



City of Cambridge

Consent Communication #28

IN CITY COUNCIL

~~September 14, 1998~~
September 28, 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.

Thomas Hammond

22/24 Traymore Street

In City Council September 28, 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, reading "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

City of Cambridge

CITY POLICY ON DRIVEWAY CUTS, OPENINGS AND OFF-STREET PARKING FACILITIES

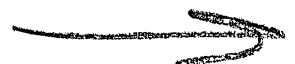
1. All authorization for driveway cuts and openings shall be issued by the Department of Public Works only after the application has first been approved by the Inspectional Services Department, the Traffic and Parking Department and, if the location is in or affects an historical district, neighborhood conservation district, or a landmark, the Historic Commission, and only after the City Council has adopted an order approving the petition. Prior to placing an application on a City Council agenda for action, the City Clerk shall notify neighborhood associations in the area of the location for which the application is made.
2. The fee for the driveway installation, once it has been approved, shall be paid in full before the Department of Public Works shall proceed with construction; in certain cases the Department of Public Works may allow work to be done by a private contractor who shall post the necessary bond and adhere to the city standards for such construction. In the latter case the Department of Public Works shall inspect and approve the final construction before the bond is released.

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

1. An application for Driveway Cuts and Openings shall be obtained by the applicant at the Department of Public Works or Inspectional Services Department.
2. The applicant, in addition to the application itself, (and the sketch required on the application form) 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 abutter's forms of those abutters in front, side, rear and across the street from the property which the curb cut will be made. 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 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 for review for 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.

If the Inspectional Service Department (or the Board of Zoning Appeal) approves the application, it will then be sent to the Department of Traffic, Parking and Transportation. A refusal at this juncture may be appealed to the City Council for action.

5. If the application is approved by Traffic and Parking it should then be sent to the Historical Commission. If the Commission approves, the application will then be sent 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.
6. If the Department of Public Works approves the application, the application will be sent to the City Clerk's Office. The City Clerk will notify neighborhood associations in the area of the petitioner and will send a copy to the petitioner. 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.
7. Ten days after notification of the neighborhood associations, the City 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 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.

8. If the applicant is refused by the Department of Public Works, the applicant can appeal to the City Council.
9. **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
MASSACHUSETTS
BOARD OF ZONING APPEAL

CAMBRIDGE
AUDITING DEPT.

98 MAY 22 AM 10:58

m13

CASE NO: 7681

LOCATION: 22 Traymore Street Residence C-1 Zone
Cambridge, MA

PETITIONER: Tom & Nicole Hammond

PETITION: Variance: To relocate an existing driveway at the corner of Harris and Prentiss Street to Traymore St.

VIOLATIONS: Art. 6.000, Sec. 6.43.1.B (Driveways For Off Street Parking Facilities). Sec. 6.44.1.C (Setbacks For On Grade Open Parking Facilities).

DATE OF PUBLIC NOTICE: April 21 & 28, 1998

DATE OF PUBLIC HEARING: May 7, 1998

26572-287

MEMBERS OF THE BOARD:

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

X
X

ASSOCIATE MEMBERS:

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

X
X

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.

Case No.: 7681
Location: 22 Traymore Street
Petitioner: Tom & Nicole Hammond

On May 7, 1998, Tom Hammond appeared before the Board of Zoning Appeal seeking a variance to relocate an existing driveway at the corner of Harris and Prentiss Street to Traymore Street at 22 Traymore Street. The applicant submitted plans, drawings and photographs detailing the proposed project.

Mr. Hammond stated that the proposal is to remove an existing driveway that enters the rear of the house on Prentiss Street and replace the driveway to the side of the house on the 22 Traymore Street side. He indicated that the existing driveway cut is on the corner of Harris and Prentiss Street and that the main issue for this proposal is because of safety issues, in particular, the problem of vehicles traveling down Prentiss Street at a very high speed.

The Chair read into the record a memorandum, dated May 6, 1998, from the Planning Board. Sarah Queen, of 20 Traymore Street, indicated her support and commented on the real safety issues in the neighborhood. Bob Toner, of 15 Traymore Street, appeared at the hearing and discussed the traffic patterns in the area. Richard Freierman, of 39 Robert C. Kelley Street, appeared at the hearing and had no objections. Letters of support were submitted to the file from Robert Chauformier and Cheryl Zarr, of 16 Traymore Street; and Richard Mally, of 8 Harris Street.

After discussion, the Chair moved that the variance to relocate an existing driveway at the corner of Harris and Prentiss Street to Traymore Street be granted. The Chair noted for the record that Traffic and Parking will review this proposal as well as to determine any traffic issues and safety issues. The Chair does underscore some of the comments with respect to reinforcing an existing pattern of parking in the front yard. The Board does acknowledge the Memo of the Planning Board. The five member Board voted unanimously to grant the variance.

The Chair noted for the record that the lot at 22 Traymore Street is a strange shape, that the existing curb cut being relocated is at a three-way intersection on the corner of a triangular lot and the geometry of the lot shape here is particularly unusual.

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.

Susan Spurlock
Susan Spurlock, Acting-Chair

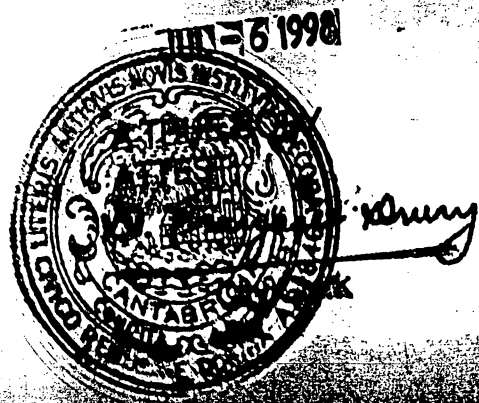
Attest: A true and correct copy of decision filed with the offices
of the City Clerk and Planning Board on May 22, 98 by
Maria Pacheco, Clerk.

No appeal has been filed

Appeal has been filed and dismissed or denied.

Appeal has been filed and dismissed or denied

Date 7/6/98 KD. Margaret Krueger City Clerk.





CITY OF CAMBRIDGE

INSPECTIONAL SERVICES DEPARTMENT 831 MASS. AVE.
CAMBRIDGE, MASSACHUSETTS 02139 (617) 349-6100

ROBERT R. BERSANI
Managing Director/
Acting Commissioner

February 23, 1998

Thomas J. Hammond
22-24 Traymore Street
Cambridge, MA 02140

Re: Curb Cut For: 22-24 Traymore Street, Cambridge, Ma.

Dear: Mr. Hammond,

I regret to advise you that your application for a curb cut dated February 9, 1998, cannot be processed by this Department because it does not meet the requirements of Article 6, Section 6.40 of the City of Cambridge Zoning Ordinance.

Should you desire to pursue this matter, it will be necessary for you to apply for and obtain relief from the requirements of the Zoning Ordinance from the Board of Zoning Appeal. I have attached an application form should you desire to take this action.

Your curb cut application will be retained on file here in Inspectional Services and will be reactivated for continued processing should you obtain the necessary relief from the Board of Zoning Appeal.

If you have any questions concerning this letter or this process, please call me or Rachael Teixeira at 349-6100.

Sincerely yours,

Ranjit Singanayagam
Assistant Commissioner/
Zoning Specialist

RS:mp

cc: Robert R. Bersani, Commissioner/Managing Director
File

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of 18/20 TRAYMORE ST.

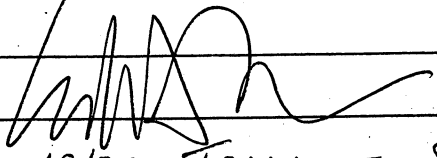
☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 22/24 TRAYMORE ST.

Signed: 

Date: 2/19/98

Address: 18/20 TRAYMORE ST

To Whom It May Concern:

As owner or agent of 8 HARRIS ST

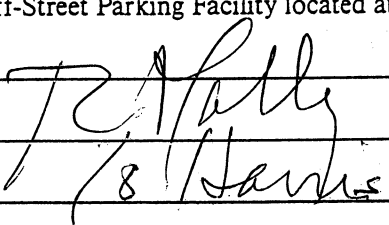
☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 22/24 TRAYMORE ST

Signed: 

Date: 2/16/98

Address: 8 Harris St

To Whom It May Concern:

As owner or agent of 21-23 Traymore St.

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 22/24 TRAYMORE ST.

Signed: Katharine Park

Date: 2/16/98

Address: 23 Traymore St.

CITY OF CAMBRIDGE

**APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'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: _____



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

RECEIVED BY
OFFICE OF CITY CLERK
98 MAR -9 AM 11:37
CAMBRIDGE MA.

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

February 25, 1998

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Thomas Hammond, requesting a curb cut at the premises numbered 22-24 Traymore 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
D. Margaret Drury
City Clerk

Name of Neighborhood Association: Terry Delancey - Agassiz Neighborhood Council

hereby approve ~~disapprove~~ of said driveway petition.

Comments: See below

Signature of authorized association representative *Th Delaney*

Daytime telephone no. 349-6287

cc: Petitioner

3/5/98

* we have not had a council meeting. However I contacted a Traymore St resident who is active in the neighborhood and agreed to ask neighbors - so far there has been no negative comment. *Th Delaney*

CITY HALL, 795 MASSACHUSETTS AVENUE CAMBRIDGE, MASSACHUSETTS 02139

19980204

RECEIVED

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

AUG 5 3 34 PM '98



98 FEB 23 PM 4:44

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

INSTRUCTIONS:
HISTORICAL COMMISSION

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 / 9 / 98

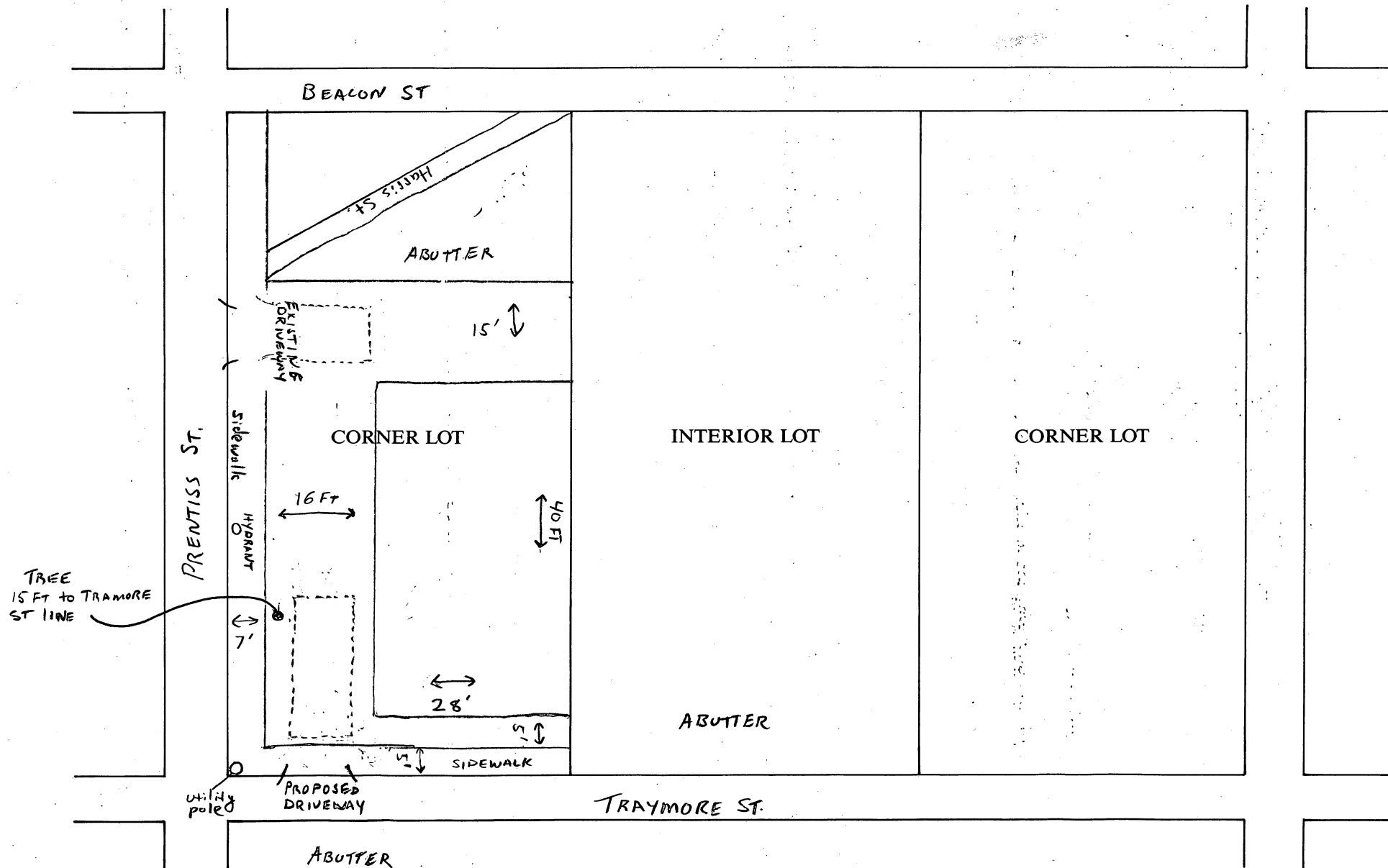
PART I:

Address of proposed curb cut or off-street parking facility: <u>22/24 TRAYMORE ST.</u>	
Frontage: <u>44 feet</u>	Block and Lot: <u>44 feet by 60 feet</u>
Setback (distance from building to sidewalk): <u>5 feet</u>	
Distance from proposed driveway to surrounding structures and property line: <u>3 feet to house / 3 feet to prop line</u>	
Dimensions of proposed driveway: <u>8 1/2 ft by 18.5 ft</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>see drawing</u>	

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

6.44.1.C
6.43.4.B

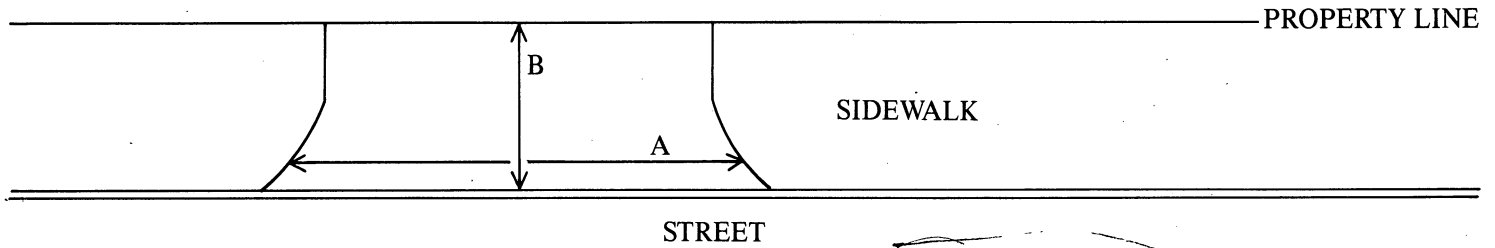
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = 14 \text{ FT.} \div 3 = 4.67 \text{ YARDS} \checkmark$$

$$B = 5 \text{ FT.} \div 3 = 1.67 \text{ YARDS} \checkmark$$

$$A \times B = 7.80 \text{ SQUARE YARDS}$$

Conc. in place

- existing curb cut = 14' x 7'

COST ESTIMATE:

$$\text{BRICK: } 7.80 \text{ SQUARE YARDS} \times \$70/\text{SQUARE YARD} = \$546.00$$

$$\text{BRICK ON CONCRETE: } 7.80 \text{ SQUARE YARDS} \times \$85/\text{SQUARE YARD} = \$663.00$$

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

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

Brick? } Not sure of the difference

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: _____

Date: 2/9/98

Address: 22/24 TRAYMORE ST CAMBRIDGE, MA 02140

- 492-5854-H

576-9306-W

x16

Funds Received: \$ _____

Check Number: _____

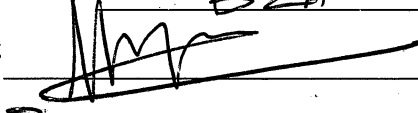
APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved ☐ Application denied

Reason: BZA - 7681

Signature: 

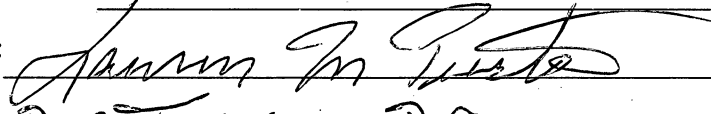
Date: 7/29/98

Title: Zoung

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature: 

Date: 8.5.98

Title: DEP. TRAFFIC DIR.

PART IV: HISTORICAL COMMISSION

☒ Application approved ☐ Application denied

Reason:

Signature: Sarah R. Bulky

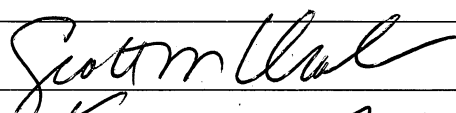
Date: 8/5/98

Title: Designated Property Administrator

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature: 

Date: 8-11-98

Title: ENGINEERING Dept.

Consent Communication #28

H 130

Petition was received from Thomas
Hammond requesting a curb cut at the
premises numbered 22/24 Traymore
Street..

In City Council September 14, 1998

No Action Taken

SEP. 28 1998

ORDER ADOPTED