



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307



7.

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

March 22, 1999

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 99-34, regarding property ownership issues on Regent Street, received from Public Works Commissioner Ralph Dunphy.

I have also attached an Assessors map indicating ownership of the properties located at 50 and 57 Regent Street.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachments



Ralph E. Dunphy
Commissioner

147 Hampshire Street
Cambridge, MA 02139
617-349-4800
TDD 617-349-4805

To: Robert W. Healy
City Manager

From: 
Commissioner

Date: March 16, 1999

Subject: Report on the Property Ownership Issues Raised
By the Regent Street Neighbors Relevant to the
Use of City Property for Private Use at 50 and
57 Regent Street

The area of Regent Street in front of properties 50 and 57 Regent Street are owned in part by both abutters and the City of Cambridge. The attached "street acceptance plan" shows that most of the length of Regent Street was accepted in 1877. "Minimum Standards for Acceptance" are also attached for your information. The acceptance of a street in the City of Cambridge is the "right-of-way" between the two sidelines (which is the back of the sidewalk), and the accepted length of Regent Street extends to the properties at 50 and 57 Regent Street, thus making them abutters to the roadway. Both 50 and 57 Regent Street own the remaining portion of Regent Street, which continues as a private way from where the public way terminates, to the railroad or former railroad property. We are aware of no basis upon which a right has been legally established for other residents of Regent Street to park on this privately owned property.

City Council Order No. 17, dated 12/8/96 requested a barrier be erected to close off the end of Regent Street by the railroad property. At that time, the City Engineer and the Fire Department denied this request due to public safety issues such as fire access along the railroad and other buildings. However, the sidewalks and street was found to be in unacceptable condition and DPW decided to install new sidewalks and pave the road. At that time, sidewalks were re-constructed as far down as the catch basin in front of 50 Regent Street and the sidewalk in front of 57 Regent Street. The accepted public way of Regent Street terminates approximately where the catch basin is located.

Public Works can relocate the catch basin and the sidewalk on that side and the street can be continued to the end of the building if the owner of 50 Regent Street agrees to have this done. The issue of moving the water hydrant would have to be coordinated with the owners of 57 Regent Street, the Water Department and the Fire Department.

The Fire Department informs us that they do not approve of moving the hydrant located in front of 57 Regent to the rear of the property as it is needed at that location for purposes of fire protection and public safety.



Metes and Bounds for Regent Street:

Beginning on the northeast corner of Massachusetts (formerly North Ave.) and Regent Street then turning northeasterly along Regent Street and running four hundred ninety-seven and 80/100 (497.80) feet to the end of said street; thence turning and running northwesterly forty (40) feet to a point on the westerly sideline of Regent Street; then turning and running southwesterly along the sideline of Regent Street four hundred ninety-seven and 80/100 (497.80) feet to the intersection of Massachusetts Avenue and Regent Street; thence turning and running northeasterly forty(40) feet to the point of the beginning. This is the Metes and Bounds description for Regent Street established by examining different City records, City Assessor's information, and deed research for the abutters at the end of Regent Street and the Fitchburg Railroad Company.



CITY OF CAMBRIDGE, MASSACHUSETTS
P L A N N I N G B O A R D
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 39

Minimum Standards for Acceptance of Existing Private Ways as Public Ways

1. The private way has been an existing private way for the past 20 years.
 2. The private way serves as the only access to four or more residential dwellings.
 3. The following minimum widths are required to perform the functions of a public way:

Travelled way - 1 direction:	10 feet
Sidewalk - raised and separated from travelled way by curbing	4 feet
Curb parking lane	8 feet
- Thus the following minimum widths of right-of-ways for laying out a way in the following manner are required:
- a. one-way travel with sidewalk on one side and parking on one side 22 feet
 - b. one-way travel with sidewalks on both sides and parking on one side 26 feet
 - c. one-way travel with sidewalks on both sides and parking on two sides 34 feet
 - d. two-way travel with sidewalks on two sides with no parking anytime 28 feet
 - e. two-way travel with sidewalks on two sides with parking on one side 36 feet
 - f. two-way travel with sidewalks on two sides with parking on two sides. 44 feet
4. The street must be either a through street, connecting two or more public ways, or a two-way dead end street with a cul-de-sac with a minimum turning radius of 25 feet at the end.
 5. There must be no other physical or legal encumbrments on the right-of-way.
 6. The way must meet all other zoning regulations and not create a potential violation of the Zoning Ordinance or nonconformity.

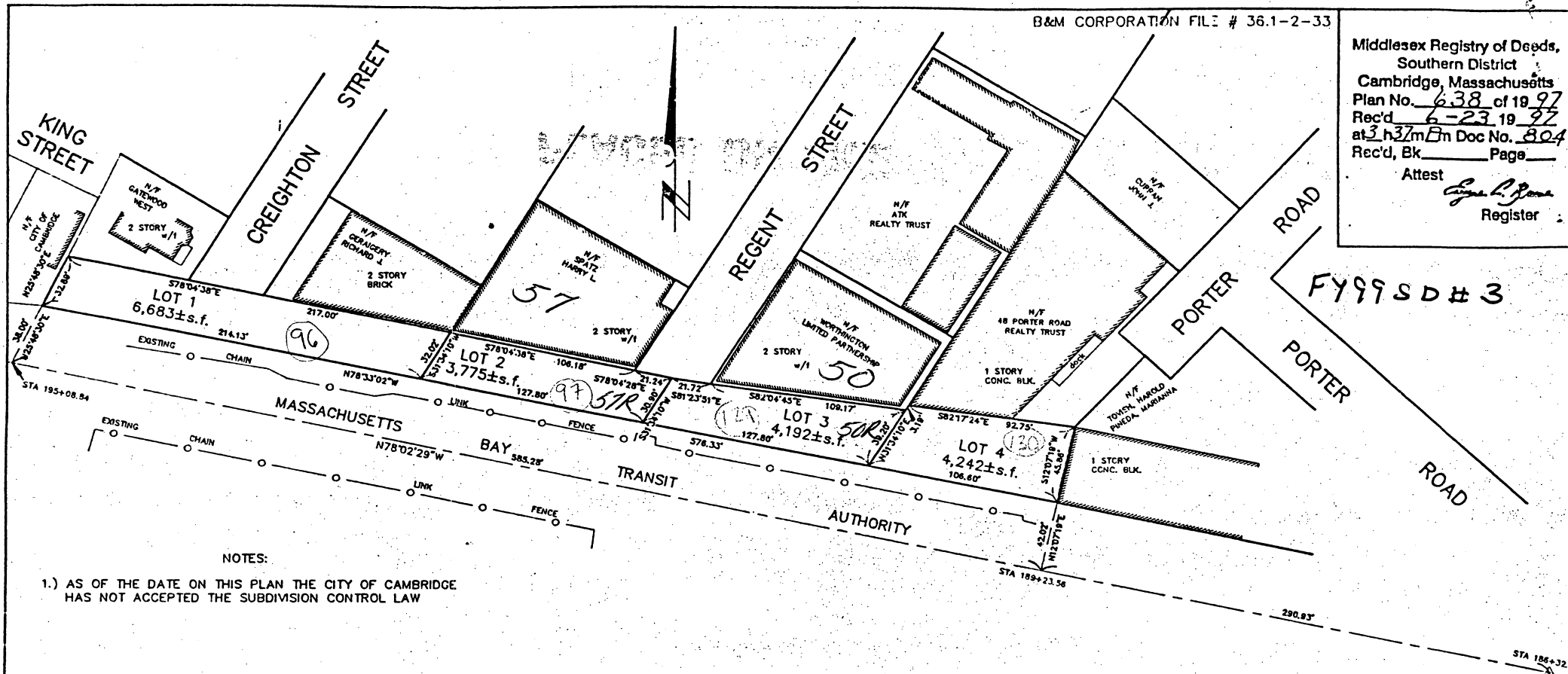
Adopted by vote of the Planning Board
October 7, 1969

24 Thordike $\frac{1}{2}$ Second
1

Middlesex Registry of Deeds,
Southern District
Cambridge, Massachusetts
Plan No. 638 of 19 97
Rec'd 6-23 19 97
at 3:37 PM on Doc No. 804
Rec'd, Bk _____ Page _____

Attest

Charles E. Dwyer
Register



NOTES:

- 1.) AS OF THE DATE ON THIS PLAN THE CITY OF CAMBRIDGE HAS NOT ACCEPTED THE SUBDIVISION CONTROL LAW

PLAN REFERENCE: MIDDLESEX SOUTH REGISTRY OF DEEDS

PLAN BOOK 32 PLAN 12
PLAN BOOK 57 PLAN 7
PLAN BOOK 101 PLAN 13
PLAN BOOK 117 PLAN 36
BOOK 5636 : PAGE 183
BOOK 6826 : PAGE 536
BOOK 7164 : PAGE 105
BOOK 9803 : PAGE 460
BOOK 11112 : PAGE 332

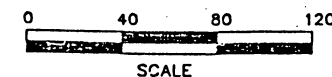
PLAN OF LAND
CAMBRIDGE, MA
BOSTON AND MAINE CORPORATION

TO
ALBERT W. BUSSINK, HARRY L. SPATZ,
DAVID LILLEY, PHIL LIPMAN & ALBERT W. BUSSINK,
AND 48 PORTER ROAD REALTY TRUST
BY

Otte & Dwyer, Inc.

LAND SURVEYORS

P.O. BOX 982 (617) 233-8155
SCALE: 1" = 40' JUNE 10, 1997



THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS FOR RECORDING ADOPTED BY THE REGISTERS OF DEEDS IN 1978 AND AMENDED JANUARY 12, 1988.

6-10-97

Charles E. Dwyer

I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL SURVEY BY OTTE & DWYER, INC.—LAND SURVEYORS IN MAY OF 1997.

6-10-97

Charles E. Dwyer
PROFESSIONAL LAND SURVEYOR
FOR OTTE & DWYER, INC.

B&M CORPORATION FILE # 36.1-2-33

Consent Regent #7. S-188 3

Communication relative to
Awaiting Report Item Number
99-34, regarding property
ownership issues on Regent
Street.

In City Council March 22, 1999.

PLACED ON FILE