



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: ⁷³¹ 723 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:
Tel. No.

(617) 694-1354

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]
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.

[Signature] 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 by court order, 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 eminent 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 eminent 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 characteristics 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.**

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

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



Outlook

723-731 Cambridge Street

From Manny Barros <mannybarros@aol.com>

Date Mon 12/30/2024 7:04 AM

To Pacheco, Maria <mpacheco@cambridgema.gov>

Dear Maria,

Please remove my petition for hotel at 723-731 Cambridge Street. There are issues to resolve with this property given the opposition, therefore I will withdraw the plan to build a hotel at this time. I want to thank you and Board of Zoning Appeal for your consideration on this proposal.

Thank you,

Manny Barros

[Sent from the all new AOL app for iOS](#)

CLIENT
Manuel Barros

ARCHITECT
Tim Houde

ZONING SUMMARY 8.28.24
725-731 CAMBRIDGE ST

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

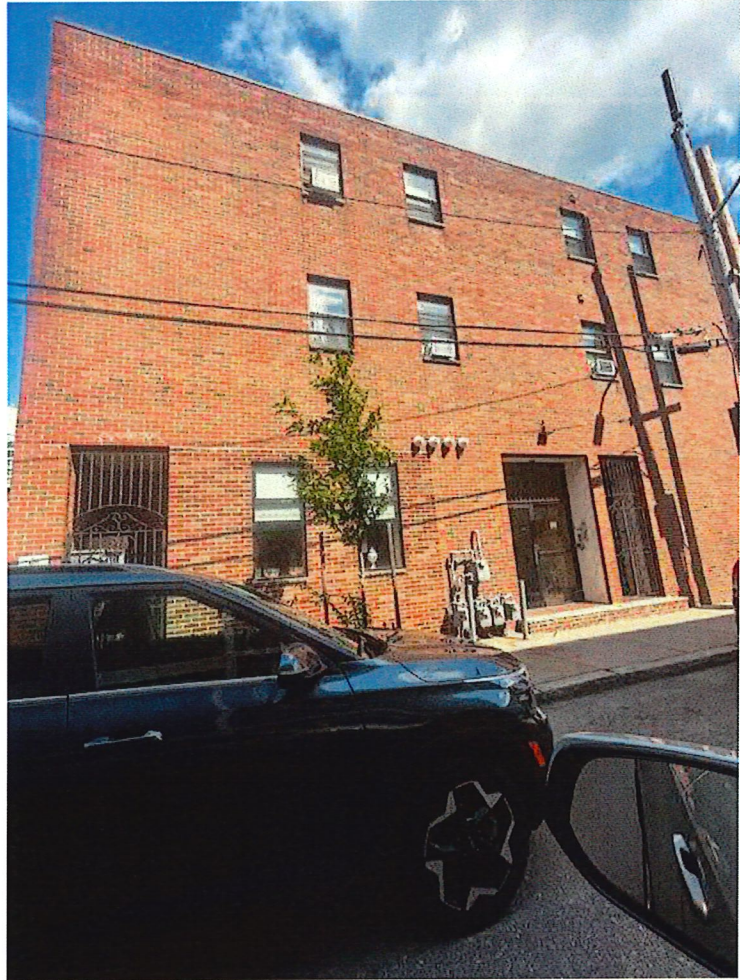
TABLE 5-3	DIMENSIONAL REQUIREMENTS	EXISTING	PROPOSED	REQUIRED	COMPLIANT	NOTE
(BA) MAX FAR/LOT AREA	1.0/1.75	COMBINED	COMBINED	COMBINED	NO	REQUIRES SPECIAL PERMIT
(BA) MIN LOT SIZE (SQ FT) - 725 Cambridge	NONE	3.26	5.68	0.57	YES	
(BA) MIN LOT SIZE (SQ FT) - 731 Cambridge	NONE	1,468	1,468	NONE	YES	
	TOTAL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

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 EMINENT 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	0	1	NO REAR LOT AREA TAKEN BY EMINENT 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 EMINENT DOMAIN, MARCH 1980
	LONG TERM BIKE PARKING - HOTEL - (R5)	.2/ ROOM	0	0	9	NO REAR LOT AREA TAKEN BY EMINENT DOMAIN, MARCH 1980
6.107.3	SHORT TERM BIKE PARKING - RESTAURANT - (N1)	.2/1,000 SF	0	0		NO REAR LOT AREA TAKEN BY EMINENT DOMAIN, MARCH 1980
	SHORT TERM BIKE PARKING - HOTEL - (R5)	.05/ ROOM	0	0	3	NO REAR LOT AREA TAKEN BY EMINENT DOMAIN, MARCH 1980

2024-08-26



MARION ST ELEVATION



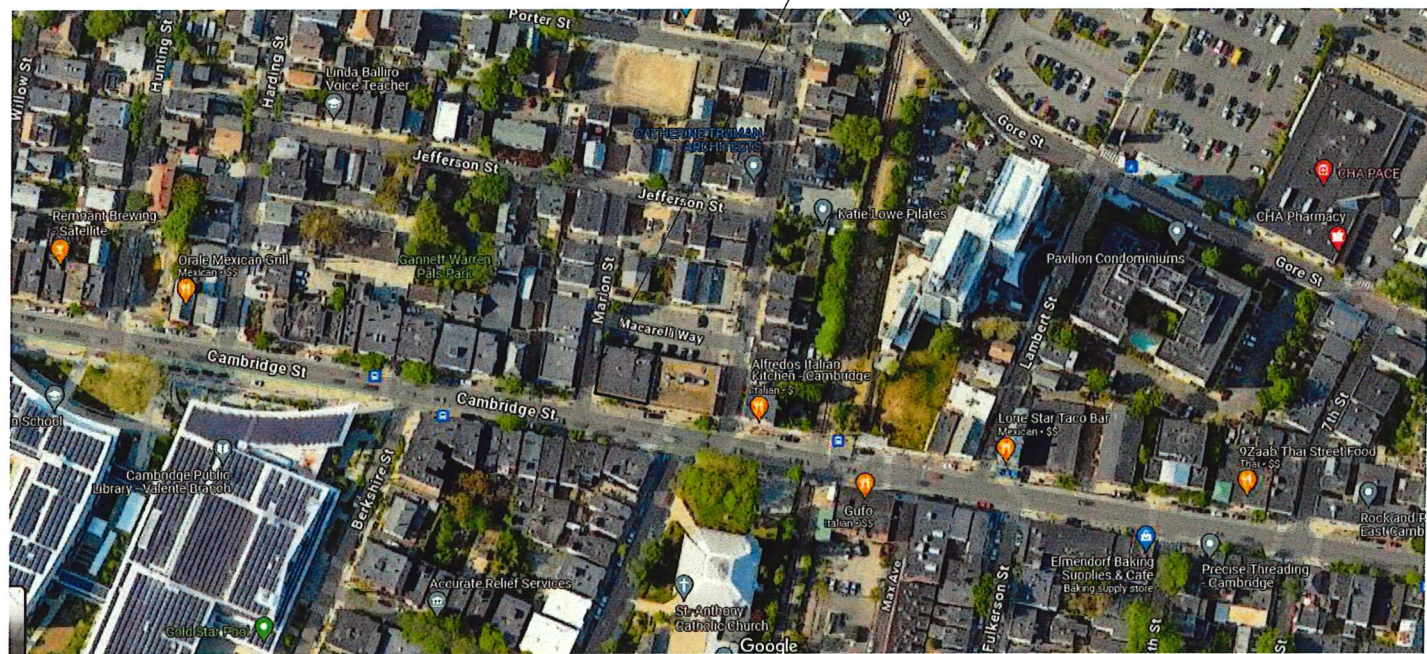
PARKING LOT ELEVATION



CAMBRIDGE ST ELEVATION



VIEW DOWN CAMBRIDGE ST



AERIAL VIEW

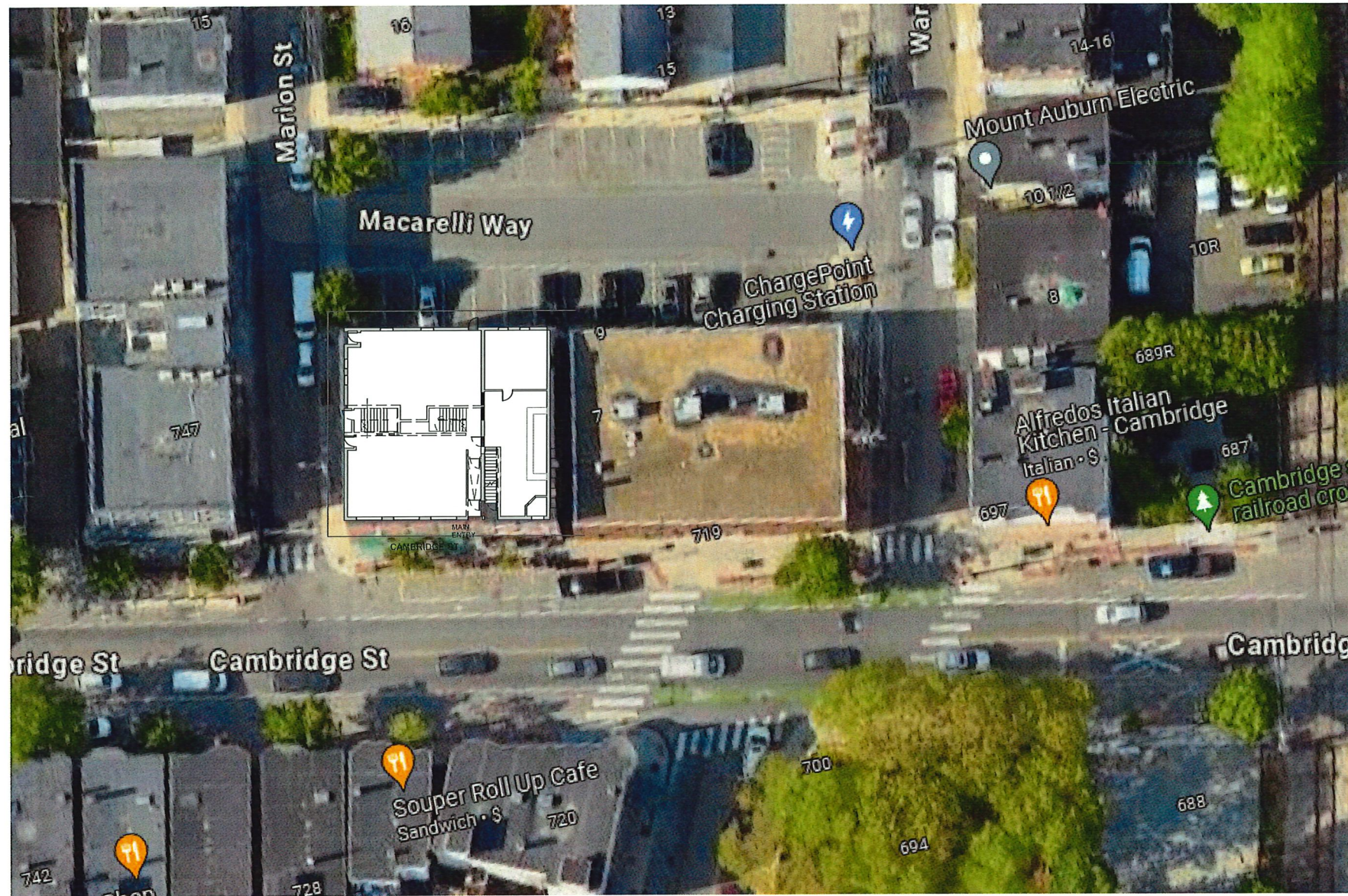
725-731 CAMBRIDGE ST

OWNER: MANUEL BARROS
ARCHITECT: TIM HOUE

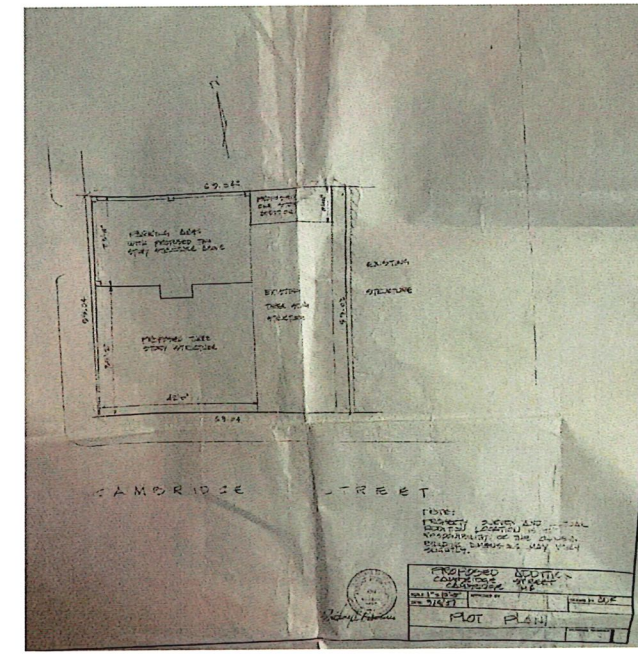
SITE

SCALE PROJECT # DATE ISSUED
2024.01 2024-08-26

A001



1 AERIAL IMAGE
1/8" = 1'-0"



PLOT PLAN

DEA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

Name: Manuel Barros

Address: 4 Marion Street Cambridge, Ma.

State that I/We own the property located at 713-731 Cambridge Street which is the subject of this zoning application.

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

*I/We are a dual of dual recorded in the date 7-14-1994 Middlesex South County Registry of Deeds at Book 21283, Page 117, or Middlesex Registry District of Land Cover, Certificate No. 21283 Page 117

→ SIGNATURE BY 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

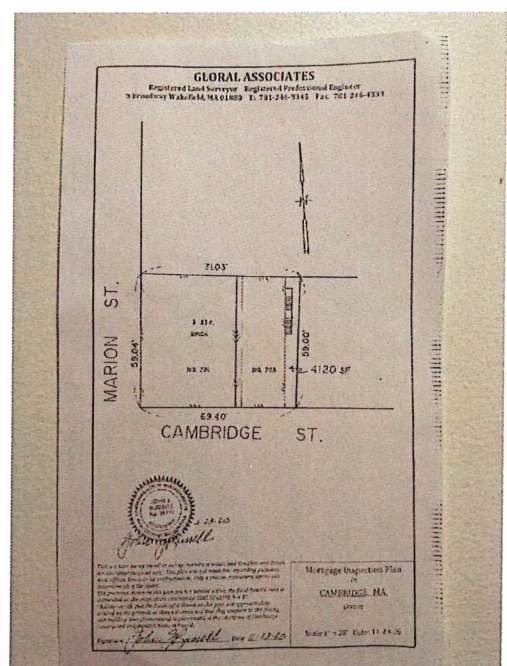
The above named MANUEL BARROS personally appeared before me, this 17th of July, 2024, and gave oath that the above statement is true.

My commission expires January 3, 2025

Witness my hand and seal of office this 17th day of July, 2024.

(ATTACHMENT B - PAGE 3)

OWNERSHIP INFORMATION



SURVEY

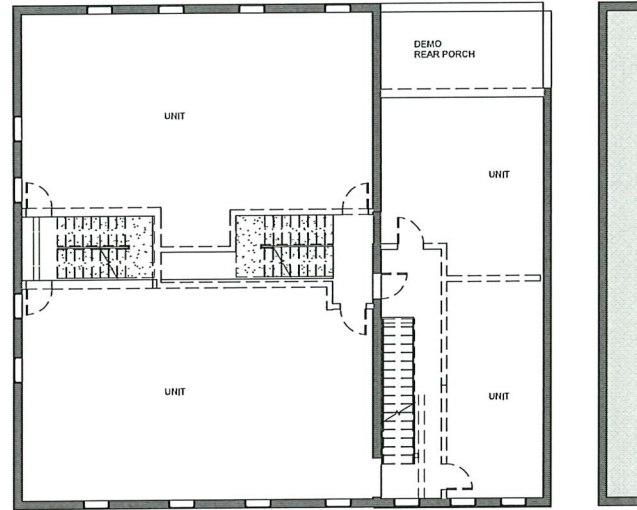
725-731 CAMBRIDGE ST

OWNER: MANUEL BARROS
ARCHITECT: TIM HOUE

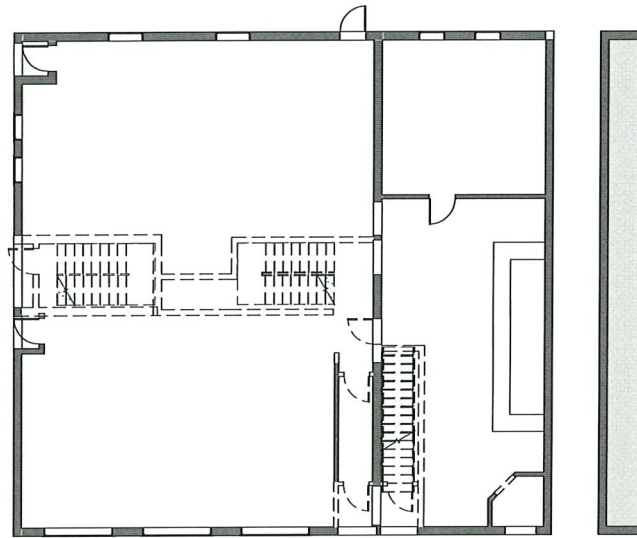
SITE

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

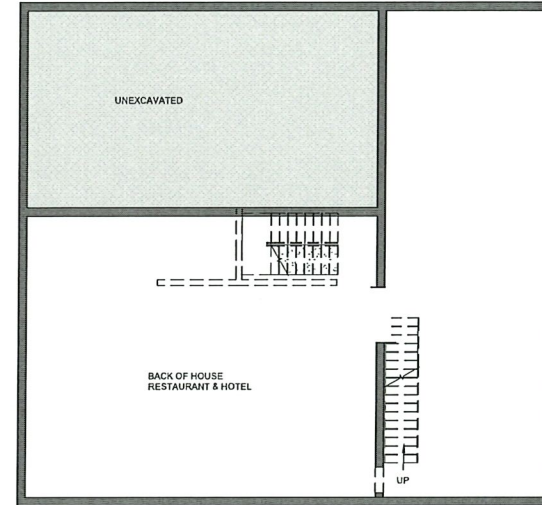
A002



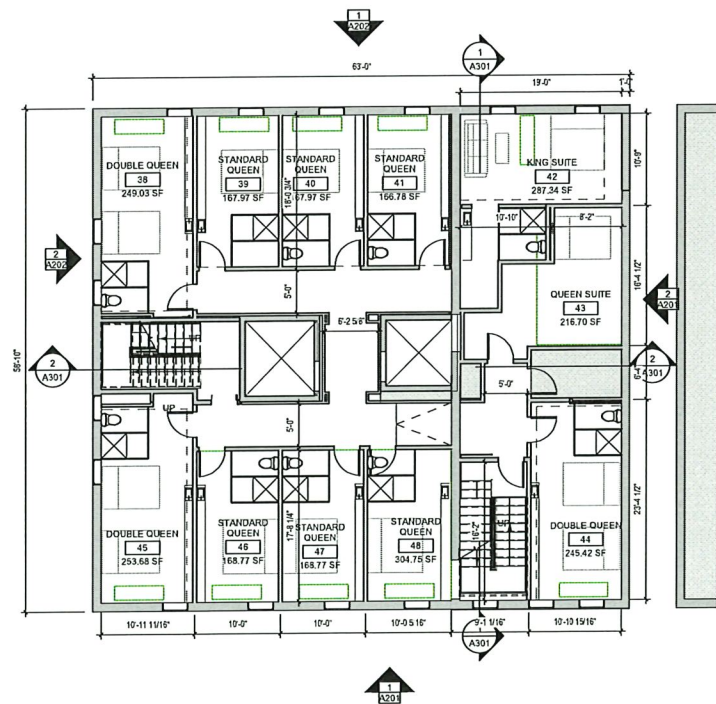
2D LEVEL 2 - DEMOLITION PLAN
1/8" = 1'-0" GFA: 3,507 SF



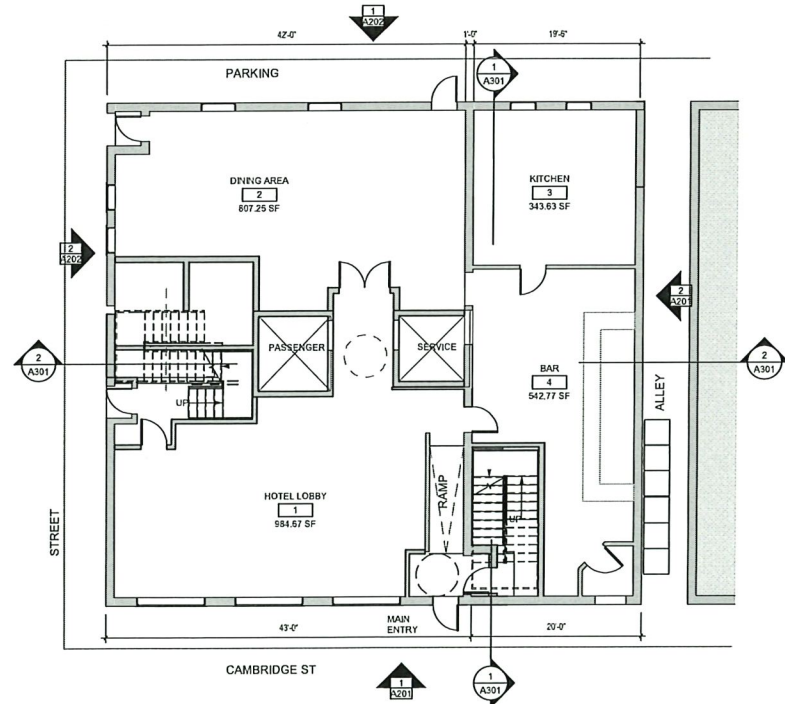
1D LEVEL 1 DEMOLITION PLAN
1/8" = 1'-0" GFA: 3,707 SF



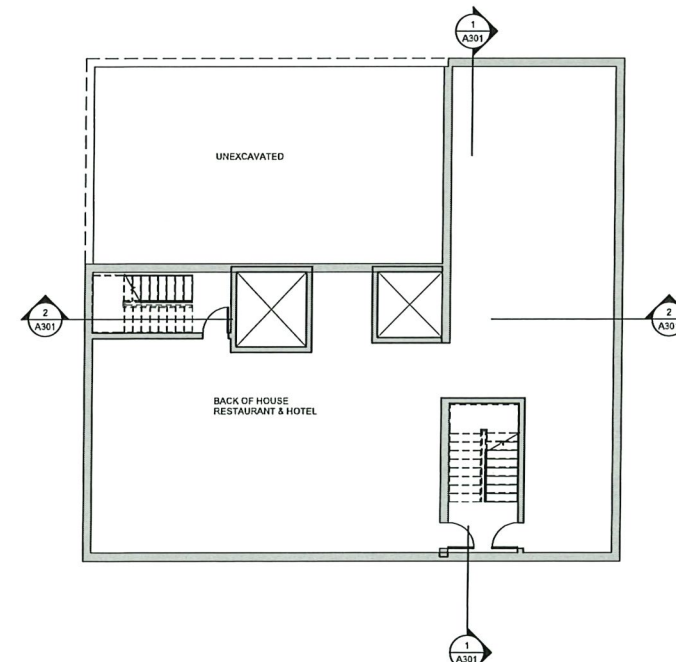
BD BASEMENT - DEMOLITION PLAN
1/8" = 1'-0" GFA: 2,700 SF



2 LEVEL 2 - PROPOSED
1/8" = 1'-0" GFA: 2,700 SF



1 LEVEL 1 - PROPOSED
1/8" = 1'-0" GFA: 3,707 SF



B BASEMENT - PROPOSED
1/8" = 1'-0" GFA: 2,700 SF

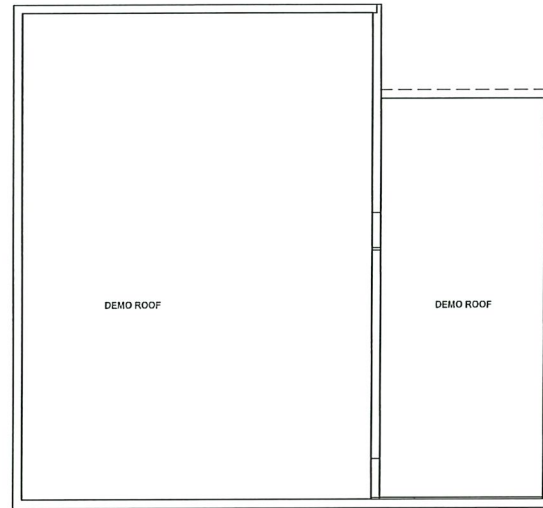
725-731 CAMBRIDGE ST

OWNER: MANUEL BARROS
ARCHITECT: TIM HOUE

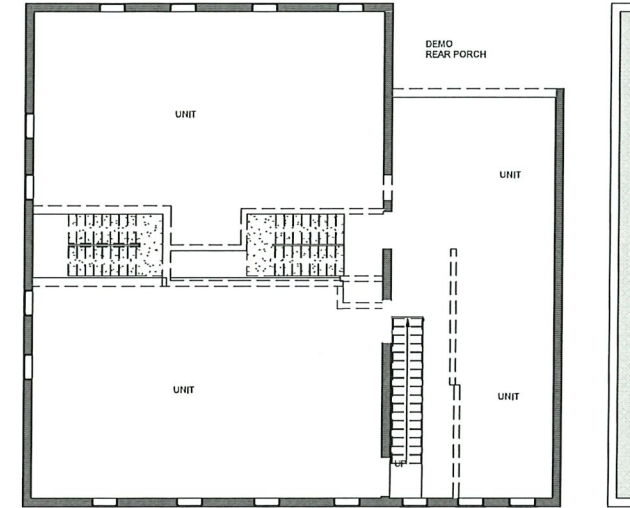
BASEMENT, 1ST, 2ND
FLOOR PLANS

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

A101

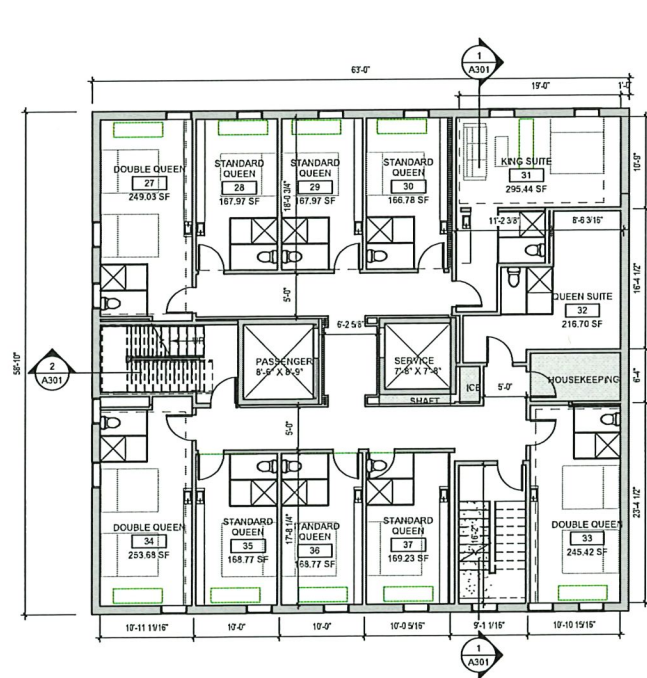


4D ROOF - DEMOLITION PLAN
1/8" = 1'-0"



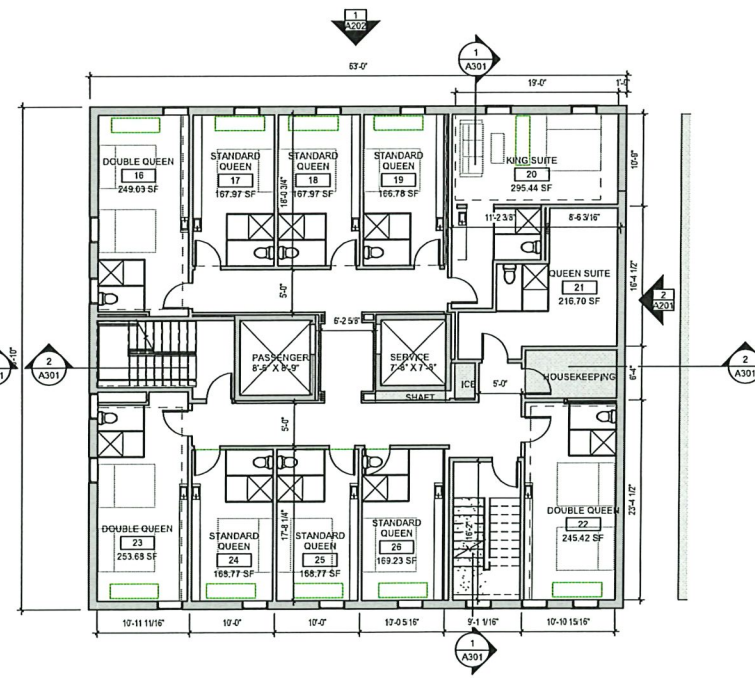
3D LEVEL 3 - DEMOLITION PLAN
1/8" = 1'-0"

GFA: 3,507 SF



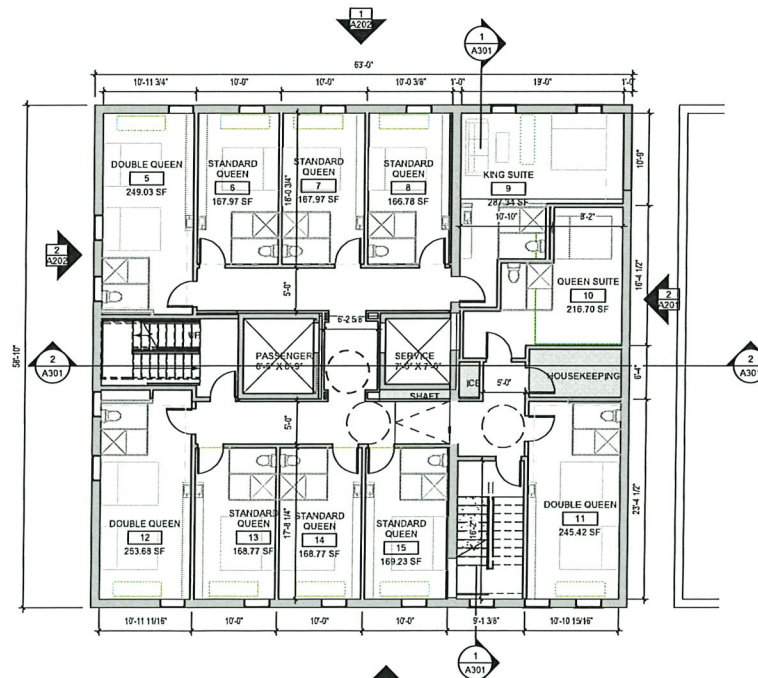
5 LEVEL 5 - PROPOSED
1/8" = 1'-0"

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

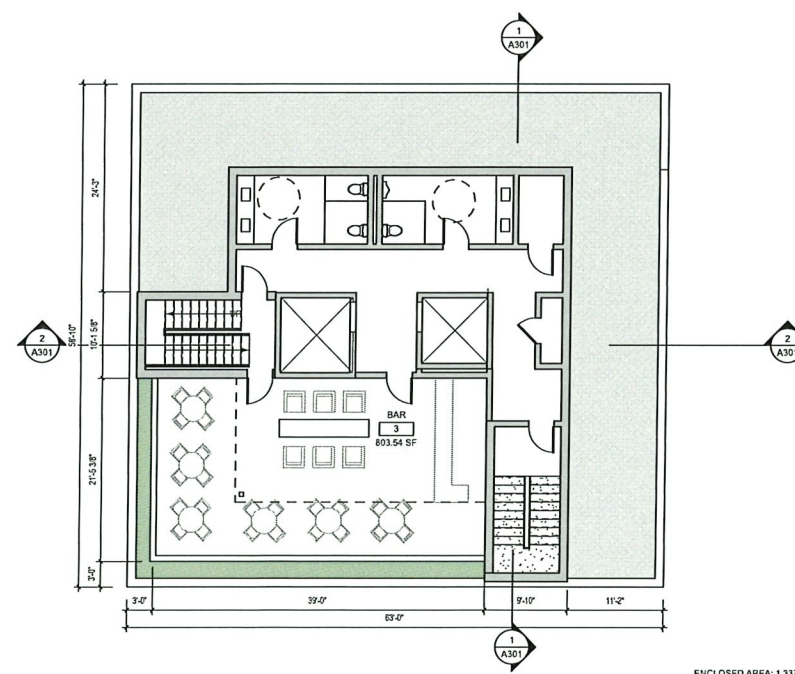
725-731 CAMBRIDGE ST

OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

3RD, 4TH, 5TH FLOOR PLANS

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

A102



ENCLOSED AREA: 1,337 SF
 DECK: 844 SF
 TOTAL: 3,558 SF

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

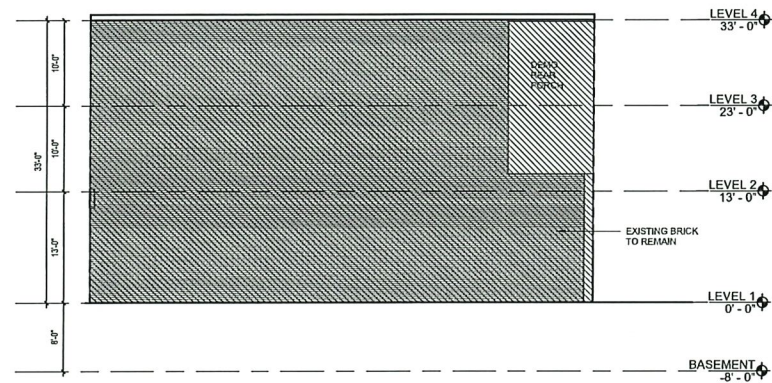
725-731 CAMBRIDGE ST

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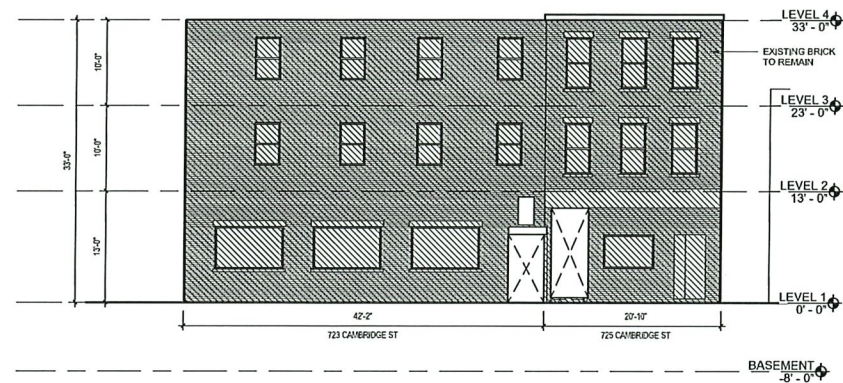
ROOF PROPOSED

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

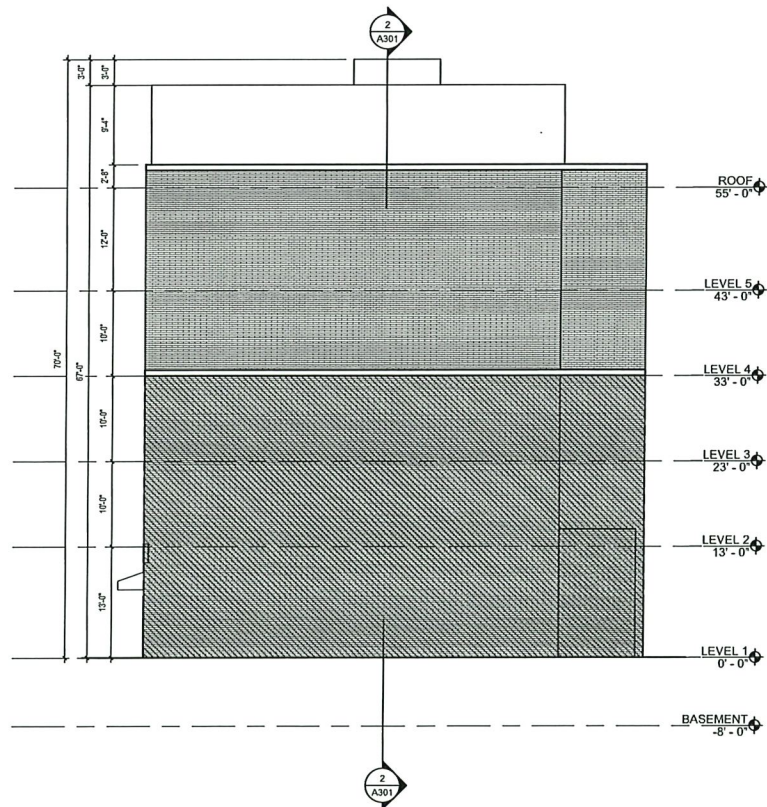
A103



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



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



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



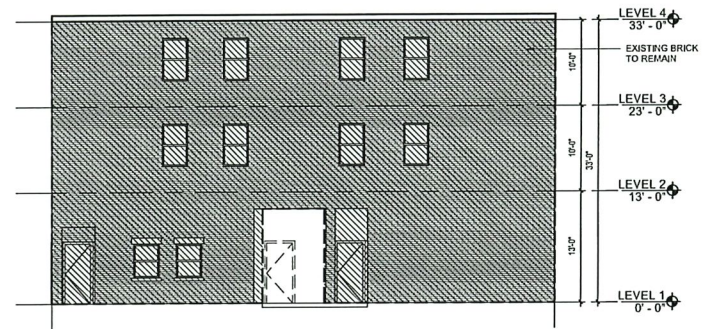
1 SOUTH ELEVATION - PROPOSED
1/8" = 1'-0"

OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

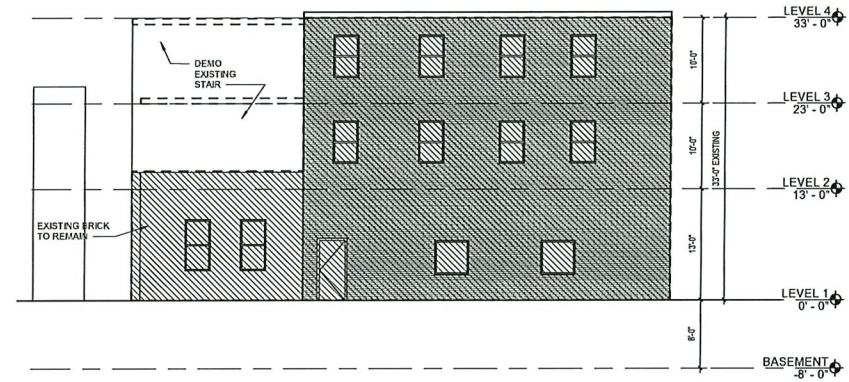
BUILDING ELEVATIONS

SCALE 1/8" = 1'-0" PROJECT # 2024.01 DATE ISSUED 2024.08.26

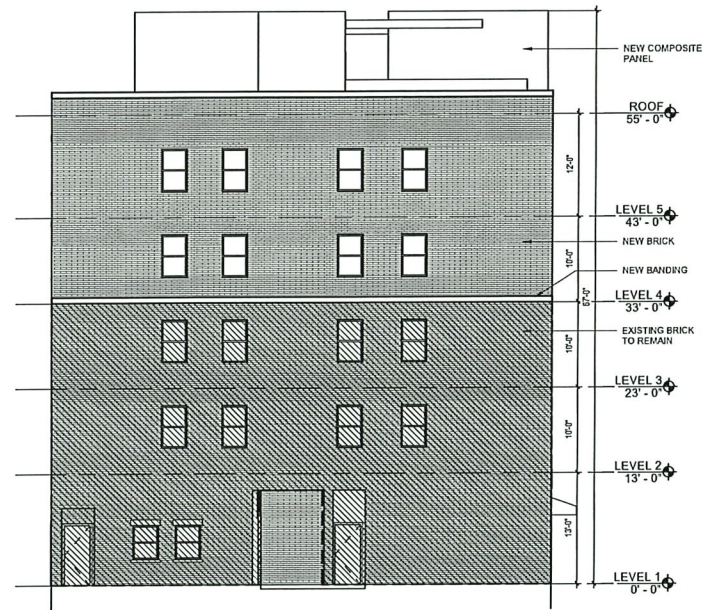
A201



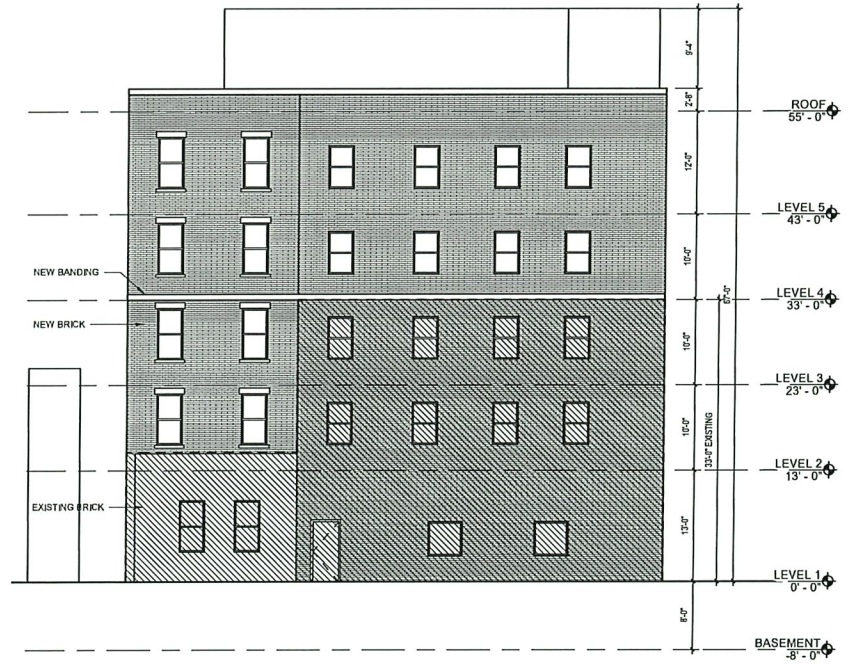
4 WEST ELEVATION - DEMOLITION
1/4" = 1'-0"



3 NORTH ELEVATION - DEMOLITION
1/4" = 1'-0"



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



1 NORTH ELEVATION - PROPOSED
1/4" = 1'-0"

725-731 CAMBRIDGE ST

OWNER: MANUEL BARROS
ARCHITECT: TIM HOUDE

BUILDING ELEVATIONS

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

A202



MARION ST ELEVATION



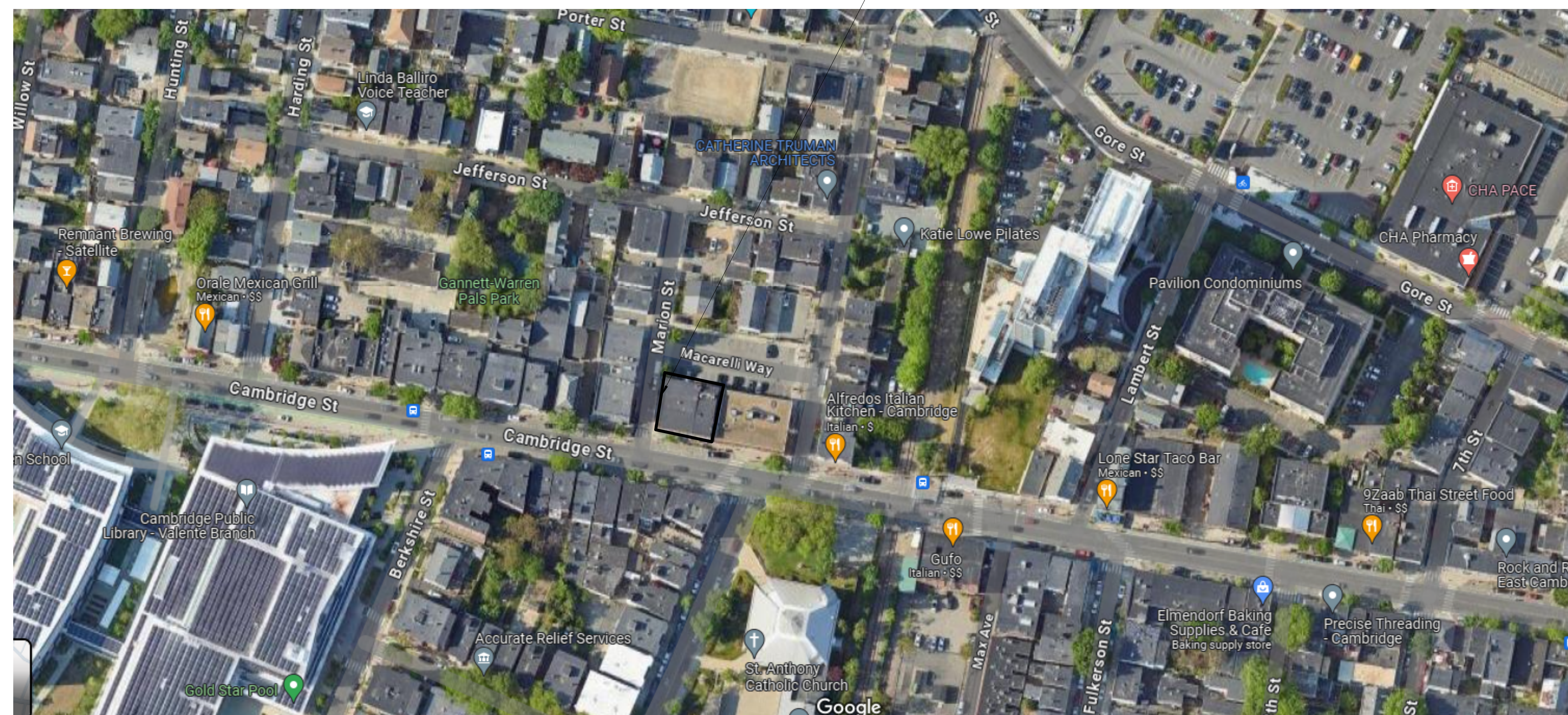
PARKING LOT ELEVATION



CAMBRIDGE ST ELEVATION



VIEW DOWN CAMBRIDGE ST



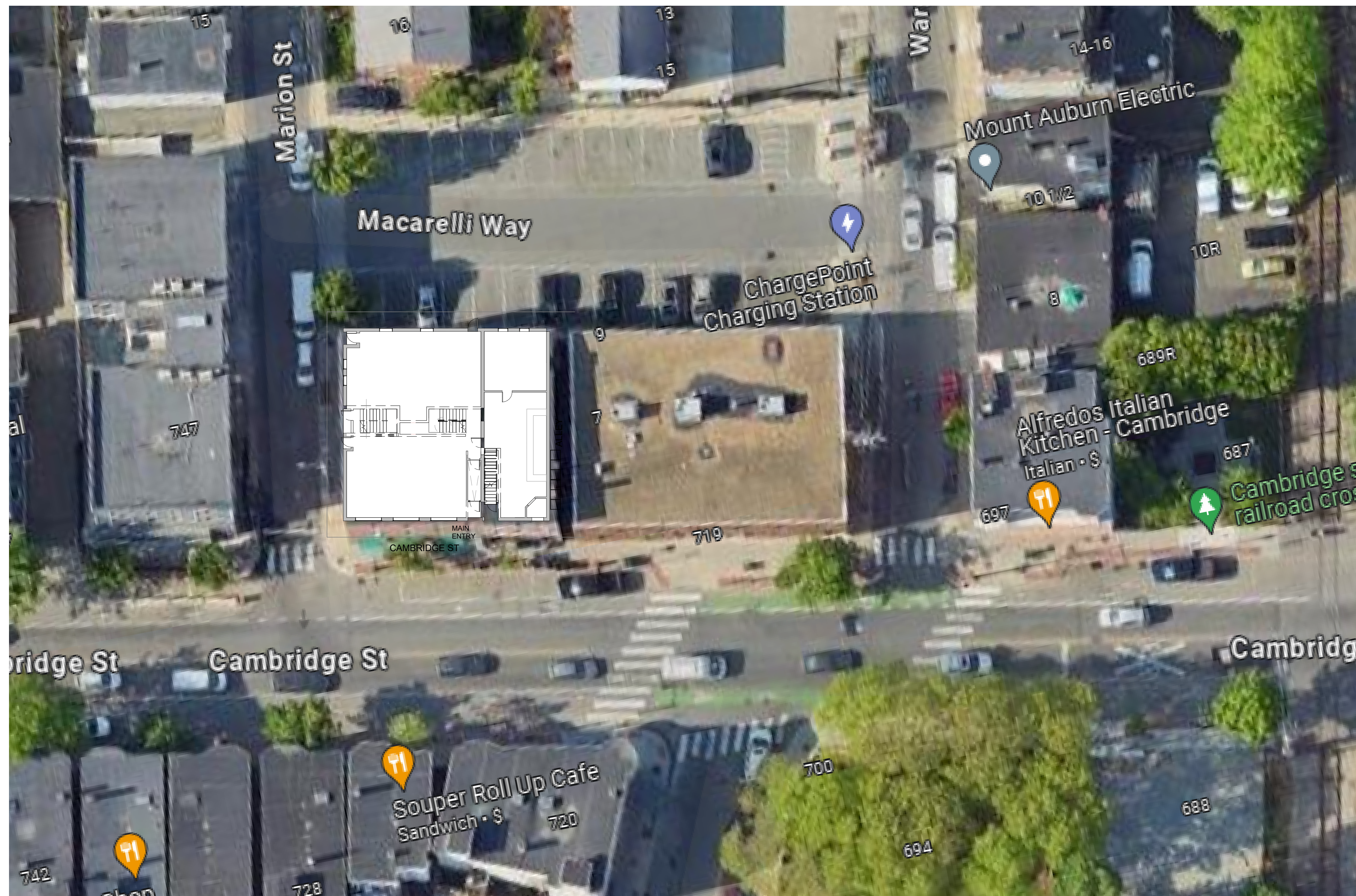
AERIAL VIEW

725-731 CAMBRIDGE ST

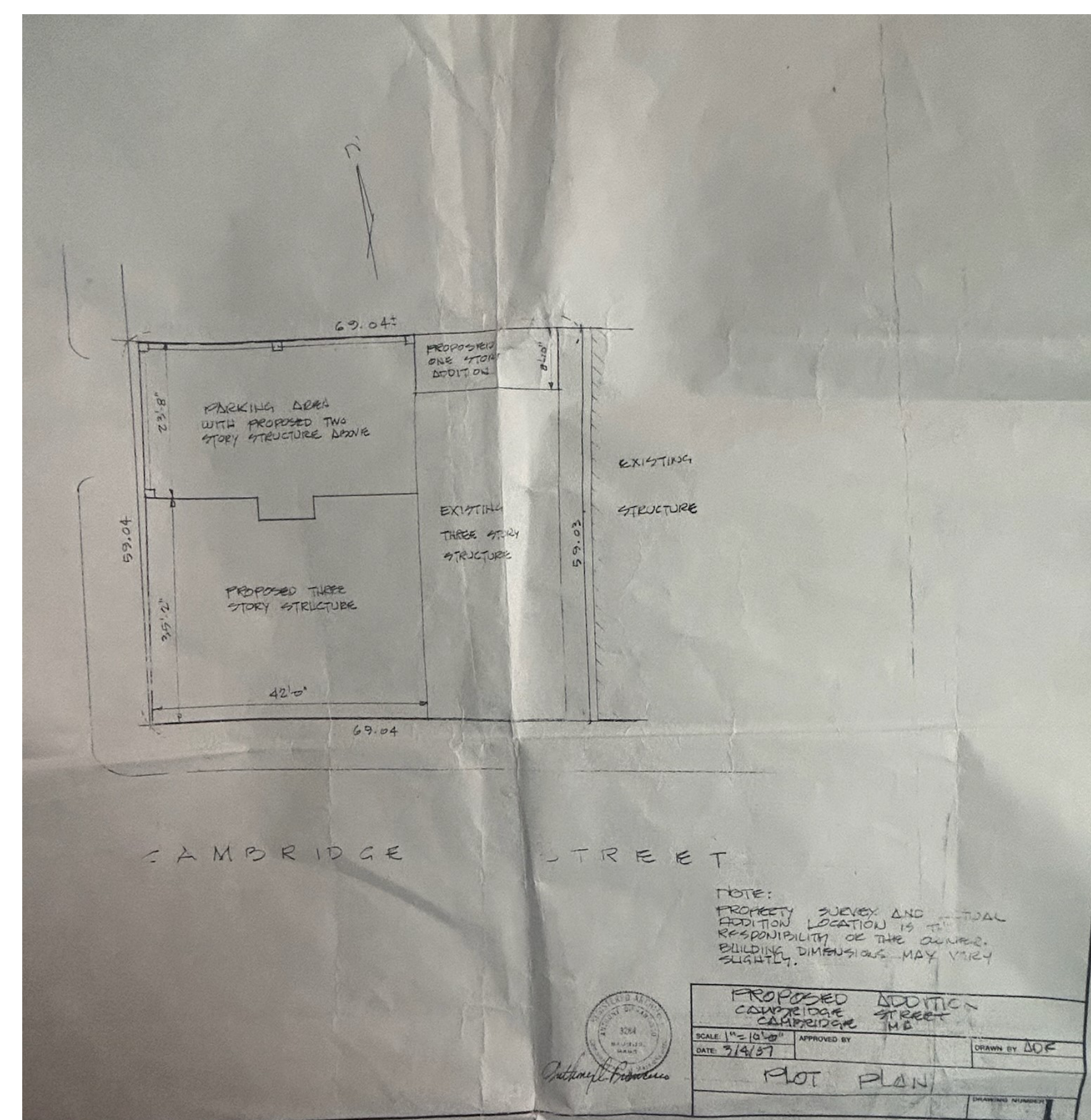
SITE

SCALE PROJECT # DATE ISSUED
2024.01 2024-07-26

A001



1 AERIAL IMAGE
1/8" = 1'-0"



PLOT PLAN

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Signature by Manuel Barros AUTHORIZED TRUSTEE, OFFICER OR AGENT

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Commonwealth of Massachusetts, County of MIDDLESEX

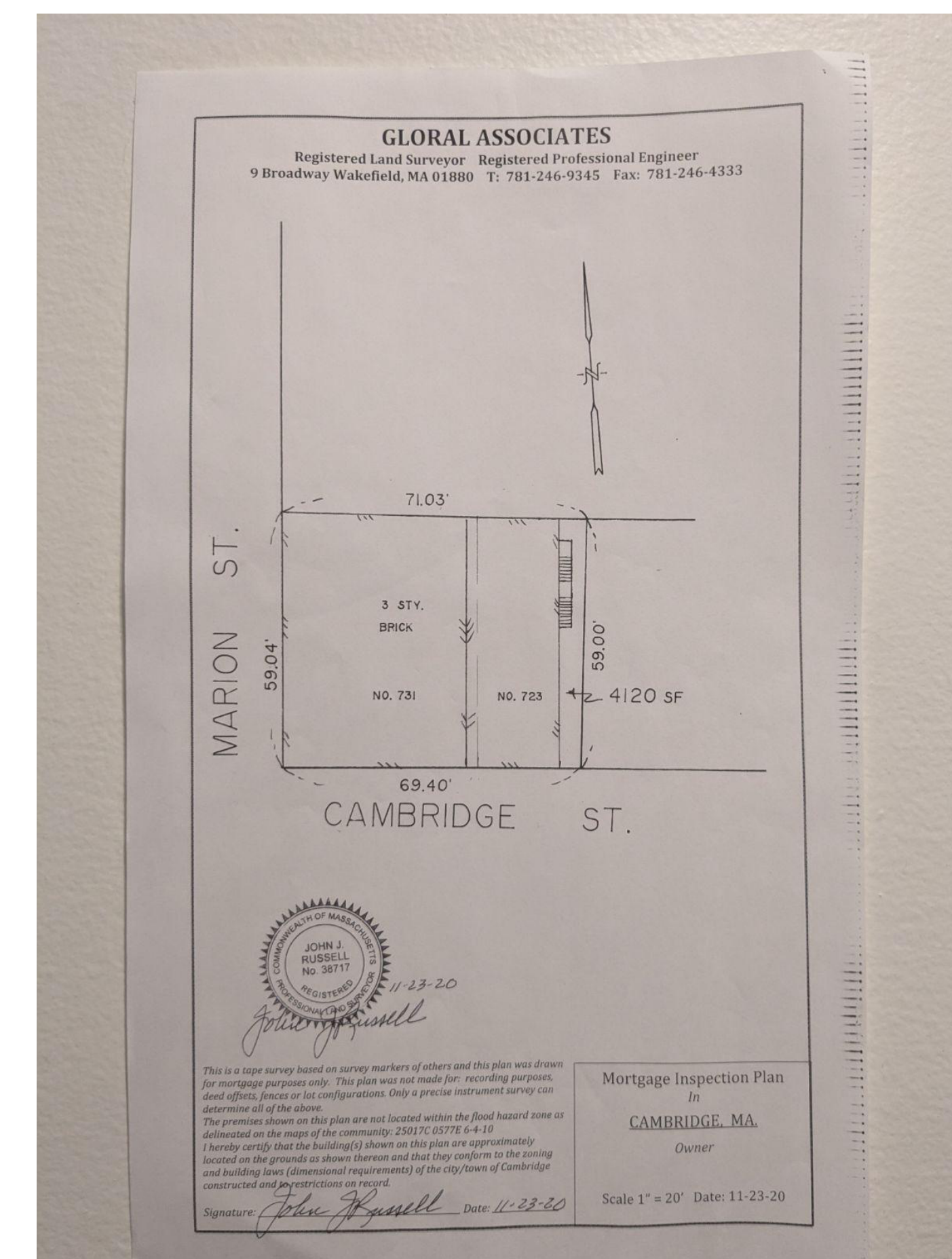
The above-name MANUEL BARROS personally appeared before me, this 17th of JULY, 2024, and made oath that the above statement is true.

My commission expires JANUARY 3, 2025

Notary Vicent J. Panico

(ATTACHMENT 2 - PAGE 3)

OWNERSHIP INFORMATION



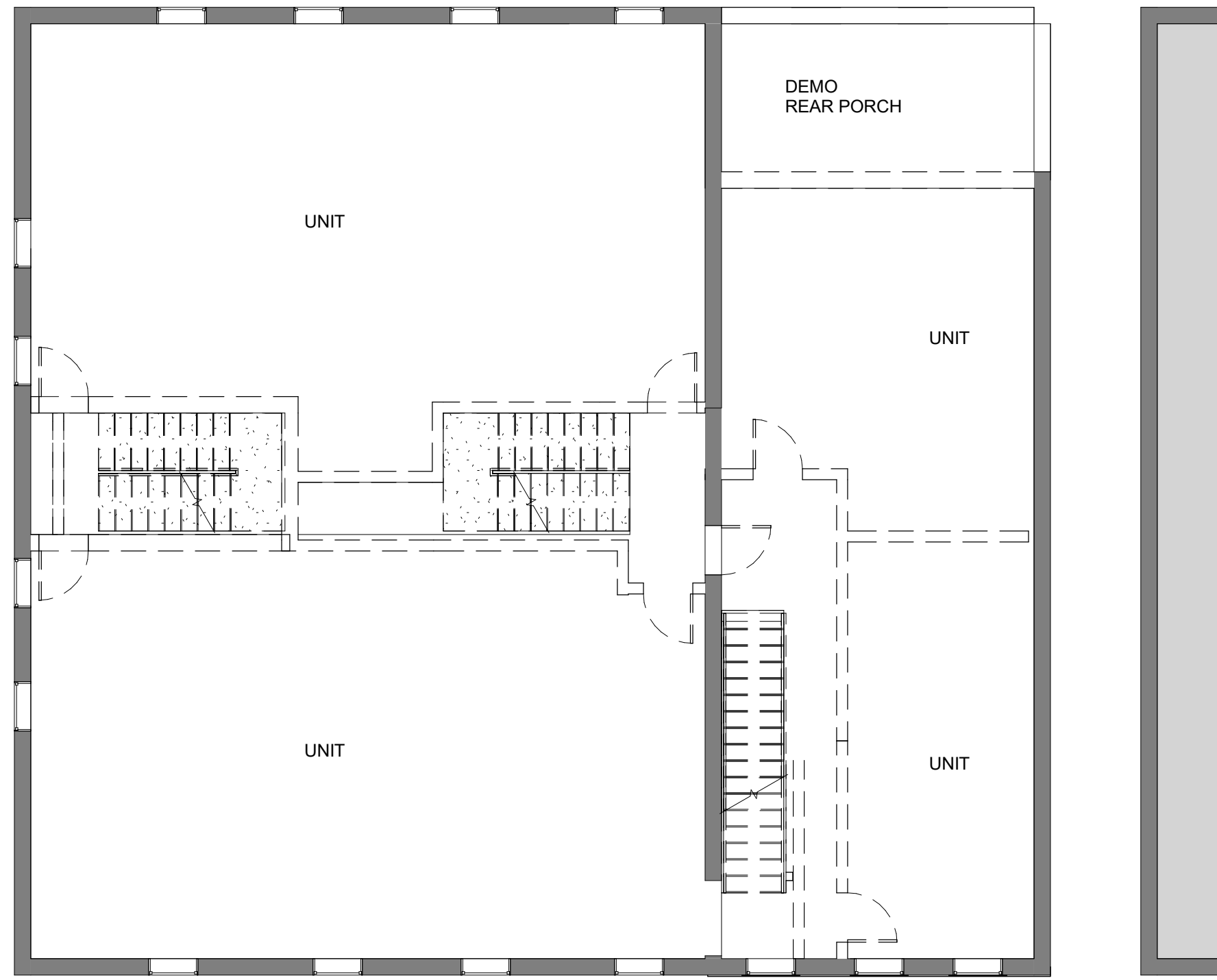
SURVEY

725-731 CAMBRIDGE ST

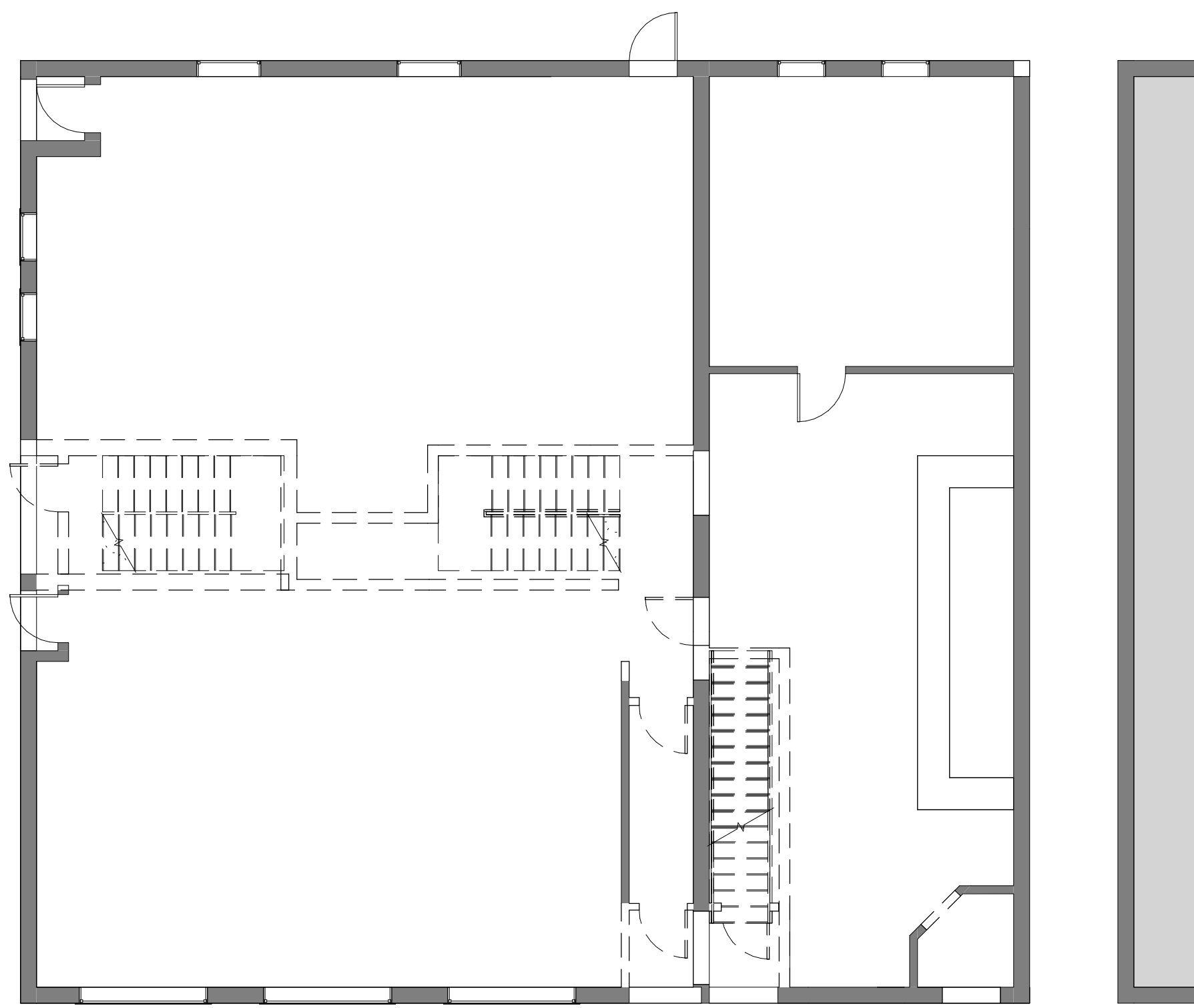
SITE

SCALE 1/16" = 1'-0" PROJECT # 2024.01 DATE ISSUED 2024-07-26

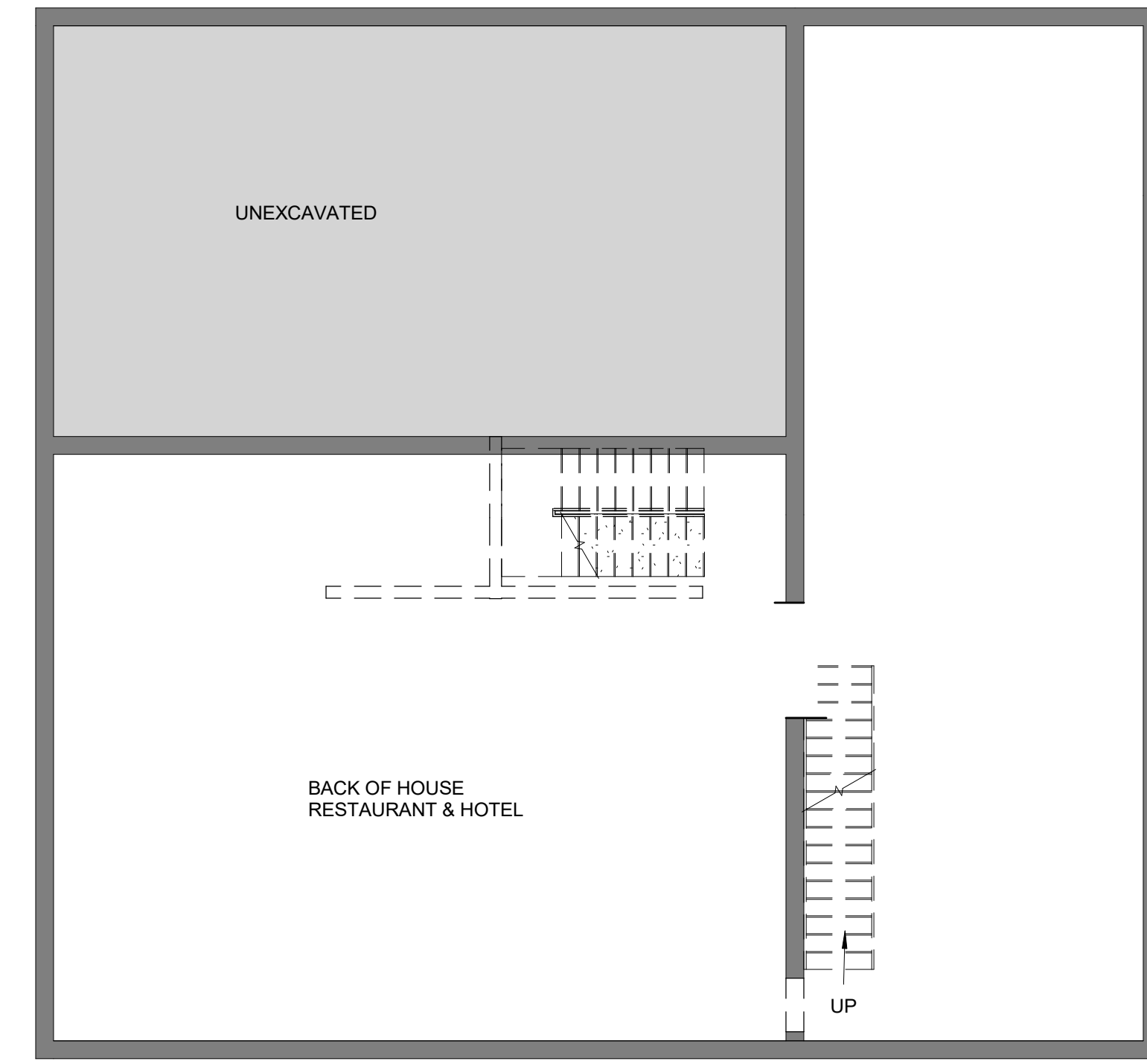
A002



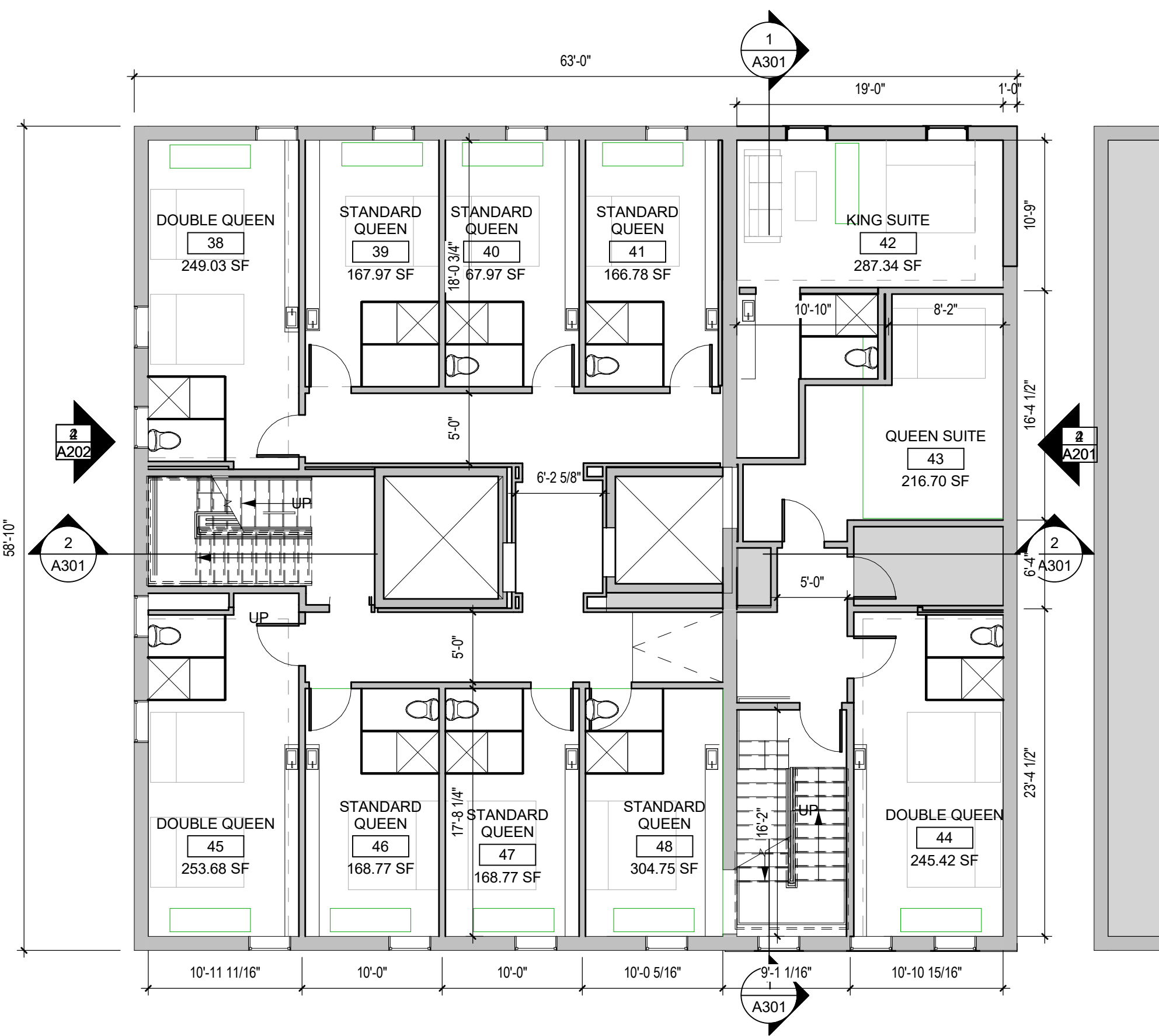
2D LEVEL 2 - DEMOLITION PLAN
1/8" = 1'-0"



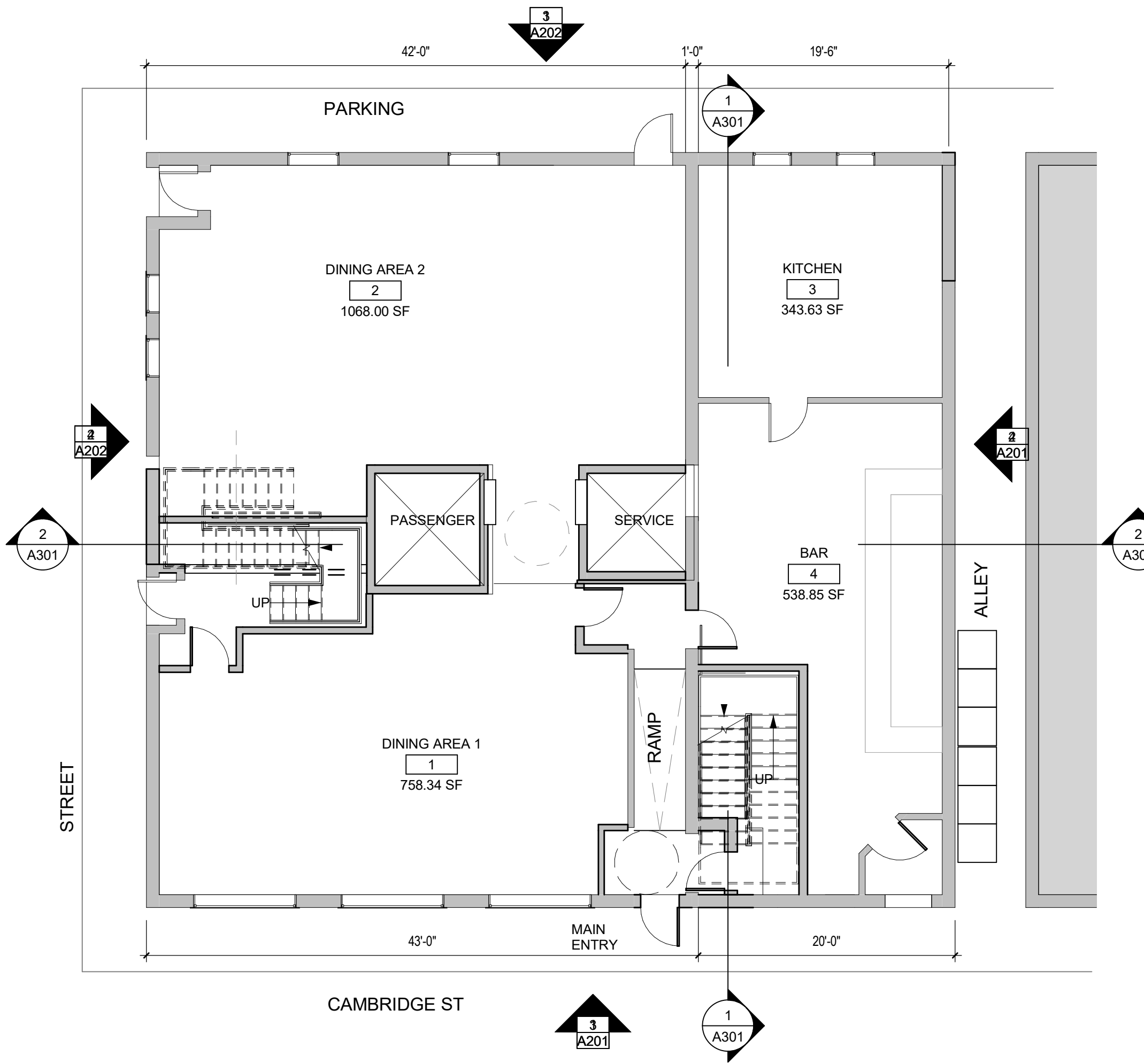
1D LEVEL 1 DEMOLITION PLAN
1/8" = 1'-0"



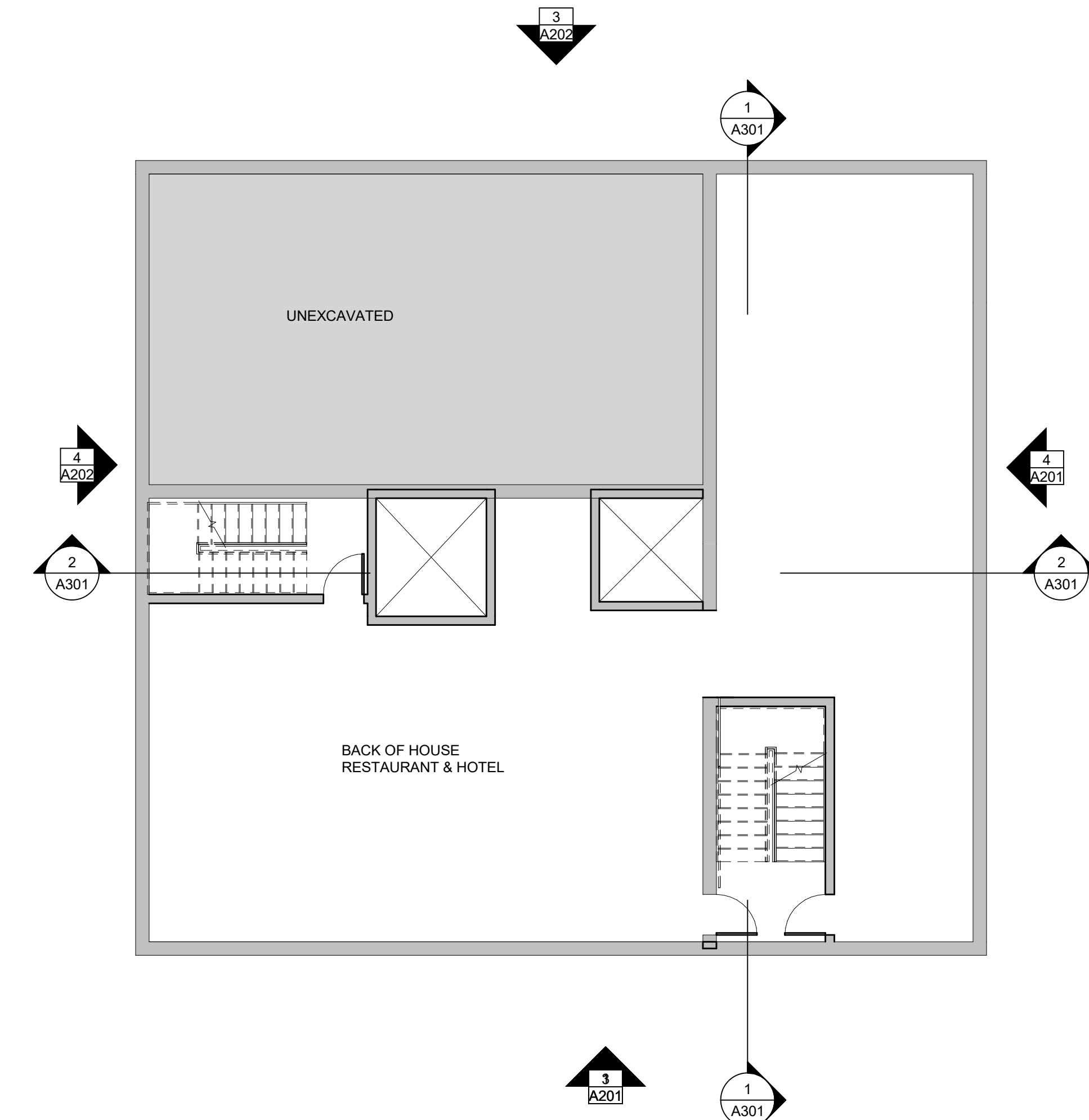
BD BASEMENT - DEMOLITION PLAN
1/8" = 1'-0"



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



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



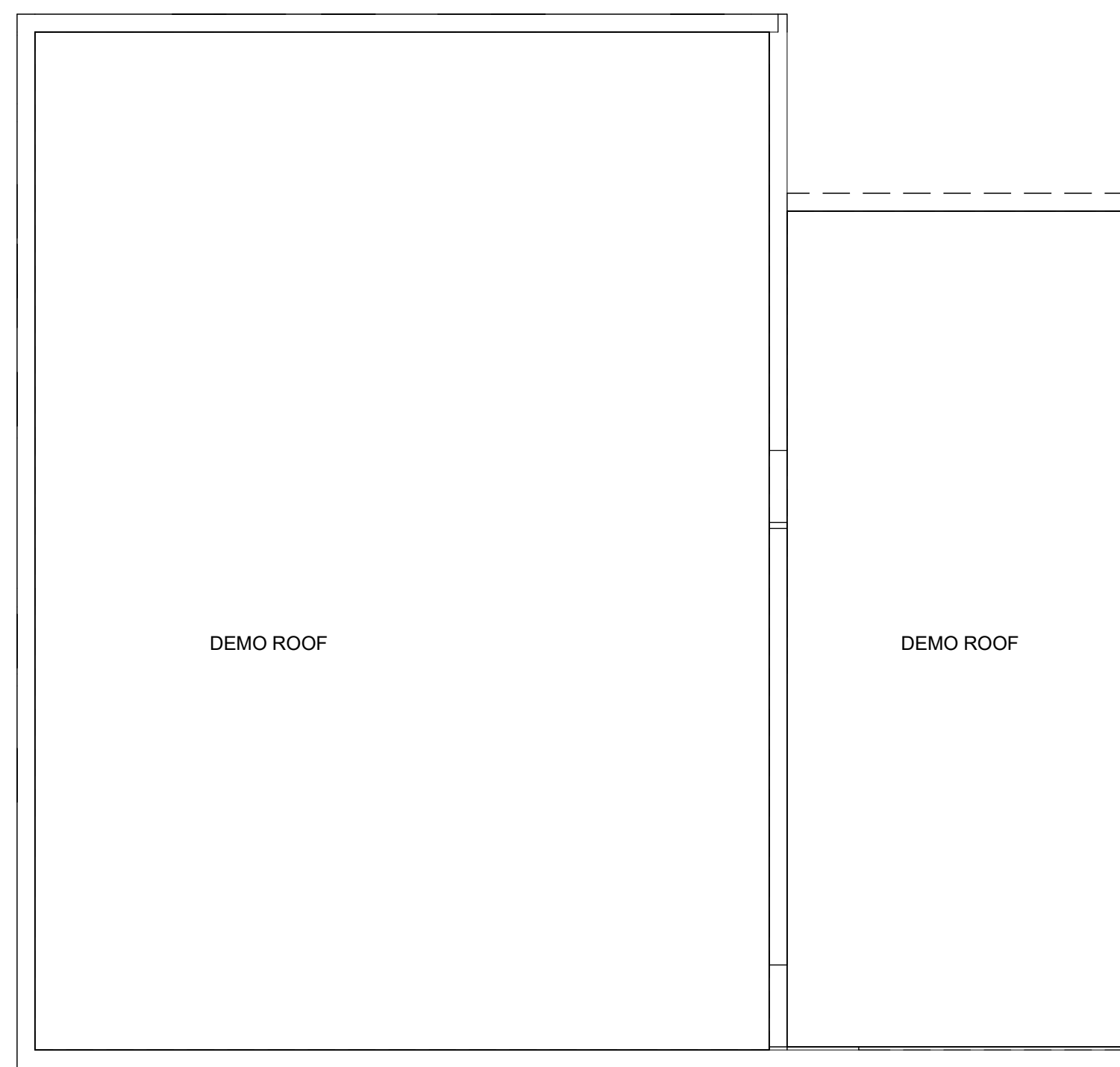
B BASEMENT - PROPOSED
1/8" = 1'-0"

725-731 CAMBRIDGE ST

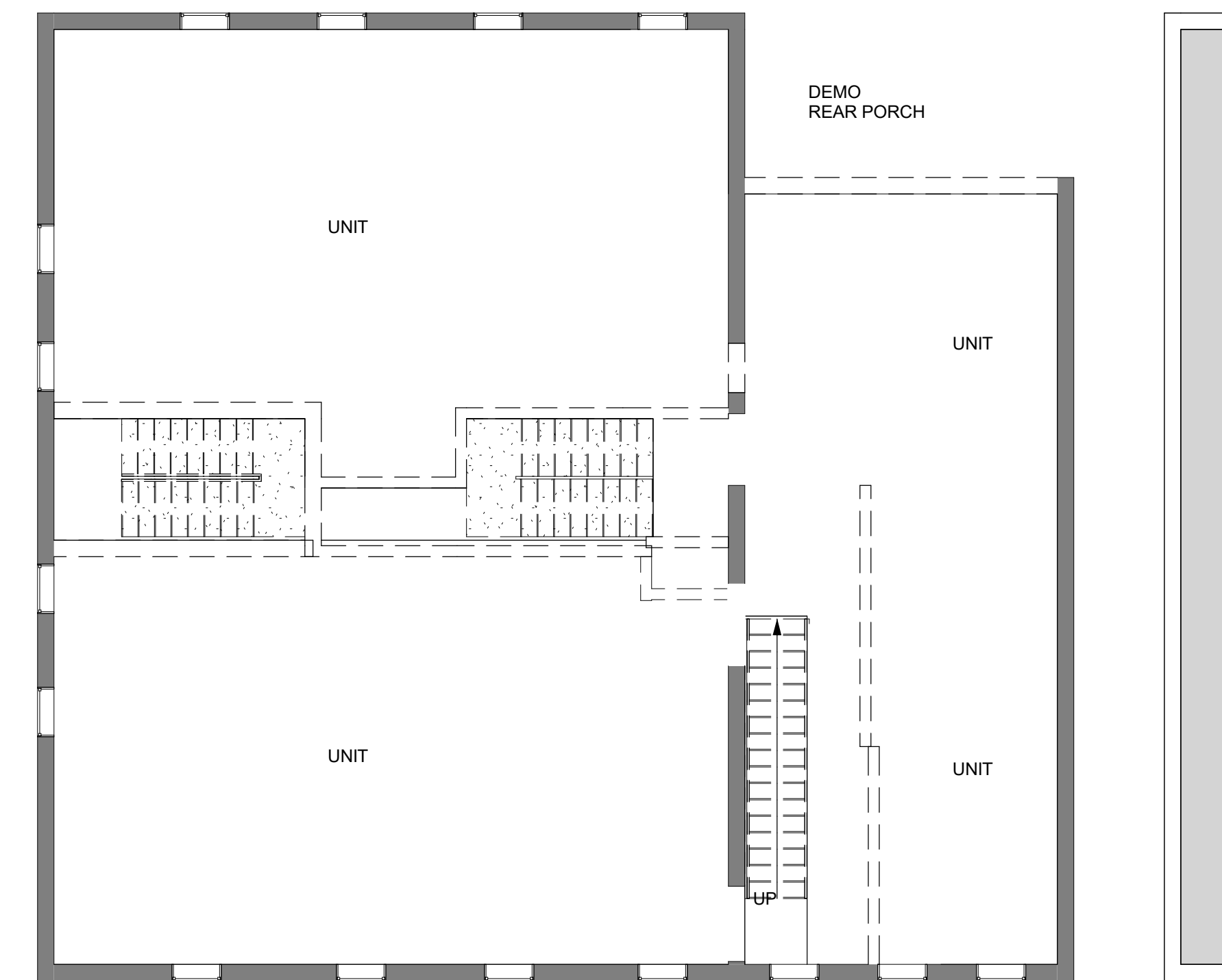
BASEMENT, 1ST, 2ND FLOOR PLANS

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

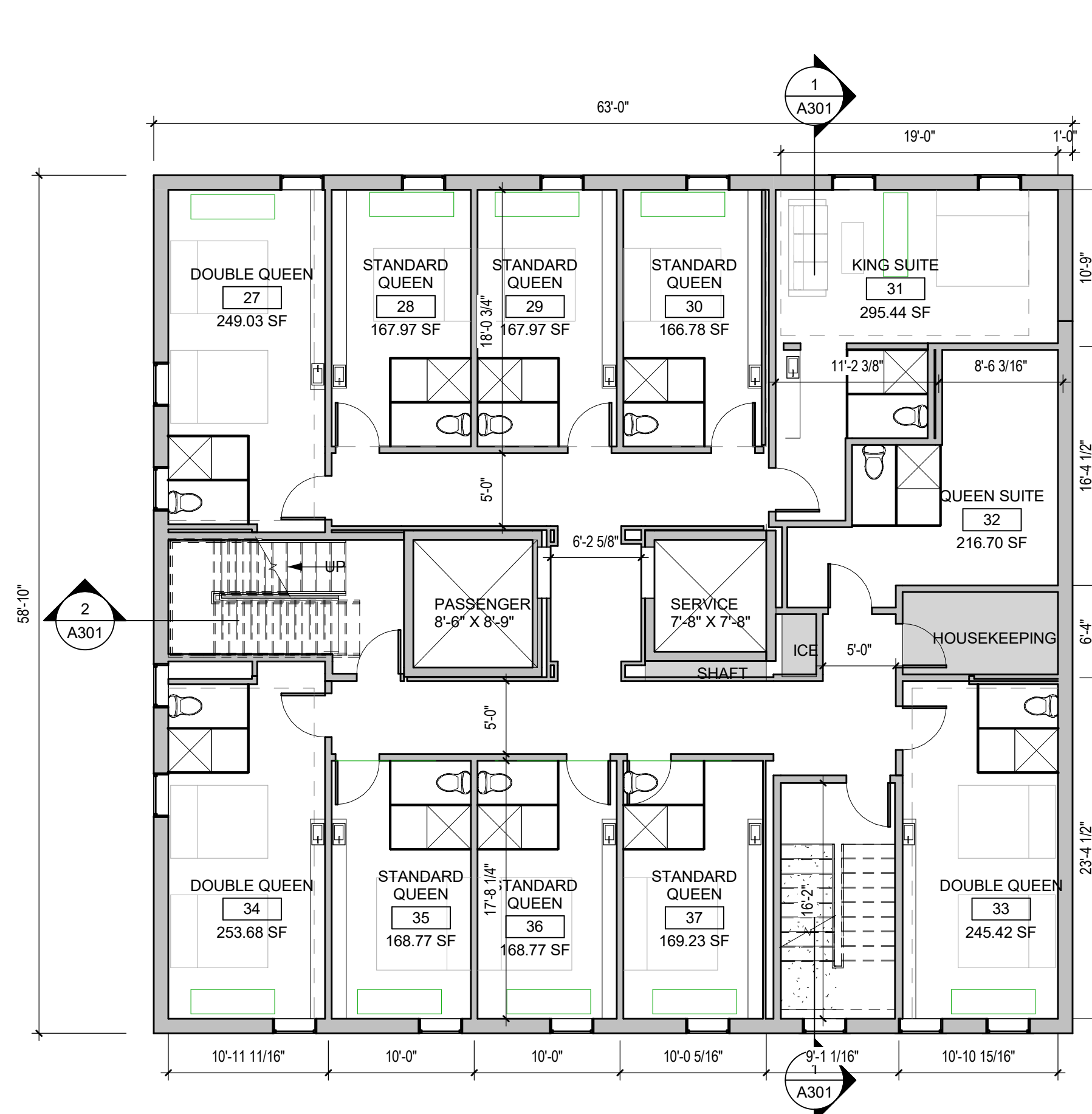
A101



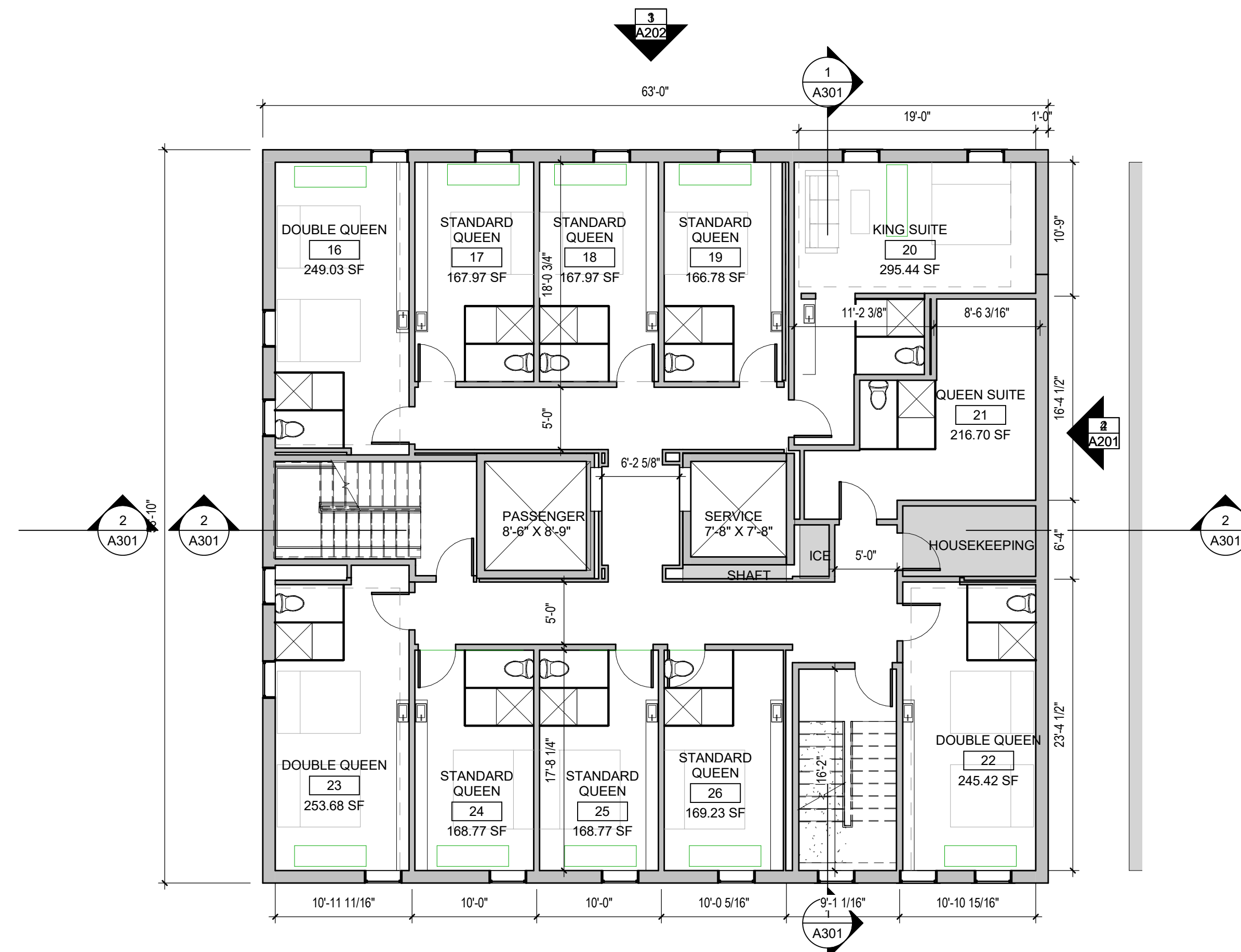
4D ROOF - DEMOLITION PLAN
1/8" = 1'-0"



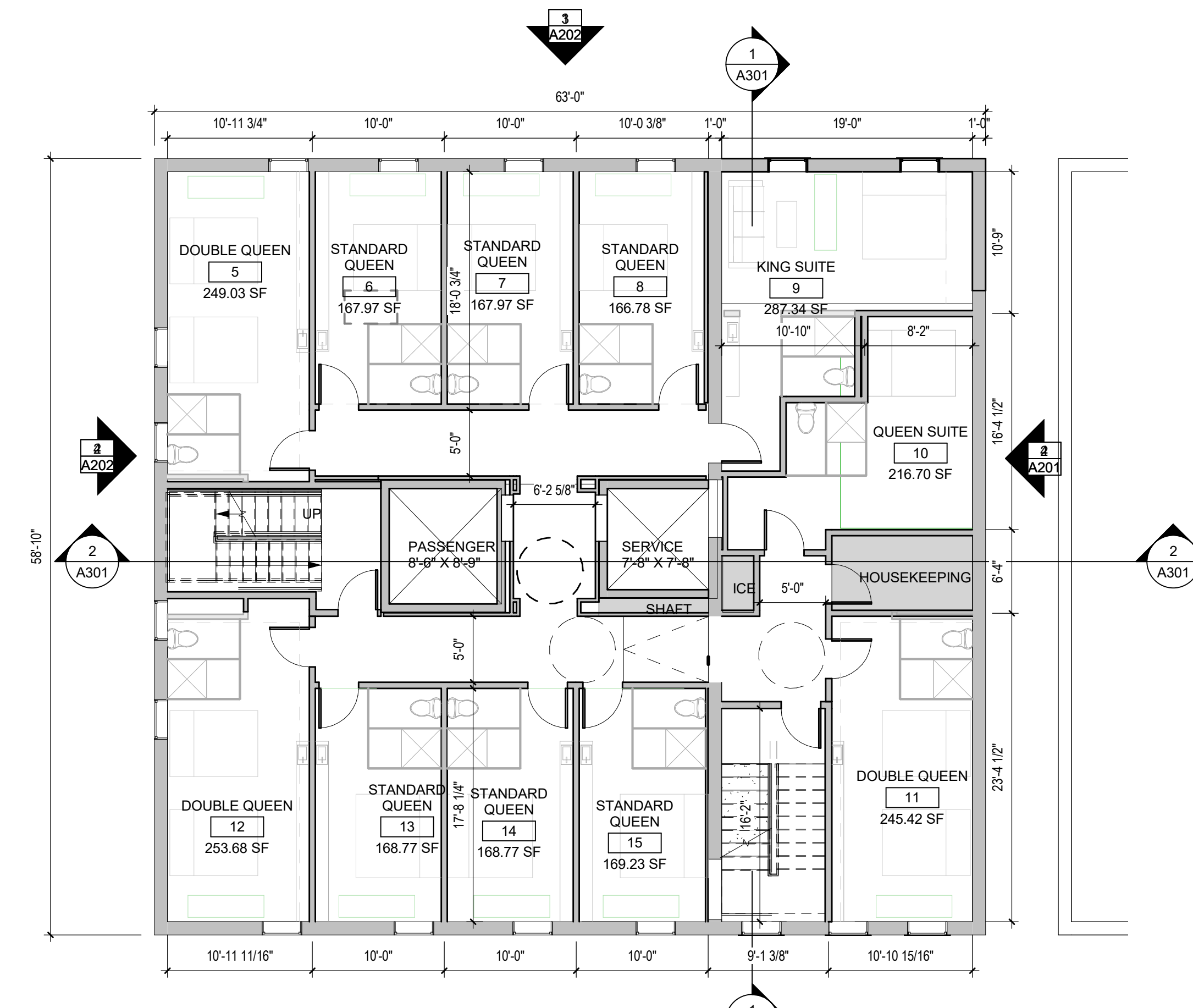
3D LEVEL 3 - DEMOLITION PLAN
1/8" = 1'-0"



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



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



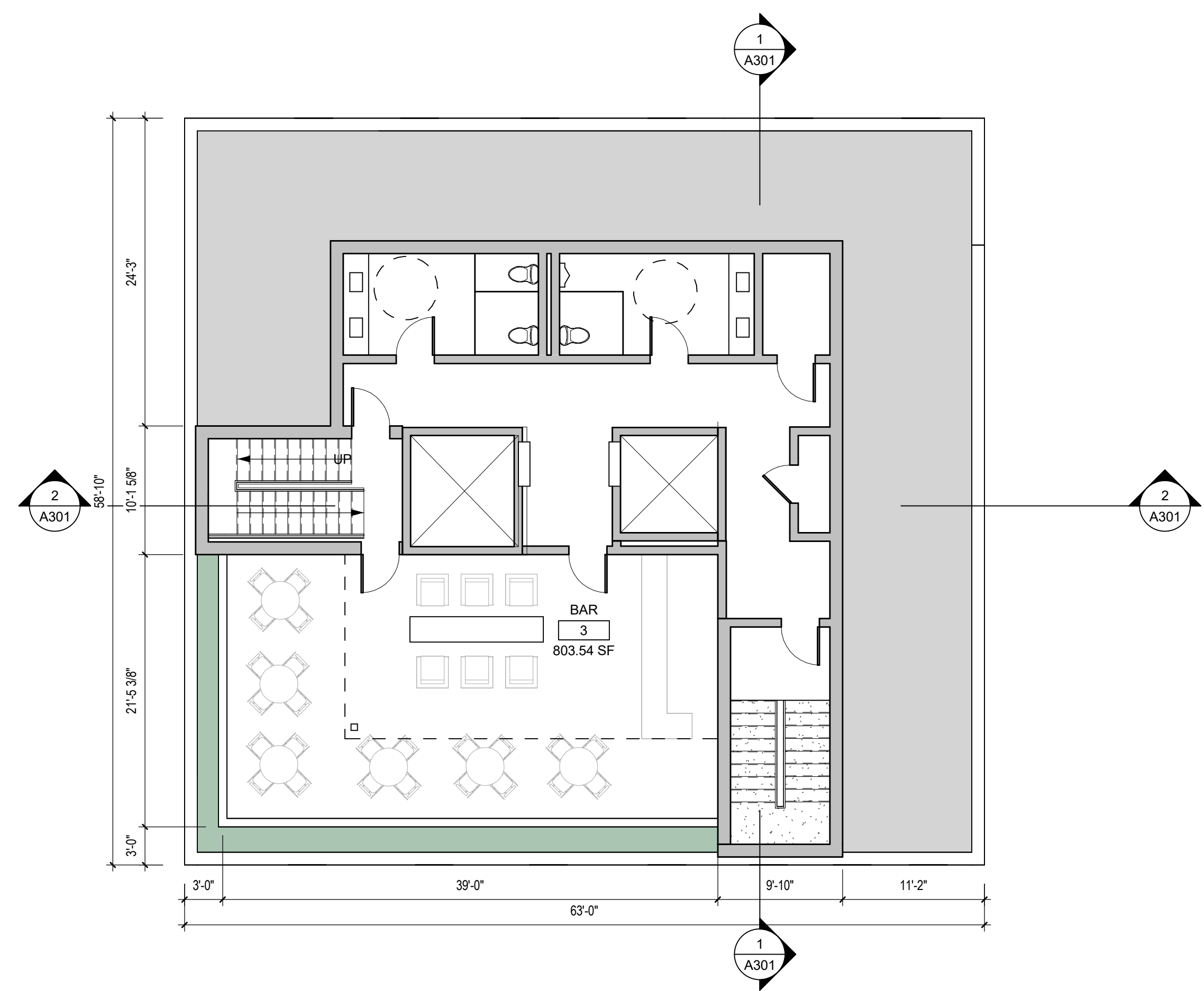
3 LEVEL 3 - PROPOSED
1/8" = 1'-0"

725-731 CAMBRIDGE ST

3RD, 4TH, 5TH FLOOR PLANS

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

A102



725-731 CAMBRIDGE ST

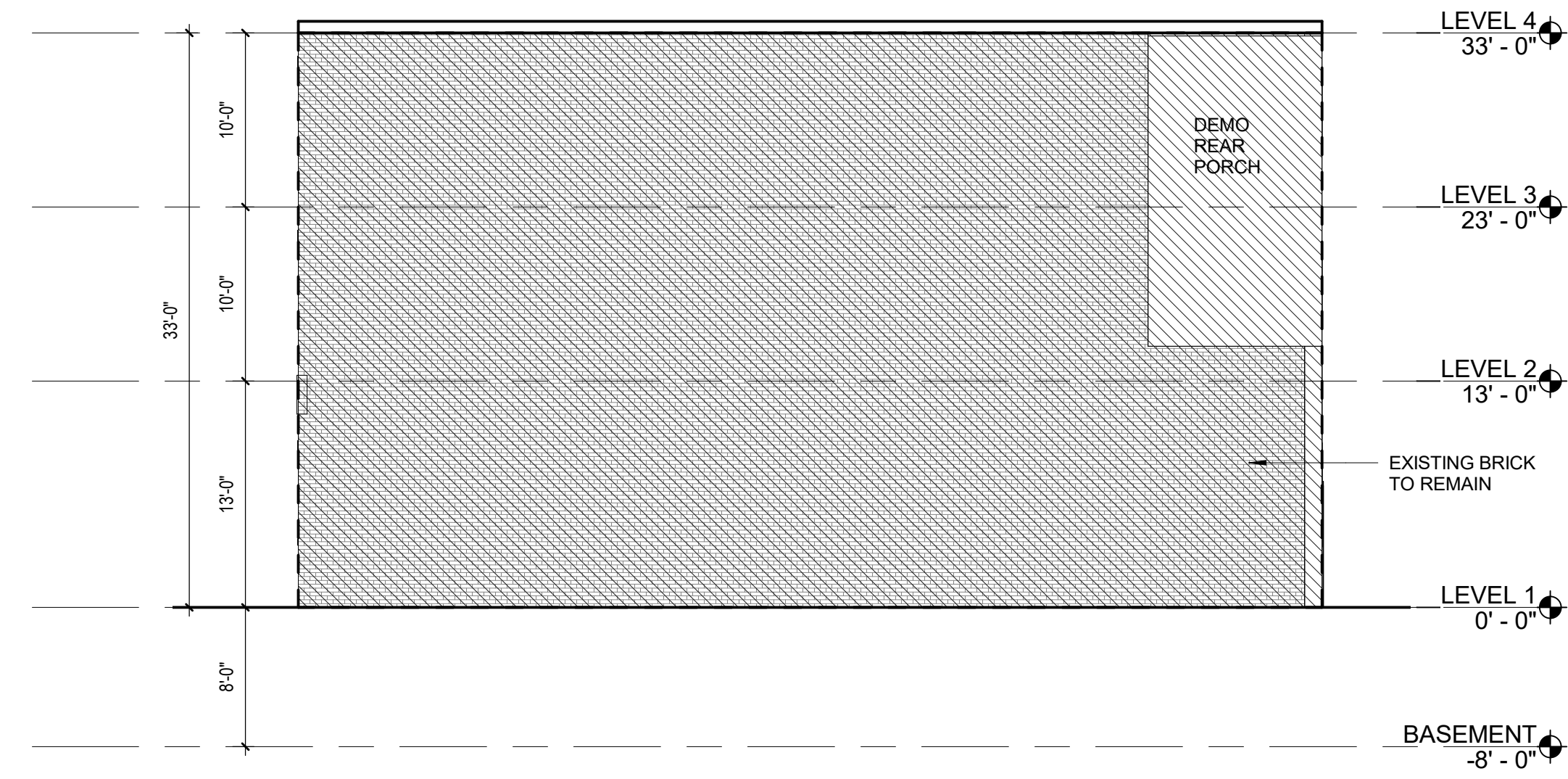
ROOF PROPOSED

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

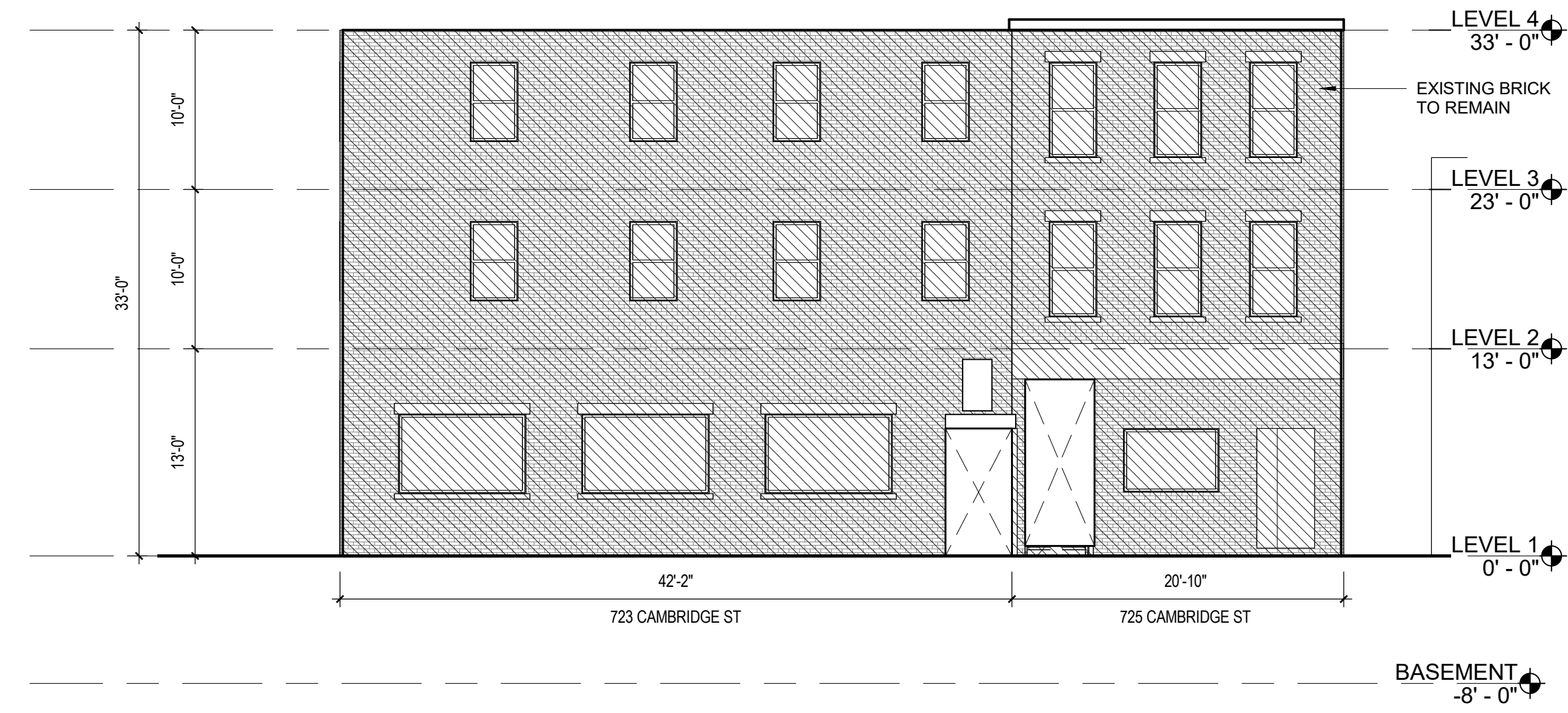
SCALE 1/8" = 1'-0" PROJECT # 2024.01 DATE ISSUED 2024-07-26

A103

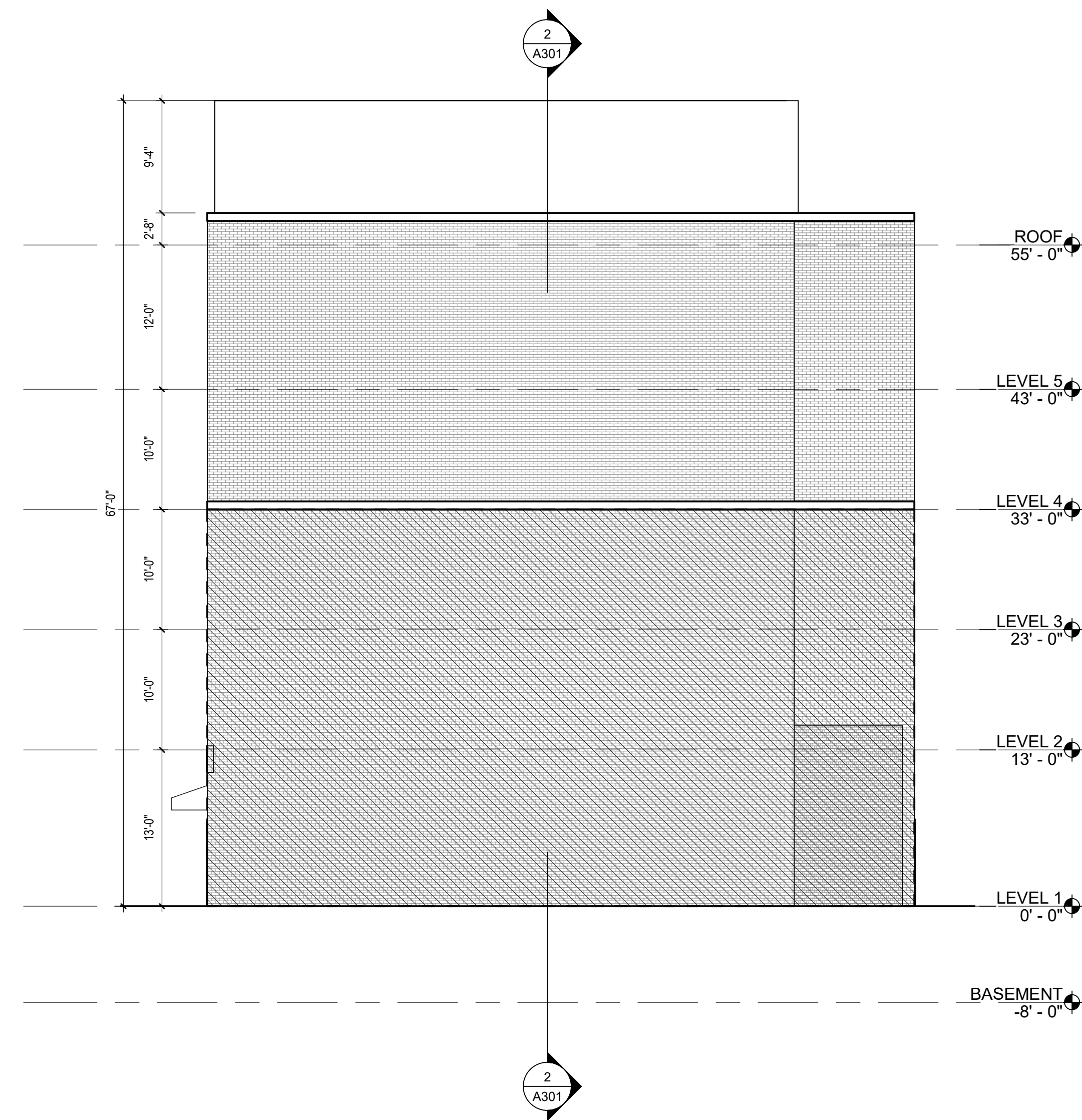
7/20/2024 8:38:03 AM



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



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



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



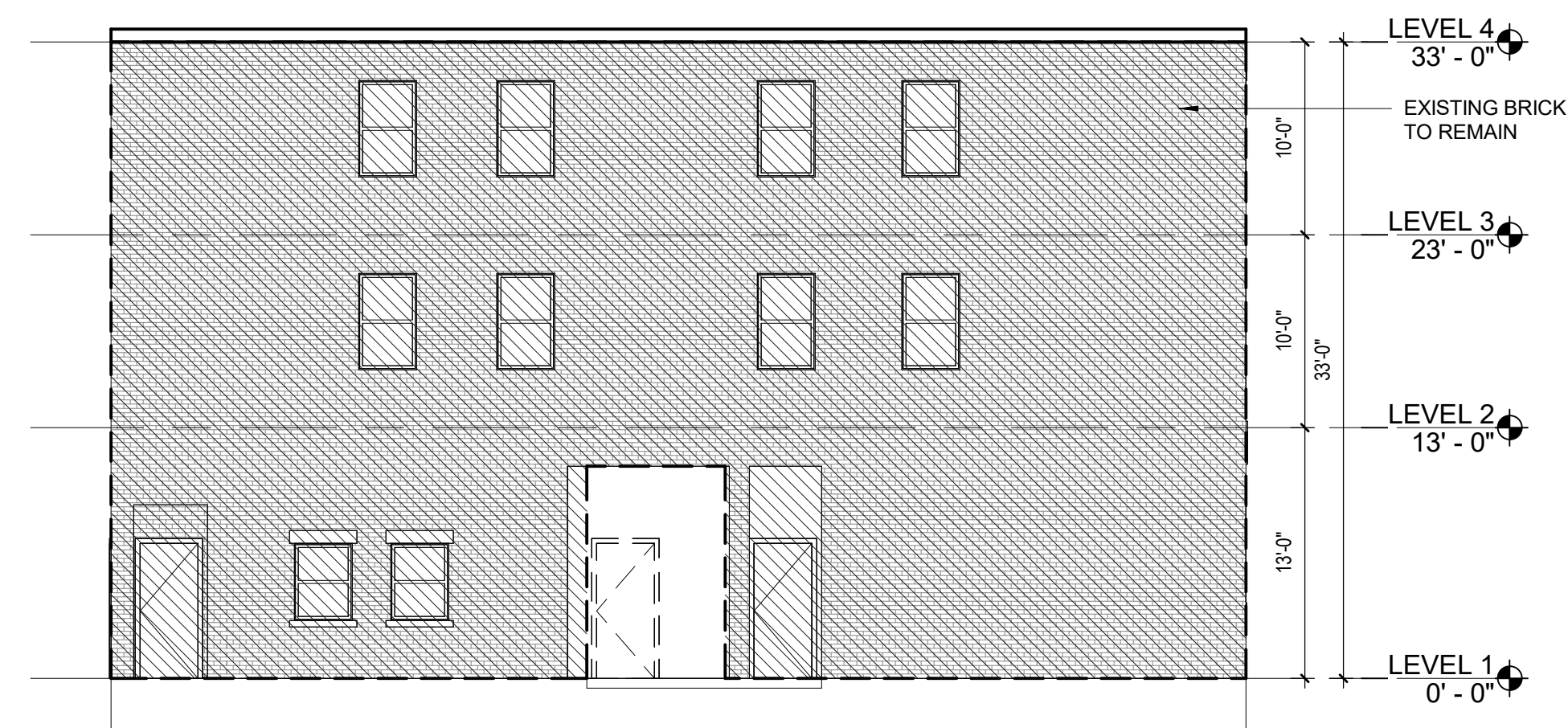
1 SOUTH ELEVATION - PROPOSED
1/8" = 1'-0"

725-731 CAMBRIDGE ST

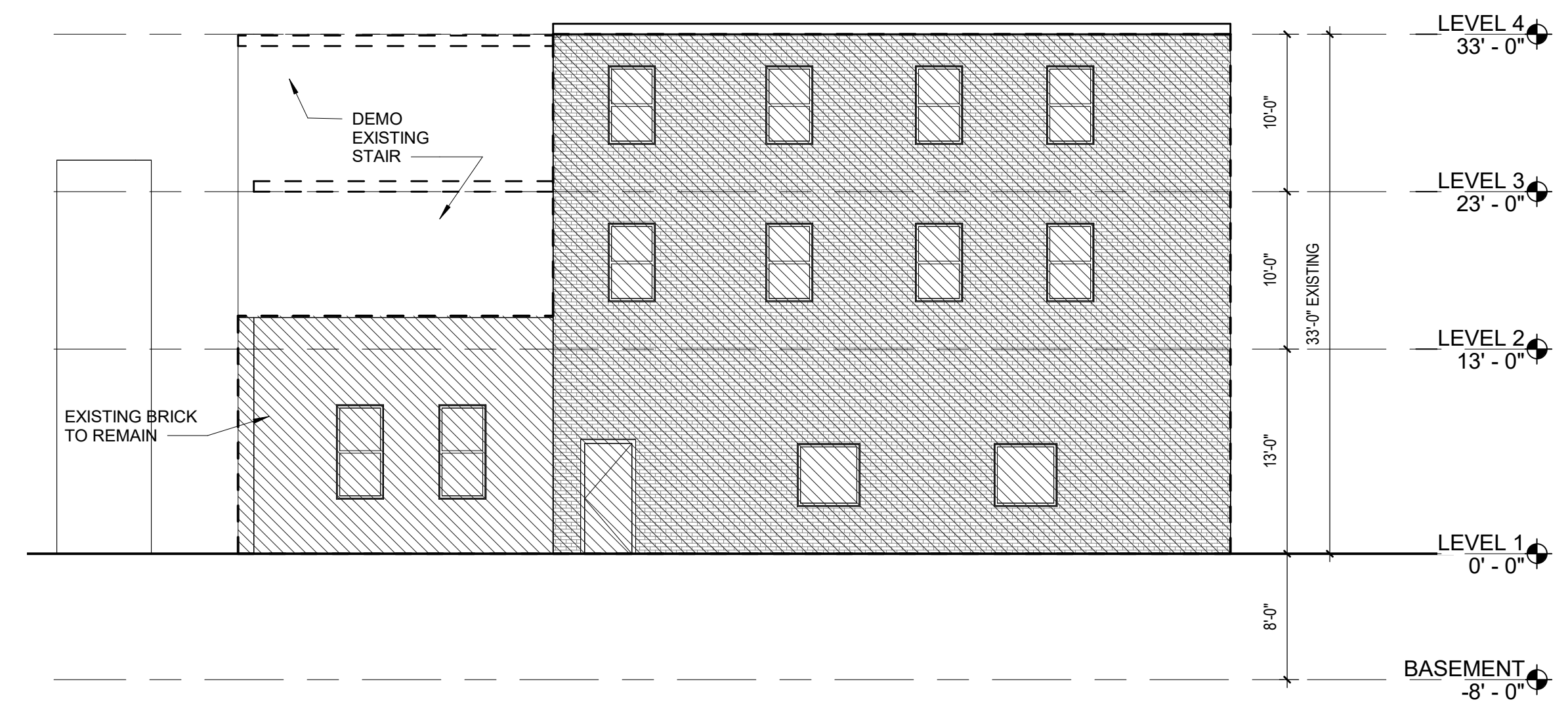
BUILDING ELEVATIONS

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

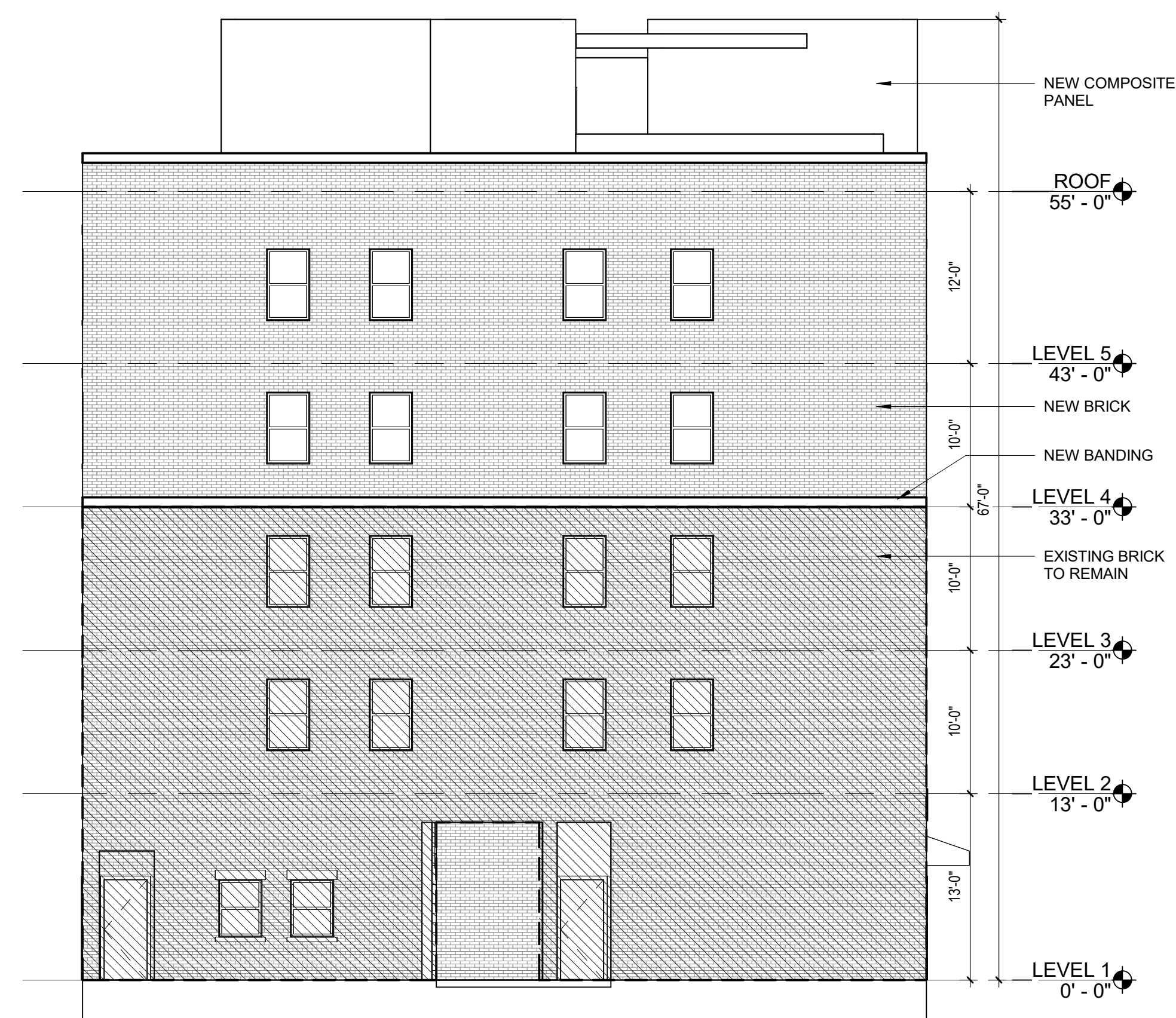
A201



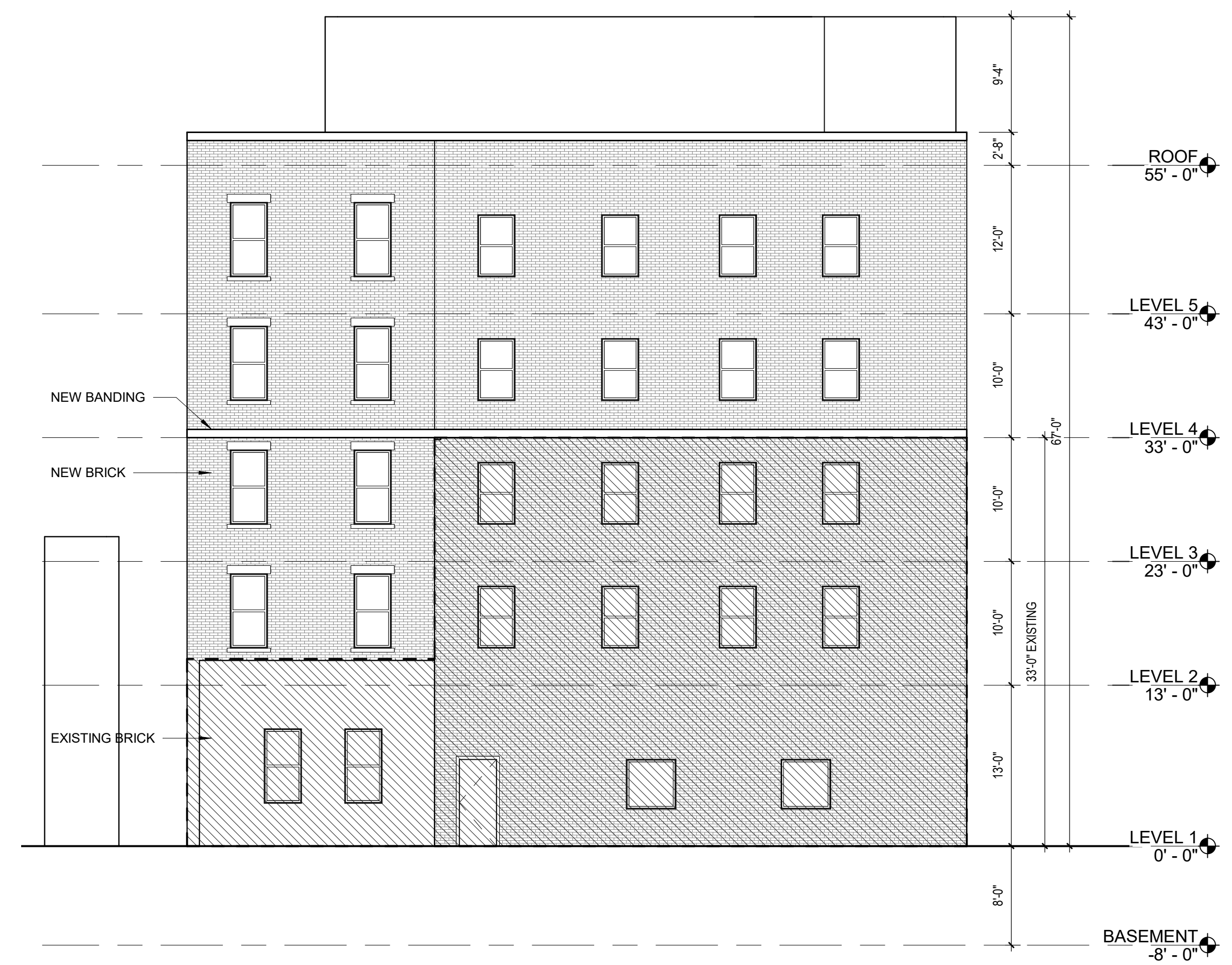
4 WEST ELEVATION - PROPOSED Copy 1
1/8" = 1'-0"



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

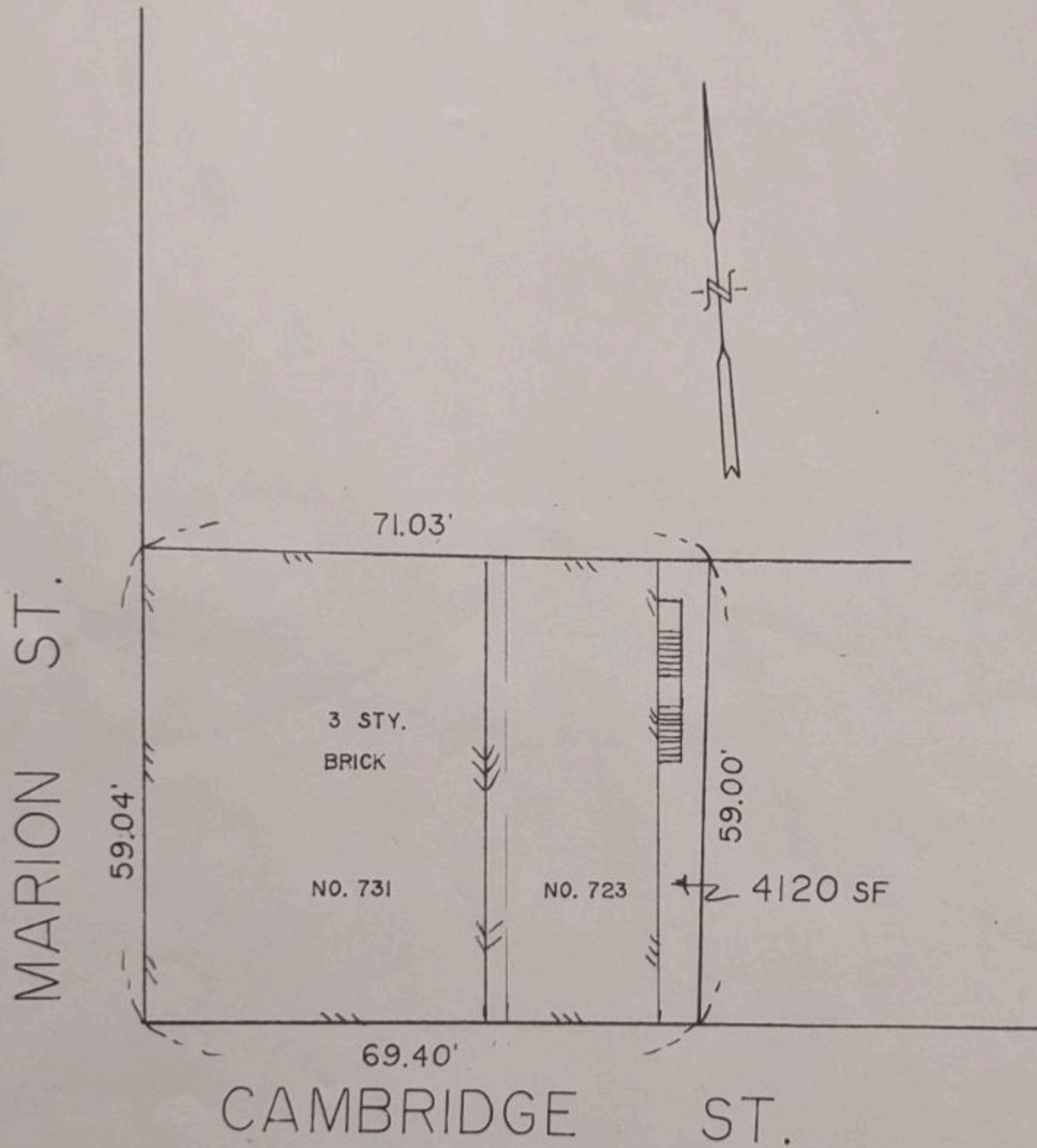
BUILDING ELEVATIONS

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

A202

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
John J. Russell

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

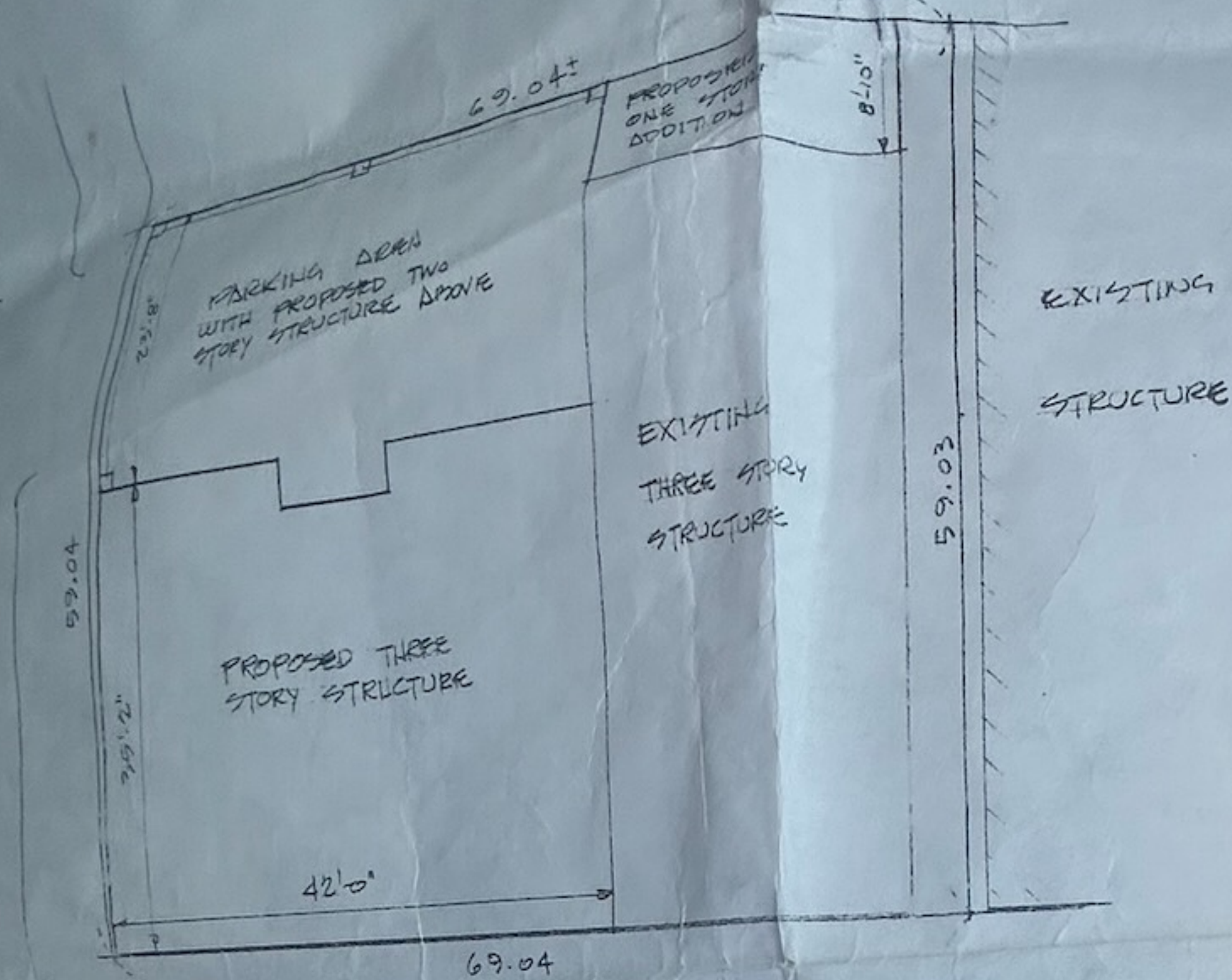
Mortgage Inspection Plan
In

CAMBRIDGE, MA.

Owner

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

MARION STREET



CAMBRIDGE

STREET

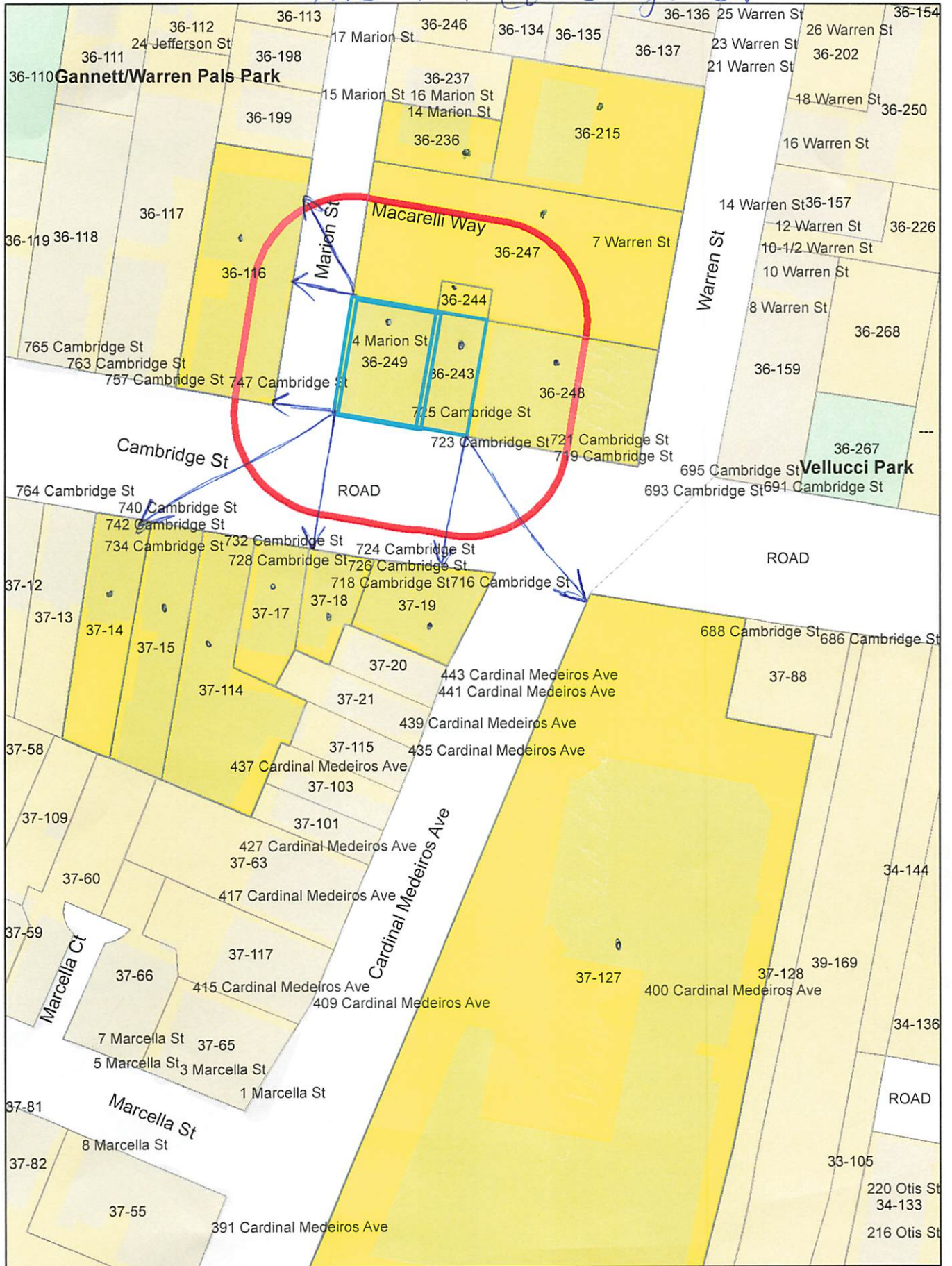
NOTE:
 PROPERTY SURVEY AND ACTUAL
 ADDITION LOCATION IS THE
 RESPONSIBILITY OF THE OWNER.
 BUILDING DIMENSIONS MAY VARY
 SLIGHTLY.



Anthony DiFronzo

PROPOSED ADDITION		CAMBRIDGE STREET	
CAMBRIDGE		MA	
SCALE: 1" = 10'-0"	APPROVED BY	DRAWN BY DDF	
DATE: 3/4/97			
PLOT PLAN			
		DRAWING NUMBER	

723-731 Cambridge St.



723-731 Cambridge St.

Petitioner

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

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 <cindym12000@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:

[Handwritten Signature]

(Print)

Date:

8-13-2024

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 Redevelopment 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 he 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 cited 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 the 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 with 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 municipal 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 we 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 111 Sciarappa 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 bilingual Portuguese-English speakers like me, who speak Portuguese with a Boston accent. (JUST KIDDING!)

Finally I want to 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



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

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.

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!

SECTION 8 NEWS

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

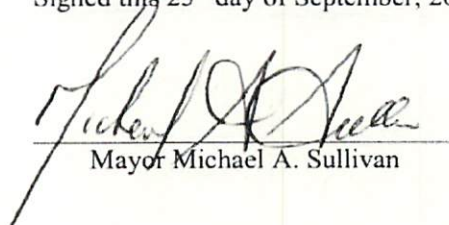
OFFICE OF THE MAYOR

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





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

Manuel Barros
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 <gregmccarthyfr@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 steet.

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](#)

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(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]

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

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

4 JIM MONTEVERDE: Yep. And who's speaking?

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

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

9 MANUEL BARROS: Correct.

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

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

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

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

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

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

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

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

21 JIM MONTEVERDE: I can. Thank you.

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

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

4 JIM MONTEVERDE: We have your correspondence dated
5 August 30 --

6 MANUEL BARROS: Yes.

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

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

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

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

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

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

8 Because my view is that what I'm proposing is
9 congruous with the Cambridge Street planning of 2022 and
10 2023.

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

13 MANUEL BARROS: Okay.

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

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

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

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

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

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

6 MANUEL BARROS: I know.

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

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

14 MANUEL BARROS: Okay, I would --

15 JIM MONTEVERDE: -- get in front of me.

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

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

20 Members of the Board, do you all concur?

21 WENDY LEISERSON: Yes.

22 JIM MONTEVERDE: You've read the file? You

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

3 CAROL AGATE: Yes.

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

7 MANUEL BARROS: No, you said December?

8 WENDY LEISERSON: October 10.

9 JIM MONTEVERDE: October 10, sorry. Sorry.

10 MANUEL BARROS: October 10, yes.

11 JIM MONTEVERDE: Sorry. If so, let me make a
12 motion, then. Let me make a motion to continue this matter
13 until October 10, 2024, on the condition that the petitioner
14 change the posting sign to reflect the new date of October
15 10, 2024, and the new time of 6:00 p.m.

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

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

1 Board to give an adverse ruling on this case.

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

6 On the motion to continue --

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

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

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

15 WENDY LEISERSON: In favor.

16 JIM MONTEVERDE: Thank you. Carol?

17 CAROL AGATE: In favor.

18 JIM MONTEVERDE: Thank you. Virginia?

19 VIRGINIA KEESLER: In favor.

20 JIM MONTEVERDE: Thank you. Steven?

21 STEVEN NG: In favor.

22 JIM MONTEVERDE: Thank you. And Jim Monteverde in

1 favor.

2 [All vote YES]

3 JIM MONTEVERDE: That's unanimous. This case will
4 be continued as a case not heard on October 10, 2024, at
5 6:00 p.m.

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

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

11 JIM MONTEVERDE: Thank you very much.

12 MANUEL BARROS: -- BZA.

13 JIM MONTEVERDE: Yep. Good evening.

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

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

18 WENDY LEISERSON: Thank you, Jim.

19 COLLECTIVE: Thank you. Goodnight, everyone.

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

21 Goodnight.

22 [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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(6:02 p.m.)

Sitting Members: Jim Monteverde, Steven Ng, Virginia
Keesler, Daniel Hidalgo and Carol Agate

JIM MONTEVERDE: The first case tonight is a
continued case, one that was started previously and not
resolved. I'll call the first case, and it is BZA 281576 --
723-731 Cambridge Street.

Is there anyone calling in on this case?

CAROL AGATE: Manny Barros is muted.

JIM MONTEVERDE: Okay. Mr. Barros, would you
unmute please or introduce yourself?

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

JIM MONTEVERDE: Yep, I can.

MANUEL BARROS: Hi. My name is Manny Barros. I
am the petitioner.

JIM MONTEVERDE: Thank you. Before you start, Mr.
Barros, when we last met -- this is a case not heard,
because we didn't get into the merits of the case, because
there were two correspondences, one from the Planning Board
and one from the East Cambridge Planning Team that were
taking exception to your proposal.

1 And they were suggesting that you meet with them
2 to modify your proposal, so that it would be acceptable to
3 those Boards.

4 I see in the file where you emailed both the
5 Planning Board and the East Cambridge Planning Team to meet
6 with them after the previous hearing, and we do have in the
7 file a letter -- we have nothing from the Planning Board.

8 Were you able to contact them or meet with them?

9 MANUEL BARROS: Mr. Chairman, I met via Zoom with
10 the East Cambridge Planning Team. The Planning Board never
11 gave me a hearing, never responded.

12 JIM MONTEVERDE: Okay. And we do have the
13 correspondence in the file from the East Cambridge Planning
14 Team -- again, stating their objections.

15 So as we said last time, with those two Boards or
16 groups having various concerns about your proposal -- and I
17 don't see anything in the file that's -- other than the
18 proposal that you've submitted the last time, so there's no
19 changes being proposed.

20 The question is how you want to proceed? Because
21 I think as we said last time, I personally having read the
22 file would probably not be in favor of your need to relief.

1 You have a Request for a Variance and a Special permit. And
2 if one other Board Member feels the same way, then you would
3 not be able to come back before this Board for two years
4 without a distinctly different proposal.

5 So as we did before, you have the choice to
6 continue again so that you can meet with the Planning Board
7 -- I don't know what your schedule is, but to give yourself
8 enough time to meet with them and to go back to the East
9 Cambridge Planning Team with some variation on your current
10 proposal that they might find acceptable.

11 I think those are the two options we have tonight;
12 we either go ahead and hear your case and then vote, or we
13 continue again so you can at least meet with the Planning
14 Board and try and work things out also with the East
15 Cambridge Planning Team. That all is up to you, Mr. Barros.

16 So do you have a preference on how you'd like to
17 proceed this evening?

18 MANUEL BARROS: Mr. Chairman, I would like to go
19 forward on the merits of my case this evening. I understand
20 that I would not be able to come back for two years. But I
21 believe my position has merit.

22 I'd like to just speak on the whole big picture

1 and ask the Board to vote, but I do believe that I do have
2 some merits here in this case, and especially listening to
3 the whole history of the case so --

4 JIM MONTEVERDE: Okay.

5 MANUEL BARROS: -- yeah, the Board has read my
6 letters, and I just had some comments I wanted to make about
7 what I have proposed here.

8 But basically, Mr. Chairman, I am in the
9 Wellington-Harrington area. I grew up in this area. I
10 played stickball at the Wellington School, and I went to the
11 Harrington School. I have no opposition that I know of in
12 the Wellington-Harrington area. As a matter of fact, my
13 direct neighbor at 747 Cambridge Street has spoken in favor
14 of this project.

15 Now, much has been said by the Planning Board and
16 the East Cambridge Planning Team about the Cambridge Street
17 Study. They cite that study as the reason why they would
18 not support my project.

19 I, looking at the big picture, tried to explain to
20 them that I believe I am in compliance with this study,
21 because the study basically says that we're going to --
22 businesses on Cambridge Street on the first floor, immigrant

1 business or ethnic businesses -- and that's what I plan to
2 do.

3 But more than that, Mr. Chairman, what I plan is
4 to have a business that would be lasting. I am 69 years
5 old. I've lived there my whole life. I know what
6 businesses work, and what I'm trying to do with this plan is
7 to create something that would bring people to this location
8 to have a business that would work for the long term.

9 My sister in the restaurant there was able to
10 maintain a restaurant only because the family owned the
11 building. If she had to pay a market-rate rent, it would
12 not last. Other restaurants in the area would not last.

13 And I understand that economics is not a reason
14 for this, but when you look at the big picture of the
15 Cambridge Street Study, this development would provide
16 something that the neighborhood does not have, in addition
17 to the housing, and it would provide a place where people
18 could gather and be successful.

19 Inman Square and Lechmere where First Street is
20 and that type of thing -- a lot of restaurants are
21 successful there, but this area, Mr. Chairman, is really
22 difficult because it's sort of a pass-through area. I

1 wanted to create something where people could go to and
2 enjoy and - as a sort of as a destination.

3 It is really difficult to make it work when I look
4 at all the other businesses on Cambridge Street, all the
5 other restaurants that -- the sit-down restaurants, that
6 have not been successful because it is too difficult.

7 So I support the Cambridge Street Study with the
8 bike paths, reducing traffic, and the eight apartments that
9 I would remove from here I know that is a difficult point,
10 but I have a plan to create more apartments at an adjacent
11 site, working with the Cambridge Redevelopment Authority.

12 And I -- really, given my history of creating
13 about 87 apartments -- and most of them are low-income
14 Section 8 apartments that I had given to the City of
15 Cambridge permanently, I think I've shown this Board
16 evidence that I am a creator of affordable housing and
17 always have done so.

18 But the one thing that is really amazing to me and
19 ironic is that the Planning Board that has voted against me
20 on every petition I've appeared for in Cambridge, doing
21 apartments has voted against me every single time, including
22 this site.

1 And when -- the first time when I put forward a
2 petition to build eight apartments and the restaurant on the
3 first floor. But yet now, because I have something else
4 planned, they voted against me again. And that just doesn't
5 make sense to me, given my history, given that the
6 Wellington-Harrington area has not opposed me, and the East
7 Cambridge Planning Team I guess now speaks for everything
8 from Lechmere all the way to Inman Square, which I don't
9 understand.

10 But -- you know, I know a lot of people in the
11 East Cambridge Planning Team; there's always some issue with
12 people growing up in neighborhoods where people may have a
13 bias for or against. I have a lot of friends there, I have
14 people that perhaps have issues with me, I don't know why.

15 But, Mr. Chairman, I'm there for the long term to
16 create something that looks to the future that enhances the
17 big picture of Cambridge Street. And that's where I differ
18 with both Boards. And I would be happy to answer any
19 questions that the Board has before they vote.

20 JIM MONTEVERDE: Okay. Thank you very much for
21 your presentation.

22 Any questions from Members of the Board?

1 CAROL AGATE: I do.

2 JIM MONTEVERDE: Go ahead, Carol.

3 CAROL AGATE: Mr. Barros, did you see the letter
4 from Joseph Rose?

5 MANUEL BARROS: I did.

6 CAROL AGATE: And so, he spoke very strongly
7 against it, and I wonder how you answer some of the
8 questions that he raises in that letter.

9 MANUEL BARROS: You mean the issue of hardship?

10 CAROL AGATE: Well, the -- you know, changing from
11 the -- well, let me ask you, why do you want to change from
12 the housing that you already have with those eight units to
13 a hotel?

14 MANUEL BARROS: Because for the long term, Carol,
15 it's the only way to make that site viable, because the
16 rest-- the Cambridge Street Study says they want businesses
17 on the first floor, to be inviting to bring people in.

18 When you look at every business on Cambridge
19 Street that's been a restaurant -- I built the 660 building
20 at 660 Cambridge Street, the Loyal Nine restaurant there did
21 not make it, the other restaurant that's there now -- Gufo,
22 which means, "Owl" in Italian, they're having difficulty.

1 The other restaurant, the Italian restaurant a friend of
2 mine Chris Kaczynski owned, he's no longer there because
3 it's too difficult to make it.

4 So my point is trying to create a restaurant
5 that's appealing to the neighborhood, and trying to create a
6 business that will last for the long term. This proposal, I
7 believe, would be something that would be lasting for the
8 long term and not be gone in a few years.

9 Because if my sister -- if my family didn't own
10 the building, my sister would not be able to sustain the
11 Portugalia restaurant that was there for 40 years. I mean,
12 if she had to pay a market-rate rent, it would not have
13 happened.

14 And I understand that economics is not a --
15 there's not a reasoning for the Board, but when you look at
16 what the Planning Board and the East Cambridge Planning Team
17 said that we're not in compliance with Cambridge Street, I
18 disagree with that.

19 Now, as far as the eight apartments that are
20 there, when you look at the history, the Cambridge
21 Redevelopment Authority did not want me to build any
22 apartments at all. I had to fight hard and go to

1 politicians in Cambridge to build it, Carol. And then the
2 Planning Board, even when I did this petition back in 1987,
3 voted against the eight apartments and the restaurant use.

4 So I'm kind of bewildered as to, like, what will
5 work for someone like me that has lived in the neighborhood
6 --

7 CAROL AGATE: Let me see if I understand it. The
8 idea is that having a hotel with 44 units would bring
9 customers to the restaurant. Is this the --

10 MANUEL BARROS: Yeah.

11 CAROL AGATE: -- bottom line?

12 MANUEL BARROS: It's not the bottom line, but I
13 just think it's -- I just think it -- it would enhance the
14 whole big picture of the Cambridge Street Study, which is to
15 reduce traffic and increase traffic, and especially --

16 CAROL AGATE: All right. I will leave it to see
17 if other people have questions.

18 JIM MONTEVERDE: Thank you, Carol. Any other
19 questions from Members of the Board?

20 DANIEL HIDALGO: Can you just speak a little bit
21 to the hardship? Because the hardship is really supposed to
22 be about the unique conditions of the property.

1 And I'm struggling a little bit to understand what
2 would the rationale be for the variance, which has fairly
3 high standards.

4 MANUEL BARROS: Daniel, let me give you the
5 history of the site. The Cambridge Redevelopment Authority
6 bought -- threatened to take my building by eminent domain
7 back in the '80s. We had enough space in the back for
8 parking, and then we -- they were going to take the building
9 by eminent domain if we didn't develop it. In other words,
10 build only a one-story building which was only a restaurant
11 with no apartments.

12 So I had to make a deal with them that they --
13 that we would build a courtyard as they wanted with parking
14 on the Warren Street side and make that courtyard have
15 outdoor dining with the bar that was there.

16 That whole concept did not work. I asked to do
17 apartments above with the restaurant, but they said no, they
18 would not do that because it was not in their charter.

19 Now, when you look up and down Cambridge Street,
20 then you look up Webster Avenue towards Inman Square, there
21 used to be University Monumental Works. There was Automatic
22 Cone. Next door to my building is Giro -- these are all

1 commercial buildings, because the CRA told us that they
2 would not allow housing but only commercial buildings.

3 I had to fight to do what is there now: Eight
4 apartments and the restaurant on the first floor.

5 JIM MONTEVERDE: Daniel, does that answer your
6 question?

7 MANUEL BARROS: So --

8 DANIEL HIDALGO: I mean, I understand. You're
9 pointing to the eminent domain issue as the main rationale
10 for the variance, it sounds like.

11 MANUEL BARROS: But Daniel, if you look at the lot
12 where the Giro Studio Photography building is that was 5,000
13 square feet and the 3,000 square feet on the Marion Street
14 side, which we were supposed to have, they took --

15 DANIEL HIDALGO: Mm-hm.

16 MANUEL BARROS: -- my lot in the rear of the
17 building and we did an exchange. And they -- and the
18 exchange -- and plus one other thing comes to mind. People
19 have said that we were compensated for our property under
20 eminent domain.

21 Well, Daniel, let me tell you what happened. They
22 made us swap our land, the 3,000 square feet on the Marion

1 Street side, for my parking lot in the back for a dollar a
2 square foot. We weren't compensated anything for the value
3 that was there.

4 So what we -- then we tried to make the courtyard
5 work. We spent hundreds of thousands of dollars. It just
6 did not work. And so, so they took away the parking lot
7 that was part of the deal where the Giro Studio Photography
8 building is, and that that's when I went to the politicians
9 in Cambridge and got the CRA to allow a mixed-use
10 development.

11 Now, it's really interesting. When you go up
12 Cambridge Street now, all the buildings that were commercial
13 buildings are now mixed-use. So I think -- I think I was
14 right in this type of development, especially when you look
15 at what happened up Cambridge Street, Daniel.

16 So whether you consider it a hardship or not, I
17 do, especially since the CRA was going to take our property
18 by eminent domain and we would not have the wherewithal or
19 the land to have the necessary parking to build and that
20 type of thing.

21 I know it's a strange sort of hardship, but that's
22 the truth, and that's what happened.

1 And Kendall Square is what the Cambridge
2 Redevelopment Authority developed. Mortimer Zuckerman built
3 the whole place and built and paid a dollar a square foot
4 for all the land there.

5 JIM MONTEVERDE: Excuse me. Wow. Mr. Barros,
6 let's see if that happened the Board Member's --

7 DANIEL HIDALGO: Yeah.

8 JIM MONTEVERDE: -- question.

9 DANIEL HIDALGO: That's fine for me, thank you.

10 JIM MONTEVERDE: Okay. Thank you. Are there any
11 other questions from Members of the Board?

12 VIRGINIA KEESLER: Could you speak a bit to what
13 you anticipate in terms of parking, loading, unloading?

14 MANUEL BARROS: Virginia, in terms of loading,
15 I've seen, like, other businesses in the area -- for example
16 on Broadway where Advanced Tire is, the owner there is a
17 friend of mine. And he was [having] a difficult time trying
18 to figure out what to do with his business on Broadway.
19 It's at the corner of Cardinal Medeiros Avenue -- actually
20 Portland Street and Broadway.

21 So what he worked out with the City was a loading
22 -- he has a strip there where the cars that will be serviced

1 at his business have their own parking. It's about a strip
2 of land where maybe like 10 cars can fit.

3 So I was thinking that the same thing could be
4 done in front of the proposed hotel. We have a -- either
5 the parking or loading at that designated strip, much like
6 Advanced Tire has on Broadway.

7 JIM MONTEVERDE: So I think looking at the plans,
8 if you're looking at the same things, Virginia, I think the
9 -- they're in plan. There is no dedicated loading -- off-
10 street loading dock, if that's your question. And there is
11 no off-street parking.

12 What Mr. Barros is describing is it assumes that
13 they would do loading from the street. And it looks like by
14 plan it's from Cambridge Street. And one of the entrances
15 to the building would in fact be a back entry for loading.
16 I think that gets to your question, Virginia?

17 VIRGINIA KEESLER: Yes, thank you.

18 JIM MONTEVERDE: Are there any other questions
19 from Members of the Board? Carol, did you have a follow-up,
20 or are you --

21 CAROL AGATE: Well, I did wonder, did you speak
22 with Mr. Rose at all after he sent this letter? Did you

1 have any discussion with him as to why he was opposing it?

2 MANUEL BARROS: I did not, Carol, but he lives on

3 --

4 CAROL AGATE: Okay.

5 MANNY BARROS: -- Sciarappa Street. I didn't know
6 if he was part of the East Cambridge Planning Team. When I
7 met with them, it was via Zoom and there were many, many
8 people that participated in that. I thought maybe Mr. Rose
9 was one of the participants.

10 JIM MONTEVERDE: Okay. Thank you. Any other
11 questions from Members of the Board? If not, I'll open it
12 up to public commentary.

13 Let me enter into the record -- well what's
14 already into the record, the correspondence we do have. I
15 have -- and these are actually from the last presentation,
16 but it in essence is the same presentation -- there's one in
17 favor. There are two neighbors I'll say against, and then
18 there are the Planning Team and the Planning Board against.

19 So we have in the file now dated October 9 from
20 the East Cambridge Planning Team Charles T. Hines asking
21 this Board to deny the petitioner's application for a
22 Special Permit and Variance, mainly because they're saying

1 that that Planning Team is open to hearing an alternative
2 plan if the applicant would like to present one.

3 But in the meeting that you had with them, you
4 presented the same plan with no variation. That's the East
5 Cambridge Planning Team.

6 Give me a second, please, while I --

7 We have correspondence from Greg McCarthy at 747
8 Cambridge Street, in support. We have the old letter from
9 the East Cambridge Planning Team. We have a letter from
10 Marie Elena Saccoccio at 55 Otis Street, speaking against.

11 We have a letter -- correspondence dated August
12 28, 2024, from the Planning Board, speaking against and
13 listing their issues with the proposal.

14 And give me one second, there's one more. There
15 is correspondence from Cindy Mathers on Fulkerson Street,
16 who is writing in opposition.

17 And there's a letter that Carol referred to from
18 Joe Rose on Spring Street, in opposition. That is
19 everything we have in the file.

20 So let me open it up to public comment. Any
21 member of the public who wishes to speak should now click
22 the icon at the bottom of your Zoom screen that says, "Raise

1 hand." If you're calling in by phone, you can raise your
2 hand by pressing *9 and unmute or mute by pressing *6.

3 I'll now ask Staff to unmute speakers one at a
4 time. You should begin by saying your name and address, and
5 Staff will confirm that we can hear you. After that you
6 will have up to three minutes to speak before I ask you to
7 wrap up.

8 OLIVIA RATAY: Caller ending in 8331.

9 HEATHER HOFFMAN: Hello. Heather Hoffman, 213
10 Hurley Street. I was at the East Cambridge Planning Team
11 meeting where Mr. Barros presented to us exactly the same
12 thing and got a very unenthusiastic reception.

13 And I continue to be baffled in many ways. He
14 told us there were mistakes on the plans; has he sent new
15 plans? Because, you know, you posted this continued case
16 really late -- I mean not legally late, I'm just saying that
17 I keep looking -- not multiple times a day or anything.

18 But I'm just baffled that this would actually
19 qualify as a hotel, what I saw. I still have not heard
20 anything that sounds to me like a hardship.

21 And I'm not at all happy about losing eight
22 apartments. We keep being told that we need housing,

1 housing, housing. And then eight apartments are proposed to
2 be whisked away and perhaps being replaced by something that
3 might be a hotel? Unclear.

4 And so, so I hope that you will really dig into
5 this. I just haven't heard anything that comes close to
6 suggesting that this qualifies under the law.

7 So thank you.

8 JIM MONTEVERDE: Thank you, Heather. Thanks for
9 calling in.

10 OLIVIA RATAY: Francesca Gordini?

11 FRANCESCA GORDINI: Good evening. I'm Francesca
12 Gordini. I live at 122 Cambridge Street, or Otis Street,
13 sorry. And I'm a Cambridge resident.

14 I would like to speak against it as a renter. I
15 fear that if all the owners of buildings such as that one
16 were to remove so many apartments, it would become
17 increasingly hard for professionals like me to find a place
18 to remain in Cambridge.

19 And again, we all know there's a big housing
20 crisis, so I don't see how this is going to be beneficial
21 for the city in whatever shape or form.

22 Thank you.

1 JIM MONTEVERDE: Thank you for calling in. Anyone
2 else? That's it for public commentary. So I will close
3 public testimony.

4 Any discussion among Board Members?

5 STEVEN NG: I guess my biggest concerns are: one,
6 I am not sure -- I have a question of hardship explanation.
7 And I see the documentation is incomplete. So I really
8 don't understand the design very well. No site plan, no --
9 you know, the whole loading issue is not addressed.

10 I mean, those are the things that, you know, a
11 hearing with the Planning Board would require some very good
12 documentation that shows a hospitality type use and how it
13 would work in a certain neighborhood. And especially if
14 you're asking for a variance.

15 I mean, we need to know if the design and the
16 application meets all the values and goals of what the
17 Planning Board has been working on with the City in every
18 different part of Cambridge. And right now it's lacking.

19 So I don't know if my fellow Board Members agree
20 or if there's something we could ask for in addition to help
21 clarify it, but I'm not feeling that good about granting
22 approval for this.

1 JIM MONTEVERDE: Thank you, Steven. I mean, I
2 share your concerns. I think there are two pieces here.
3 There's the variance, which is the one that really is driven
4 by the definition of hardships, which I concur hasn't been
5 presented to justify it; and then the special permit is the
6 change from Residential to Hotel Use.

7 And I think the correspondence from both the East
8 Cambridge Planning Team and the Planning Board speak against
9 that one in particular. So I would agree.

10 I'm not -- unless something else comes up here not
11 in support, and I don't think -- and we offered the
12 proponent the opportunity to go back to those two groups,
13 neighborhood groups, the Planning Team, and the Planning
14 Board at the last hearing, and it doesn't sound like that
15 really had any effect; that there was any change in plans.
16 So at the moment, I'm not -- I would not be in support
17 either.

18 Any other discussion among Members of the Board?

19 DANIEL HIDALGO: Just know that in addition to my
20 concerns about the hardship, I guess I worry -- you know,
21 the condition for the variance is that it's not a
22 substantial detriment to the public good.

1 And here I just would really need a lot more
2 documentation showing in addition that the kind of parking
3 and transportation system -- concerns have been addressed.

4 Just because it's hard for me to imagine a hotel
5 functioning purely based on -- with any kind of parking,
6 without any kind of, you know, detailed plan for dealing
7 with the natural -- you know, taxis, cars, et cetera that
8 are going to be going there.

9 So that's a big concern for me in addition to the
10 hardship, whether it meets the hardship requirement.

11 JIM MONTEVERDE: Yep. Okay. Thank you. Any
12 other comments from Members of the Board, discussion? If
13 not --

14 CAROL AGATE: Well, I don't want to repeat all the
15 ones that have been mentioned. There is also the height.
16 The height would stand out really on that street, because
17 the buildings do tend to be two stories all along the
18 street. And this would dominate.

19 And the idea of that many hotel rooms on a street
20 that is a traffic nightmare, it -- where there are hotels,
21 there's traffic. So I think it's a bit overwhelming for
22 that location, in addition to what everybody else has said.

1 JIM MONTEVERDE: Okay. Thank you, Carol.

2 Anyone else?

3 VIRGINIA KEESLER: I would agree with what all of
4 you have said. I guess I would encourage us perhaps to
5 clarify for the petitioner whether we would be opposed to
6 this project based upon the change in use regardless of
7 whether they provided, you know, more detail in the hotel
8 plan.

9 Or if providing more detail would actually be
10 useful in terms of being persuasive to the Board, just --
11 you know, in the interest of not wasting their time and
12 money.

13 JIM MONTEVERDE: That would speak to a Request for
14 a Continuance to allow the proponent to do that additional
15 work.

16 STEVEN NG: Well, I -- no, Virginia, I think that
17 that is the right request from us, like our role here is to
18 give some guidance on what to do.

19 But I think I would definitely revisit this
20 application, but he's -- the applicant has to go through the
21 Planning Board, you know. And go through all those issues
22 that can answer the hardship and how the special permit can

1 be shown that he's addressing all the concerns.

2 So I mean that would be my kind of requirement.

3 JIM MONTEVERDE: Which would, I guess, offer the
4 -- if the proponent is willing to continue the case again --

5 STEVEN NG: Right.

6 JIM MONTEVERDE: -- and answer those specific
7 questions about the hardship and the specifics of the use as
8 a hotel -- loading, parking, et cetera?

9 STEVEN NG: Yeah, but also -- and, you know,
10 getting a support from the Planning Board and --

11 JIM MONTEVERDE: Right. Well --

12 STEVEN NG: -- you know --

13 JIM MONTEVERDE: Okay.

14 STEVEN NG: -- associated --

15 JIM MONTEVERDE: Fair enough.

16 STEVEN NG: -- you know, groups.

17 JIM MONTEVERDE: Let me ask that question to the
18 proponent. Mr. Barros?

19 MANUEL BARROS: Yes. Yes, Mr. Chairman?

20 JIM MONTEVERDE: You hear the discussion. Are you
21 amenable to continuing this, to providing that additional
22 information that this Board is looking for? Or -- again,

1 that's your choice -- or we, the next step is we make a
2 motion, and we vote tonight.

3 MANUEL BARROS: Yeah.

4 JIM MONTEVERDE: What would you prefer?

5 MANUEL BARROS: Well, Mr. Chairman, I can see -- I
6 can see the concerns of the Board. I will -- I would ask
7 for a continuance to speak with the Planning Board again,
8 and I may change my whole proposal to do housing if that's
9 what the Planning Board wants.

10 I really believe that this was something that
11 could enhance the overall big picture of Cambridge Street.
12 I thought it was something that would be positive, but I can
13 understand the concerns of the Zoning Board, and I just
14 wanted the Board to understand the history.

15 And I understand that the hardship may not be
16 clear, but to me having gone through it -- to me it's clear,
17 but I can understand that the Board wants the documentation.

18 So I will go back and either ask for a continuance
19 on this, or I may just change my proposal to do housing and
20 perhaps build a much taller building with lots of
21 apartments. And I'm told by the Cambridge Redevelopment
22 Authority -- by the Cambridge Community Development

1 Department that perhaps I could build a building by right if
2 I do the right height. I'm told it can go up to eight or 11
3 stories.

4 So that may be something that I would propose if I
5 can do it by right or come back with this.

6 JIM MONTEVERDE: Right.

7 MANUEL BARROS: But I will go back to the Planning
8 Board.

9 JIM MONTEVERDE: So you'd like to continue?

10 MANUEL BARROS: I would.

11 JIM MONTEVERDE: Okay. I would suggest -- last
12 time we continued for a month, and I don't feel that gave
13 you enough time to be able to hit on the agenda of the
14 various groups you were trying to speak to, especially the
15 Planning Board. And to go back to the East Cambridge
16 Planning Team. So what do we have?

17 OLIVIA RATAY: Seventh, twenty-first.

18 JIM MONTEVERDE: Twenty-first?

19 OLIVIA RATAY: November 21, December 12.

20 JIM MONTEVERDE: November 21 or December 12, Mr.
21 Barros?

22 MANUEL BARROS: Well, the more time I have, the

1 better Mr. Chairman. I mean, it's difficult. Everybody has
2 such a busy schedule. We're going into the holiday season,
3 so perhaps December 12 might be better.

4 JIM MONTEVERDE: January 9?

5 MANUEL BARROS: January 9. Oh. Is that something
6 that the Board would give me, January 9?

7 JIM MONTEVERDE: Well, we'll call the Board
8 Members, because they'll all -- since this is a case heard,
9 they'll all have to be present to hear this again. So if
10 that's amenable to you all, we'll poll the Board.

11 MANUEL BARROS: That's fine with me, Mr. Chairman.

12 JIM MONTEVERDE: Okay. Steven, does that work for
13 you? January 9?

14 STEVEN NG: It can. I don't know how long the
15 discussion or work you'll have to do for the Planning Board,
16 but sure.

17 JIM MONTEVERDE: Yep. Well, again, I think by
18 January 9 if --

19 STEVEN NG: Yeah.

20 JIM MONTEVERDE: -- he's not able to get all that
21 together, then you can always come back and ask to tell us
22 what he's done. He can continue. I'd be happy to continue

1 it again, if there's some evidence that he's making all the

2 --

3 STEVEN NG: Okay.

4 JIM MONTEVERDE: -- trying to make all the --

5 STEVEN NG: Yeah.

6 JIM MONTEVERDE: -- connections.

7 STEVEN NG: That's fine.

8 JIM MONTEVERDE: Okay. Virginia, January 9?

9 VIRGINIA KEESLER: Yes.

10 STEVEN NG: Yep.

11 VIRGINIA KEESLER: That works for me.

12 JIM MONTEVERDE: Okay. Carol, January 9?

13 CAROL AGATE: Yes.

14 DANIEL HIDALGO: Yeah, that works.

15 JIM MONTEVERDE: Okay. January 9. Let me make a

16 motion. So let me make a motion to continue this matter

17 until January 9, 2025, on the condition that the petitioner

18 change the posting sign to reflect the new date of January

19 9, 2025 and the new time of 6 p.m.

20 Also, that the petitioner sign a waiver of the

21 statutory requirements for the hearing. This waiver can be

22 obtained from Maria Pacheco or Olivia Ratay at the

1 Inspectional Services Department.

2 I ask that you sign the waiver and return it to
3 the Inspectional Services Department by a week from this
4 coming Monday. Failure to do so will de facto cause this
5 Board to give an adverse ruling on this case.

6 Also, that if there are any new submittals,
7 changes to the drawings, dimensional forms, or any
8 supporting statements that those be in the file by 5 p.m. on
9 the Monday prior to the continued meeting date.

10 On the motion to continue this matter until
11 January 9, 2025, a voice vote by the Board Members?

12 Daniel?

13 DANIEL HIDALGO: In favor.

14 JIM MONTEVERDE: Carol?

15 DANIEL HIDALGO: Daniel Hidalgo in favor.

16 JIM MONTEVERDE: Yep. Thank you. Carol?

17 CAROL AGATE: In favor.

18 JIM MONTEVERDE: Virginia?

19 VIRGINIA KEESLER: In favor.

20 JIM MONTEVERDE: Steven?

21 STEVEN NG: In favor.

22 JIM MONTEVERDE: And Jim Monteverde in favor.

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[All vote YES]

JIM MONTEVERDE: That's five in favor. The matter
is continued. Thank you.

MANUEL BARROS: Thank you, Mr. Chairman.



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2024 OCT 16 PM 2:08

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CAMBRIDGE, MASSACHUSETTS

Board of Zoning Appeal Waiver Form

The Board of Zoning Appeal
831 Mass Avenue
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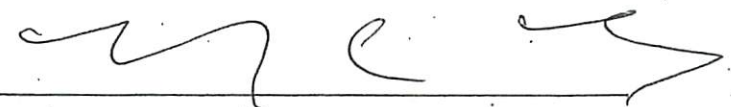
RE: Case # BZA-281576

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: 10-15-2024


Signature