



City of Cambridge

Calendar Item #7

IN CITY COUNCIL

December 16, 2002

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.

Thomas Anninger

122 Hamilton Street

In City Council December 16, 2002.

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

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

D. Margaret Drury
City Clerk

10022002

CITY OF CAMBRIDGE
TRAFFIC & PARKING

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

OCT 24 PM 2:32

CITY OF CAMBRIDGE



02 OCT 27 PM 4:00
CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

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:

10 / 5 / 02

PART I:

Address of proposed curb cut or off-street parking facility: <u>122 Hamilton Street</u>	
Frontage: <u>52.67'</u>	Block and Lot: _____
Setback (distance from building to sidewalk): <u>9'</u>	
Distance from proposed driveway to surrounding structures and property line: <u>approximately one foot</u>	
Dimensions of proposed driveway: <u>six foot extension of existing driveway</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>see location of tree on drawing 2</u>	

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

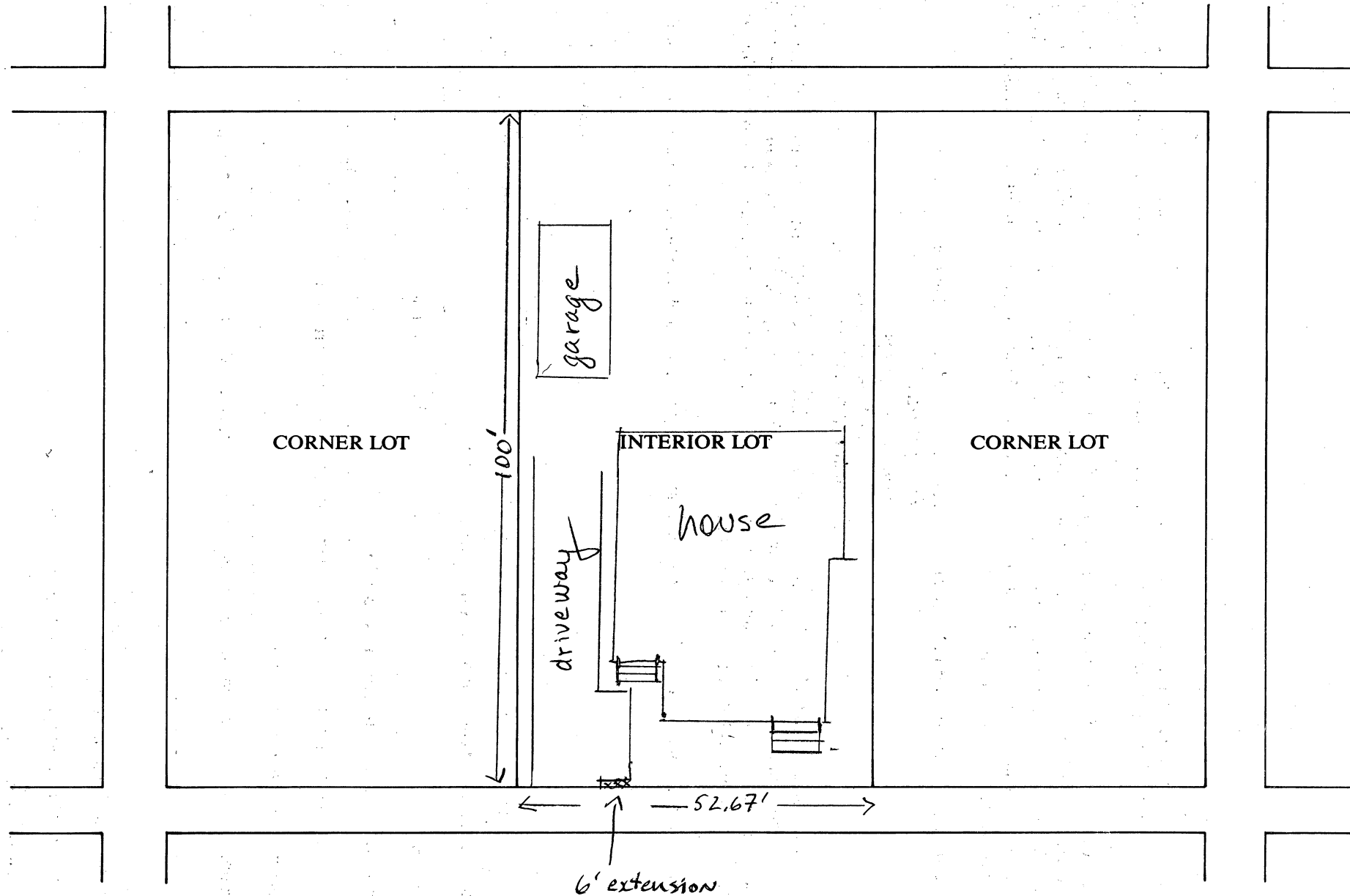
Control
#6335

CITY OF CAMBRIDGE
CLERK

NOV 19 A 11:46

DRAWING 1:

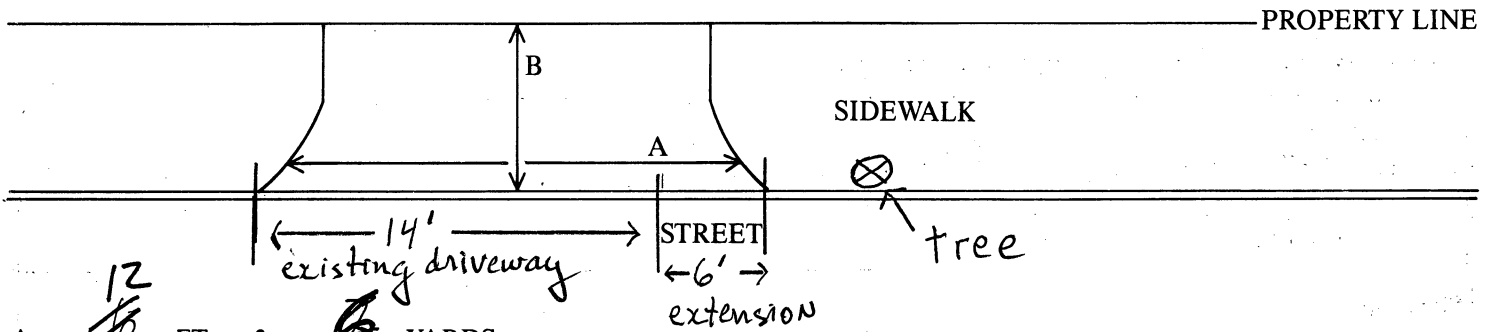
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = \frac{12}{\cancel{6}} \text{ FT.} \div 3 = \frac{6}{\cancel{6}} \text{ YARDS}$$

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

$$A \times B = \frac{4}{\cancel{6}} \text{ SQUARE YARDS}$$

COST ESTIMATE:

 BRICK: 4 SQUARE YARDS $\times$ \$70/SQUARE YARD = \$ 280

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

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

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

DEPARTMENT OF PUBLIC WORKS SCHEDULED DATE FOR CONSTRUCTION:

/ /

DEPARTMENT OF PUBLIC WORKS STATED FEE: \$ _____

The undersigned agrees to pay the stated fee for the driveway installation in full within two (2) weeks of the estimated starting date of construction before the Department of Public Works shall proceed with construction:

 Owner's signature: Thomas O'neill - Anne Amigo Date: 10/7/02

 Address: 26 Healey Street Cambridge 02138

 Phone: 617-492-7349

 Funds Received: \$ 280 Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

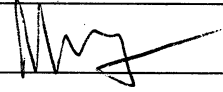
CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved

☐ Application denied

Reason: TOTAL CURB CUT TO BE NOT GREATER THAN 20

Signature: 

Date: 10/17/02

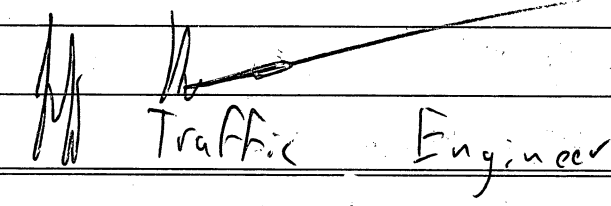
Title: ZONING

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature: 

Date: 10-30-02

Title: Traffic Engineer

PART IV: HISTORICAL COMMISSION

☒ Application approved

☐ Application denied

Reason: Not a designated historic property.

Signature: Sarah Bourles

Date: 10/24/02

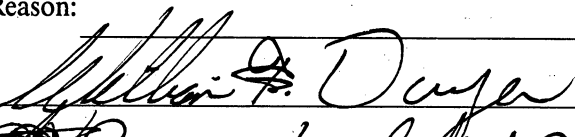
Title: Designated Property Admin.

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature: 

Date: NOV 15/02

Title: Superintendent of STREET.

APPROVED

STREET DIVISION

Control # 6335

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

St Augustine African Orthodox Church / 137 Allston Street



approval

Cambridge, Massachusetts, I do hereby declare



disapproval

of the installment of:

Off-Street Parking Facility located at

122 Hamilton Street

Signed:

Bishop George H. Turner

Date:

12/04/02

Address:

137 Allston Street

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:

2002 DEC -4 P 1:25
CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

City of Cambridge

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

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

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

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

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

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

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

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

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

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

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

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 114 Hamilton Street,

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 122 Hamilton St.

Signed:

Dagmaron Saks

Date:

10/5/02

Address:

114 Hamilton St Cambridge MA 02139

To Whom It May Concern:

As owner or agent of 124-126 Hamilton St,

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 122 Hamilton

Signed:

Sybil Larson

Date:

10/5/02

Address:

126 Hamilton St

To Whom It May Concern:

As owner or agent of 117 Hamilton St.,

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 122 Hamilton

Signed:

[Signature]

Date:

10/5/02

Address:

117 Hamilton St., Cambridge, MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

The rear abutter is a church on Allston Street.
I am trying to get in touch with them, and
will provide approval as soon as possible.

T. Amey 10/7/02

City of Cambridge

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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 15, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Thomas Anniger, requesting a curb cut *at the premises numbered 122 Hamilton 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

Neighborhood Association: Ward Five Committee – Mark Sutherland

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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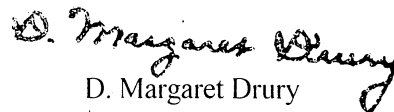
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Neighborhood Association: Friends of Magazine Beach – Robb Johnson

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no.

cc: Petitioner



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Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
City Clerk

Neighborhood Association: Hastings Square Committee – Geneva Malenfant

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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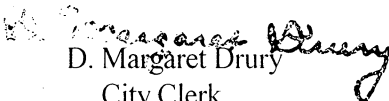
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Neighborhood Association: Cambridgeport Neighborhood Initiative – Stash Horowitz

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no.

cc: Petitioner

2002 NOV -4 P 1:51

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

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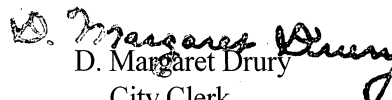
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Neighborhood Association: Cambridgeport Neighborhood Initiative – Stash Horowitz

hereby _____ approve ☒ disapprove of said driveway petition.

Comments: multiple reason, see attached memo

Signature of authorized association representative Elie Yarden

Daytime telephone no. 617-491-5350

cc: Petitioner

ELIE YARDEN
143 PLEASANT
co-chair

The existing driveway and garage allow off-street storage for 3 cars, which is more than adequate for an urban condition. The proposed added driveway width would allow for a fourth car to be parked off-street. Consideration of 3- and 4-car off-street parking is a suburban perspective at odds with the realities of urban Cambridgeport. Furthermore, there is more than adequate on-street parking space in this block of Hamilton Street. Immediately across the street is the Lyndon Johnson apartments, which have had a surplus of off-street parking for the elderly residents ever since the building was constructed around 1970. Entrance to the LBJ site is from Erie Street, with no vehicle or pedestrian access from Hamilton Street. Thus the street frontage along the odd-numbered side of the LBJ Hamilton Street is entirely available to any other abutters in the area, including 122 Hamilton. For this reason there has always been an on-street parking surplus on this block of Hamilton Street. There is no valid reason for any driveway to the 122 Hamilton Street property, let alone one to accommodate 3 or 4 cars.

The addition or widening of driveways in an urban area serves as a detriment to pedestrians, who must deal with sidewalk unevenness, parked cars extending into sidewalks, and cars entering and leaving the driveway which pose potential conflict with pedestrians in the area. The as-of-right driveway width is 10-feet and there is no reason to allow any greater width for a single-family house.

Under existing conditions, and especially after completion of the Cambridgeport Roadways project, there are numerous vehicles which use Hamilton Street as a short cut to bypass up to three traffic lights on Putnam Avenue. This commuter traffic tends to travel at excessive speeds and to be disrespectful of community needs for more sedate and non-threatening operation of motor vehicles. For this reason, Hamilton Street is in dire need of speed reduction. Under current state law, the street is unposted for speed limits, so the 30-mph default limit applies. In reality, 15 mph would be appropriate. The alternative is to seek traffic calming measures, but no such measures have been discussed or planned. The only current way to reduce vehicle speeds is to have both sides of the street occupied by densely parked cars (In the past, some kids have tried street hockey at mid-block, but this is risky and episodic without consistent effect.) Therefore, the more cars are parked on the street, the more traffic calming the neighborhood gets. The need for neighborhood traffic calming is another reason why widening the driveway to park the fourth vehicle is unwise.

The City of Cambridge did have a policy of operating a pedestrian exclusive phase at the intersection of Magazine and Putnam Avenue, which could be used to reduce or meter the traffic flow through Cambridgeport, and especially the Hamilton Street bypass route. Unfortunately, City officials have instituted the pedestrian phase, then removed it, then reinstituted it under protest and then removed it -- the current condition. Such mitigation to relieve Hamilton Street is clearly unreliable and not worthy of trust.

attachment
① E. Jordan



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

2002 OCT 28 A 11:45

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

October 15, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application Thomas Anniger, requesting a curb cut *at the premises numbered 122 Hamilton 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 Association: Hastings Square Committee – Geneva Malenfant

hereby _____ approve _____ disapprove of said driveway petition.

Comments: not within our purview

Signature of authorized association representative *Geneva Malenfant*

Daytime telephone no. 617 441 3260

cc: Petitioner

Cal 7N-145

Applications and Petitions #1

An application was received from
Thomas Anninger, requesting a
curb cut at the premises numbered
122 Hamilton Street.

In City Council November 25, 2002

**CHARTER RIGHT
EXERCISED BY
COUNCILLOR MURPHY.**

In City Council December 16, 2002

ORDER ADOPTED.