



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

2016 SEP 12 PM 3:25

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS
 Plan No: BZA-011301-2016

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit : _____ Variance : v Appeal : _____

PETITIONER : Windsor Ninety Three LLC - C/O Richard C. Lynds, Esq.

PETITIONER'S ADDRESS : 1216 Bennington Street East Boston, MA 02128

LOCATION OF PROPERTY : 93 Windsor St Cambridge, MA

TYPE OF OCCUPANCY : Retail Business & Consumer Service (4.35) ZONING DISTRICT : Residence B Zone

REASON FOR PETITION :
 Change in Use / Occupancy

DESCRIPTION OF PETITIONER'S PROPOSAL :

Request for a change of use and occupancy from current use of retail store to proposed use of cafe with take out. Proposal will include a complete fit out of existing retail space. No change or addition to existing square footage.

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) :

Joseph Donovan
 (Petitioner(s) / Owner)
Joseph Donovan
 (Print Name)

Address : 1495 Hancock Street

Quincy MA 02169

Tel. No. : 617-412-3200

E-Mail Address : donovan@ny2group.com

Date : 9/9/16

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.

Windsor Ninety Three, LLC

I/We _____ (OWNER)

1495 Hancock Street, Quincy, MA 02169

Address: _____

State that I/We own the property located at 93 Windsor Street, Cambridge, which is the subject of this zoning application.

The record title of this property is in the name of Windsor Ninety Three, LLC

*Pursuant to a deed of duly recorded in the date 6/21/16, Middlesex South County Registry of Deeds at Book 67464, Page 412; or

Middlesex Registry District of Land Court, Certificate No. _____

Book _____ Page _____

[Handwritten Signature]

SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

Suffolk

Commonwealth of Massachusetts, County of _____

Joseph Donovan, Manager

The above-name _____ personally appeared before me, this 8 of Sept., 2016, and made oath that the above statement is true.

[Handwritten Signature] Notary

My commission expires _____ (Notary Seal).

- If ownership is not shown in recorded deed, e.g. if by 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:

The premises contain a pre-existing non conforming structure that is located in the Residence B District which restricts commercial uses. As a commercial structure, the Premises would not be easily converted to a conforming residential use. Premises have been used and occupied as a retail commercial establishment historically and a similar use is proposed.

- 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 shape and size of the lot would be non conforming under the current dimensional regulations for the Residence B District and the conversion to even a conforming use would likely require a variance.

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

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

The Premises have been utilized as a commercial retail establishment for numerous years, which has sold food products and groceries. The intent is to continue with the commercial use, which will continue to service the immediate area and offer a cafe concept.

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

The Premises have been utilized as a commercial retail establishment for numerous years, which has sold food products and groceries. The intent is to continue with the commercial use, which will continue to service the immediate area and offer a cafe concept.

*** 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 93 Windsor 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 premises, which were originally built as a single story commercial building, have been continuously used for commercial and retail purposes. The proposed change will continue with a similar use.
- 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:
- See "A" above.
- 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:
- See "A" above.
- 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:
- See "A" above.
- 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:
- See "A" above. In addition, the proposed renovations to the existing structure and exterior will improve the building's appearance and continue to offer services to the immediate neighborhood.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Law Office of Richard C. Lynds **PRESENT USE/OCCUPANCY:** Retail (4.35(a)(1))
LOCATION: 93 Windsor St Cambridge, MA **ZONE:** Residence B Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** Take Out Restuarant (4.35(o))

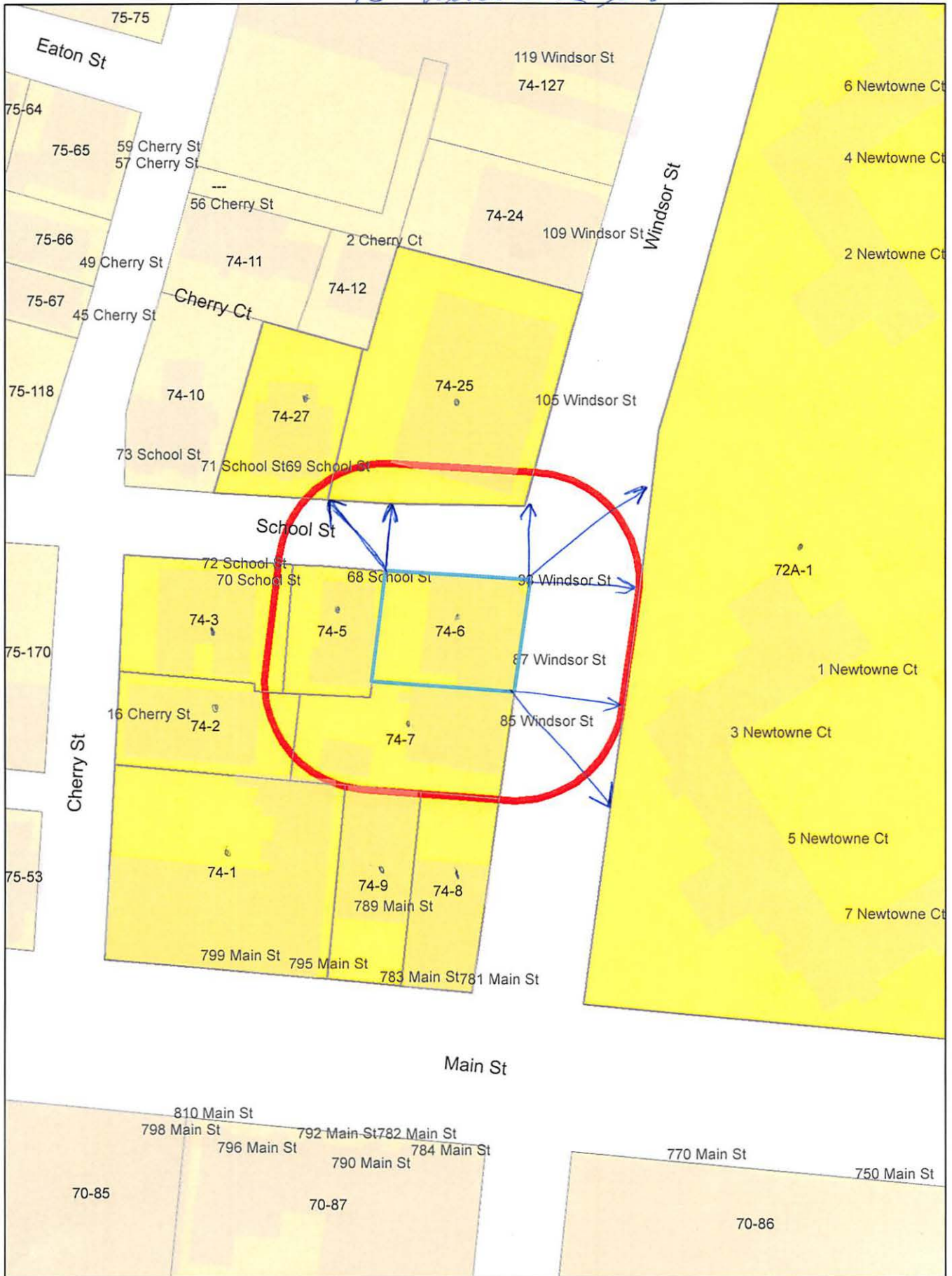
	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>2,022 sf</u>	<u>2,022 sf</u>	<u>isting/No Chan</u>	<u>(max.)</u>
<u>LOT AREA:</u>	<u>3043 sf</u>	<u>3043 sf</u>	<u>isting/No Chan</u>	<u>(min.)</u>
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA: 2</u>	<u>.66</u>	<u>.66</u>	<u>isting/No Chan</u>	<u>(max.)</u>
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>(min.)</u>
<u>SIZE OF LOT:</u>				
<u>WIDTH</u>	<u>47'</u>	<u>47'</u>	<u>isting/No Chan</u>	<u>(min.)</u>
<u>DEPTH</u>	<u>67'</u>	<u>67'</u>	<u>isting/No Chan</u>	
<u>SETBACKS IN FEET:</u>				
<u>FRONT</u>	<u>0</u>	<u>0</u>	<u>isting/No Chan</u>	<u>(min.)</u>
<u>REAR</u>	<u>20'</u>	<u>20'</u>	<u>isting/No Chan</u>	<u>(min.)</u>
<u>LEFT SIDE</u>	<u>0</u>	<u>0</u>	<u>isting/No Chan</u>	<u>(min.)</u>
<u>RIGHT SIDE</u>	<u>0</u>	<u>0</u>	<u>isting/No Chan</u>	<u>(min.)</u>
<u>SIZE OF BLDG.:</u>				
<u>HEIGHT</u>	<u>15.75'</u>	<u>15.75'</u>	<u>isting/No Chan</u>	<u>(max.)</u>
<u>LENGTH</u>	<u>47'</u>	<u>47'</u>	<u>isting/No Chan</u>	
<u>WIDTH</u>	<u>47'</u>	<u>47'</u>	<u>isting/No Chan</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>920 sf</u>	<u>920 sf</u>	<u>isting/No Chan</u>	<u>(min.)</u>
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>0</u>	<u>isting/No Chan</u>	<u>(max.)</u>
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>isting/No Chan</u>	<u>(min./max)</u>
<u>NO. OF LOADING AREAS:</u>	<u>1</u>	<u>1</u>	<u>isting/No Chan</u>	<u>(min.)</u>
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>(min.)</u>

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.

No other occupancies or adjacent building on same lot. No change in existing brick/CMU structure.

- 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'.

93 Windsor St.



93 Windsor St.

Petitioner
RICHARD C. LYNDS, ESQ.
1216 BENNINGTON STREET
EAST BOSTON, MA 02128

74-3
NG, BILLY C., GRACE M. NG & ANNA Y. HUANG
99 HARRISON AVENUE
WAKEFIELD, MA 01880

74-6
GAUTHIER, BURT V., JOHN A. GAUTHIER &
DAVID C. GAUTHIER
20 WEDGEWOOD CT.
WALPOLE, MA 02081

74-9
CRAGWELL ALFRED & JOHN BLACKMAN HUBERT
ALLYNE TRUSTEES OF THE
CHRISTIAN MISSION
787 MAIN ST
CAMBRIDGE, MA 02139

72A-1
CAMBRIDGE HOUSING AUTHORITY
675 MASSACHUSETTS AVE
CAMBRIDGE, MA 02139

WINDSOR NINETY THREE LLC
C/O JOSEPH DONOVAN
1495 HANCOCK STREET
QUINCY, MA 02169

74-5
RUFFY, LISA A.
68 SCHOOL ST. UNIT#1
CAMBRIDGE, MA 02139

74-5
DUDA, ANDREW W. III &
CHRISTOPHER L. GRESHAM
68 SCHOOL ST. UNIT#2
CAMBRIDGE, MA 02139

74-7
CHEN, YU MING, HSUEH CHEN & YU TSAI CHEN
277 HARVARD ST
QUINCY, MA 02170

74-27
MA, WEI
71 SCHOOL ST
CAMBRIDGE, MA 02139

74-27
CHEN, KEVIN W.
69-71 SCHOOL ST., UNIT #69
CAMBRIDGE, MA 02139

74-5
RAVI, NALINI, NATHAN RAVI & ARVIND RAVI
68 SCHOOL ST., #3
CAMBRIDGE, MA 02139

74-8
SPATA REALTY, LLC
29 HIGH PLAIN STREET
SHARON, MA 02067

74-1
PAPPAS, JOHN A. &
WILLIAM B PAPPAS TRUSTEES,
95 FARWELL ST., APT E
NEWTON, MA 02460

74-25
CAMBRIDGE CITY OF RECREATION DEPT
51 INMAN ST
CAMBRIDGE, MA 02139

74-2
UNION BAPTIST CHURCH
874 MAIN ST.
CAMBRIDGE, MA 02139

74-25
CITY OF CAMBRIDGE
C/O RICHARD ROSSI,
CITY MANAGER

74-25
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR



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



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 93 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 demo permit anticipated. And no CHC review of use. --SLB**
- 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 September 15, 2016

Received by Uploaded to Energov

Date September 15, 2016

Relationship to project BZA 11301-2016

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

BREW ON WINDSOR

93 WINDSOR STREET, CAMBRIDGE, MA

MG2

CHANGE OF USE SUBMISSION

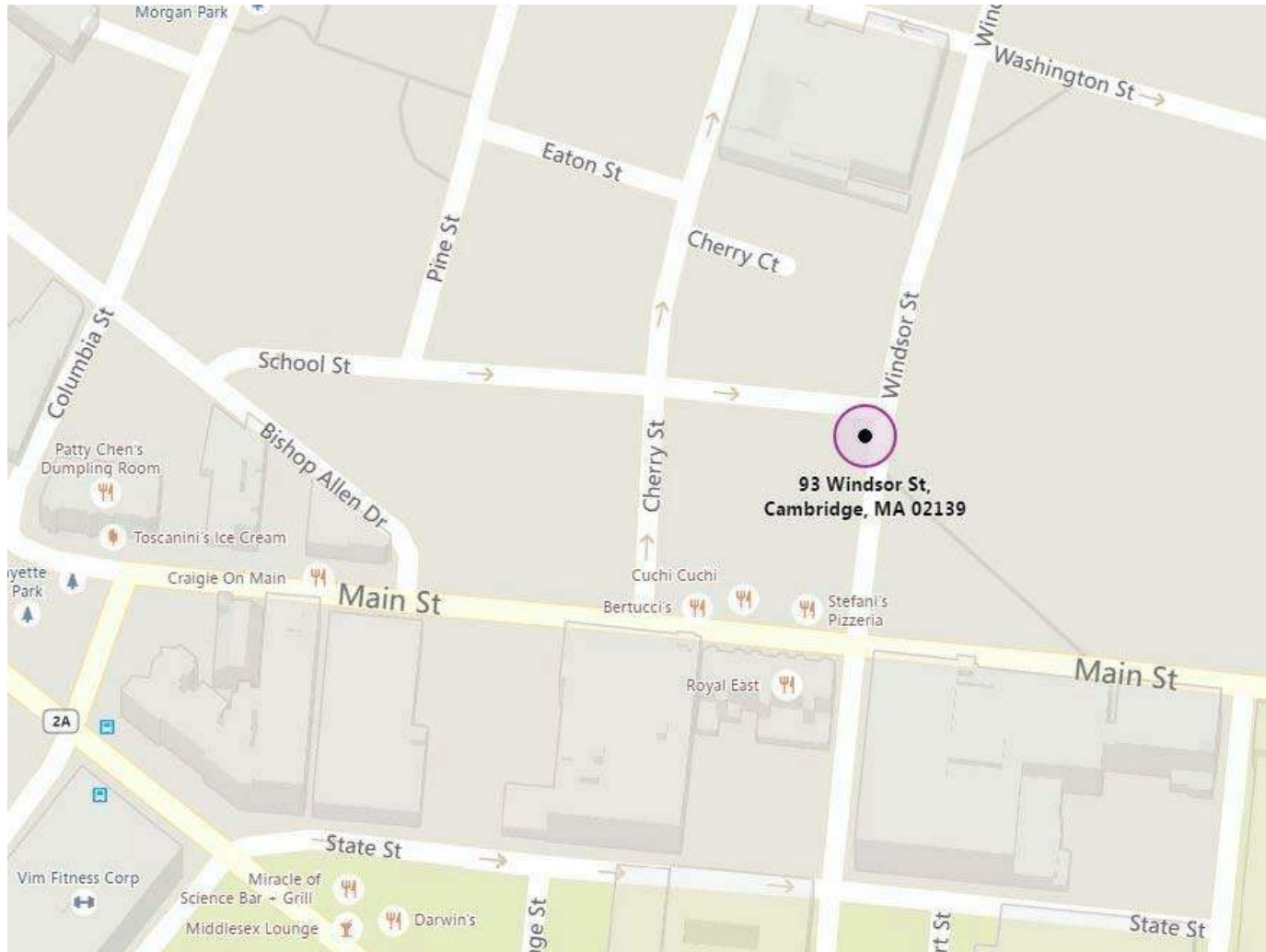
JULY 27, 2016



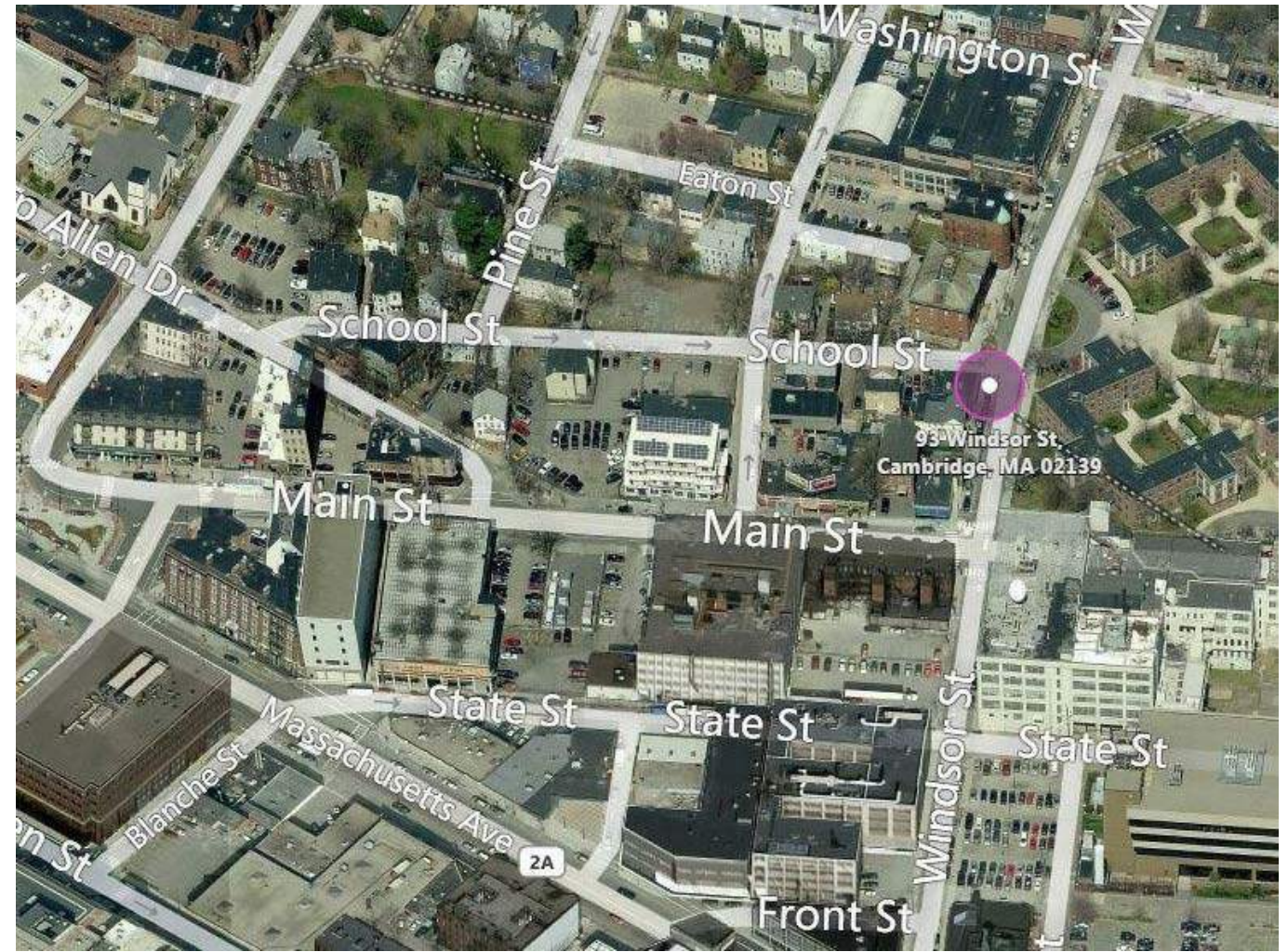
SHEET LIST

- COVER
- 1 SITE LOCATION
- 2 EXISTING CONDITIONS PHOTOS
- 3 EXISTING CONDITIONS PHOTOS
- 4 EXISTING WINDSOR STREET ELEVATIONS
- 5 EXISTING SCHOOL STREET ELEVATION
- 6 PROPOSED BASEMENT PLAN
- 7 PROPOSED GROUND FLOOR PLAN
- 8 PROPOSED WINDSOR STREET ELEVATIONS
- 9 PROPOSED SCHOOL STREET ELEVATION

EMBARC STUDIO
ARCHITECTURE + DESIGN



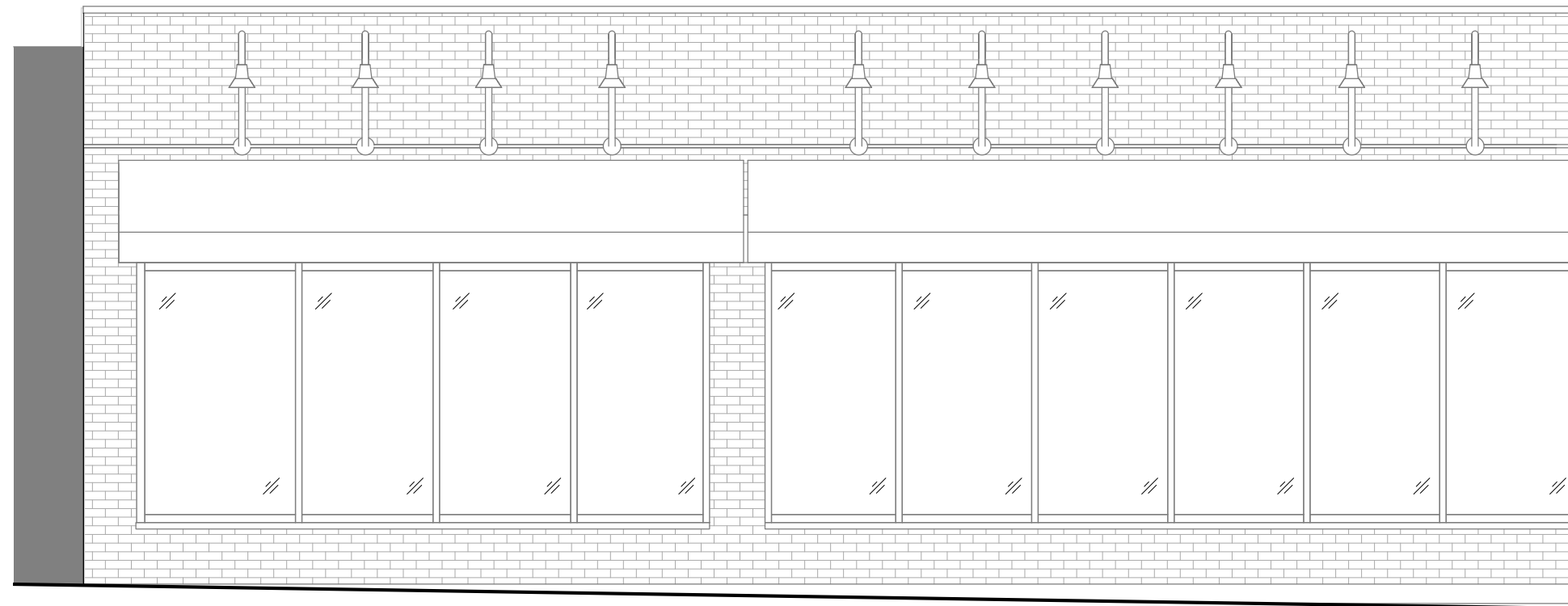
AERIAL MAP



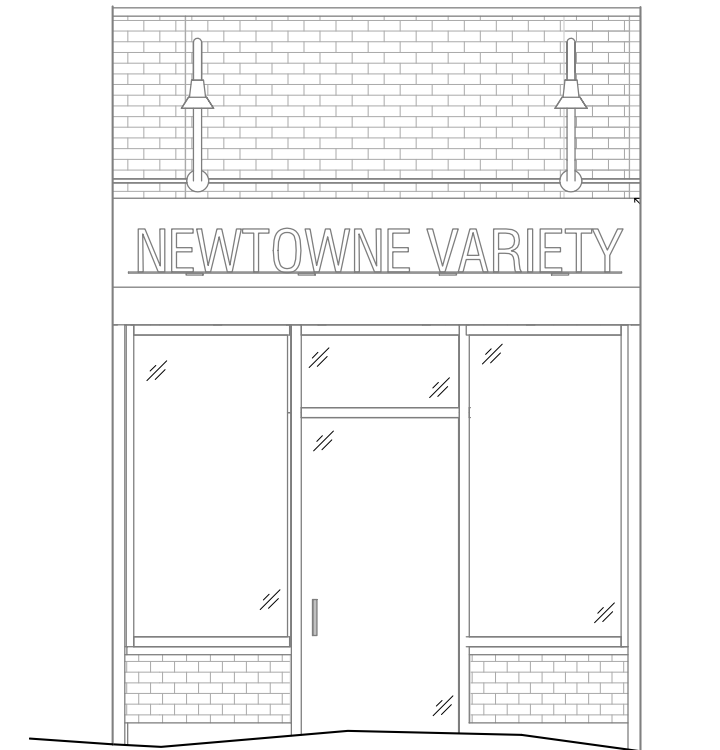
BIRD'S EYE



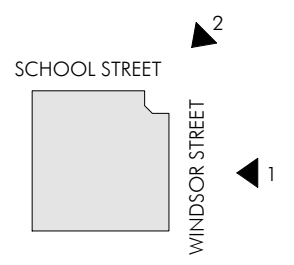


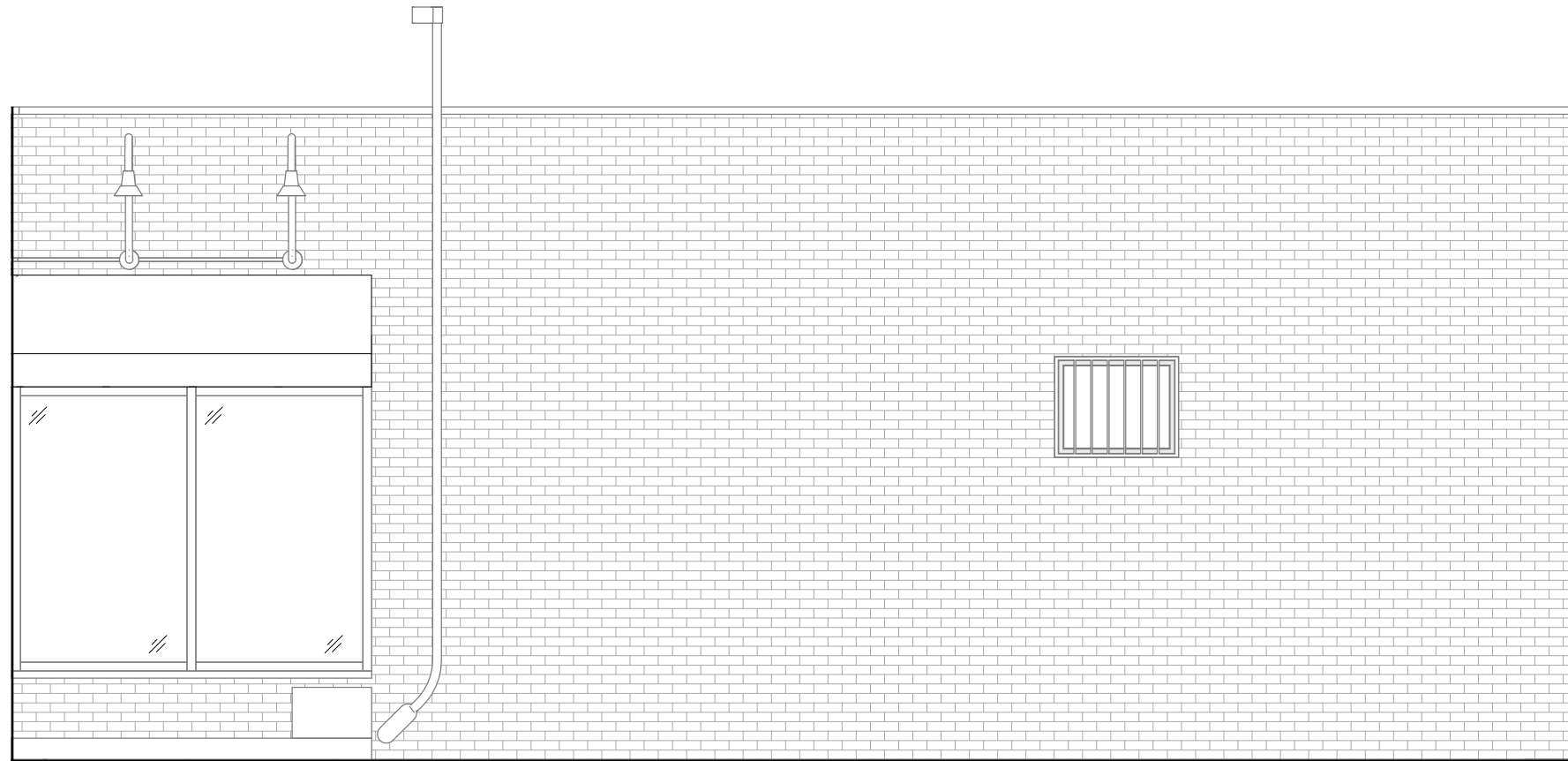


1 EXISTING WINDSOR STREET ELEVATION (EAST)
1/4" = 1'-0"

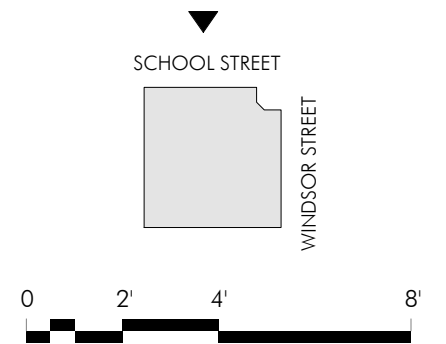


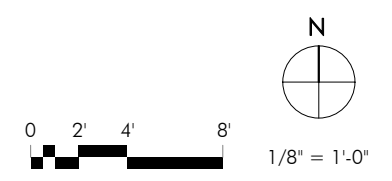
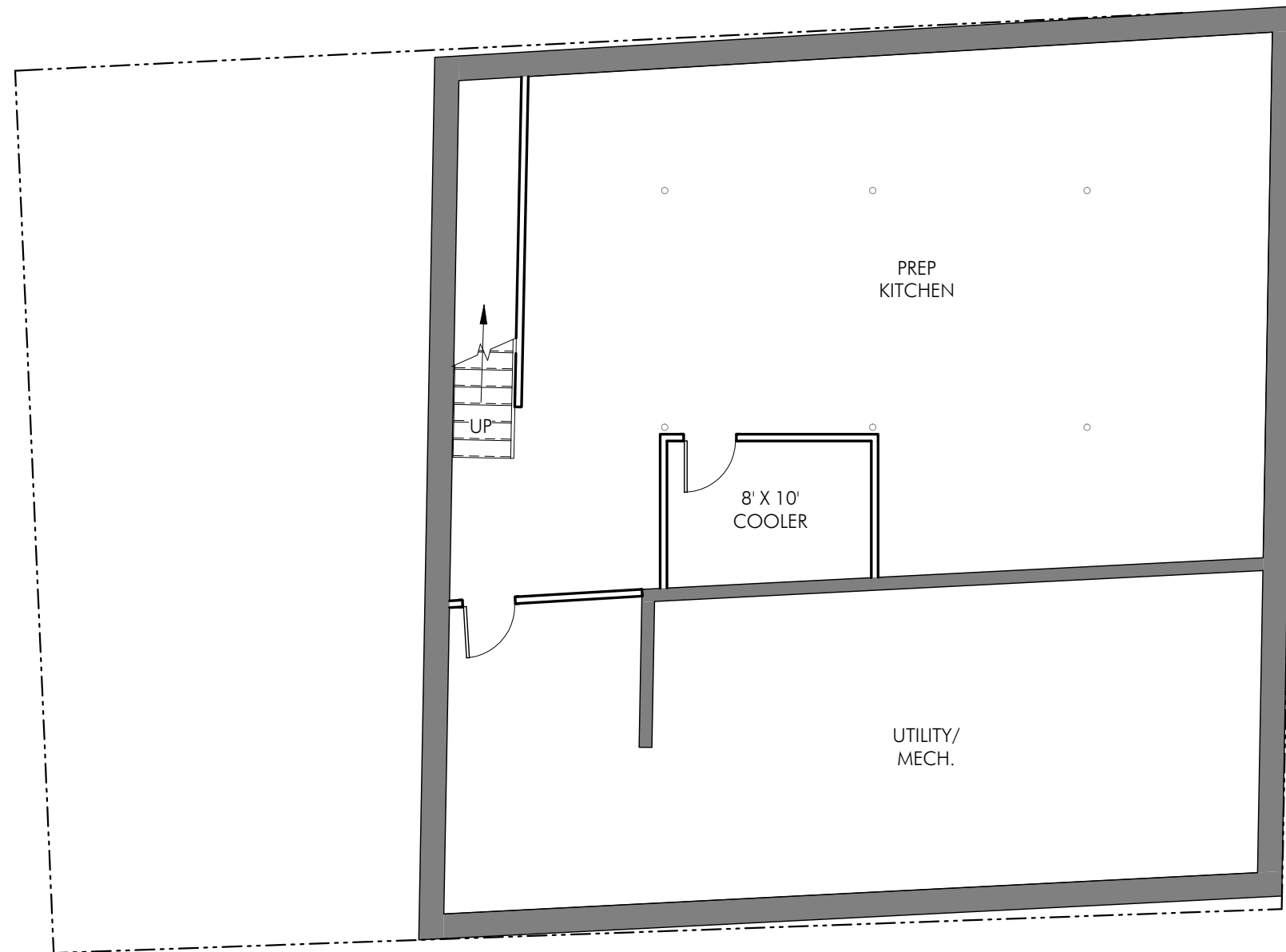
2 EXISTING ENTRY ELEVATION
1/4" = 1'-0"

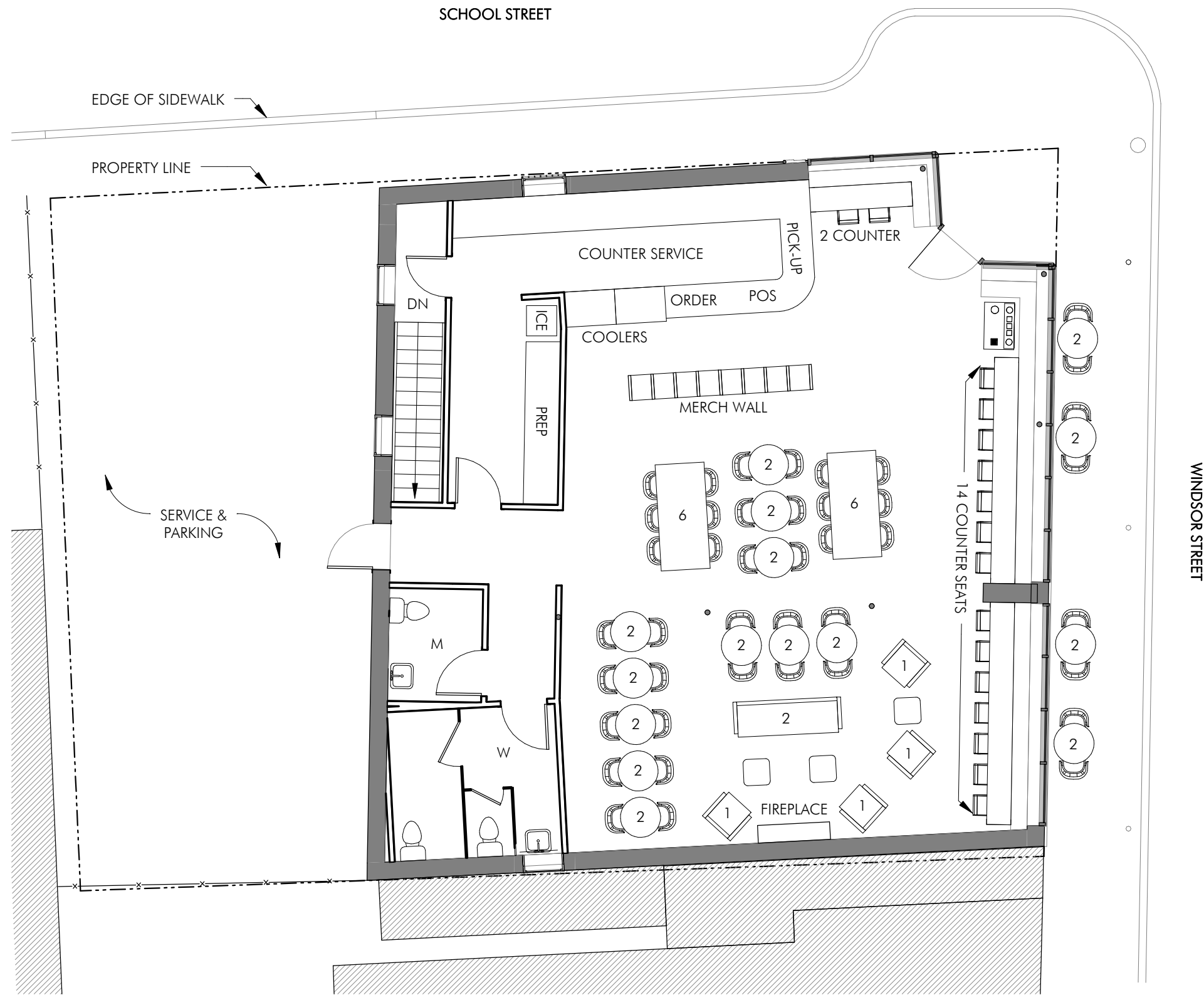




1 EXISTING SCHOOL STREET ELEVATION (NORTH)
1/4" = 1'-0"

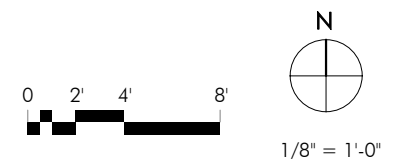


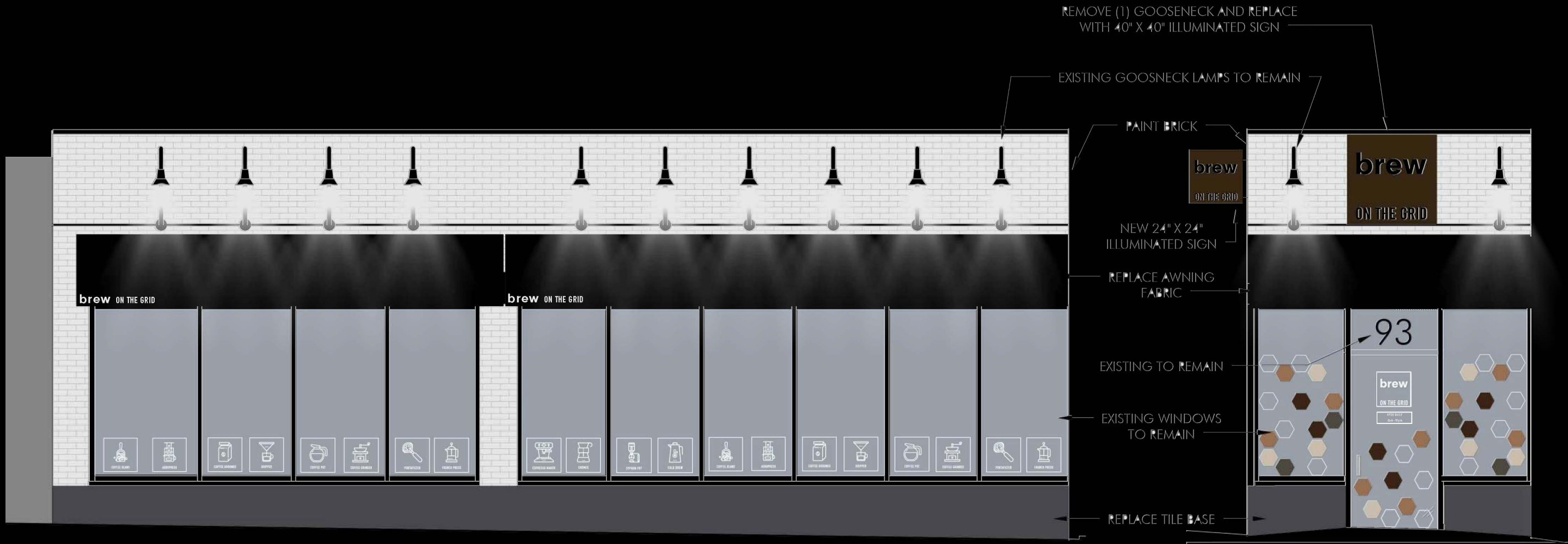




GSF: 2,022 GSF
 F.O.H.: 1,343 GSF
 B.O.H.: 679 GSF

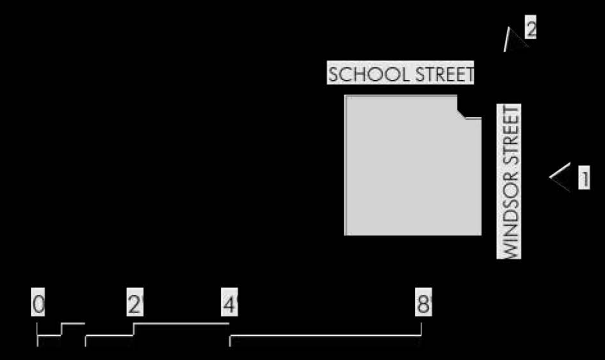
OF INDOOR SEATS: 56
 # OF OUTDOOR SEATS: 10
 # OF SEATS: 66

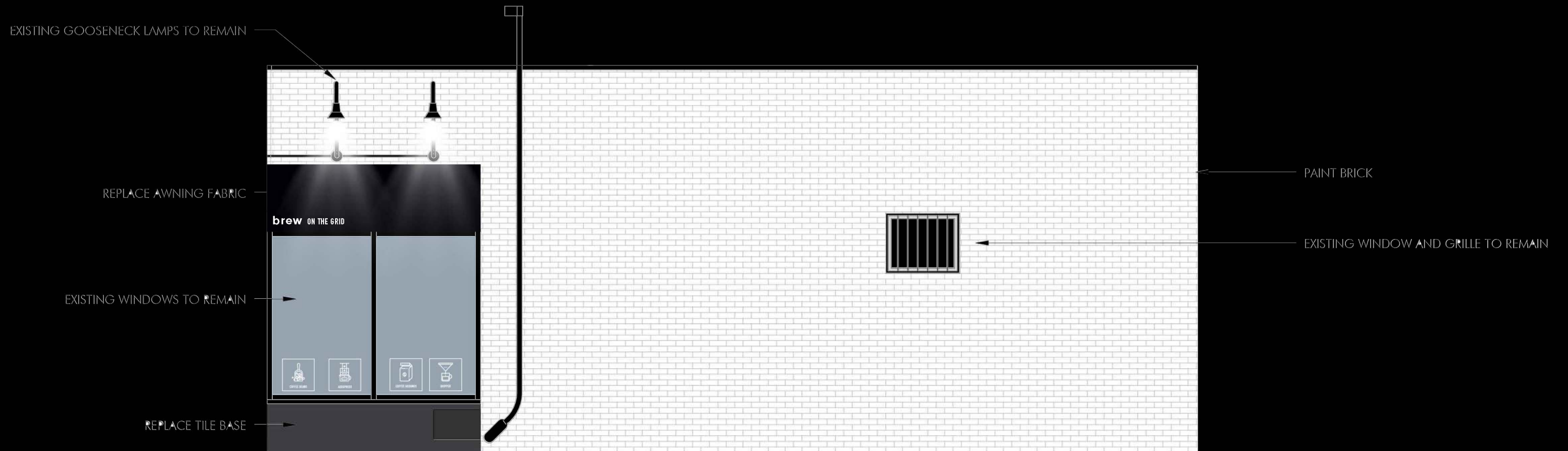




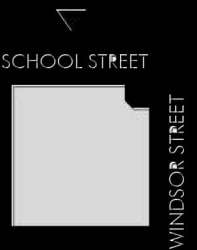
1 PROPOSED WINDSOR STREET ELEVATION (EAST)
1/4" = 1'-0"

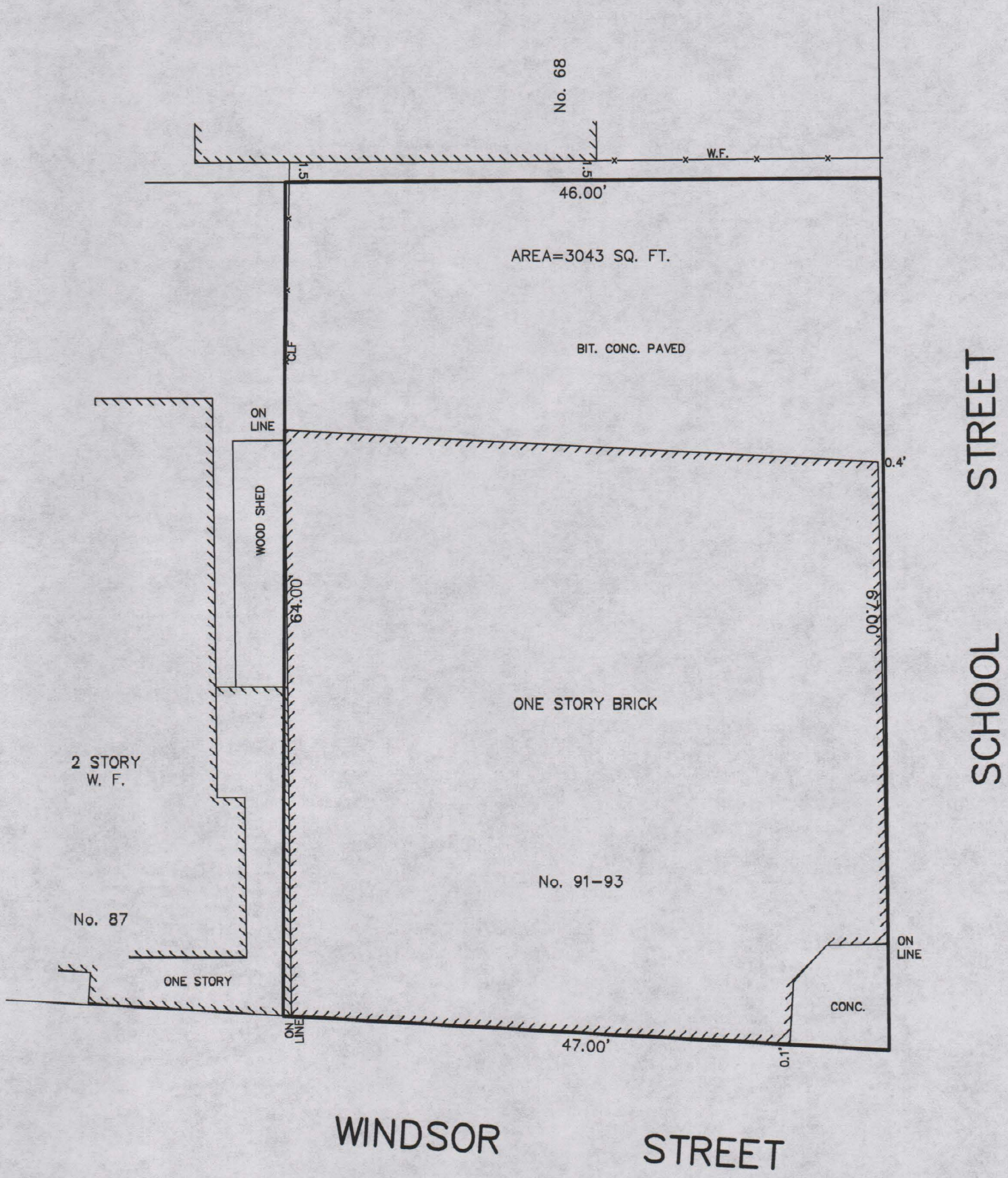
2 PROPOSED ENTRY ELEVATION
1/4" = 1'-0"





1 PROPOSED SCHOOL STREET ELEVATION (NORTH)
 1/4" = 1'-0"





Antoni Szerszunowicz



PLOT PLAN
 91-93 WINDSOR STREET
CAMBRIDGE, MASS.

SCALE : 1" = 10' MAY 4, 2016

AGH ENGINEERING

166 WATER STREET STOUGHTON, MA 02072
 PHONE: (781)344-2386

