



City of Cambridge

Consent Communication #1

IN CITY COUNCIL

April 27, 1998

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.

Gary Jefferson

52 Concord Avenue

In City Council April 27, 1998.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script that reads "D. Margaret Drury". The signature is written in dark ink and is positioned to the right of the "ATTEST:-" text.

D. Margaret Drury
City Clerk



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

March 3, 1998

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Gary Jefferson, requesting curb cuts *at the premises numbered 52 Concord Avenue, Cambridge, Massachusetts*. The City Council has directed that all curb cut petitions be submitted to the appropriate Neighborhood Associations for the locality where the curb cut would be made, so that the association may have an opportunity for review, prior to action by the City Council.

Please indicate by return mail your approval or disapproval of the petition within twenty one days from the date of this letter. If the response is "disapproval" please state reasons. Be sure to sign the form and include a daytime phone number. I have enclosed a self-addressed stamped envelope to facilitate your reply.

As soon as this office has received both the completed application and your neighborhood association response, I will place the petition on the agenda for the next City Council meeting. If I do not receive a response from your neighborhood organization by twenty one days from the date of this letter, I will place the petition on the agenda for the next City Council meeting.

If your neighborhood association cannot complete its review by twenty one days from today, you may extend the reply time another seven days by requesting an extension by letter to me with a copy to the petitioner. However, I urge you to make every effort to complete your review as soon as possible.

Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
City Clerk

Name of Neighborhood Association: Bellis Circle Association - Thea Lahti
hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



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Thank you for your cooperation.

Sincerely yours,

D Margaret Drury
D. Margaret Drury
City Clerk

Name of Neighborhood Association: Neighborhood Nine Association - Mary Jane Kornacki
hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____ *called 3/25 said odd side of Concord is Neigh 9 even " " " Neigh 10*

Signature of authorized association representative _____ *resent to Neigh 10 3/25/98*

Daytime telephone no. _____

cc: Petitioner

CITY HALL, 795 MASSACHUSETTS AVENUE CAMBRIDGE, MASSACHUSETTS 02139



RECEIVED BY
OFFICE OF CITY CLERK
98 APR -8 AM 10 14
CAMBRIDGE MA.

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

March 25, 1998

DONNA P. LOPEZ
DEPUTY CITY CLERK

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Mary A. Jefferson, requesting curb cuts *at the premises numbered 52 Concord Avenue, Cambridge, Massachusetts.* The City Council has directed that all curb cut petitions be submitted to the appropriate Neighborhood Associations for the locality where the curb cut would be made, so that the association may have an opportunity for review, prior to action by the City Council.

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Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
City Clerk

Name of Neighborhood Association: Harvard Square Defense Fund - Gladys Gifford

hereby _____ approve _____ disapprove of said driveway petition.

Comments: This is not in area we review so I want

Signature of authorized association representative: Gladys Gifford *comment*

Daytime telephone no. 617 864-8376

cc: Petitioner



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

RECEIVED BY
OFFICE OF CITY CLERK
97 MAY 21 AM 11:33
CAMBRIDGE MA.

874

CASE NO: 7431

LOCATION 52 Concord Avenue Residence C-1 Zone
Cambridge, MA

PETITIONER: Gary H. Jefferson & Leslie R. Warner

PETITION: Variance: To construct an addition to existing structure and to create parking space within the required front yard setback.

VIOLATIONS: Art. 5.000, Sec. 5.31 (Table Of Dimensional Requirements). Art. 6.000, Sec. 6.44.1.C (On Grade Open Parking Space).

DATE OF PUBLIC NOTICE: March 24 & 31, 1997

DATE OF PUBLIC HEARING: April 10, 1997

MEMBERS OF THE BOARD:

Lauren Curry - Vice-Chair
Charles Pierce
Michael Wiggins
John O'Connell
Thomas Sieniewicz

X
X
X
X
X

ASSOCIATE MEMBERS:

Susan Spurlock
Theodore Hartry
Arch Horst
Laura Kershner
James Daniel
David Gray Hanson

X

Members of the Board of Zoning Appeal heard testimony and viewed materials submitted regarding the above request for relief from the requirements of the Cambridge Zoning Ordinance.

The Board is familiar with the location of the petitioner's property, the layout and other characteristics as well as the surrounding district.

File # 24609-248

13.00

577

MSD 06/12/97 02:24:19

Case No.: 7431
Location: 52 Concord Avenue
Petitioner: Gary H. Jefferson & Leslie R. Warner

On April 10, 1997, Gary Jefferson and his architect, Mark Boyes-Watson appeared before the Board of Zoning Appeal seeking a variance to construct an addition to an existing structure and to create a parking space within the required front yard setback at 52 Concord Avenue. The applicants submitted plans, drawings and photographs detailing the proposed project.

Mr. Jefferson stated that the petitioners are proposing to install a single off street parking space that is to be located in the front of the house to the right, and that this is to be a brick over sand driveway for a single car. He stated that the other part of the proposal is to repair part of the house, and then build out a small addition, which would improve the aesthetics of the structure. He stated that the off street parking space is for safety and convenience of an infant, and that the addition to the house is to expand the existing living space. He stated that the petitioners have considered parking on the other side of the existing house, and that would require a land swap or an easement from the neighbor on that side, and that the abutters were unable to make any alterations to accommodate this parking situation.

The Chair read into the record a memorandum, dated April 8, 1997, from the Planning Board which stated:

"The Board is generally opposed to the location of parking facilities in required front yards, most especially where there is a consistent pattern of building orientation and parking space placement along a street that would make front yard parking particularly visible and disruptive. In this case, while the Board cannot recommend the granting of the requested variance, there does seem to be a less regular pattern of development that might justify a more flexible application of the general rule against front yard parking: it is a mixed neighborhood of wood-frame housing and large brick apartment buildings with a conspicuous institutional presence, there are varying setbacks (from no front yard to large front setbacks) for both structures and parking, and prominent surface parking facilities are present in the area."

Robert Cesari, of 54 Concord Avenue, Unit #402, and a trustee of Concord Arms, stated that Eileen Neilson and three other trustees of the Concord Arms were at the hearing, Mr. Cesari stated that the proposed addition is setting a precedent in having any structure on that property, where the two structures, his and the petitioners, are already fairly close closer together. He further stated that the front yard parking space is too close to the property line, and there are concerns with aesthetics, and loss of on street parking, and the feasibility of constructing a parking space with respect to the proximity of 54 Concord's foundation to the property line.

Marsha Vannicelli, of 54 Concord Avenue, Unit #202, and Margaret Vanderlippe, of 54 Concord Avenue, Unit #303, submitted a letter in which they stated that they have no objection to the structure, but do object to the parking proposal. Another letter was also on file from Katherine Canfield, of 56 Concord Avenue, which stated that she is in opposition to the petition for the creation of a parking space within the front yard setback. No other abutters were present and no other letters were submitted to the file indicating any support of or opposition to the proposed variance.

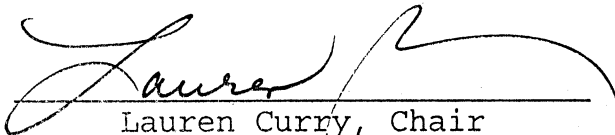
After discussion, the Chair moved that the variance to renovate the exterior of the property at 52 Concord Avenue, including an expansion of the existing section of the house on the right side of the building, be granted with the following conditions: 1) that the construction and renovation be in approximate conformity with the plans, which have been submitted with the application, prepared by Boyes-Watson and Winny Architects for Jefferson House and dated March 26, 1997. The five member Board voted unanimously to grant the variance.

The Chair moved that a hardship be found to exist at 52 Concord Avenue which differentiates this property from neighboring properties, particularly with regard to the topography of the lot, which includes a slope greater than 30 degrees making the creation of a ramp driveway to the rear a hardship or an impossibility, and that the hardship is also due to the situation of existing buildings on the lot because the siting of the house does not permit an adequate width of a driveway to fit between the house and the property line on either side of the house also arises out of the shape of the lot to the other side because it is not a straight line.

The Chair further moved, on the basis of that hardship that the variance to allow one (1) parking space, partially intruding into the required front yard setback of the property, at 52 Concord Avenue, be granted on the condition that the construction of the parking space, as shown on the plans, be done in approximate conformity with the plans, the surfacing be in brick pavers, and that the parking space created be landscaped approximately as shown in the landscaped diagram, although variations can be accommodated as requested by the neighbors to that side of the building. Four members of the Board voted in favor of the variance for one (1) front yard parking space, while one member abstained. Thus, the findings of hardship and granting of a variance were approved.

The Board based its decision on the above findings and on the hardship caused the Petitioner by the literal enforcement of the Ordinance. The hardship is owing to the shape and location of the structures and the land on which they are situated, but does not affect generally the zoning district in which they are located. The Board also found that desirable relief could be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Ordinance.

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the petitioner in any way from the duty to comply with local ordinances and regulation of other local agencies, including, but not limited to the Historical Commission, License Commission and/or compliance with requirements pursuant to the Building Code and other applicable codes.


Lauren Curry, Chair

Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on May 21, 97 by Maria Pacheco, Clerk.

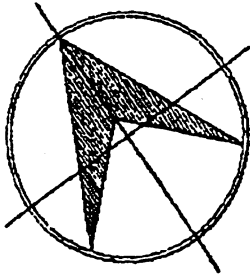
Twenty days have elapsed since the filing of this decision

No appeal has been filed ✓.

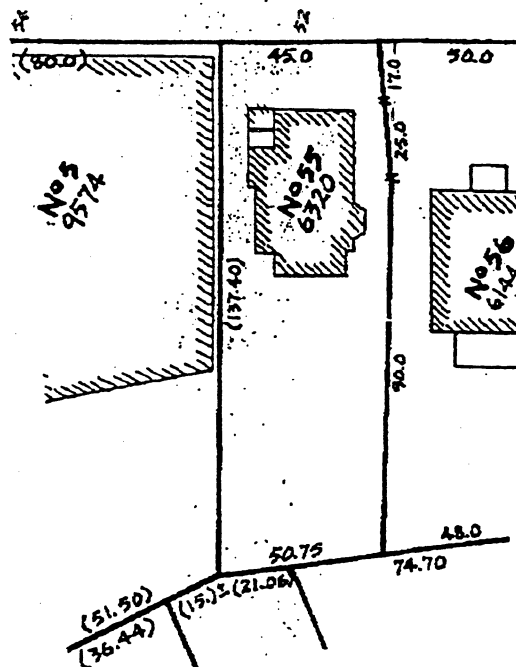
Appeal has been filed and dismissed or denied _____

Date JUN. 12 1997 KD. Margaret Curry City Clerk.

PLOT PLAN



CONCORD AVE.



SCALE : 1" = 40 ft.

DATE : April 27, 1994

PREPARED FOR :

LOCATION : 52 CONCORD AVENUE, CAMBRIDGE, MA.

"REFERENCES"

DEED BOOK 5433 PAGE 413

PLAN Assess. Map # 225 Lot # 55

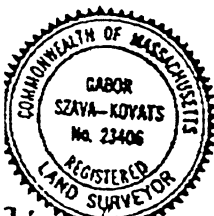
BOUNDARY REFERENCES RECORDED AT
THE MIDDLESEX COUNTY
S. DISTRICT REGISTRY OF DEEDS.

NOTE : This plot plan for mortgage use only.

Offsets are not to be used to establish property lines.

I hereby certify that the building shown on the above parcel is situated Approximately as shown on this plan and entirely within the boundaries of the lot and in compliance with the Zoning Regulation of the Town/City of Cambridge.

I also certify that the location of the above property does not lie within the Flood Hazard Area as delineated on a plan for the community Panel # 250 186 0002 B. by the Federal Dept. of Urban Development, Federal Insurance Administration Dated: July 5, 1982.



Gabor Szava-Kovats

Aerosurveys, Mapping and Engineering
P.O. Box # 8511, Lowell, MA. 01853
Tel : (508) 649 - 2494

*Copy of
letter mailed*

January 31, 1998
52 Concord Avenue
Cambridge, MA 02138

Dear Neighbors,

Last year the City of Cambridge granted us two variances. One was for the purpose of renovating the side of our house looking up Concord Avenue; the second was for the installation of a single off-street parking space. We have largely completed the renovation work. We are now preparing to proceed with the off-street parking.

The variance requires that

the construction of the parking space, as shown on the plans, be done in approximate conformity with the plans, the surfacing be in brick pavers, and that parking space created by landscaped approximately as shown in the landscaped diagram....

Most of the plants will be evergreens; the tree shown at the front of the driveway will be a flowering tree, probably a magnolia. We are open to any suggestions that neighbors may have in this regard.

As part of the approval process for a curb cut, the City requires that we circulate the plan and enclosed "abutter's form" to our immediate neighbors. We request that you look over the enclosed plan, fill out the form, and return it to us at your earliest convenience. In any event, we would very much appreciate receiving the form by Sunday, February 22.

Should you wish to discuss any aspect of the project, please feel free to call us at 497-7003. Thank you very much.

Sincerely yours,

Leslie Warner

Gary Jefferson

encl:

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of (your address)
7 Healey Street

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 52 Concord Ave

Signed:

Susan Ruff

Date:

2.4.98

Address:

7 Healey St. Camb. MA 02138

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of 50 Concord Ave



approval

Cambridge, Massachusetts, I do hereby declare

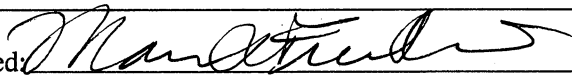


disapproval

of the installment of:

Off-Street Parking Facility located at 52 Concord Ave

Signed:



Date:

FEB. 4, 1978

Address:

50 Concord Ave

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

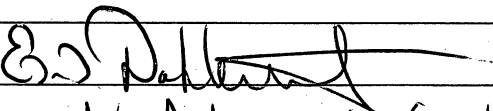
As owner or agent of Harvard Astronomy Dept / Smithsonian

☐ approval

Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at 52 Concord Ave Cambridge

Signed:  Date: 3/2/99

Address: 10 N Auburn St Cambridge MA 02138

TO BASEMENT

5'-6"

UP

NEW ± 3'-0"
DRYSTONE
RETAINING WALL

property line

WALL AT #54
CONCORD AVE.

NEW BRICK DRIVEWAY

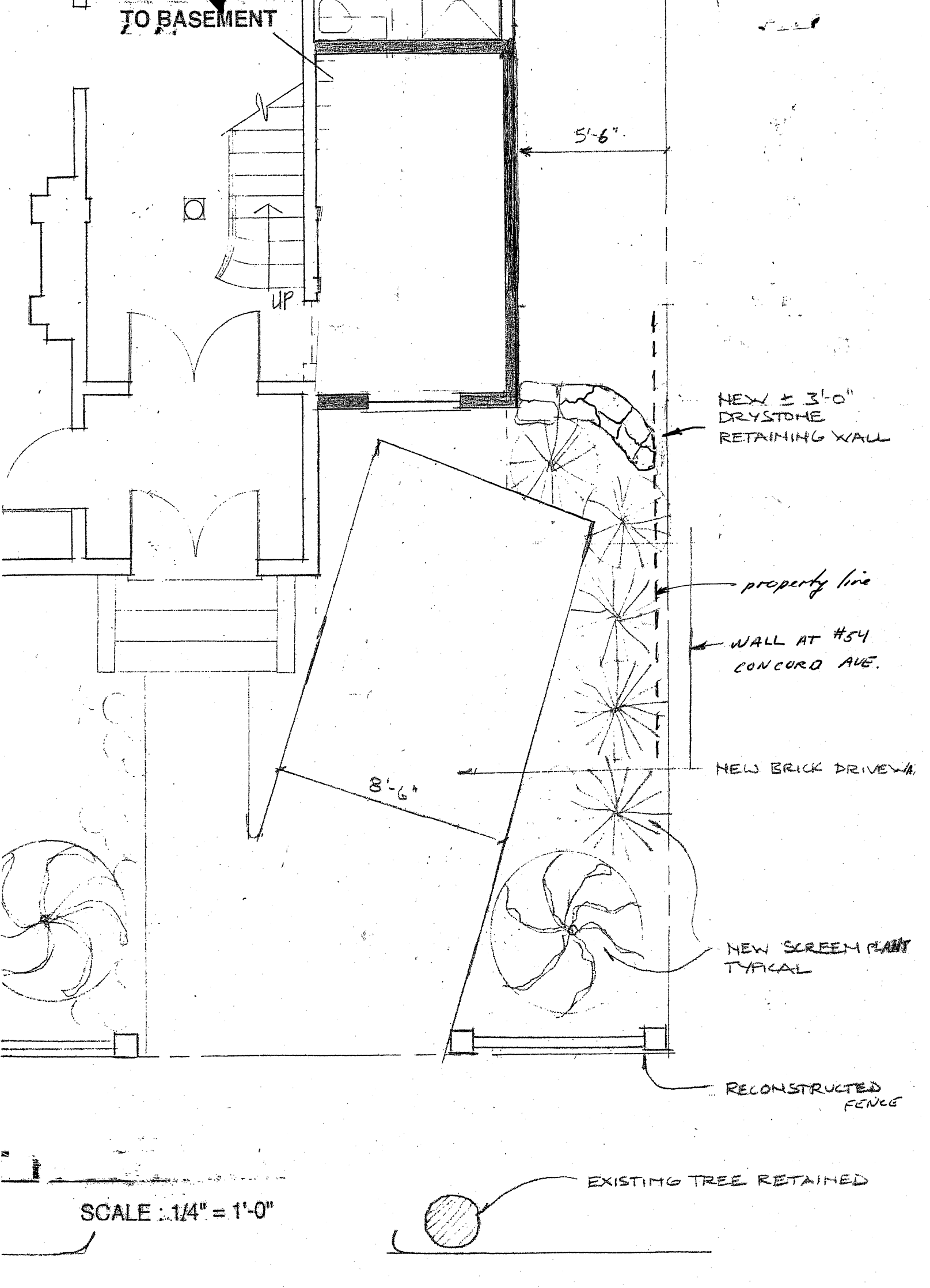
8'-6"

NEW SCREEN PLANT
TYPICAL

RECONSTRUCTED
FENCE

EXISTING TREE RETAINED

SCALE : 1/4" = 1'-0"



#199F0303

RECEIVED BY
98 MAR 24 AM 10
CITY OF CAMBRIDGE
CAMBRIDGE MA.

49 APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE



98 MAR 4 PM
INSPECTIONAL SERVICES
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 abutters.

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: 2/28/98

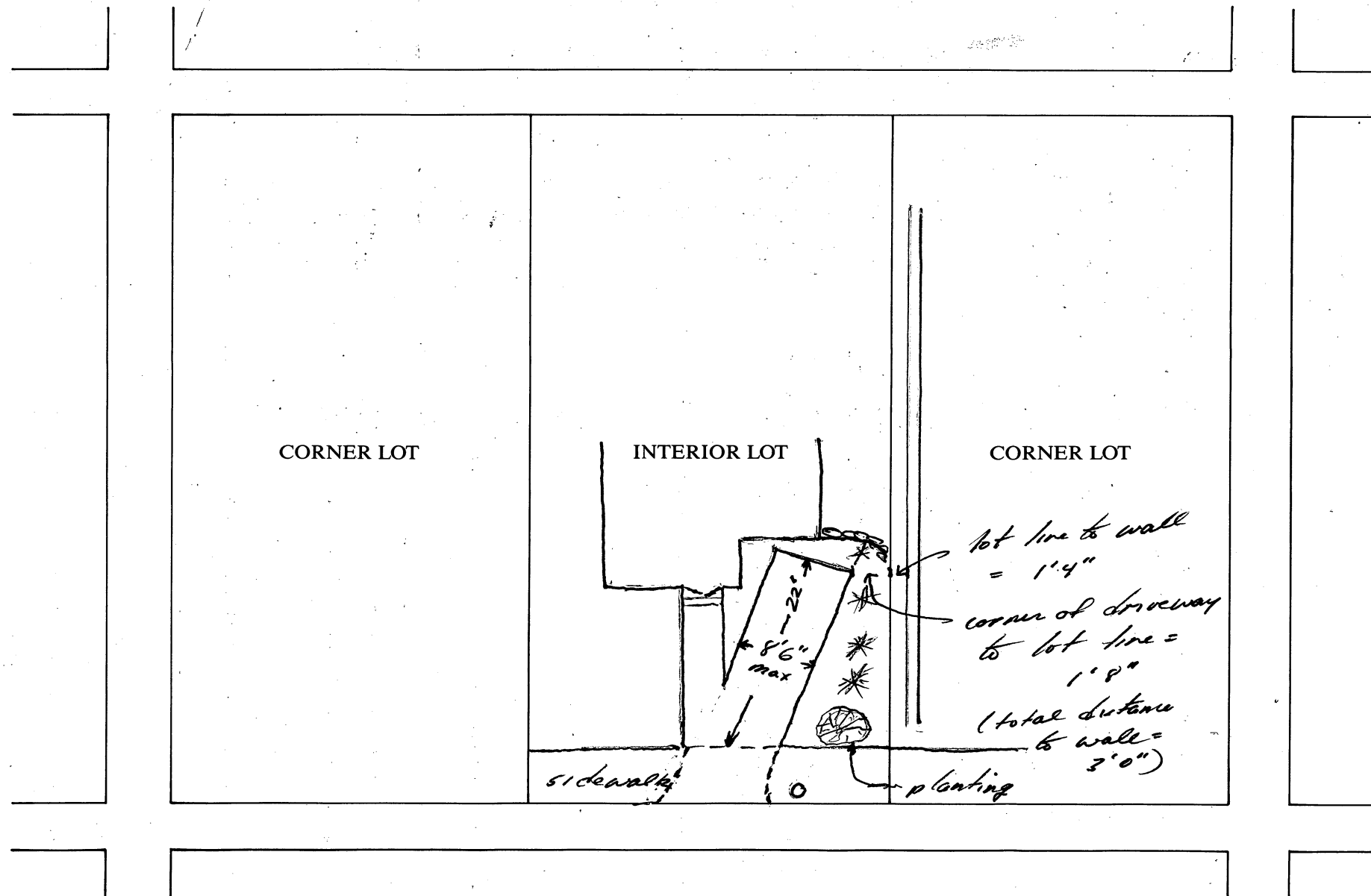
PART I:

Address of proposed curb cut or off-street parking facility: <u>52 Concord Ave</u>	
Frontage: <u>45.0</u>	Block and Lot: <u>Block #</u> <u>Lot #55</u>
Setback (distance from building to sidewalk): <u>16.3' (16' 4")</u>	
Distance from proposed driveway to surrounding structures and property line: _____	
Dimensions of proposed driveway: <u>22' x 8'-8 1/2"</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>city tree to one side (see sketch) to be retained.</u>	

- ☒ Plot plan is included
- ☒ Sketch of driveway with cost estimate is included
- ☒ All abuttor's forms are included (except for 54 Concord Avenue - neighboring condominium - which was not returned.)

DRAWING 1:

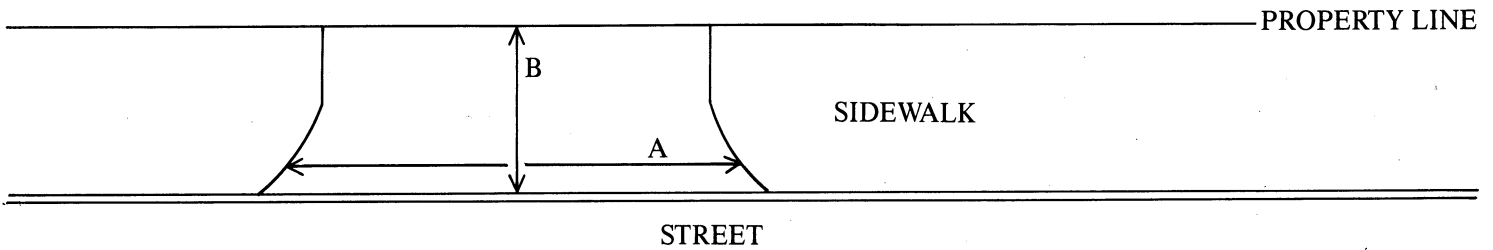
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = 10 \text{ FT.} \div 3 = 3.33 \text{ YARDS}$$

$$B = 7.5 \text{ FT.} \div 3 = 2.5 \text{ YARDS}$$

$$A \times B = 8.33 \text{ SQUARE YARDS}$$

COST ESTIMATE:

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

BRICK ON CONCRETE: 8.33 SQUARE YARDS $\times$ \$85/SQUARE YARD = \$ 708

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: *Ray W. Affler* Date: 2/28/98

Address: 52 Concord Avenue (497-7003) h

(781-736-2253) o

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved

☐ Application denied

BZA # 7431

Reason:

Signature:

Date:

Title:

ZONING

3/6/98

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

Date:

Title:

DEPT TRAFFIC DIV.

3-16-98

PART IV: HISTORICAL COMMISSION

☒ Application approved

☐ Application denied

Reason:

Signature:

Date:

Title:

Designated Property Administrator

3-16-98

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

Date:

Title:

City Engineer

3/20/98



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

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D. MARGARET DRURY
CITY CLERK

March 25, 1998

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D. Margaret Drury
City Clerk

Name of Neighborhood Association: Harvard Square Defense Fund - Gladys Gifford

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



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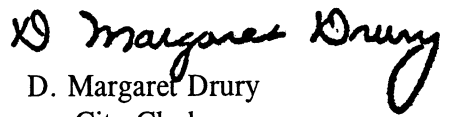
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Name of Neighborhood Association: Neighborhood 10 Association - Stuart Lesser, Chair

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner
CITY HALL, 795 MASSACHUSETTS AVENUE CAMBRIDGE, MASSACHUSETTS 02139

Consent Communication #1

H-34

Petition was received from Gary Jefferson,
requesting a curb cut at the premises
numbered 52 Concord Avenue.

In City Council April 27, 1998

ORDER ADOPTED