



City of Cambridge

CALENDAR ITEM # 1

IN CITY COUNCIL

September 11, 1995

ORDERED: That the Commissioner of Public Works be authorized to construct curb cuts over sidewalks in front of estates upon the streets as hereinafter named, the expense thereof to be charged to the appropriation for Public Works Department, Paving (Edgestones and Sidewalks). The entire cost of material and labor furnished to be repaid to the City by the owners of abutting estates.

Madlyn Shanel

20 Shepard Street

In City Council September 11, 1995.

Adopted by a ye and nay vote:

Yeas 5; Nays 3; Absent 0; Present 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

D. Margaret Drury

ATTEST:-

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

Calendar #1

In City Council

9/11

1995

Curb Cut

YEA	NAY	ABSENT	PRESENT	
			✓	Ms. Kathleen L. Born
	✓			Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
	✓			Mr. Jonathan S. Myers
✓				Mrs. Sheila T. Russell
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
	✓			Ms. Katherine Triantafillou
✓				Mayor Kenneth E. Reeves

5

3

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1

City of Cambridge

MASSACHUSETTS

Calendar #1

In City Council September 15 1995

C. Duehay - Unfinished Business #1 - Refer to BZA & Law Dept

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Mr. Francis H. Duehay
	✓			Mr. Anthony Galluccio
✓				Mr. Jonathan S. Myers
	✓			Mrs. Sheila T. Russell
	✓			Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
	✓			Mayor Kenneth E. Reeves

4

5

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Emily Axelrod
Planning and Development

26 B Shepard Street
Cambridge, MA 02138
(617) 491-1610

September 6, 1995

Cambridge City Council
c/o City Clerk Margaret Drury
City Hall
Cambridge, MA

RECEIVED BY
OFFICE OF CITY CLERK
1995 SEP 11 PM 2:00
CAMBRIDGE MA.

Members of the Council:

For the past 17 years, my family and I have resided at 26B Shepard Street, adjacent to the two family structure of which 20 Shepard is a part. I am an Urban Planner, with expertise and professional experience in land use regulation, and my husband, who has also written to the Council, is a practicing architect. I am writing to register my strong personal and professional opposition to the proposed curb cut at 20 Shepard Street, and to further request that the matter be forwarded to the Board of Zoning Appeal for consideration for a Special Permit for the following reasons:

1. The clear intent of the zoning code is that no driveway shall be permitted closer than 5' to a 1, 2, or 3 family dwelling. It is my very strong opinion that the Inspectional Services Department has granted the request based upon a misinterpretation of the Zoning Code. The request in question should require a Special Permit, and attendant notice to abutters and other interested parties. Even a cursory visual inspection of 20 Shepard will show that it is too small to comfortably fit a parking space in a safe or aesthetic manner, and the granting of this request is in violation of the intent of the code.
2. The process and timing by which approval was granted by the Inspectional Services Department, and which was followed by the applicant, did not allow any notice or discussion of the merits of a curb cut in this neighborhood. Neighbors were not informed of the proposed curb cut, nor of the dimensions of the proposed paved area, which is in excess of 30' in length, in contradiction of verbal assurances on the part of the applicant that the application is for parking for one car only.
3. A curb cut would be a significant detriment to the pedestrian environment of Shepard Street, which is a heavily travelled pedestrian thoroughfare. Two major pedestrian centers are located at each end of Shepard--Mass Ave. commercial district, with a wide variety of commercial uses and services, and

Radcliffe college library, dormitories, and athletic facilities. In addition, Shepard is a densely populated residential street, consisting of many multiple family dwellings (including several exceeding 10 units) as well as 1, 2 and 3 family residences, further contributing to the heavy pedestrian traffic. As you are no doubt aware, curb cuts interfere with the flow of pedestrian traffic, create a potential danger to pedestrians, and often result in the casual parking of cars across the sidewalk.

4. A curb cut at this location would replace an attractive, planted garden, which is visible from the street and makes a beautiful contribution to the streetscape, with pavement and parking which is a detriment to the character of the neighborhood. It would be unattractive, and would create an eyesore in place of a garden.
5. Granting of a curb cut in this location sets a precedent for further curb cuts in constrained and inappropriate locations. The character and quality of the neighborhood depend in no small part upon the efforts of neighbors to landscape and maintain properties in an attractive manner. Each curb cut that is granted diminishes the quality and character of the neighborhood, replaces planting with pavement, and sets a precedent for ongoing erosion of neighborhood character.

We enjoy living and walking in Cambridge, and in our neighborhood. We often walk from our home to Mass Ave., to Harvard Square, to neighbors' houses. We feel strongly that curb cuts detract from neighborhood character, and from the experience of the urban environment. We respectfully request that this matter be referred to the Board of Zoning Appeal for consideration as a Special Permit.

Thank you for your consideration.

Sincerely,

Emily Axelrod

August 8, 1995

Cambridge City Council
c/o City Clerk Margaret Drury
City Hall
Cambridge, Ma

Members of the Council:

I am writing as a professional architect with 25 years of professional experience in urban areas, and as a neighbor to the property at 20 Shepard which is the subject of a request for a curb cut. I have lived for 18 years at 26B Shepard Street which shares a common courtyard with the structure located at 20-22 Shepard Street, and for 20 years in the neighborhood. I enjoy the local streetscape which has remained virtually unchanged since we bought our property in 1976, and value the scale and character of the neighborhood, including the variety of structures, and quality of urban gardens and landscaping.

I oppose the curb cut requested for a number of reasons.

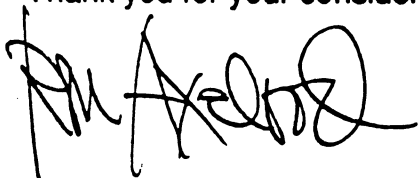
First, curb cuts are problematic in this neighborhood because they introduce automobile traffic onto heavily travelled sidewalks, posing a danger and inconvenience to pedestrians.

Second, no notice to abutters was provided with this application, and neighbors have not had the opportunity to offer input into the process, which we would respectfully request .

Third, a curb cut will contradict the intent of the zoning code which specifies that no driveway shall be permitted closer than 5' to an inhabited 1, 2, or 3 family structure. The interpretation upon which a granting of the request is based would result in every driveway in Cambridge having to be closer than 5' to dwellings.

Neighborhood and community are the two reasons we bought our home in Cambridge. A curb cut at 20 Shepard would be a detriment to the physical character and quality of the neighborhood. At a minimum I would request that the matter be heard as the subject of a special permit.

Thank you for your consideration.



RECEIVED BY
OFFICE OF CITY CLERK
1995 SEP 11 PM 2:01
CAMBRIDGE, MA.

- = opposed

174

212

Proposed
Driveway.

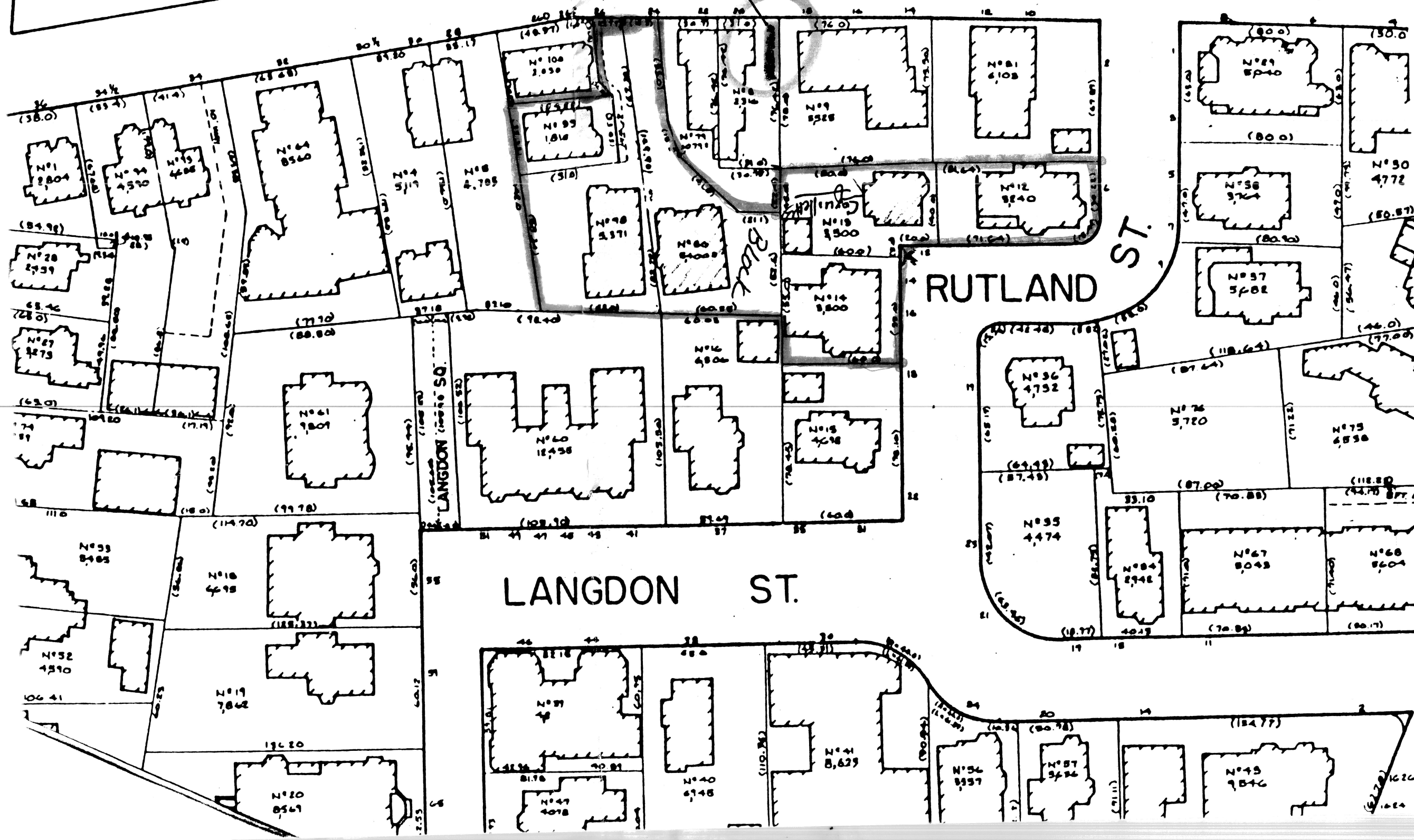
DRIVE

SHEPARD

ST.

RUTLAND

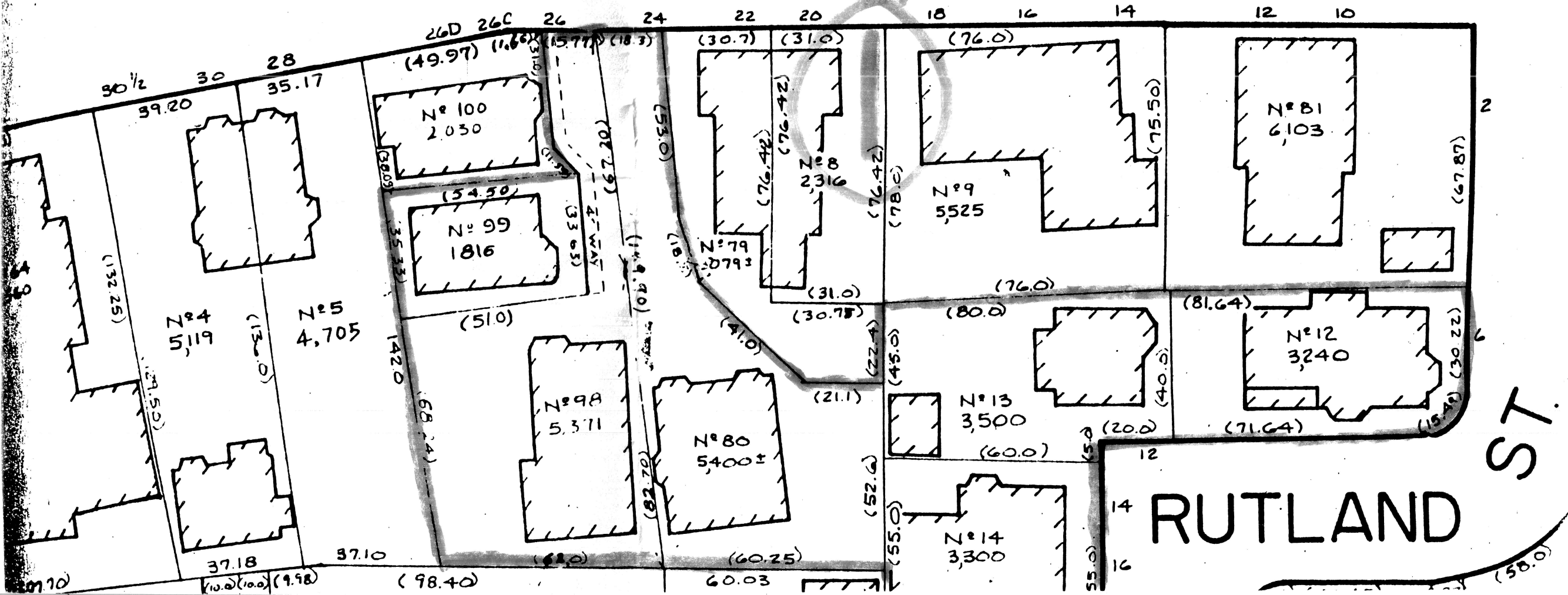
LANGDON ST.



— = opposed

DRIVE

SHEPARD







CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

RECEIVED BY
OFFICE OF CITY CLERK
1995 JUL 31 PM 12:25
CAMBRIDGE MA

TO: Don Drisdell
City Solicitor

DATE: July 31, 1995

FROM: Ranjit Singanayagam 
Assistant Commissioner/Zoning Specialist

SUBJECT: Curb Cut at 20 Shepard Street, Cambridge, MA.

In response to the letter sent to Margaret Drury by the some abutters to 20 Shepard Street, raising some zoning concerns regarding a curb cut at 20 Shepard Street. The following are my interpretations of the Cambridge Zoning Ordinance:

1. A) The applicant intends to park only one car, and there is no tandem parking. Therefore Sec. 6.432 does not apply.
- B) Section 6.441.A permits 1,2 or 3 family to park within 5' of a wall containing windows. (The Planning Board is working on changing this section).
- C) Section 6.441.B exempts 1,2 or 3 family from setbacks on side property line.
- D) Section 6.477 does not apply because section 6.47 applies to lot's containing more than five spaces, further no front yard parking is allowed by 6.441.C and the applicant is proposing to park beyond the 15' front yard setback.
- E) Section 6.471, applies to parking lots more than 5 spaces.
- F) The parking is only for one car, the application shown 33' long, that is 15' setback and 18' for standard size parking.
2. The section 5.30 of the Cambridge Zoning Ordinance deals with dimensional standards required for building construction.
3. There is an attached plot plan showing the dimensions of the property.
4. Neighborhood notification as mentioned is only applicable if it is a public hearing before the Board of Zoning Appeals.

If you have any questions, please call me at 349-6100.

July 13, 1995

Margaret Drury
City Clerk
City of Cambridge
City Hall
Massachusetts Avenue
Cambridge, MA 02139

Dear Ms. Drury:

We the undersigned protest the issuance of a curb cut to Madlyn Shanel at 20 Shepard Street. Ms Shanel's parking site does not comply with zoning requirements and therefore requires a variance. Application for a variance has not been made making the issuance of a curb cut illegal.

The proposed parking is in violation for following reasons:

1. Inability of the new parking configuration to meet current parking standards per zoning sections 6.41 to 6.477 related to new parking spaces and standards.
 - A) Sections 6.432 does not allow tandem parking for two different dwelling units.
 - B) Section 6.441a does not allow parking withing 5' of a wall with windows of occupiable rooms. (This relates to fumes and noise factors)
 - C) Section 6.44b does not allow parking without a 5'0 buffer at side lot line.
 - D) Section 6.477 does not allow parking to impinge on front yard public space. (The proposed parking strip effectively extends the street into the private residential space with no proper buffer or separation--a row of brick etc. would not provide an effective separation.)
 - E) Section 6.471 does not allow parking without screening. The section is very specific. The proposed 7" between edge of parking and lot line, for example, does not provide the 5'0" requirement for densely planted buffer.
 - F) The parking would extend into the current front yard setback (of minimum 10' at pre-existing building)
2. The parking would be an exterior change to a non-conforming building per zoning section 5.30. The present building does not meet current standards regarding:
 - A) floor area ratio
 - B) minimum lot width
 - C) front yard set back (10' min. is exception for older buildings)
 - D) side yard set back 20' total required (11 provided - 0+11")
 - E) rear yard set back 20'
 - F) Min. Usable open space 20% of lot area.
3. Application is not complete.
 - A) Lot dimensions, lot area, and building layout are not provided.

Protest of Shanel Curb Cut Request
July 13, 1995

4. Neighborhood notification

- A) The regulations require that abutters and abutters to abutters within 300' be notified for a variance.

Open and green space in this section of Cambridge and the surrounding neighborhoods is at a premium as the city has become more and more urban over the last several years. The city agencies of Cambridge have worked together with the various neighborhoods over the years to develop zoning regulations to preserve the precious few remaining open areas. These regulations are constantly being re-evaluated and updated as needs and concerns change. A careful balance has been sought between public and private interests to arrive at the most fair public policies.

It seems a travesty of this process to run roughshod over these clearly articulated parking policies. The proposal would violate the open space, setback, buffer and tandem space requirements needed to qualify for the issuance of a curb cut.

We will rigorously oppose any application for variance to permit parking in this location. We are opposed to the creation of a precedent which would encourage other applications. We are opposed to a variance because of the unique characteristics of the lot. The granting of a variance would adversely affect the amenity of many residents. We are opposed to a variance to facilitate or extend commercial activity in a Resident zone B (See application of Madlyn Shanel, paragraph one, undated) It is illegal for the city to approve a variance which adds value to one property to the detriment of the property of others. The proposed loss of public parking space and environmental amenity is clearly such a detriment.

In your letter of 30 June, 1995 you notified the President and Secretary of Neighborhood Nine Association of the proposed cut. The lack of response should not be construed as approval of the proposal. Jack Joseph, President is out of town from June 28 to July 26. The Secretary is also away.

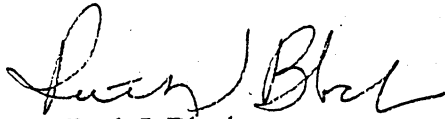
In addition on May 1, 1995 when enquiry was made to the Zoning Office as to whether Ms Shanel had applied for a curb cut, the Officer erroneously informed us that no such application was on file when in fact the application was filed on April 26, 1995 and approved May 10, 1995.

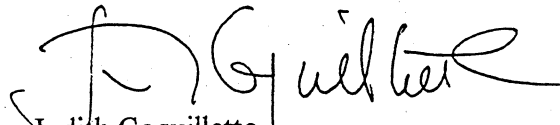
We have not received adequate legal notice of the proposed change.

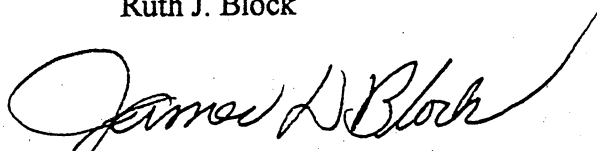
Protest of Shanel Curb Cut Request
July 13, 1995

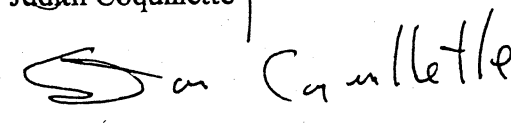
As the request is illegal, we urge the City to deny the application. Should the City Council approve the application, we request a public hearing be held in September.

Sincerely,


Ruth J. Block


Judith Coquillette


James D. Block
24 Shepard Street
Abutter


Daniel Coquillette
10 Rutland Street
Abutter

Attachments:

District Dimensional Regulations
Application of Madlyn Shanel

CC Members of the City Council of Cambridge
Cambridge Zoning Officer ✓
Jack Joseph, Chair Neighborhood Nine Association

We the Undersigned support the letter of July 13, 1995 from Ruth and James Block and Judith and Daniel Coquillette opposing the issuance of a curb cut at 20 Shepard Street.

Man Hamlyn 14 Rutland St.

Paul Gagnon 14 Rutland St.

Priscilla Hall 2 Avon Street

Emily H. Axelrod 26B Shepard St

Dana H. Axelrod, 26B Shepard St.

Andy Strain 28 Shepard St.

Harry Mason 21 Shuman St

~~Mark Hamlyn~~ 17 Shepard Street

We the Undersigned support the letter of July 13, 1995 from Ruth and James Block and Judith and Daniel Coquillette opposing the issuance of a curb cut at 20 Shepard Street.

Man Hanger 14 Rutland St

Paul Gagnon 14 Rutland St.

Russella Hall 2 Avon Street #6

Jeffrey W. Kobrick, 2 Avon Street, #9

Marilyn S Bornstein, 2 Avon St #2

Samuel Kaye 2 AVON ST. #5

Carol White 2 Avon ST. #8

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE



INSTRUCTIONS:

In order to obtain permission for a driveway cut or opening you must first get approval from the Department of Inspectional Services on the zoning requirements for off-street parking, including the cooperation of your immediate abuttors.

To receive a review from Inspectional Services you must fill out Part I of the application. Be sure to draw your plot plan on Drawing 1, choosing the lot that represents your lot's position, i.e. corner or interior. You must also include a sketch of the proposed driveway, including dimensions, on Drawing 2. You may then calculate the cost of the driveway by using the formula based on your choice of surfaces. You must also include a signed abuttor sheet for each of your abuttors: back yard, one on either side and the abuttor directly across the street.

Once you have gathered this information on the application, it should be submitted to:

Zoning Officer
Inspectional Services
831 Massachusetts Avenue
Cambridge, MA 02139

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, the Historical Commission and the Department of Public Works. If approved by Public Works, the application and backup will be sent to the City Council for their approval. Once the City Council approves, the driveway curb cut can be installed. However, the full cost of the cut must be paid to Public Works before the work will start.

If, however, Inspectional Services denies your application you may then appeal to the Zoning Board of Appeals.

DATE:

4/12/95

PART I:

Address of proposed curb cut or off-street parking facility: <u>20 SHEPARD STREET</u>	
Frontage: <u>31'</u>	Block and Lot: <u>Block: 173 / Lot 8 + 79*</u>
Setback (distance from building to sidewalk): <u>73'</u>	
Distance from proposed driveway to surrounding structures and property line: <u>0" from house, 7" from abuttor's fence</u>	
Dimensions of proposed driveway: <u>11' w x 33' long</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>Tow away zone / no parking sign on sidewalk in path of new driveway.</u>	

- ☒ Plot plan is included
- ☐ Sketch of driveway with cost estimate is included
- ☐ All abuttor's forms are included

5.30 DISTRICT DIMENSIONAL REGULATIONS

5.31 Residential Districts

1. The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this ordinance, shall be applicable to development in residential districts:

Table 5-1. TABLE OF DIMENSIONAL REQUIREMENTS - RESIDENTIAL DISTRICTS

	(1)	(2)	(3)	(4)	(5)			(6)	(7)	
District	Max. Ratio of Floor Area to Lot Area	Minimum Lot Size in Sq. Ft.	Min. Lot Area for Each D.U. in Sq. Ft.	Minimum Lot Width in Feet	Minimum Yard in Feet			Maximum Height in Feet	Min. Ratio of Usable Op. Sp. to Lot Area	
					Front	Side	Rear			
Res. A-1	0.5	8,000	6,000	80	25	15(sum of 35)	25	35	25%	
Res. A-2	0.5	6,000	4,500	65	20	10(sum of 25)	20	35	25%	
Res. B	0.5	5,000	2,500	50	15	0' + 11' 7'6"(sum of 20)	20	35	20%	
Res. C-1	0.75	5,000	1,200	50	$\frac{H+L^{(a)}}{4}$	$\frac{H+L}{5}$	$\frac{H+L^{(c)}}{4}$	35	15%	
Res. C-2	1.75	5,000	600	50	$\frac{H+L^{(a)}}{4}$	$\frac{H+L}{5}$	$\frac{H+L^{(c)}}{4}$	85	15%	
Res C-2A	2.5	5,000	300	50	$\frac{H+L^{(b)(g)}}{5}$	$\frac{H+L^{(g)}}{6}$	$\frac{H+L^{(c)}}{5}$	60	10% ^(h)	2/12/79
Res. C-3	3.0	5,000	300	50	$\frac{H+L^{(b)}}{5}$	$\frac{H+L}{6}$	$\frac{H+L^{(c)}}{5}$	none	10%	
Res C-3A	3.0 ^(d)	5,000	300	50	$\frac{H+L^{(b)(e)}}{5}$	$\frac{H+L^{(f)}}{6}$	$\frac{H+L^{(c)}}{5}$	120	10%	12/11/78

2. Footnotes

- (a) Measured from the center line of the street, but in no case may a building be nearer the street than ten feet.
- (b) Measured from the center line of the street, but in no case may a building be nearer the street line than five feet.
- (c) In no case may a building be nearer the rear lot line than twenty feet.
- (d) The maximum ratio of floor area to lot area for buildings containing principal uses specified in Section 4.34 shall not exceed 1.25. 12/11/78
- (e) For buildings subject to the floor area ratio limitation specified in footnote (d) above, the minimum front yards may be reduced to no less than five feet measured from the street line. 12/11/78

- (f) For buildings subject to the floor area ratio limitation specified in footnote (d) above, the minimum side yards may be reduced to no less than five feet measured from the street line. 12/11/78
- (g) In no case may a building on any lot which abuts or is separated only by a public or private way from a Residence A-1 and A-2, B, C-1, or C-2 district be nearer the street line or side line of the lot than the minimum front and side yard requirements for the residential district which said lot abuts or from which it is separated by a way. However, such increased setback requirements shall only apply to any part of a building which is located within 125 feet of a Residence A-1, A-2, B, C-1 or C-2 district. 2/12/79
- (h) The minimum ratio of usable open space to lot area required for a lot which abuts/or is separated only by a public or private way from a Residence A-1, A-2, B, C-1 or C-2 district shall be equal to the amount of usable open space required in the residential district which said lot abuts or from which it is separated by a way. 2/12/79

3. Setback exceptions

- (a) In a Residence A-1 or A-2 district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than fifteen feet. A vacant lot or lot occupied by a building set back more than twenty-five feet in a Residence A-1 district and more than twenty feet in a Residence A-2 district shall be considered as though occupied by a building set back twenty-five feet and twenty feet respectively.
- (b) In a Residence B district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than ten feet. A vacant lot or a lot occupied by a building set back more than fifteen feet shall be considered as though occupied by a building set back fifteen feet.
- (c) In a Residence C-1, C-2, C-2A, C-3, or C-3A district if a building is hereafter erected on a lot adjacent to a building having a blank wall directly on the side lot line, the new building may be so designed and erected that it will be flush with that portion of the blank wall of the former building which extends along the lot line; otherwise, however, not less than the required side yard shall be provided; in any case the required side yard shall be provided for the remainder of the full lot depth. In case a side wall contains windows or in case any part of a side blank wall of an existing building shall be set back from the side lot line, then a building hereafter erected on the lot adjacent to such an existing building shall be set back from the side lot line in accordance with the provisions thereof. 12/11/78; 2/12/79

- 6.37 *Bicycle Parking.* Off-street parking of bicycles shall be provided as follows:
- 6.371 For multi-family residences there shall be one bicycle space or locker for each two dwelling units or portion thereof.
- 6.372 For all other uses, except those exempted in subsection 6.374, there shall be one bicycle parking space for each ten automobile parking spaces or fraction thereof required in subsection 6.36.
- 6.373 Uses allowed to have reduced parking by special permit under subsection 6.35 shall nevertheless be required to provide bicycle spaces or lockers in the amount of one for each ten automobile parking spaces or fraction thereof that would otherwise be required for such use in subsection 6.36.
- 6.374 No accessory bicycle parking shall be required to serve the following uses as listed in the Section 6.36, Schedule of Parking and Loading Requirements: 6.361(d), (e), and (f); 6.363 (j) (3); 6.365 (j) and (l) (1); 6.366 (g), (h) and (i); 6.367 (d), (g), and (h).

6.40 *DESIGN AND MAINTENANCE OF OFF-STREET PARKING FACILITIES*

- 6.41 *Purpose.* The regulations governing the design and maintenance of off-street parking facilities are intended to protect the health, safety and welfare of the users of the parking facility and of abutting properties, including pedestrians and motorists. Therefore, the regulations herein provide for internal and perimeter landscaping, planting, walls, fences and other improvements to reduce noise, glare or reflection from autos, lights, fumes and the like, and minimum standards for parking space and aisle dimensions to ensure safe traffic circulation within the parking facility and from entrances and exits.
- 6.42 *Dimensions for Off-Street Parking Spaces.* The minimum dimensions for off-street parking spaces, exclusive of drives and maneuvering spaces, shall be as follows:

Space	Equivalent 90° Width	Equivalent 90° Depth	Vertical Clearance	Minimum Angle of Parking	Width of Aisles
Regular	8½ feet	18 feet	7½ feet	60°	22 feet
Compact car	7½ feet	16 feet	7½ feet	60°	20 feet
Handicapped	12 feet	18 feet	7½ feet	60°	22 feet

- 6.43 *Access for Off-Street Parking Facilities.* Off-street parking facilities shall have maneuvering areas and appropriate means of vehicular access to a street and shall be so designed as not to constitute a nuisance, hazard, or unreasonable impediment to traffic.
- 6.431 All parking spaces within the Business B-1 and Business B-2 districts shall be both covered and enclosed. All vehicular access for office and retail uses in those districts shall be from Massachusetts Avenue or from a side street perpendicular to it that allow traffic flow toward Massachusetts Avenue. The open area of any lot in the Business B-1 and Business B-2 districts devoted to vehicular movements such as driveways shall be no more than the minimum necessary for vehicular access to covered and enclosed parking.

6.432 The layout of parking spaces shall permit entering and exiting without moving any other vehicles parked in other spaces except where more than one space is provided for any dwelling unit, such spaces may be located in tandem to the required parking space for that dwelling unit.

6.433 Curb cuts for off-street parking facilities shall comply with the following standards:

- (a) In Residential districts, the maximum width of a curb cut shall be twenty feet at the street line.
- (b) In Open Space, Business, Office and Industrial districts, the maximum width of a curb cut shall be 30 feet.
- (c) No more than one curb cut per lot for lots with less than 100 feet of frontage shall be allowed. A maximum of one curb cut for every 100 feet of street frontage or portion thereof shall be allowed for lots having frontage in excess of one hundred feet.

6.434 Driveways for off-street parking facilities shall comply with the following standards:

- (a) The minimum width for a one-way driveway shall be ten (10) feet.
- (b) No driveway curb cut shall be located closer than 25 feet to a street intersection or within 15 feet of a crosswalk.
- (c) The grade and design of any driveway providing access to an off-street parking facility shall permit a clear view to the driver of any car exiting from the facility of traffic on the street and of pedestrians on the sidewalk.

6.435 The Board of Zoning Appeal may grant a special permit modifying the provisions of this subsection 6.43 in accordance with the following conditions:

- (a) The provisions for layout of parking spaces in paragraph 6.432 may be modified where there is a valet parking arrangement for an off-street parking facility.
- (b) The maximum curb cut width specified in paragraphs 6.433 (a) and 6.433 (b) may be modified if the Board determines that an increased curb cut width would facilitate traffic and safety.
- (c) The maximum of one curb cut for every one hundred (100) feet of street frontage as required in paragraph 6.433 (b) may be modified if the Board determines that traffic and safety would be facilitated by exceeding this maximum.
- (d) The distance of driveways from street corners or crosswalks as required in paragraph 6.434 (c) may be modified if the Board determines that an alternate arrangement would better facilitate traffic and safety.

6.436 The Board of Zoning Appeal may grant a special permit authorizing owners of adjacent properties to establish common driveways under mutual easements but such special permit shall not become effective until an appropriate easement has been duly recorded at the Middlesex County Registry of Deeds.

- 6.44 *Layout of Off-Street Parking Facilities.* Any parking facility located within a structure, unless it is completely underground, must conform to the yard requirements for the zoning district in which it is located. On-grade, open parking spaces may be located in required yards only as provided in this subsection 6.44.
- 6.441 Setbacks for on-grade open parking facilities shall be provided as follows:
- (a) No on-grade open parking space shall be located within ten (10) feet of that portion of a building wall containing windows of habitable or occupiable rooms at basement or first story. However, on-grade open parking spaces serving 1, 2, or 3 family dwellings may be located within five (5) feet of that portion of such building wall.
 - (b) Except for one, two, or three family dwellings existing at the time of the effective date of this ordinance or amendment thereto, no on-grade open parking space or driveway shall be located within five (5) feet of any side or rear property line.
 - (c) No on-grade open parking space shall be located within a required front yard setback.
 - (d) The area between the required parking setback line and the building or lot line shall be landscaped and maintained in accordance with the requirements of subsection 6.48.
 - (e) No on-grade open parking shall be allowed in a Residence C-2A district within 125 feet of a Residence A-1, A-2, B, C-1, or C-2 district.
 - (f) In an Industry C district, no parking lot shall be located within 50 feet of a residential district or within 25 feet of an open space district, a park or public recreation area or the right-of-way of a designated parkway.
 - (g) The Board of Zoning Appeal may grant a special permit to allow for modification of the requirements in 6.441 (a) or (b) if site specific factors favor such modification.
- 6.442 All roads, streets, alleys, sidewalks and other public rights-of-way and all landscaped areas shall be protected from vehicular overhang by wheel bumpers, curbs or other suitable method except those off-street parking facilities provided for one, two or three family dwellings.
- 6.443 Off-Street parking facilities shall be marked so as to indicate clearly the space to be occupied by each vehicle, in accordance with the dimensions specified in subsection 6.42 and including directional arrows and traffic signs as necessary for traffic control. Such markings shall be maintained so as to be plainly visible.
- 6.45 *Drainage, Surfacing and Maintenance.* All sections of off-street parking facilities which are not landscaped according to the requirements of subsection 6.48 shall be graded, surfaced (preferably with durable pervious paving materials such as modular paving blocks, bricks or similar materials), and maintained to the satisfaction of the Superintendent of Buildings to the extent necessary to prevent nuisance of dust, erosion, or excessive water flow onto any public way or onto another lot.

- 6.451 A parking space for a one, two, or three family dwelling may consist of two parallel paved strips, each at least 18 inches wide by 18 feet long separated by a landscaped area.
- 6.452 Off-street parking areas shall be kept plowed, clean and free from rubbish and debris. All fences, barriers, walls, landscaping and lighting shall be maintained and kept repaired or replaced with facilities satisfying the requirements of this Section 6.40.
- 6.46 *Lighting.* Off-street parking facilities which are used at night shall be provided with adequate lighting installed and maintained in such a manner so as not to reflect or cause glare on abutting or facing residential premises nor to cause reflection or glare which adversely affects safe vision of operators of vehicles moving nearby streets. A recommended standard for lighting is a minimum intensity of one (1) foot candle on the entire surface of the parking facility.
- 6.47 *Screening.* Off-street parking facilities containing five or more spaces and not in a structure shall be effectively screened from abutting streets and lots. However, such screening shall not obstruct vehicle sight distances, entrances and exits.
- 6.471 Screening shall consist of one or a combination of the following:
- (a) A strip at least five (5) feet in width of densely planted shrubs or trees which are at least two (2) feet high at the time of planting and are of a type that may be expected to form within three years after time of planting a continuous, unbroken, year-round visual screen.
 - (b) A wall, barrier, or fence of uniform appearance. Such wall, barrier, or fence may be opaque or perforated provided that not more than fifty percent (50%) of the face is open. The wall, barrier or fence shall be at least four (4) feet and not more than six (6) feet in height.
- 6.472 The screening as required in this subsection 6.47 shall be located so as not to obstruct vehicle sight distances, entrances and exits. Such screening shall not be higher than two (2) feet within thirty (30) feet of an intersection or ten (10) feet of a driveway. In no case shall the screening of parking facilities from abutting streets exceed four (4) feet in height.
- 6.473 Every effort shall be made to retain existing trees. Removal of any tree exceeding six (6) inch caliper to accommodate construction of a parking facility is discouraged.
- 6.474 Perimeter landscaping required for screening may include any landscaped yard area otherwise required.
- 6.475 Screening shall be continuously maintained so as to effectively serve the purpose for which it is intended. No advertising devices of any kind shall be allowed on screening.
- 6.476 Screening shall be continuous except for required access.

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE



INSTRUCTIONS:

In order to obtain permission for a driveway cut or opening you must first get approval from the Department of Inspectional Services on the zoning requirements for off-street parking, including the cooperation of your immediate abuttors.

To receive a review from Inspectional Services you must fill out Part I of the application. Be sure to draw your plot plan on Drawing 1, choosing the lot that represents your lot's position, i.e. corner or interior. You must also include a sketch of the proposed driveway, including dimensions, on Drawing 2. You may then calculate the cost of the driveway by using the formula based on your choice of surfaces. You must also include a signed abuttor sheet for each of your abuttors: back yard, one on either side and the abuttor directly across the street.

Once you have gathered this information on the application, it should be submitted to:

Zoning Officer
Inspectional Services
831 Massachusetts Avenue
Cambridge, MA 02139

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, the Historical Commission and the Department of Public Works. If approved by Public Works, the application and backup will be sent to the City Council for their approval. Once the City Council approves, the driveway curb cut can be installed. However, the full cost of the cut must be paid to Public Works before the work will start.

If, however, Inspectional Services denies your application you may then appeal to the Zoning Board of Appeals.

DATE:

4/26/95

PART I:

Address of proposed curb cut or off-street parking facility:

20 SHEPARD STREET

Frontage:

31'

Block and Lot:

Block: 173 / Lot 8 + 79*

Setback (distance from building to sidewalk):

73"

Distance from proposed driveway to surrounding structures and property line:

0" from house, 7" from abuttor's fence

Dimensions of proposed driveway:

11' w x 33' long.

Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway:

Tow away zone / No parking sign on sidewalk in path of new driveway.



Plot plan is included



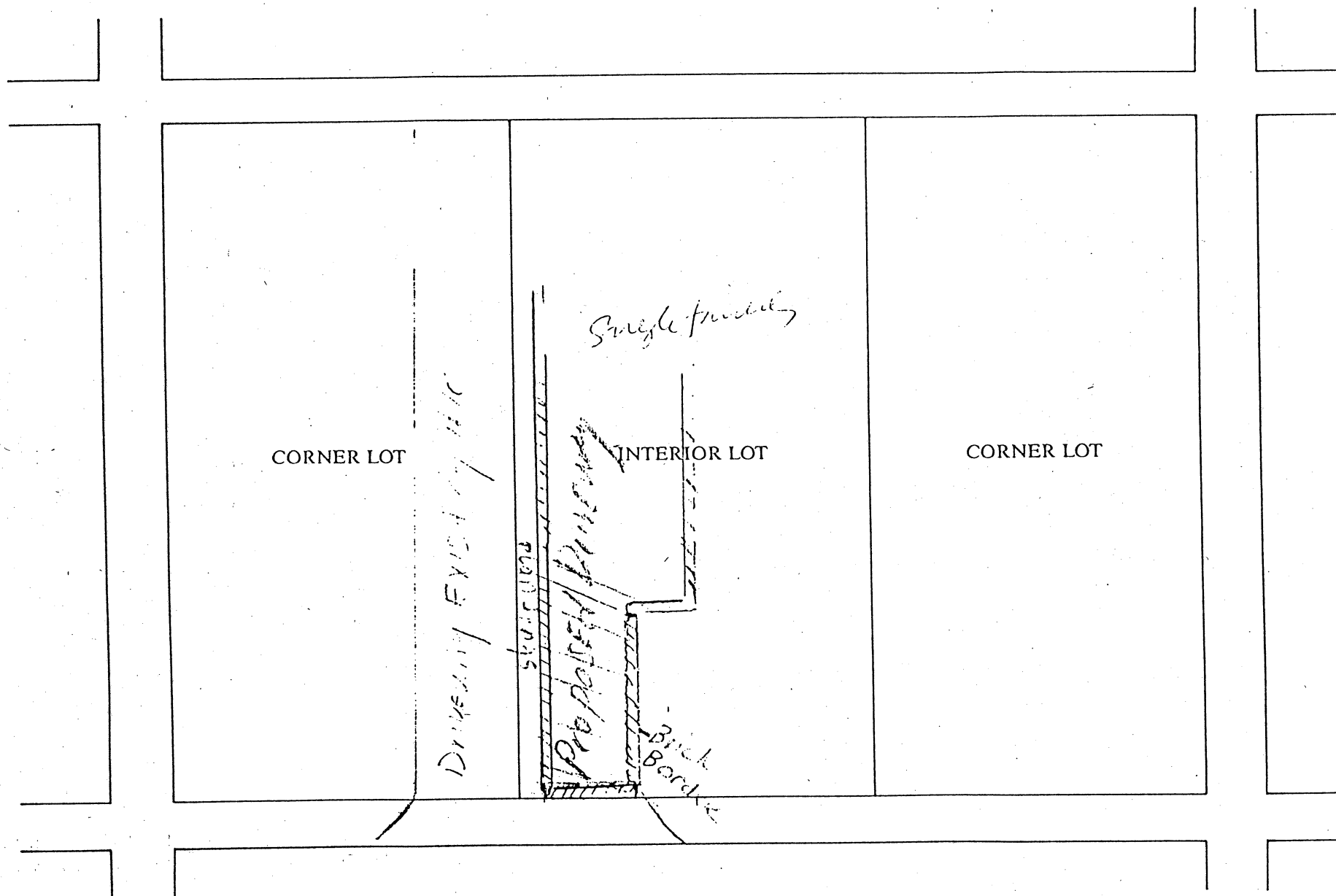
Sketch of driveway with cost estimate is included



All abuttor's forms are included

DRAWING 1:

PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of Shepard Place Condominium

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 20 Shepard St

Signed: Barbara A. Dibley, Trustee Date: 4/28/95

Address: 19 Shepard St # 21

To Whom It May Concern:

As owner or agent of _____

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

To Whom It May Concern:

As owner or agent of _____

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of 14-18 Shepard St., Cambridge

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at #20 Shepard St.,
CAMBRIDGE

Signed: Anula White Date: 3/18/95

Address: 8 123 CROSS ST., WINCHESTER, MA 01890

To Whom It May Concern:

As owner or agent of 22 Shepard St Cambridge

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at #22 Shepard St

Signed: P. White Date: 3/25/95

Address: 22 Shepard St Cambridge

To Whom It May Concern:

As owner or agent of _____

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

Norton-Shanel

ART CONSULTANTS
BOSTON • NEW YORK

20 Shepard Street, Cambridge, MA 02138/617-492-2385

Zoning Officer
Inspectional Services
831 Massachusetts Ave
Cambridge, MA 02139

I am submitting this letter with my application for a curb cut in order to clarify my intentions and respond to some concerns expressed by one of my neighbors. I have been living at 20 Shepard Street for 25 years. For the past five years I have made arrangements with my next door neighbor at 18 Shepard to rent his driveway. Recently I was able to purchase my home and in doing so plan to create a parking space beside my residence. Simultaneously, my neighbor expressed a desire to turn over the parking place to a resident in his building. My need to create a parking space is closely related to my occupation and health needs. I am an art dealer and travel to my clients with large presentations. This includes paintings and oversized portfolio's. Frequently, I have more than one presentation a day and must return home to exchange work.

I work alone and have to manage without any help. Having parking next to my home would provide the security and access so important to me. I also have been suffering from a lower back and upper arm disorder. The back ailment has been diagnosed as chronic and potentially disabling. I spend a considerable amount of time doing therapy so I can stand upright. Carrying my portfolio's a shorter distance would significantly help me from having an attack .

I am consulting a landscaping professional to help design the area so I can create a driveway and patio space which is esthetically pleasing and functional. I plan on leaving some plantings between 18 and 20 Shepard and designing a garden further back into the yard. I hope to integrate the driveway with the street by using if possible some brick, stone and cement combination. Working around current plantings further back in the yard, I hope to use brick and stone for the overall patio space. I certainly have esthetics in mind and plan to spend time researching different options for the area.

My neighbors at 14-18, 22 and 19 Shepard have all approved the curb cut and have signed the enclosed form. The neighbor behind at 24 Shepard, who is least effected, chose not to approve my application based on the desire not to have any additional curb cuts on the street and a general distaste of driveways.

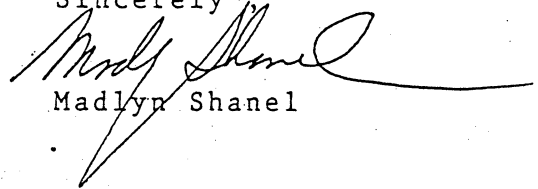
Norton-
Shanel

ART CONSULTANTS
BOSTON • NEW YORK

20 Shepard Street, Cambridge, MA 02138/617-492-2385

In closing, let me assure you that I am extremely concerned with the esthetics of this neighborhood and plan to improve the appearance of this house which means a great deal to me. I believe that when the area is done it will enhance the general appearance from the street and will be well received by those who look out upon the sight.

Sincerely

A handwritten signature in dark ink, appearing to read 'Madlyn Shanel', with a long, sweeping horizontal line extending to the right.

Madlyn Shanel

Lot B
(BK. 7036, Pg. 328)

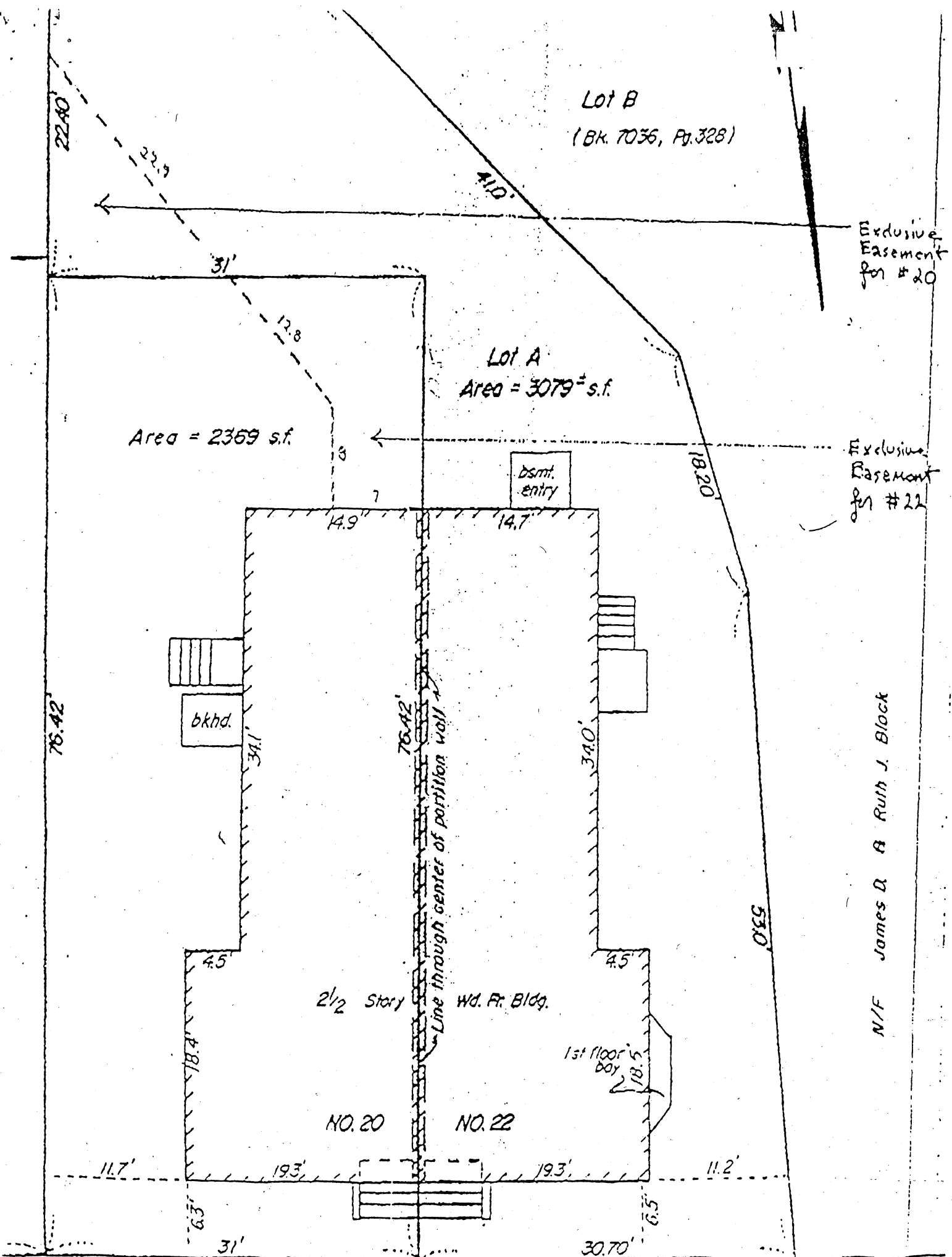
Exclusive
Easement
for #20

Lot A
Area = 3079[±] s.f.

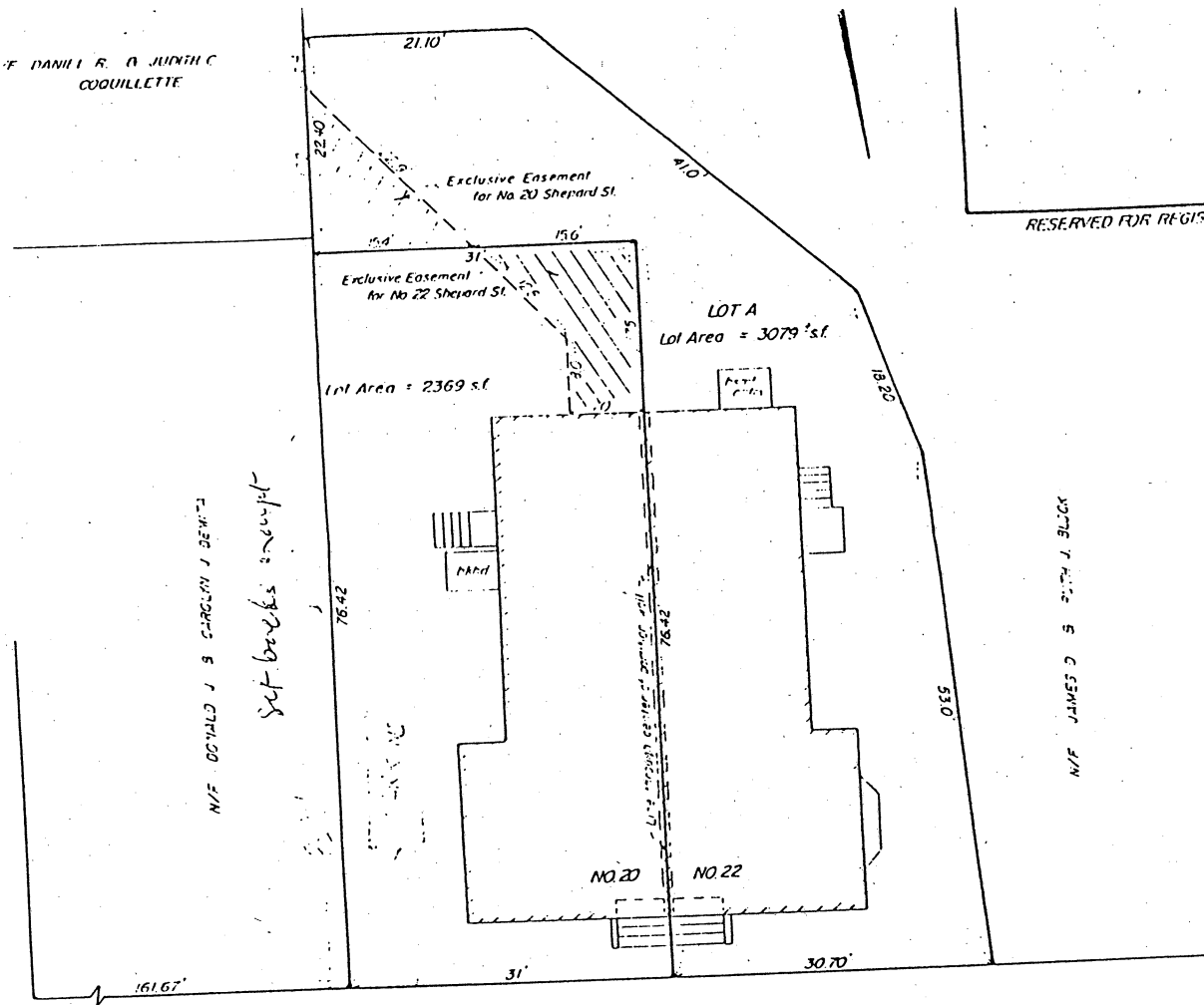
Area = 2369 s.f.

Exclusive
Basement
for #22

N/F James D A Ruth J. Block



F DANIEL R. O JUDITH C
COOUILLETTE



RESERVED FOR REGIST

N/F DONALD J B CAROLAN J DEM-23

Set backs except

N/F DONALD J B CAROLAN J DEM-23

SHEPARD

(Public - 40' Wide)

STREET

PROPERTY REFERENCES:

Middlesex South Registry of Deeds
Book 11536, Pg 311
Book 7870, Pg 289
Book 7136, Pg 328
Plan Book I-B, Plan 66

I certify that the property lines shown are the lines dividing existing ownerships, and the lines of streets and ways shown are those of public or private streets and ways already established and that no new lines for the division of existing ownership or for new ways are shown.

I certify that this plan has been prepared in accordance with the rules and regulations of the Registers of Deeds of the Commonwealth of Massachusetts.

Wendell H. Mason

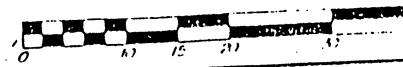


COMPILED
PLAN SHOWING EASEM
CAMBRIDGE, MA:

SCALE: 1" = 10'

DEC. 12, 19

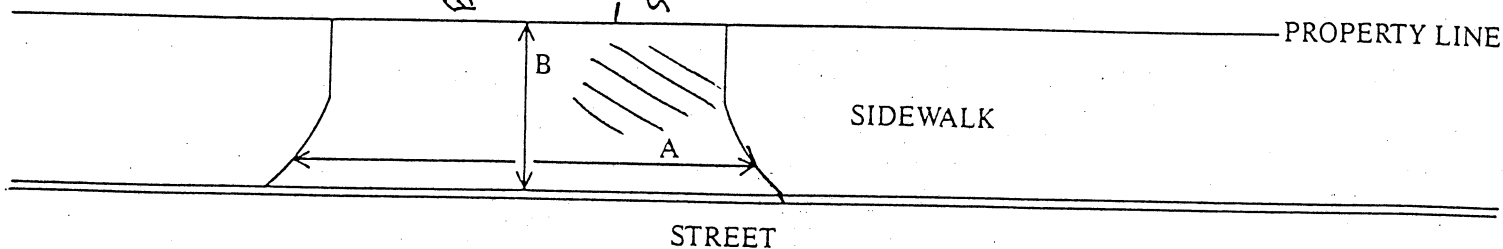
WENDELL H. MASON, F.R.A.S.
122 ESSEX ST. REVERD, MA 01854



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = 11' 7'' \text{ FT.} \div 3 = 3.86 \text{ YARDS}$$

$$B = 74 \frac{1}{2} \text{ FT.} \div 3 = 2.069 \text{ YARDS}$$

$$A \times B = 7.986 \text{ SQUARE YARDS}$$

COST ESTIMATE:

BRICK: _____ SQUARE YARDS $\times$ \$70/SQUARE YARD = \$ 531.04

BRICK ON CONCRETE: _____ SQUARE YARDS $\times$ \$85/SQUARE YARD = \$ _____

CONCRETE: _____ SQUARE YARDS $\times$ \$40/SQUARE YARD = \$ _____

ASPHALT: _____ SQUARE FEET $\times$ 1 TON/40 SQUARE FEET $\times$ \$125/TON = \$ _____

DEPARTMENT OF PUBLIC WORKS SCHEDULED DATE FOR CONSTRUCTION:

/ /

DEPARTMENT OF PUBLIC WORKS STATED FEE: \$ _____

The undersigned agrees to pay the stated fee for the driveway installation in full within two (2) weeks of the estimated starting date of construction before the Department of Public Works shall proceed with construction:

Owner's signature: Mindy Phaneuf 492-2385 Date: April 26, 1995

Address: 20 Shepard Street Camb. 02138

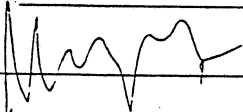
Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved	☐ Application denied
Reason: _____	
Signature: 	Date: 5/10/95
Title: zoning	

PART III: TRAFFIC AND PARKING DEPARTMENT

☐ Application approved	☐ Application denied
Reason: _____	
Signature: _____	Date: _____
Title: _____	

PART IV: HISTORICAL COMMISSION

☐ Application approved	☐ Application denied
Reason: _____	
Signature: _____	Date: _____
Title: _____	

PART V: PUBLIC WORKS DEPARTMENT

☐ Application approved	☐ Application denied
Reason: _____	
Signature: _____	Date: _____
Title: _____	

ADAMS & RAFFERTY
ATTORNEYS AT LAW
187 CONCORD AVENUE
CAMBRIDGE, MASSACHUSETTS 02138

ALEXANDRE A. ADAMS
JAMES J. RAFFERTY

TELEPHONE 617/492-4100
TELECOPIER 617/492-3131

July 28, 1995

Mr. Ranjit Singayagam
Zoning Enforcement Officer
City of Cambridge
Inspectional Services Department
831 Massachusetts Avenue
Cambridge, MA 02139

RECEIVED BY
OFFICE OF CITY CLERK
1995 JUL 31 PM 2:54
CAMBRIDGE MA.

Re: **20 Shepard Street**
Curb Cut Application

Dear Mr. Singayagam:

This correspondence is in response to a letter addressed to City Clerk Margaret Drury dated July 13, 1995 from Judith and Daniel Coquillette and Ruth and James Block, a copy of which appears to have been forwarded to you. The authors have voiced objection to the issuance of a curb cut at the above-captioned property based on their contention that the applicants' driveway will not comply with Cambridge Zoning Ordinance. The letter cites a number of alleged zoning violations, all of which are inaccurate and not applicable to this application.

As the Zoning Enforcement Officer for the City, you have already determined that this curb cut and driveway were permitted under the Zoning Ordinance. It was only after that determination was made that this application was processed and approved by the Historical Commission, the Traffic Department and the Public Works Department. In light of the numerous violations alleged in the recent correspondence to Ms. Drury, however, I wish to provide the following response to each charge in order to clarify the many misstatements of law and to seek your confirmation of the permitted use of this proposed driveway:

- 1.(A) *Sections 6.432 does not allow tandem parking for two different dwelling units.*

While that is a correct recitation of Section 6.432, it has no application to this curb cut request. The property owner does not seek parking for two vehicles in this driveway, nor will the driveway serve two different dwelling units. Accordingly, tandem parking is not an issue.

Mr. Ranjit Singayagam
Zoning Enforcement Officer
July 28, 1995
Page Two

(B) *Section 6.441a does not allow parking within 5 feet of a wall with windows of occupiable rooms.*

This is actually an incorrect statement of the ordinance as it is currently written insofar as the language of the ordinance states that parking "**may be located within 5 feet of that portion of such building wall.**" Nonetheless, regardless of the legislative intent of that section of the ordinance, it likewise has no applicability to the applicants' curb cut application since the motor vehicle will not be parked within 5 feet of the dwelling.

(C) *Section 6.44b does not allow parking without a 5 foot buffer at side lot line.*

The authors of this letter have cleverly omitted the first clause of this Section b that states: "**Except for one, two or three family dwelling existing at the time of the effective date of this ordinance.**" This is a one-family dwelling which existed decades before the effective date of this ordinance. Accordingly, Section 6.441(b) does not apply to this property.

(D) *Section 6.477 does not allow parking to impinge on front yard public space.*

There will be no parking within the front yard of this residential district. The driveway will extend more than 30 feet onto the property, yet still not be visible to the rear abutters. Accordingly, no violations of this section will exist.

(E) *Section 6.471 does not allow parking without screening.*

The screening requirements of Section 6.47 *et seq.* apply to "**off-street parking facilities containing five or more spaces.**" Again, the zoning sections cited herein do not apply to this driveway containing a single parking space.

(F) *The parking would extend into the current front yard setback.*

The parking will not extend into the current front yard setback. The parking will extend well beyond the 10 foot minimum requirement. (See response to paragraph D above).

Mr. Ranjit Singayagam
Zoning Enforcement Officer
July 28, 1995
Page Three

2. *The parking would be an exterior change to a non-conforming building per zoning section 5.30.*

This is a completely inappropriate application of Section 5.31 and shows a fundamental lack of understanding of the zoning requirements necessary for alterations to a nonconforming structure. As you are well aware, the necessity of such zoning relief applies to alterations to a structure, not to a driveway or landscaping. If the logic of this allegation was followed, every nonconforming house in Cambridge would be prevented from having a curb cut without first obtaining a variance. This is a ridiculous assertion.

3. *Application is not complete.*

The applicant has retained a landscape architect and provided a detailed plan depicting the appearance of the driveway and the parking space. A plot plan has also been submitted with the application identifying the specific location of the existing structures. (See attached).

4. *Neighborhood notification.*

The application contains the approval of several surrounding abutters. The letter accompanying the application does indicate that the Blocks were unwilling to support the curb cut request. It should be noted, however, that neither the Blocks nor the Coquilletes are actually abutters to this property. Moreover, the notice requirements concerning abutters to abutters within 300 feet applies to zoning applications and not to curb cut applications.

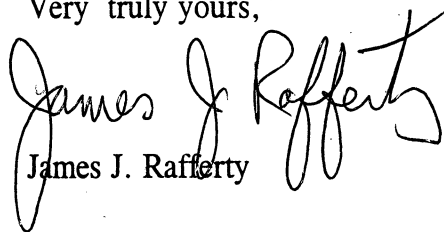
In addition, it should be noted that the Coquilletes allege violations of the zoning ordinance for restrictions which their property is not in conformity with. I am enclosing herewith photographs of a motor vehicle that has been parked on the sidewalk in front of 10 Rutland Street for more than two weeks. Furthermore, the property contains a nonconforming driveway and garage. As you are aware, it is a well settled principle of zoning law that a property owner cannot allege to have "a legitimate interest in preserving the integrity of a zoning district" when their property does not so conform. See Waltham Motor Inn v. LaCava, 3 Mass. App.Ct. 210 (1975); Sherrill House, Inc. v. Board of Appeals of Boston, 19 Mass. App.Ct. 274 (1985).

Mr. Ranjit Singayagam
Zoning Enforcement Officer
July 28, 1995
Page Four

Ms. Shanel has made every effort to provide an aesthetically pleasing driveway by retaining a landscape architect and using bricks rather than asphalt. The driveway will extend approximately 30 feet into the property and will not be visible to either the Coquilletes or the Blocks. I am enclosing a site plan of the area depicting the location of the proposed driveway and its relationship to these two property owners.

The Coquilletes' and Blocks' letter contains harsh language accusing the property owner of running "roughshod" over parking policies and falsely attempts to create a zoning violation surrounding this application. In light of the baseless allegations contained in that letter I would request that you communicate with the City Clerk before the City Council meeting on July 31, 1995 to confirm the absence of any zoning violations in this curb cut application. Thank you for your prompt attention to this matter.

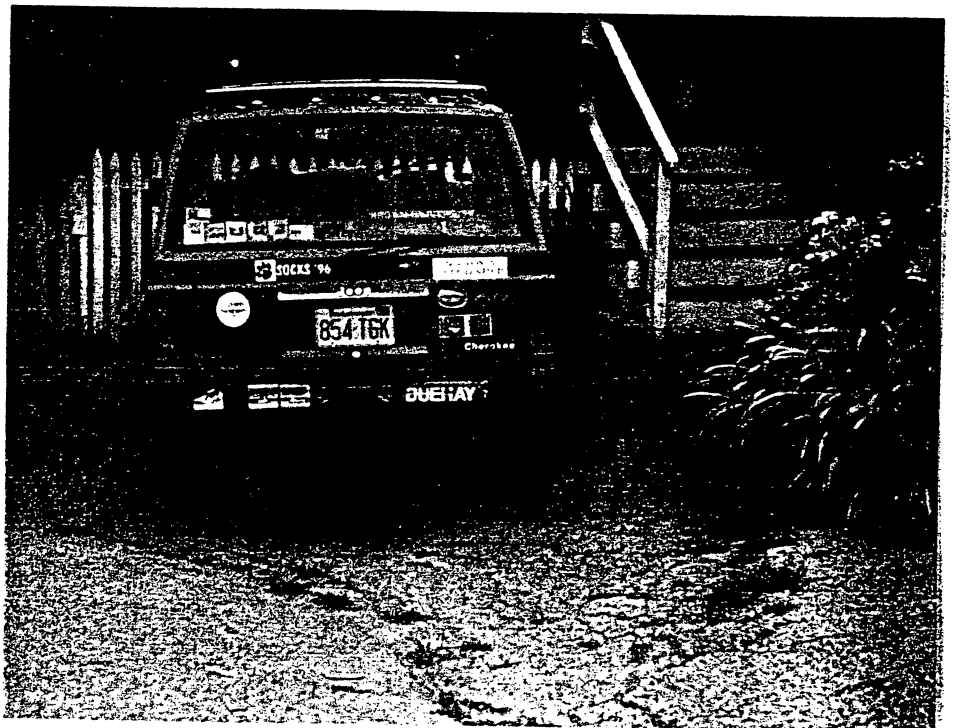
Very truly yours,

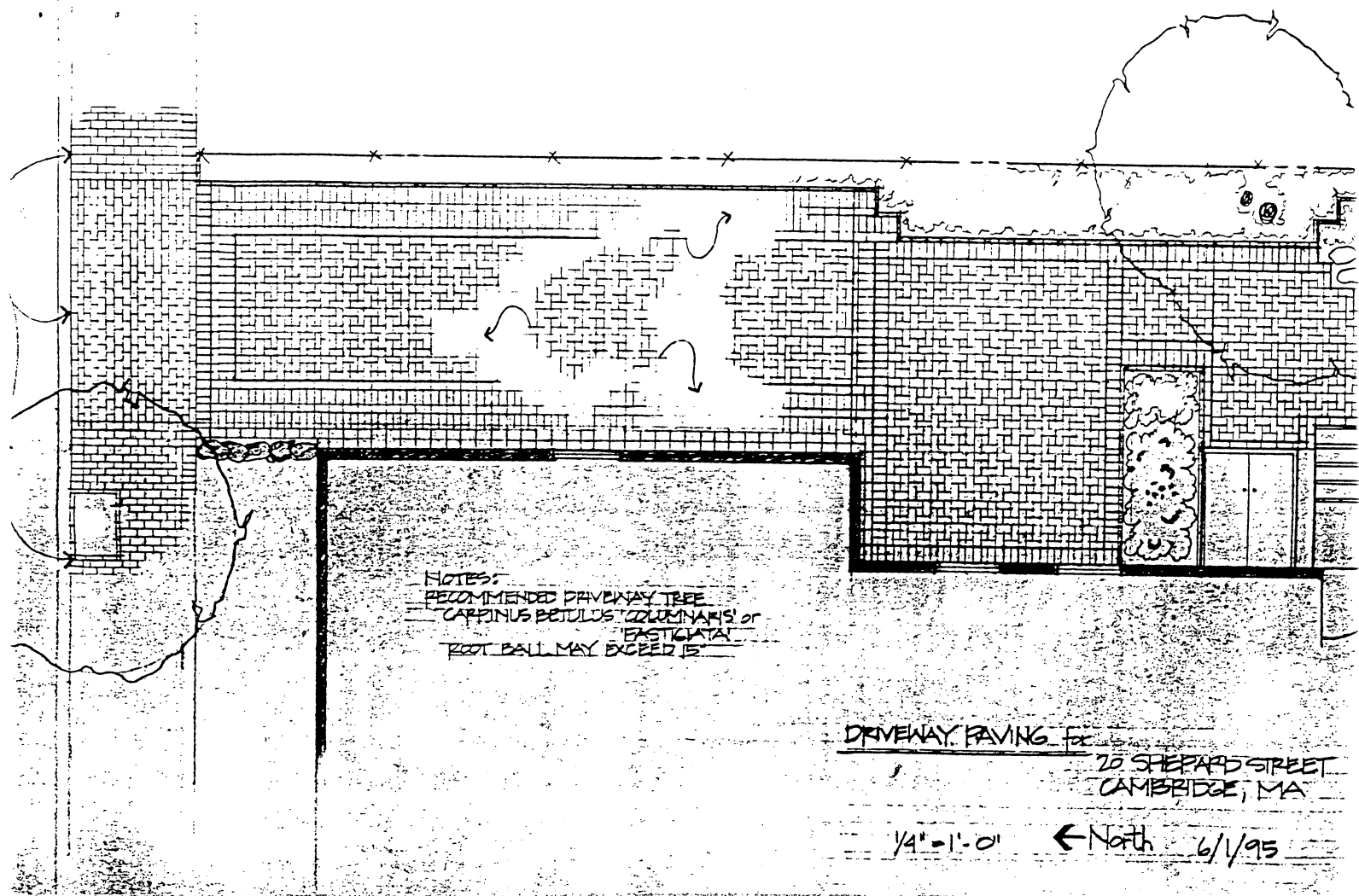


James J. Rafferty

JJR/jst
Enclosures

cc: Cambridge City Council
Cambridge City Clerk



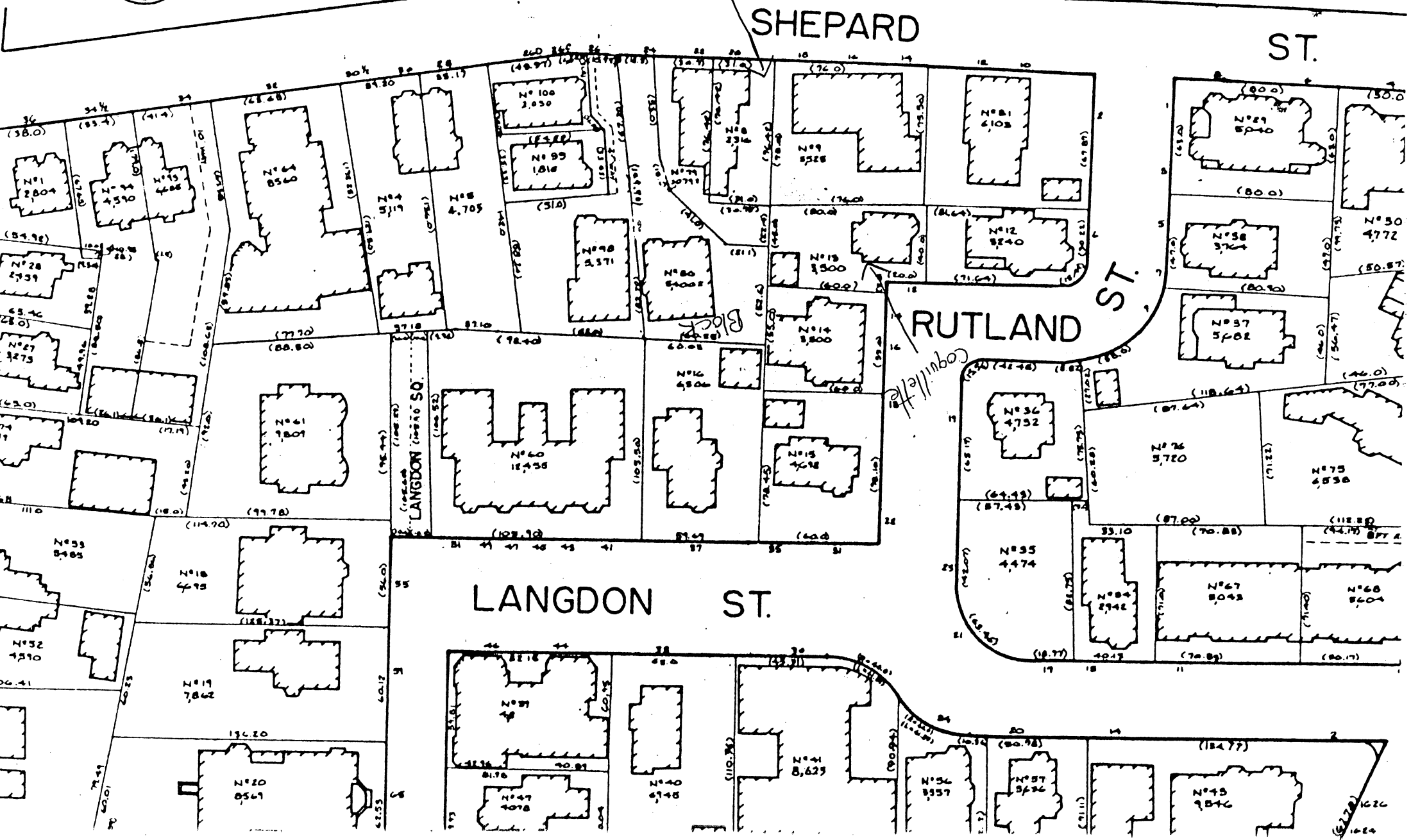


NOTES:
RECOMMENDED DRIVEWAY TREE
CARPINUS BETULUS 'COLUMNARIS' or
'FASTIGIATA'
ROOT BALL MAY EXCEED 15'

DRIVEWAY PAVING for
20 SHEPARD STREET
CAMBRIDGE, MA

1/4" = 1'-0" ← North 6/1/95

Proposed
Curb and
Gutter
Highway



July 13, 1995

Margaret Drury
City Clerk
City of Cambridge
City Hall
Massachusetts Avenue
Cambridge, MA 02139

RECEIVED BY
OFFICE OF CITY CLERK
1995 JUL 24 PM 2:44
CAMBRIDGE MA.

121

Dear Ms. Drury:

We the undersigned protest the issuance of a curb cut to Madlyn Shanel at 20 Shepard Street. Ms Shanel's parking site does not comply with zoning requirements and therefore requires a variance. Application for a variance has not been made making the issuance of a curb cut illegal.

The proposed parking is in violation for following reasons:

1. Inability of the new parking configuration to meet current parking standards per zoning sections 6.41 to 6.477 related to new parking spaces and standards.
 - A) Sections 6.432 does not allow tandem parking for two different dwelling units.
 - B) Section 6.441a does not allow parking withing 5' of a wall with windows of occupiable rooms. (This relates to fumes and noise factors)
 - C) Section 6.44b does not allow parking without a 5'0 buffer at side lot line.
 - D) Section 6.477 does not allow parking to impinge on front yard public space. (The proposed parking strip effectively extends the street into the private residential space with no proper buffer or separation--a row of brick etc. would not provide an effective separation.)
 - E) Section 6.471 does not allow parking without screening. The section is very specific. The proposed 7" between edge of parking and lot line, for example, does not provide the 5'0" requirement for densely planted buffer.
 - F) The parking would extend into the current front yard setback (of minimum 10' at pre-existing building)
2. The parking would be an exterior change to a non-conforming building per zoning section 5.30. The present building does not meet current standards regarding:
 - A) floor area ratio
 - B) minimum lot width
 - C) front yard set back (10' min. is exception for older buildings)
 - D) side yard set back 20' total required (11 provided - 0+11")
 - E) rear yard set back 20'
 - F) Min. Usable open space 20% of lot area.
3. Application is not complete.
 - A) Lot dimensions, lot area, and building layout are not provided.

Protest of Shanel Curb Cut Request

July 13, 1995

4. Neighborhood notification

- A) The regulations require that abutters and abutters to abutters within 300' be notified for a variance.

Open and green space in this section of Cambridge and the surrounding neighborhoods is at a premium as the city has become more and more urban over the last several years. The city agencies of Cambridge have worked together with the various neighborhoods over the years to develop zoning regulations to preserve the precious few remaining open areas. These regulations are constantly being re-evaluated and updated as needs and concerns change. A careful balance has been sought between public and private interests to arrive at the most fair public policies.

It seems a travesty of this process to run roughshod over these clearly articulated parking policies. The proposal would violate the open space, setback, buffer and tandem space requirements needed to qualify for the issuance of a curb cut.

We will rigorously oppose any application for variance to permit parking in this location. We are opposed to the creation of a precedent which would encourage other applications. We are opposed to a variance because of the unique characteristics of the lot. The granting of a variance would adversely affect the amenity of many residents. We are opposed to a variance to facilitate or extend commercial activity in a Resident zone B (See application of Madlyn Shanel, paragraph one, undated) It is illegal for the city to approve a variance which adds value to one property to the detriment of the property of others. The proposed loss of public parking space and environmental amenity is clearly such a detriment.

In your letter of 30 June, 1995 you notified the President and Secretary of Neighborhood Nine Association of the proposed cut. The lack of response should not be construed as approval of the proposal. Jack Joseph, President is out of town from June 28 to July 26. The Secretary is also away.

In addition on May 1, 1995 when enquiry was made to the Zoning Office as to whether Ms Shanel had applied for a curb cut, the Officer erroneously informed us that no such application was on file when in fact the application was filed on April 26, 1995 and approved May 10, 1995.

We have not received adequate legal notice of the proposed change.

Protest of Shanel Curb Cut Request

July 13, 1995

As the request is illegal, we urge the City to deny the application. Should the City Council approve the application, we request a public hearing be held in September.

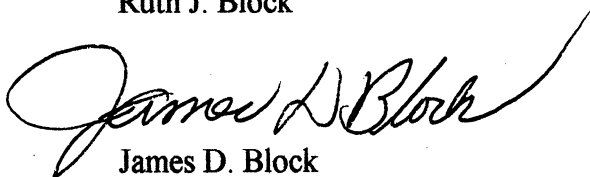
Sincerely,



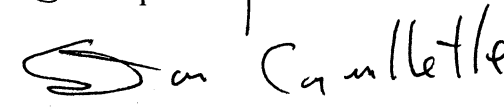
Ruth J. Block



Judith Coquillette



James D. Block
24 Shepard Street
Abutter



Daniel Coquillette
10 Rutland Street
Abutter

Attachments:

District Dimensional Regulations
Application of Madlyn Shanel

CC Members of the City Council of Cambridge
 Cambridge Zoning Officer
 Jack Joseph, Chair Neighborhood Nine Association

We the Undersigned support the letter of July 13, 1995 from Ruth and James Block and Judith and Daniel Coquillette opposing the issuance of a curb cut at 20 Shepard Street.

Man Hanylen 14 Rutland St.

Paul Gagnon 14 Rutland St.

Priscilla Hall 2 Avon Street

Emily H. Axelrod 26B Shepard St

Dana H. Axelrod, 26B Shepard St.

And Spruce 28 Shepard St.

Harry Mason 21 Shepard St

~~Mark Hanylen~~ 17 Shepard Street

We the Undersigned support the letter of July 13, 1995 from Ruth and James Block and Judith and Daniel Coquillette opposing the issuance of a curb cut at 20 Shepard Street.

Man Hanylen 14 Rutland St.

Paul Gagnon 14 Rutland St.

Priscilla Hall 2 Avon Street #6

Jeffrey W. Kobrick, 2 Avon Street, #9

Marilyn S. Bornstein, 2 Avon St #2

Samuel Kaye 2 Avon St. #5

Carol White 2 Avon St. #8

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE



INSTRUCTIONS:

In order to obtain permission for a driveway cut or opening you must first get approval from the Department of Inspectional Services on the zoning requirements for off-street parking, including the cooperation of your immediate abuttors.

To receive a review from Inspectional Services you must fill out Part I of the application. Be sure to draw your plot plan on Drawing 1, choosing the lot that represents your lot's position, i.e. corner or interior. You must also include a sketch of the proposed driveway, including dimensions, on Drawing 2. You may then calculate the cost of the driveway by using the formula based on your choice of surfaces. You must also include a signed abuttor sheet for each of your abuttors: back yard, one on either side and the abuttor directly across the street.

Once you have gathered this information on the application, it should be submitted to:

Zoning Officer
Inspectional Services
831 Massachusetts Avenue
Cambridge, MA 02139

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, the Historical Commission and the Department of Public Works. If approved by Public Works, the application and backup will be sent to the City Council for their approval. Once the City Council approves, the driveway curb cut can be installed. However, the full cost of the cut must be paid to Public Works before the work will start.

If, however, Inspectional Services denies your application you may then appeal to the Zoning Board of Appeals.

DATE:

4/26/95

PART I:

Address of proposed curb cut or off-street parking facility: <u>20 SHEPARD STREET</u>	
Frontage: <u>31'</u>	Block and Lot: <u>Block: 173 / Lot 8 + 79*</u>
Setback (distance from building to sidewalk): <u>73'</u>	
Distance from proposed driveway to surrounding structures and property line: <u>0" from house, 7" from abuttor's fence</u>	
Dimensions of proposed driveway: <u>11' x 33' hwy.</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>Tow away zone / no parking sign inside walk in path of new driveway.</u>	

- ☒ Plot plan is included
- ☐ Sketch of driveway with cost estimate is included
- ☐ All abuttor's forms are included

5.30 DISTRICT DIMENSIONAL REGULATIONS

5.31 Residential Districts

1. The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this ordinance, shall be applicable to development in residential districts:

Table 5-1. TABLE OF DIMENSIONAL REQUIREMENTS - RESIDENTIAL DISTRICTS

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	6,000	80	25	15 (sum of 35)	25	35	25%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	25%
Res. B	0.5	5,000	2,500	50	15	7'6" (sum of 20)	20	35	20%
Res. C-1	0.75	5,000	1,200	50	$\frac{H+L}{4}^{(a)}$	$\frac{H+L}{5}$	$\frac{H+L}{4}^{(c)}$	35	15%
Res. C-2	1.75	5,000	600	50	$\frac{H+L}{4}^{(a)}$	$\frac{H+L}{5}$	$\frac{H+L}{4}^{(c)}$	85	15%
Res. C-2A	2.5	5,000	300	50	$\frac{H+L}{5}^{(b)(g)}$	$\frac{H+L}{6}^{(g)}$	$\frac{H+L}{5}^{(c)}$	60	10% ^(h) 2/12/79
Res. C-3	3.0	5,000	300	50	$\frac{H+L}{5}^{(b)}$	$\frac{H+L}{6}$	$\frac{H+L}{5}^{(c)}$	none	10%
Res. C-3A	3.0 ^(d)	5,000	300	50	$\frac{H+L}{5}^{(b)(e)}$	$\frac{H+L}{6}^{(f)}$	$\frac{H+L}{5}^{(c)}$	120	10% 12/11/78

2. Footnotes

(a) Measured from the center line of the street, but in no case may a building be nearer the street than ten feet.

(b) Measured from the center line of the street, but in no case may a building be nearer the street line than five feet.

(c) In no case may a building be nearer the rear lot line than twenty feet.

(d) The maximum ratio of floor area to lot area for buildings containing principal uses specified in Section 4.34 shall not exceed 1.25.

12/11/78

(e) For buildings subject to the floor area ratio limitation specified in footnote (d) above, the minimum front yards may be reduced to no less than five feet measured from the street line.

12/11/78

- (f) For buildings subject to the floor area ratio limitation specified in footnote (d) above, the minimum side yards may be reduced to no less than five feet measured from the street line. 12/11/78
- (g) In no case may a building on any lot which abuts or is separated only by a public or private way from a Residence A-1 and A-2, B, C-1, or C-2 district be nearer the street line or side line of the lot than the minimum front and side yard requirements for the residential district which said lot abuts or from which it is separated by a way. However, such increased setback requirements shall only apply to any part of a building which is located within 125 feet of a Residence A-1, A-2, B, C-1 or C-2 district. 2/12/79
- (h) The minimum ratio of usable open space to lot area required for a lot which abuts/or is separated only by a public or private way from a Residence A-1, A-2, B, C-1 or C-2 district shall be equal to the amount of usable open space required in the residential district which said lot abuts or from which it is separated by a way. 2/12/79

3. Setback exceptions

- (a) In a Residence A-1 or A-2 district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than fifteen feet. A vacant lot or lot occupied by a building set back more than twenty-five feet in a Residence A-1 district and more than twenty feet in a Residence A-2 district shall be considered as though occupied by a building set back twenty-five feet and twenty feet respectively.
- (b) In a Residence B district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than ten feet. A vacant lot or a lot occupied by a building set back more than fifteen feet shall be considered as though occupied by a building set back fifteen feet.
- (c) In a Residence C-1, C-2, C-2A, C-3, or C-3A district if a building is hereafter erected on a lot adjacent to a building having a blank wall directly on the side lot line, the new building may be so designed and erected that it will be flush with that portion of the blank wall of the former building which extends along the lot line; otherwise, however, not less than the required side yard shall be provided; in any case the required side yard shall be provided for the remainder of the full lot depth. In case a side wall contains windows or in case any part of a side blank wall of an existing building shall be set back from the side lot line, then a building hereafter erected on the lot adjacent to such an existing building shall be set back from the side lot line in accordance with the provisions thereof. 12/11/78;
2/12/79

- 6.37 *Bicycle Parking.* Off-street parking of bicycles shall be provided as follows:
- 6.371 For multi-family residences there shall be one bicycle space or locker for each two dwelling units or portion thereof.
- 6.372 For all other uses, except those exempted in subsection 6.374, there shall be one bicycle parking space for each ten automobile parking spaces or fraction thereof required in subsection 6.36.
- 6.373 Uses allowed to have reduced parking by special permit under subsection 6.35 shall nevertheless be required to provide bicycle spaces or lockers in the amount of one for each ten automobile parking spaces or fraction thereof that would otherwise be required for such use in subsection 6.36.
- 6.374 No accessory bicycle parking shall be required to serve the following uses as listed in the Section 6.36, Schedule of Parking and Loading Requirements: 6.361(d), (e), and (f); 6.363 (j) (3); 6.365 (j) and (l) (1); 6.366 (g), (h) and (i); 6.367 (d), (g), and (h).

6.40 *DESIGN AND MAINTENANCE OF OFF-STREET PARKING FACILITIES*

- 6.41 *Purpose.* The regulations governing the design and maintenance of off-street parking facilities are intended to protect the health, safety and welfare of the users of the parking facility and of abutting properties, including pedestrians and motorists. Therefore, the regulations herein provide for internal and perimeter landscaping, planting, walls, fences and other improvements to reduce noise, glare or reflection from autos, lights, fumes and the like, and minimum standards for parking space and aisle dimensions to ensure safe traffic circulation within the parking facility and from entrances and exits.
- 6.42 *Dimensions for Off-Street Parking Spaces.* The minimum dimensions for off-street parking spaces, exclusive of drives and maneuvering spaces, shall be as follows:

Space	Equivalent 90° Width	Equivalent 90° Depth	Vertical Clearance	Minimum Angle of Parking	Width of Aisles
Regular	8½ feet	18 feet	7½ feet	60°	22 feet
Compact car	7½ feet	16 feet	7½ feet	60°	20 feet
Handicapped	12 feet	18 feet	7½ feet	60°	22 feet

- 6.43 *Access for Off-Street Parking Facilities.* Off-street parking facilities shall have maneuvering areas and appropriate means of vehicular access to a street and shall be so designed as not to constitute a nuisance, hazard, or unreasonable impediment to traffic.
- 6.431 All parking spaces within the Business B-1 and Business B-2 districts shall be both covered and enclosed. All vehicular access for office and retail uses in those districts shall be from Massachusetts Avenue or from a side street perpendicular to it that allow traffic flow toward Massachusetts Avenue. The open area of any lot in the Business B-1 and Business B-2 districts devoted to vehicular movements such as driveways shall be no more than the minimum necessary for vehicular access to covered and enclosed parking.

6.432 The layout of parking spaces shall permit entering and exiting without moving any other vehicles parked in other spaces except where more than one space is provided for any dwelling unit, such spaces may be located in tandem to the required parking space for that dwelling unit.

6.433 Curb cuts for off-street parking facilities shall comply with the following standards:

- (a) In Residential districts, the maximum width of a curb cut shall be twenty feet at the street line.
- (b) In Open Space, Business, Office and Industrial districts, the maximum width of a curb cut shall be 30 feet.
- (c) No more than one curb cut per lot for lots with less than 100 feet of frontage shall be allowed. A maximum of one curb cut for every 100 feet of street frontage or portion thereof shall be allowed for lots having frontage in excess of one hundred feet.

6.434 Driveways for off-street parking facilities shall comply with the following standards:

- (a) The minimum width for a one-way driveway shall be ten (10) feet.
- (b) No driveway curb cut shall be located closer than 25 feet to a street intersection or within 15 feet of a crosswalk.
- (c) The grade and design of any driveway providing access to an off-street parking facility shall permit a clear view to the driver of any car exiting from the facility of traffic on the street and of pedestrians on the sidewalk.

6.435 The Board of Zoning Appeal may grant a special permit modifying the provisions of this subsection 6.43 in accordance with the following conditions:

- (a) The provisions for layout of parking spaces in paragraph 6.432 may be modified where there is a valet parking arrangement for an off-street parking facility.
- (b) The maximum curb cut width specified in paragraphs 6.433 (a) and 6.433 (b) may be modified if the Board determines that an increased curb cut width would facilitate traffic and safety.
- (c) The maximum of one curb cut for every one hundred (100) feet of street frontage as required in paragraph 6.433 (b) may be modified if the Board determines that traffic and safety would be facilitated by exceeding this maximum.
- (d) The distance of driveways from street corners or crosswalks as required in paragraph 6.434 (c) may be modified if the Board determines that an alternate arrangement would better facilitate traffic and safety.

6.436 The Board of Zoning Appeal may grant a special permit authorizing owners of adjacent properties to establish common driveways under mutual easements but such special permit shall not become effective until an appropriate easement has been duly recorded at the Middlesex County Registry of Deeds.

- 6.44 *Layout of Off-Street Parking Facilities.* Any parking facility located within a structure, unless it is completely underground, must conform to the yard requirements for the zoning district in which it is located. On-grade, open parking spaces may be located in required yards only as provided in this subsection 6.44.
- 6.441 Setbacks for on-grade open parking facilities shall be provided as follows:
- (a) No on-grade open parking space shall be located within ten (10) feet of that portion of a building wall containing windows of habitable or occupiable rooms at basement or first story. However, on-grade open parking spaces serving 1, 2, or 3 family dwellings may be located within five (5) feet of that portion of such building wall.
 - (b) Except for one, two, or three family dwellings existing at the time of the effective date of this ordinance or amendment thereto, no on-grade open parking space or driveway shall be located within five (5) feet of any side or rear property line.
 - (c) No on-grade open parking space shall be located within a required front yard setback.
 - (d) The area between the required parking setback line and the building or lot line shall be landscaped and maintained in accordance with the requirements of subsection 6.48.
 - (e) No on-grade open parking shall be allowed in a Residence C-2A district within 125 feet of a Residence A-1, A-2, B, C-1, or C-2 district.
 - (f) In an Industry C district, no parking lot shall be located within 50 feet of a residential district or within 25 feet of an open space district, a park or public recreation area or the right-of-way of a designated parkway.
 - (g) The Board of Zoning Appeal may grant a special permit to allow for modification of the requirements in 6.441 (a) or (b) if site specific factors favor such modification.
- 6.442 All roads, streets, alleys, sidewalks and other public rights-of-way and all landscaped areas shall be protected from vehicular overhang by wheel bumpers, curbs or other suitable method except those off-street parking facilities provided for one, two or three family dwellings.
- 6.443 Off-Street parking facilities shall be marked so as to indicate clearly the space to be occupied by each vehicle, in accordance with the dimensions specified in subsection 6.42 and including directional arrows and traffic signs as necessary for traffic control. Such markings shall be maintained so as to be plainly visible.
- 6.45 *Drainage, Surfacing and Maintenance.* All sections of off-street parking facilities which are not landscaped according to the requirements of subsection 6.48 shall be graded, surfaced (preferably with durable pervious paving materials such as modular paving blocks, bricks or similar materials), and maintained to the satisfaction of the Superintendent of Buildings to the extent necessary to prevent nuisance of dust, erosion, or excessive water flow onto any public way or onto another lot.

- 6.451 A parking space for a one, two, or three family dwelling may consist of two parallel paved strips, each at least 18 inches wide by 18 feet long separated by a landscaped area.
- 6.452 Off-street parking areas shall be kept plowed, clean and free from rubbish and debris. All fences, barriers, walls, landscaping and lighting shall be maintained and kept repaired or replaced with facilities satisfying the requirements of this Section 6.40.
- 6.46 *Lighting.* Off-street parking facilities which are used at night shall be provided with adequate lighting installed and maintained in such a manner so as not to reflect or cause glare on abutting or facing residential premises nor to cause reflection or glare which adversely affects safe vision of operators of vehicles moving nearby streets. A recommended standard for lighting is a minimum intensity of one (1) foot candle on the entire surface of the parking facility.
- 6.47 *Screening.* Off-street parking facilities containing five or more spaces and not in a structure shall be effectively screened from abutting streets and lots. However, such screening shall not obstruct vehicle sight distances, entrances and exits.
- 6.471 Screening shall consist of one or a combination of the following:
- (a) A strip at least five (5) feet in width of densely planted shrubs or trees which are at least two (2) feet high at the time of planting and are of a type that may be expected to form within three years after time of planting a continuous, unbroken, year-round visual screen.
 - (b) A wall, barrier, or fence of uniform appearance. Such wall, barrier, or fence may be opaque or perforated provided that not more than fifty percent (50%) of the face is open. The wall, barrier or fence shall be at least four (4) feet and not more than six (6) feet in height.
- 6.472 The screening as required in this subsection 6.47 shall be located so as not to obstruct vehicle sight distances, entrances and exits. Such screening shall not be higher than two (2) feet within thirty (30) feet of an intersection or ten (10) feet of a driveway. In no case shall the screening of parking facilities from abutting streets exceed four (4) feet in height.
- 6.473 Every effort shall be made to retain existing trees. Removal of any tree exceeding six (6) inch caliper to accommodate construction of a parking facility is discouraged.
- 6.474 Perimeter landscaping required for screening may include any landscaped yard area otherwise required.
- 6.475 Screening shall be continuously maintained so as to effectively serve the purpose for which it is intended. No advertising devices of any kind shall be allowed on screening.
- 6.476 Screening shall be continuous except for required access.

Consent Communications

Communications was recieved from Judith and James Block, 24 Shepard Street and Judith and Daniel Coquillette, 10 Rutland Street in opposition of the proposed curb cut at 20 Shepard Street.

July 24, 1995

Consent Communication #12 Cal #8

Communication was received from
Judith and James Block, 24
Shepard Street and Judith and
Daniel Coquillet, 10 Rutland
Street in opposition of the
proposed curb cut at 20 Shepard
Street.

9/11/95

Referred to Calendar
Item #1.

In City Council July 31, 1995

Charter right exer-
cised by Councillor
Duchene

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS



INSTRUCTIONS:

In order to obtain permission for a driveway cut, you must first obtain approval from the Department of Inspectional Services on the zoning requirements for

To receive a review from Inspectional Services, you must submit Drawing 1, choosing the lot that represents the proposed driveway, including dimensions based on your choice of surfaces. You must also include a sketch of the driveway by using the formula for the driveway cut. You must also include a sketch of the driveway by using the formula for the driveway cut.

Once you have gathered this information

in the Department of Inspectional Services for immediate abutters.

Be sure to draw your plot plan on a grid. You must also include a sketch of the driveway by using the formula for the driveway cut. You must also include a sketch of the driveway by using the formula for the driveway cut.

Massachusetts Avenue
Cambridge, MA 02139

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, the Historical Commission and the Department of Public Works. If approved by Public Works, the application and backup will be sent to the City Council for their approval. Once the City Council approves, the driveway curb cut can be installed. However, the full cost of the cut must be paid to Public Works before the work will start.

If, however, Inspectional Services denies your application you may then appeal to the Zoning Board of Appeals.

DATE:

4/26/95

PART I:

Address of proposed curb cut or off-street parking facility:

20 SHEPARD STREET

Frontage:

31'

Block and Lot:

Block: 173 / Lot 8 + 79*

Setback (distance from building to sidewalk):

73"

Distance from proposed driveway to surrounding structures and property line:

0" from house, 7" from abutter's fence

Dimensions of proposed driveway:

11' x 33' long

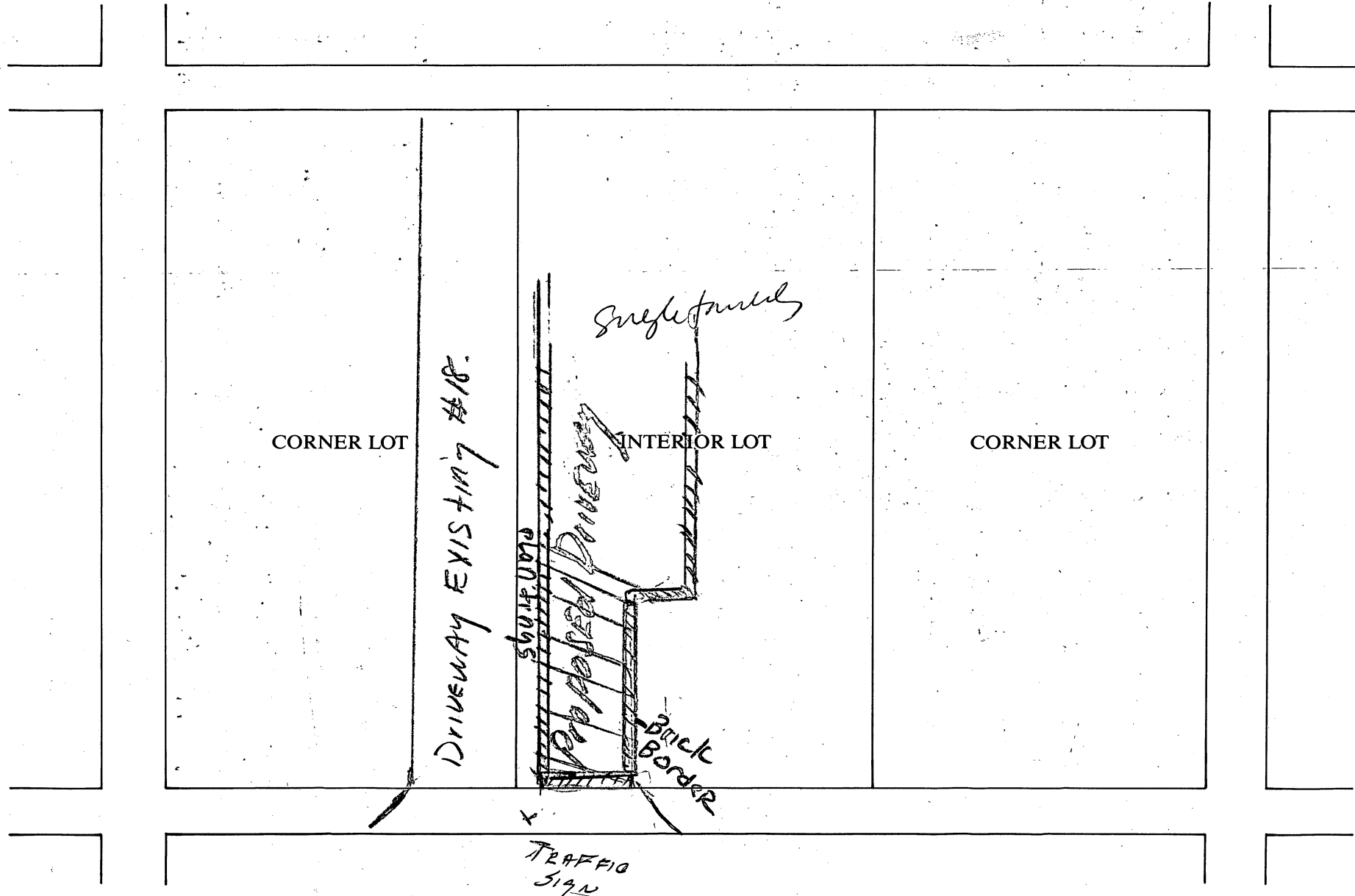
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway:

Tow away zone / No parking sign on sidewalk in path of new driveway.

- ☒ Plot plan is included
- ☐ Sketch of driveway with cost estimate is included
- ☐ All abutter's forms are included

DRAWING 1:

PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE



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Once you have gathered this information on the application, it should be submitted to:

**Zoning Officer
Inspectional Services
831 Massachusetts Avenue
Cambridge, MA 02139**

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, the Historical Commission and the Department of Public Works. If approved by Public Works, the application and backup will be sent to the City Council for their approval. Once the City Council approves, the driveway curb cut can be installed. However, the full cost of the cut must be paid to Public Works before the work will start.

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DATE:

4/26/95

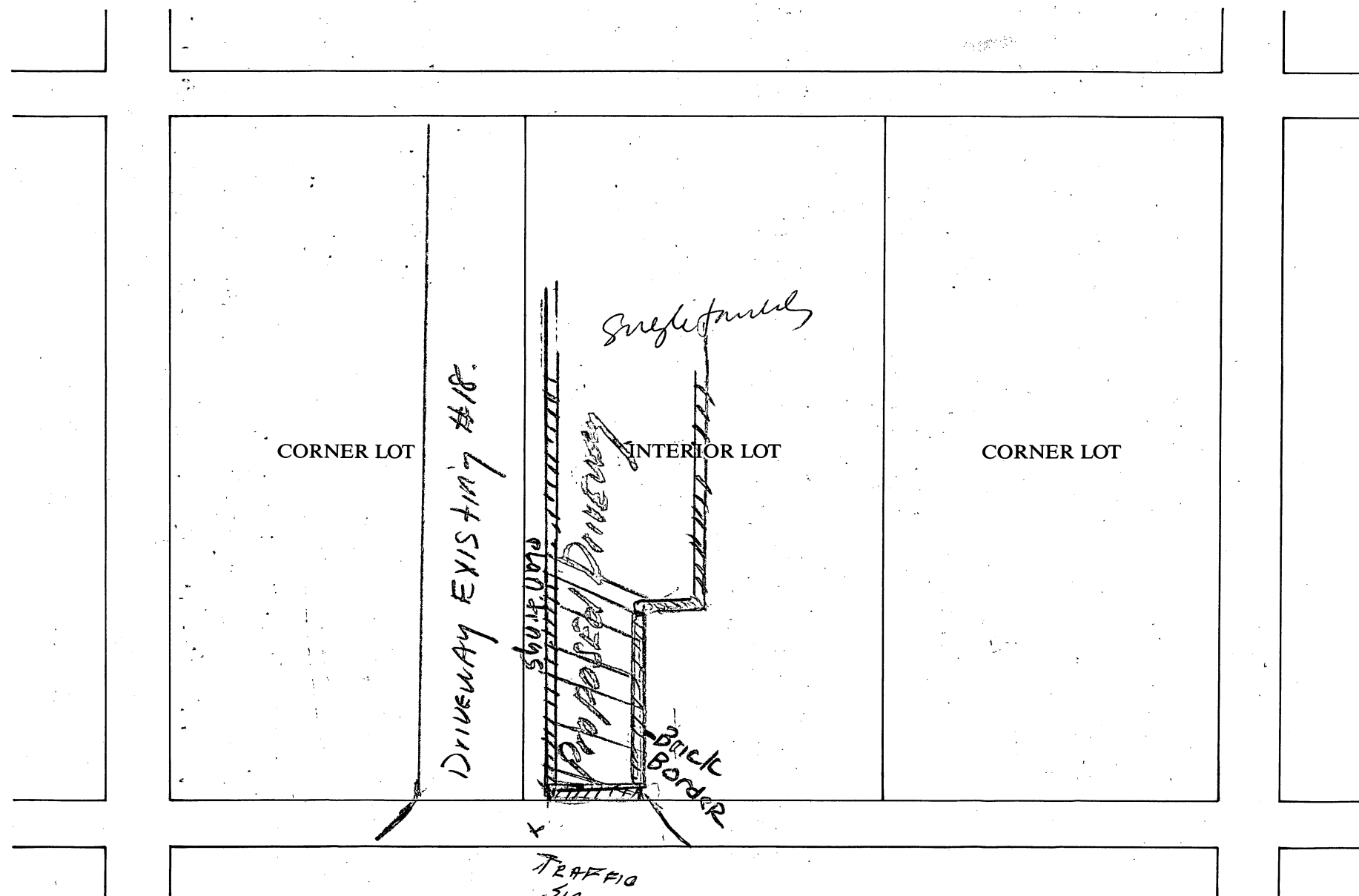
PART I:

Address of proposed curb cut or off-street parking facility:		20 SHEPARD STREET
Frontage:	31'	Block and Lot: Block: 173 / Lot 8 + 79*
Setback (distance from building to sidewalk):		73"
Distance from proposed driveway to surrounding structures and property line:		0" from house, 7" from abuttor's fence
Dimensions of proposed driveway:		11' w x 33' long.
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway:		Tow away zone / No parking sign on sidewalk in path of new driveway.

- ☒ Plot plan is included
- ☐ Sketch of driveway with cost estimate is included
- ☐ All abuttor's forms are included

DRAWING 1:

PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



Neighborhood Nine Association

Post Office Box 782
Cambridge, MA 02140

July 27, 1995

RECEIVED BY
OFFICE OF CITY CLERK
1995 JUL 28 PM 1:31
CAMBRIDGE MA.

Margaret Druy, Clerk
Cambridge City Hall
Massachusetts Avenue
Cambridge, MA 02139

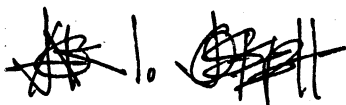
Re: Request for a Curb Cut at 20 Shepard Street

Dear Ms. Druy:

Neighborhood Nine Association's lack of comment regarding the above referenced request for a curb cut should not be considered as an endorsement of that particular request. Typically, when we are not aware of a specific urban issue or there are no specific neighborhood or abutter concerns raised to us we are inclined to hold a neutral position.

However, when a group of neighbors or abutters make us aware of their concerns, as has just occurred in this case, we are generally inclined to support them, particularly when this issue involves questions of variances or special conditions. Given the particular timing of this matter, as it has impacted me personally, and given as our next association meeting will not occur in time, I cannot give you or the city councilors our formal position on this matter.

Sincerely yours,



Jack I. Joseph
Representative of the
Neighborhood Nine Association

cc: MJ Kornacki

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 14-18 Shepard St., Cambridge,

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at #20 Shepard St.,

CAMBRIDGE

Signed: Debra White Date: 3/18/95

Address: 8 123 CROSS ST., WINCHESTER, MA 01890

To Whom It May Concern:

As owner or agent of 22 Shepard St Cambridge,

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at #20 Shepard St

Signed: P. Smith Date: 3/25/95

Address: 22 Shepard St Cambridge

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of Shepard Place Condominium

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 20 Shepard St

Signed: Barbara A. Dibley, Trustee Date: 4/28/95

Address: 19 Shepard St # 21

To Whom It May Concern:

As owner or agent of _____

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

To Whom It May Concern:

As owner or agent of _____

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

21.10'

Lot B
(Bk. 7036, Pg. 328)

Exclusive
Easement
for #20

Lot A
Area = 3079[±] s.f.

Area = 2369 s.f.

Exclusive
Easement
for #22

bsmt.
entry

bkhd.

Line through center of partition wall

2 1/2 Story Wd. Fr. Bldg.

1st floor
boy

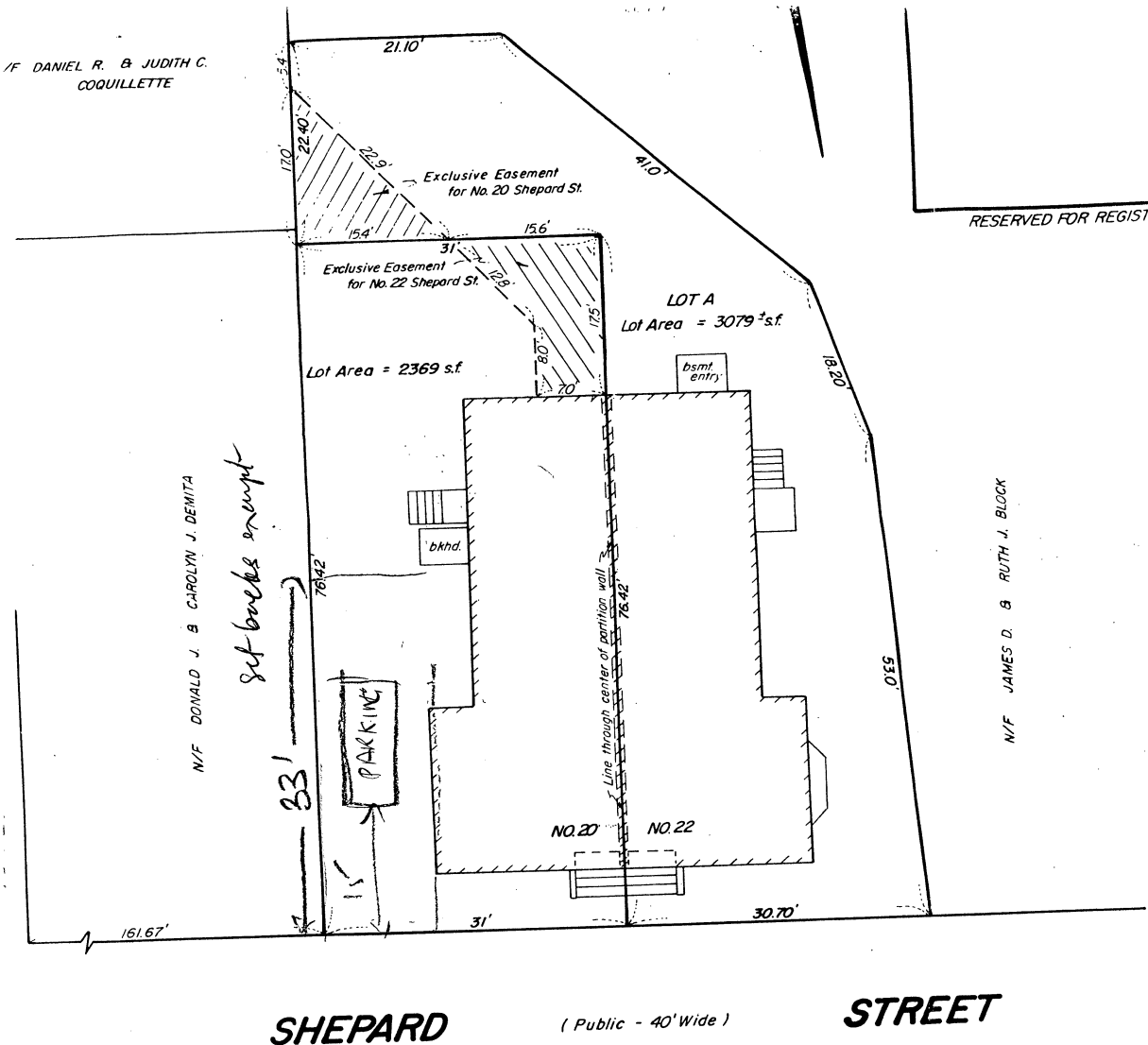
NO. 20

NO. 22

N/F James D. & Ruth J. Block

4 10.10'

N/F DANIEL R. & JUDITH C.
COQUILLETTE



RESERVED FOR REGIST.

N/F JAMES D. & RUTH J. BLOCK

PROPERTY REFERENCES:

Middlesex South Registry of Deeds
Book 11536, Pg. 384
Book 7870, Pg. 269
Book 7036, Pg. 328
Plan Book I-B, Plan 66

I certify that the property lines shown are the lines dividing existing ownerships, and the lines of streets and ways shown are those of public or private streets and ways already established and that no new lines for the division of existing ownership or for new ways are shown.

I certify that this plan has been prepared in accordance with the rules and regulations of the Registers of Deeds of the Commonwealth of Massachusetts.

Wendell H. Mason



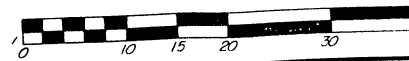
Wendell H. Mason

COMPILED
PLAN SHOWING EASEMENT
CAMBRIDGE, MA:

SCALE: 1" = 10'

DEC. 19, 1981

WENDELL H. MASON, PROF. LAND SURVEYOR
122 ESSEX ST. BEVERLY, MA 019



20 Shepard Street, Cambridge, MA 02138/617-492-2385

Zoning Officer
Inspectional Services
831 Massachusetts Ave
Cambridge, MA 02139

I am submitting this letter with my application for a curb cut in order to clarify my intentions and respond to some concerns expressed by one of my neighbors. I have been living at 20 Shepard Street for 25 years. For the past five years I have made arrangements with my next door neighbor at 18 Shepard to rent his driveway. Recently I was able to purchase my home and in doing so plan to create a parking space beside my residence. Simultaneously, my neighbor expressed a desire to turn over the parking place to a resident in his building. My need to create a parking space is closely related to my occupation and health needs. I am an art dealer and travel to my clients with large presentations. This includes paintings and oversized portfolio's. Frequently, I have more than one presentation a day and must return home to exchange work.

I work alone and have to manage without any help. Having parking next to my home would provide the security and access so important to me. I also have been suffering from a lower back and upper arm disorder. The back ailment has been diagnosed as chronic and potentially disabling. I spend a considerable amount of time doing therapy so I can stand upright. Carrying my portfolio's a shorter distance would significantly help me from having an attack .

I am consulting a landscaping professional to help design the area so I can create a driveway and patio space which is esthetically pleasing and functional. I plan on leaving some plantings between 18 and 20 Shepard and designing a garden further back into the yard. I hope to integrate the driveway with the street by using if possible some brick, stone and cement combination. Working around current plantings further back in the yard, I hope to use brick and stone for the overall patio space. I certainly have esthetics in mind and plan to spend time researching different options for the area.

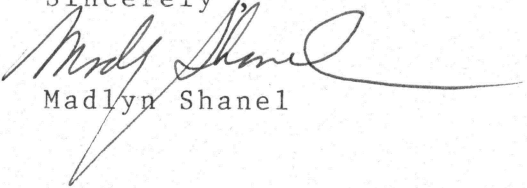
My neighbors at 14-18, 22 and 19 Shepard have all approved the curb cut and have signed the enclosed form. The neighbor behind at 24 Shepard, who is least effected, chose not to approve my application based on the desire not to have any additional curb cuts on the street and a general distaste of driveways.

20 Shepard Street, Cambridge, MA 02138/617-492-2385

*Norton-
Shanel*
ART CONSULTANTS
BOSTON • NEW YORK

In closing, let me assure you that I am extremely concerned with the esthetics of this neighborhood and plan to improve the appearance of this house which means a great deal to me. I believe that when the area is done it will enhance the general appearance from the street and will be well received by those who look out upon the sight.

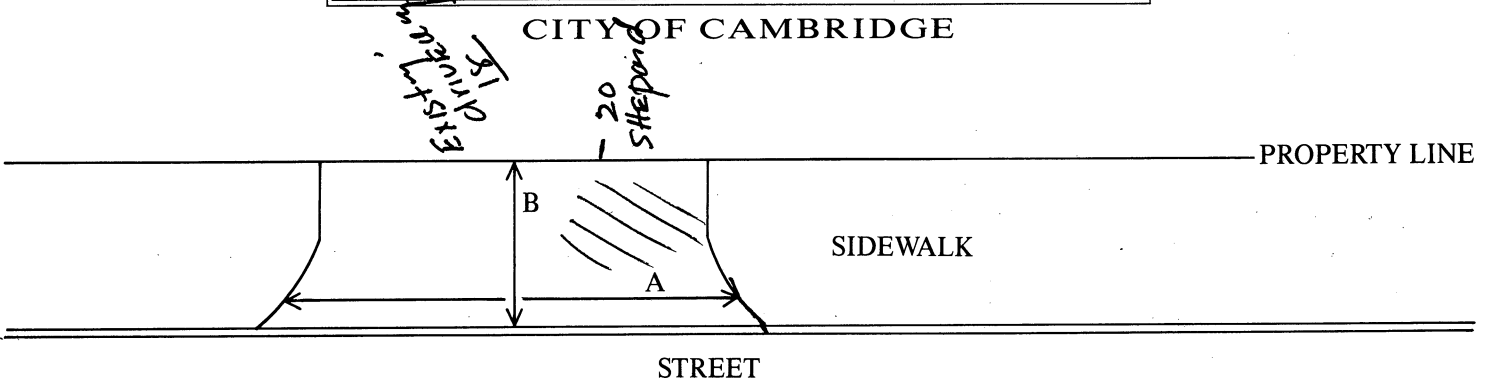
Sincerely


Madlyn Shanel

DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = 11' 7'' \text{ FT.} \div 3 = 3.86 \text{ YARDS}$$

$$B = 74' \frac{1}{2} \text{ FT.} \div 3 = 2.069 \text{ YARDS}$$

$$A \times B = 7.986 \text{ SQUARE YARDS}$$

COST ESTIMATE:

BRICK: _____ SQUARE YARDS $\times$ \$70/SQUARE YARD = \$ 531.04

BRICK ON CONCRETE: _____ SQUARE YARDS $\times$ \$85/SQUARE YARD = \$ _____

CONCRETE: _____ SQUARE YARDS $\times$ \$40/SQUARE YARD = \$ _____

ASPHALT: _____ SQUARE FEET $\times$ 1 TON/40 SQUARE FEET $\times$ \$125/TON = \$ _____

DEPARTMENT OF PUBLIC WORKS SCHEDULED DATE FOR CONSTRUCTION:

/ /

DEPARTMENT OF PUBLIC WORKS STATED FEE: \$ _____

The undersigned agrees to pay the stated fee for the driveway installation in full within two (2) weeks of the estimated starting date of construction before the Department of Public Works shall proceed with construction:

Owner's signature: MADLYN Shanel 492 2385 Date: April 26, 1995

Address: 20 Sheppard Street Camb. 02138

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

Date:

Title:

ZONING

5/10/95

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

Date:

Title:

James M. Gustafson
Dep Traffic Dir.

6-7-95

PART IV: HISTORICAL COMMISSION

☒ Application approved

☐ Application denied

Reason:

Signature:

Date:

Title:

ALD
BROCK

6-7-95

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

Date:

Title:

Robert Keating
Supt of Streets

6/20/95

Cal #1

W-132

Consent Communication #6

Curb cut applicatiokn was received from Madlyn Shanel, 20 Shepard Street,; approval was received from INspectional Services, Traffic and Parking, HIsitorial Commission, Public Works and abutters, no approval from neighborhood.

9/11/95 Order adopted
5-3-0-1

In City Council July 31, 1995

Charter right exer
cised by Councilor
Duebay