

617 899 2122

200208

/ 33 WALKER ST.

CITY OF CAMBRIDGE
TRAFFIC & PARKING

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

SEP 27 AM 10:10

CITY OF CAMBRIDGE



RECEIVED

AUG 26 2002

CAMBRIDGE HISTORICAL

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:

8/23/02

PART I:

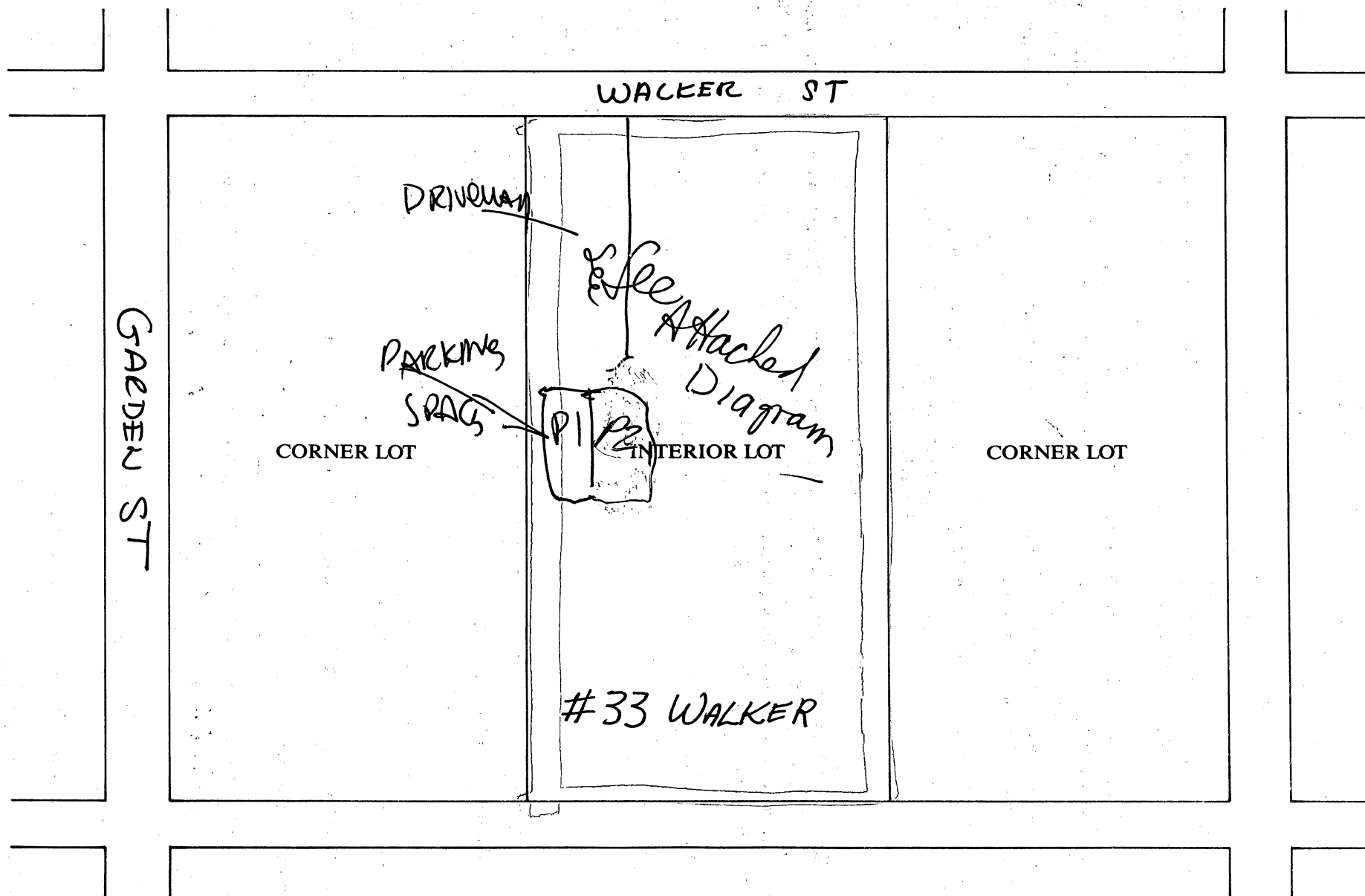
Address of proposed curb cut or off-street parking facility:		33 WALKER STREET
Frontage:	40.26'	Block and Lot: 214.26
Setback (distance from building to sidewalk):		13.1'
Distance from proposed driveway to surrounding structures and property line:		4' and 1'
Dimensions of proposed driveway:		10' x 40'
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway:		
(1) TREE - FOUR FEET TO LEFT OF DRIVEWAY		

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

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTSControl
6334
2002 OCT 24 PM 3:10

DRAWING 1:

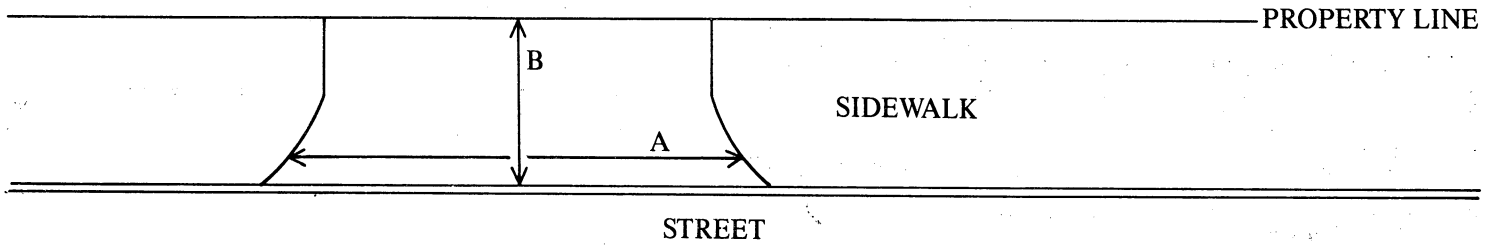
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



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

$$B = 6 \text{ FT.} \div 3 = 2 \text{ YARDS}$$

$$A \times B = 6 \text{ SQUARE YARDS}$$

COST ESTIMATE:

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

BRICK ON CONCRETE: 6 SQUARE YARDS $\times$ \$85/SQUARE YARD = \$ 510

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: _____

John R. Kennedy Date: 8.23.02

Address: _____

33 Walker St.

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Complies w/ Ordinance

Signature:

[Signature]

Date:

9/20/02

Title:

Zone Specialist

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature:

[Signature]

Date:

9-27-02

Title:

Traffic Engineer

PART IV: HISTORICAL COMMISSION

☒ Application approved ☐ Application denied

Reason:

Signature:

[Signature]

Date:

8-26-02

Title:

EXD CH

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature:

[Signature]

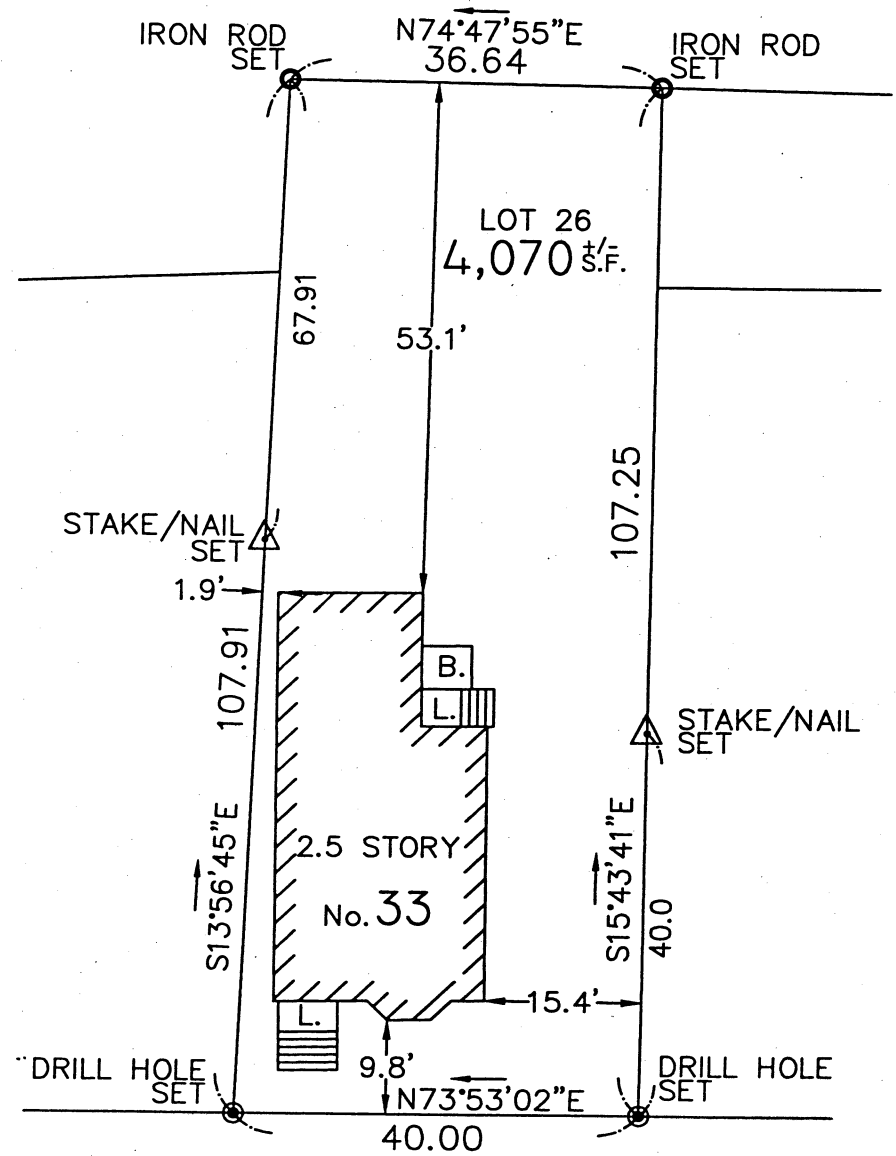
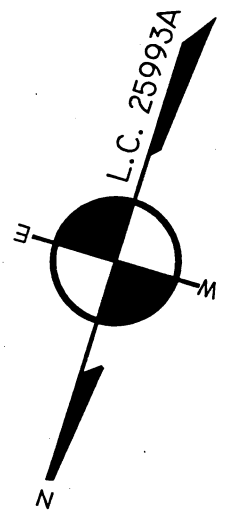
Date:

10/24/02

Title:

Superintendent of Streets

Control #6334



WALKER STREET

NOTES

REFERENCES

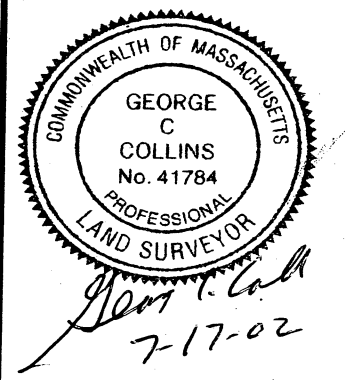
DEED: BOOK 22976 ;PAGE 419

PLAN: L.C. 25993A
L.C. 8458A
PLAN BOOK 26 ;PLAN 2

Field Book	Page	Insp. By	Drafted By	Checked By
D2	141	DRM	DRM	GCC

CERTIFICATION

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

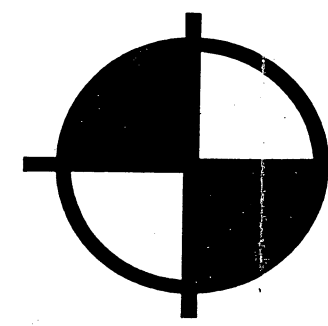


PLOT PLAN OF LAND
LOCATED AT
33 WALKER STREET
CAMBRIDGE, MA.

SCALE: 1 INCH = 20 FEET

DATE: JULY 17, 2002

PREPARED FOR: JOHN R. KENNEDY
36 ROYAL AVENUE
CAMBRIDGE, MA.

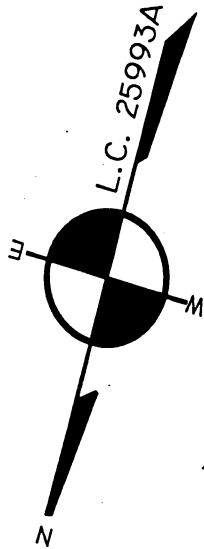


BOSTON
SURVEY, INC.
UNIT C-4 SHIPWAYS PLACE
CHARLESTOWN, MA. 02129
(617)242-1313

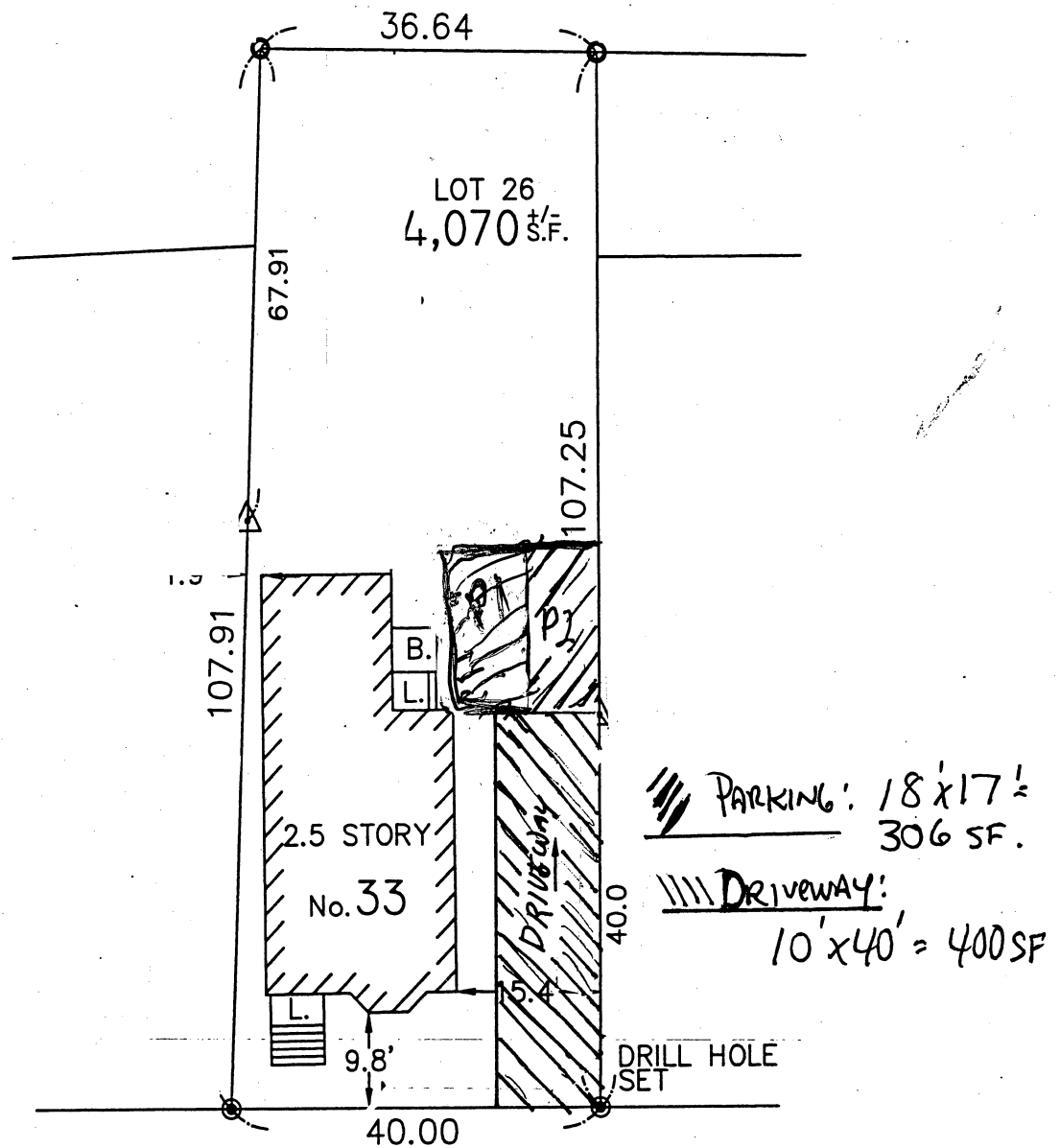


33 WALKER

Proposed Cut Existing Cut



PROPOSED DRIVEWAY CUT - 33 WALKER ST.



33 WALKER STREET

- Will Remove Two (2) Cars from Walker St. Parking
- No Loss of Existing Parking Spaces on Walker St.
- No Impact on "Streetscape" of Walker 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: _____

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of 34-36 Walker St,

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 33 Walker St

Signed: William Smith representing Harvard University Date: 7/10/02

Address: 8 MA Auburn St. Cambridge MA

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: _____

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: _____

313

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

21 CHAUNCEY ST

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at

33 WALKER ST. CAMBRIDGE

Signed:

David Monaco (property manager)

Date:

9/4/02

Address:

Baumington Management
as agent for 21 Chauncey Street Cords Trust

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

23 Chauncy St.

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at

33 WALKER ST. CAMBRIDGE

Signed: William Vaughan ^{Francis D. Vaughan} Date: 9/14/02

Address: 23 Chauncy St, Units 1 + 2

To: The Neighbors of 33 Walker Street

From: John Kennedy

Re: Restoration of 33 Walker Street

I am writing to let you know I am the new owner of 33 Walker and to ask your support for a driveway cut per the enclosed plot plan diagram.

We have reached an agreement to purchase 33 Walker from the estate of Ms. Katherine Gould, and look forward to updating the home while retaining the character which she established over the last fifty years. Unfortunately, this will involve more noise and more trucks on the street than usual.

The first step will be to add a driveway cut. In the short term, this will reduce the number of contractor trucks, etc on the street. Longer term, it will remove two (2) cars from the street without any loss of existing parking spaces. This will have no impact on the "streetscape," with the spaces out of view and will have minimal impact on the gracious backyard at 33.

Once the restoration plans are finalized, we will be happy to review them with any of the neighbors. Meanwhile, please call me if you have any questions (617 547-2550 or 899-2122c); I'd enjoy talking with you about the project.

Regarding the driveway cut, I have enclosed a copy of the proposed plan, an application abutter's form and a return envelope. The work will be done in brick to blend with the existing sidewalk. Call if you have any questions or concerns.

Many thanks in advance for your consideration.

John Kennedy

Encl. Plot Plan with Proposed Driveway Cut and Parking
Application abutter's form

September 9, 2002

MEMORANDUM

To: City of Cambridge

From: John Kennedy

Re: 33 Walker Street: Driveway Cut- Letter to Neighbors

We have sent the attached letter to the neighbors and/or met with some of them individually.

We have not yet had responses from all the neighbors, but will forward them as soon as received.

Many thanks for your assistance and consideration


John Kennedy

Attachment: ① Approval of # 21 Chauncy St -
AN ABUTTER

② Approval of # 23 CHAUNCEY ST - AN ABUTTER

August 23, 2002

MEMORANDUM

To: City of Cambridge

From: John Kennedy

Re: Application for Driveway Cut
33 Walker Street

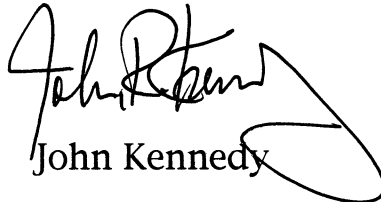
I've attached my application for a driveway cut and associated parking spaces for 33 Walker Street.

Included are:

- Application
- Certified Survey for 33 Walker Street
- Plot Plan showing driveway and parking spaces
- Signed forms from Neighbors
- City Assessors Parcel Map
- Picture from Street

We have not yet had responses from all the neighbors, but will forward them as soon as received.

Many thanks for your assistance and consideration


John Kennedy



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

October 25, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John Kennedy requesting a curb cut *at the premises numbered 33 Walker 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

Walden St. Bridge Association – Stephen Coren

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no.

cc: Petitioner



2002 OCT 29 PM 12:54
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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

October 25, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John Kennedy, requesting a curb cut at the premises numbered **33 Walker 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

Bellis Circle Association - Michael Siegel

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments:

No objection

Signature of authorized association representative

Michael Siegel

Daytime telephone no.

864-3997

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

2002 NOV -5 P 12: 15

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

October 25, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John Kennedy, requesting a curb cut *at the premises numbered 33 Walker 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

Neighborhood Nine Association – Winifred Carfagno

hereby ☒ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Winifred A. Carfagno

Daytime telephone no.

617-354-2889

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

2002 NOV -6 P 12:59

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

October 25, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John Kennedy requesting a curb cut *at the premises numbered 33 Walker 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

Walden St. Bridge Association – Stephen Coren

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Stephen A. Coren, Co-Chair, NNA

Daytime telephone no. *617-661-0882*

cc: Petitioner

App & Pet. #1

November 18, 2002

To: The Honorable Mayor Michael A. Sullivan and Members of the City Council

From: John R. Kennedy

Subject: Walker Street

I am the owner of 33 Walker Street and have applied for a curb cut. In addition to the completed Application which has been approved by the three neighborhood associations, Zoning and the other City departments and three abutters, enclosed please find the following:

1. Original letter sent to the Neighbors of 33 Walker Street, including a Land Survey
 - a. (sent sometime in August).
2. Second Letter to the Neighbors of 33 Walker Street(9/10/02), including
 - a. Scheduled two (2) open houses.
 - b. Offer to meet at other times
 - c. Original letter, including offer to review plans when ready

Many thanks for your consideration.



John R. Kennedy

W. Ctr to Neighbors 9.10
② Ctr 9.10.02

September 10, 2002

To: The Neighbors on Walker Street

From: John Kennedy

Re: Plans for 33 Walker Street

I'm the new owner of 33 Walker Street and want to be sure the neighbors have an opportunity to understand any work we may want to do over the next several months.

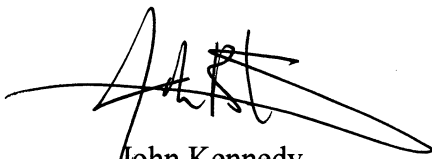
My overall goal for 33 Walker Street is update the property while retaining its essential character. There are NO plans to do any work requiring a zoning variance.

I look forward to hearing ideas from neighbors, and with that in mind, invite you to visit 33 Walker Street and express your ideas and thoughts. I will be there on the following dates and times, and will also schedule another time if you cannot make one of these dates:

Sunday, September 15th, 6:00pm

Tuesday, September 17th, 6:00pm

If you are an abutter, you may have already received a copy of the attached letter and survey plan. Again, I look forward to meeting you and talking about #33. I can be reached at 617 547-2550 or 617 899-2122.



John Kennedy

Encl. Letter to Neighbors of 33 Walker Street (August, '02)
Survey Plan with Proposed Driveway Cut

① ORIGINAL LETTER
August '02

To: The Neighbors of 33 Walker Street

From: John Kennedy

Re: Restoration of 33 Walker Street

I am writing to let you know I am the new owner of 33 Walker and to ask your support for a driveway cut per the enclose plot plan diagram.

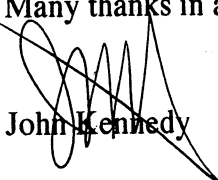
We have reached an agreement to purchase 33 Walker from the estate of Ms. Katherine Gould, and look forward to updating the home while retaining the character which she established over the last fifty years. Unfortunately, this will involve more noise and more trucks on the street than usual.

The first step will be to add a driveway cut. In the short term, this will reduce the number of contractor trucks, etc on the street. Longer term, it will remove two (2) cars from the street without any loss of existing parking spaces. This will have no impact on the "streetscape," with the spaces out of view and will have minimal impact on the gracious backyard at 33.

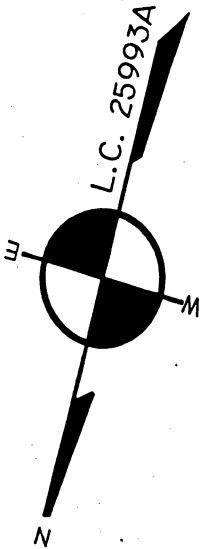
Once the restoration plans are finalized, we will be happy to review them with any of the neighbors. Meanwhile, please call me if you have any questions (617 547-2550 or 899-2122c); I'd enjoy talking with you about the project.

Regarding the driveway cut, I have enclosed a copy of the proposed plan, an application abutter's form and a return envelope. The work will be done in brick to blend with the existing sidewalk. Call if you have any questions or concerns.

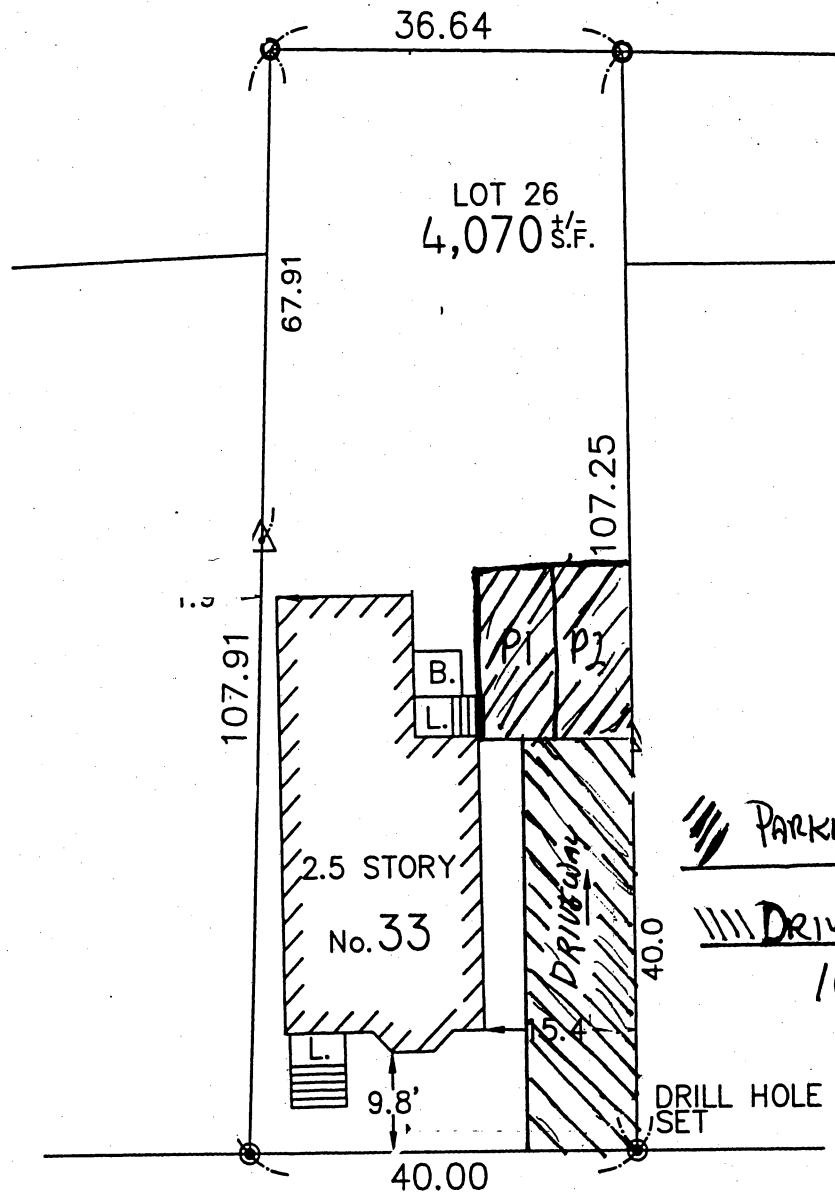
Many thanks in advance for your consideration.


John Kennedy

Encl. Plot Plan with Proposed Driveway Cut and Parking
Application abutter's form



PROPOSED DRIVEWAY CUT - 33 WALKER ST.



PARKING: 18' x 17' = 306 SF.

DRIVEWAY: 10' x 40' = 400 SF

33 WALKER STREET

- Will Remove Two (2) Cars from Walker St. Parking
- No Loss of Existing Parking Spaces on Walker St.
- No Impact on "Streetscape" of Walker St.



PETITION

To: John Kennedy
38 Royal Avenue
Cambridge, MA 02138

We the undersigned own property, where we live as shown below, and share the concerns of Betsy Dunn and Kate Burnett with your potential development of 33 Walker Street, as set forth in the 8/13/02 letter to you from their attorney.

<u>NAME</u>	<u>ADDRESS</u>
Jean Parsons *	35 Walker Street
Elizabeth Dunn	27 Walker Street
Pamela Raskin	37 Walker Street
Paul Raskin	37 Walker Street
Kate F. Anderson	20 Walker Street
Ken Nale	20 Walker St.
Brett Mendelsohn	26 Walker St.
Jay Jayman Skelony	60 Walker St.
Jim Cardillo	44 Walker St.
Peter Davis	68 Walker St.
Myra Jule	68 Walker St.
Richard S. S. S.	14 Walker St.
Beth Comse	14 WALKER ST

*signed by Theodora Parsons with Permission.

PETITION

To: John Kennedy
38 Royal Avenue
Cambridge, MA 02138

We the undersigned own property, where we live as shown below, and share the concerns of Betsy Dunn and Kate Burnett with your potential development of 33 Walker Street, as set forth in the 8/13/02 letter to you from their attorney.

NAME

ADDRESS

<u>P.F. J.</u>	<u>13 Walker Street</u>
<u>W. Snam</u>	<u>13 Walker St.</u>
<u>A. B. ...</u>	<u>45 GARDEN / 2 WALKER ST.</u>
<u>Jaya R. Reese</u>	<u>45 Garden / 2 Walker Sts.</u>
<u>Laura Pizer</u>	<u>21 Walker St.</u>
<u>Jane Mansbridge</u>	<u>3 Walker Sts.</u>
<u>Walter ...</u>	<u>3 Walker St.</u>
<u>Loren Davis</u>	<u>15 Walker St.</u>
<u>Sam Bush</u>	<u>15 Walker St.</u>
<u>K. F. ...</u>	<u>1 Walker Street</u>
<u>M. ...</u>	<u>1 Walker Street</u>
<u>Ann B. Miller</u>	<u>2 Walker St. Place</u>
<u>M. Louise Macnair*</u>	<u>57-59 Walker St</u>

* Signed by Richard N. Macnair with permission.

PETITION

To: John Kennedy
38 Royal Avenue
Cambridge, MA 02138

We the undersigned own property, where we live as shown below, and share the concerns of Betsy Dunn and Kate Burnett with your potential development of 33 Walker Street, as set forth in the 8/13/02 letter to you from their attorney.

NAME

ADDRESS

Cara N. Moss

67 Walker St.

Pl. E. H. Lee

69A Walker St.

Joan Wickersham

42 Walker Street

JA Wickersham

42 Walker Street

THOMAS B. BRACKEN
ATTORNEY AT LAW
33 MOUNT VERNON STREET
BOSTON, MASSACHUSETTS 02108

TELEPHONE (617) 742-4950
FACSIMILE (617) 742-4953

ADMITTED TO PRACTICE IN
MASSACHUSETTS, NEW YORK,
CALIFORNIA AND DISTRICT OF
COLUMBIA

CERTIFIED MAIL

August 13, 2002

John Kennedy
Wellington Technology Group, Inc.
38 Royal Avenue
Cambridge, MA 02138

Dear Mr. Kennedy:

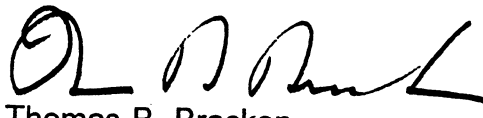
I am representing Betsy Dunn and Kate Burnett, who own houses at 27 and 25 Walker Street, respectively, in connection with legal issues raised by your proposed development of the property at 33 Walker Street. Their concern began when you asked Ms. Dunn to sign a consent for a curb cut and responded to her inquiry about your plans for developing the property that you had no definite plans but that that several zoning variances would be required. These concerns increased when Ms. Dunn discovered a stake at the corner of her parking area about 1 foot from her side of the alignment of the fence which divides her property from 33 Walker Street, and another stake in her flower garden. These stakes, which indicate that they delineate the lot line, were placed on Ms. Dunn's side of the fence without prior notification and authorization to enter upon her property. Ms. Dunn is concerned that your actions may indicate an intent to remove or relocate the fence and assert ownership over land on her side of the fence. Such action would be unlawful.

I am informed that the fence existed at its present location prior to 1958 when Ms. Dunn purchased 27 Walker Street and that she and the owners of 33 Walker Street have replaced portions of the fence from time to time at the same location, beginning in the early 1960s, sharing some of the expenses. Since 1958, Ms. Dunn has maintained plantings along the fence with the full knowledge and consent of the owners of 33 Walker Street. If the boundary line as described in recorded deeds is as indicated by the stakes, then under the aforesaid facts, Ms. Dunn has acquired title to the strip between the deeded boundary line and the fence by adverse possession as provided in Mass. G.L. c. 187, §2 and as applied in many Massachusetts cases. Moreover, by their actions the owners of 33 Walker Street have abandoned any interest they may have had in this area.

Accordingly, please consider this letter to be notice that any action you may take toward altering the fence and asserting ownership over the strip between the fence and the stakes would constitute a trespass on Ms. Dunn's property for which she will hold you strictly liable for all damages. The same legal principle applies to the portion of the fence extending between the rear of Ms. Burnett's property at 25 Walker Street and the rear of 33 Walker Street.

Ms. Dunn, Ms. Burnett and other concerned neighbors are willing to discuss this matter with you and your plans for the property. Specifically, they want to review the building plans which you intend to submit to the City boards and officials for the necessary approvals and permits. Their principal interest is to maintain the character of their neighborhood, and therefore, they are not prepared to consent to any curb-cut and variances which would change that character. In that regard, it does not appear that the parking area at 33 Walker Street which would be accessed from a curb cut could meet the setback requirements of the Cambridge Zoning Ordinance or that there are any circumstances pertaining to the land as specified in the Ordinance which would warrant variances.

Very Truly Yours,



Thomas B. Bracken

TBB/hke

THOMAS B. BRACKEN
ATTORNEY AT LAW
33 MOUNT VERNON STREET
BOSTON, MASSACHUSETTS 02108

TELEPHONE (617) 742-4950
FACSIMILE (617) 742-4953

ADMITTED TO PRACTICE IN
MASSACHUSETTS, NEW YORK,
CALIFORNIA AND DISTRICT OF
COLUMBIA

September 30, 2002

John Kennedy
Wellington Technology Group, Inc.
38 Royal Avenue
Cambridge, MA 02138

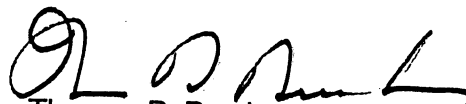
RE: 33 Walker Street

Dear Mr. Kennedy:

Subsequent to my August 13, 2002 letter to you, my clients Betsy Dunn and Kate Burnett, as well as my client Jean Parsons, who owns the house where she lives at 35 Walker Street, have seen the letter which you circulated to neighbors requesting their support for a driveway curb cut in order to provide two side-by-side parking spaces as shown on a plot plan diagram. This diagram is different from the one you showed Ms. Dunn in early July, which provided for tandem parking. However, my clients, as well as many other property owners on Walker Street, oppose your proposal. The parking as shown on the diagram violates the setback requirements of §6.44.1 of the Cambridge Zoning Ordinance. Specifically, parking space No. 2 is located within ten (10) feet of the eastern side of Ms. Dunn's house which contains windows of habitable first story rooms and parking space No. 1 is within five (5) feet of the western side of 33 Walker Street which also contains windows of habitable first floor rooms. In addition, the driveway and parking space No. 2 intrude one foot or more onto Ms. Dunn's property on her side of the boundary fence.

Please be advised that if you apply for the curb cut, my clients and many other neighbors intend to make their opposition known in writing to City officials and at the required public hearing. Accordingly, my clients urge you to reconsider your plans before proceeding further. As stated in my August 13 letter, the neighbors are willing to meet with you as a group when you have definitive building plans intended for submittal to the City for the necessary approvals and permits.

Very Truly Yours,



Thomas B. Bracken

TBB/hke

617 899 2122

200208

/ 53 WALKER ST

CITY OF CAMBRIDGE
TRAFFIC & PARKING

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

SEP 27 AM 10:10

CITY OF CAMBRIDGE

RECEIVED

AUG 26 2002

CAMBRIDGE HISTORICAL



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:

8/23/02

PART I:

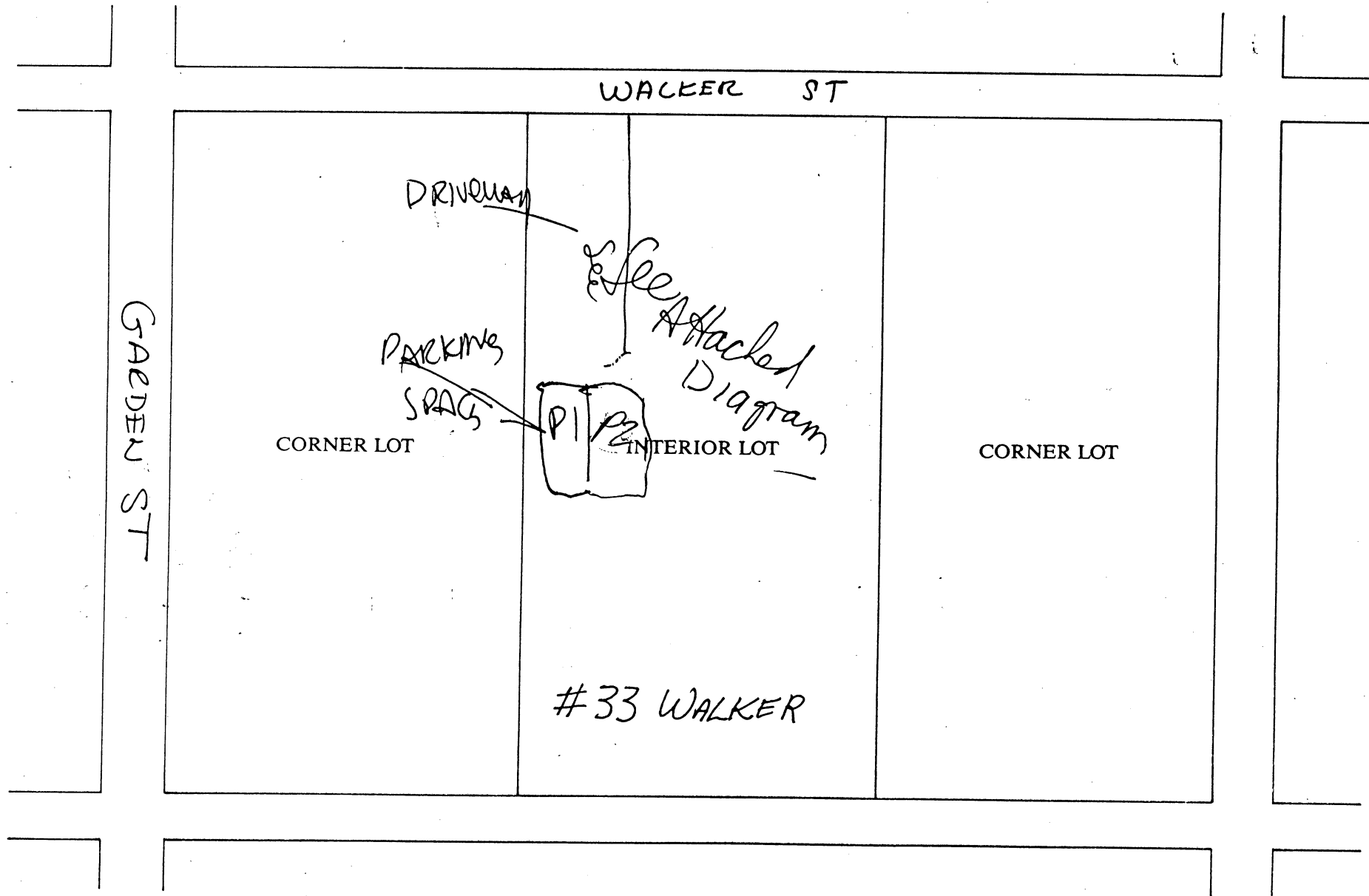
Address of proposed curb cut or off-street parking facility: <u>33 WALKER STREET</u>	
Frontage: <u>40.26'</u>	Block and Lot: <u>214.26</u>
Setback (distance from building to sidewalk): <u>13.1'</u>	
Distance from proposed driveway to surrounding structures and property line: <u>4' and 1'</u>	
Dimensions of proposed driveway: <u>10' x 40'</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>(1) TREE - FOUR FEET TO LEFT OF DRIVEWAY</u>	

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

Control
6334
2002 OCT 24 100 2002

DRAWING 1:

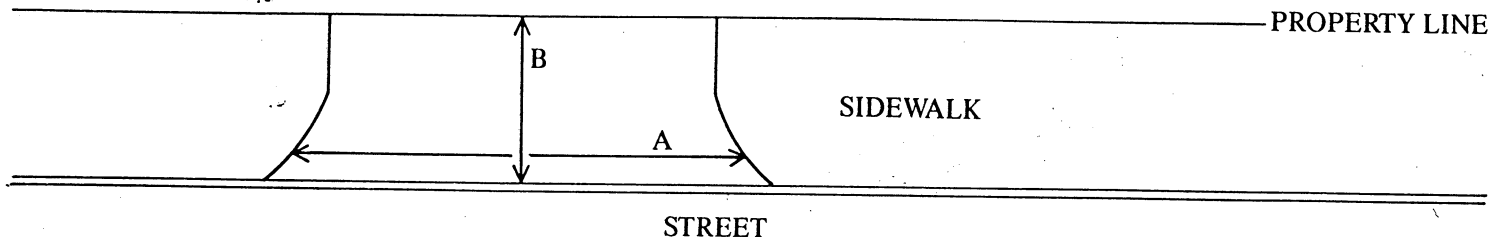
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



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

$$B = 6 \text{ FT.} \div 3 = 2 \text{ YARDS}$$

$$A \times B = 6 \text{ SQUARE YARDS}$$

COST ESTIMATE:

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

BRICK ON CONCRETE: 6 SQUARE YARDS $\times$ \$85/SQUARE YARD = \$ 510

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: _____

Address: _____

33

Walker St

JOHN R. KENNEDY Date: 8.23.02

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Complies w/ Ordinance

Signature:

[Signature]

Date:

9/30/02

Title:

Long Special

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

[Signature]
Traffic Engineer

Date:

9-27-02

Title:

PART IV: HISTORICAL COMMISSION

☒ Application approved

☐ Application denied

Reason:

Signature:

[Signature]

Date:

8-26-02

Title:

EXD CH

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

[Signature]

Date:

10/24/02

Title:

Superintendent of Streets

Control # 6334



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

2002 NOV -6 P 12: 59

CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

October 25, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John Kennedy requesting a curb cut *at the premises numbered 33 Walker 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

Walden St. Bridge Association – Stephen Coren

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Stephen A. Coren, Co-Chair, NNA

Daytime telephone no. *617-661-0882*

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

2002 NOV -5 P 12:15

CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

October 25, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John Kennedy, requesting a curb cut *at the premises numbered 33 Walker 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

Neighborhood Nine Association – Winifred Carfagno

hereby X approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no.

Winifred Carfagno
617-354-2889

cc: Petitioner



2002 OCT 29 12:54

LETTER TO THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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

October 25, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John Kennedy, requesting a curb cut *at the premises numbered 33 Walker 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

Bellis Circle Association - Michael Siegel

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments: no objection

Signature of authorized association representative *Michael Siegel*

Daytime telephone no. 864-3997

cc: Petitioner



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

October 25, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John Kennedy requesting a curb cut *at the premises numbered 33 Walker 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

Walden St. Bridge Association – Stephen Coren

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no.

cc: Petitioner

August 23, 2002

MEMORANDUM

To: City of Cambridge

From: John Kennedy

Re: Application for Driveway Cut
33 Walker Street

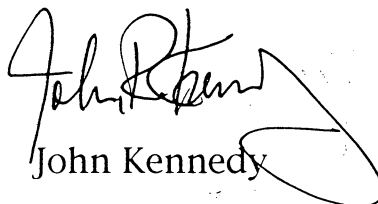
I've attached my application for a driveway cut and associated parking spaces for 33 Walker Street.

Included are:

- Application
- Certified Survey for 33 Walker Street
- Plot Plan showing driveway and parking spaces
- Signed forms from Neighbors
- City Assessors Parcel Map
- Picture from Street

We have not yet had responses from all the neighbors, but will forward them as soon as received.

Many thanks for your assistance and consideration


John Kennedy

September 9, 2002

MEMORANDUM

To: City of Cambridge

From: John Kennedy

Re: 33 Walker Street: Driveway Cut- Letter to Neighbors

We have sent the attached letter to the neighbors and/or met with some of them individually.

We have not yet had responses from all the neighbors, but will forward them as soon as received.

Many thanks for your assistance and consideration



John Kennedy

ATTACH: ① Approval of # 21. CHAUNCEY ST.
AN ABUTTER
② Approval of # 23 CHAUNCEY ST - AN ABUTTER

To: The Neighbors of 33 Walker Street

From: John Kennedy

Re: Restoration of 33 Walker Street

I am writing to let you know I am the new owner of 33 Walker and to ask your support for a driveway cut per the enclosed plot plan diagram.

We have reached an agreement to purchase 33 Walker from the estate of Ms. Katherine Gould, and look forward to updating the home while retaining the character which she established over the last fifty years. Unfortunately, this will involve more noise and more trucks on the street than usual.

The first step will be to add a driveway cut. In the short term, this will reduce the number of contractor trucks, etc on the street. Longer term, it will remove two (2) cars from the street without any loss of existing parking spaces. This will have no impact on the "streetscape," with the spaces out of view and will have minimal impact on the gracious backyard at 33.

Once the restoration plans are finalized, we will be happy to review them with any of the neighbors. Meanwhile, please call me if you have any questions (617 547-2550 or 899-2122c); I'd enjoy talking with you about the project.

Regarding the driveway cut, I have enclosed a copy of the proposed plan, an application abutter's form and a return envelope. The work will be done in brick to blend with the existing sidewalk. Call if you have any questions or concerns.

Many thanks in advance for your consideration.

John Kennedy

Encl. Plot Plan with Proposed Driveway Cut and Parking
Application abutter's form

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

23 Chauncy St.

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at

33 WALKER ST. CAMBRIDGE

Signed:

William Vaughan

Trans. D. Vaughan

Date:

9/14/02

Address:

23 Chauncy St. Units 1 + 2

313

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

21 CHAUNCEY ST.

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at

33 WALKER ST. CAMBRIDGE

Signed:

David Monaco (property manager)

Date:

9/4/02

Address:

Baumington Management

as agent for 21 Chauncey Street Condo Trust

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 34-36 Walker St,

☒ approval

Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at 33 Walker St

Signed: William Smith representing Howard Vindky Date: 7/10/02

Address: 8 City Avenue St Cambridge MA

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: _____

To Whom It May Concern:

As owner or agent of _____,

☐ approval

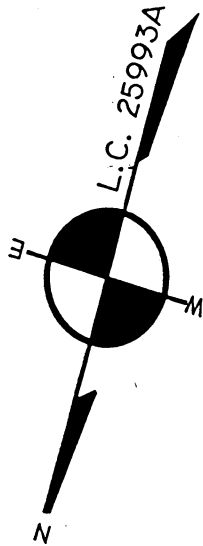
Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

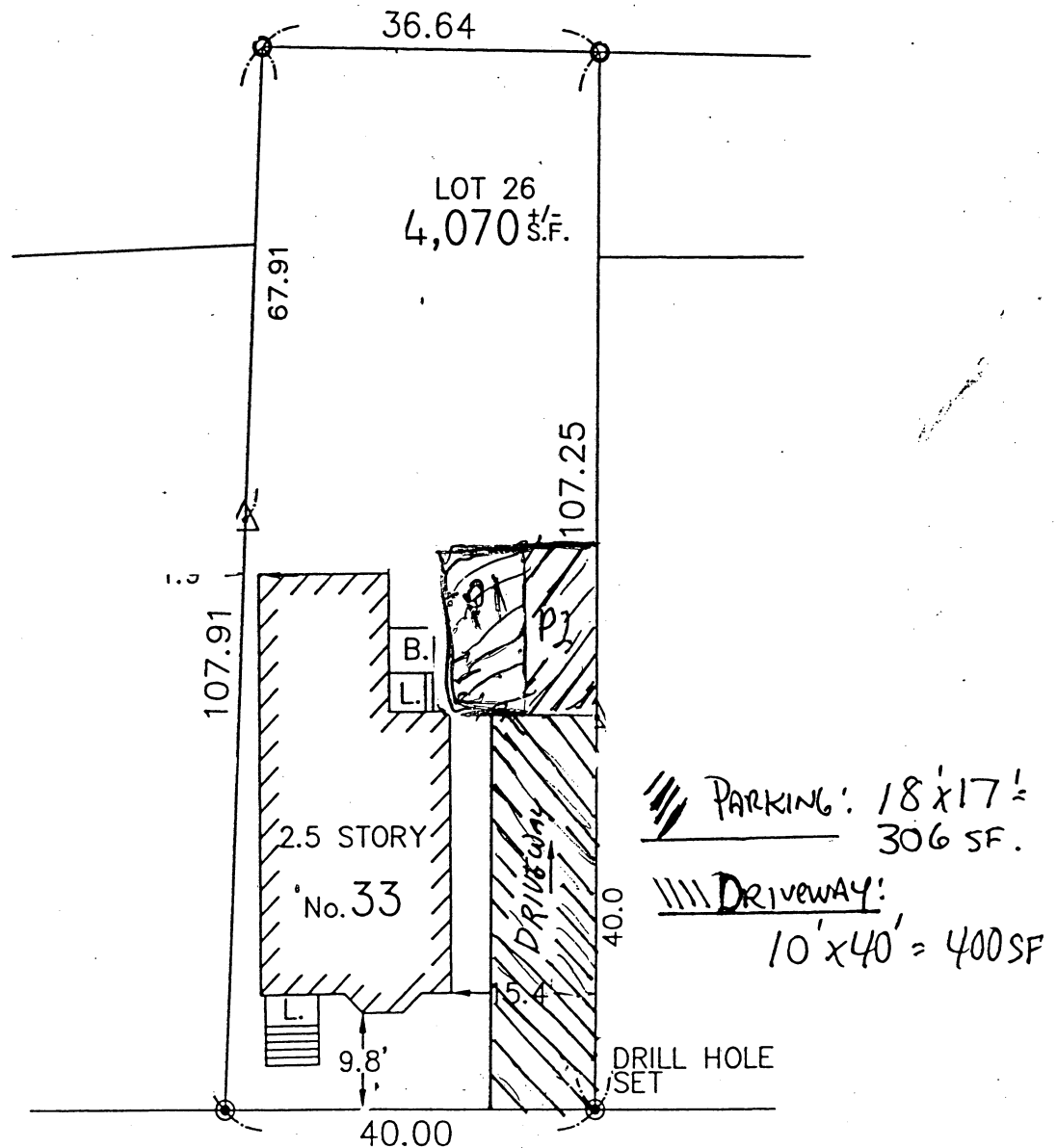
Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

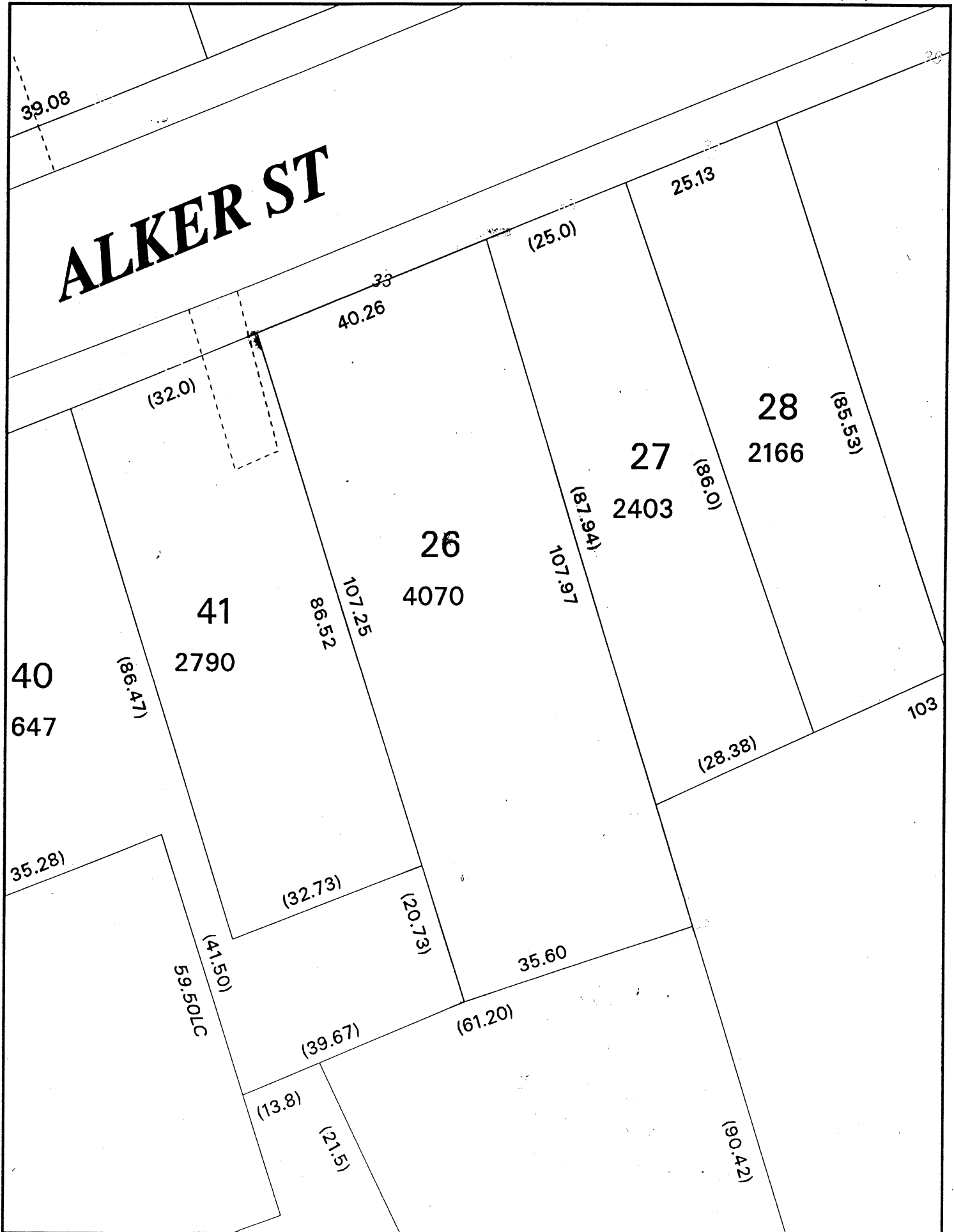


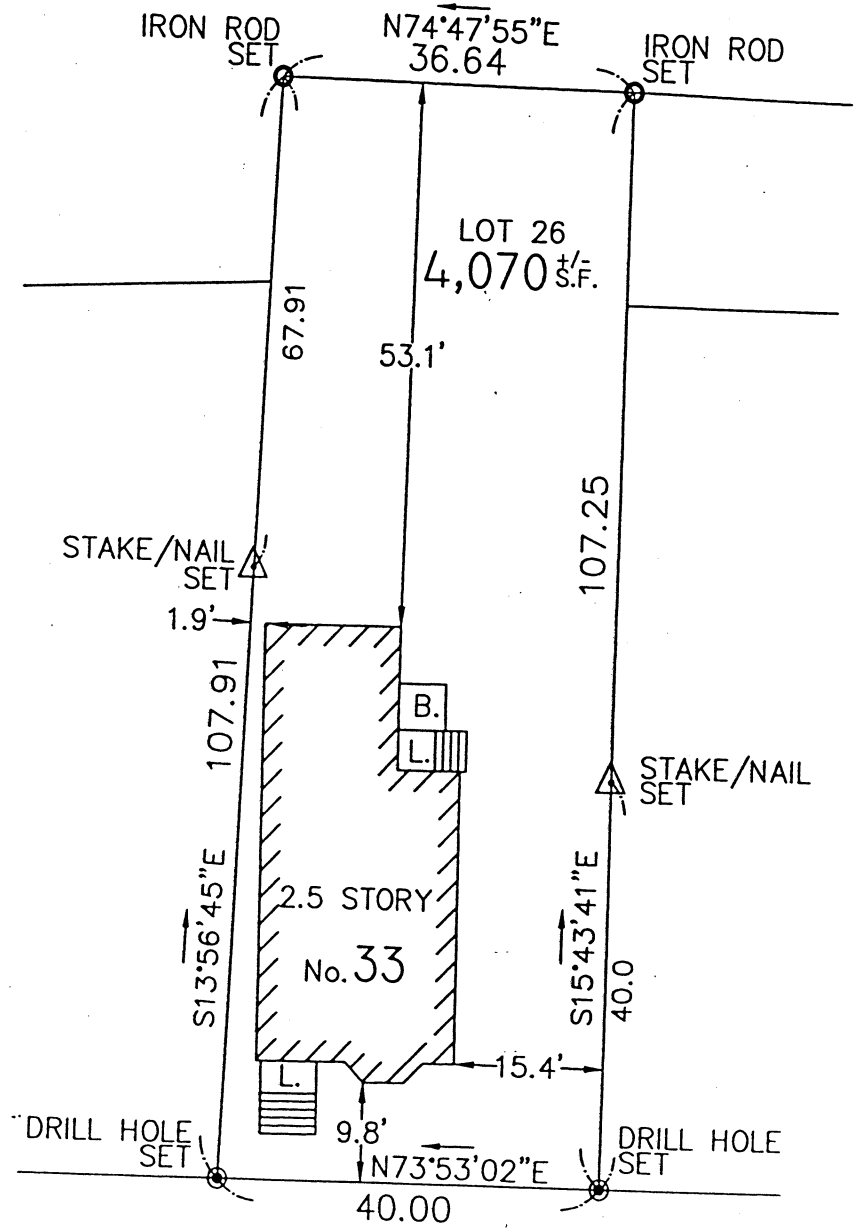
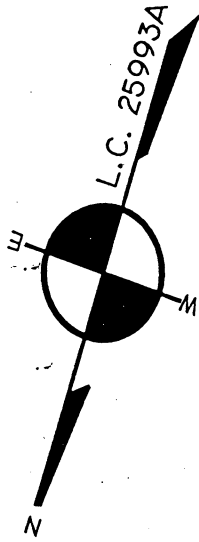
PROPOSED DRIVEWAY OUT - 33 WALKER ST.



33 WALKER STREET

- Will Remove Two (2) Cars from Walker St. Parking
- No Loss of Existing Parking Spaces on Walker St.
- No Impact on "Streetscape" of Walker St.





WALKER STREET



33 walke

Proposed Cut

existing cut

NOTES

REFERENCES

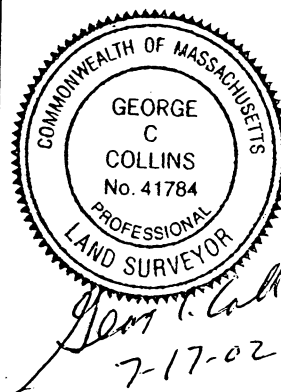
DEED: BOOK 22976 ;PAGE 419

PLAN: L.C. 25993A
L.C. 8458A
PLAN BOOK 26 ;PLAN 2

Field Book	Page	Insp. By	Drafted By	Checked By
D2	141	DRM	DRM	GCC

CERTIFICATION

I CERTIFY THAT THIS PLAN WAS MADE FROM
AN INSTRUMENT SURVEY ON THE GROUND
AND ALL STRUCTURES ARE LOCATED AS
SHOWN HEREON.

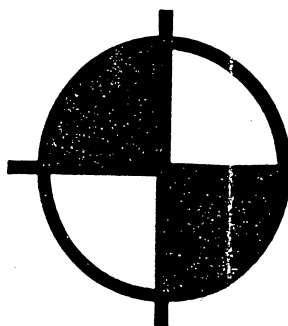


PLOT PLAN OF LAND LOCATED AT 33 WALKER STREET CAMBRIDGE, MA.

SCALE: 1 INCH = 20 FEET

DATE: JULY 17, 2002

PREPARED FOR: JOHN R. KENNEDY
36 ROYAL AVENUE
CAMBRIDGE, MA.



**BOSTON
SURVEY, INC.**

UNIT C-4 SHIPWAYS PLACE
CHARLESTOWN, MA. 02129
(617)242-1313

**CAMBRIDGE CITY COUNCIL
APPLICATION FOR DRIVEWAY CURB CUT OF JOHN KENNEDY**

**STATEMENT OF THOMAS B. BRACKEN
89 IRVING STREET**

2002 NOV 21 A 8:44

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

I am an attorney representing Betsy Dunn, Kate Burnett and Jean Parsons, who own property where they live at 27, 25, and 35 Walker St., respectively, whose properties abut the applicant's property at 33 Walker St. My clients are opposed to the Application as are many other neighbors who have signed a Petition which will be submitted to the Council.

The Application instructs the applicant to "first get approval from the Department of Inspectional Services on the zoning requirements for off street parking." Although Sean O'Grady, a Zoning Specialist in the Inspectional Services Department, approved the application for the stated reason that it "complies with Ordinance," in my opinion Kennedy's driveway plan attached to the application shows that the parking spaces do not comply with the Zoning Ordinance, for the following reasons:

1) Section 6.42 requires a "regular" parking space to be 8 1/2 feet wide. Kennedy's driveway plan shows that the total width of the two car parking area is 15.4 feet wide, about 1 1/2 feet short of the required width.

2) Section 6.44.1 (a) provides:

"No on grade open parking facilities shall be located within ten (10) feet of that portion of a building wall containing windows of habitable or occupiable rooms at basement or first story. However, on grade open parking spaces serving one, two, or three family dwellings may be located within five (5) feet of that portion of such building wall."

The first sentence of the section applies to a building wherever located and the second sentence provides an exception for one, two, and three family dwellings serviced by the parking spaces. This means that Kennedy's parking spaces must be 10 feet from the east wall of Ms. Dunn's home, which contains a window to her library, and 5 feet from Kennedy's house, which is the building served by the parking spaces. Ms. Dunn has determined that the distance from the boundary line, as shown on Kennedy's plan, to the east wall of her house is approximately 9 feet. Therefore, parking space P2 violates § 6.44.1(a). Parking space P1 violates the exception provision of § 6.44.1(a) since it abuts the west wall of Kennedy's building.

3) Section 6.44.1(d) provides:

"The area between the required parking setback line and the building or lot line shall be landscaped and maintained in accordance with the requirements of Subsection 6.48."

The front yard set back in the Residence B Zone is 15 feet. No landscaping is shown on the plan between the setback line and the building or lot line as required by § 6.44.1(a).

4) Section 6.44.1 (g) provides that any modification of these requirements may be obtained only pursuant to a special permit issued by the Board of Zoning Appeal if there is a showing that "site specific factors favor such modification."

For the foregoing reasons, the Council should deny the application.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'T. Bracken', written over a horizontal line.

Thomas B. Bracken
89 Irving Street
Cambridge, MA 02138

Dated: November 21, 2002

3

2002 NOV 21 A 8:44

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

89 Irving Street
Cambridge, MA 02138

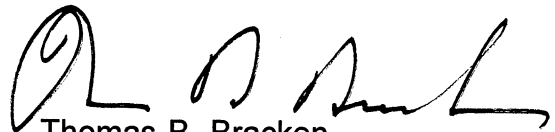
November 21, 2002

Clerk's Office
City of Cambridge
City Hall
795 Massachusetts Ave.
Cambridge, MA 02139

Dear Sir/Madam:

Enclosed is my statement regarding the Application for Driveway Curb Cut of John Kennedy which is on the agenda for the Council's 11/25/02 meeting. Please include my statement as a part of the record of the Council's hearing on this matter.

Very Truly Yours,



Thomas B. Bracken

Consent Communication #3

A communication was received
from Thomas B. Bracken,
regarding the curb cut application
for 33 Walker Street.

In City Council November 25, 2002

**REFERRED TO
CHARTER
RIGHT #1.**

PETITION

To the honorable City Council
City of Cambridge

We, the undersigned, own property where we live, as shown below. We oppose Mr. John Kennedy's petition for a curb cut at 33 Walker Street. It would result in increased parking congestion on a street already overwhelmed by parked cars. It would result in the destruction of significant plantings of trees, bushes, and a flourishing yew hedge, thus making Walker Street far less attractive. We object also to the fact that Mr. Kennedy's petition has been supported almost exclusively by non-resident non-abutters..

NAME

ADDRESS

Laura Pizer

21 Walker St.

~~Frances~~

45 GARDEN ST.

Jan H. Widener

42 WALKER ST.

Kamela Raskin

37 Walker St.

Paul Raskin

37 Walker St.

Beth C. Gornse

14 Walker St

And N. Singh

14 Walker St.

~~Theodora Parsons~~~~37 Walker Street~~

Clara N. Moss

67 Walker Street.

Lino Scintile

18 Walker Street

Jean W Parsons

35 Walker Street *

* signed with permission of Jean Parsons by Theodora Parsons

P.3

additional name received by fax

PETITION

This is the fax.

To the honorable City Council
City of Cambridge

We, the undersigned, own property where we live, as shown below. We oppose Mr. John Kennedy's petition for a curb cut at 33 Walker Street. It would result in increased parking congestion on a street already overwhelmed by parked cars. It would result in the destruction of significant plantings of trees, bushes, and a flourishing yew hedge, thus making Walker Street far less attractive. We object also to the fact that Mr. Kennedy's petition has been supported almost exclusively by non-resident non-abutters..

NAME

ADDRESS

Laura Pizer

21 Walker St.

Akshay

45 GARDEN ST.

Jan A. Widulko

42 WALKER ST.

Kamela Raskin

37 Walker St.

Paul Raskin

37 Walker St.

Beth C. Gornse

14 Walker St

And N. Singh

14 Walker St.

Theodore E. Parsons

35 Walker Street

Clara G. Moss

67 Walker Street.

Eric Masri

30 Walker Street

PETITION

To the honorable City Council
City of Cambridge

We, the undersigned, own property where we live, as shown below. We oppose Mr. John Kennedy's petition for a curb cut at 33 Walker Street. It would result in increased parking congestion on a street already overwhelmed by parked cars. It would result in the destruction of significant plantings of trees, bushes, and a flourishing yew hedge, thus making Walker Street far less attractive. We object also to the fact that Mr. Kennedy's petition has been supported almost exclusively by non-resident non-abutters..

NAME

Kay R Shetlemay

ADDRESS

60 Walker St

PETITION

2002 NOV 21 P 4: 09
To the honorable City Council
City of Cambridge
CAMBRIDGE, MASSACHUSETTS

2002 NOV 21 P 4: 09
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

We, the undersigned, own property where we live, as shown below. We oppose Mr. John Kennedy's petition for a curb cut at 33 Walker Street. It would result in increased parking congestion on a street already overwhelmed by parked cars. It would result in the destruction of significant plantings of trees, bushes, and a flourishing yew hedge, thus making Walker Street far less attractive. We object also to the fact that Mr. Kennedy's petition has been supported almost exclusively by non-resident non-abutters..

NAME

ADDRESS

Elizabeth O. Dergsch	12 Walker St., Cambridge
Katherine Burnett	25 Walker St., Cambridge
Kate J. Anderson	20 Walker St., Cambridge
Joseph M. Catchup	44 Walker St. Cambridge
* Richard N. Macnair for M. Louise Macnair	51-59 Walker St Cambridge
* M. Louise Macnair	45-57 Walker St Cambridge
* M. Louise Macnair	49-51 Walker St Cambridge
* M. Louise Macnair	1,2,3 Walker Terrace Cambridge
Jane K. Guntel	39/41 Walker Street Cambridge
Elizabeth Dunn	27 Walker Street Cambridge
MILLOS POGANY	1 Walker St Cambridge
Lisa C. Berkman	1 Walker St Cambridge
Andrew Pogany	One Walker St. Cambridge
Alex Pogany	1 Walker St. Cambridge
Virginia Swain	13 Walker St. Cambridge
Ann B. M. H.	2 Walker St. Place
Roya S. Slive	1 Walker St. Place

* Signed with permission of M Louise Macnair by Richard N. Macnair

Consent Communication #2

A communication was received from Elizabeth O. Dempster, et al., regarding the curb cut application for 33 Walker Street.

In City Council November 25, 2002

**REFERRED TO
CHARTER
RIGHT #1.**

CCM-101



City of Cambridge

O-6

IN CITY COUNCIL

November 25, 2002

VICE MAYOR DAVIS

ORDERED: That the City Manager be and hereby is requested to provide the City Council with a report on the application for a curb cut at 33 Walker Street as to completeness of application and whether the proposal complies with the Zoning Ordinance with a response back at one of the next two City Council meetings; and be it further

ORDERED: That the City Manager contact the owner and neighbors to meet to resolve their differences and provide mediation assistance for this meeting.

In City Council November 25, 2002.

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

D. Margaret Drury

ATTEST:-

D. Margaret Drury
City Clerk

Consent Communication #13

A communication was received
from Elizabeth Dunn, regarding the
curb cut application for
33 Walker Street.

In City Council December 9, 2002

**REFERRED TO TABLED
ITEM #6.**

13

John Kennedy
Wellington Technology Group, Inc.
38 Royal Avenue
Cambridge MA 02138

2002 DEC -2 A 11: 49

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Dear Mr. Kennedy,

Pursuant to the Order adopted by the City Council on 11/25/02, many of the neighbors who signed the petition in opposition to your Application for a Driveway curb cut look forward to meeting with you to discuss your plans for the development of property at 33 Walker Street, which the curb cut would service.

Specifically, we want to review the detailed building plans which you intend to submit to the City boards and officials in order to obtain the necessary approvals and permits which the development would require.

We propose a meeting on Thursday, December 5 at 7:00 PM at 33 Garden Street (2nd floor). I look forward to hearing from you.

Very Truly Yours,

Elizabeth Dunn
27 Walker Street
Cambridge MA 02138

617-547-3336

cc City Manager Robert Healy
✓ City Clerk Margaret Drury for the City Council

November 27, 2002

Consent Communication #13

A communication was received
from Elizabeth Dunn, regarding the
curb cut application for
33 Walker Street.

In City Council December 9, 2002

**REFERRED TO TABLED
ITEM #6.**

Date sent: Fri, 29 Nov 2002 15:33:43 -0500
Subject: 33 Walker Street Notice to Abutters
From: "John R. Kennedy" <johnkennedy777@attbi.com>
To: Robert Bersani <rbersani@CI.Cambridge.MA.US>
Copies to: Ranjit Singanayagham <ranjits@CI.Cambridge.MA.US>, Stephen Clark <stephenc@chelaw.com>

Dear Mr. Bersani,

Regarding my application for a curb cut at 33 Walker Street, all known residents of the street and all abutters were sent one or more letters with a copy of the approval form attached sometime in August or before.

Specifically, regarding the abutters you mentioned:

- 25- Hand delivered the request and hand-delivered a follow-up
- 27- Hand delivered the request and had follow-up conversations;
- 30- Sent Fed-ex to residents, living in New Jersey; 35- Sent Fed-ex to resident, living in California.

We went over this application in detail with your staff and found it to be well within the setback, open space, streetscape, etc., requirements.

Please give me a call if there may be any issues regarding this application which began last August.

Best regards,

John Kennedy

2002 DEC -9 P 2:42
CLERK
CAMBRIDGE, MASSACHUSETTS

Submitted at Rostrom

2/24/03

File with Tabled Item #6

Hon Brian Murphy

February 24, 2003

To: The Honorable Mayor Michael A. Sullivan and Members of the City Council

From: John R. Kennedy

Subject: Walker Street Curb Cut

As the owner of 33 Walker, I am requesting your vote in support of my application for a Curb Cut which was approved by the City Departments(8/10-/02) and tabled by the Council back in November.

Since then, the Board of Zoning Appeals has unanimously(5-0) upheld Commissioner Bersani's approval of the application(CASE # 8630, 1/23/03). As Board member Mr. Clemons stated "He (Mr. Bersani) is the Commissioner.... This is within his area of expertise and his job." Specifically Mr. Bersani's determinations included(see Attach 1):

1. approval of parking plan for a curb cut at 33 Walker Street
2. consistent with City Council prior determinations (November 12, 1996)
3. an in depth discussion with the Law Department
4. that all set back and other requirements are met
5. Building Department will verify parking spaces when established.

In addition, Mr. Paul Raskin, who had expressed some concern at the BZA meeting, has reviewed my plans and is satisfied that the curb cut will not threaten existing parking(see Attach 2). As outlined in the original application, the curb cut will remove two cars from Walker Street at no loss of parking.

We will have the parking well off the streetscape, positioned behind the current fence (see Attach 3). Much of the existing parking at Walker does not respect the setbacks and cars are parked in the front yards (see photos, Attach 4 & 5).

33 Walker is and will remain a two family home which was purchased in good faith based upon the understanding that all City setbacks and other zoning requirements were met with room to spare.

Many thanks for your help.

- Attachments:
1. Exerpts from Board of Zoning Appeals meeting re: Case # 8630, 1/23/03
 2. Ltr, Mr Paul Raskin, 37 Walker Street, 2/21/03.
 3. Photo: 33 Walker Street, proposed curb cut
 4. Photo: 27 Walker Street, E. Dunn, existing parking space
 5. Photo: Walker Street existing parking examples.

Excerpts from City of Cambridge Board of Zoning Appeals Case # 8630,1/23/03

- “ruling: that the appeal of the Commissioner’s approval of a parking plan for a curb cut at 33 walker street be denied, therefore upholding the commissioner’s decision to grant that approval for that application for the curb cut... five in favor..”
- “...(Comm. Bersani); that was the proposal given to the City Council and they chose not to take action... to leave it the way it was being interpreted by our office.”
- “ (Comm. Bersani): I might say also that I discussed this in depth with the Law Department and everything I said tonight is consistent. .. Ranjit is here also he’s the one that been this for 15 years, he can tell you that that’s been his consistent inerpretation.”
- “ (Comm. Bersani): ...this is a very deep lot. ...he can put the parking, really all the way back...”
- “ (Comm. Bersani): ...when the parking spaces are put in he’ll submit an as built to us that will show that the 17 foot is being provided.... And that will be by a certified land surveyor...”

ATTACH I - Exerpts

Subject: RE: Walker Street Saga
Date: Friday, February 21, 2003 3:55 PM
From: Paul Raskin <praskin@tellus.org>
To: "'John R. Kennedy'" <johnkennedy777@attbi.com>

John,

Thank you for the email and the clarifying information pertaining to my concern about the possible loss of a street parking place as a result of your proposed curb cut at 33 Walker Street. There may be other legitimate concerns that others are raising regarding the curb cut, and I am not addressing those here one way or the other. However, on the narrow issue of the preservation of street parking, I am satisfied that your plan of maintaining 27 feet of curb from the hydrant in front of 33 Walker to your cut will not threaten existing parking.

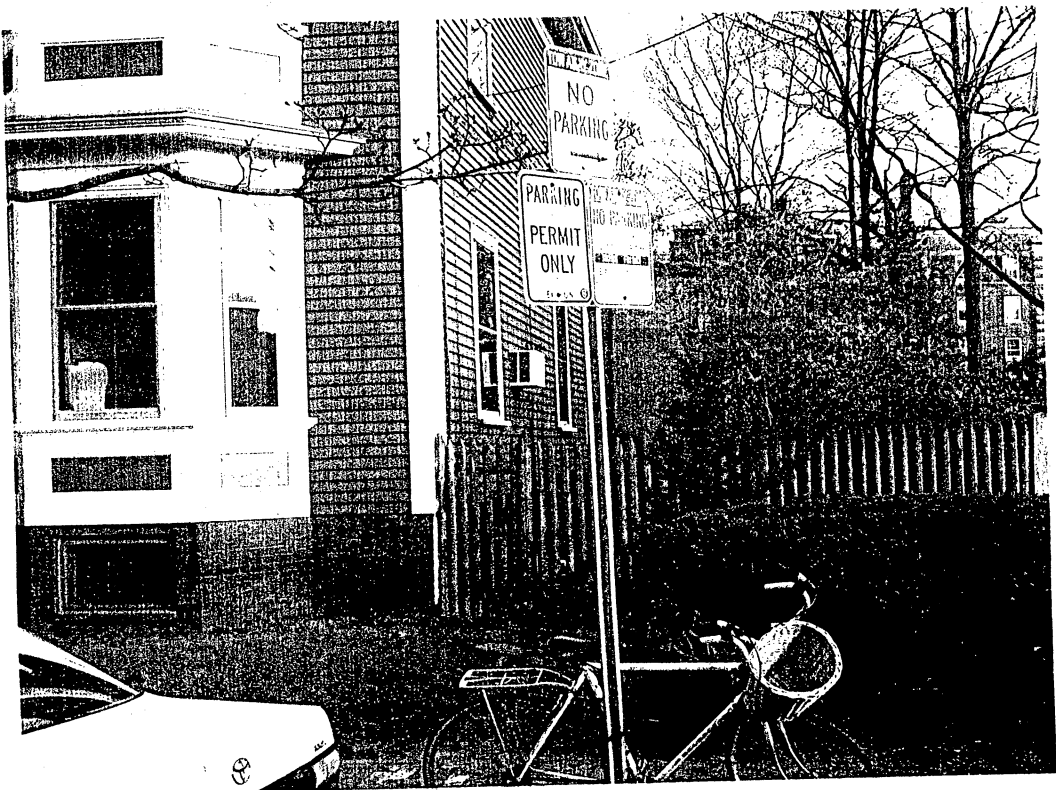
I also appreciate your responsiveness to our concerns about expanding changing the footprint at 33 Walker Street and your willingness to retain the current footprint there.

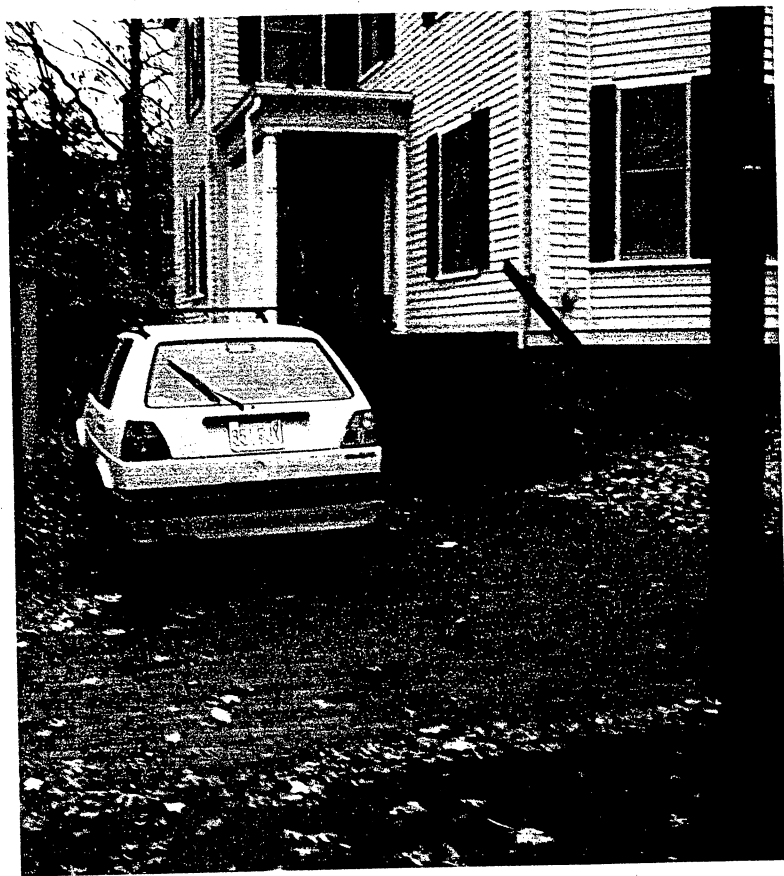
Regards,

Paul Raskin, Ph.D.
President, Tellus Institute
11 Arlington Street
Boston, MA
02116 USA
Email: praskin@tellus.org
Tel: 1 617 266 5400
Fax: 1 617 266 8303
<http://www.tellus.org> <<http://www.tellus.org/>>

ATTACHED 2- MR. Paul Raskin

ATTACH 3. 33 WALK





ATTACH 4- 27 walker

City of Cambridge

MASSACHUSETTS

Tabled In In City Council 3/17, 2003

33 weeks

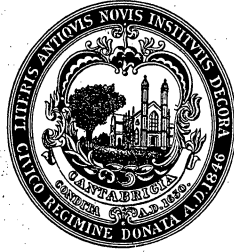
YEA	NAY	ABSENT	PRESENT	
	✓			Vice Mayor Henrietta Davis
	✓	✗		Ms. Marjorie C. Decker
	✓	✓		Mr. Anthony D. Galluccio
✓				Mr. David P. Maher
	✓			Mr. Brian Murphy
✓				Mr. Kenneth E. Reeves
	✓			Ms. Denise Simmons
✓				Mr. Timothy J. Toomey, Jr.
✓				Mayor Michael A. Sullivan

4 5

Donald A. Drisdell
City Solicitor

Nancy E. Glowa
Deputy City Solicitor

Arthur J. Goldberg
First Assistant
City Solicitor



Assistant City Solicitors

Birge Albright
Vali Buland
Cheryl Anne Watson
Nancy B. Schlacter
Christine E. McGinn

CITY OF CAMBRIDGE

Office of the City Solicitor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

March 31, 2003

Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: Council Order #6 dated 11/25/02 RE: Report on the completeness and compliance of the application for a curb cut at 33 Walker Street

Dear Mr. Healy:

This is a partial response addressing the portion of the Council Order concerning compliance with the Zoning Ordinance in relation to this curb cut application. The other portion of the Council Order concerning the completeness of the curb cut application relating to the inclusion of abutters' forms is being addressed by Robert Bersani, Commissioner of Inspectional Services (the "Commissioner").

The City Council's curb procedures require multiple City Departments to review the application for compliance with applicable Ordinances, rules and regulations. The Inspectional Services Department ("ISD") reviews the application to ensure that the application complies with all relevant provisions of the Cambridge Zoning Ordinance ("CZO").

When the application was submitted for the curb cut at 33 Walker Street, ISD reviewed it and determined that it complied with all relevant provisions of the CZO. Specifically, the Commissioner determined that the parking plan for a curb cut and driveway complied, *inter alia*, with §6.44.1, which allows on-grade open parking spaces serving one, two or three family dwellings to be within five feet (5') of that portion of a building wall containing windows or habitable or occupiable rooms at the basement or first story of the building on the lot. On September 20th, the application was approved as to Zoning and forwarded to the Traffic, Parking, and Transportation Department, the next in the approval chain.

Abutters to the applicant's property appealed the Commissioner's determination that the parking plan for 33 Walker Street complied with the CZO. The Board of Zoning

Appeal ("BZA") heard the case on January 23, 2003 and filed its decision on March 17, 2003. The BZA upheld the Commissioner's determination that the parking plan complied with all relevant provisions of the CZO. Thus, the application is complete and valid as to zoning requirements, and is properly before the City Council for consideration. We would note that while the Board voted at that hearing to request that the City Council review provisions of the CZO relating to setbacks from residential structures, including §6.44.1, that request for the Council to consider an amendment to the CZO relative to those provisions is prospective, and has no bearing whatsoever on the pending curb cut application for 33 Walker Street.

Very truly yours,

A handwritten signature in black ink, appearing to read "Donald A. Drisdell". The signature is fluid and cursive, with a large initial "D" and a stylized "A".

Donald A. Drisdell
City Solicitor



8.

CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager

Richard C. Rossi, Deputy City Manager

March 31, 2003

To the Honorable, the City Council:

In response to Awaiting Report Item No. 02-114, regarding a report on the completeness and compliance of the curb cut application for 33 Walker Street, Inspectional Services Commissioner Robert Bersani reports the following:

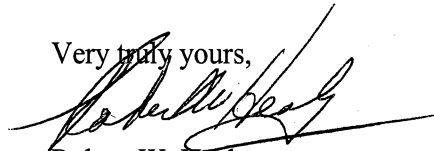
The curb cut application procedures currently in place require the applicant to notify the abutters and request that they complete a form indicating approval or disapproval of the proposed curb cut. These forms are then included with the application. If the applicant is unable obtain these forms from all the abutters, then a statement is to be included with the application stating that an attempt was made to secure the required signatures and the reasons why it was not possible to obtain them.

When the applicant submitted his application for the curb cut at 33 Walker on August 23rd, he attached abutter forms for three of the seven abutting properties along with a memorandum stating that the responses from the other abutters had not yet been received and would be forwarded when received. On September 9, the applicant sent a second memorandum stating that he was meeting with the neighbors and he was waiting for responses from the other abutters. On September 20th, the responses from the four abutters had still not been received and the application was approved as to Zoning on that date and forwarded to the Traffic, Parking, and Transportation Department, the next in the approval chain. The application was considered complete as the applicant apparently made a reasonable effort to obtain the abutter signoffs.

On November 29th, the applicant was requested to update the status of the abutter signoffs and he provided the attached statement indicating that there was follow-up with two of the abutters without success and that the other two were living outside the State. A copy of this correspondence has been included with the application.

In addition, please find attached a further response to this Council Order received from City Solicitor Donald A. Drisdell.

Very truly yours,


Robert W. Healy
City Manager

RWH/mec
Attachment

Consent Agenda #8

**Awaiting Report Item Number
02-114**, regarding the curb cut
application for 33 Walker Street.

In City Council March 31, 2003

**REFERRED TO CALENDAR
ITEM #5 AND ORDER ADOPTED.
SEE ORDER #11.**

April 7, 2003

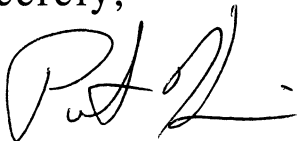
I object to Mr. Kennedy's curb cut petition for a number of reasons, but the most relevant is that I'm out of patience for new curb cuts that pull parking spaces off Walker Street.

I believe Mr. Kennedy's contention, reported to us in his meeting with neighbors, that no on-street parking spaces will be lost to the curb cut is laughably inaccurate: just look for yourself at that part of the street. In any case, the curb cut has the effect of privatizing a portion of Walker St. and removing at least one parking space from shared use. Given the propensity of people to not use their off-street spaces if they must park behind each other, or in bad weather, this curb-cut seems a major loss to me .

In addition, since I am told the abutters have no intention of providing Mr. Kennedy with the variances he would need to provide adequate ground-level off-street parking to develop the property to his satisfaction, we are especially opposed to allowing him this curb cut. Given Mr. Kennedy's development history in the City of Cambridge, I am entirely in sympathy with the abutters.

At a ~~recent~~ meeting with concerned neighbors, Mr. Kennedy was rude, smug, evasive, uninformative, and made apparently contradictory and self-serving representations of himself and his business at that meeting. He treated us as if we were buffoons. In my opinion, he will say anything he feels he needs to say to get his way. Certainly, the folks on Antrim Street have, in the past, experienced what it was like when the city permitted Mr. Kennedy to do what he wanted.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Harris' with a stylized flourish at the end.

Peter Harris
68 Walker St.

Consent Agenda #10

Meeting regarding 33 Walker
Street curb cut application.

In City Council April 7, 2003

**REFERRED TO CALENDAR
ITEM #5.**

City of Cambridge

MASSACHUSETTS

In City Council 4/7, 2003

5 Curb Cut on 33 Walker St.

YEA	NAY	ABSENT	PRESENT	
	✓			Vice Mayor Henrietta Davis
✓				Ms. Marjorie C. Decker
✓				Mr. Anthony D. Galluccio
✓				Mr. David P. Maher
	✓			Mr. Brian Murphy
✓				Mr. Kenneth E. Reeves
	✓			Ms. Denise Simmons
		✓		Mr. Timothy J. Toomey, Jr.
✓				Mayor Michael A. Sullivan

5 3 1

On in survey for record 4/8
Record 6-8

City of Cambridge

MASSACHUSETTS

In City Council 4/7, 2003

#5 DM Take for the Table (Roll call correct for 57 HD)

YEA	NAY	ABSENT	PRESENT	
	✓			Vice Mayor Henrietta Davis
✓		W		Ms. Marjorie C. Decker
✓				Mr. Anthony D. Galluccio
✓				Mr. David P. Maher
	✓			Mr. Brian Murphy
✓				Mr. Kenneth E. Reeves
	✓			Ms. Denise Simmons
✓				Mr. Timothy J. Toomey, Jr.
✓				Mayor Michael A. Sullivan

6 3

KATHARINE BURNETT
25 WALKER STREET
CAMBRIDGE, MASSACHUSETTS 02138

March 31, 2003

6

2003 APR -2 A 11:08
CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D Margaret Drury, City Clerk
Office of the City Clerk, City of Cambridge
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Ms. Drury:

Tonight in City Council meeting, Mayor Sullivan asked me to
send you a copy of this statement. I send it herewith.

Yours truly,

Katharine Burnett

Katharine Burnett
25 Walker Street

Communication #6

A communication was received from Katharine Burnett, regarding the curb cut application at 33 Walker Street.

In City Council April 7, 2003

REFERRED TO THE PETITION.

6

Statement partially read to Cambridge City Council March 31, 2003

Good evening Mayor Sullivan and City Councillors:

After the developer Mr. John Kennedy bought Kay Gould's house on Walker Street last summer, we in the neighborhood thought something was up when a row of orange stakes appeared inside Betsy Dunn's fence, a fence we had always--for fifty years or more--thought was the boundary between the premises at 33 Walker Street, the Goulds' property, and those at 27 Walker Street, Mrs. Dunn's property. As it turns out, Mr. Kennedy, after he bought the house, had Boston Survey Inc. survey the land and prepare a plot plan. According to that survey, Mr. Kennedy owns all the land 6 inches on his side of the orange stakes, including Mrs. Dunn's fence. The Office of Inspectional Services concurs in this opinion, as does the Board of Zoning Appeal. According to the Office of Inspectional Services and the Board of Zoning Appeal, Mr. Kennedy will be perfectly within his legal rights if he disassembles Mrs. Dunn's fence in order to construct the driveway for which he has filed an application. They believe this even though the fence in question has been in place for well over fifty years. They have stated that community values and neighborhood values are not within their jurisdiction. It is not clear, however, that the law of the Commonwealth agrees with their view. The Law of Adverse Possession may come into play.

As you know, the Office of Inspectional Services, in response to our inquiries, denied the existence of any curb cut application from Mr. Kennedy all fall, even though the application was filed on August 23 and they had signed off on it on September 20. They denied its existence right up until November 18 of 2002. That afternoon we, the neighborhood, heard that Mr. Kennedy's application had advanced so far that it was to be voted on that evening in City Council meeting. We hastened to express our consternation.

We did not and do not think Mr. Kennedy's curb cut would be in the best interests of the neighborhood. It would make the extremely serious parking problem on Walker Street even more serious, and by demolishing perhaps Mrs. Dunn's fence but certainly all the flourishing trees and shrubs between Walker Street and the back of Mr. Kennedy's property, he would expose an ugly view, i.e. the bare brick backside of Chauncy Street.

We sent a petition to you, our City Council, expressing our dismay and the reasons for it. It was signed by some thirty odd homeowners, many of whom have lived in the neighborhood a very long time.

We have discovered, however, that not only do the Office of Inspectional services and the Board of Zoning Appeal think the question of Mrs. Dunn's fence not interesting, or at any rate, as something not within their jurisdiction, they regard the requirement stated in the city's own application form, that the applicant supply signed forms of abutters, as not valid. The city's application form may require signed forms of abutters, but they do not. (The applicant's attempt to extend his one legitimate signature to three is false, though it appears to have been accepted by all the city authorities, as was his illegitimate signature from neighborhood 9,

testified as illegitimate by Winifred Carfagno in City council meeting..) According to them--the Office and the Board--abutters have no power, and neither, it seems, has the neighborhood.

We do not feel this is right. We do not feel it is right or democratic for a single person to buy into a neighborhood, alter that neighborhood for his personal gain and for the worse-- against the express wishes and the good sense of the neighbors-- and then leave. We feel that that is not fair.

Both the Office of Inspectional Services and the Board of Zoning Appeal have referred us to you, our City Council, to consider the matter in the light of what they specifically deny any jurisdiction over- community values and neighborhood values.

With thanks, therefore, on behalf of our neighborhood for your kind remission of the time pressure we so suddenly and mysteriously came under on November 18, I appeal to you now for relief from this developer. Please vote against his petition. Thank you.

Katharine Burnett
25 Walker Street



10.

CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager

Richard C. Rossi, Deputy City Manager

April 7, 2003

To the Honorable, the City Council:

As you requested, I met on Wednesday, April 2 with Ms. Dunn, Attorney Thomas Bracken and Mr. Kennedy. Ms. Burnett was unable to attend, but this was the only time available for all the other parties.

Multiple issues were discussed. Mr. Kennedy agreed to not require the relocation of the Dunn Fence, which is on his property, which will then allow the existing shrubbery to remain untouched.

Nevertheless, no withdrawal of Ms. Dunn's objection to the "alteration of the layout of the public way" was achieved.

I further reiterate the legal requirement to allow access to private property from the public way as stated by the City Solicitor last Monday evening.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Consent Agenda #10

Meeting regarding 33 Walker
Street curb cut application.

In City Council April 7, 2003

**REFERRED TO CALENDAR
ITEM #5.**



City of Cambridge

Calendar Item #5

IN CITY COUNCIL

April 7, 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.

John Kennedy

33 Walker Street

In City Council April 7, 2003.

Adopted by a ye and nay vote:-

Yeas 6; Nays 3; Absent 0.

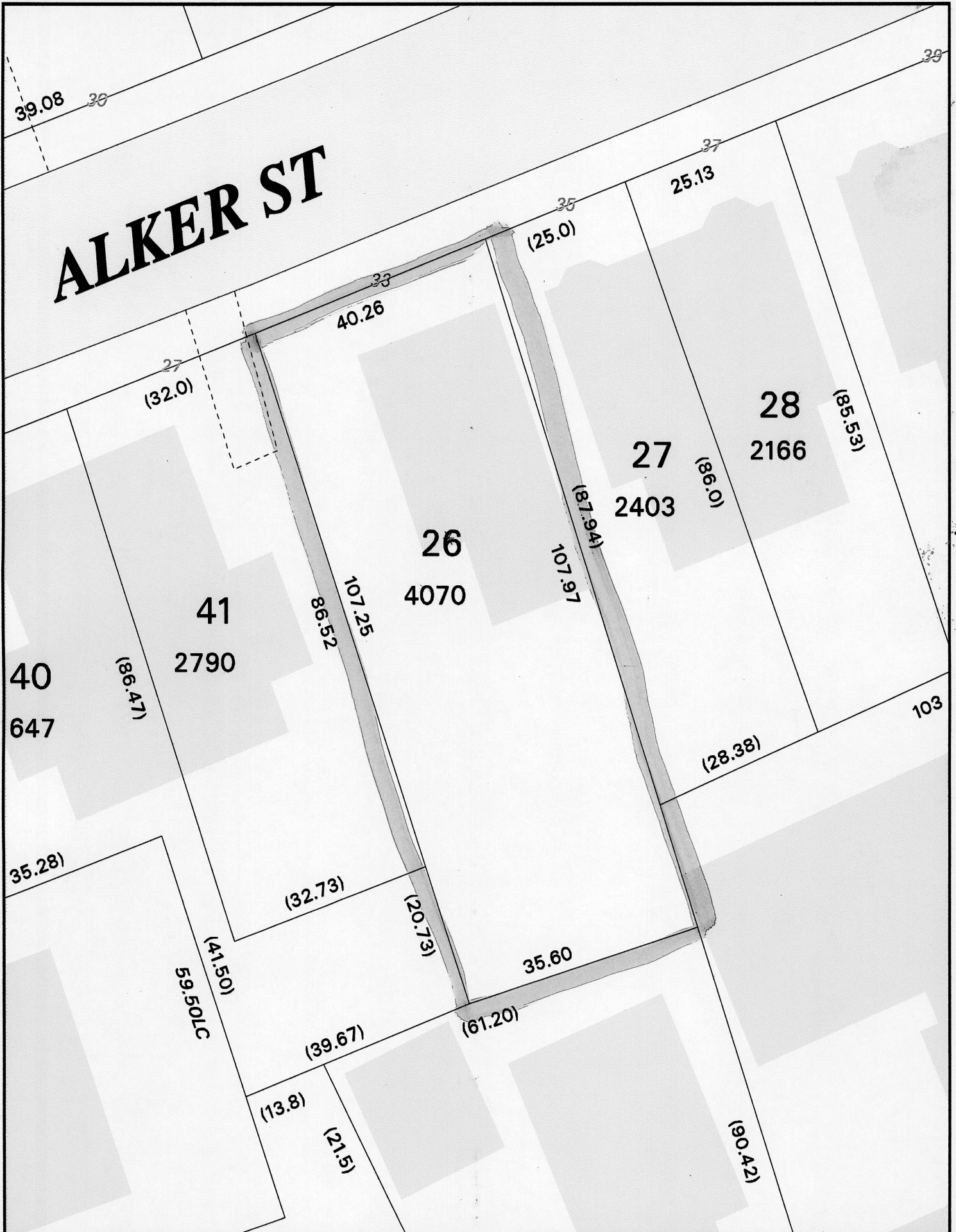
Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in cursive script that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury
City Clerk



Cal 5 H-40

Applications and Petitions #1

An application was received from John Kennedy, requesting a curb cut at the premises numbered 33 Walker Street; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works. Approval has been received from neighborhood associations.

In City Council November 18, 2002

**CHARTER RIGHT EXERCISED
BY MAYOR SULLIVAN.**

In City Council November 25, 2002

**PLACED ON THE TABLE ON
THE MOTION OF VICE
MAYOR DAVIS.
ORDER ADOPTED.
SEE ORDER #6.**

In City Council April 7, 2003

**ORDER ADOPTED.
6-3-0.**