CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 AUG -7 PM 1:22

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 281576

General Information

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

Special Permit: __X__ Variance: __X__ Appeal: _____

PETITIONER: Manuel Barros

PETITIONER'S ADDRESS: 4 Marion St, Cambridge, MA 02141

LOCATION OF PROPERTY: 723 731 Cambridge St , Cambridge, MA

TYPE OF OCCUPANCY: commercial & Residential **ZONING DISTRICT:** Business A Zone

REASON FOR PETITION:

/Additions/ /Change in Use/Occupancy/

DESCRIPTION OF PETITIONER'S PROPOSAL:

To construct a 2-story addition to an existing 3-story building with 4 floors being used as a hotel violating gross floor area and setbacks. Reduction of bike parking and loading zone.

To change from a residential use to hotel use.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
Article: 6.000 Section: 6.80 (Required Amount of Loading Facilities).
Article: 8.000 Section: 8.22.3 (Non-Conforming Structure).
Article: 4.000 Section: 4.31.i.2 (Table of Use Regulations).
Article: 10.000 Section: 10.30 (Variance). & Sec. 10.40 (Special Permit).

Original Signature(s): _____

(Petitioner (s) / Owner)

Manuel Barros

(Print Name)

Address: (617) 694-1354

Tel. No. 16176941354

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 Manuel Barros (OWNER)

Address: 4 Marion Street Cambridge, Ma.

State that I/We own the property located at 723-731 Cambridge Street which is the subject of this zoning application.

The record title of this property is in the name of Manuel Barros Realty Trust

*Pursuant to a deed of duly recorded in the date 7-12-1991, Middlesex South County Registry of Deeds at Book 21283, Page 117; or Middlesex Registry District of Land Court, Certificate No. _____ Book 21283 Page 117.

→ ***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 MANUEL BARROS personally appeared before me, this 17th of JULY, 2024, and made oath that the above statement is true.

Notary

My commission expires JANUARY 3, 2025 (Notary Seal)

Vincent J. Panico
Notary Public, Commonwealth of Massachusetts
My Commission Expires January 3, 2025

Vincent J. Panico
Notary Public, Commonwealth of Massachusetts
My Commission Expires January 3, 2025

- 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:

Cambridge redevelopment authority had power of emminent domain, and they seized land from the rear of this building requiring us to build on a smaller lot. The topography was difficult.

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:

Land was taken away by emminent domain by the Cambridge redevelopment authority

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

1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

Building would bring foot traffic to the business in the area, and create higher value for adjacent buildings.

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

The proposed building and use aligns with the characterics of a busy thoroughfare, and does degrade from adjacent parcels

***If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an 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 723 Cambridge 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:

Project will meet with what is feasibly possible

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:

St is already congested and busy. It would not bring additional traffic

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:

Adjacent properties would not be impacted by the proposed building

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 proposed building would maintain the existing structure that has been there since 1987

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 building would not impact the quiet enjoyment of the neighborhood

***If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.**

E-Mail Address: mannybarros@aol.com

Date: _____

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Manuel Barros
Location: 723 Cambridge St , Cambridge, MA
Phone: 16176941354

Present Use/Occupancy: commercial & Residential
Zone: Business A Zone
Requested Use/Occupancy: Commercial & Hotel

		Existing Conditions		Requested Conditions		Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		10,960		20,717		2,351	(max.)
LOT AREA:		4123		4123		na	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: [2]		2.63		5.02		1/1.75 (.57)	
LOT AREA OF EACH DWELLING UNIT		na		na		na	
SIZE OF LOT:	WIDTH	62		62		na	
	DEPTH	59		59		na	
SETBACKS IN FEET:	FRONT	0		0		0	
	REAR	0		0		19	
	LEFT SIDE	0		0		0	
	RIGHT SIDE	0		0		0	
SIZE OF BUILDING:	HEIGHT	33		67		45	
	WIDTH	62		62		na	
	LENGTH	59		59		na	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		0		0		na	
NO. OF DWELLING UNITS:		8		0		na	
NO. OF PARKING SPACES:		0		0		0	
NO. OF LOADING AREAS:		0		0		1	
DISTANCE TO NEAREST BLDG. ON SAME LOT		0		0		na	

Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g; wood frame, concrete, brick, steel, etc.:

brick buildings adjacent

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'.

CLIENT
Manuel Barros

ARCHITECT
Tim Houde

ZONING SUMMARY
725-731 CAMBRIDGE ST

8.28.24

Article 3.02	ZONING DISTRICT		EXISTING	PROPOSED	REQUIRED	COMPLIANT	NOTE
	725 CAMBRIDGE		BA	BA	BA	YES	
	731 CAMBRIDGE		BA	BA	BA	YES	

Article 4.30	USE REGULATIONS		EXISTING	PROPOSED	REQUIRED	COMPLIANT	NOTE
4.3	725 CAMBRIDGE		RESTAURANT	RESTAURANT	-	YES	
			RESIDENTIAL	HOTEL		NO	REQUIRES SPECIAL PERMIT
4.3	731 CAMBRIDGE		RESTAURANT	RESTAURANT	-	YES	
			RESIDENTIAL	HOTEL		NO	REQUIRES SPECIAL PERMIT
5.25.1	GFA (GROSS FLOOR AREA)	BASEMENT (HOTEL/ REST)	2700	2700			HOTEL: 1,350 SF RESTAURANT: 1,350 SF
		FIRST FLOOR (HOTEL/ REST)	3707	3707			HOTEL: 1,307 SF RESTAURANT: 2240 SF
		SECOND FLOOR (HOTEL)	3507	3707			
		THIRD FLOOR (HOTEL)	3507	3707			
		FOURTH FLOOR (HOTEL)	-	3707			
		FIFTH FLOOR (HOTEL)	-	3707			
		ROOF (HOTEL)	-	1337			
		ROOF (DECK)	-	844			
		TOTAL	13421	23416			HOTEL TOTAL: 19,666 SF RESTAURANT TOTAL: 3,750 SF

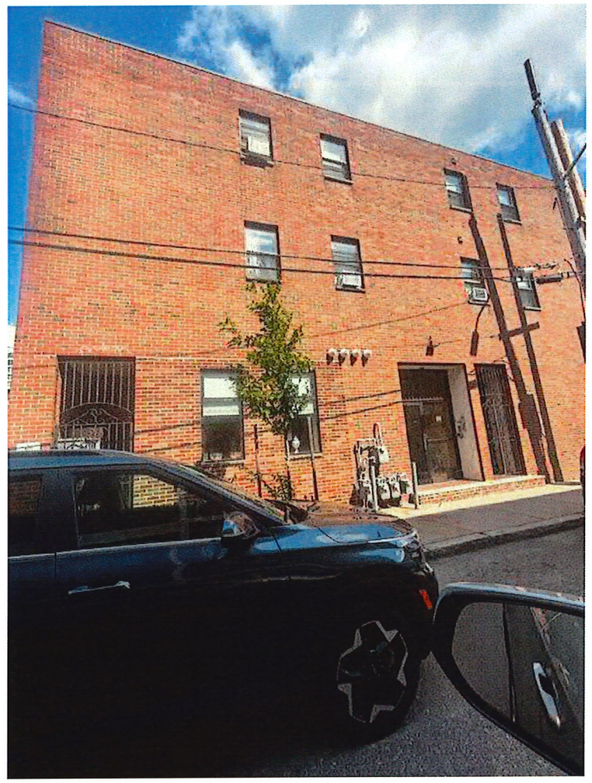
TABLE 5-3	DIMENSIONAL REQUIREMENTS		EXISTING	PROPOSED	REQUIRED	COMPLIANT	NOTE
	(BA) MAX FAR/LOT AREA		COMBINED	COMBINED	COMBINED		
		1.0/1.75	3.26	5.68	0.57	NO	REQUIRES SPECIAL PERMIT
	(BA) MIN LOT SIZE (SQ FT) - 725 Cambridge	NONE	1,468	1,468	NONE	YES	
	(BA) MIN LOT SIZE (SQ FT) - 731 Cambridge	NONE	2655	2655	NONE	YES	
	TOTAL COMBINED		4,123	4,123	NONE	YES	
	(BA) MIN. LOT WIDTH (FT)	NONE	NONE	NONE	NONE	YES	
	(BA) MIN. YARD -FRONT (FT)	NONE	NONE	NONE	NONE	YES	
	(BA) MIN. YARD -SIDE (FT)	NONE	NONE	NONE	NONE	YES	
	(BA) MIN. YARD -REAR (FT) - 20 FT MIN		NONE	NONE	NONE	EXISTING/NON-CONFORMING	REAR LOT AREA TAKEN BY EMMINENT DOMAIN, MARCH 1980
	(BA) MAX HEIGHT (FT)	34/45	33	79'-10"	65	NO	REQUIRES SPECIAL PERMIT
		TO 65					

6.36	OFF STREET PARKING AND LOADING		EXISTING	PROPOSED	REQUIRED	COMPLIANT	NOTE
	PARKING NOT CURRENTLY PROVIDED						
	MAX OFF ST PARKING - RESTAURANT	1/200SF	0	0	0	YES	
	MAX OFF ST PARKING - HOTEL	NO MAX	0	0	0	YES	

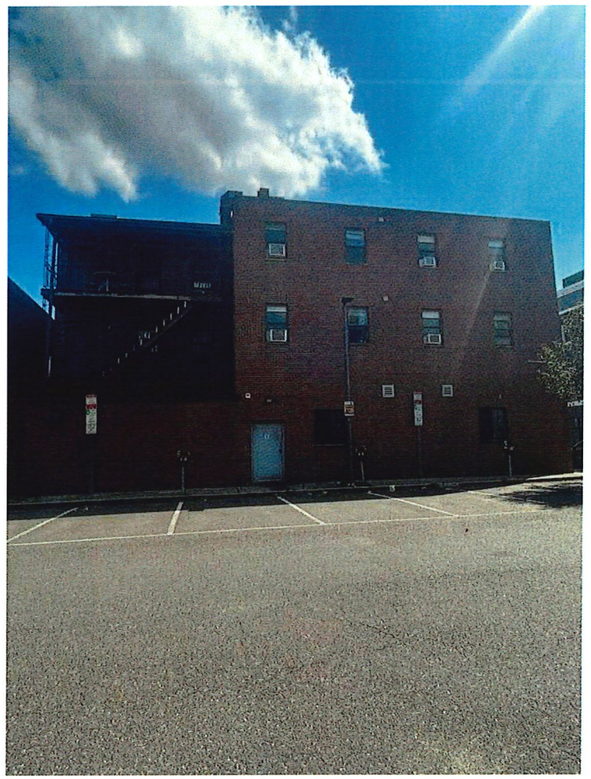
6.107.2	LOADING		EXISTING	PROPOSED	REQUIRED	COMPLIANT	NOTE
	LOADING NOT CURRENTLY PROVIDED						
	LOADING FACILITY CATEGOTY - RESTAURANT - (C)	1/ FIRST 10,000 SF	0	0	1	NO	REAR LOT AREA TAKEN BY EMMINENT DOMAIN, MARCH 1980
		1 FOR ADDITIONAL 25,000 SF	0	0	0	YES	
		1 FOR ADDITIONAL 40,000 SF	0	0	0	YES	
	LOADING FACILITY CATEGOTY - HOTEL - (E)	1/ FIRST 10,000 SF		0	1	NO	REAR LOT AREA TAKEN BY EMMINENT DOMAIN, MARCH 1980
		1 FOR ADDITIONAL 100,000 SF					
		1 FOR ADDITIONAL 100,000 SF					

6.1	BIKE PARKING		EXISTING	PROPOSED	REQUIRED	COMPLIANT	NOTE
	BIKE PARKING NOT CURRENTLY PROVIDED						
6.107.2	LONG TERM BIKE PARKING - RESTAURANT - (N3)	.2/ 1000 SF	0	0	9	NO	REAR LOT AREA TAKEN BY EMMINENT DOMAIN, MARCH 1980
	LONG TERM BIKE PARKING - HOTEL - (R5)	.2/ ROOM	0	0	9	NO	REAR LOT AREA TAKEN BY EMMINENT DOMAIN, MARCH 1980
6.107.3	SHORT TERM BIKE PARKING - RESTAURANT - (N1)	.2/1,000 SF	0	0		NO	REAR LOT AREA TAKEN BY EMMINENT DOMAIN, MARCH 1980
	SHORT TERM BIKE PARKING - HOTEL - (R5)	.05/ ROOM	0	0	3	NO	REAR LOT AREA TAKEN BY EMMINENT DOMAIN, MARCH 1980

2024-08-26



MARION ST ELEVATION



PARKING LOT ELEVATION



CAMBRIDGE ST ELEVATION



VIEW DOWN CAMBRIDGE ST



AERIAL VIEW

725-731 CAMBRIDGE ST

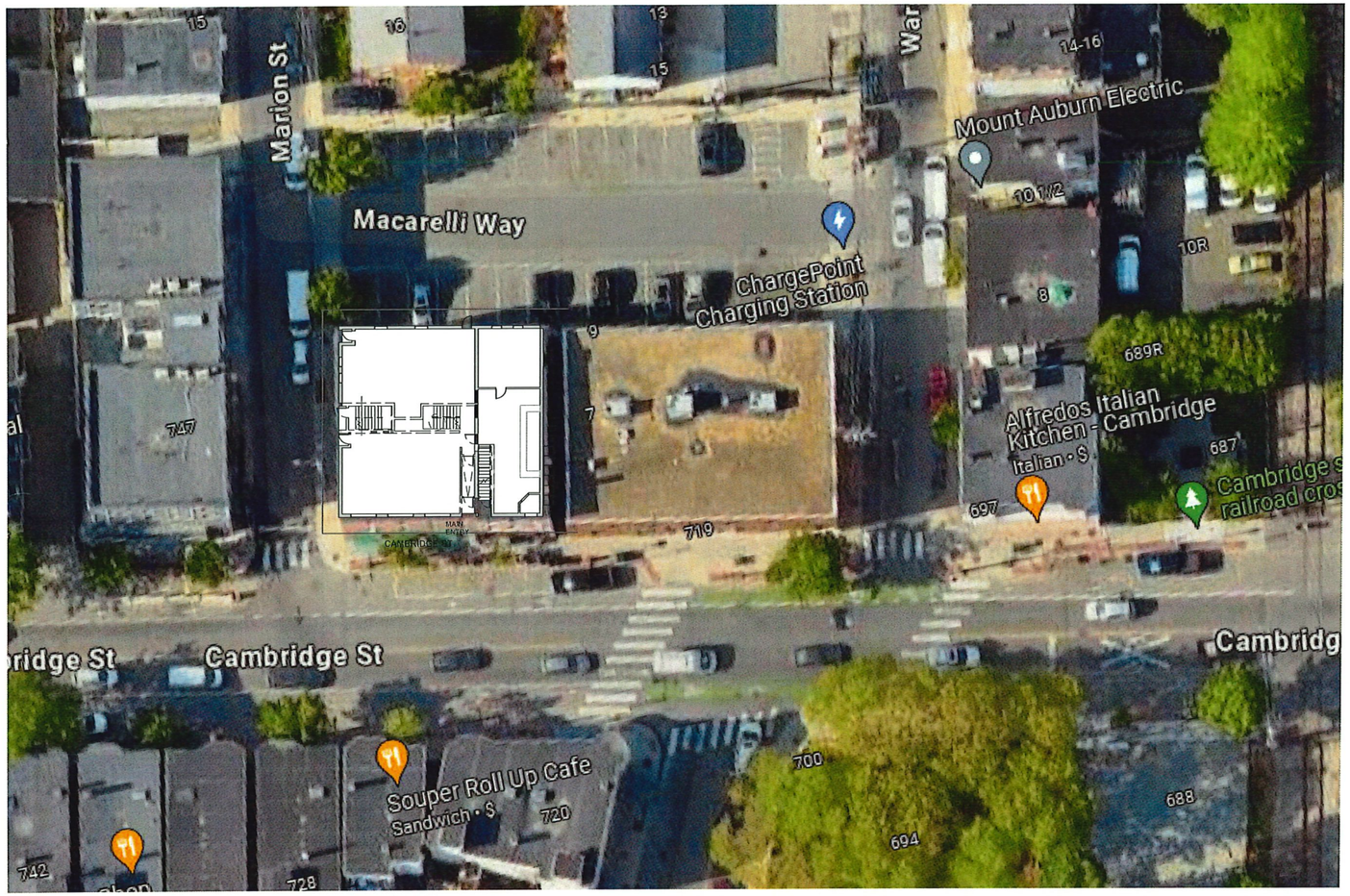
OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

SITE

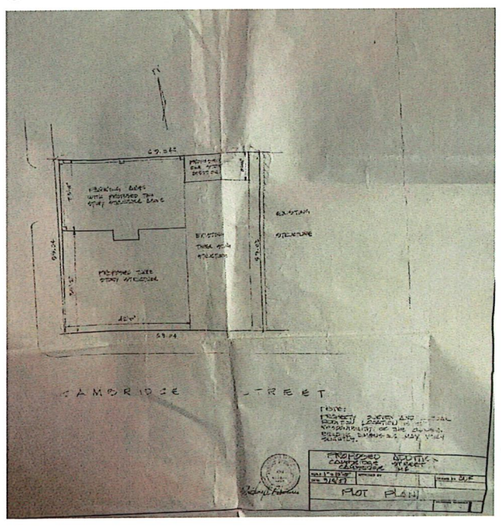
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	2024.01	2024-08-26

A001

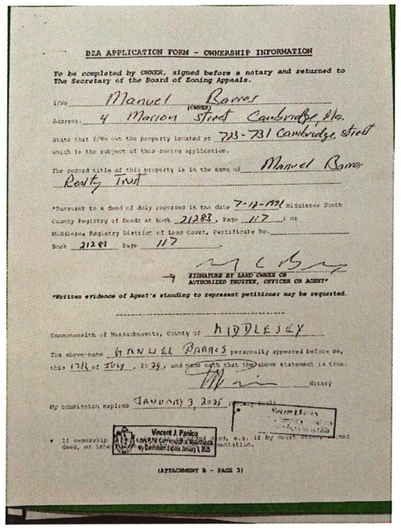
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1 AERIAL IMAGE
1/16" = 1'-0"



PLOT PLAN



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Address: 4 Marion Street Cambridge, Ma.

State that I/We own the property located at 723-731 Cambridge Street which is the subject of this zoning application.

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*Pursuant to a deed of duly recorded in the date 7-11-11 Middlesex South County Registry of Deeds at book 21288, Page 117; or Middlesex Registry District of Land Court, Certificate No. Book 21288 Page 117

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 MANUEL BARROS personally appeared before me, this 13th of July, 2025, and made oath that the above statement is true.

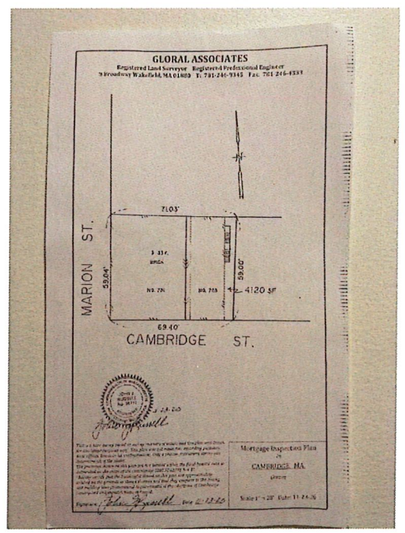
Notary

My commission expires January 3 2025

Vincent J. Panko
Notary Public
Commonwealth of Massachusetts
My Commission Expires January 3, 2025

(ATTACHMENT B - PAGE 3)

OWNERSHIP INFORMATION



SURVEY

725-731 CAMBRIDGE ST

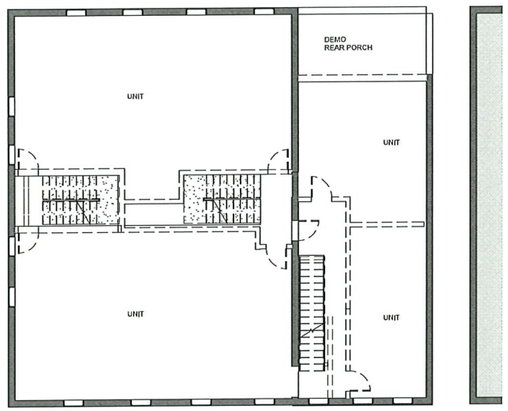
OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

SITE

SCALE	PROJECT #	DATE ISSUED
1/16" = 1'-0"	2024.01	2024-08-26

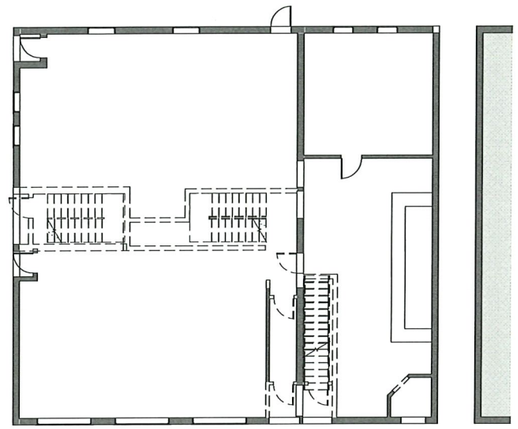
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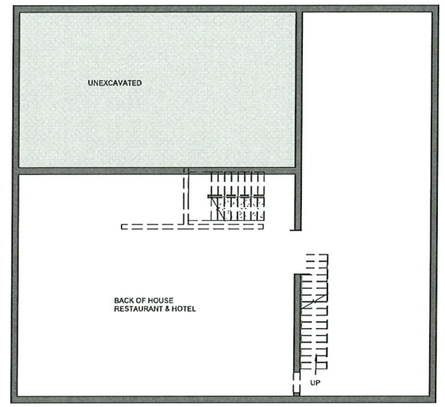
GFA: 3,507 SF

2D LEVEL 2 - DEMOLITION PLAN
1/8" = 1'-0"



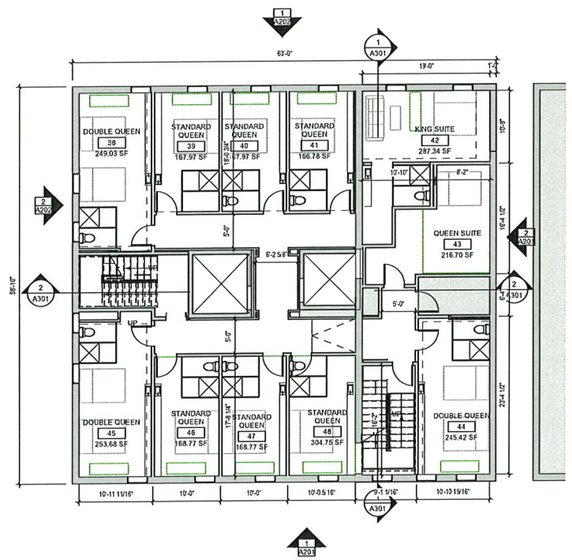
GFA: 3,707 SF

1D LEVEL 1 DEMOLITION PLAN
1/8" = 1'-0"



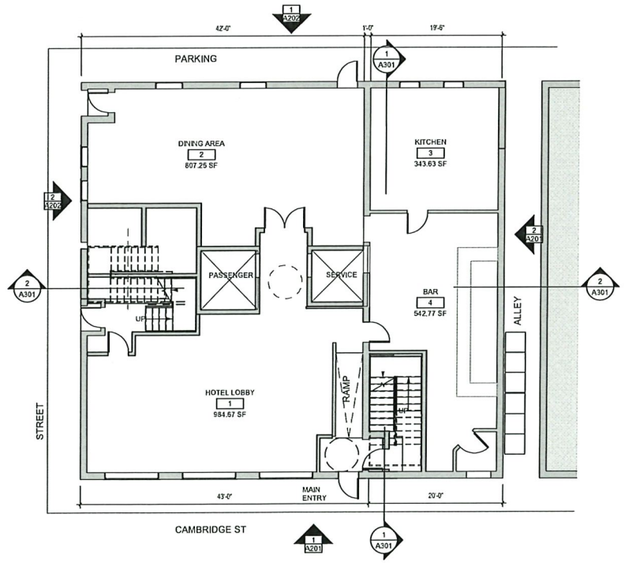
GFA: 2,700 SF

BD BASEMENT - DEMOLITION PLAN
1/8" = 1'-0"



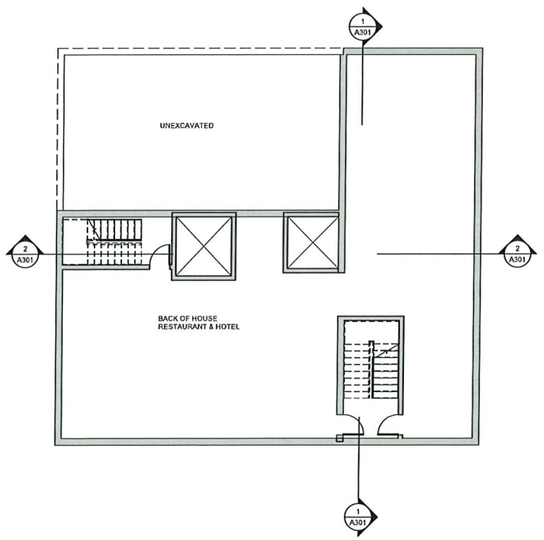
GFA: 2,700 SF

2 LEVEL 2 - PROPOSED
1/8" = 1'-0"



GFA: 3,707 SF

1 LEVEL 1 - PROPOSED
1/8" = 1'-0"



GFA: 2,700 SF

B BASEMENT - PROPOSED
1/8" = 1'-0"

725-731 CAMBRIDGE ST

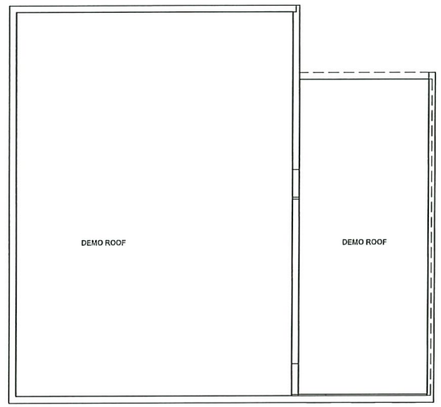
OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

BASEMENT, 1ST, 2ND FLOOR PLANS

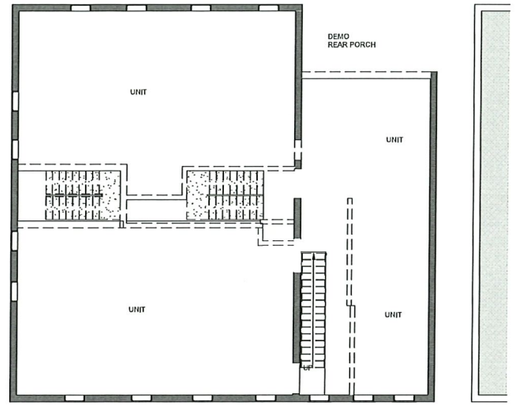
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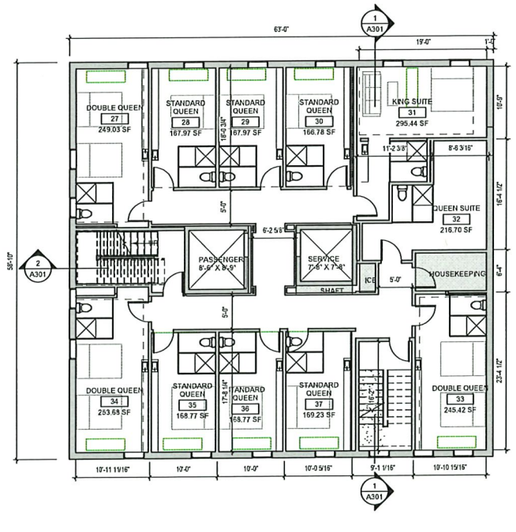


4D ROOF - DEMOLITION PLAN
1/8" = 1'-0"



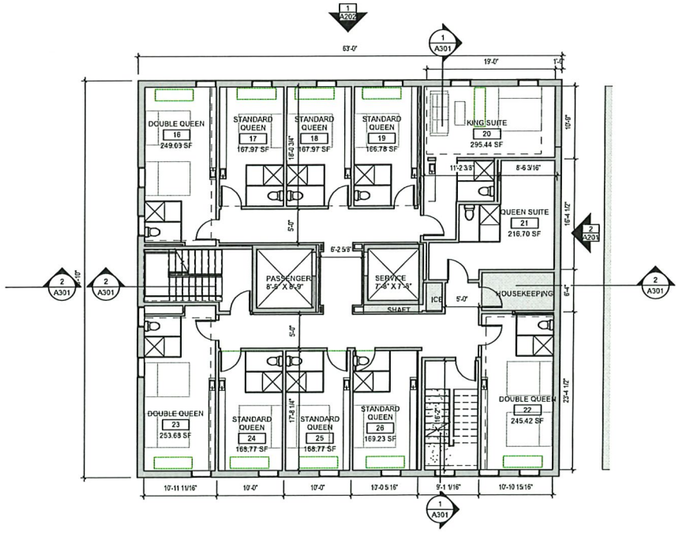
3D LEVEL 3 - DEMOLITION PLAN
1/8" = 1'-0"

GFA: 3,507 SF



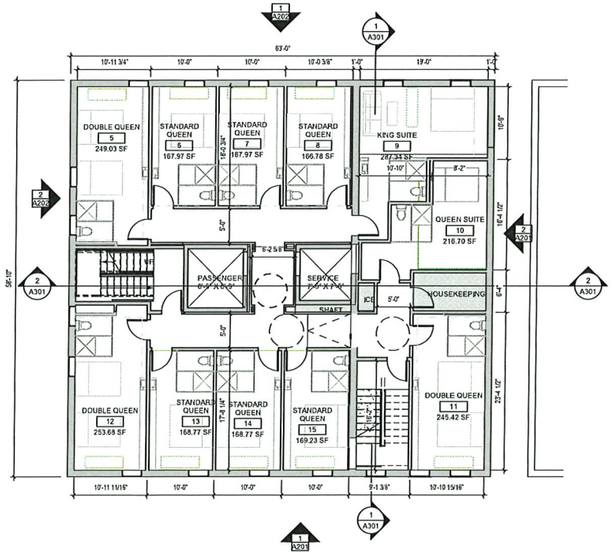
5 LEVEL 5 - PROPOSED
1/8" = 1'-0"

GFA: 3,707 SF



4 LEVEL 4 - PROPOSED
1/8" = 1'-0"

GFA: 3,707 SF



3 LEVEL 3 - PROPOSED
1/8" = 1'-0"

GFA: 3,707 SF

725-731 CAMBRIDGE ST

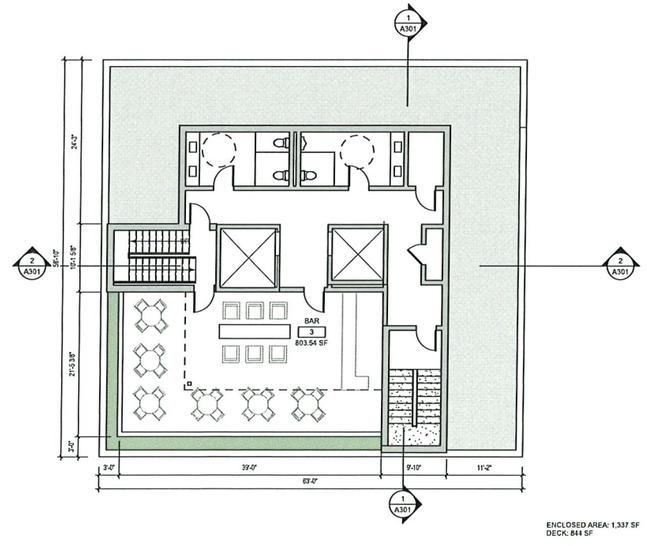
OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

3RD, 4TH, 5TH FLOOR PLANS

SCALE	PROJECT #	DATE ISSUED
1/8" = 1'-0"	2024.01	2024-08-26

A102

4/5/2024 4:13:23 PM



ENCLOSED AREA: 1,337 SF
DECK: 844 SF

TOTAL: 3,598 SF

1 ROOF - PROPOSED
1/8" = 1'-0"

725-731 CAMBRIDGE ST

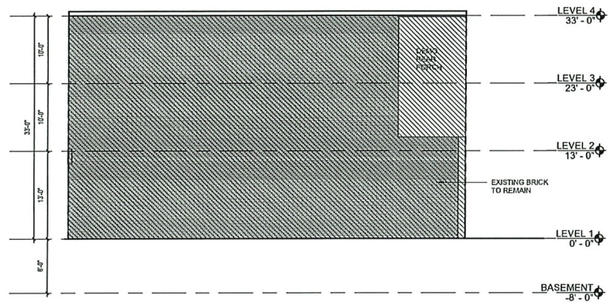
OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

ROOF PROPOSED

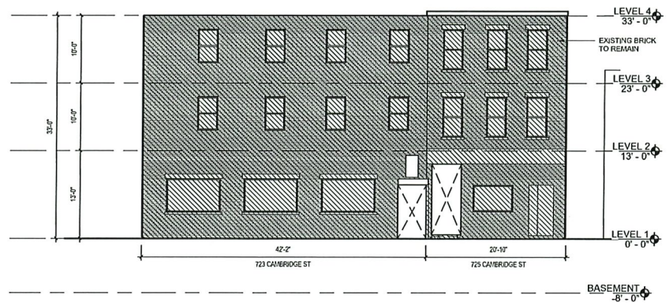
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A103

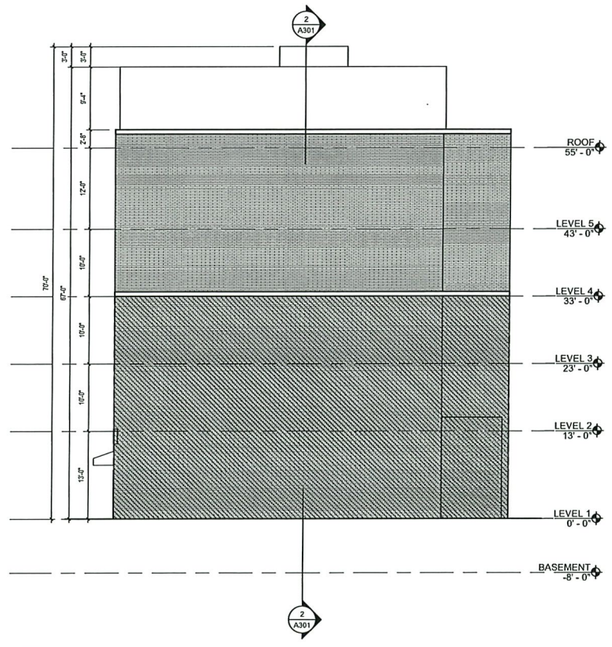
ALL DESIGNS AND PLANS ARE THE PROPERTY OF TIM HOUDE



4 EAST ELEVATION - DEMOLITION
1/8" = 1'-0"



3 SOUTH ELEVATION - DEMOLITION
1/8" = 1'-0"



2 EAST ELEVATION - PROPOSED
1/8" = 1'-0"



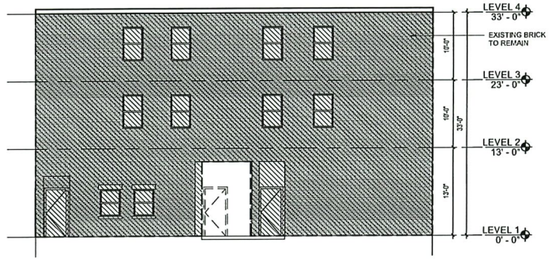
1 SOUTH ELEVATION - PROPOSED
1/8" = 1'-0"

OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

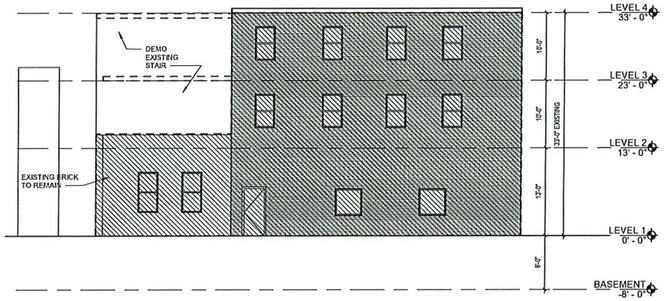
BUILDING ELEVATIONS

SCALE	PROJECT #	DATE ISSUED
1/8" = 1'-0"	2024.01	2024-08-26

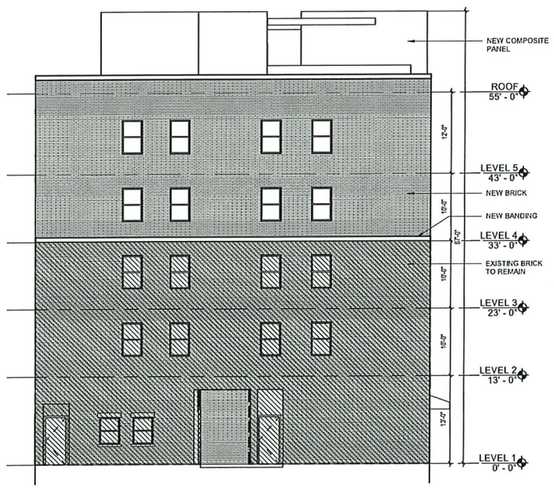
A201



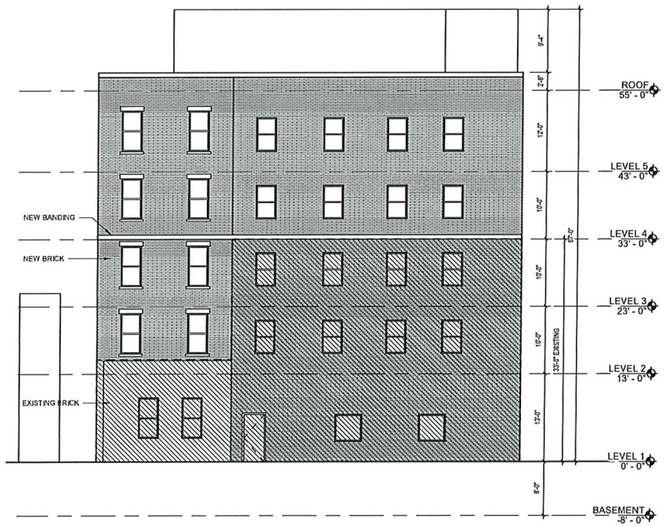
4 WEST ELEVATION - DEMOLITION
1/8" = 1'-0"



3 NORTH ELEVATION - DEMOLITION
1/8" = 1'-0"



2 WEST ELEVATION - PROPOSED
1/8" = 1'-0"



1 NORTH ELEVATION - PROPOSED
1/8" = 1'-0"

725-731 CAMBRIDGE ST

OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

BUILDING ELEVATIONS

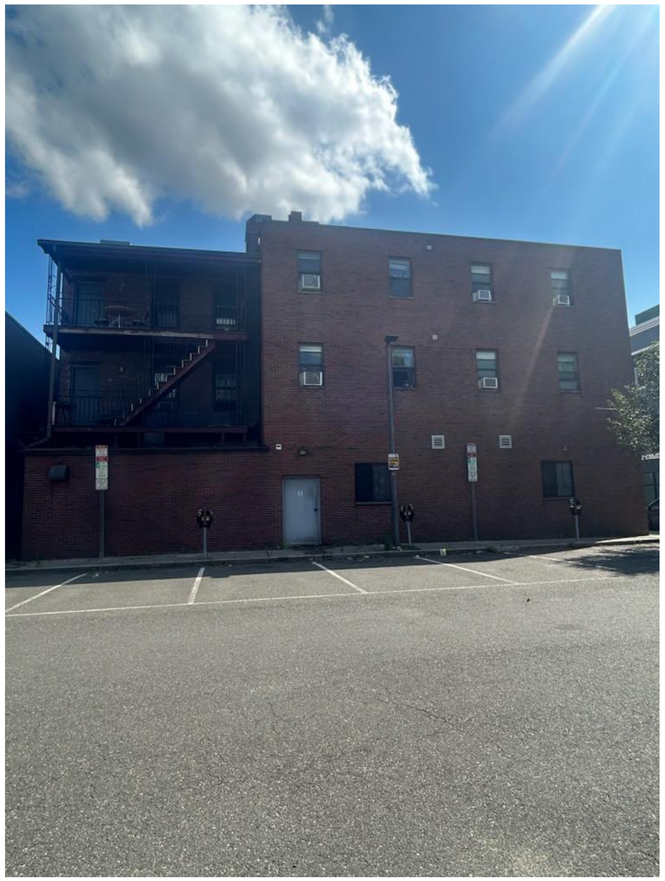
SCALE	PROJECT #	DATE ISSUED
1/8" = 1'-0"	2024.01	2024-08-26

A202

PLOTTED: 8/26/2024 4:13:14 PM



MARION ST ELEVATION



PARKING LOT ELEVATION



CAMBRIDGE ST ELEVATION



VIEW DOWN CAMBRIDGE ST



AERIAL VIEW

725-731 CAMBRIDGE ST

SITE

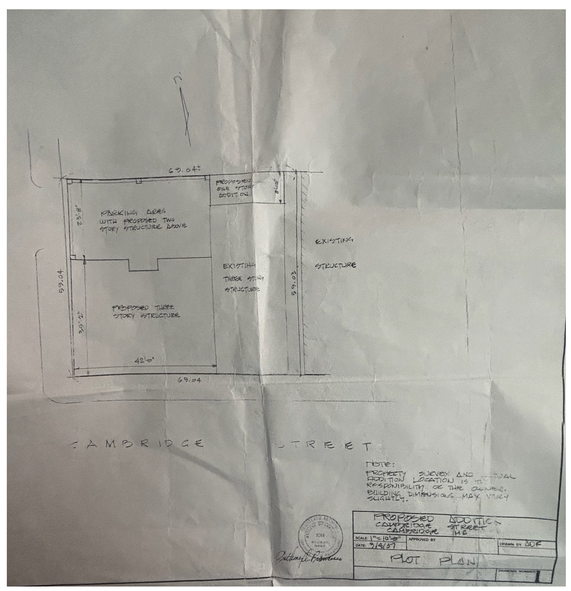
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	2024.01	2024-07-26

A001

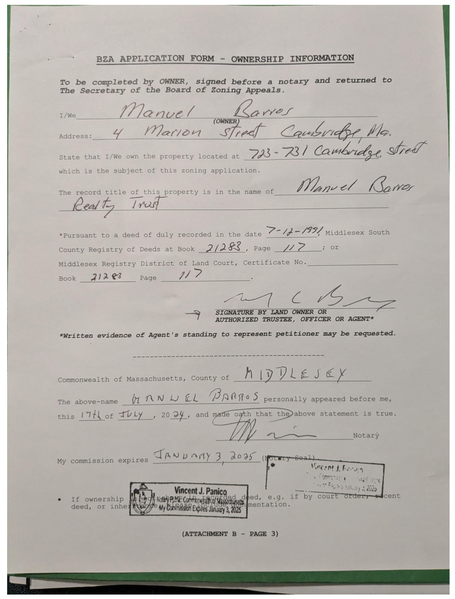
7/26/2024 8:42:47 AM



1 AERIAL IMAGE
1/16" = 1'-0"



PLOT PLAN



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 Manuel Barros [OWNER]

Address: 4 Marion Street Cambridge, Ma.

State that I/We own the property located at 723-731 Cambridge Street which is the subject of this zoning application.

The record title of this property is in the name of Manuel Barros Realty Trust

*Pursuant to a deed of duly recorded in the date 7-12-1991 Middlesex South County Registry of Deeds at Book 21283, Page 117 ; or Middlesex Registry District of Land Court, Certificate No. Book 21283 Page 117.

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 MANUEL BARROS personally appeared before me, this 17th of July, 2024, and made oath that the above statement is true.

Notary

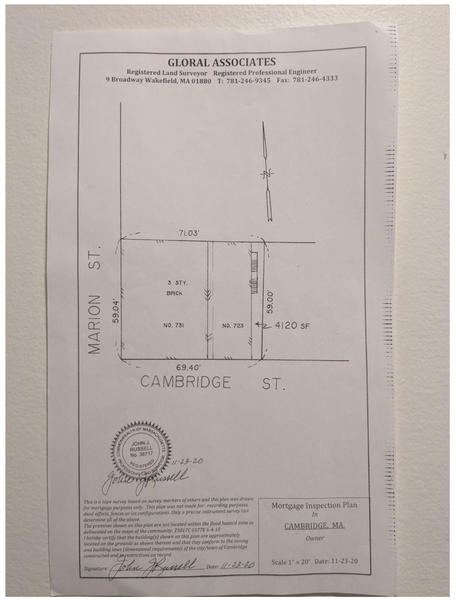
My commission expires JANUARY 3 2025 (Notarial seal)

Vincent J. Panico Notary Public Commonwealth of Massachusetts My Commission Expires January 3, 2025

- If ownership is held in a trust, corporation or partnership, so indicate and submit appropriate documentation.

(ATTACHMENT B - PAGE 3)

OWNERSHIP INFORMATION



SURVEY

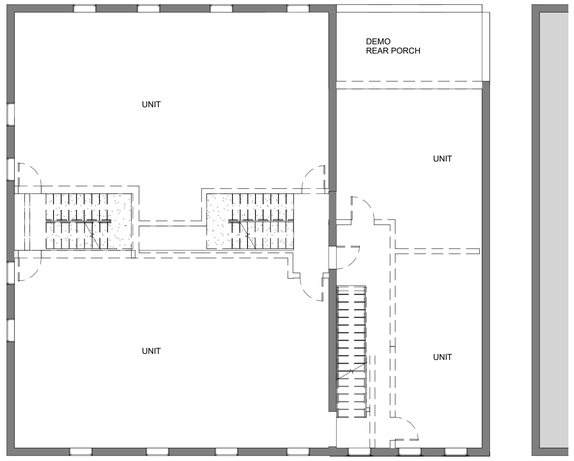
725-731 CAMBRIDGE ST

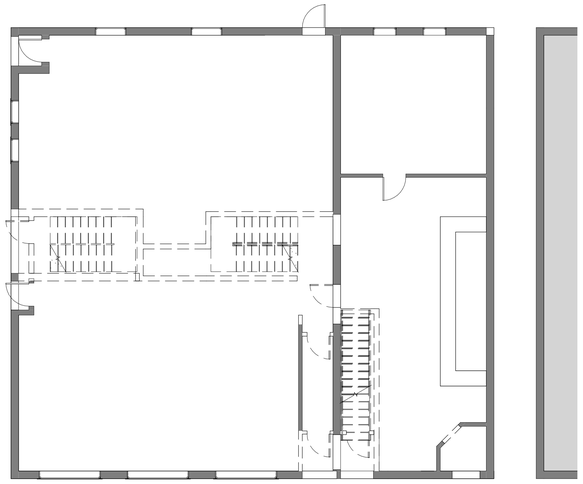
SITE

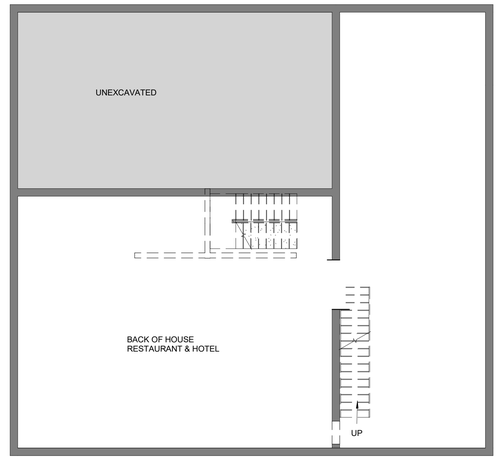
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A002

7/25/2024 6:56:19 AM



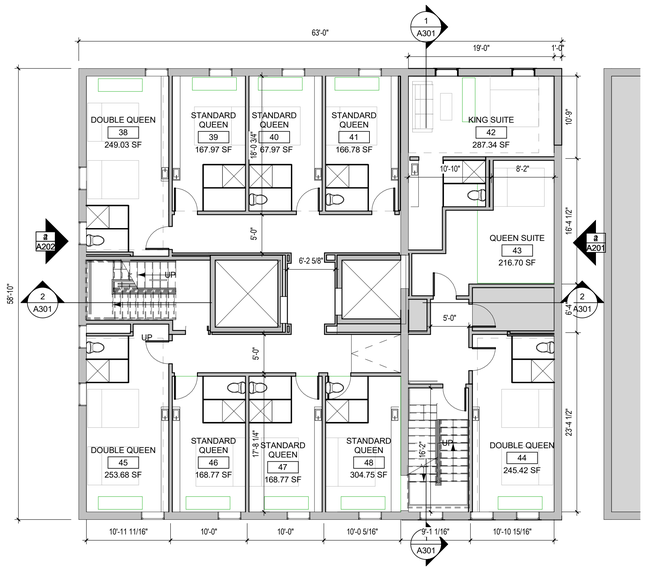


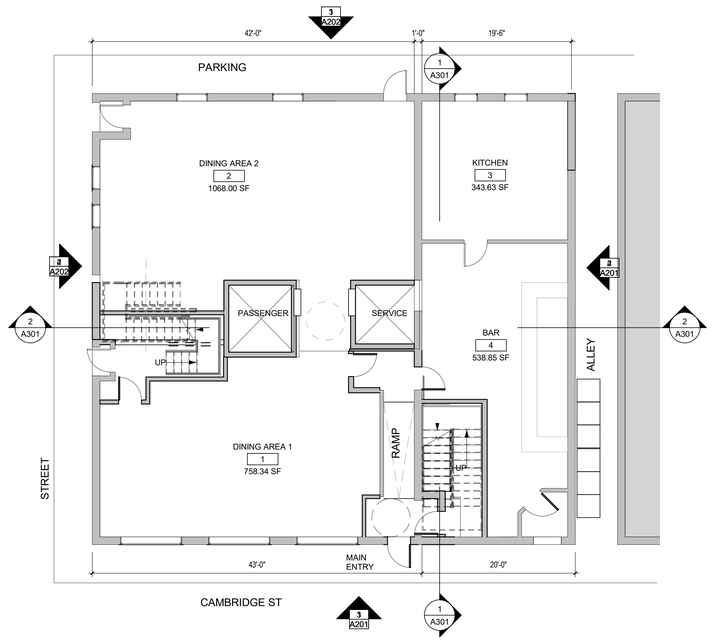


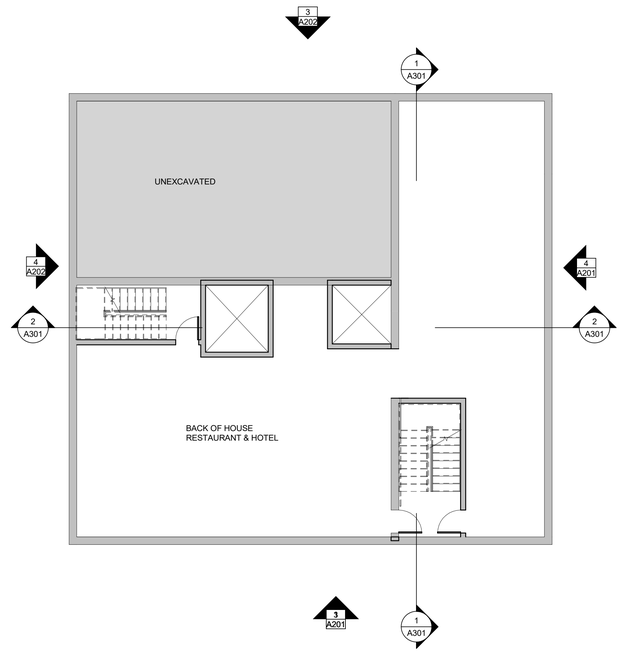
2D LEVEL 2 - DEMOLITION PLAN
1/8" = 1'-0"

1D LEVEL 1 DEMOLITION PLAN
1/8" = 1'-0"

BD BASEMENT - DEMOLITION PLAN
1/8" = 1'-0"







2 LEVEL 2 - PROPOSED
1/8" = 1'-0"

1 LEVEL 1 - PROPOSED
1/8" = 1'-0"

B BASEMENT - PROPOSED
1/8" = 1'-0"

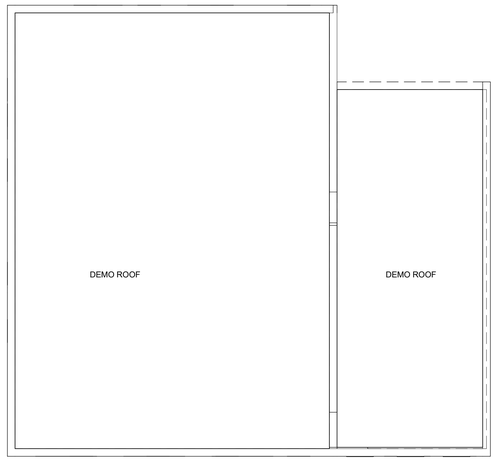
725-731 CAMBRIDGE ST

BASEMENT, 1ST, 2ND FLOOR PLANS

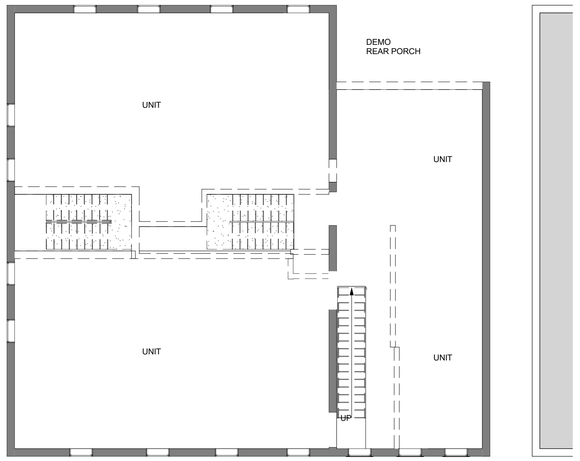
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A101

7/25/2024 8:54:49 AM



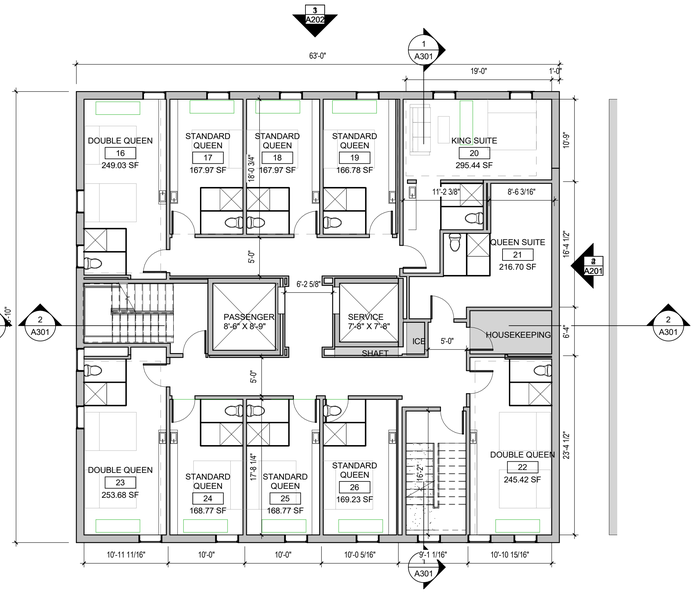
4D ROOF - DEMOLITION PLAN
1/8" = 1'-0"



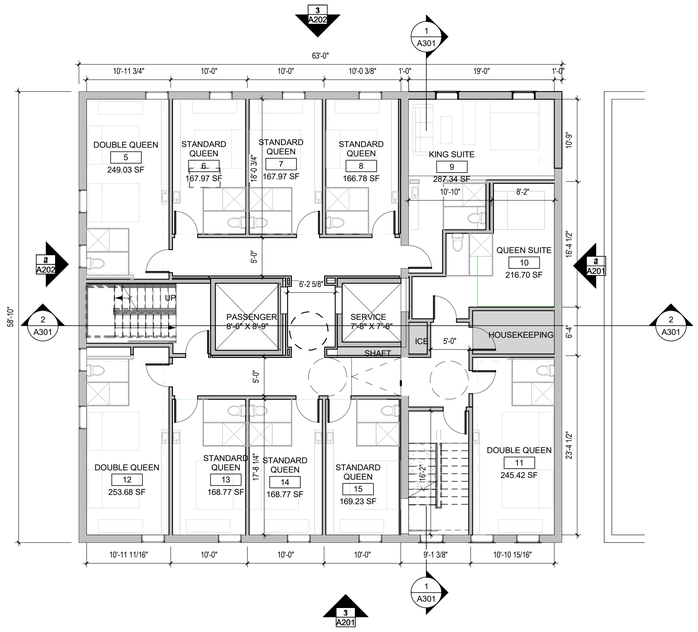
3D LEVEL 3 - DEMOLITION PLAN
1/8" = 1'-0"



5 LEVEL 5 - PROPOSED
1/8" = 1'-0"



4 LEVEL 4 - PROPOSED
1/8" = 1'-0"



3 LEVEL 3 - PROPOSED
1/8" = 1'-0"

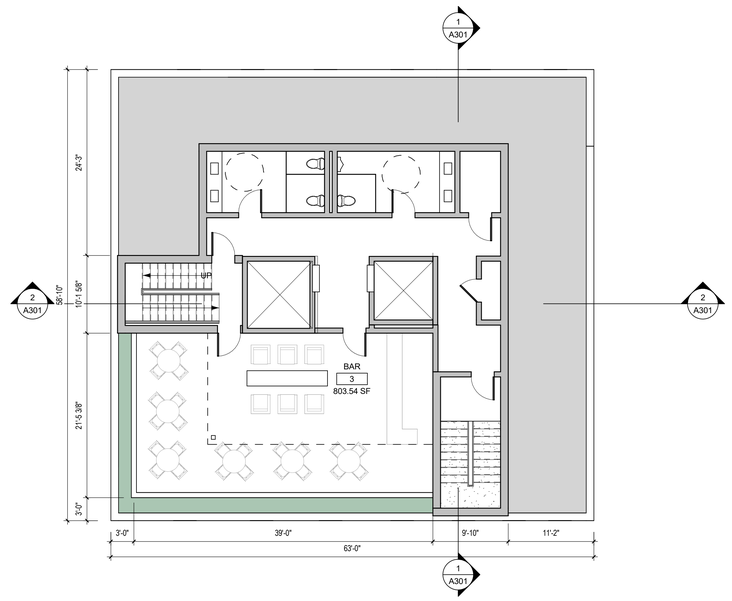
725-731 CAMBRIDGE ST

3RD, 4TH, 5TH FLOOR PLANS

SCALE	PROJECT #	DATE ISSUED
1/8" = 1'-0"	2024.01	2024-07-26

A102

7/3/2024 8:31:38 AM



1 ROOF - PROPOSED
1/8" = 1'-0"

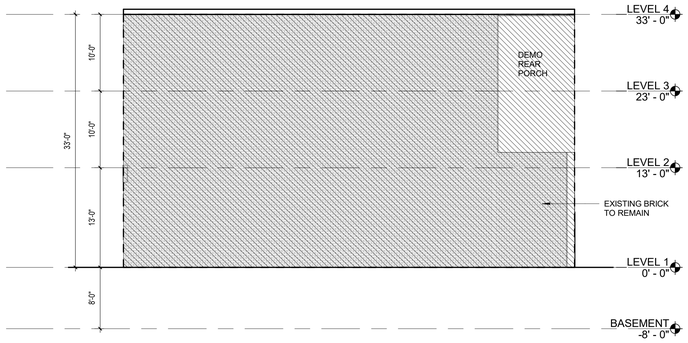
725-731 CAMBRIDGE ST

ROOF PROPOSED

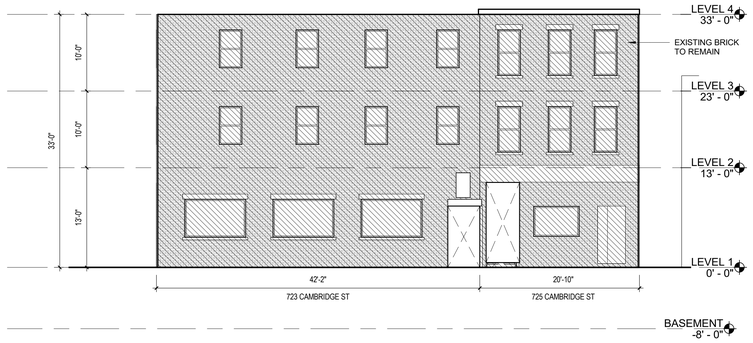
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A103

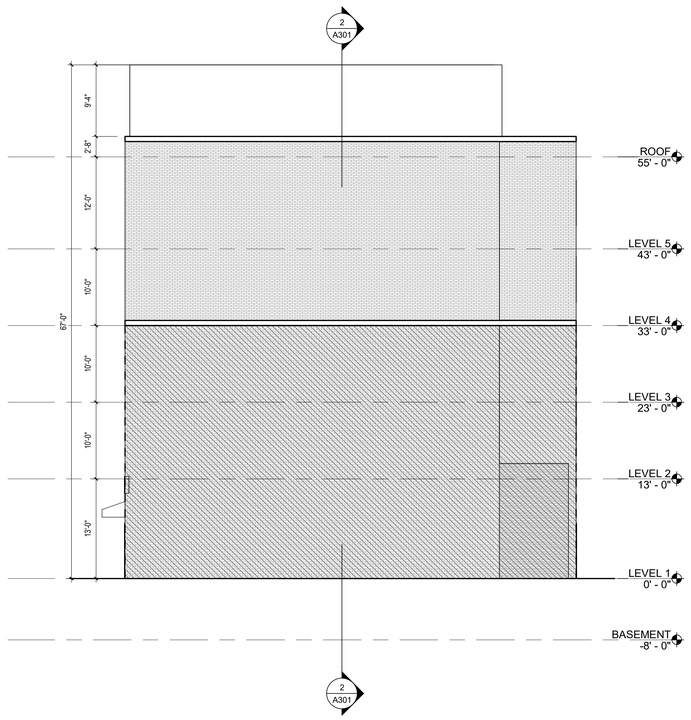
7/25/2024 8:36:02 AM



4 EAST ELEVATION - DEMOLITION
1/8" = 1'-0"



3 SOUTH ELEVATION - DEMOLITION
1/8" = 1'-0"



2 EAST ELEVATION - PROPOSED
1/8" = 1'-0"



1 SOUTH ELEVATION - PROPOSED
1/8" = 1'-0"

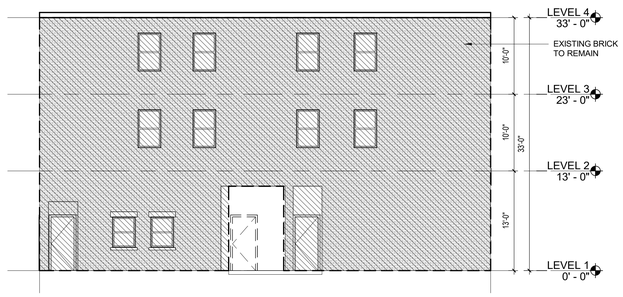
725-731 CAMBRIDGE ST

BUILDING ELEVATIONS

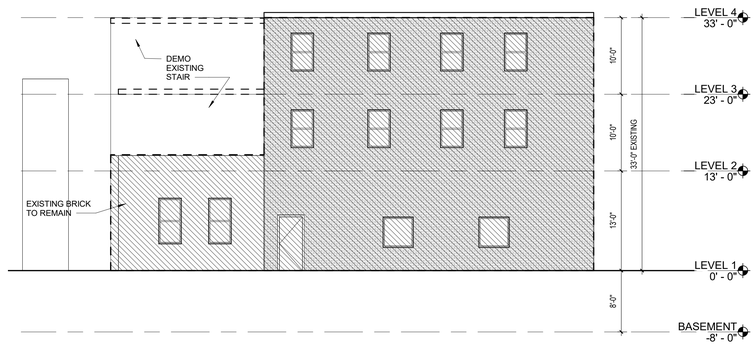
SCALE	PROJECT #	DATE ISSUED
1/8" = 1'-0"	2024.01	2024-07-26

A201

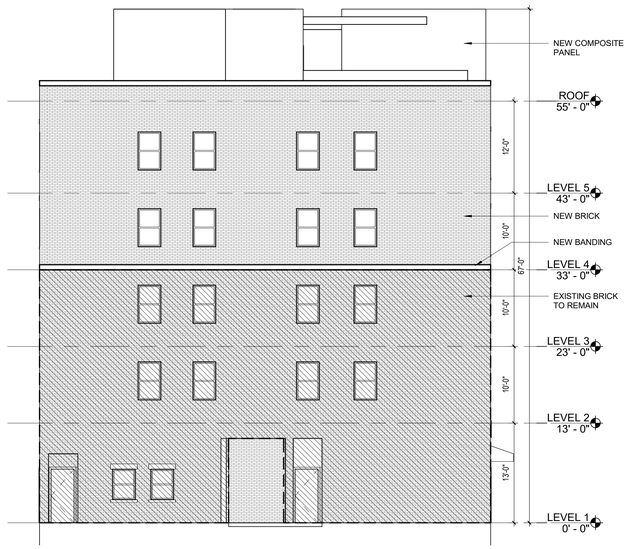
7/26/2024 8:37:02 AM



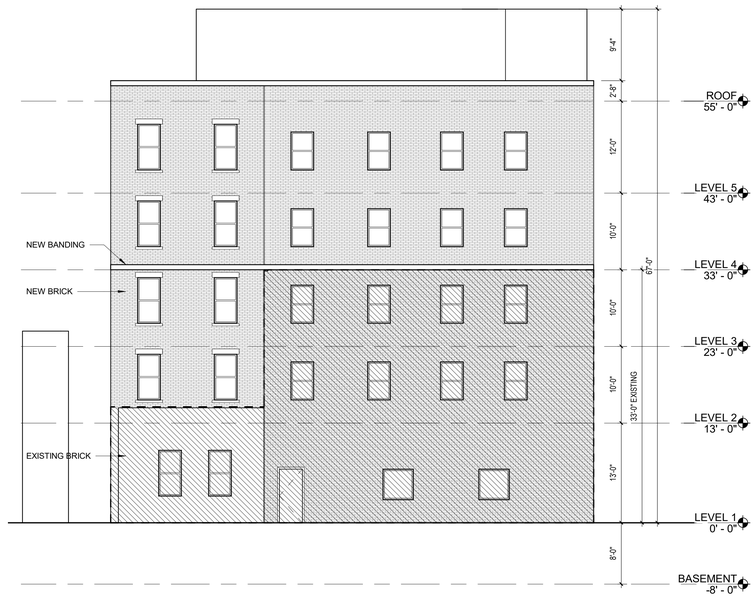
4 WEST ELEVATION - PROPOSED Copy 1
1/8" = 1'-0"



3 NORTH ELEVATION - DEMOLITION
1/8" = 1'-0"



2 WEST ELEVATION - PROPOSED
1/8" = 1'-0"



1 NORTH ELEVATION - PROPOSED
1/8" = 1'-0"

725-731 CAMBRIDGE ST

BUILDING ELEVATIONS

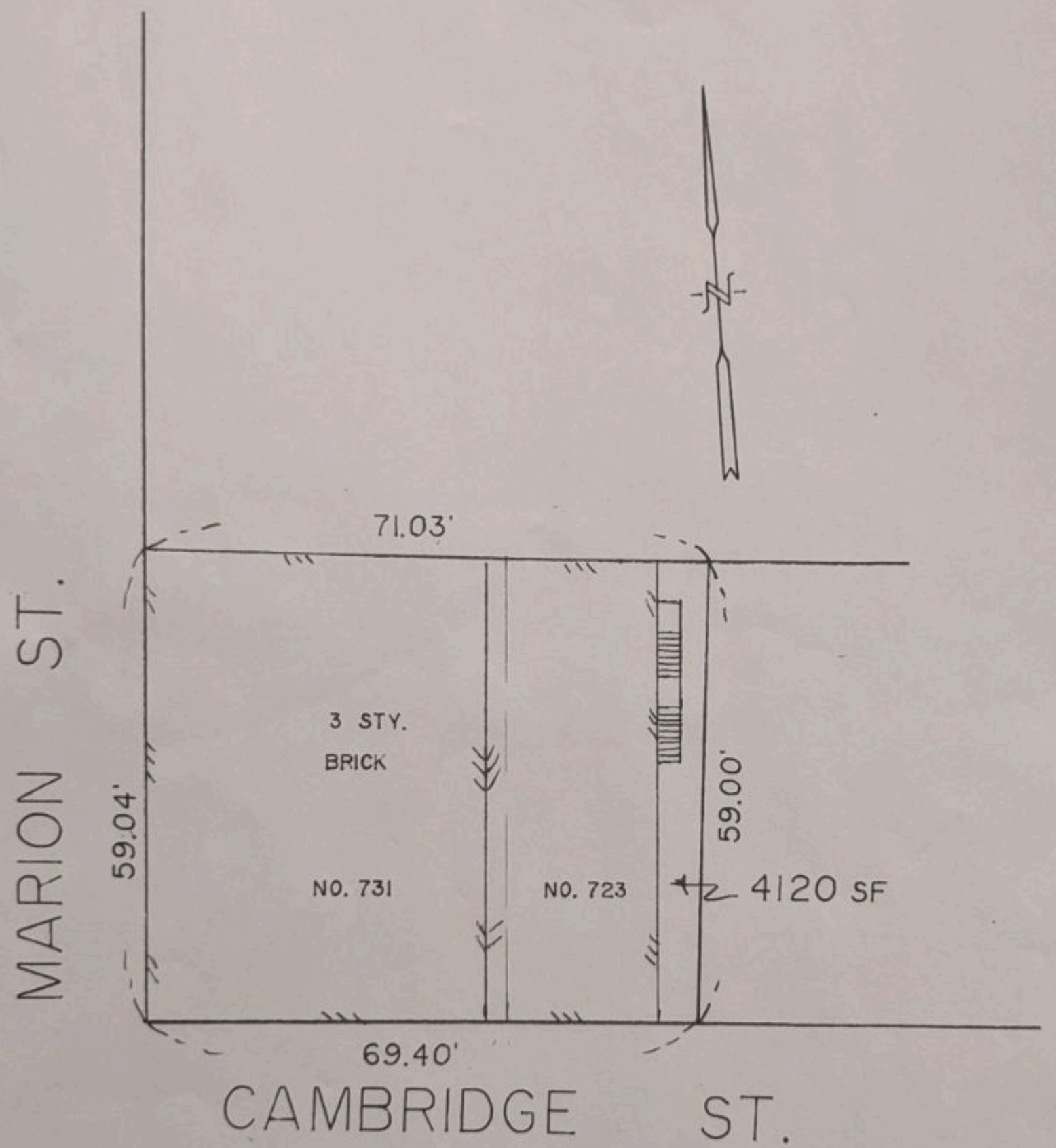
SCALE	PROJECT #	DATE ISSUED
1/8" = 1'-0"	2024.01	2024-07-26

A202

7/26/2024 8:30:12 AM

GLORAL ASSOCIATES

Registered Land Surveyor Registered Professional Engineer
9 Broadway Wakefield, MA 01880 T: 781-246-9345 Fax: 781-246-4333



COMMONWEALTH OF MASSACHUSETTS
JOHN J. RUSSELL
No. 38717
REGISTERED PROFESSIONAL LAND SURVEYOR

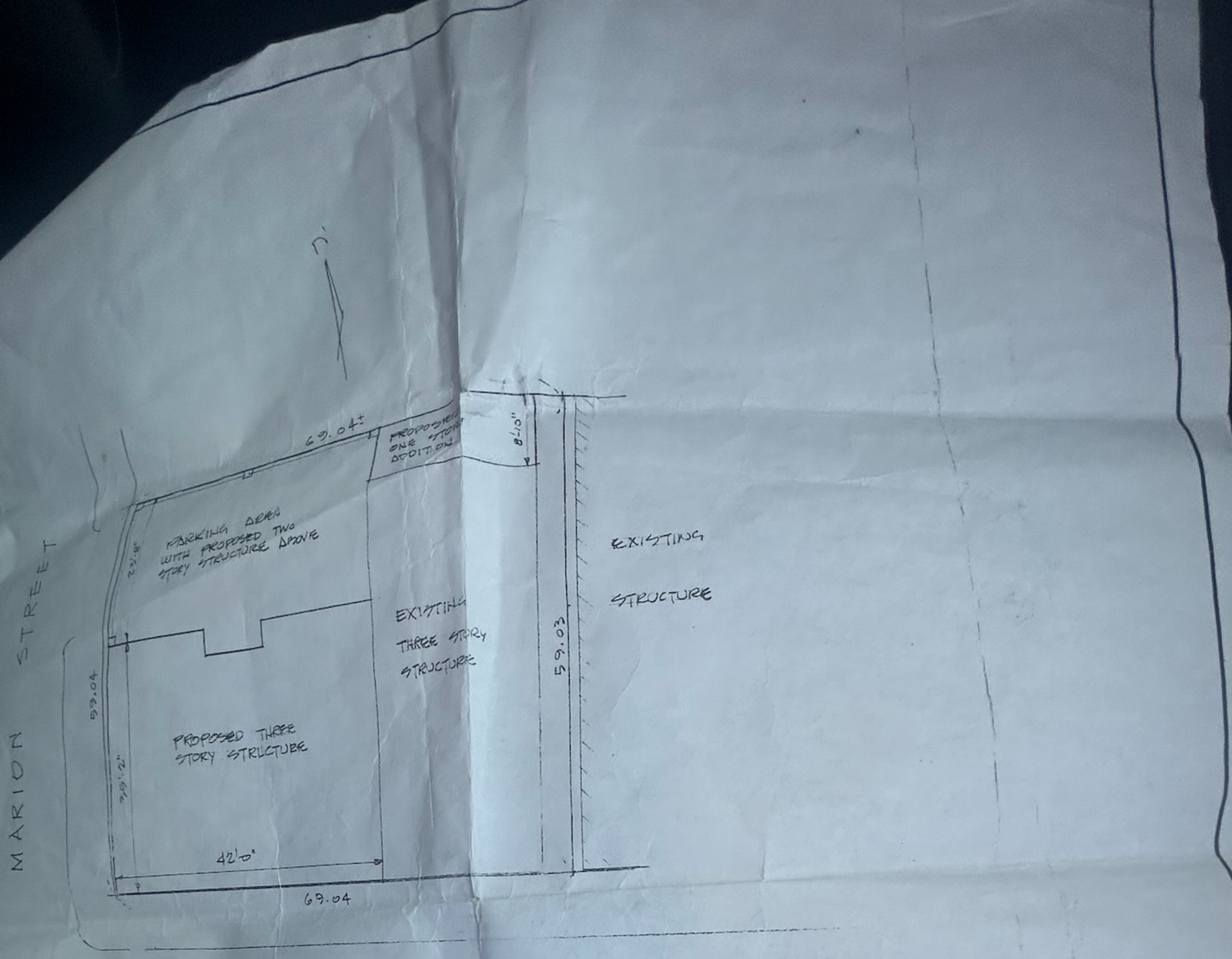
11-23-20

This is a tape survey based on survey markers of others and this plan was drawn for mortgage purposes only. This plan was not made for: recording purposes, deed offsets, fences or lot configurations. Only a precise instrument survey can determine all of the above.
The premises shown on this plan are not located within the flood hazard zone as delineated on the maps of the community: 25017C 0577E 6-4-10
I hereby certify that the building(s) shown on this plan are approximately located on the grounds as shown thereon and that they conform to the zoning and building laws (dimensional requirements) of the city/town of Cambridge constructed and to restrictions on record.

Signature: John J Russell *Date:* 11-23-20

Mortgage Inspection Plan
In
CAMBRIDGE, MA.
Owner

Scale 1" = 20' Date: 11-23-20



NOTE:
PROPERTY SURVEY AND ACTUAL ADDITION LOCATION IS THE RESPONIBILITY OF THE OWNER.
BUILDING DIMENSIONS MAY VARY SLIGHTLY.

REGISTERED ARCHITECT
ANTHONY DIFRANCESCO
3284
SAUGUS, MASS.

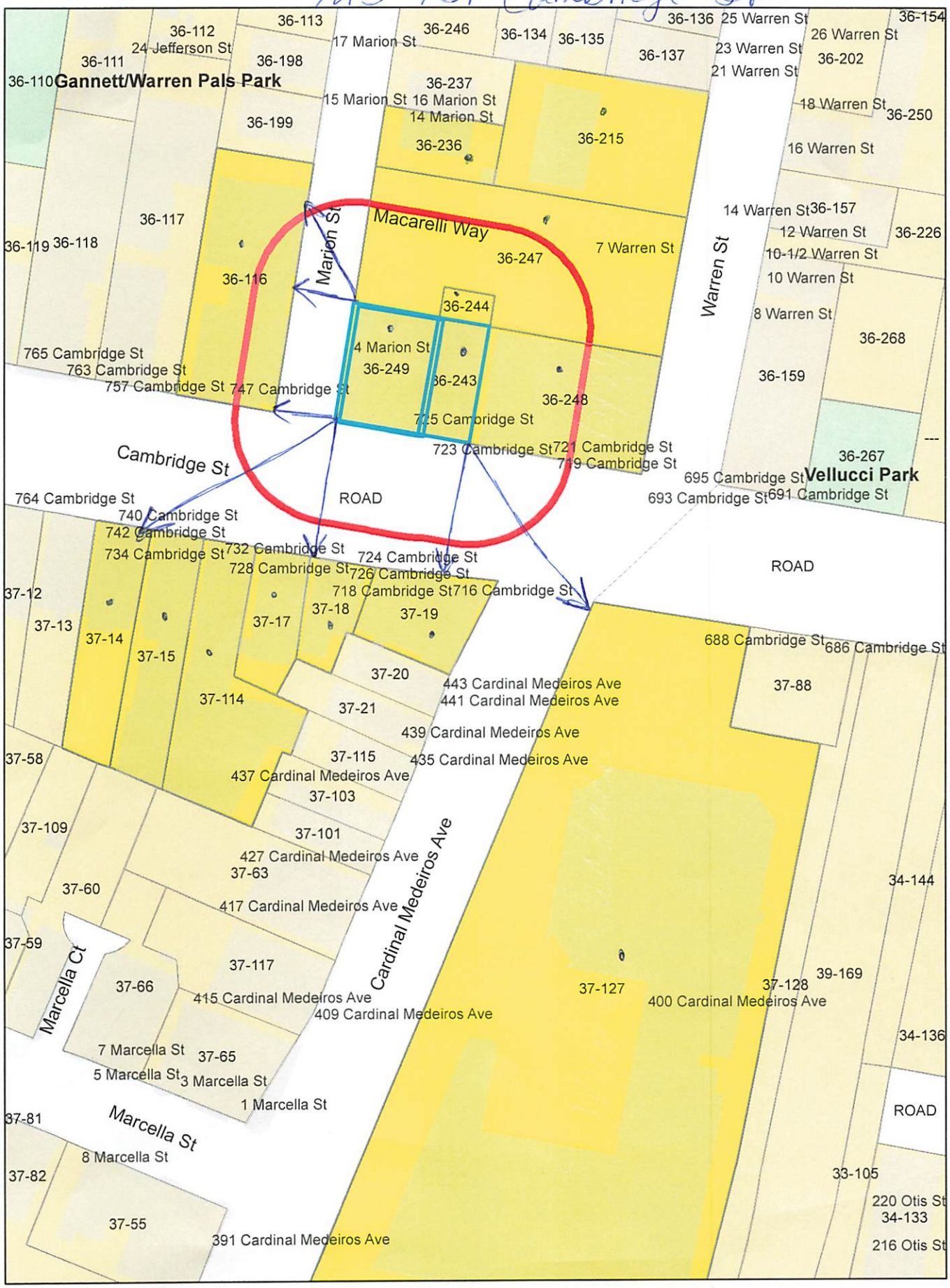
PROPOSED ADDITION
CAMBRIDGE STREET
CAMBRIDGE MA

SCALE: 1"=10'-0"
DATE: 3/4/97
APPROVED BY
DRAWN BY DDF

PLOT PLAN

DRAWING NUMBER

723-731 Cambridge St.



723-731 Cambridge St.

36-243-249
BARROS, MANUEL S. & MARIA T. BARROS
TRS. OF M&M BARROS REALTY TRUST
4 MARION STREET
CAMBRIDGE, MA 02141-1413

36-248
DIBIASE, GIRO & ELIZABETH DIBIASE,
TRS. OF DIBIASE FAMILY TRUST
26 GERARD RD.
WINCHESTER, MA 01890

Petitioner
BARROS, MANUEL S.
4 MARION STREET
CAMBRIDGE, MA 02141

37-19
DIDOMENICO, SAVATORE & MARIE
TRUSTEES SALS CONDO TR
716 CAMBRIDGE ST
CAMBRIDGE, MA 02141-1497

37-127
ROMAN CATHOLIC ARCHBISHOP OF
BOSTON CORPORATION SOLE
66 BROOKS DRIVE
BRAINTREE, MA 02184

36-247-244
CAMBRIDGE CITY OF COMM DEV
57 INMAN ST
CAMBRIDGE, MA 02141

37-17
MEDEIROS, ANTONIO & MICHAEL VITAL,
JOAO CARVALHO,
TR. OF THE JAM REALTY TRUST
732 CAMBRIDGE ST
CAMBRIDGE, MA 02141-1401

36-247-244
CITY OF CAMBRIDGE
C/O MEGAN BAYER
ACTING CITY SOLICITOR

36-247-244
CITY OF CAMBRIDGE
C/O YI-AN HUANG
CITY MANAGER

36-236
SAUER, JAMES W. & MAUREEN V. SAUER
14 MARION STREET
CAMBRIDGE, MA 02141-1030

37-15
MOREIRA, LISA & MANUEL MOREIRA
TRUSTEE OF LMCM REAL ESTATE TRUST
7 PEPPER HILL DR.
WINCHESTER, MA 01890

37-18
BERGANTINO, ANGELO A. &
PAULINE M. TRS REALTY TRUST
20 LANSDOWNE RD
ARLINGTON, MA 02474

36-215
NICOLORO, MICHAEL A. & KAREN M.S.
TRUSTEES OF THE 13-15 WARREN ST
156 SPRING ST
CAMBRIDGE, MA 02141

37-114
CENTRAL BAKERY, INC.
732 CAMBRIDGE ST.
CAMBRIDGE, MA 02141

37-19
DIDOMENICO, MARIE A LIFE ESTATE
716-722 CAMBRIDGE ST - UNIT 2
CAMBRIDGE, MA 02141

37-14
DIBIASE, GIRO & ELIZABETH DIABIASE
TRS. NOMINEE TRUST
26 GIRARD RD
WINCHESTER, MA 01890-3339

36-116
GJM CAMBRIDGE 747 LLC
200 BROADWAY STE 103
LYNNFIELD, MA 01940

Pacheco, Maria

From: Joseph Rose <cambridgemoxie@yahoo.com>
Sent: Wednesday, August 14, 2024 10:28 AM
To: Ratay, Olivia; Natola, Stephen; Pacheco, Maria
Subject: Opposition Letter for BZA-281576

To the Board of Zoning Appeals.

This proposal (BZA-281576) for 723-731 Cambridge St is out of character with the neighborhood with several red flags where the petitioner may follow zoning ordinances "where feasible."

Hardship requirements not met:
This proposal implies the city "took" the rear parcel by eminent domain. If this is true it was done a long while ago; the parking lot behind this building has been there for ages. Secondly, the property owner would have been compensated for the taking IF it happened. The site conditions don't meet hardship requirements

Detriment to the public good:

Proposal will add 44 units of temporary, hotel housing to what the petitioner acknowledges is a dense and busy area. Cambridge needs more housing. It does not need more hotels.

The increased demand on parking will overwhelm the municipal lot at the rear at the expense of the neighbors and the public good.

Noise to neighbors: Adding a roof-top, open-air bar will impact the newly constructed housing directly next door at 747 Cambridge St.

Degradation of Ordinance Intent:
This area is zoned for residential use NOT hotels.

Excessive height well exceeding ordinance along this corridor.
Petitioner falsely claims no adverse effects on neighbors

Traffic and congestion increase:
Petitioner indicates no increase in traffic, parking, or congestion. The proposal will definitely impact the area. It will add dozens and dozens of people to this location There is no information pertaining to parking for the hotel or where loading / unloading would occur for the constant turnover of guests. I would imagine the public parking lot in the back to be overwhelmed with parking from the hotel.

I oppose this petition and ask that you reject it.

Sincerely.

Joe Rose
Spring St, East Cambridge

Pacheco, Maria

From: Cindy Mathers <cindyml2000@yahoo.com>
Sent: Thursday, August 22, 2024 10:55 AM
To: Ratay, Olivia; Natola, Stephen; Pacheco, Maria
Subject: BZA-281576 Letter in Opposition to Petition

To the Board of Zoning Appeals.

I'm writing in opposition to the proposal (BZA-281576) for 723-731 Cambridge St.

The petitioner has not demonstrated any hardships and the proposal would be a significant detriment to the neighborhood in an already dense and busy area.

The attached plans show a hotel space that has several issues and doesn't appear to be a legitimate establishment.:

1) Lacks a lobby for guest to check in.

2) Is it legal to have passenger and service elevators interrupting the dining spaces

3) Guests are expected to walk through an active restaurant

4) "Queen Suite" on right side of plans for floors 2-5 has NO windows

5) Rooftop bar will be quite loud for neighboring residences

6) Public parking will be overrun and taxed by this one establishment for over 44 units

7) Traffic will be worse along Cambridge St and neighborhood.

8) Area is not zoned for Hotel use

I oppose this petition and ask that you please deny this petition.

Sincerely,

Cindy Mathers
Fulkerson St, Cambridge

City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

2 Bds

BZA

POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: _____ **Date:** 8-13-2024
(Print)

Address: 723-731 Cambridge St.

Case No. BZA-281576

Hearing Date: 9/5/24

Thank you,
Bza Members

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

August 28, 2024

To: The Board of Zoning Appeal

From: The Planning Board

RE: BZA-281576 723-731 Cambridge St

The Planning Board reviewed this BZA application during a meeting on August 27, 2024 and decided to forward the following comments to BZA.

The Planning Board encourages the Applicant to review in detail the recommendations from the recently-completed Our Cambridge Street: A Community Plan, which concluded in the fall of 2022 after extensive neighborhood stakeholder involvement. This plan recommends, among other elements, that existing housing stock be preserved; that additional height and density be reserved for new mixed-use housing development; and that development projects incorporate project features that help to support a bicycle and pedestrian environment along the Cambridge Street corridor. In its current form, the proposal at 723-731 Cambridge Street would run counter to these planning goals by seeking to remove existing dwelling units for a hotel use and seeking to reduce required bicycle parking within the development. The plan also includes detailed recommendations for ground-story activation and building design, which should be further reviewed by the Applicant and reflected in their proposal.

Planning Board members also had questions regarding the application itself. For example, the application seeks a reduction in required bicycle parking, which is a special permit that the Planning Board grants. It is unclear if the zoning relief being requested is all the relief that would be needed, or what the most appropriate and efficient approval pathway would be for the Applicant. The Planning Board encourages the Applicant to continue working with staff on developing their application in order to determine the best process for moving forward.

At this time, the Board does not recommend granting the requested variances and special permits for BZA Case #281576 at 723-731 Cambridge St.

Pacheco, Maria

From: Manny Barros <mannybarros@aol.com>
Sent: Friday, August 30, 2024 2:23 PM
To: Pacheco, Maria
Subject: MARIA--Please forward this e-mail to BZA for September 5 hearing
Attachments: BZA.pdf

Dear BZA:

MY name is Manny Barros. I am the petitioner for the proposed hotel at 723-731 Cambridge St.. I would like to convey to the board the history of the hardship my family has suffered due to the power of eminent domain by the Cambridge Redevelpment Authority. My family purchased this property in 1962. We had run it a a bar with apartments above for many years. In was in the middle of the entire block. Both sides had become vacant lots, with the Warren St. side of the building being used as a parking lot. We did not want our property taken as it was a source of income for many members of my family. The CRA said that only commercial uses would be allowed on the property if we wished to maintain ownership. The building would only be one-story bulindg This restriction would be on the deed. My family attempted to secure financing for a restaurant-only, but the bank refused: the statistics on restaurants are that only one in ten is successful. The most difficult part of this transaction was that the CRA would not allow a mixed-use with restaurant and apartments. The bank, however, was willing to finance a mixed-use of apartments with a restaurant.

The CRA charter would only allow for one-story commercial development at that time. We reached a compromise with the CRA where they wanted the existing building to be completely renovated with the four apartments and the bar and a courtyard on the Marion St. side of the building. This was an expensive endeavor, costing hundreds of thousands of dollars. On the other side of the building, the Warren St., side cold be used as parking as

it was already existing. We attempted to renovate the building, but there were rent-control laws at the time, and made it much more difficult as we had to re-locate tenants with rent-control protection.

My family was in a terrible position. I went on my own initiative to the Cambridge City council and asked for their help with the CRA. One of the member of the board of the CRA was part of the Sullivan family in Cambridge and we were able to get a change in the charter of the CRA to allow for mixed use development with a restaurant and eight apartments above. However, my family lost a tremendous amount of money and ownership of the adjacent parking for the restaurant (where Giro's studio of photography currently stands.) We also lost the lot in the rear of our property, which is now a municipal parking lot, Macarelli Way Parking Lot.

Had we been able to keep the parking we initially owned and then sought (now the Giro property) to keep, it would have made a significant difference in our proposal for a hotel today.

I recently met with Tom Evans, the new director of the CRA, and we went over the history of the CRA and my family property of 723-731 Cambridge St. He was very sympathetic. He told me that the previous director is in litigation with the CRA so he could not talk about the history of this site because e did not have much information. I provided as much information as I could, based on my history, but the most important thing I want to tell this board, and it was the same issue I discussed with Mr Evans, was that the CRA wrote us a letter saying that, in order to go forward with the courtyard and bar, we had to change the clientele. The reason for this was that they sited many fights in the bar and used that as the reason for the taking of the property There were many other bars on Cambridge St. at that time, patronized by Portuguese-speaking immigrants and others, which also had problems with behavior as well, but the CRA arbitrarily singled out our bar. I believe, their

intent was to acquire our bar by eminent domain. We sought the counsel of an attorney who advised us that this was illegal discrimination and we should sue. We settled on building on top another eight apartment and a restaurant, where the courtyard existed, called Portugalia. It has been a successful restaurant for the past forty years, with apartments above.

To be clear, I want the BZA to know the history of this property and the hardship our family endured over the years, which I believe was an unfair treatment by the CRA.

I would like to speak to the board about the Cambridge Planning Board opposition to my petition and the opposition of two others who do not live near the building. In 1985, when I petitioned the BZA to build 8 apartments on this site (723-731 Cambridge St.) with a restaurant on the first floor, the planning board had submitted a letter without my knowledge to the BZA that they were opposed to the eight apartments and the Portugalia Restaurant on the first floor. The BZA approved my request. I built a mixed-use building, and a positive influence in the neighborhood for forty years. I spoke to the planning board on August 27, 2004 via Zoom about my proposed hotel and they basically said it did not conform to the wishes of the 2023 study for Cambridge St., which I vehemently disagreed with. The proposed hotel would have guests who would use Uber and Lyft for transportation to the hotel and it would not create additional traffic as we will advertise that we do not have parking. The hotel will create foot-traffic and customers for the Cambridge St. businesses in the future. architect tells me that the total square footage of the hotel is 23,000 square feet, which is below the 25,000 square feet standard under regulations that would call for a traffic study.

The goal of he Cambridge St. study was to reduce car traffic and increase foot traffic. In addition the building will still have a

restaurant on the first floor alongside the lobby of the hotel, which was another goal of this study, to have receptive businesses on the first floor. I was not able to effectively communicate with the planning board on August 27 as there were technical problems with ZOOM. I wanted to share many other details wit the planning board, but was unable to do so. One of the issues was that I have been working with Daniel Messplay, manager of community development for about a year, as to how to best develop 723-731 Cambridge St. I intend to work with the planning board in the future for any issues that relate to bicycles, as I do not have enough parking to comply, as it was taken by eminent domain.

In my speaking to many of the business owners on Cambridge St., for example Susan's Hair Salon, corner of Cambridge & Fifth St. (where I have my hair cut and colored) . I have had much feedback on the issues raised in 2023 Cambridge St. Study, where much parking will be eliminated and bike paths will be created. I understand that these proposed changes are now "paused" until some resolution can be achieved to address the concern of these business people.

I, speaking for myself, believe that Cambridge needs to go forward with the the bike paths, reducing traffic. There are simply too many cars. I had thought of creating a shuttle service using the existing municpal lot (Macarelli Way) so that people doing business of Cambridge St. could park and be transported to neighborhood visits. To finalize the issue with the CPB,I do want to "collaborate" with them so w can make the hotel work in a positive way for the future of the neighborhood with fewer cars and more foot traffic.

I want to ring to the attention of the board a 4-story, 16-unit brick building that I basically turned over to Homeowners Rehab, a subsidiary of the City of Cambridge to provide permanent housing for 16 families at 1-3 Marcella St..

I petitioned the BZA in 2006 to create units in that building with no parking, got the support of the CHA, and St. Anthony's Church, but yet the planning board opposed it. At 111Sciarappa St., I went in front of the BZA and petitioned, to build an 8-unit apartment building which had been previously used as a bar called Salty's, that the Cambridge Police had closed down due to drugs. I worked with the community and we built eight apartments, but yet again the planning board opposed it. I can site more examples of other petitions I sought with the BZA, and yet the planning board has consistently opposed me.

I am beginning to think that the planning board does not like bi-lingual Portuguese-English speakers like me, who speak Portuguese with a Boston accent. (JUST KIDDING!)

Finally I want ot speak about the 8 apartments that will be replaced by the hotel, with many units of housing I have created in Cambridge. I have plans to enter in an RFP that I spoke to Mr. Evans about, to build more housing in parking lots in Cambridge.

Respectfully submitted,
Manny Barros

CAMBRIDGE HOUSING AUTHORITY
19 Prospect St.
Cambridge, MA 02139

Phone: (617) 497-4040
Fax: (617) 520-6420

Josh Meehan
Community Outreach Coordinator

Phone: (617) 520-6408

Email:
jmeehan@cambridge-housing.org

DO YOU HAVE AN AVAILABLE APARTMENT?

TAKE ADVANTAGE OF THE CHA'S *FREE* LISTING SERVICE!!!!

CALL CATHERINE SCRIVE AT 617-497-4040 FOR MORE INFORMATION

2003 OWNER RECOGNITION RECEPTION LARGEST EVER!

This year's Reception, co-sponsored by the Cambridge Housing Authority and the City of Cambridge, was held on September 25th at the University Park Hotel @ MIT. By all accounts the Fourth Annual Owner Recognition Reception was the best attended and most successful yet. Over one hundred and twenty owners, agents, managers, elected officials and housing advocates attended.

The Recognition Reception is one of the highlights of the year for the affordable housing community in Cambridge. It provides a unique opportunity for the CHA and the City to show our appreciation to the five hundred plus owners that work with us to provide safe, affordable housing to some of the City's most vulnerable families. 2003 was a record setting year for the CHA, and more importantly a terrific year for the thousands of low income families who are proud to live in Cambridge.



Award Winners & Presenters at the 2003 Owner Recognition Reception:
Back row left to right: Owner Manny Barros, CHA Executive Director Dan Wuenschel, HRI Inc. Director Peter Daly, CHA Director of Leased Housing & Occupancy Mike Johnston

Front row left to right: Cambridge Mayor Michael Sullivan, Cambridge Multi-Service Center Director Len Thomas, Owner Tera Chung, HRI Inc. Board President Harry Johnson

Awards of Appreciation and Proclamations from the Mayor's Office were given out again this year. Awards were presented to owners who've shown particular kindness towards their tenants, kept their properties in top condition and worked well with CHA staff.

This year's awards were presented to owners Tera Chung (featured in May 2003 *Section 8 News*) and Manny Barros (featured in March 2003 *Section 8 News*). Both Tera and Manny have been invaluable partners over the last year. They are both compassionate and deeply committed to increasing the availability of high quality affordable housing in Cambridge.

Local nonprofits Homeowner's Rehab, Inc. (see July 2003 *Section 8 News* for more about HRI Inc.) and The Cambridge Multi-Service Center (see May 2002 *Section 8 News* for more about the CMSC) also received awards at the Reception. HRI, Inc. has been working with owners, the CHA and developers to create and maintain affordable units in Cambridge for the past thirty years. The quality of their housing stock is first rate, and their management team is exceptionally professional and easy to work with. The Cambridge Multi-Service Center serves some of our community's most difficult to house citizens, with a special focus on moving families and individuals from the streets and the shelters into long-term, affordable housing. We applaud their work and dedication to helping the less fortunate.

Thanks to everyone who works together with us to help keep Cambridge a place anyone can call home. We look forward to another great year and to seeing even more of you at next year's reception!

A Publication of the Cambridge Housing Authority

SECTION 8 NEWS

November 2003

Inside this issue:

- **New Fair Market Rents**
- **Frequently Asked Questions**
- **2003 Owner Recognition Reception**

Coming Soon:

Cambridge Housing Authority Online

Soon doing business with the CHA will be even easier.

Download all CHA forms

Quickly find answers to your frequently asked questions

Review the Fair Market Rent & Utility Allowance Charts

Stay tuned for details!

2004 FAIR MARKET RENTS HAVE ARRIVED

The Cambridge Housing Authority is happy to announce the new Fair Market Rents (FMRs) for Cambridge. The FMRs for Section 8 units are going up this year despite the struggling rental market. While most owners are seeing their rents tumble, many Section 8 owners will be seeing small increases this year.

The new payment standards are as follows:

Studio	1 Bed	2 Bed	3 Bed	4 Bed
$1107	$1248	$1561	$1952	$2292

These rents are for units that include all utilities. Rents that do not include utilities are adjusted accordingly. The payment standards will be used in the computation of Housing Assistance Payments for all annual renewals, and all new lease-ups. Please keep in mind that these FMRs represent the CHA's ceiling rents. Rents at these levels are reserved for new or newly renovated units.

The Annual Adjustment Factor (AAF) will be 3% again this year. The AAF is automatically applied to all Section 8 contracts as long as the increased rent does not exceed the FMR, less tenant supplied utilities.

Important Reminder: The CHA cannot implement increases retroactively for recently negotiated contracts and units are only eligible for increases *once* per year.

FREQUENTLY ASKED QUESTION:

"How do I request a rent increase?"

The process for requesting an increase is as follows:

1. Owner sends an increase request letter to Josh Meehan at the CHA at least sixty (60) days prior to the lease anniversary date, making sure to send a copy of the request to the tenant.
2. Josh meets with the inspector of the unit to determine whether or not the location, size and condition of the unit warrants the requested increase.
3. If the inspector agrees to the increase, it takes effect on the first month of the new contract year.
4. If the inspector does not believe that the requested increase is reasonable, Josh contacts the owner with a counter offer. If an agreeable number can be reached, the increase will take effect beginning on the first month of the new contract year.
5. If an agreement cannot be reached, and the owner has decided not to renew, the owner must notify the tenant and the CHA at least thirty (30) days prior to the anniversary date that the contract will not be renewed.

OFFICE OF THE MAYOR

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139
(617) 349-4321 • FAX: (617) 349-4287
TTY/TDD (617) 349-4242 • Email: agalluccio@ci.cambridge.ma.us

Anthony D. Galluccio
Mayor

June 18, 2001

Manny Barros
4 Marion St #1
Cambridge, MA 02141

Dear Manny:

I am pleased to send you the enclosed Mayor's Certificate of Appreciation recognizing your commitment to providing affordable housing in Cambridge by participating in the Section 8 program. While we recognized a few particular landlords at the reception, every Section 8 landlord is very important to our efforts.

This certificate is a small way to again say thank you. We are always looking to make the Section 8 Program work better for landlords and tenants alike. I enjoyed the reception and I want to reiterate what I said at that time, you are important to our community because of the commitment you have made to provide affordable housing to our residents.

Please do not hesitate to call on me if I can be of any assistance to you in the future.

Sincerely

Anthony D. Galluccio
Mayor, City of Cambridge

City of Cambridge
OFFICE OF THE MAYOR

Michael A. Sullivan
Mayor

PROCLAMATION

WHEREAS: The City of Cambridge has established that cultural and socioeconomic diversity, commercial diversity and vitality, a healthy environment, and the unique character of our city are all community values that must guide all City policies and their implementation; and

WHEREAS: It is a goal of the Cambridge City Council to preserve and expand the supply of permanent affordable housing, supporting socioeconomic diversity; and

WHEREAS: The policy guidelines for this goal include creating and preserving housing opportunities for low, moderate, and middle income residents, as well as providing housing support services for low, moderate, and elderly residents; and

WHEREAS: The City of Cambridge, in partnership with the Cambridge Housing Authority, endeavor to provide quality affordable housing to low income residents; and

WHEREAS: The city's landlords play an integral role in expanding the available number of affordable housing units by agreeing to accept tenants who participate in the Section 8 Housing Choice Voucher Program; now therefore be it

RESOLVED: That I, Michael A. Sullivan, Mayor of the City of Cambridge, extend my gratitude to the Cambridge Housing Authority for their dedication to affordable housing in the City of Cambridge; and be it further

RESOLVED: That I, Michael A. Sullivan, Mayor of the City of Cambridge, extend my gratitude to the landlords participating in the city's Section 8 Housing Choice Voucher Program and specifically commend Homeowner's Rehab, Inc., Manuel Barros, Cambridge Multi-Service Center, and Tera Chung for their continued participation in this vital program.

Signed this 25th day of September, 2003

Mayor Michael A. Sullivan

795 Massachusetts Avenue, Cambridge, Massachusetts 02139 Voice 617.349.4321 Fax 617.349.4320 TTY 617.349.4242 Email msullivan@ci.cambridge.ma.us

City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

2024 SEP 10 AM 11:53

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Board of Zoning Appeal Waiver Form

The Board of Zoning Appeal
831 Mass Avenue
Cambridge, MA 02139

RE: Case # BZA-281576.

Address: 723-731 Cambridge St.

□ Owner, □ Petitioner, or □ Representative: Manuel Barros,
(Print Name)

hereby waives the required time limits for holding a public hearing as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A. The □ Owner, □ Petitioner, or □ Representative further hereby waives the Petitioner's and/or Owner's right to a Decision by the Board of Zoning Appeal on the above referenced case within the time period as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A, and/or Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C. §1455(a), or any other relevant state or federal regulation or law.

Date: September 6, 2024

Signature

Honorable Members of the Board of Zoning Appeals:

RE: BZA No. 281576S, Special Permit and Variances, 723-731 Cambridge Street

On August 27, 2024, the Planning Board took up this case sua sponte. Petitioner appeared and there was extended discussion concerning the project, relief sought, and the Cambridge Street 2-year Study. The Planning Board voted unanimously to notify the BZA of the incompatibility and inconsistency of the proposal with the recommendations of the 2-year study. The decision was based on explicit conflict between the proposed project and that study. The Planning Board did not assess whether there was hardship that could justify the grant of variances as that decision jurisdictionally resides with the BZA.

East Cambridge residents have been following this case and many have reviewed the proposed plans and the Planning Board hearing as well. Hearing can be accessed here: https://cambridgema.granicus.com/player/clip/809?view_id=1&redirect=true

While East Cambridge technically ends at "the tracks," we remain interested parties since a hotel in the midst of an old residential neighborhood, across from a school, library, and church could have a damaging effect beyond Wellington-Harrington boundaries. I also note that this plan would remove eight residential units with no plans for replacement.

Of special interest here is the legal justification for variances. This is a recurring issue that needs reinforcement. First, there must be hardship. While petitioner presents past eminent domain of the property that is now a public parking lot, eminent domain only proceeds after fair market value has been awarded the landowner. Past eminent domain is interesting but does not support a hardship claim here. The deprivation of a potential economic advantage to a landowner does not qualify as "substantial hardship." *Bruzzese v. Bd. Of Appeals of Hingham*, 345 Mass. 421, 424 (1962).

Is there anything unique about this property to justify a variance? Nothing presented supports uniqueness as to soil conditions or topography. The changing character of a neighborhood is not a condition affecting a single locus to justify a variance. *Bouchand v. Ramos*, 346 Mass. 423, 425 (1963).

Hopefully, the Petitioner will reconsider the plan. I appreciate past contribution to the city and the presence of Portugalia on Cambridge Street.

Marie Elena Saccoccio, Esquire

55 Otis Street

Cambridge, MA 02141

BBO#552854

Pacheco, Maria

From: Greg McCarthy <gregmccarthyrfr@gmail.com>
Sent: Thursday, September 5, 2024 5:29 PM
To: Pacheco, Maria
Subject: 723 Cambridge st

Hi Maria.
I wanted to reach out in support of the proposal at the abutting property at 723 Cambridge street. I fully support the proposal.
I think it will be great for the neighborhood.
I am an abutter at 747 Cambridge steeet.

Thank you,
Greg McCarthy
747 Cambridge st

Sent from my iPhone

Pacheco, Maria

From: Manny Barros <mannybarros@aol.com>
Sent: Monday, September 9, 2024 1:12 PM
To: Pacheco, Maria
Subject: Fw: New hearing with planning board

Maria, please put this email from me to planning board into the file.
Thank You
Manny Barros

Sent from the all new AOL app for iOS

Begin forwarded message:

On Friday, September 6, 2024, 12:39 PM, Manny Barros <mannybarros@aol.com> wrote:

> Good afternoon Swaathi,
> I'm requesting a hearing with planning board to address concerns with my proposed hotel at 723-731 Cambridge Street. Don't know when next scheduled hearing is but I would like to be added to list. Please let me know.
> Manny Barros
>
> Sent from the all new AOL app for iOS

Pacheco, Maria

From: Manny Barros <mannybarros@aol.com>
Sent: Monday, September 9, 2024 1:14 PM
To: Pacheco, Maria
Subject: Fw: Proposed hotel 723-731 Cambridge Street

Maria, please put this email from me to East Cambridge Planning Team into the file.
Thank You
Manny Barros

Sent from the all new AOL app for iOS

Begin forwarded message:

On Friday, September 6, 2024, 12:46 PM, Manny Barros <mannybarros@aol.com> wrote:

> Dear East Cambridge Planning Team:
> I'd like to request a hearing in front of ecpt at next scheduled meeting if not sooner to speak about concerns on my proposed hotel at 723-731 Cambridge Street. Please let me know as soon as possible.
> Thank you
> Manny Barros
> (617) 694-1354
>
> Sent from the all new AOL app for iOS

* * * * *

(7:58 p.m.)

Sitting Members: Jim Monteverde, Steven Ng, Virginia Keesler, Wendy Leiserson, and Carol Agate

JIM MONTEVERDE: Last but not least, we have BZA Case 281576 -- 723-731 Cambridge Street.

STEPHEN NATOLA: Proponents should be joining.

JIM MONTEVERDE: Is someone calling in wanting to speak about --

MANUEL BARROS: Yes.

JIM MONTEVERDE: -- the Cambridge Street project? Can you identify yourself, please?

MANUEL BARROS: I'm Manuel Barros. I'm the petitioner.

JIM MONTEVERDE: Okay. Mr. Barros, I'm going to make a suggestion. And I'm going to suggest for a vote by the Board -- we've all read the file -- that you continue this matter. And let me explain why. And really, I'm trying not to get into the details of the --

MANUEL BARROS: Explain why, please.

JIM MONTEVERDE: Really, I'm trying not to --

[technical difficulties]

JIM MONTEVERDE: Oh, yep? Mr. Barros, are you there? My screen reads, "Vincent Panico"

MANUEL BARROS: Can you hear me, Mr. Chairman?

JIM MONTEVERDE: Yep. And who's speaking?

MANUEL BARROS: This is Mr. Barros - Manual Barros. I'm with Mr. Panico. We're together here.

JIM MONTEVERDE: But Mr. Barros, you're the proponent, correct?

MANUEL BARROS: Correct.

JIM MONTEVERDE: Okay. So I'd like to make a suggestion, and this is -- we'll need a vote of the Board, but in reading the file -- and all the members have read the file -- there are significant issues raised by the Planning Board and by the East Cambridge Planning Team against your proposal in various details. I don't want to get into it.

And if I read your correspondence correctly -- we have the one in the file dated August 30 -- I think you talk about your -- with the Planning Board, in coming to some happy conclusion that everyone agrees with.

I have a suggestion that before we get into the details of the case, we suggest that you might continue this case for some period of time that you think you would need

or would take for you to go back the Cambridge Planning Board and the East Cambridge Planning Group/Team, perhaps together, and come up with a proposal -- either convince them of what you're proposing so that they can be in support or at least not in so significant objection, to the proposal that you have on the table now.

I'm just trying to save us an awful lot of time and effort to go through all the details of this, and then with the objections that we have in the file, they're significant enough, depending on how all the Board Members feel, to vote this down, I'm guessing.

And I would rather you take the time to go back to continue this and go back to the Planning Board and the East Cambridge Planning Team to discuss this and perhaps be able to revise your proposal so that it meets with their approval.

Am I making myself clear? I feel like I'm repeating myself.

MANUEL BARROS: I understand you, Mr. Chairman. Can you hear me?

JIM MONTEVERDE: I can. Thank you.

MANUEL BARROS: Okay. So I just want to be clear

that you and the Board have read my e-mail about the entire petition for the whole case. Am I correct that the Board has read my e-mail?

JIM MONTEVERDE: We have you correspondence dated August 30 --

MANUEL BARROS: Yes.

JIM MONTEVERDE: -- 2024. That's in the file. Everyone has read that. That's correct.

MANUEL BARROS: Yes. Yep. My question, Mr. Chairman, is the East Cambridge Planning Board has jurisdiction -- my understanding is -- up until the railroad tracks of East Cambridge.

The Cambridge Planning Board has jurisdiction for the entire city. And from my correspondence, from my e-mail, the Board can understand that I haven't had much luck with the Planning Board, but I will take your advice and go back and try to speak to both those Boards.

But in any event, I'm not able to gain ground or come to some kind of correspondence with them, I would like to come back because I do believe my case is important enough to the neighbor given that I'm 69 years old, have lived there my entire life, my family has had businesses

where we've employed lots of people -- the Portuguese Bakery and the restaurant, and I have built many apartments in the city.

I think I've done a lot of good for the city. And I would like to come back to this Board after I meet again with the Planning Board and see if we can't come to some decision to see if they could support it in some way.

Because my view is that what I'm proposing is congruous with the Cambridge Street planning of 2022 and 2023.

JIM MONTEVERDE: Mr. Barros, I really don't want you to get into any of the details.

MANUEL BARROS: Okay.

JIM MONTEVERDE: I think what you've offered is to do the continuance again. I'll poll the other members of the Board and see if they agree.

MANUEL BARROS: Can we continue it until the twenty-sixth of this month, Mr. Chairman? Is it --

JIM MONTEVERDE: Well, you decide how much time you need to get back in front of these whoever you feel has jurisdiction over this. If that's sufficient time -- let me see - yes, I would suggest you give yourself a bit more

time, but again, that's entirely up to you.

MANUEL BARROS: Well, I don't know if a lot of time will do much good. I think I can -- I think --

JIM MONTEVERDE: It's not an insignificant ask. It's not an insignificant case.

MANUEL BARROS: I know.

JIM MONTEVERDE: You tell me. I mean, the case -- the hearing dates that we have available, yes, we have September 26, we could also do October 24, and then we go into November.

But -- October 10, sorry. We have October 10, October 24 -- again, I'm just trying to suggest you give yourself enough time to actually --

MANUEL BARROS: Okay, I would --

JIM MONTEVERDE: -- get in front of me.

MANUEL BARROS: I would ask for October 10, then. Is that good?

JIM MONTEVERDE: October 10. Okay. Let me just pull - thank you, Mr. Barros. I appreciate that.

Members of the Board, do you all concur?

WENDY LEISERSON: Yes.

JIM MONTEVERDE: You've read the file? You

understand what's at stake here? You've read the pros and cons?

CAROL AGATE: Yes.

JIM MONTEVERDE: If that's okay with everyone, I will make a motion to continue. We'll continue until December 10. Will you all be available on December 10?

MANUEL BARROS: No, you said December?

WENDY LEISERSON: October 10.

JIM MONTEVERDE: October 10, sorry. Sorry.

MANUEL BARROS: October 10, yes.

JIM MONTEVERDE: Sorry. If so, let me make a motion, then. Let me make a motion to continue this matter until October 10, 2024, on the condition that the petitioner change the posting sign to reflect the new date of October 10, 2024, and the new time of 6:00 p.m.

Also, that the petitioner sign a waiver to the statutory requirements for the hearing. This waiver can be obtained from Maria Pacheco or Olivia Ratay at the Inspectional Services Department.

I ask that you sign the waiver and return it to the Inspectional Services Department by a week from this coming Monday. Failure to do so will de facto cause this

Board to give an adverse ruling on this case.

Also, that if there are any new submittals, changes to the drawings, dimensional forms, or any supporting statements that those be in our files by 5:00 p.m. on the Monday prior to the continued meeting date.

On the motion to continue --

STEPHEN NATOLA: Case not heard, so we don't need the same.

JIM MONTEVERDE: Okay. This is a case not heard, so we don't need the same Board Members, in case anyone can't make October 10.

On the motion to continue this matter until October 10, 2024, by a voice vote from the Board Members, please? Wendy?

WENDY LEISERSON: In favor.

JIM MONTEVERDE: Thank you. Carol?

CAROL AGATE: In favor.

JIM MONTEVERDE: Thank you. Virginia?

VIRGINIA KEESLER: In favor.

JIM MONTEVERDE: Thank you. Steven?

STEVEN NG: In favor.

JIM MONTEVERDE: Thank you. And Jim Monteverde in

favor.

[All vote YES]

JIM MONTEVERDE: That's unanimous. This case will be continued as a case not heard on October 10, 2024, at 6:00 p.m.

Thank you, Mr. Barros, for continuing this, and please contact the Planning Board and the East Cambridge Planning Team. Thank you.

MANUEL BARROS: I will do so, and I will sign the waiver. Thank you, Mr. Chairman. Thank you --

JIM MONTEVERDE: Thank you very much.

MANUEL BARROS: -- BZA.

JIM MONTEVERDE: Yep. Good evening.

MANUEL BARROS: Good evening. Okay. So Vin, are you going to be around?

JIM MONTEVERDE: Okay, Board Members. That's a wrap. Thank you all for your help.

WENDY LEISERSON: Thank you, Jim.

COLLECTIVE: Thank you. Goodnight, everyone.

JIM MONTEVERDE: See you. Have a good evening. Goodnight.

[8:54 p.m. End of Proceedings]

East Cambridge
ECPT
Planning Team
A Neighborhood Organization for the Betterment of East Cambridge

September 5, 2024

Cambridge Board of Zoning Appeal
831 Mass Ave
Cambridge, MA 02139

RE: 723-731 Cambridge St *(BZA-281576)*

Dear Chair Monteverde; Vice Chair Ng; Members Keesler, Hidalgo; and Associate Members Agate, LaRosa, Leiserson, Miller, and Miranda:

On September 4, 2024, the East Cambridge Planning Team (ECPT) Board took up the matter of the special permit and variances requested for 723-731 Cambridge St. (location of former Portugalia Restaurant) as the next membership meeting is September 11th and ECPT does not meet in the summer. A special permit is being requested to change the building from a residential use to hotel use and variances to allow the addition of 2 new floors and other relief necessary for the project.

We would like to start with two principles this organization has maintained for many years:

- Preservation of Housing. We generally oppose removing housing from Cambridge Street. This proposal would remove eight apartments and replace none of them.

- Hardships. We strongly support the BZA's strict adherence to the legal standard for granting variances--a substantial hardship relating to this specific property involving topography, soil conditions or the shape of the lot. The BZA has received letters that go into this in greater detail, and we agree with the authors that the petitioner has shown no legal hardship. In fact, the petitioner has contributed to many of these conditions by applying for and receiving variances and special permits in the past.

ECPT has been following this case and reviewed the proposed plans and the Planning Board hearing as well. The hearing can be accessed here:
https://cambridgema.granicus.com/player/clip/809?view_id=1&redirect=true .
We remain interested parties since a hotel in the midst of an old residential neighborhood, across from a school, library, and church, could have a damaging effect on the quality of life.

The Planning Board discussed this petition at great length at its September 3rd meeting and voted unanimously to give it a negative recommendation. One of the main reasons for this was the Planning Board's conclusion that this proposal is entirely incompatible with the recommendations of the recently conducted Cambridge Street planning study. We agree with the Planning Board's analysis and ask that you adopt it as well and deny the petitioner's application for special permit and variances.

Very truly yours,

Charles T. Hinds
President, ECPT

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