



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert Healy, City Manager

Date Dec. 14, 1981

From *G. Teso*
George Teso, Traffic Director

Reference

Subject City Council Order #26 of Sept. 28, 1981 Winthrop St. Status

In reviewing and investigating all material and data available concerning Winthrop Street from Holyoke Street to Boylston Street. It is my opinion that this section of Winthrop Street is an "Unaccepted Way". The documents looked at, and the City Engineer along with Harvard University do not define this as a Public Way, so we must treat it as a "Unaccepted Way".

What this means as it relates to parking and control is that the abutters control the street and in this case the only abutter is Harvard University who maintains and plows the street. The only control the Traffic Department has is that they maintain a ten foot fire lane on this street.

OFFICE OF THE
CITY MANAGER

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HARVARD UNIVERSITY

OFFICE OF GOVERNMENT AND
COMMUNITY AFFAIRS

2 GARDEN STREET
CAMBRIDGE, MASSACHUSETTS 02138
617-495-4955

December 11, 1981

Mr. George Teso, Director
Traffic & Parking Department
City of Cambridge
57 Inman Street
Cambridge, MA 02139

re: Winthrop Street parking

Dear Mr. Teso:

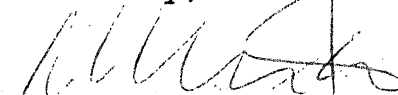
I have asked our lawyers to look into the question of Winthrop Street between Holyoke and Dunster Street.

The street is very old and, naturally, the records leave a great deal to be desired. The street is owned by Harvard and I understand that your question does not relate to that fact but rather to whether or not the street is a private way. While the records are not as clear as might be hoped, it is the University's position that the street is a private way and that we are accordingly handling the parking properly. The City Engineer is clear that the street is unaccepted. Among other things, Harvard maintains and plows the street and has for many, many years. This might reasonably lead to the conclusion that it is a private way.

There were proceedings in 1932 proposing to accept the street as a public way but those proceedings were abandoned.

In 1932, the City Council held a hearing "relative to the acceptance of Winthrop Street, running from Holyoke Street to Eliot Square, as a public way." An attorney appeared for Harvard "in remonstrance", although the notes of the meeting later state that he indicated that he thought Harvard would not object to the acceptance if no widening was contemplated. No one appeared in favor and the matter was referred to the Committee on Roads and Bridges. We found no further action on the matter in the City Council records in 1932 and 1933.

Sincerely,



Lewis A. Armistead

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CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

February 1, 1982

To the Honorable, the City Council:

With respect to Awaiting Report Item No. 3 relative to whether Winthrop Street is a public or private way, enclosed please find copy of a report from George Teso, Traffic Director, and a communication from Harvard University.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Encs. 2

Agenda Item Number Eleven *Scp*

Re: response to Awaiting Report Item No. 3
regarding the status of Winthrop Street as to
whether it is a public or private way.

In City Council,

February 1, 1982

2/1/1982

*Placed
on
File*