



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

2017 NOV 30 AM 9:57

BZA APPLICATION FORM

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS  
Plan No: BZA-015129-2017

GENERAL INFORMATION

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

Special Permit : \_\_\_\_\_ Variance : √ Appeal : \_\_\_\_\_

PETITIONER : Cambridge Community Center - C/O Darrin Korte

PETITIONER'S ADDRESS : 5 Callender Street Cambridge, MA 02139

LOCATION OF PROPERTY : 5 Callender St Cambridge, MA 02139

TYPE OF OCCUPANCY : \_\_\_\_\_ ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :

Other: Renewal of Farmers Market

DESCRIPTION OF PETITIONER'S PROPOSAL :

Variance: To continue to operate Farmers Market in the gymnasium on Saturdays from 8:00 a.m. to 4:00 p.m. including set-up, vending and breakdown.

SECTIONS OF ZONING ORDINANCE CITED :

Article 4.000 Section 4.35.A (Retail Business & Consumer Service).

Article 10.000 Section 10.30 (Variance).

Original Signature(s) :

Darrin Korte  
(Petitioner(s) / Owner)

Darrin Korte

(Print Name)

Address :

5 Callender Street, Cambridge MA 02139

Tel. No. :

617-547-6811, ext. 10

E-Mail Address :

darrink@cambridgecc.org

Date : 11/28/17

**BZA APPLICATION FORM****DIMENSIONAL INFORMATION****APPLICANT:** Cambridge Community Center**PRESENT USE/OCCUPANCY:** Cambridge Winter  
Farmers Market**LOCATION:** 5 Callender St Cambridge, MA 02139**ZONE:** Residence C-1 Zone**PHONE:** 617-547-6811, ext. 10**REQUESTED USE/OCCUPANCY:** Cambridge Winter Farmers Market

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>	17,120	No Change	..75	(max.)
<u>LOT AREA:</u>	19,500	"	5,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> <sup>2</sup>	.88.	"	1,500	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	No- D.U.	"	.	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	150	"	.	(min.)
DEPTH	120	"	.	
<u>SETBACKS IN FEET:</u>				
FRONT	.	"	10'	(min.)
REAR	+/- .6'	"	20'	(min.)
LEFT SIDE	+/- 20'	"	20' HL/S	(min.)
RIGHT SIDE	+/- 12'	"	20'	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	.	"	44'	(max.)
LENGTH	.	"	.	
WIDTH	.	"	.	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	+/- 12.8%	.	30%	(min.)
<u>NO. OF DWELLING UNITS:</u>	0	"	NA	(max.)
<u>NO. OF PARKING SPACES:</u>	.0	"	NA	(min./max)
<u>NO. OF LOADING AREAS:</u>	0	"	NA	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	NA	"	NA	(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.

NA

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'.

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

**APPLICANT:** Cambridge Community Center  
**PRESENT USE/OCCUPANCY:** Cambridge Winter Farmers Market  
**LOCATION:** 5 Callender St Cambridge, MA 02139 **ZONE:** Residence C-1 Zone  
**PHONE:** 617-547-6811, ext. 10 **REQUESTED USE/OCCUPANCY:** Cambridge Winter Farmers Market

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**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 mission of the Cambridge Community Center (CCC) is to promote community cooperation and unity and empower youth, individuals, and families. We do this by offering social, cultural, educational, and recreational activities. A literal enforcement of the ordinance would prevent CCC from pursuing an important avenue for fulfilling this mission.  
The market confers social and civic benefits that advance CCC's mission. Non-profit educators, craft vendors, and musical performers contribute to a rich social and cultural environment that draws residents together during the cold months. Without a variance, CCC will be unable to offer these benefits to the community.

- 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 gymnasium in which CCC has held the Cambridge Winter Farmers Market for the past six years, and would continue to do so going forward, is uniquely suited to serve as an indoor market and "public square" during the cold season. To our knowledge, there are no other facilities in the neighborhood that are equipped and inclined to host such an event at this time.

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

- 1)** Substantial detriment to the public good for the following reasons:  
The experience of running the Cambridge Winter Farmers Market for the past six years has been very positive. Neighbors and residents from across the city attest to this and call for its continuation.
- 2)** Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:  
The Cambridge Community Center has proven itself a good neighbor for over 88 years. We appreciate the fundamentally residential nature of the district in which the Center is situated. All of our program coordinators, including the Market Manager appreciate that fact and operate accordingly. This ethic is enforced with the market vendors and respected by customers.

**\* 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 5 Callender St Cambridge, MA 02139 (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 Cambridge Community Center has successfully run the winter farmers market for years with no issues and will continue to meet all requirements of the Ordinance.
- 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 have worked with Parking & Transportation to provide loading spaces for vendors only and we encourage all shoppers to walk, bike, take the T and/or carpool to the market. We communicate this with all of our neighbors in a timely fashion.
- 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:  
As stated above, the Cambridge Community Center has successfully run the winter farmers market for years with no issues and will continue to follow all previous agreements and practices.
- 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 market manager tracks the safety of all entrances and exits, ensures all farmers market vendors have up to date health certificates, liability insurance, etc. All farmers market vendors take all trash off site at the end of every market.
- 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:  
We have found the farmers market has not only not impaired the integrity of the district, but enhanced a sense of community while providing fresh and local food during the winter months.

**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 Darrin Korte, Executive Director at the Cambridge Community Center  
(OWNER)

Address: 5 Callender Street, Cambridge MA 02139

State that I/We own the property located at 5 Callender Street, Cambridge MA 02139,  
which is the subject of this zoning application.

The record title of this property is in the name of \_\_\_\_\_  
Darrin Korte, Executive Director at the Cambridge Community Center

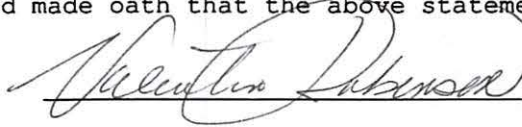
\*Pursuant to a deed of duly recorded in the date \_\_\_\_\_, Middlesex South  
County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_; or  
Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_.

  
\_\_\_\_\_  
**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 Darrin Korte personally appeared before me,  
this 1 of 12, 2017, and made oath that the above statement is true.

  
\_\_\_\_\_  
Notary

My commission expires 12/6/2019 (Notary Seal).

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

# UNITED STATES DEPARTMENT OF JUSTICE

INVESTIGATION OF THE ACTS OF VIOLENCE COMMITTED BY THE  
MEMBERS OF THE BLACK PANTHER PARTY

REPORT OF THE ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL

WASHINGTON, D. C.

1968

UNITED STATES DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

WASHINGTON, D. C.

1968

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WASHINGTON, D. C.

1968

UNITED STATES DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

WASHINGTON, D. C.

1968



5 Callender St.

Petitioner

122-28  
BOOTH, WILLIE & MARY L. BOOTH  
20 CALLENDER ST  
CAMBRIDGE, MA 02139

122-29  
GREENE, MURIEL C.  
C/O LEAH GRIFFIN  
506 OLD MITYLENE CT  
MONTGOMERY, AL 36117

CAMBRIDGE COMMUNITY CENTER  
C/O DARRIN KORTE &  
ANNA PIERCE-SILVE  
5 CALLENDER STREET  
CAMBRIDGE, MA 02139

122-31  
APOSTOLIC PENTECOSTAL CHURCH OF  
NEW ENGLAND  
45 HOWARD ST  
CAMBRIDGE, MA 02139

122-104  
SPIER, MICHAEL J.  
TR OF MJS REALTY TRUST  
63 HOWARD ST  
CAMBRIDGE, MA 02139

122-106  
CAFASSO, PROPERTIES LLC.  
98 HAMMOND ST  
CAMBRIDGE, MA 02138

122-107  
CAMBRIDGE COMMUNITY CENTER INC.  
5 CALLENDER ST  
CAMBRIDGE, MA 02139

122-108  
FEGHALI, BERNARD & ROMY FEGHALI  
17 LINCOLN TER  
SALEM, NH 03079

122-109  
BERTHIAUME, FRANCOIS & CAROLINE CABRAL  
61 MAGEE ST #2  
CAMBRIDGE, MA 02139

122-184  
PUTNAM GARDENS, LLC  
362 GREEN ST  
CAMBRIDGE, MA 02139

123-45  
MURRIEL, OSCAR R.  
TRUSTEE THE MURRIEL FAMILY TRUST  
38 HOWARD ST  
CAMBRIDGE, MA 02139

123-46  
PHILLIPS, TONI  
40 HOWARD ST  
CAMBRIDGE, MA 02139

123-47  
CARRINGTON, EDRIC R. & ISELMA CARRINGTON,  
TRS OF THE DYNASTY II REALTY TRUST  
42 HOWARD ST  
CAMBRIDGE, MA 02139

123-48  
WHARTON, LLOYD, JEWEL RUSSELL,  
ROLAND WHARTON & DIANN WHARTON  
44 HOWARD ST  
CAMBRIDGE, MA 02139

123-49  
MITCHELL, ALAN  
52 1/2 HOWARD ST  
CAMBRIDGE, MA 02139

122-110  
MARKHAM, AMY BATES &  
BENJAMIN EDWIN MARKHAM  
55-57 MAGEE ST. #55  
CAMBRIDGE, MA 02139

122-110  
HACKETT, ANDREW PRESCOTT & DAWN AIELLO  
55-57 MAGEE ST., #57  
CAMBRIDGE, MA 02139

122-105  
RHODES, AARON & MICHELLE VOLPE  
57-59 HOWARD ST., #1  
CAMBRIDGE, MA 02139

122-105  
LUONG, PHUONG  
57 HOWARD ST., #3  
CAMBRIDGE, MA 02139

122-105  
DIEDERICH, HERMANN & HYEMYOUNG KIM  
TRUSTEES DIEDERICH & KIM FAMILY TRS  
240 STAR HILL RD  
WOODSIDE, CA 94602

122-30  
BEST, MILDRED E.  
14 CALLENDER ST  
CAMBRIDGE, MA 02139



The map displays the 122nd Precinct, which is outlined in red. The precinct is bounded by Kinnaird St to the north, Magee St to the west, Callender St to the south, and Howard St to the east. Within the precinct, there are several streets including Hayes St, Magee St, Callender St, Dodge St, and Howard St. The map also shows various property lots, many of which are numbered. A large area in the northwest corner of the precinct is labeled 'MLK School (Under Construction)'. A blue outline highlights a specific area within the precinct, bounded by Magee St to the west, Callender St to the south, and Howard St to the east. This area includes several lots and streets, such as Magee St, Callender St, and Howard St. The map also shows surrounding streets and precincts, including 121st, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211th, 212th, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 299th, 300th, 301st, 302nd, 303rd, 304th, 305th, 306th, 307th, 308th, 309th, 310th, 311th, 312th, 313th, 314th, 315th, 316th, 317th, 318th, 319th, 320th, 321st, 322nd, 323rd, 324th, 325th, 326th, 327th, 328th, 329th, 330th, 331st, 332nd, 333rd, 334th, 335th, 336th, 337th, 338th, 339th, 340th, 341st, 342nd, 343rd, 344th, 345th, 346th, 347th, 348th, 349th, 350th, 351st, 352nd, 353rd, 354th, 355th, 356th, 357th, 358th, 359th, 360th, 361st, 362nd, 363rd, 364th, 365th, 366th, 367th, 368th, 369th, 370th, 371st, 372nd, 373rd, 374th, 375th, 376th, 377th, 378th, 379th, 380th, 381st, 382nd, 383rd, 384th, 385th, 386th, 387th, 388th, 389th, 390th, 391st, 392nd, 393rd, 394th, 395th, 396th, 397th, 398th, 399th, 400th, 401st, 402nd, 403rd, 404th, 405th, 406th, 407th, 408th, 409th, 410th, 411th, 412th, 413th, 414th, 415th, 416th, 417th, 418th, 419th, 420th, 421st, 422nd, 423rd, 424th, 425th, 426th, 427th, 428th, 429th, 430th, 431st, 432nd, 433rd, 434th, 435th, 436th, 437th, 438th, 439th, 440th, 441st, 442nd, 443rd, 444th, 445th, 446th, 447th, 448th, 449th, 450th, 451st, 452nd, 453rd, 454th, 455th, 456th, 457th, 458th, 459th, 460th, 461st, 462nd, 463rd, 464th, 465th, 466th, 467th, 468th, 469th, 470th, 471st, 472nd, 473rd, 474th, 475th, 476th, 477th, 478th, 479th, 480th, 481st, 482nd, 483rd, 484th, 485th, 486th, 487th, 488th, 489th, 490th, 491st, 492nd, 493rd, 494th, 495th, 496th, 497th, 498th, 499th, 500th, 501st, 502nd, 503rd, 504th, 505th, 506th, 507th, 508th, 509th, 510th, 511th, 512th, 513th, 514th, 515th, 516th, 517th, 518th, 519th, 520th, 521st, 522nd, 523rd, 524th, 525th, 526th, 527th, 528th, 529th, 530th, 531st, 532nd, 533rd, 534th, 535th, 536th, 537th, 538th, 539th, 540th, 541st, 542nd, 543rd, 544th, 545th, 546th, 547th, 548th, 549th, 550th, 551st, 552nd, 553rd, 554th, 555th, 556th, 557th, 558th, 559th, 560th, 561st, 562nd, 563rd, 564th, 565th, 566th, 567th, 568th, 569th, 570th, 571st, 572nd, 573rd, 574th, 575th, 576th, 577th, 578th, 579th, 580th, 581st, 582nd, 583rd, 584th, 585th, 586th, 587th, 588th, 589th, 590th, 591st, 592nd, 593rd, 594th, 595th, 596th, 597th, 598th, 599th, 600th, 601st, 602nd, 603rd, 604th, 605th, 606th, 607th, 608th, 609th, 610th, 611th, 612th, 613th, 614th, 615th, 616th, 617th, 618th, 619th, 620th, 621st, 622nd, 623rd, 624th, 625th, 626th, 627th, 628th, 629th, 630th, 631st, 632nd, 633rd, 634th, 635th, 636th, 637th, 638th, 639th, 640th, 641st, 642nd, 643rd, 644th, 645th, 646th, 647th, 648th, 649th, 650th, 651st, 652nd, 653rd, 654th, 655th, 656th, 657th, 658th, 659th, 660th, 661st, 662nd, 663rd, 664th, 665th, 666th, 667th, 668th, 669th, 670th, 671st, 672nd, 673rd, 674th, 675th, 676th, 677th, 678th, 679th, 680th, 681st, 682nd, 683rd, 684th, 685th, 686th, 687th, 688th, 689th, 690th, 691st, 692nd, 693rd, 694th, 695th, 696th, 697th, 698th, 699th, 700th, 701st, 702nd, 703rd, 704th, 705th, 706th, 707th, 708th, 709th, 710th, 711th, 712th, 713th, 714th, 715th, 716th, 717th, 718th, 719th, 720th, 721st, 722nd, 723rd, 724th, 725th, 726th, 727th, 728th, 729th, 730th, 731st, 732nd, 733rd, 734th, 735th, 736th, 737th, 738th, 739th, 740th, 741st, 742nd, 743rd, 744th, 745th, 746th, 747th, 748th, 749th, 750th, 751st, 752nd, 753rd, 754th, 755th, 756th, 757th, 758th, 759th, 760th, 761st, 762nd, 76

**CAMBRIDGE PUBLIC HEALTH DEPARTMENT**



Cambridge Health Alliance

November 13, 2012

Board of Zoning Appeal  
831 Massachusetts Avenue  
Cambridge MA 02139

Re: Case 10345  
November 15<sup>th</sup> meeting  
Cambridge Community Center

Dear Board Members:

On behalf of the Cambridge Public Health Department, I am writing in support of the Cambridge Community Center's request for a variance to operate the Cambridge Winter Farmers Market in their gymnasium, on Saturdays January through April, 2013 to 2017.

Our department plays an instrumental role in helping to guide a number of the wellness promotion efforts that occur across the city. As a result, we depend on our key partners, like the Cambridge Community Center, to assist us with providing the array of programs and services that promote healthier lifestyles for students, workers, residents and visitors to the city.

The farmers markets have been shown to be one effective strategy for addressing the health needs of our local communities. We feel that making wholesome vegetables, fruit and proteins grown in New England available to area residents through the winter months and providing a forum for food education and community building will continue to be a welcomed benefit to area residents. Cambridge offers a farmers market seven days a week and given the diversity of our communities, we especially note the market's welcome to low-income shoppers who may use their SNAP benefits at the market each week.

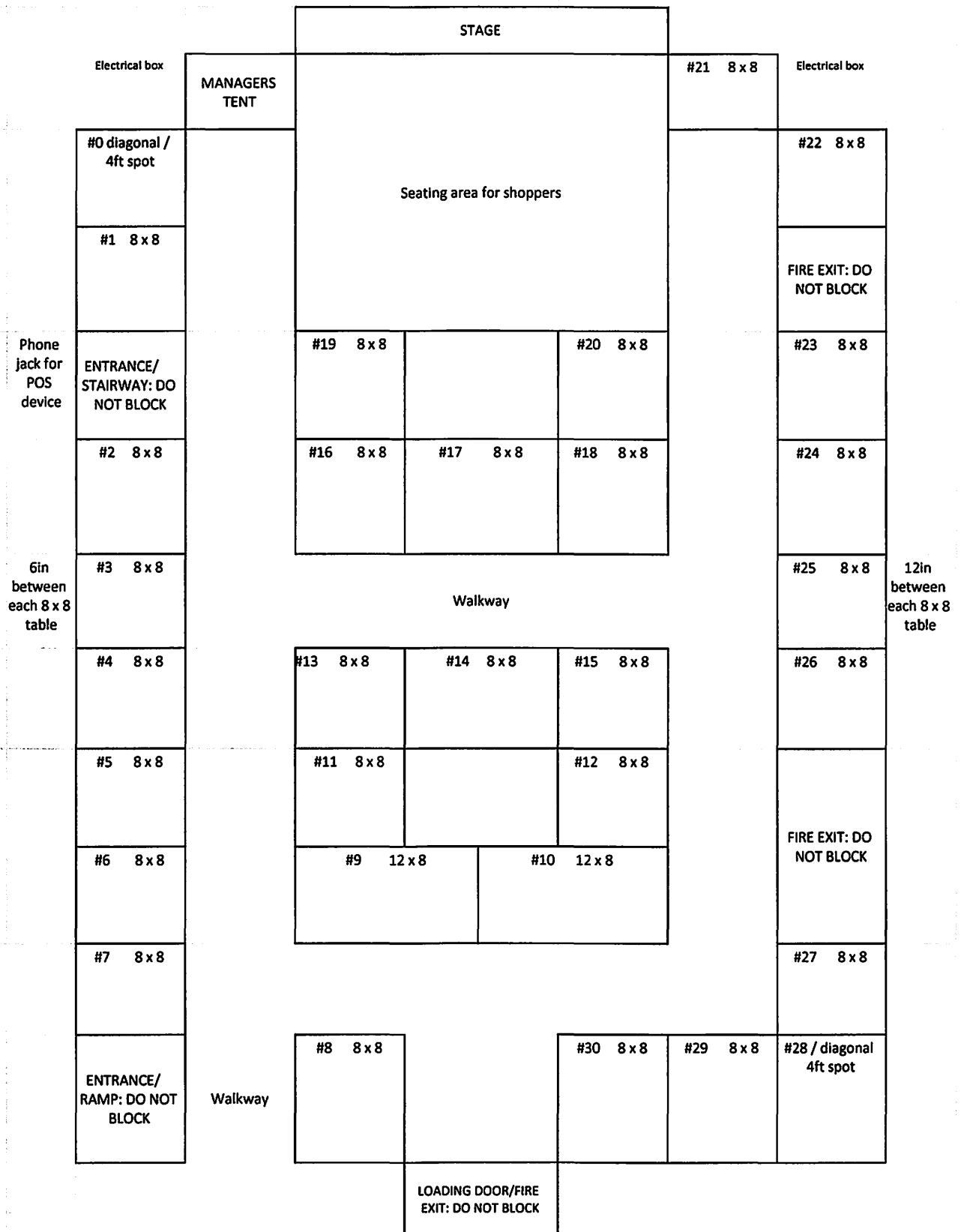
We thank you for your consideration of this request and look forward to hearing a favorable response in the coming weeks.

Yours in Health,

Claude-Alix Jacob  
Chief Public Health Officer



# Cambridge Winter Farmers Market - 2017 Map

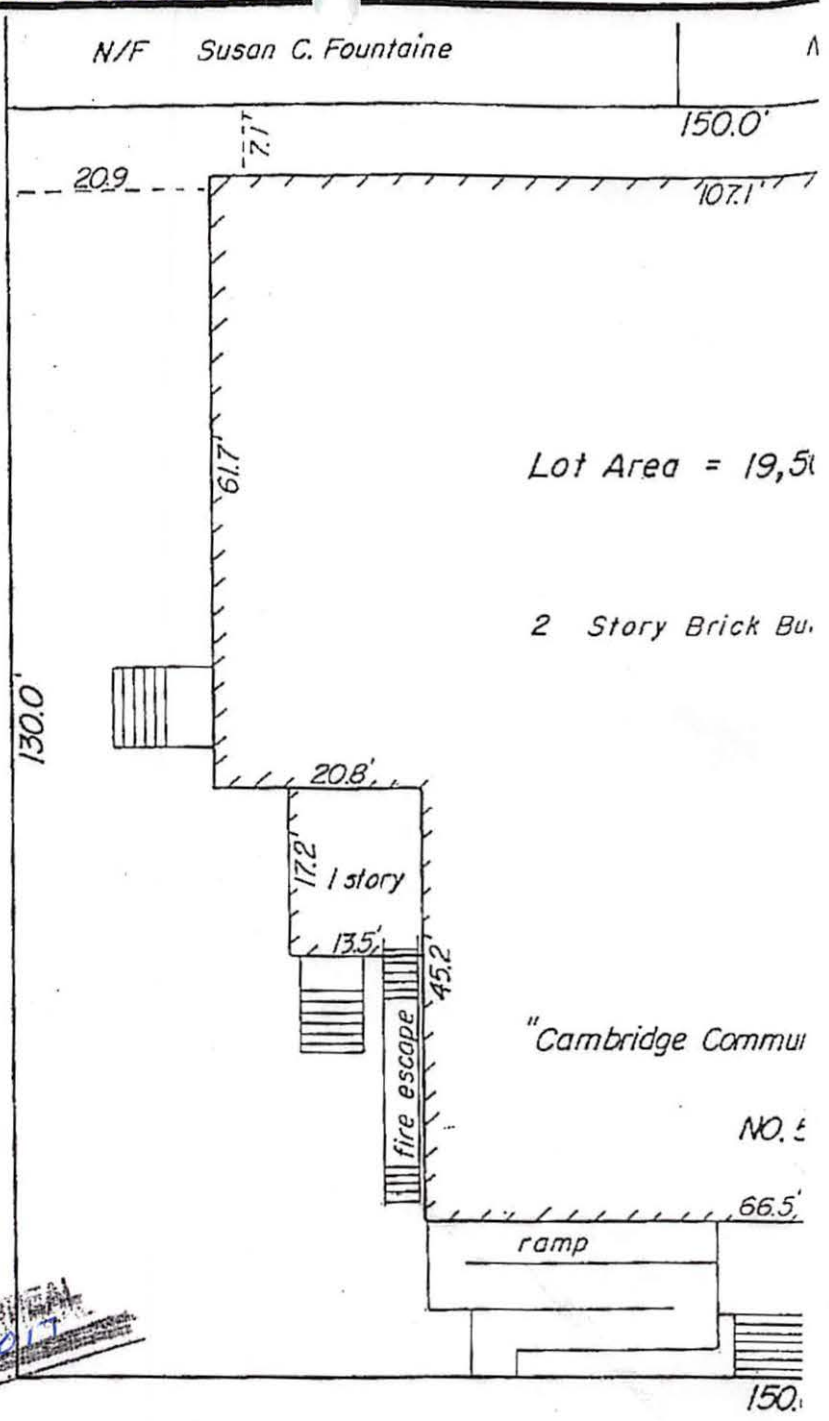




5 Callender St.

N/F Susan C. Fountaine

MAGEE STREET



SUBMITTED TO THE BOARD OF ZONING APPEALS  
FOR CASE NO. 137A-05120-2017

CALLENDER

PROPERTY REFERENCES:  
Middlesex South Registry of Deeds  
Plan Book 47, Plan 18  
Plan Book 42, Plan 20

I certify that this is a true p  
field survey and plans of record  
Callender

[illegible]

# STREET

# HOWARD

# STREET

## PLOT PLAN.

**5 CALLENDER ST.**

**CAMBRIDGE, MASS.**

**Plan based on**



**SCALE: 1" = 20'**

**JULY 9, 1993**

**W. H. MASON**  
**122 ESSEX ST.**

**PROF. LAND SURVEYOR**  
**'BEVERLY, MA 01915**