

#05012003

CITY OF CAMBRIDGE

TRAFFIC APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

JUL 31 PM 2:32 CITY OF CAMBRIDGE
AUG 6

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 abuttor(s).

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 signed forms from abuttor(s) on the sides and rear of the property and from all property owners located across the street(s) from the property.

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

Zoning Officer
Inspectional Services
831 Massachusetts Avenue
Cambridge, MA 02139

RECEIVED

AUG 08 2003

CAMBRIDGE HISTORICAL
COMMISSION

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, 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:

5/6/03
11/14/02

PART I:

Address of proposed curb cut or off-street parking facility: <u>54 Garfield Street</u>	
Frontage: <u>65 feet</u>	Block and Lot: <u>155 Lot #7</u>
Setback (distance from building to sidewalk): <u>20 feet</u>	
Distance from proposed driveway to surrounding structures and property line: <u>10 feet to hse @ 54 Garfield, 2 ft to property line</u>	
Dimensions of proposed driveway: <u>10 ft wide x 60 feet long</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>none</u>	

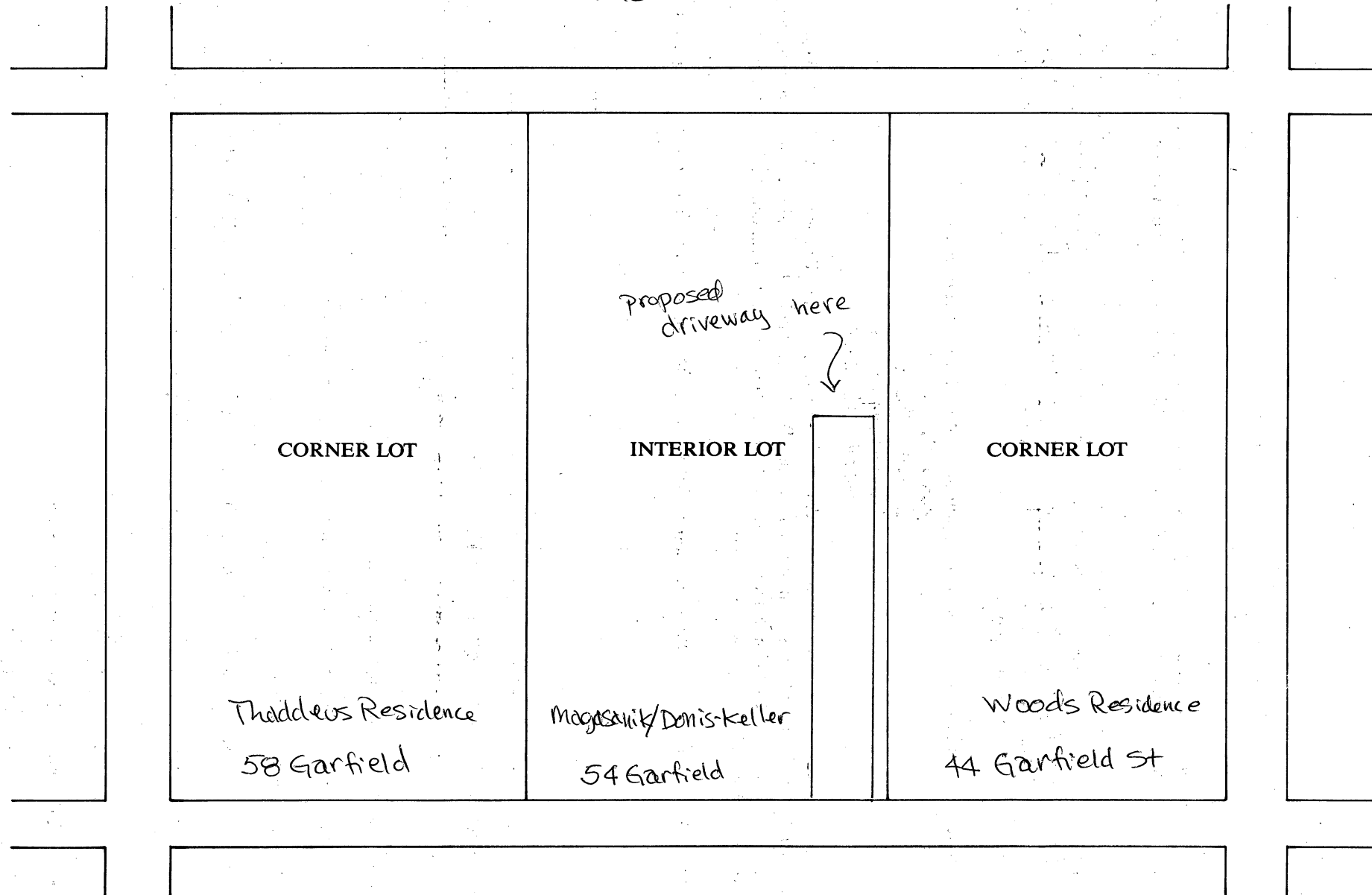
- ☒ Plot plan is included
- ☒ Sketch of driveway with cost estimate is included
- ☒ All abuttor's forms are included

Control #
63552003 AUG 22 A 10:33
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

DRAWING 1:

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

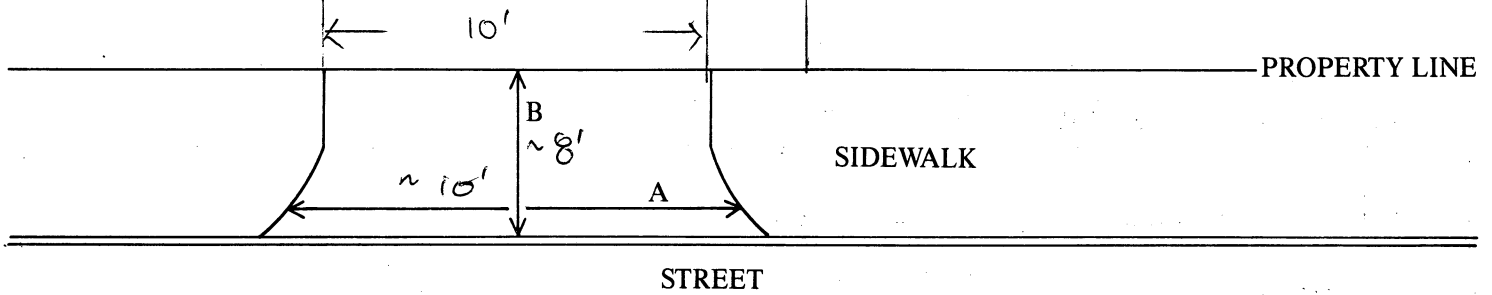
Sacramento Field



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = 10 \text{ FT.} \div 3 = 3.3 \text{ YARDS}$$

$$B = 60 \text{ FT.} \div 3 = 20 \text{ YARDS}$$

$$A \times B = 66 \text{ SQUARE YARDS}$$

COST ESTIMATE:

*we will not require services
of dept. of public works*

BRICK: 66 SQUARE YARDS $\times$ \$70/SQUARE YARD = \$ 4620

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:

Helen Denis-Keller 617-661-7706

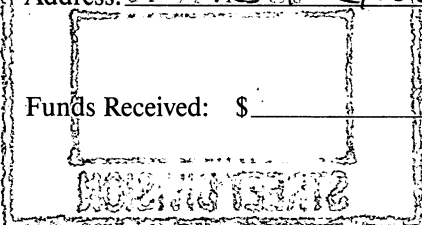
Date: *5/6/03*

Address:

54 Garfield Street

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:

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:

NOTE - CITY TREE MUST BE
Trimmed prior construction



Control # 6355



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

May 16, 2003

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Helen Donis-Keller, requesting a curb cut *at the premises numbered 54 Garfield Street, 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

Agassiz Neighborhood Council - Terry Delancey

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no.

cc: Petitioner



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CITY OF CAMBRIDGE

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FAX (617) 349-4269

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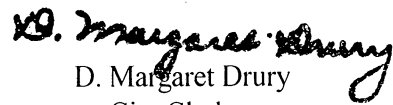
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Agassiz Committee on the Impact of Development – Willie Bloomstein

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no.

cc: Petitioner



AGASSIZ NEIGHBORHOOD COUNCIL

20 Sacramento Street, Cambridge, MA 02138

(617) 349-6287

2003 MAY 29 A 10:34

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

May 27, 2003

D. Margaret Drury
Office of the City Clerk
795 Mass. Ave.
Cambridge, MA 02139

Dear Ms. Drury,

Please accept this as an official request for a time extension regarding the curb cut request for 54 Garfield Street in Cambridge. Our executive director is away until June 2nd, and will not be able to way in on this matter until that time. We would like to apply for the seven-day extension, as mentioned in your letter to us.

Please feel free to contact me should you have any questions regarding this request.

Sincerely,

Jonathan McMullen
Assistant to the Executive Director

(617) 349-6287 x 23
jmcmullen@agassiz.org

cc: Helen-Donis-Keller of 54 Garfield Street, Cambridge, MA.



OFFICE OF THE CITY CLERK A 11: 17
CITY OF CAMBRIDGE

(617) 349-4260 OFFICE OF THE CITY CLERK
FAX (617) 349-4269 CAMBRIDGE, MASSACHUSETTS
tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

May 16, 2003

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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.

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Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
D. Margaret Drury
City Clerk

Agassiz Neighborhood Council - Terry Delancey

hereby _____ approve _____ disapprove of said driveway petition.

Comments: *we spoke to one neighbor who approves of the cut. we take no stand, since we are not met as an organization.*
Signature of authorized association representative

Daytime telephone no. *617 349 6287 x17*

cc: Petitioner

2003 JUN 11 A 11:18

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

RECEIVED
JUN 11 2003
CITY CLERK
CAMBRIDGE, MASSACHUSETTS

RECEIVED

May 6, 2003

Inspectional Services Department, City of Cambridge

Cambridge City Clerks Office

Cambridge Neighborhood Association

Cambridge City Council:

Enclosed please find our application for a curb cut for our property located at 54 Garfield Street. Also enclosed are photographs of the proposed driveway area and a plot plan of our property.

One of the abutters, Mr. Patrick Thaddeus who resides at 58 Garfield Street approves of our proposal and he has signed the abuttor's form. Mr. Sullivan who resides at 49 Garfield street indicated that he would not block our proposal but he declined to sign the abuttor's form, stating that we should make it clear in the application that we had a discussion on April 13, 2003 concerning this matter and that he would not oppose our proposal for a curb cut and driveway.

One of the other abutters, Mr. and Mrs. Woods, who reside at 44 Garfield Street signed the form, but did not approve or disapprove, offering instead a list of concerns. We address their concerns, point by point, in this letter.

Mr. and Mrs. Woods are concerned that we might place snow on their property if our proposal is approved.

We would not consider dumping snow that falls on our property on Mr. and Mrs. Woods' property. There is ample room on our property for the removal of snow.

Mr. and Mrs. Woods are concerned about the removal of "two low growth mature trees," the reduction of green space between our properties, and they believe and that our plans for a brick driveway adjacent to their asphalt driveway would be "aesthetically unpleasant."

As evident in the enclosed photograph, both trees, which are quite small (neither is 6" across at chest height), have suffered decapitation due to harsh weather several years ago. One has suffered additional disease as evident from the scars and missing bark near the base (see arrows on photograph). We agree that there will be a small reduction of green space on our property if the application is approved. Our choice of brick as a surface for the driveway was made specifically to remain constant with the integrity and general aesthetic of the neighborhood and to provide a match to the brick sidewalks on both sides of Garfield Street.

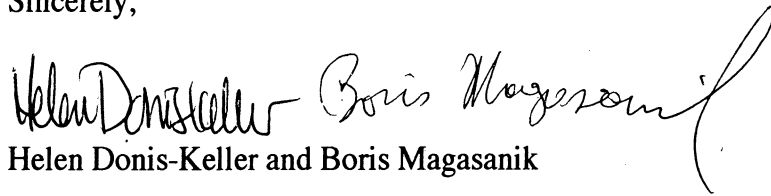
Mr. and Mrs. Woods apparently object to the fence we installed in our backyard but propose that we install an additional 55 feet of fence.

The fence does not violate any city regulations and is identical to fences on two other properties on our side of the street. The fence was installed to provide us with a measure of privacy and to shield our view of Mr. and Mrs. Woods' double row of garbage containers located on the edge of the property line along with the industrial size security light mounted on their garage at the rear and to shield our view of Mr. and Mrs. Woods' car which they routinely park on the edge of the property line in the rear, facing our garden. We have no desire to install another fence. Mr. and Mrs. Woods are certainly free to install a fence on their property.

We submit this application so that we can install a brick driveway, which will allow us to park our car off the street. This would be very helpful for us and for the neighborhood particularly during the winter when street parking and snow removal is an

issue. In addition, at the present time we do not have ready access to the rear of our property for delivery of gardening supplies such as mulch and no access for workers and equipment to trim the trees. Our neighbors, the Woods have been reluctant to allow us the use of their driveway, even for deliveries. At this time we wish to move ahead with our plan for a brick driveway and hope that you will review our application favorably.

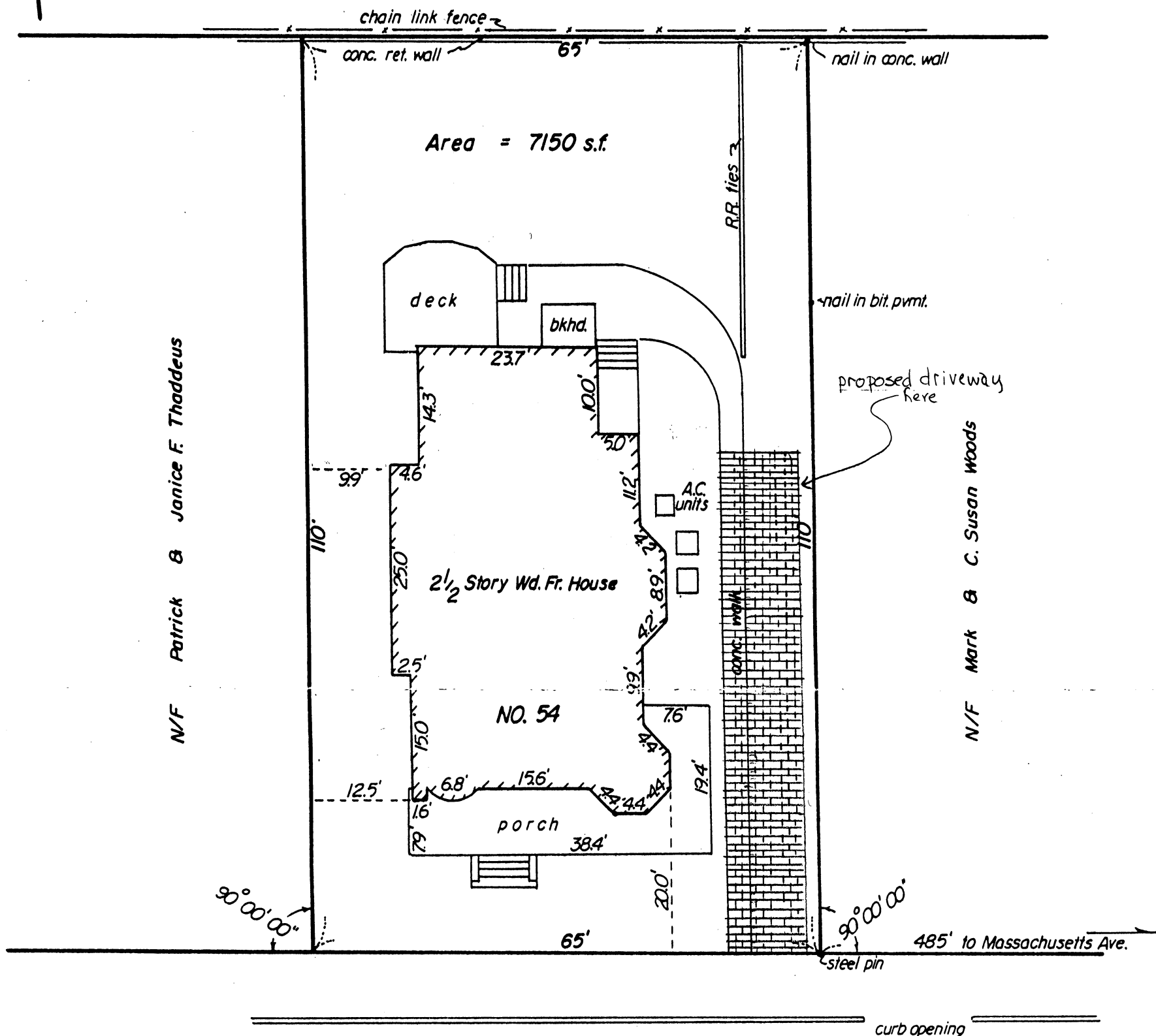
Sincerely,

A handwritten signature in cursive script, appearing to read "Helen Donis-Keller Boris Magasanik". The signature is written in dark ink and is positioned above the printed names.

Helen Donis-Keller and Boris Magasanik



CITY OF CAMBRIDGE



GARFIELD

(Public - 50' Wide)

STREET

PROPERTY REFERENCES:

Middlesex South Registry of Deeds

Bk. 11042, Pg. 444

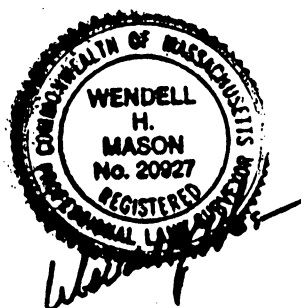
Bk. 17029, Pg. 392

Bk. 8998, Pg. 128

L.C.C. 41575A

This plan is based on field survey on Jan. 3 and Jan. 6, 2000, and plans and deeds of record.

Wendell H. Mason



PLOT PLAN

54 GARFIELD ST.

CAMBRIDGE, MASS.

SCALE: 1" = 16'

JAN. 10, 2000

W. H. MASON
122 ESSEX ST.

PROF. LAND SURVEYOR
BEVERLY, MA 01915

City of Cambridge

PROCEDURE WITH RESPECT TO DRIVEWAY CUTS, OPENINGS AND OFF-STREET PARKING SPACES OR FACILITIES

1. An applicant may obtain an Application for Driveway Cuts and Openings at the Department of Public Works or Inspectional Services Department.
2. In addition to the application itself, (and the sketch required on the application form), the applicant must include a plot plan to scale which illustrates the driveway cut and the layout of the proposed on grade, off-street parking space, spaces or facility.
3. The applicant must also include signed forms from abutters on the sides and rear of the property and from all property owners located across the street(s) from the property. If the applicant is unable to obtain these signatures, he/she must include a statement with the application that an attempt was made to secure the required signatures and that it was not possible to obtain them and indicate the reasons why it was not possible to obtain the signatures.
4. The applicant shall submit the application, together with the plot plan and the abutter's forms, shall be first submitted to the Inspectional Services Department, located at 831 Massachusetts Avenue. The Inspectional Services Department will (1) immediately send a copy of the application to the City Clerk's Office to start the neighborhood association notification process, and (2) review the application for completeness of application, inclusion of abutter's forms and compliance with the City of Cambridge Zoning Ordinance.

Curb cut requirements are detailed in Section 6.40 of the Zoning Ordinance. Following are some of the more significant requirements that must be met to comply with zoning:

- a. A curb cut cannot be located closer than twenty five (25) feet to a street intersection or within fifteen (15) feet of a crosswalk.
- b. The driveway must be at least ten (10) feet wide.
- c. For lots having less than 100 feet of frontage, a maximum of only one curb cut is allowed.
- d. The required size of the parking space is 8 1/2 feet by 18 feet. The parking space cannot be located within the front yard setback.

If the Inspectional Services Department makes a determination that the curb cut is not in compliance with the Zoning Ordinance, the applicant has the following options: discontinuing the application process; modifying the application to bring it into compliance with the Zoning Ordinance; appealing the Inspectional Services determination to the Board of Zoning Appeals (BZA); or requesting from the BZA a variance from the Zoning Ordinance. If the applicant is not successful with the appeal or variance request before the BZA, recourse is through the courts.

5. The City Clerk will notify neighborhood associations in the area of the petitioner and will send a copy of this notification to the applicant. Notification will include a copy of the plot plan or drawing submitted with the

application and will request that the neighborhood association inform the City Clerk whether it approves or disapproves of the application. Petitioners are urged to contact their neighborhood association early to avoid delay.

6. If the Inspectional Service Department (or the Board of Zoning Appeal) approves the application, Inspectional Services will then send it to the Department of Traffic, Parking and Transportation. If Traffic and Parking refuses to approve the application, it will so inform the applicant.
7. If the application is approved by Traffic and Parking, that department will then send the application to the Historical Commission. If the Commission approves, the Commission will send the application to the Department of Public Works. If the Commission disapproves the application, the applicant may appeal under statutes and ordinances governing the administration of historically designated properties, information about which may be obtained from the Commission.
8. If the Department of Public Works (DPW) approves the application, DPW will send the application to the City Clerk's Office. If DPW disapproves the application, it will notify the applicant.
9. When the City Clerk receives a response from the neighborhood association(s), or, if no response is received, then no sooner than 21 days after the initial notification of the neighborhood associations (see no. 5 above) the Clerk will place the application on the next City Council agenda. If the City Council approves the application, the City Clerk will notify the applicant and will send the application back to the Department of Public Works. The cost of the driveway construction will be calculated and the driveway will be put on the schedule and a date assigned for construction. The applicant must pay in full for the construction cost, based on the cost indicated, within two weeks before the estimated start of construction. No construction will begin unless the full cost of the driveway has been paid for in advance.

In certain cases, the Department may arrange with the applicant to have the driveway done by a private contractor; however, the contractor will have to post a bond, obtain a permit from the DPW and have his work inspected as to city standards before the bond is released. In this case the contractor will have a direct relationship with the applicant and the city will not intervene unless the contractor does not meet city requirements for driveway construction.

10. APPLICANTS ARE CAUTIONED AGAINST EXPENDING ANY MONEY ON MODIFICATIONS TO THEIR PROPERTY IN ANTICIPATION OF THEIR APPLICATION BEING APPROVED BY THE COUNCIL.

If a curb cut is required in connection with a project for which a building permit from the Inspectional Service Department is required, the building permit will not be issued until approval for the curb cut is first obtained from the Council. In extraordinary cases, an incremental (foundation, site work, etc) building permit may be issued if the following conditions, as a minimum, are met; the application has been initiated with the Inspectional Services Department, approvals from abutters have been obtained, a hardship is demonstrated, and the applicant states that he/she is proceeding at his/her own risk.

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

Patrick Thadden



approval



disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at

54 Garfield Street

Signed:

Patrick Thadden

Date:

March 23, 2003

Address:

~~54~~ Garfield Street
58

To Whom It May Concern:

As owner or agent of



approval



disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at

54 Garfield Street

see letter enclosed

Signed:

Date:

Address:

49 Garfield St.

To Whom It May Concern:

As owner or agent of



approval



disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at

54 Garfield Street

see letter enclosed

Signed:

Date:

Address:

~~54~~ Garfield Street
44

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: _____

May 6, 2003

Inspectional Services Department, City of Cambridge

Cambridge City Clerks Office

Cambridge Neighborhood Association

Cambridge City Council:

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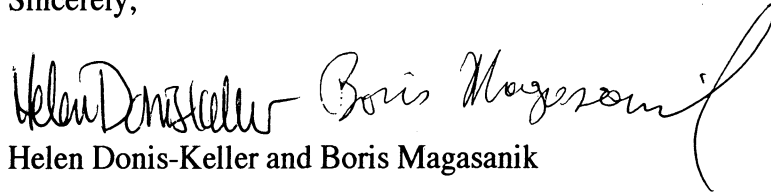
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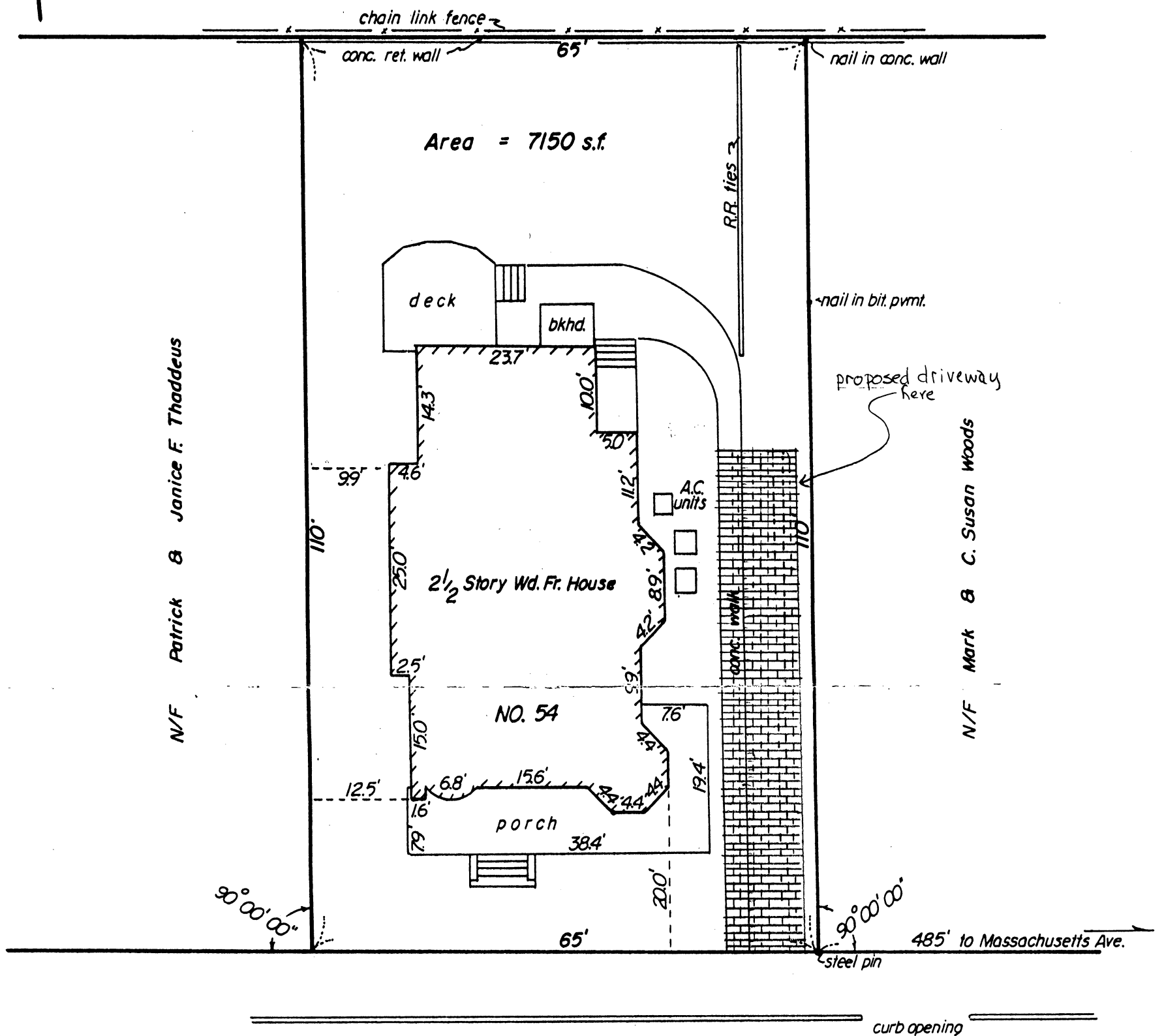
Sincerely,

Handwritten signatures of Helen Donis-Keller and Boris Magasanik. The signature of Helen Donis-Keller is on the left, and the signature of Boris Magasanik is on the right, written in a cursive style.

Helen Donis-Keller and Boris Magasanik



CITY OF CAMBRIDGE



GARFIELD

(Public - 50' Wide)

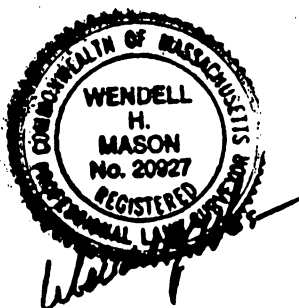
STREET

PROPERTY REFERENCES:

Middlesex South Registry of Deeds
Bk. 11042, Pg. 444
Bk. 17029, Pg. 392
Bk. 8998, Pg. 128
L.C.C. 41575A

This plan is based on field survey on
Jan. 3 and Jan. 6, 2000, and plans and
deeds of record.

Wendell H. Mason



PLOT PLAN

54 GARFIELD ST.

CAMBRIDGE, MASS.

SCALE: 1" = 16'

JAN. 10, 2000

W. H. MASON
122 ESSEX ST.

PROF. LAND SURVEYOR
BEVERLY, MA 01915

Allen Donisteller

617-661-7706

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

Mark Woods
617 497 6535

To Whom It May Concern:

As owner or agent of 44 Garfield Street

☐ approval

☐ disapproval

} See attached explanation

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at 54 Garfield Street

Signed: Mark Woods

Date: 3/31/03

Address: 44 Garfield Street

To Whom It May Concern:

As owner or agent of _____

☐ approval

☐ disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at 54 Garfield Street

Signed: _____ Date: _____

Address: 49 Garfield St.

To Whom It May Concern:

As owner or agent of _____

☐ approval

☐ disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at 54 Garfield Street

Signed: _____ Date: _____

Address: 58 Garfield Street

The following is a response by the owners of 44 Garfield, Mark and Susan Woods, to a request to the city by the owners of 54 for a driveway curb cut for 54 Garfield Street.

Our concerns are both practical and aesthetic. The following is a presentation of our concerns and a suggested resolution.

Concerns

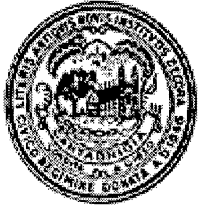
- The driveway is to be located in a tight space along the property boundary on one side, alongside the owner's house on the other side, and against an existing 5 foot fence at the end. This will result in the placement of snow on the narrow remaining open strip of our land alongside the proposed driveway in the wintertime. We do not wish to share this land for the placement of snow because it is the only place that we can put our snow. The disposal of the neighbor's snow cannot be our responsibility and is an unacceptable outcome.
- The introduction of a driveway will compromise an open greenspace and eliminate two low growth mature trees along the property line. The area will seem less natural and more urban.
- The direct juxtaposition of asphalt and brick driveways will likely be aesthetically unpleasant.
- Last fall the 54 Garfield neighbor erected a fence alongside the rear of our property lines 6 feet tall and 48 feet long along the border of our property. The fence then takes a right angle parallel to the street and retreats to a height of 5 feet for an eight foot length. While not required, the neighbor did not discuss the height of the fence with us in advance. We find the height objectionable and would have preferred that our perspective at least be solicited. A 5 foot fence would have been considerably less foreboding, the same 5 foot height deemed fit for the adjacent section of the same fence running parallel to the street.

Resolution

We have resided at 44 Garfield since 1981 with the exception of one five-year period. The construction of the proposed driveway represents uncertainty, loss of a longstanding, pleasing green space and implicit imposition on a strip of land which we need and own. While we expect our concerns to be given consideration, we are also sympathetic to the convenience of a driveway provided our concerns are fully addressed. A plan for doing so would include the following:

- extension of the existing fence from the rear of the property at a 5 foot height to an end point 5 feet from the sidewalk edge so as to allow for pedestrian visibility while existing the driveway in a vehicle
- relocation or replacement of the existing two trees with trees of similar stature to a point parallel to their current location relative to the street and within the remaining greenspace of 44 Garfield; while not obligatory this replacement would be of benefit to both neighbors and passersby in that it maintains the visual integrity of the streetscape.
- a commitment not to transfer snow onto the property of 44 Garfield once the driveway were existent
- a commitment to undertake these changes in a manner which gives legitimate and active consideration to the interests of both parties
- an understanding that this proposal is for discussion purposes and is not a formal commitment
- reservation of our rights regarding the precise location of the property line

Mark and Susan Woods
44 Garfield Street



City of Cambridge

Applications & Petitions # 1
IN CITY COUNCIL
September 8, 2003

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, and authorization is conditioned upon use of materials specified by the Department of Public Works and the Department of Traffic, Parking and Transportation.

Helen Donis-Keller

54 Garfield Street

Note - City tree must be trimmed prior construction

In City Council September 8, 2003
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".

D. Margaret Drury, City Clerk

H117

Application and Petition #1

An application was received from
Helen Donis-Keller, requesting a curb
cut at the premises numbered 54
Garfield Street.

In City Council September 8, 2003

ORDER ADOPTED