

City of Cambridge

26.

IN CITY COUNCIL

November 8, 1982

COUNCILLOR DUEHAY

ORDERED:

That the City Manager be and hereby is requested to direct the City Solicitor to draft the appropriate legal documents to provide for the easement at 145 Elm Street and 132-136 $\frac{1}{2}$ Hampshire Street in order that said easement order can be recorded at the Middlesex Registry of Deeds.

In City Council November 8, 1982.

Adopted by a yeá and nay vote:-

Yeas 7; Nays 0; Absent 2.

Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script that reads "Paul E. Healy".

- *Saunders Hoose* -

City of Cambridge

MASSACHUSETTS

In City Council *November 8* 1982

*Vote of the City Council granting a perpetual
EASEMENT SUBJECT TO CONDITIONS OBTAINED BY THE
HISTORICAL COMMISSION RE THE PREMISES NUMBERED 145
5100 STREET AND 132-136 1/2 HAMPSHIRE STREET*

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy			✓	
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan			✓	
Mr. Wylie	✓			
Mayor Vellucci	✓			

7 0 2

- Order granting EASEMENT Adopted -

Time 8:40 PM



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

September 30, 1982

To the Honorable, the City Council,

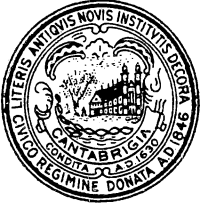
RE: Request for an easement for the property at 145 Elm Street
and 132-136½ Hampshire Street.

The Planning Board, at a regular meeting on October 5, 1982, considered the above noted request for an easement to allow the building and fence at 132-136½ Hampshire Street to be rebuilt to the present lines if they should be damaged or destroyed by casualty, fire, etc. The structure, known as the Ivory Sands House, is listed on the National Register of Historic Places and has encroached in the Hampshire Street right-of-way since its laying out in 1842. The Board finds that the granting of said easement will serve the public interest by providing the potential for preservation of an historic structure. Therefore, the Board recommends that the easement be granted with the condition that a preservation agreement is included as suggested by the Cambridge Historical Commission.

Respectfully submitted,

for the Planning Board

Arthur C. Parris
Chairman



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

October 18, 1982

To the Honorable, the City Council:

Enclosed please find copy of the recommendation of the Cambridge Planning Board relative to a request for an easement for the property at 145 Elm Street and 132-136 $\frac{1}{2}$ Hampshire Street.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item Number Two

Re: Planning Board recommendation regarding
a request for an easement at 145 Elm St. and
132-136½ Hampshire St.

In City Council,

October 18, 1982

Henning Det

for

Shirley Weiss

November 8, 1982

NT

6 PM

City of Cambridge

CITY COUNCIL HEARING SCHEDULE

Monday, November 8, 1982	5:00 P. M.	Regular City Council Meeting. (City Council Chamber)
	6:00 P. M.	The City Council has scheduled a public hearing relative to a request for an easement at the premises numbered 145 Elm Street and 132-136½ Hampshire Street. (City Council Chamber)
Tuesday, November 9, 1982	5:30 P. M.	The Committee on Environment will meet to discuss energy conservation and weatherization. (Mayor Ackermann Room)
Wednesday, November 10, 1982	7:00 P. M.	The Committee on Transportation and Parking will meet to discuss Route 2 roadway improvements, as well as all plans currently being considered by the state. (Mayor Ackermann Room)
Monday, November 15, 1982	5:00 P. M.	Regular City Council Meeting. (City Council Chamber)
	6:00 P. M.	(At this time the City Council is scheduled to hear from the Board of Assessors, relative to the status of 100% revaluation). (City Council Chamber)
Monday, November 22, 1982	5:00 P. M.	Regular City Council Meeting. (City Council Chamber)



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

Arthur Parris, Planning Board
To Charles Sullivan, Historical Commission
Russell B. Higley, City Solicitor

Date October 21, 1982

From Paul E. Healy, City Clerk *PEH*

Reference

Subject Public hearing on an easement request at
145 Elm Street & 132-136 $\frac{1}{2}$ Hampshire Street

Please be advised that the City Council at its meeting of October 18, 1982 has scheduled a public hearing in answer to a request for a perpetual easement at the premises numbered 145 Elm Street and 132-136 $\frac{1}{2}$ Hampshire Street. Said hearing has been scheduled for Monday, November 8, 1982 at 6:00 p.m. in the City Council Chamber, City Hall.

Your presence is hereby requested at this time. Enclosed herewith you will find a copy of the hearing notice with regard to this easement request.

Your kind attention in this matter will be greatly appreciated by both this office and the City Council.

PEH/mh

Enclosure

© C. C. 100.

City of Cambridge

HEARING NOTICE

The Cambridge City Council will hold a public hearing on Monday, November 8, 1982 at 6:00 P. M. in the City Council Chamber, City Hall relative to a request for a perpetual easement for the preservation of the historical landmark known as the Sands House located at 145 Elm Street and 132-136 $\frac{1}{2}$ Hampshire Street, Cambridge.

All interested individuals are invited to attend and be heard at this time.

By Order of the City Council,

Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE
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Arthur Parris, Planning Board
To Charles Sullivan, Historical Commission
Russell B. Higley, City Solicitor

Date October 21, 1982

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PEH/mh

Enclosure

C. G. 100

City of Cambridge

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By Order of the City Council,

Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

October 21, 1982

Mr. Roy A. Cramer Esq.
Kassler & Feuer
85 Devonshire Street
Boston, MA 02109

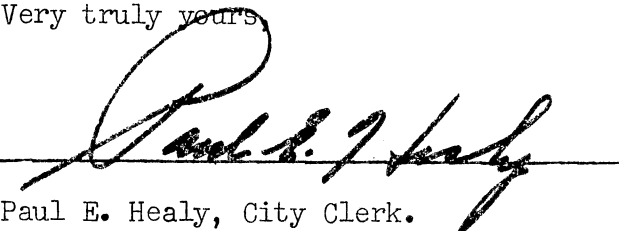
Dear Mr. Cramer:

Please be advised that the City Council at its meeting of October 18, 1982 has scheduled a public hearing in answer to a request for a perpetual easement at the premises numbered 145 Elm Street and 132-136 $\frac{1}{2}$ Hampshire Street. Said hearing has been scheduled for Monday, November 8, 1982 at 6:00 p.m. in the City Council Chamber, City Hall.

Your presence or that of your designee is hereby requested at this time. Enclosed herewith you will find a copy of the hearing notice with regard to this easement request.

Your kind attention in this matter will be greatly appreciated by both this office and the City Council.

Very truly yours


Paul E. Healy, City Clerk.

PEH/mh

Enclosure

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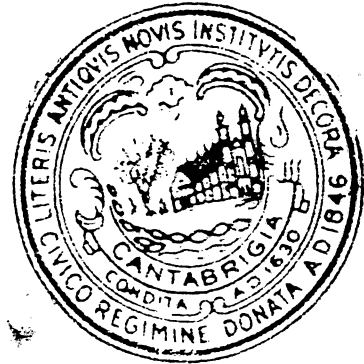
AGENDA

SUPPLEMENTARY

NOVEMBER 8, 1982 DATA

NOTES

15. Notification of the appointment of Mark L. Faverman, 254 Hampshire Street, Cambridge, as a member of the Cambridge Arts Council, effective immediately.
16. Transmitting communication from Robert W. Healy, City Manager, relative to a vote authorizing the City Manager to grant an easement to Federal Construction, Inc. for the rear of their property at 1000 Cambridge Street.
17. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item No. 9 relative to the new exterior lighting at the main branch of the Cambridge Public Library.



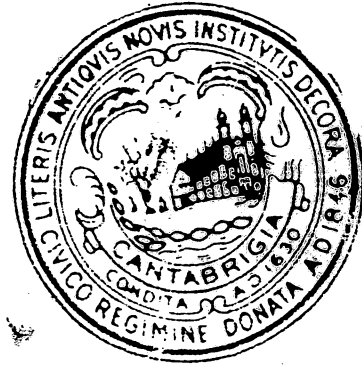
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All interested individuals are invited to attend and be heard at this time.

By Order of the
City Council,
Paul E. Healy,
City Clerk

(C)Nov.4



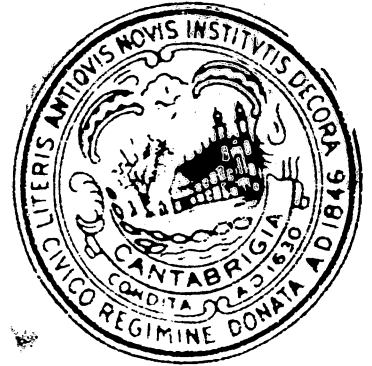
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(C)Nov.4



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By Order of the
City Council,
Paul E. Healy,
City Clerk

(C)Nov.4



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy, City Manager

Date November 10, 1982

From Paul E. Healy, City Clerk

Reference

Subject request for an easement at 145 Elm Street
and 132-136½ Hampshire Street

In connection with the above referred to item, please be advised that the City Council on November 8, 1982 after hearing granted a perpetual easement relative to the above entitled premises. As you can appreciate, the name of the grantee of this easement and his address and a legal description sufficient for recording in court will be required in order to close out this transaction.

I would appreciate it if you would notify the departments concerned to draw up a rough draft of the above listed items, along with a list of the conditions or restrictions that they would impose on the easement grant, so that when the above is accomplished I will be able to record the easement in court and with all the departments and persons concerned.

PEH/mh

cc: Russell B. Higley, City Solicitor
Charles Sullivan, Historical Commission



CITY OF CAMBRIDGE
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Date November 10, 1982

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Charles Sullivan, Historical Commission

City of Cambridge

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All interested individuals are invited to attend and be heard at this time.

By Order of the City Council,

Paul E. Healy, City Clerk.

City of Cambridge

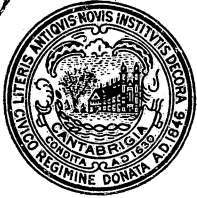
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By Order of the City Council,

Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

EDWARD A. CUNNINGHAM
SEVERLIN B. SINGLETON
DAVID B. O'CONNOR
BIRGE ALBRIGHT
LEGAL COUNSEL

September 16, 1982

Mr. Robert W. Healy
City Manager
City Hall
Cambridge, Massachusetts

Re: 145 Elm Street and 132-136½ Hampshire Street

Dear Mr. Healy:

I am enclosing correspondence from the attorney for the owner of 145 Elm Street and 132-136½ Hampshire Street. Portions of the building and fence extend beyond the sidewalk line shown on the plan accepted by the Council on July 18, 1848. The building in question existed prior to the laying out of Hampshire Street in September of 1842 by the County of Middlesex and its acceptance by the Council by ordinance on June 16, 1846.

The owners request that the City of Cambridge grant them an easement which would allow the building and fences to be rebuilt to the present lines if they should be damaged or destroyed by casualty, fire, etc.

I understand that the Cambridge Historical Commission supports the grant of such an easement as long as there are adequate provisions to require that the building, if rebuilt, would continue to have the same appearance. The Commission will be suggesting that the consideration for the grant of an easement be the execution of a suitable historic preservation agreement.

Under the terms of Section 2-10 of the Code of the City of Cambridge, any conveyance of City owned real property must be referred to the Planning Board by the City Council. When the Planning Board reports back to the City Council, the

RECEIVED

SEP 16 2 55 PM '82

OFFICE OF THE
CITY MANAGER

Mr. Robert W. Healy

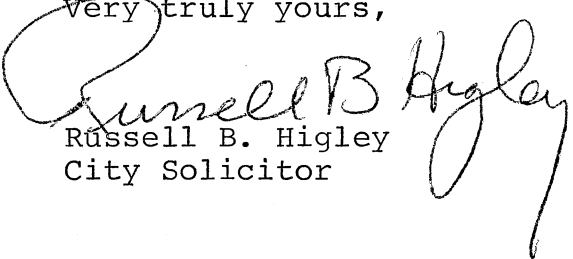
-2-

September 16, 1982

Council must hold a public hearing prior to authorizing the conveyance.

I therefore recommend that you refer this request to the City Council for appropriate action.

Very truly yours,



Russell B. Higley
City Solicitor

RBH/jl

Encs.

*Jan put w. rest
office*

KASSLER AND FEUER

COUNSELLORS AT LAW

85 DEVONSHIRE STREET

BOSTON, MASSACHUSETTS 02109

TELEPHONE 227-4800
AREA CODE 617

HASKELL A. KASSLER
CURT R. FEUER
ANDREW D. FRIEZE
ROY A. CRAMER
DANIEL J. FINN
ALAN S. DAVIS
WARREN J. HURWITZ

June 8, 1982

Ms. Joan Lastovica
City of Cambridge
Engineering Department
147 Hampshire Street
Cambridge, MA 02139

Re: 145 Elm St., 132-136½ Hampshire Street, Cambridge, MA

Dear Ms. Lastovica:

As per our recent telephone conversation, enclosed please find a photocopy of the survey for the above-described premises. I would appreciate your letting me know what the procedure would be for obtaining an easement from the City of Cambridge so that my client may decide if he should pursue it.

Very truly yours,

KASSLER AND FEUER

Roy A. Cramer
Roy A. Cramer

RAC/mmc
enclosure



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert Healy, City Manager

Date September 15, 1982

From Charles Sullivan, Historical Commission **Reference**

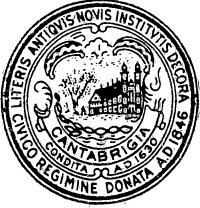
Subject 140 Elm Street

The owner of the Ivory Sands House at 145 Elm Street has applied to the City for release from the provisions of County and City orders of 1842-48 regarding the acceptance of Hampshire Street as a public way. These orders required that pre-existing encroaching buildings in the right-of-way be removed if their conditions ever required rebuilding. The Sands House is listed on the National Register of Historic Places, and the public interest now lies not in enforcing the removal requirement but in ensuring that the house is preserved in its present location.

I suggest that the way to accomplish this is to release the owner from the removal requirement on the condition that a perpetual easement or facade preservation agreement be granted to the City, to be enforced by the Historical Commission. Such agreements are a common method of securing the public's interest in building preservation; the closest precedent in Cambridge is the agreement preserving the exterior of 22 Putnam Avenue, which was required by the Council as a condition of a variance permitting commercial use in a residential zone.

The Ivory Sands House is the first of three brick houses erected by that brick-making family during the 19th century. It was built in 1839 near clay pits being dug on the Miller's River, and displayed the family's product at a time when most Cambridge houses were wood. The second Sands House is the one at 22 Putnam Avenue, built in 1848, near clay pits that were then being opened near Hoyt Field. The third house, built in 1851 near the North Cambridge pits, was demolished in the 1930s. The houses left by this family are important for their architecture and for their associations with the Cambridge brick industry.

CC: David O'Connor
CMS/pb



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

September 20, 1982

To the Honorable, the City Council:

I transmit herewith self-explanatory communication from Russell B. Higley, City Solicitor, relative to the request of the owner of property at 145 Elm Street and 132-136½ Hampshire Street for an easement which would allow the building and fences to be rebuilt to present lines if they should be damaged or destroyed by fire, etc., inasmuch as the building existed prior to the laying out of Hampshire Street in 1842.

Also enclosed is a communication from Charles Sullivan of the Historical Commission relative to this request. This matter must be referred to the Planning Board under the terms of Section 2-10 of the Code of the City of Cambridge.

Very truly yours,

Robert W. Healy
City Manager

RWH/b

E-315A

Re: Request for an easement for the property
at 145 Elm Street and 132-136 $\frac{1}{2}$ Hampshire
Street.

November 8 1982-

Order Adopted after

Hearding Roll Call

Vote 7-0-2

Copy sent to Arthur Davis, Planning Board
9/21/82 ml

In City Council,

September 20, 1982

9/20/1982

Referred to the
Planning Board
for
Report