

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Dark Ride Media, LLC

PETITIONER'S ADDRESS: C/O Patrick W. Barrett, Esq. 41A Pleasant St Cambridge, MA 02139

LOCATION OF PROPERTY: 288 Green Street

TYPE OF OCCUPANCY: 4.35 (g) (h) ZONING DISTRICT: Res C-3; Central Square Overlay

REASON FOR PETITION:

<input type="checkbox"/> Additions	<input type="checkbox"/> New Structure
<input checked="" type="checkbox"/> Change in Use/Occupancy	<input type="checkbox"/> Parking
<input type="checkbox"/> Conversion to Addi'l Dwelling Unit's	<input type="checkbox"/> Sign
<input type="checkbox"/> Dormer	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Other: _____	

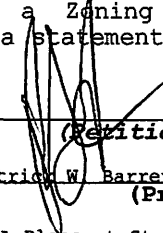
DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner requests variance relief to convert former below grade function hall into a theatre and accessory cafe serving beer and wine. This variance was granted in 2016 but for financial reason petitioner's variance has since lapsed.

SECTIONS OF ZONING ORDINANCE CITED:

Article 4.000 Section Use Regulations 4.35 (g) (h) & 20.000 Section 20.304.5 Use Limitations and Restrictions.
Article 5.000 Section 5.31 Table of Dimensional Regulations
Article 10.000 Section 10.40 Variance Relief

Applicants for a **Variance** must complete Pages 1-5
Applicants for a **Special Permit** must complete Pages 1-4 and 6
Applicants for an **Appeal** to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

Original Signature(s):  _____
(Petitioner(s)/Owner)

Patrick W. Barrett III, Esq.
(Print Name)

Address: 41A Pleasant Street Cambridge, MA 02139

Tel. No.: 617 778 3521

E-Mail Address: jbrealtyllc@gmail.com

Date: _____

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 Dark Ride Media, LLC. (OWNER)

Address: 288 Green Street

State that I/We own the property located at 288 Green Street, which is the subject of this zoning application.

The record title of this property is in the name of Greek-American Political Club

*Pursuant to a deed of duly recorded in the date _____, Middlesex South County Registry of Deeds at Book 9632, Page 128; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____

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

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

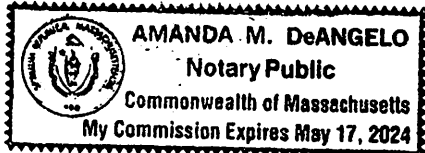
Commonwealth of Massachusetts, County of Middlesex

The above-name Patrick W Barrett personally appeared before me, this 8th of July, 2019, and made oath that the above statement is true.

Amanda M. DeAngelo Notary

My commission expires May 17, 2024 (Notary Seal).

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



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Faint, illegible text, possibly a concluding section or signature area.



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BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

- A)** A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

A literal enforcement of the provisions of this Ordinance would involve a substantial hardship to the Petitioner because the location below grade space has a prior history as a function hall but is not suitable for any of the other allowed uses within the district because of the large size and lack of street frontage. The proposed use is sited in the basement of a pre-existing non-conforming commercial building that hosts live music, salsa and dancing classes, and other uses currently not permitted in the Residence C-3 zone but are prevalent within the Central Square Overlay District, Business B district, and are encouraged within Central Square Cultural District in which the locus sits. The space has been vacant since 2003 and will provide highly sought after rehearsal space and theatre space in Central Square.

- B)** The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

The hardship is owing to the structure sited within a pre-existing non-conforming structure whose size and lack of street frontage prohibit any meaningful use. The same use are allowed within the Overlay District and across Green Street in the Business B District and are currently grandfathered on the upper floors of the locus. The below space did have a similar use that lost its grandfather status after ceasing operations for more than two years.

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

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

Desirable relief may be granted, and was in 2016, without substantial detriment to the public good because the Theatre Use will support the arts and mix of entertainment that has been the subject of multiple studies and goals of Central Square which is the City's only Cultural District.

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

In section 1.03 (Purpose) the Ordinance calls for the most rational use of land throughout the City. Due to the location's size and orientation with a complete lack of street frontage, its prior use as a function and entertainment space, and the incompatibility with any allowed use within Residence C-3 the proposed use is the only practical use of the space that also fulfills the goals and purpose of the Cultural District in which it sits.

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

BZA APPLICATION FORM
DIMENSIONAL FORM

basement, previously gathering

APPLICANT: _____ PRESENT USE/OCCUPANCY: social space

LOCATION: 288 Green Street, Cambridge, MA 02139 ZONE: C-3

PHONE: _____ REQUESTED USE/OCCUPANCY: theater/rehearsal space

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
<u>TOTAL GROSS FLOOR AREA:</u>	5,265 sf for renovation 22,169 entire building	<u>5,265 sf</u> no change to exterior	<u>23,175 sf (max.)</u>
<u>LOT AREA:</u>	<u>7,725 sf</u>	<u>7,725 sf</u>	<u>5,000 sf (min.)</u>
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:²</u>	0.69 for reno 2.87 for entire building	no change to exterior	<u>3 (max.)</u>
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	no dwelling units currently	no dwelling units proposed	<u>300 sf/unit (not res.) (min.)</u>
<u>SIZE OF LOT:</u>	<u>WIDTH: 53 feet (at widest)</u> <u>DEPTH: 201 feet (at deepest)</u>	<u>53 feet</u> <u>201 feet</u>	<u>50 feet (min.)</u> <u>(min.)</u>
<u>SET-BACKS:</u> (in feet)	<u>FRONT: 19.5 feet</u> <u>REAR: 122 feet</u> <u>LEFT SIDE: 0 feet</u> <u>RIGHT SIDE: 0 feet</u>	<u>19.5 feet</u> <u>122 feet</u> <u>0 feet</u> <u>0 feet</u>	<u>This is (min.)</u> <u>a pre- (min.)</u> <u>existing (min.)</u> <u>condition (min.)</u>
<u>SIZE OF BUILDING:</u>	<u>HEIGHT: 62 feet</u> <u>LENGTH: 102.9 feet</u> <u>WIDTH: 53 feet</u>	<u>62 feet</u> <u>102.9 feet</u> <u>53 feet</u>	<u>120 feet (max.)</u> <u>This is a</u> <u>pre-existing condition</u>
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:³</u>	This is a pre-existing condition <u>2.6%</u>	<u>2.6%</u>	<u>10% (min.)</u>
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>0</u>	<u>n/a (max.)</u>
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>7, however, this is a pre-existing condition (min./max)</u>
<u>NO. OF LOADING AREAS:</u>	<u>1</u>	<u>1</u>	<u>0 (min.)</u>
<u>DISTANCE TO NEAREST BLDG.:</u>	<u>0</u>	<u>0</u>	<u>This is a pre-existing condition (min.)</u>
<u>SIZE OF BLDGS. ADJACENT ON SAME LOT:</u>	<u>0</u>	<u>0</u>	<u>no other buildings on lot</u>

Describe, where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.: woodframe, concrete, brick, steel, etc.
There is an existing social club and dance studio/hall that are on the floors above, in the same building.
New interior wall construction will be framed with metal studs.

¹ See Cambridge Zoning Ordinance Article 5.000, Section 5.30 (District of Dimensional Regulations).
² Total Gross Floor Area (including basement 7'3" in height and attic areas greater than 5") divided by Lot Area.
³ Open space shall not include parking areas, walkways or driveway and shall have a minimum dimension of 15'.

BZA APPLICATION FORM

GENERAL INFORMATION

2019 JUL 10 PM 2:51

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Special Permit: _____ Variance: X Appeal: _____

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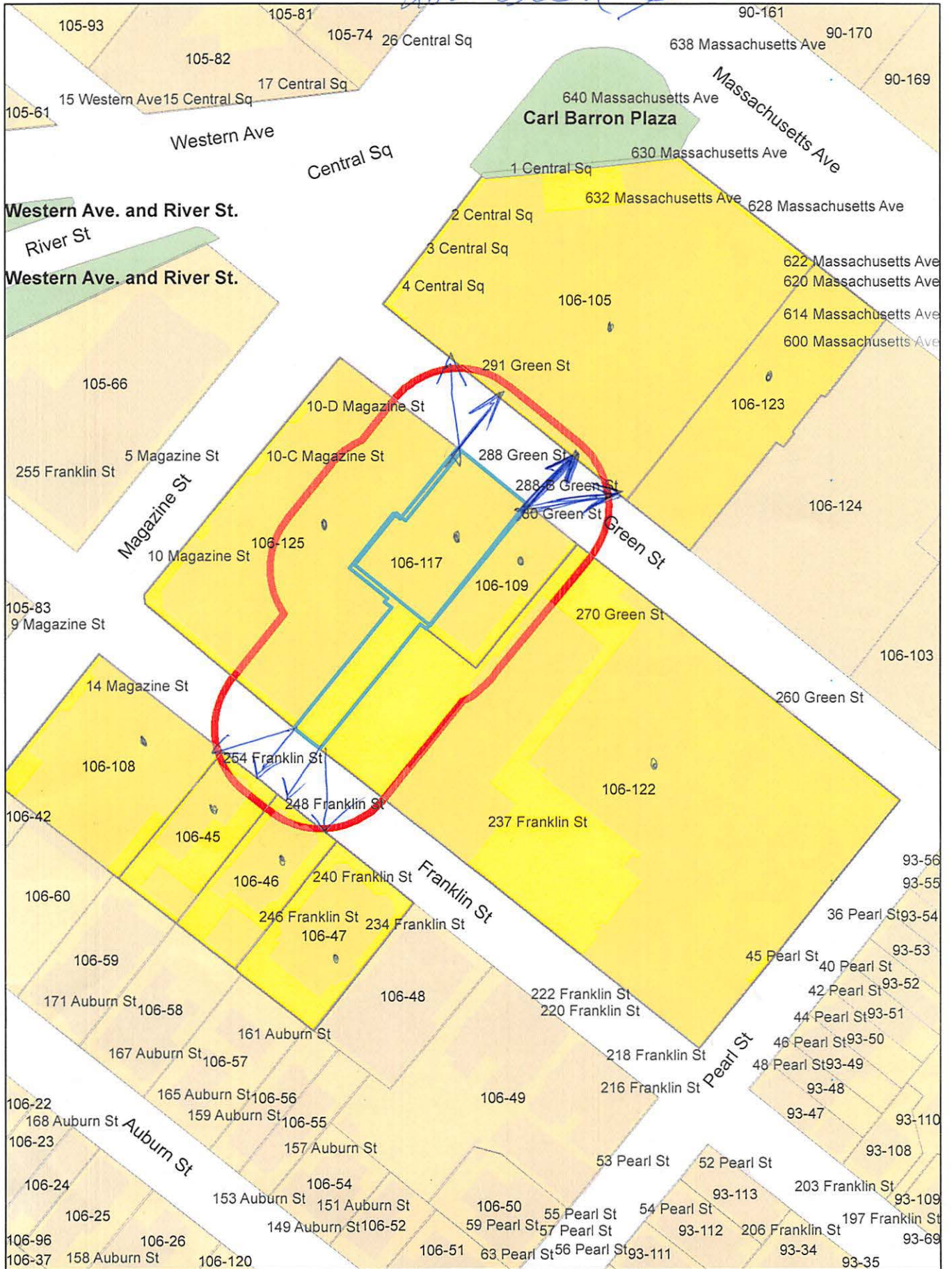
Address: 41A Pleasant Street Cambridge, MA 02139

Tel. No.: 617 778 3521

E-Mail Address: jbrealtyllc@gmail.com

Date: _____

288 Green St.



288 Green St.

Petitioner
PATRICK W. BARRETT, ESQ.
41A PLEASANT STREET
CAMBRIDGE, MA 02139

106-45-108
HELLENIC ORTHODOX COMMUNITY
OF CAMBRIDGE
14 MAGAZINE STREET
CAMBRIDGE, MA 02139

106-46
FEI, JIANMING
248 FRANKLIN ST., #1
CAMBRIDGE, MA 02139

106-46
GUTIERREZ, ADRIANA
248 FRANKLIN ST., #3
CAMBRIDGE, MA 02139

106-46
DOOLEY, BRENDAN M. & BARBARA DOOLEY
246 FRANKLIN ST., #4
CAMBRIDGE, MA 02139

106-47
KHAN, BADIUZ Z. & SAEMA A. KHAN
240 FRANKLIN ST. UNIT#1
CAMBRIDGE, MA 02139

106-47
ABROMOWITZ, MADELEINE R.,
TR. OF THE 240 FRANKLIN ST REALTY TRUST
C/O DAVID ABROMOWITZ
66 CLYDE ST
NEWTON, MA 02460

106-47
RUBINSON, DOUGLAS & NATALIE KLINCK
240 FRANKLIN ST #3
CAMBRIDGE, MA 02139

106-47
SHAN, CHUNG CHIEH
240 FRANKLIN ST. UNIT #4
CAMBRIDGE, MA 02139

106-47
SCEPANOVIC, DANILO
240 FRANKLIN ST., UNIT #5
CAMBRIDGE, MA 02139

106-47
AUSTIN, WESLEY & TANYA THU AUSTIN
240 FRANKLIN ST., #6
CAMBRIDGE, MA 02139

106-47
RICHARDSON, PATRICK
240 FRANKLIN ST. UNIT#7
CAMBRIDGE, MA 02138

106-47
BASSNEY, PETER J. &
JAMES EVERETT JER-DON, JR.
240 FRANKLIN STREET, UNIT #8
CAMBRIDGE, MA 02139

106-47
LENO, MARY M.
240 FRANKLIN ST. UNIT#B-1
CAMBRIDGE, MA 02139

106-47
NGUYEN, HUE & ANDREA VENDRAMIN
240 FRANKLIN ST, #B2
CAMBRIDGE, MA 02139

106-105
CENTRAL SQUARE LLC,
C/O HUNNEMAN REAL ESTATE CORP.
303 CONGRESS ST.
BOSTON, MA 02210

106-46
TOLEDANO LAREDO, VALERIO
246-248 FRANKLIN ST. UNIT#2
CAMBRIDGE, MA 02139

106-109
LONSDALE REALTY CORPORATION
P.O. BOX 2212, ROUTE 1
OGUNQUIT, ME 03907

106-117
GREEK-AMERICAN POLITICAL CLUB
OF MASSACHUSETTS
288 GREEN STREET
CAMBRIDGE, MA 02139

106-122
CAMBRIDGE CITY OF
PARKING
CAMBRIDGE, MA 02139

106-123
CARU CAMBRIDGE LLC.
620 MASSACHUSETTS AVE
CAMBRIDGE, MA 02139

106-125
EQR-CHURCH CORNER, L.L.C. EQR-RE TAX
DEPARTMENT
P.O BX 87407
LEDGER NO.19231
CHICAGO, IL 60606

106-122
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

106-122
CITY OF CAMBRIDGE
C/O LOUIS DEPASQUALE
CITY MANAGER



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Bruce A. Irving, *Chair*; Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director*
William G. Barry, Jr., Robert G. Crocker, Joseph V. Ferrara, Chandra Harrington, Jo M. Solet, *Members*
Gavin W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

Jurisdiction Advice

To the Owner of Property at 288 Green Street

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

- Old Cambridge Historic District
- Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
- Avon Hill Neighborhood Conservation District
- Half Crown – Marsh Neighborhood Conservation District
- Harvard Square Conservation District
- Mid Cambridge Neighborhood Conservation District
- Designated Landmark
- Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
- Preservation Restriction or Easement (as recorded)
- Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). See the back of this page for definition of demolition.
No demolition permit application is anticipated. No CHC review of use.
- No jurisdiction: not a designated historic property and the structure is less than fifty years old.
- No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
Staff comments: _____

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials SLB

Date June 18, 2019

Received by Uploaded to Energov

Date June 18, 2019

Relationship to project BZA 017134-2019

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

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

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

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