

BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING
THURSDAY, SEPTEMBER 10, 2026

6:00 p.m.
Remote Meeting
via
831 Massachusetts Avenue
Cambridge, Massachusetts 02139

Steven Ng, Chair
Farnando Daniel Hidalgo
Virginia Kessler
Brendan Sullivan
Zarya Miranda

City Employees
Stephen Natola



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* * * * *

(6:00 p.m.)

Sitting Members: Steven Ng, Virginia Keesler, Daniel
Hidalgo, Brendan Sullivan, and Zarya
Miranda

STEVEN NG: All right. Good evening,
everyone. Welcome to the September 10, 2026 meeting of the
Cambridge Board of Zoning Appeal. My name is Steven Ng, and
I am the Chair.

Pursuant to Chapter 2 of the Acts of 2023 adopted
by Massachusetts General Court, and approved by the
Governor, the City is authorized to use remote participation
at meetings of the Cambridge Board of Zoning Appeal.

This meeting is being video and audio recorded and
is broadcast on cable television Channel 22 within
Cambridge. There will also be a transcript of the
proceedings.

All Board Members, applicants, and members of the
public will state their name before speaking. All votes
will be taken by roll call.

Members of the public will be kept on mute until

1 it is time for public comment. I will give instructions for
2 public comment at that time, and you can also find
3 instructions on the City's webpage for remote BZA meetings.
4 Generally, you will have up to three minutes to speak.

5 I'll start by asking Staff to take Board Members
6 attendance for our 6:00 p.m. Continuance Agenda and verify
7 that all members are audible.

8 STEPHEN NATOLA: Steven Ng?

9 STEVEN NG: Steven Ng present.

10 STEPHEN NATOLA: Virginia Keesler?

11 VIRGINIA KEESLER: Virginia Keesler present.

12 STEPHEN NATOLA: Daniel Hidalgo?

13 DANIEL HIDALGO: Daniel Hidgalgo present.

14 STEPHEN NATOLA: Zarya Miranda?

15 ZARAYA MIRANDA: Zarya Miranda present.

16 STEPHEN NATOLA: Brendan Sullivan?

17 BRENDAN SULLIVAN: Brendan Sullivan present.

18 STEVEN NG: Thank you.
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(6:02 p.m.)

Sitting Members: Steven Ng, Virginia Keesler, Daniel
Hidalgo, Brendan Sullivan, and Zarya
Miranda

STEVEN NG: So our one item on our continued cases
agenda is Case No. BZA-1212288 for 162 Otis Street, Elad and
Shelly Shoushan being represented by Sarah Rhatigan.

I'm being informed it was -- do we just withdraw,
or should Sarah speak to it?

STEPHEN NATOLA: There is no Sarah.

STEVEN NG: Oh.

STEPHEN NATOLA: Was there --

STEVEN NG: You have it. Sorry, everyone.

[Side conversation]

STEVEN NG: Okay. So there's a request to submit
a withdrawn decision. And so, I will make a motion. I move
that Case No. BZA - 1212288 seeking a variance at 162 Otis
Street be withdrawn without prejudice.

A voice vote by Board members, please?

Brendan Sullivan?

BRENDAN SULLIVAN: Brendan Sullivan accepts the

1 motion to withdraw the case.

2 STEVEN NG: Thank you.

3 Daniel Hidalgo?

4 DANIEL HIDALGO: Daniel Hidalgo in favor.

5 STEVEN NG: Thanks, Daniel.

6 Virginia Keesler?

7 VIRGINIA KEESLER: Virginia Keesler in favor.

8 STEVEN NG: Thank you.

9 Zarya Miranda?

10 ZARAYA MIRANDA: Zarya Miranda in favor.

11 STEVEN NG: Thank you. And Steven Ng in favor.

12 [All vote YES]

13 STEVEN NG: With that, the motion to withdraw
14 passes, and the case is withdrawn.

15 And we have next up is scheduled for 6:15, so
16 we've got 10 minutes. So we'll see everyone in ten.

17 [Pause]

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(6:15 p.m.)

Sitting Members: Steven Ng, Virginia Keesler, Daniel
Hidalgo, Brendan Sullivan, and Zarya
Miranda

(No audio for introduction portion to Case No. BZA-1222289.)

STEVEN NG: 4.10, Quick Service Formula Business,
as well as Section 10.40 for a Special Permit. And Sarah,
you're online?

SARAH RHATIGAN: Good evening, Mr. Chairman.
Sarah Rhatigan for the petitioner. I'm sorry, I did not
hear anything that you said up until the last few words. So
I'm not sure if there was something going on with my audio,
but hopefully you weren't asking any questions.

STEVEN NG: No, none at all. It was just --

SARAH RHATIGAN: Okay.

STEVEN NG: -- summarizing sections you're citing,
and what the application is seeking.

SARAH RHATIGAN: Perfect, thank you.

So for the record, my name is Sarah Rhatigan,
Trilogy Law LLC, 12 Marshall Street in Boston. I'm here
representing the petitioner, which is 7th Street Burger.

1 7th Street Burger is a burger shop out of New York that is
2 seeking to open a shop in Harvard Square -- at the heart of
3 Harvard Square at 37 Brattle Street.

4 And with me today are Jeff Emmanuel, I believe Dan
5 Kestenbaum and Dean Duffy from 7th Street Burger. And it's
6 possible we have someone from the landlord owner of the
7 building and some of the Asana Partners as well; Mario
8 Cabrera, who's been very helpful to us as we've been
9 planning for this application.

10 So as you know, under the Harvard Square Overlay,
11 if you are considered a Formula Business -- a Quick Service
12 Food Establishment -- that meets the definition of a Formula
13 Business, so you've got -- oh, I can't remember what the
14 threshold numbers are, but we have over the threshold number
15 of stores --

16 STEVEN NG: Mm-hm.

17 SARAH RHATIGAN: -- nationally, and 7th Street
18 Burger has at least two other locations in Massachusetts.
19 So they do meet that definition. We needed to come to this
20 Board requesting a special permit to allow for the use.

21 And we have the usual Special Permit Standard
22 Requirements as well as a set of parameters to go through

1 and describe to you all under 11.31, which we'll do.

2 I thought maybe we would start, if it's okay,
3 Stephen, if you could pull up the slides, just to give a
4 little visual of where we are in the Square and what the
5 burger shop is going to look like.

6 STEVEN NG: Absolutely.

7 [Pause]

8 SARAH RHATIGAN: Thank you. This is exactly where
9 I wanted to start. So --

10 STEVEN NG: Great.

11 SARAH RHATIGAN: -- just as -- an overhead view.
12 If you don't mind zooming out a little bit, Stephen; I think
13 the images gives you a little bit more of the location in
14 the Square.

15 Well, you can -- yep, yep, perfect.

16 Okay, so we're looking down, bird's eye view.
17 This is the curve of Brattle Street. I always call this the
18 heart of the Square, I don't know, some people would say The
19 Pit is the heart of the Square. But anyway, one of the
20 hearts of the Square --

21 [Laughter]

22 -- depending on your viewpoint.

1 And this is a relatively small retail site on --
2 if you scroll down a bit, Stephen.

3 This is the rendering that was done by the signage
4 group. So you can see in the little panel it shows the
5 existing street view with a green layer was the retail store
6 that just very recently left next to the Moleskine, and 7th
7 Street Burger would take that location.

8 And if you just see the next image there, this is
9 the sign application. The sign application actually was
10 already approved, but you can get a view here of what the
11 signage would look like. But you can see a simple, small
12 fronted retail space.

13 Next slide, please?

14 Actually, if you don't mind, you can just skip
15 forward to -- yep, this view, yep. Another front-facing
16 view of what the retail front would look like.

17 Next slide, please?

18 Here's an image of what the inside of the store
19 would look like. 7th Street Burger has a philosophy of
20 simplicity. It was started by a couple of friends who were
21 looking for the best burger ever.

22 And they like the smashburger style, so like the

1 really thin, crispy patties. And I shouldn't be telling you
2 about this now, because I didn't eat dinner before this
3 hearing.

4 But they have a very simple menu. They -- I
5 believe they have three things on the menu, and as they
6 describe it, they do them really well, and that's what they
7 do; they stick to their basics.

8 And then the inside: sort of clean lines and sort
9 of old-style in keeping with that kind of concept. They
10 anticipate about 20 seats.

11 And if you show the next slide, please?

12 Actually, you can -- sorry to flip through, but
13 you can -- I provided some promotional information, just
14 because it gives a lot of the back story of the company,
15 which I thought would be helpful to the Board. But I'm not
16 going to go through these in any detail.

17 But so you can advance through the next few
18 images.

19 STEVEN NG: [Laughter] Getting hungry, Stephen?

20 [Laughter]

21 SARAH RHATIGAN: And it's just, you know, showing.
22 They are company owned, so they're not franchises. They are

1 quite popular.

2 And next slide, going through -- okay, here, we're
3 back to the Square again showing its location.

4 I thought there was one other image that we were
5 going to share, although perhaps it didn't get in here. Was
6 there an image of outdoor seating, Stephen? Is there
7 another slide, or is this the end of the deck? But it would
8 be below.

9 Yeah, no, I don't -- I'm sorry, I don't think that
10 we got it in there. There's a possibility they would like
11 to explore having two small seats at the front of the store.

12 And Stephen, you can just choose -- actually, we
13 could probably stop showing the slide deck, unless people
14 want to see it again.

15 There's the potential for a -- seeking a license
16 from the City to allow for probably two tabletops outside
17 the front of the store for seating as well, but there's no
18 -- we don't have an application out yet, but that is a
19 possibility. And it was actually something that the folks
20 at the Harvard Square Advisory Committee who we presented to
21 was keenly interested in.

22 So I want to just run through some of the elements

1 of the special permit to go over some of the more specifics
2 of the operations and then be available for questions,
3 because I want to be able to answer those. Our members of
4 the 7th Street Burger are --

5 STEVEN NG: Sure.

6 SARAH RHATIGAN: -- here as well.

7 STEVEN NG: Sounds good.

8 SARAH RHATIGAN: So we have to establish that
9 we're not going to create traffic problems, reduce available
10 parking, threaten public safety, encourage double parking.
11 I'm putting these all together and all lumped together just
12 to sort of talk through those.

13 So as you would expect, you know, with this
14 location and the type of store that it is, we expect foot
15 traffic almost exclusively. The -- there's really nowhere
16 to park in this part of the Square.

17 So this is folks coming off the T, kids from
18 Harvard, MIT, et cetera, you know, neighborhood people
19 coming into the Square for food, and sort of centrally
20 located with a lot of other great options, sort of at a
21 reasonable price point.

22 And so we don't expect issues in that regard.

1 There was a good, healthy conversation in the
2 Harvard Square Advisory Committee group about dealing with
3 things like deliveries, because this is a difficult area of
4 the Square. And so, there were some really helpful
5 suggestions.

6 The 7th Street Burger folks were saying that they
7 have the ability to get their suppliers to have blackout
8 windows on deliveries. So they say if we tell them you
9 cannot deliver during these hours, they won't.

10 And then they have -- I can't remember what they
11 call it -- cold box storage, where basically the delivery
12 people can deliver in the middle of the night, deliver to a
13 refrigerator that they have access to inside the building.

14 And so, that's what they're intending to do in
15 this location, so that they can avoid some of the congestion
16 concerns and the difficulty of getting in and out of the
17 Square when there are a lot of people there.

18 STEVEN NG: Mm-hm.

19 SARAH RHATIGAN: The other thing that was
20 discussed in a fair amount was talking about delivery
21 drivers and third-party like -- you know, Grubhub, DoorDash,
22 et cetera.

1 And what 7th Street has said is that they -- one,
2 they do not like those third-party vendors. I think a lot
3 of the businesses don't. They can't say that they would
4 never use them, but they have found in other locations,
5 including there's a store in a new location in Newbury
6 Street, and in that location, they have just turned it off.

7 That's not even an option there, because the store
8 is plenty busy, and it would really kind of overwhelm the
9 store if they were to open that up, and they don't like
10 having to deal with those -- that kind of traffic and
11 delivery drivers. So they have both the willingness and the
12 ability to manage that kind of issue.

13 The physical design -- you know, color and use of
14 materials, they like a lot. I think it's really neat, and
15 their signage has been approved and seems to be -- you know,
16 fit in well in that location in the Square. It's not
17 standing out a lot.

18 And then the 7th Street Burger sort of value
19 proposition for the Square I think is a really good one. It
20 is unique in that it's got the simple one option -- this is
21 where your friend who loves burgers and doesn't want a taco
22 and doesn't want pizza goes.

1 And it's offering a really good product, and sort
2 of a lively use in this part of the Square that the Harvard
3 Square Advisory Committee folks were excited to encourage.

4 We talked about attracting people who are walking
5 in, and the next element was using biodegradable materials,
6 which they are going to use -- you know, use to the greatest
7 extent possible.

8 They have -- they will have both good trash
9 management, both for onsite as well as in terms of removing
10 trash. Trash -- I think there's a trash facility that the
11 Asana Partners folks have that manages for that whole area,
12 which is quite good.

13 They also have a fair amount of basement storage
14 area so trash can be kept -- if it hasn't been picked up it
15 can be kept inside the building so that that will be managed
16 well, which I know is important.

17 And then in terms of meeting requirements for
18 handicapped and disabled people, the site is -- it is at
19 ground level already, which is good, and they are providing
20 an ADA accessible bathroom, which is nice for a size of a
21 space like this. To be able to have a good bathroom is also
22 nice.

1 Let's see. What else?

2 I've covered a lot of things. I hope that you had
3 a chance to take a look at the -- we have two letters of
4 support; I'm sure, Mr. Chairman, you'll reference those.

5 But both support from the Harvard Square Business
6 Association as well as the Advisory Committee, which we met
7 in mid-August.

8 Thank you.

9 STEVEN NG: Thank you, Sarah. Any questions from
10 the Board?

11 BRENDAN SULLIVAN: I have a question. I think
12 that the letters that Sarah just referenced, especially from
13 the Harvard Square Business Association speaks volumes of
14 the proposed use, and also how they conduct their business.

15 As far as whether or not there's a need in the
16 area, I've always felt that the marketplace will decide the
17 need, and if it's a good product, fairly priced and served
18 well, then it will survive, and that will fulfill the need.
19 So that would be my comment on the application.

20 STEVEN NG: Thank you, Brendan. Anyone else?

21

22 STEPHEN NATOLA: J. Williamson from the public.

1 STEVEN NG: No, no, it's just Board Member
2 questions. Yep. Any other Board members? None? I just
3 had a question, Sarah. What are currently the proposed
4 hours of business?

5 SARAH RHATIGAN: Thank you. Sorry, I forgot to --

6 STEVEN NG: No, that's okay.

7 SARAH RHATIGAN: -- reference that.

8 STEVEN NG: Yep.

9 SARAH RHATIGAN: So the proposed schedule is to
10 open at 11:00 every day of the week, and to close at
11 midnight from Sunday to Wednesday, and then Thursday through
12 Saturday they're proposing a 2:00 a.m. close time.

13 And that was also with some urging from the
14 Harvard Square Advisory Committee, because I guess there's a
15 sense of desire to really enliven this area in the later
16 hours.

17 STEVEN NG: Gotcha. All right, thank you. I
18 think -- yeah, we could probably move on. If there's no
19 other questions from fellow Board members, I'll move on to
20 public comment.

21 First, going through the correspondence as Sarah
22 mentioned, we do have two letters. One is from City of

1 Cambridge Community Development speaking or reporting back
2 on the meeting with Harvard Square Advisory Committee. They
3 do support the application and special permit for the
4 project.

5 And I think just to cut to their recommendations,
6 they do support those proposed hours, as mentioned by Ms.
7 Rhatigan. They believe, you know, it gives just that extra
8 -- those opportunities for people to -- for gathering in the
9 Square throughout the week.

10 Probably the more important topic, which we'll
11 talk about and expand upon is, you know, about the delivery
12 logistics.

13 Just with all the complexity in the Square of
14 different ways folks are moving around and using bike lanes,
15 traffic and so on, the concerns about the third-party
16 delivery and the pickup and -- is causing, is -- you know,
17 even currently now causing quite a bit of congestion there.

18 But they do mention what you were suggesting --
19 mentioning earlier, that 7th Street has options and ways to
20 manage that, so we can discuss that a little further.

21 They mention the outdoor seating and they support
22 and encourage providing that space and approving that patio

1 license, and also share the Harvard Square Advisory
2 Committee Guidance Document to the applicant to review.

3 And, you know, they were unanimous in terms of
4 supporting the application.

5 We also have a letter or e-mail received from
6 Denise Jillson of the Harvard Square Business Association,
7 and I think one of the key notes here is just citing how
8 well the landlord of the property has been working with 7th
9 Street as well as serving the community, Asana Partners.

10 And I think that, one, we want to make sure people
11 hear that, you know, good news that we have a landlord who's
12 supportive and working with the City as well as meeting
13 tenants' expectations.

14 So those two were in support, and we can go now to
15 public comment online.

16 Any members of the public who wish to speak should
17 now click the icon at the bottom of your Zoom screen that
18 says, "Raise hand."

19 If you're calling in by phone, you can raise your
20 hand by pressing *9 and unmute or mute by pressing *6. I'll
21 now ask Staff to unmute the speakers one at a time.

22 You should begin by saying your name and address,

1 and Staff will confirm that we can hear you. After that you
2 will have up to two minutes to speak before I ask you to
3 wrap up.

4 STEPHEN NATOLA: J. Williamson?

5 JAMES WILLIAMSON: Can you hear me?

6 STEVEN NG: Yes, we can.

7 JAMES WILLIAMSON: Thank you. My name is James
8 Williamson. I live in North Cambridge. I actually lived on
9 th
10 5 Street, between A and B in New York, right around the
11 corner from their first shop, but I've lived in Cambridge
12 now for 55 years.

13 Hi, Brendan.

14 BRENDAN SULLIVAN: James. [Laughter]

15 JAMES WILLIAMSON: I -- I've obviously, obviously
16 this is going to go through. I mean, there are other
17 businesses, there have been other restaurants that have come
18 and gone in similar locations.

19 A couple of observations: there is a driveway
20 behind the row of buildings that comes down next to
21 Sinclair. There's a fairly capacious parking area. I
22 believe that deliveries are made to Felipe's from that area

1 --

2 STEVEN NG: Hm.

3 JAMES WILLIAMSON: -- and I don't know if you want
4 to be a little more explicit about the potential use of that
5 space for deliveries. And by deliveries, I mean, you know,
6 to the business -- you know, supplies.

7 I think the big issue is going to be the DoorDash
8 -- I didn't quite get -- catch everything, I was distracted
9 for a minute.

10 But there's going to be an issue with -- first of
11 all, we've got an issue with these people racing around on
12 their little scooters; no enforcement in Cambridge of any
13 traffic laws, just that I can -- that I'm aware of. So
14 there's a real serious problem there.

15 And then the congestion. And if you know anything
16 about Harvard Square at night, I'm quite familiar with it.
17 I know the owner of Felipe's. You know, there's this huge
18 line out -- which is good, right? There's a huge line --

19 STEVEN NG: Yeah.

20 JAMES WILLIAMSON: -- of people waiting to get
21 into Felipe's, and that sidewalk is already quite congested
22 from the people waiting in line. And everybody wants to

1 take a little more space for their seating.

2 And I guess I would just ask that there be -- not
3 to pick on this particular applicant, but that there be a
4 better scrutiny to how much of the public sidewalk is being
5 taken by anybody who has table seating out on the sidewalk,
6 which I actually think is a good thing.

7 But, you know, you put the seating and then you
8 put the planter, and pretty soon there's not a lot of space
9 for people to walk down the sidewalk.

10 So those are the things that I wanted to flag.
11 There's a real problem with vehicles backing up on Brattle
12 all along the section between Felipe's and Palmer Alley at
13 night. I mean, it's a you-know-what show. So --

14 STEVEN NG: Right.

15 JAMES WILLIAMSON: -- I don't know what you ask
16 ISD to -- or the License Commission to maybe pay a little
17 closer attention to managing that congestion. And thank
18 you.

19 STEVEN NG: Thank you, Mr. Williamson.

20 Anyone else?

21 Okay. That was it for public comment. So we'll
22 close public hearing -- public comment at this time.

1 So discussion among Board members? Any thoughts
2 or can you share your thoughts about what -- how do we kind
3 of help address the traffic concerns with the third-party
4 delivery or how can we try to qualify or somehow try to make
5 some kind of effort to manage that?

6 I think Mr. Williamson's description of what
7 that's like: It is true that Felipe's line, the cars all
8 take up non-parking (sic) spots or -- you know, and it can
9 get pretty hectic right at the curve.

10 I think 7th Street Burger's location is a little
11 further away from that intensity, so that would help a bit.
12 But those third-party folks will come down Mount Auburn and
13 kind of find whatever space they can.

14 But any thoughts on the Board on how we can help
15 mitigate that?

16 BRENDAN SULLIVAN: Mr. Chair, I think that it sort
17 of borders on sort of a policing action in a sense. The
18 crowds and the number of people and the congestion is a good
19 sign in one aspect, because it shows somewhat of a healthy
20 economy and supportive of the businesses in the area.

21 And yes, that the -- it does take away from some
22 of the pedestrian traffic back and forth and able to, you

1 know, walk along the sidewalk. So it's everybody's sort of
2 vying for the same real estate at the same time.

3 This has always been sort of an issue with Harvard
4 Square in -- it's really somewhat unsolvable. I think it
5 just solves itself. Because any regulation, any type of
6 condition that we would put into it, who's going to enforce
7 it, and how's it going to be enforced?

8 And, you know, it puts the onus on the owner,
9 who's basically just trying to run this establishment the
10 best way possible to service the customer.

11 And, you know, what is the problem? Is the
12 problem with the applicant, the store owner, the -- in this
13 case, the burger establishment, or is it in the number of
14 people that find the area attractive, and limited space to
15 accommodate all of these people, which to me -- again, I go
16 back, I think it's sort of a good thing, as opposed to if
17 you go through other parts of the city and other cities, you
18 know, East Arlington there's -- there's no crowds. There's
19 For Rent signs. There's sales signs.

20 So I guess I would just say that it's something
21 very difficult to put a condition on, because then it
22 becomes a policing action, and if it fails to meet whatever

1 standard that we put into the condition, then it falls back
2 on the establishment to correct. And I'm not sure how it's
3 correctable.

4 So I'm not sure if that's helpful or not, but
5 that's sort of my thought.

6 ZARAYA MIRANDA: This --

7 STEVEN NG: Thank you, Brendan.

8 ZARAYA MIRANDA: -- is Zarya Miranda. I was going
9 to just second that. I think it's hard to come up with a
10 solution to that problem, because we want to attract people
11 to the Square, and I think that -- you know, the line at
12 Felipe's can be long and tiring when you stand in it. But
13 maybe we can push the line down just around the corner to
14 7th Street.

15 I think the issue with the deliveries and the
16 scooters and the cars pulling over is something that's sort
17 of out of our hands. I wouldn't want to put a restriction
18 that, you know, a business couldn't have Uber Eats or
19 DoorDash.

20 And so I think it's something that also just sort
21 of has to solve itself. It's a double-edged sword with the
22 traffic.

1 DANIEL HIDALGO: Yeah, I agree with Zarya and
2 Brendan in that -- especially for the pedestrians. I think
3 I just worry about the enforceability in terms of I don't
4 know would ISD be responsible with their complaints, and
5 that strikes me as very hard for them to enforce in any kind
6 of consistent way, especially since the lines, I think are
7 -- you know, somewhat out of control, out of the control of
8 the business.

9 The Uber Eats and delivery, I think that's more
10 possible, the solution there in the sense that you can -- I
11 can imagine them having some kind of rule about when that's
12 available or not. But I'm sort of wary about being overly
13 prescriptive.

14 So I guess I -- if I -- you know, if I heard a
15 good solution for the delivery, I guess I'd be more
16 interested in that, but it still strikes me as tough for --
17 especially for ISD, yeah.

18 STEVEN NG: Yeah, and my focus was more about the
19 delivery, the vehicles --

20 STEPHEN NATOLA: Yeah.

21 STEVEN NG: -- and so on. I'm not concerned. I
22 think pedestrian activity is a good thing for the Square,

1 you know, and that's always going to draw people in, and we
2 welcome that, but it does get pretty hectic out there in the
3 evening.

4 But okay. Just wanted to put that out there. I
5 think, you know, the Advisory Committee's recommendations
6 are kind of listed and 7th Street Burger's one of the few
7 applicants who actually has some, you know, ways of managing
8 deliveries and blacking out periods of time.

9 So I guess that was really my -- personally my
10 only concern was to bring up the traffic issue. But
11 otherwise, totally -- I personally totally support the
12 application itself. So.

13 Any other comments from the Board?

14 All right. Are we ready for a motion, I guess?

15 BRENDAN SULLIVAN: Ready.

16 STEVEN NG: All right. The Chair makes a motion
17 to grant the special permit from the requirements of the
18 Ordinance under Sections 11.30, Section 4.35 for Quick
19 Service Food Establishment, 20.54.10 for Quick Service Food
20 Formula Business, Section 10.40 special permit.

21 And based on the Criteria for a Special Permit,
22 just summarizing those responses.

1 So item:

2 a) It appears that the requirements of this
3 ordinance cannot or will not be met: And the proponent's
4 establishment does meet the definition of Formula Business
5 in the Harvard Square Overlay District, which requires
6 seeking a special permit, if the business meets the
7 following criteria.

8 b) Traffic generated or patterns of access or
9 egress would cause congestion, hazard, or substantial
10 change: The project meets the General Special Permit
11 Criteria that it will not impact the established vibrant
12 neighborhood character, nor cause congestion, hazard, or
13 negative impacts in terms of traffic generated or patterns
14 of egress or access.

15 c) The continued operation of or the development
16 of the adjacent uses as permitted in the Zoning Ordinance
17 would be adversely affected: the continued operation or
18 development of adjacent uses will not be adversely affected
19 by 7th Street Burger operating in their location.

20 In fact, its patrons will augment and contribute
21 to the vibrant pedestrian centric experience in Harvard
22 Square and attract additional retail and other customers in

1 the Square.

2 d) Nuisance or hazard would be created to the
3 detriment of the health, safety, and/or welfare of the
4 occupant, and we will find no nuisance or hazard will be
5 created by the granting of the requested special permit
6 relief and reasons described above.

7 And lastly, item:

8 e) And for other reasons, the proposed use would
9 impair the integrity of the district or adjoining districts,
10 and the requested special permit can be granted without
11 impairing the integrity of the district or adjoining
12 districts in Harvard Square.

13 So by that finding, they meet the criteria under
14 Sections 10.40 for a special permit on the condition that
15 the work proposed conform to the set included in the
16 application package, which includes the following documents;
17 drawings set entitled, "7th Street Burger for Harvard
18 Square, 37 Brattle Street, Cambridge, Mass" by AGPC, dated
19 April 30, 2026.

20 And further, that we incorporate the supporting
21 statements and Dimensional Form submitted as part of the
22 application.

1 On a voice vote, please, Board members?

2 Brendan Sullivan?

3 BRENDAN SULLIVAN: In favor of the motion to
4 grant.

5 STEVEN NG: Thank you. Daniel Hidalgo?

6 DANIEL HIDALGO: Daniel Hidalgo in favor.

7 STEVEN NG: Virginia Keesler?

8 VIRGINIA KEESLER: Virginia Keesler in favor.

9 STEVEN NG: Zarya Miranda?

10 ZARAYA MIRANDA: Zarya Miranda in favor.

11 STEVEN NG: And Steven Ng in favor.

12 [All vote YES]

13 STEVEN NG: The vote is 5:0 in favor, and the
14 special permit is granted. Thank you.

15 SARAH RHATIGAN: Thank you very much.

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(7:10 p.m.)

Sitting Members: Steven Ng, Virginia Keesler, Daniel
Hidalgo, Brendan Sullivan, and Zarya
Miranda

STEVEN NG: All right. Next up is our 6:30 --
we're well past that -- Case No. BZA -1225403, 127 Mount
Auburn Street, 17 Story LLC, Janet Jiang, represented by
Patrick W. Barrett, seeking a variance to reduce the front
yard setback along Mt. Auburn and Story Street, citing
sections 5.31, Table of Dimensional Requirements; and
Sections 10.30 for a Variance.

Is Mr. Barrett here, or are we just doing it?

[Side conversation]

STEVEN NG: Is that in here? I believe -- I don't
think there's -- is there a letter from him? I believe
they've requested a continuance of the application. I know
the Harvard Square Advisory Committee hasn't really provided
feedback on this application, so --

STEPHEN NATOLA: This is the correspondence.

STEVEN NG: Ah, here we go. Thank you. Yes,

1 they're requesting a continuance so that they can present to
2 the Harvard Square Advisory Committee and do we have a date
3 for --

4 STEPHEN NATOLA: Is it the same one or not?

5 STEVEN NG: Nope, no date was mentioned.

6 STEPHEN NATOLA: Then it's going to be December
7 17.

8 STEVEN NG: December -- no, come on.

9 STEPHEN NATOLA: Oh.

10 STEVEN NG: Just trying to find the date here.

11 STEPHEN NATOLA: Did he say anything about whether
12 or not Harvard Square was --

13 STEVEN NG: No, there's nothing here for a date
14 with Harvard Square Advisory.

15 STEPHEN NATOLA: So why don't we just give them --
16 sorry.

17 STEVEN NG: Okay. So we'll continue to September
18 24. Since we haven't heard the meeting, I don't think
19 there's any need to for -- you know --

20 STEPHEN NATOLA: There are scheduled cases.

21 STEVEN NG: Yeah. All right. So a motion to
22 continue this matter to September 24 on the condition that

1 the petitioner change the posting sign to reflect the new
2 date of September 24, 2026 and the new time of 6:00 p.m. or
3 do you have a time?

4 STEPHEN NATOLA: No, continue --

5 STEVEN NG: Okay. Also that the petitioner sign a
6 waiver to the statutory requirements for the hearing. This
7 waiver can be obtained from Maria Pacheco or Olivia Ratay at
8 the Inspectional Services Department.

9 I ask you sign the waiver and return it to
10 Inspectional Services Department by a week from this coming
11 Monday. Failure to do so will de facto cause this Board to
12 give an adverse ruling on this case.

13 Also, that if there are new submittals, changes to
14 the drawings, dimensional forms, or any supporting statement
15 that those be filed by 5:00 p.m. on the Monday prior to the
16 continued meeting date.

17 On the motion to continue this matter until
18 September 24, a voice vote by the Board members please?

19 Brendan Sullivan?

20 BRENDAN SULLIVAN: Brendan Sullivan yes to
21 continue the matter.

22 STEVEN NG: Thank you. Daniel Hidalgo?

1 DANIEL HIDALGO: Daniel Hidalgo in favor.

2 STEVEN NG: Thank you.

3 Virginia Keesler?

4 VIRGINIA KEESLER: Virginia Keesler in favor.

5 STEVEN NG:

6 Zarya Miranda?

7 ZARAYA MIRANDA: Zarya Miranda in favor.

8 STEVEN NG: Thank you.

9 STEVEN NG: And Steven Ng in favor.

10 [All vote YES]

11 STEVEN NG: So that continuance is going to happen
12 then. And I think that was it for this evening's business.
13 Thanks, everybody, for jumping on and we'll see you all
14 soon.

15 BRENDAN SULLIVAN: Goodnight, all. Stay well.

16 UNIDENTIFIED: Thank you, have a good night.

17 STEVEN NG: Thanks. You too.

18 [7:15 p.m. End of Proceedings]

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CERTIFICATE

Commonwealth of Massachusetts

Middlesex, ss.

I, Elizabeth McAvoy, Notary Public in and for the
Commonwealth of Massachusetts, do hereby certify that the
above transcript is a true record, to the best of my
ability, of the proceedings.

I further certify that I am neither related to nor
employed by any of the parties in or counsel to this action,
nor am I financially interested in the outcome of this
action.

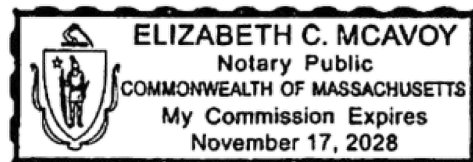
In witness whereof, I have hereunto set my hand this
19th day of September 2026.

Elizabeth C. McAvoy

Notary Public

My commission expires:

November 17, 2028



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