVARD ST NW
WASHINGTON, DC 20009

77-46
JAYSON, RACHEL C.
282 WINDSOR ST., #3
CAMBRIDGE, MA 02139

77-46
PHOENIX, GREGORY M.
282 WINDSOR ST., UNIT #2
CAMBRIDGE, MA 02139

77-46
JENKINS, JESSE & ALISHA FOWLER
282 WINDSOR ST., #282/1
CAMBRIDGE, MA 02139

77-46
LOPES, CHRISTOPHER &
DOMINICA A. BONANNO
280 WINDSOR ST., UNIT #3
CAMBRIDGE, MA 02139

77-46
COLVIN, BARNETT JAY
5079 VILLAGE PLACE COURT
WEST BLOOMFIELD, MI 48322

77-63
SHPEKTOR, DIANA
92 HAMPSHIRE ST., #A
CAMBRIDGE, MA 02139

77-63
WHITE, GREGORY D.
94 HAMPSHIRE ST. UNIT C
CAMBRIDGE, MA 02141

77-63
SAGHBINI, JEAN CLAUDE & RANIA KHALAF
94 HAMPSHIRE ST., UNIT B
CAMBRIDGE, MA 02139

294-304 Windsor.

77-63
CADCO REAL ESTATE, LLC
C/O CHRIS DELLAMARGGIO
177 GREAT PLAIN AVE
NEEDHAM, MA 02492

77-63
SCHLESINGER, CHRISTOPHER,
TR. THE SOUTHBOUND REALTY TRUST
63 WYMAN STREET
ARLINGTON, MA 02474

77-47
LATENER, ABE & ERIKA RAMOS
286-288 WINDSOR ST., #1
CAMBRIDGE, MA 02139

77-47
PEUGHOUIA, SANDRINE
286-288 WINDSOR ST., #3
CAMBRIDGE, MA 02139

77-47
MAZANEC, TIMOTHY & TARA MAZANEC
286-288 WINDSOR ST., #2
CAMBRIDGE, MA 02139

77-64
MARTINS, ALFRED JR.
2 BENTON RD.
SOMERVILLE, MA 02143

79-97
HOFFMAN, ANNE
93 HAMPSHIRE ST.
CAMBRIDGE, MA 02139



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 W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

Jurisdiction Advice

To the Owner of Property at 294-302 Windsor 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
- ☐ 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 CHC review of land use. No demolition proposed.
- ☐ 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 November 30, 2017

Received by Uploaded to Energov

Date November 30, 2017

Relationship to project BZA 15061-2017

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.**

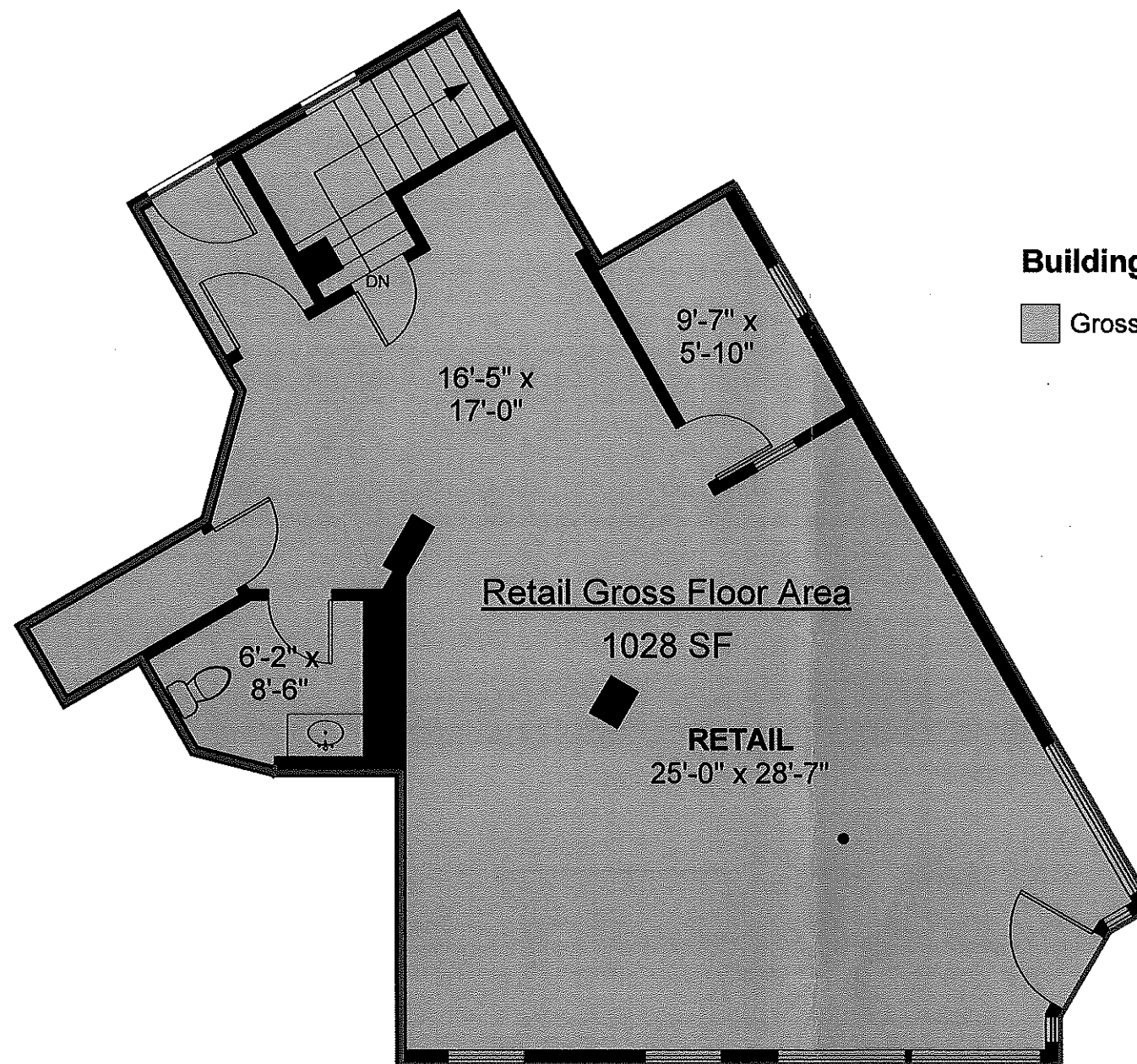
Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

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>



Building Area Legend

Gross Building Area

Retail Gross Floor Area

1028 SF

RETAIL

25'-0" x 28'-7"

FIRST FLOOR PLAN

Ceiling Height = 10'-3"

① Level 1
1/8" = 1'-0"

NOTE:
DRA HAS NOT FIELD
VERIFIED THIS PLAN.
THIS PLAN IS BASED ON
A CAD DRAWING BY A
THIRD PARTY AS
PROVIDED BY THE
OWNER.

DEREK RUBINOFF ARCHITECT

62 Spring Street, West Roxbury, MA 02132-4316 617-504-2599 inquiries@derekubiroff.com

First Floor Retail Gross Floor Area Plan

90 Hampshire St./294-302 Windsor St.

90 Hampshire St.
A/K/A 294-302 Windsor St.
Cambridge, MA 02139

JOB #:	1742
SCALE:	1/8" = 1'-0"
DATE:	10/30/2017
DWN BY:	DR
CROSS REF:	

SKD-1

