

The Commonwealth of Massachusetts

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CAMBRIDGE MA.
Executive Office of Transportation and Construction

Department of Public Works

Office of the Commissioner

Ten Park Plaza, Boston 02116-3973

December 20, 1985

The Honorable Francis H. Duehay
Mayor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Project Name: Fort Washington District Improvements.

Dear Mayor Duehay:

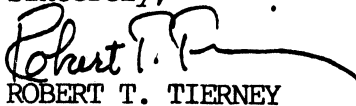
This is to inform you that all Public Works Economic Development Grant Funds awarded under the authority of Chapter 732, Acts of 1981 must be encumbered by June 30, 1986. Any funds not committed by contract as of that date must be returned to the Department of Public Works. No extensions of this shall be granted.

This requirement includes both the funds received from the Department of Public Works as well as all interest generated from those funds from the date of award, May 10, 1983. A request for authorization to encumber or spend Grant interest should be sent to the Department at least thirty (30) days prior to June 30, 1986.

You should promptly forward this letter or a copy thereof to the Town Treasurer and to your contact person whom we have listed as Betty, Fleming. If that person is not your contact person, please notify us by return mail of the name and address of your contact person and the lead agency, as required by regulation, 701 CMR 5.08(2).

We remind you at this time that a Final Report is due on this PWED project within sixty (60) days of the completion of the project. Grant funds and interest money must continue to be reported until a letter accepting the Final Report and direction as to the disbursement of remaining funds and/or interest is issued by this office. Communities who have not submitted Final Reports within 4 months of completion of the project will not be recommended for future Grant funding.

Sincerely,


ROBERT T. TIERNEY
COMMISSIONER

Certified Letter:

copies sent to:

R. W. Healy

J. Maloney



PHILIP H. LYNCH, P.E.
County Engineer

COUNTY ENGINEERING DEPARTMENT

RECEIVED BY
OFFICE OF CITY CLERK
1985 DEC 31 AM 9 41
County of Middlesex
CAMBRIDGE MA.
SUPERIOR COURT HOUSE

EAST CAMBRIDGE, MASS. 02141

494-4140

Assistant
County Engineers
JAMES L. KLOPOTOSKI, P.L.S.
WILLIAM W. BOYD, JR., P.L.S.

December 24, 1985

Paul E. Healy, Esquire
Clerk, City of Cambridge
City Hall
795 Massachusetts Avenue
Cambridge, MA. 02139

RE: New Way Across Tracks of CONRAIL - CAMBRIDGE

Dear Sir:

Enclosed please find completely executed copy of Final Return in connection with the petition of the Cambridge City Council for the laying out of a New Way across the locations and tracks of CONRAIL, at grade therewith, beginning at a point on existing publicly owned land, at the midline of Fort Washington Park, and extending in a southeasterly direction for approximately sixty (60) feet across said Railroad location and tracks to land along Vassar Street approximately three hundred (300) feet north of Audrey Street, in Cambridge, all in accordance with the provisions of Section 104 of Chapter 160 of the General Laws.

Very truly yours,

Philip H. Lynch
Philip H. Lynch, P.E.
County Engineer

PHL/mea
enclosure

cc: Cambridge City Council
Joan Lastovica, P.E., Cambridge City Engineer
Robert W. Healy, Cambridge City Manager
Elizabeth G. Flemings, Project Coordinator, Cambridge
Kathy A. Spiegelman, Assistant City Manager, Community Development
R.B. Hasselman, Senior Vice President Operations, CONRAIL
John H. McCabe, Director of Bus & Rail Division, D.P.U.

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

At a meeting of the County Commissioners
for the County of Middlesex, holden at
Cambridge, within and for said County,
on the seventeenth day of December in the
year of our Lord one thousand nine
hundred and eighty-five

The City Council of the City of Cambridge, in said County, by
their petition to said Commissioners - among other matters - pray
that a New Way may be laid out as a public way across the location
and tracks of CONRAIL, at grade therewith, beginning at a point on
existing publicly owned land, at the midline of Fort Washington Park,
and extending in a southeasterly direction for approximately sixty
(60) feet across said Railroad location and tracks to land along
Vassar Street approximately three hundred (300) feet north of Audrey
Street, in said Cambridge, all in accordance with the provisions of
Section 104 of Chapter 160 of the General Laws, as will more fully
appear, reference being had to the petition filed of record in the
case.

The petition was presented to the County Commissioners at
their meeting holden at Cambridge, within and for said County, on the
twenty-eighth day of May, A.D. 1985, when and where notice was
ordered given to all persons and corporations interested therein of

the time and place when and where said Commissioners would meet for the purpose of viewing the premises and hearing the parties as by their order of notice on file and of record will more fully appear.

And now the said Commissioners make final return of their proceedings in the premises.

The premises having been examined, and the parties fully heard, said Commissioners having received from the Department of Public Utilities of the Commonwealth of Massachusetts, under date of December 6, 1985, consent in writing to the laying out of a New Way as public way across the location and tracks of CONRAIL, at grade therewith, beginning at a point on existing publicly owned land, at the midline of Fort Washington Park, and extending in a southeasterly direction for approximately sixty (60) feet across said Railroad location and tracks to land along Vassar Street approximately three hundred (300) feet north of Audrey Street, in said Cambridge - copy of said consent, with certain provisions contained therein in writing being attached herewith.

AND, said Commissioners having adjudged that public convenience and necessity require that said way be laid out as a public way across the location and tracks of CONRAIL, at grade therewith, as appears by their return dated August 20, 1985;

NOW, therefore, said Commissioners do hereby authorize the said City of Cambridge to lay out said New Way as a public way across the location and tracks of CONRAIL, at grade therewith - the same to be in accordance with the terms and conditions of the said

decree of the said Department of Public Utilities of the Commonwealth of Massachusetts, dated December 6, 1985, and attached herewith.

IN WITNESS WHEREOF, we, the said County Commissioners, have hereunto set our hands this seventeenth day of December in the year of our Lord one thousand nine hundred and eighty-five.

Thomas J. Lockin
R. M. Edmund
Paul W. G. (as 1/3)
Middlesex County Commissioners

A True Copy,

Attest:

William P. Johnston
Assistant Clerk



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

December 6, 1985

D.P.U. 85-250

Petition of the City of Cambridge requesting the Department of Public Utilities, pursuant to G.L. c. 160, § 104, to consent to the laying out of a pedestrian on-grade public way across the Consolidated Railroad Corporation tracks in the City of Cambridge.

On October 1, 1985, the City of Cambridge ("Cambridge") petitioned the Department of Public Utilities ("Department") pursuant to G.L. c. 160, § 104, to consent in writing to the laying out of a new way ("New Way"), a pedestrian on-grade public way across the Consolidated Rail Corporation ("Conrail") tracks in Cambridge.

G.L. c. 160, § 104, provides that a public way may be laid out across a railroad if the county commissioners ("Commissioners") adjudge, after notice to and hearing of all interested parties, that public necessity and convenience require the public way. A public way shall not be permitted to cross at grade level with the railroad unless it is determined by the Commissioners, after proper notice and hearing, that public necessity requires the public way to cross at grade level and the Department consents in writing.

On May 25, 1985, Cambridge petitioned the Commissioners of Middlesex County, meeting in Cambridge, for adjudication of the plan. After proper notice and viewing of the premises, a hearing was held on July 16, 1985, and continued on August 6, 1985. No one appeared at the hearing to object to the laying

out of the way. The Commissioners considered the feasibility of constructing a crossing at other than grade level, either by a bridge or by an underpass, and determined that the cost would be prohibitive. On August 20, 1985, the Commissioners issued partial decree No. 5808 in which they found that public convenience and necessity require New Way as a public way across the Conrail tracks.

New Way connects Fort Washington Park with a vehicle parking area intended for visitors to the Park. A copy of the design plan for Fort Washington Park prepared for the Cambridge Community Development Department has been filed with the Department.

The design plan shows that New Way begins at a point on publicly owned land, at the midline of Fort Washington Park, extending in a southeasterly direction for approximately 60 feet across the Conrail tracks to land along Vassar Street approximately 300 feet north of Audrey Street in Cambridge. The travelled portion of New Way is to be six feet eight inches wide.

Investigation by the Department shows that the track which New Way will cross is designated as the Grand Junction Secondary track. The track extends between Brighton and East Boston, a distance of 9.08 miles. Traffic on this segment of track consists of two local freight trains operating in each direction Monday through Friday, two local freight trains operating in each direction on Sundays and holidays, and one Boston & Maine

terminal switcher operating in each direction Monday through Friday. The operating time is between 3:00 p.m. and 7:00 a.m., with one train movement between 7:00 a.m. and 3:00 p.m. No passengers trains operate on this track. The maximum authorized train speed is 10 miles per hour. New Way is to be located .55 miles south of the existing Massachusetts Avenue highway grade crossing.

The Department finds that a pedestrian grade crossing such as New Way requires special safety protection. Accordingly we have determined based upon the Department's experience and the record in this case, that a system of flashing light signals, bells, automatic gates, and reflectorized warning signs is required to ensure appropriate protection of pedestrian traffic. The costs of installation and maintenance by Conrail of New Way and of the crossing protection system are costs to be borne by the City of Cambridge.

Accordingly, after investigation and consideration, it is

ORDERED: That the petition of the City of Cambridge requesting the Department of Public Utilities to consent in writing, pursuant to G.L. c. 160, § 104, to the laying out a New Way pedestrian grade crossing over the Consolidated Rail Corporation tracks in the City of Cambridge be and is hereby GRANTED; and it is

PROVIDED: That this consent is conditioned on the installation of an automatic protection system approved by the American Association of Railroads consisting of approved

automatic protection system of flashing light signals in combination with automatic gates and pedestrian bells; and for the provision of manual initiation of the automatic protection system in the case of a track movement by a rail-confined vehicle other than a train; and it is

FURTHER PROVIDED: That the crossing warning signs required by G.L. c. 160, § 140, shall be reflectorized and of a type approved by the Department; and it is

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FURTHER PROVIDED:, That the automatic protection system shall be installed and maintained in a manner satisfactory to the Department; and it is

FURTHER PROVIDED: That the City of Cambridge shall assume all of the costs of installation and maintenance of the New Way surface and of the automatic protection system.

By Order of the Department,

/s/ PAUL F. LEVY

Chairman



A true copy

Attest:

Mary L. Cottrell
MARY L. COTTRELL
Secretary

C.C. 5808

Cambridge City Council, petitioners,
for the laying out of a New Way
(Pedestrian Crossing) as a public
way across the location and tracks
of CONRAIL, at grade therewith,
beginning at a point on existing
publicly owned land, at the midline
of Fort Washington Park, and
extending in a southeasterly
direction for approximately sixty
(60) feet across said Railroad
location and tracks to land along
Vassar Street approximately
three hundred (300) feet north of
Audrey Street, in said Cambridge,
all in accordance with the
provisions of Section 104 of Chapter
160 of the General Laws.

COPY

FINAL RETURN

DECEMBER 17, 1985

COMMONWEALTH OF MASSACHUSETTS

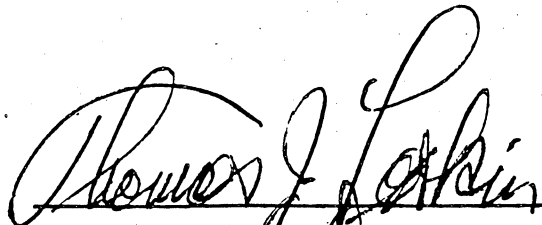
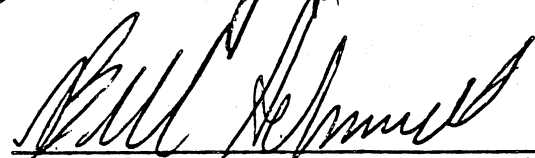
Middlesex. ss.

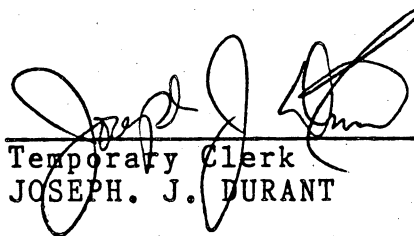
At a meeting of the County Commissioners
for the County of Middlesex, holden at
Cambridge, within and for said County, on
the sixteenth day of July, in the year
of our Lord one thousand nine hundred
and eighty-five.

WHEREAS, it appears that Michael E. McLaughlin, County
Commissioner, is unable to be present at the hearing on the
petition of the Cambridge City Council for the laying out of
a New Way across the location and tracks of CONRAIL, at grade
therewith, beginning at a point on existing publicly owned land,
at the midline of Fort Washington Park, and extending in a
southeasterly direction for approximately sixty (60) feet across
said Railroad location and tracks to land along Vassar Street
approximately three hundred (300) feet north of Audrey Street,
in Cambridge, in accordance with the provisions of Section 104
of Chapter 160 of the General Laws.

NOW, therefore, we, Thomas J. Larkin and Bill Schmidt,
County Commissioners, and Joseph J. Durant, Temporary Clerk
of the Middlesex County Commissioners in accordance with
Chapter 221, Section 14 of the Massachusetts General Laws,
do hereby appoint Paul W. Blazar, of Waltham, in said County,
to act in the stead of the said Michael E. McLaughlin in the
matter of said Hearing of July 16, 1985, in accordance with
the provisions of Section 12, Chapter 34 of the Massachusetts
General Laws.

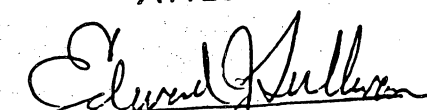
IN WITNESS WHEREOF, we the said County Commissioners have
hereunto set our hands this sixteenth day of July, in the
year of our Lord one thousand nine hundred and eighty-five.



MIDDLESEX COUNTY COMMISSIONERS


Temporary Clerk
JOSEPH. J. DURANT

A TRUE COPY

ATTEST:


ASSISTANT CLERK

C.C. General

Thomas J. Larkin and Bill Schmidt, County Commissioners, and Joseph J. Durant, Temporary Clerk of the Middlesex County Commissioners, do hereby appoint Paul W. Blazar, of Waltham, in said County, to act in the stead of Michael E. McLaughlin, County Commissioner, at the hearing of July 16, 1985 on the petition of the Cambridge City Council for the laying out of a New Way across the location and tracks of CONRAIL, at grade therewith, beginning at a point on existing publicly owned land, at the midline of Fort Washington Park, and extending in a southeasterly direction for approximately sixty (60) feet across said Railroad location and tracks to land along Vassar Street approximately three hundred (300) feet north of Audrey Street, in Cambridge, in accordance with the provisions of Section 104 of Chapter 160 of the General Laws.

COMMONWEALTH OF MASSACHUSETTS

Middlesex. ss.

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Thomas Larkin
Bill Almon
MIDDLESEX COUNTY COMMISSIONERS

Joseph J. Durant
Temporary Clerk
JOSEPH. J. DURANT

A TRUE COPY

ATTEST:

Edward J. Sullivan
ASSISTANT CLERK

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County Engineer

COUNTY ENGINEERING DEPARTMENT

County of Middlesex

SUPERIOR COURT HOUSE

EAST CAMBRIDGE, MASS. 02141

494-4140

Assistant
County Engineers
JAMES L. KLOPOTOSKI, P.L.S.
WILLIAM W. BOYD, JR., P.L.S.

December 24, 1985

Paul E. Healy, Esquire
Clerk, City of Cambridge
City Hall
795 Massachusetts Avenue
Cambridge, MA. 02139

RE: New Way Across Tracks of CONRAIL - CAMBRIDGE

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Very truly yours,

Philip H. Lynch
Philip H. Lynch, P.E.
County Engineer

PHL/mea
enclosure

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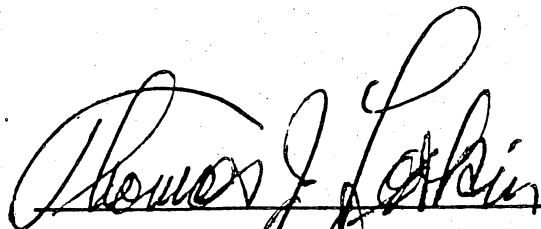
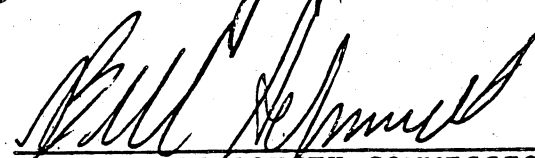
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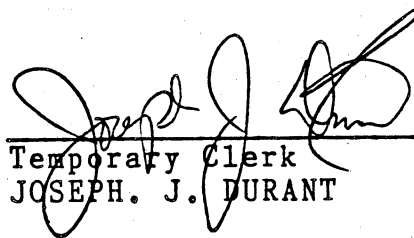
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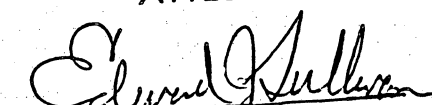
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MIDDLESEX COUNTY COMMISSIONERS


Temporary Clerk
JOSEPH. J. DURANT

A TRUE COPY

ATTEST:


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Bill Smith
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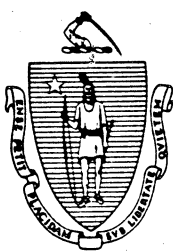
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Thomas J. Lockin
W. H. Edmund
Paul W. G. (as of)
Middlesex County Commissioners

A True Copy,
Attest:

William P. Johnston
Assistant Clerk



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

December 6, 1985

D.P.U. 85-250

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On October 1, 1985, the City of Cambridge ("Cambridge") petitioned the Department of Public Utilities ("Department") pursuant to G.L. c. 160, § 104, to consent in writing to the laying out of a new way ("New Way"), a pedestrian on-grade public way across the Consolidated Rail Corporation ("Conrail") tracks in Cambridge.

G.L. c. 160, § 104, provides that a public way may be laid out across a railroad if the county commissioners ("Commissioners") adjudge, after notice to and hearing of all interested parties, that public necessity and convenience require the public way. A public way shall not be permitted to cross at grade level with the railroad unless it is determined by the Commissioners, after proper notice and hearing, that public necessity requires the public way to cross at grade level and the Department consents in writing.

On May 25, 1985, Cambridge petitioned the Commissioners of Middlesex County, meeting in Cambridge, for adjudication of the plan. After proper notice and viewing of the premises, a hearing was held on July 16, 1985, and continued on August 6, 1985. No one appeared at the hearing to object to the laying

out of the way. The Commissioners considered the feasibility of constructing a crossing at other than grade level, either by a bridge or by an underpass, and determined that the cost would be prohibitive. On August 20, 1985, the Commissioners issued partial decree No. 5808 in which they found that public convenience and necessity require New Way as a public way across the Conrail tracks.

New Way connects Fort Washington Park with a vehicle parking area intended for visitors to the Park. A copy of the design plan for Fort Washington Park prepared for the Cambridge Community Development Department has been filed with the Department.

The design plan shows that New Way begins at a point on publicly owned land, at the midline of Fort Washington Park, extending in a southeasterly direction for approximately 60 feet across the Conrail tracks to land along Vassar Street approximately 300 feet north of Audrey Street in Cambridge. The travelled portion of New Way is to be six feet eight inches wide.

Investigation by the Department shows that the track which New Way will cross is designated as the Grand Junction Secondary track. The track extends between Brighton and East Boston, a distance of 9.08 miles. Traffic on this segment of track consists of two local freight trains operating in each direction Monday through Friday, two local freight trains operating in each direction on Sundays and holidays, and one Boston & Maine

terminal switcher operating in each direction Monday through Friday. The operating time is between 3:00 p.m. and 7:00 a.m., with one train movement between 7:00 a.m. and 3:00 p.m. No passengers trains operate on this track. The maximum authorized train speed is 10 miles per hour. New Way is to be located .55 miles south of the existing Massachusetts Avenue highway grade crossing.

The Department finds that a pedestrian grade crossing such as New Way requires special safety protection. Accordingly we have determined based upon the Department's experience and the record in this case, that a system of flashing light signals, bells, automatic gates, and reflectorized warning signs is required to ensure appropriate protection of pedestrian traffic. The costs of installation and maintenance by Conrail of New Way and of the crossing protection system are costs to be borne by the City of Cambridge.

Accordingly, after investigation and consideration, it is ORDERED: That the petition of the City of Cambridge requesting the Department of Public Utilities to consent in writing, pursuant to G.L. c. 160, § 104, to the laying out a New Way pedestrian grade crossing over the Consolidated Rail Corporation tracks in the City of Cambridge be and is hereby GRANTED; and it is

PROVIDED: That this consent is conditioned on the installation of an automatic protection system approved by the American Association of Railroads consisting of approved

automatic protection system of flashing light signals in combination with automatic gates and pedestrian bells; and for the provision of manual initiation of the automatic protection system in the case of a track movement by a rail-confined vehicle other than a train; and it is

FURTHER PROVIDED: That the crossing warning signs required by G.L. c. 160, § 140, shall be reflectorized and of a type approved by the Department; and it is

FURTHER PROVIDED: That the crossing warning signs required by G.L. c. 160, § 140 shall be reflectorized and of a type approved by the Department; and it is

FURTHER PROVIDED: That the automatic protection system shall be installed and maintained in a manner satisfactory to the Department; and it is

FURTHER PROVIDED: That the City of Cambridge shall assume all of the costs of installation and maintenance of the New Way surface and of the automatic protection system.

By Order of the Department,

/s/ PAUL F. LEVY

Chairman



A true copy

Attest:

Mary L. Cottrell
MARY L. COTTRELL
Secretary

C.C. 5808

Cambridge City Council, petitioners,
for the laying out of a New Way
(Pedestrian Crossing) as a public
way across the location and tracks
of CONRAIL, at grade therewith,
beginning at a point on existing
publicly owned land, at the midline
of Fort Washington Park, and
extending in a southeasterly
direction for approximately sixty
(60) feet across said Railroad
location and tracks to land along
Vassar Street approximately
three hundred (300) feet north of
Audrey Street, in said Cambridge,
all in accordance with the
provisions of Section 104 of Chapter
160 of the General Laws.

COPY

FINAL RETURN

DECEMBER 17, 1985

13.

W 127

Comm. from Philip H. Lynch, P.E., Middlesex
County Engineer transmitting a fully execu-
ted copy of the final return in connection
with the Council's petition to lay out a new
way across locations & tracks of Conrail at
a point on existing publicly owned land at
the midline of Ft. Washington Park.

*Copy to City
Manager*

*copy sent to the City Manager
1/3/86
mh*

In City Council,

December 30, 1985

12/30/85

*Placed
on
File*