



City of Cambridge

Applications and Petitions #6

IN CITY COUNCIL

September 10, 2001

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.

Stan Gedaminsky

1 Orchard Street

In City Council September 10, 2001.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, reading "D. Margaret Drury".

D. Margaret Drury
City Clerk

RECEIVED

SEP 06 2001

CAMBRIDGE HISTORICAL
COMMISSION

080/2001

CITY OF CAMBRIDGE
TRAFFIC & PARKING

CITY OF CAMBRIDGE

AUG 35 PM 3: 22

2001 SEP -6 P 3: 36



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 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.

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:

7/31/01

PART I:

Address of proposed curb cut or off-street parking facility: 1 ORchard ST

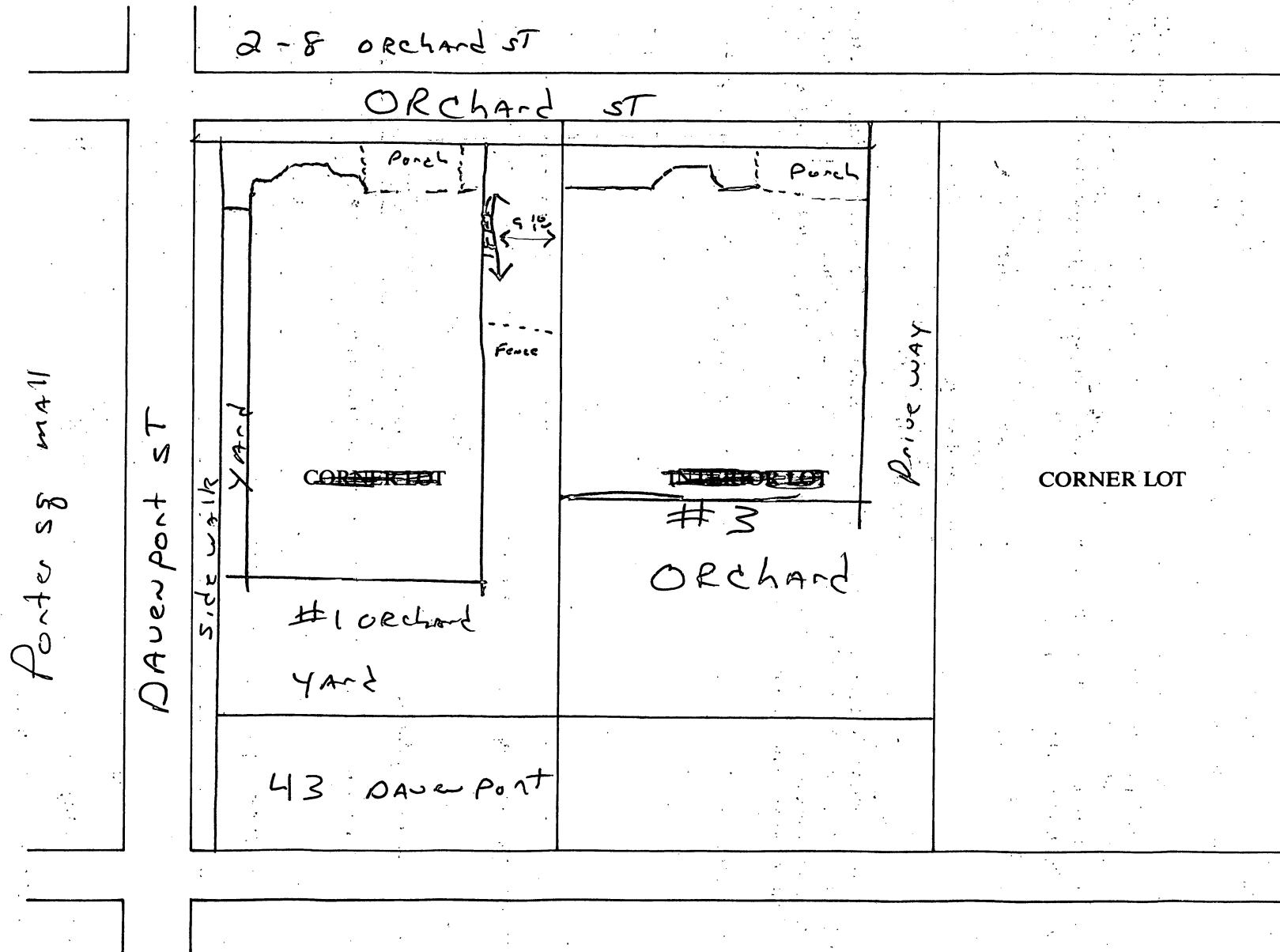
Frontage: _____ Block and Lot: _____

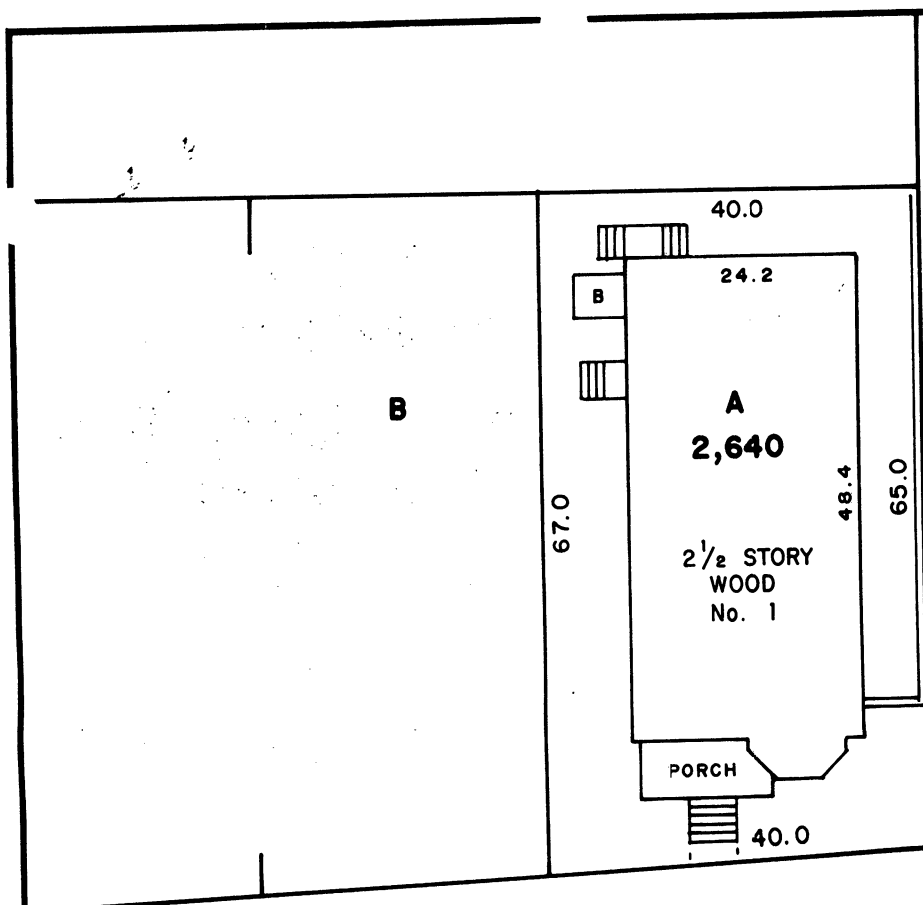
Setback (distance from building to sidewalk): 5 feetDistance from proposed driveway to surrounding structures and property line: Abutting 1 and 3 undhandDimensions of proposed driveway: 9 feet 10 inches wide 18 feet length.Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: one sign post
in proposed curb cut

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

DRAWING 1:

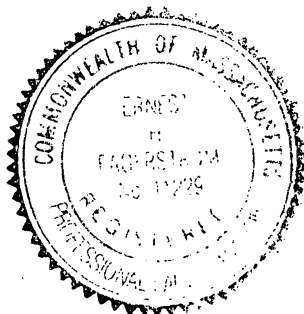
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.





DAVENPORT ST.

ORCHARD ST.



NOTE: I CERTIFY THAT THE ABOVE PROPERTY DOES NOT LIE WITHIN THE FLOOD HAZARD ZONE AS DELINIATED ON COMMUNITY MAP NO. 250186B

THIS PLOT PLAN WAS NOT MADE FROM AN INSTRUMENT SURVEY AND IS DRAWN FOR THE USE OF MORTGAGEE ONLY.

MORTGAGE SURVEY PLAN

Location CAMBRIDGE

Scale 1 in. = 20 ft. Date OCT. 24, 1992

Plan reference: BEING LOT A ON A PLAN BY EDWARD SMITH, ENGINEER · JUNE 4, 1947

RECORDED w/MIDDLESEX SO. REGISTRY OF DEEDS

PLAN 891 OF 1947 · BOOK 7148, PAGE 412

ERNEST H. FAGERSTROM, R.L.S.
138 Norwell Avenue, Norwell

I hereby certify that the building shown on this plan is located on the ground as shown thereon and that it conforms to the zoning and building laws of the city of Cambridge

when constructed and to restrictions on record.

Ernest H. Fagerstrom

July, 16 2001

Mr. Herbert Hale
43 Davenport Street
Cambridge, Ma 02140

Dear Mr Hale

As you know I have been pursuing placing a driveway beside my house in the space between my property and 3 Orchard street.

On June 14th 2001, at the public hearing for a variance of two inches, my neighbor Laureen Ray who is the domestic partner of Asa Brebner the owner of 3 Orchard Street spoke in support of the variance with the stipulation that I limit the driveway to one parking space.

The Board of Zoning Appeal granted my request for the variance and one parking space. I am now applying for a curb cut with the Inspectional services department. A part of the application process is to request a signature from the direct abutters to my property. As you own the property behind my property, would you do me the favor of supporting my request for a curb cut with your signature in the enclosed form. I have also enclosed a self addressed stamped envelope for the return of the form. Please feel free to call me at 617-497-5812 if you need more information.

Thank you in advance for your cooperation in this matter and I hope that I can assist you in the future with any similar requests.

Sincerely,



Stan Gedaminsky
1 Orchard Street
Cambridge, Ma 02140



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

NOTICE OF DECISION

DECISION FILED WITH THE OFFICE OF THE CITY CLERK ON JUL 11 2001

Any person aggrieved by a decision of the Board of Zoning Appeal may appeal to the Superior Court or Land Court. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws and shall be filed within twenty days of the above date, and a copy thereof shall be filed with the Cambridge City Clerk's office by that same date.

PREMISES: 1 Orchard Street
Cambridge, MA

PETITIONER: Stanley J. Gedaminsky

PETITION: Variance: To convert side yard into a driveway with insufficient width.

DECISION:

GRANTED *w/conditions*

CASE NO: 8328

*For full details, please refer to the decision available at Inspectional Services Dept.

July, 16 2001

Mr. Alex J. Steibergh
C/O 2-8 Orchard Street Trust
Lexington, Ma

Dear Mr Steibergh

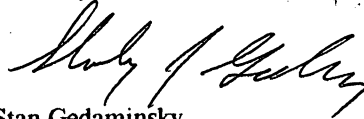
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Sincerely,



Stan Gedaminsky
1 Orchard Street
Cambridge, Ma 02140

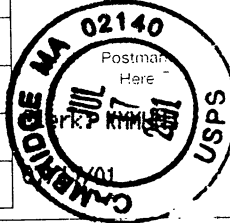
7000 1670 0011 1371 4210
7000 1670 0011 1371 4227

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

LEXINGTON, MA 02420

Postage	\$	0.34
Certified Fee		2.10
Return Receipt Fee (Endorsement Required)		1.50
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	3.94

UNIT ID: 0140



Sent To
Mr. Alex Steinhilber
Street, Apt. No., or PO Box No.
c/o 2-8 Orchard Truit 7 Graham Rd
City, State, ZIP+4
Lexington MA 02420

PS Form 3800, May 2000

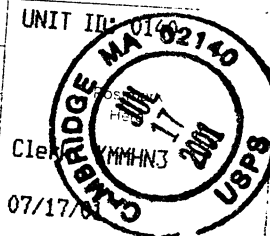
See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

CAMBRIDGE, MA 02140

Postage	\$	0.34
Certified Fee		2.10
Return Receipt Fee (Endorsement Required)		1.50
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	3.94

UNIT ID: 0140



Sent To
MR Herbert Hale
Street, Apt. No., or PO Box No.
43 Davenport St
City, State, ZIP+4
CAMBRIDGE MA 02140

PS Form 3800, May 2000

See Reverse for Instructions

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 3 ORchard ST CAMBRidge MA☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 1 ORchard ST CAMBRidge MASigned: John P. Bul Date: _____Address: 3 ORchard ST CAMBRidge MA

To Whom It May Concern:

As owner or agent of 2-8 ORchard ST CAMBRidge MA☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 1 ORchard ST CAMBRidge MAMailed to Alex Steenberg 7/16 - No Response

Signed: _____ Date: _____

Address: _____

SEE SG
letter 8/1/01

To Whom It May Concern:

As owner or agent of 43 DAVENPORT ST CAMBRidge MA☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 1 ORchard ST CAMBRidge MAMailed to Herbert Hale 7/16 - No Response

Signed: _____ Date: _____

Address: 43 DAVENPORT ST CAMBRidge MASEE SG
letter 8/1/01

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

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 _____

Signed: _____ Date: _____

Address: _____

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.

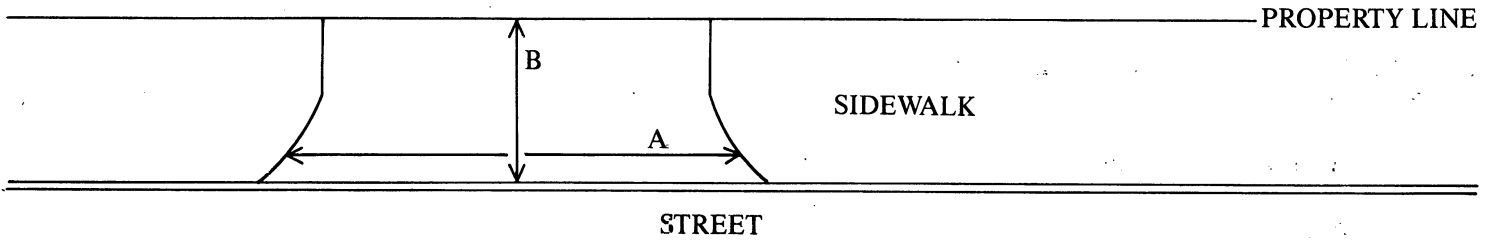
10. APPLICANTS ARE CAUTIONED AGAINST EXPENDING ANY MONEY ON MODIFICATIONS TO THEIR PROPERTY IN ANTICIPATION OF THEIR APPLICATION BEING APPROVED BY THE COUNCIL.

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.

DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = 12 \text{ FT.} \div 3 = 4 \text{ YARDS}$$

$$B = 4 \text{ FT.} \div 3 = 1 \frac{1}{3} \text{ YARDS}$$

$$A \times B = 5.33 \text{ SQUARE YARDS}$$

COST ESTIMATE:

$$\text{BRICK: } 5.33 \text{ SQUARE YARDS} \times \$70/\text{SQUARE YARD} = \$373.10$$

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

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

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

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: _____

617-497-5812

Date: 8/1/01

Address: _____

1 ORCHARD ST / CAMB MA

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

BZA Case 8328

Signature:

[Handwritten Signature]
Zong

Date:

8/29/01

Title:

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

[Handwritten Signature]
TRAFFIC ENGINEER

Date:

8-30-2001

Title:

PART IV: HISTORICAL COMMISSION

☒ Application approved

☐ Application denied

Reason:

Not a designated historic property

Signature:

[Handwritten Signature]
Sarah B. Burks

Date:

9/6/01

Title:

Designated Property Admin.

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

[Handwritten Signature] for Owen O'Riordan

Date:

9/6/01

Title:



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

2001 AUG 15 A 10:10
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

August 9, 2001

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Stan Gedaminsky, requesting a curb cut *at the premises numbered 1 Orchard 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

CPR Neighborhood Association - Ann Collette

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments: This isn't really in our neighborhood (CPR = Creighton, Porter & Regent)

Signature of authorized association representative *Ann Collette*

Daytime telephone no. 617-876-1734

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

North Cambridge Stabilization Committee- Richard Clarey

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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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Clarendon Avenue Neighborhood Association - Alan Bell

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

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CITY CLERK

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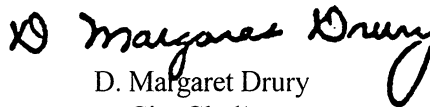
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Sincerely yours,


D. Margaret Drury
City Clerk

CPR Neighborhood Association - Ann Collette

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

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CITY CLERK

DONNA P. LOPEZ
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August 9, 2001

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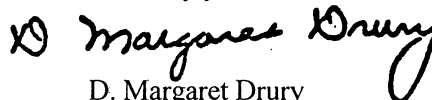
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

RCMP Neighborhood - Lucy Connant

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner

103 H

Applications & Petitions #6

An application was received from Stan Gedaminsky, requesting a curb cut at the premises numbered 1 Orchard Street; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works. Response has been received from one neighborhood association, which approved the curb cut.

In City Council September 10, 2001

ORDER ADOPTED