



City of Cambridge

Consent Communication #10

IN CITY COUNCIL

September 16, 1996

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.

Daniel Halston

395 Concord Avenue

In City Council September 16, 1996

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "D. Margaret Drury".

D. Margaret Drury
City Clerk

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

'96 AUG 15 PM 1 04

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

96 SEP 12 AM 10 03

CAMBRIDGE MA.



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 abutments.

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 a signed abutment sheet for each of your abutments: back yard, one on either side and the abutment directly across the street.

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.

*The driveway was already
approved by the Zoning Board of
Appeals, along with the curb cut
requested in this application, see attached decision.*

DATE:

8 / 12 / 96

PART I:

Address of proposed curb cut or off-street parking facility:	<i>Daniel Maister</i> <i>395 Concord Ave</i>
Frontage: <i>40'</i>	Block and Lot: <i>Lot 130</i>
Setback (distance from building to sidewalk): <i>14.5'</i>	
Distance from proposed driveway to surrounding structures and property line:	<i>8' from property line & 14.5' from structures</i>
Dimensions of proposed driveway:	<i>16.6' wide</i>
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway:	<i>tree stump near west side</i>

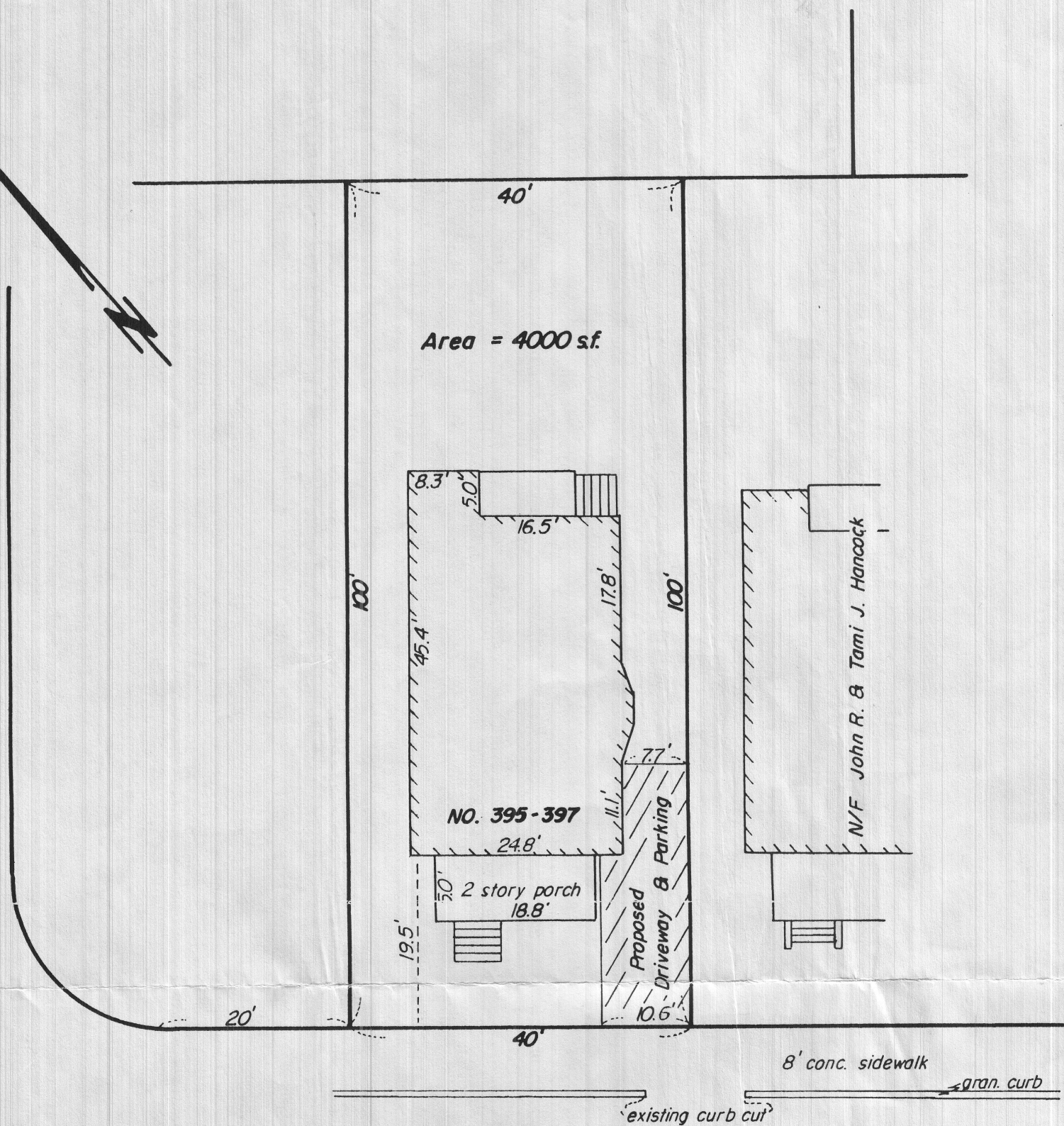
- ☒ Plot plan is included
- ☒ Sketch of driveway with cost estimate is included
- ☒ All abutment's forms are included

DRAWING 1:

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

	CORNER LOT	See attached Plot Plan INTERIOR LOT	CORNER LOT

BURNS RD.



CONCORD

(Public - 50' Wide)

AVE.

Robin School

PROPERTY REFERENCE:

Middlesex South Registry of Deeds
File Plan 481, dated Feb. 17, 1911

I certify that this is a true plot plan
based on field survey and plans and
deed of record.

Wendell H. Mason



Wendell H. Mason

PLOT PLAN

395-397 CONCORD AVE.

CAMBRIDGE, MASS.

SCALE: 1" = 16'

DEC. 12, 1995

W. H. MASON
122 ESSEX ST.

PROF. LAND SURVEYOR
BEVERLY, MA 01915



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

RECEIVED BY
OFFICE OF CITY CLERK
96 MAR 14 PM 3:25

CAMBRIDGE, MA.

CASE NO: 7193

LOCATION: 395-397 Concord Avenue Residence B Zone
Cambridge, MA

PETITIONER: Daniel W. Halston & Liliane R. Wang ²⁰⁵⁴²⁻¹²⁸

PETITION: Variance: To park two (2) vehicles in a pre-existing non-conforming driveway, one vehicle be within the required front yard setback.

VIOLATIONS: Art. 6.000, Sec. 6.44.1.(c) & 6.43 (Dimensions For Off Street Parking Spaces).

DATE OF PUBLIC NOTICE: February 12 & 19, 1996

DATE OF PUBLIC HEARING: February 29, 1996

MEMBERS OF THE BOARD:

John Miller, Chairperson
Lauren Curry
Charles Pierce
Michael Wiggins
John O'Connell

X
X
X

X

ASSOCIATE MEMBERS:

Susan Spurlock
Theodore Hartry
Arch Horst
Laura Kershner
James Daniel
David Gray Hanson

X

Members of the Board of Zoning Appeal heard testimony and viewed materials submitted regarding the above request for relief from the requirements of the Cambridge Zoning Ordinance.

The Board is familiar with the location of the petitioner's property, the layout and other characteristics as well as the surrounding district.

MSD 06/19/96 03:45:16 762 12.25

Case No.: 7193
Location: 395-397 Concord Avenue
Petitioner: Daniel W. Halston & Liliane R. Wang

On February 29, 1996, Daniel Halston appeared before the Board of Zoning Appeal, seeking a variance to park one (1) vehicle in a pre-existing non-conforming driveway, one vehicle be within the required front yard setback at 395-397 Concord Avenue. The applicants submitted plans, drawings and photographs detailing the proposed petition.

A memorandum from the Planning Board dated January 21, 1996, stated that the applicant requests the use of a second parking space within the front yard setback. While the Planning Board realizes that the space cannot be pushed further into the yard, away from the public sidewalk, the additional car in that driveway does detract from the character of the neighborhood and may encourage routine encroachment onto the sidewalk.

Mr. Halston explained that he currently shares the parking space with the next door neighbor and that he parks on his abutter's property in the current arrangement. He mentioned that he proposes to park one vehicle on his property and not on the setback and that there are no easements between himself and his neighbor for this existing parking space. He stated that he needed to confirm through a variance to get an extension of the curb cut on his property line, since the abutter received permission for a curb cut on the other side of his property. He further stated that there can be only one curb cut per lot and that the abutter's curb cut on his side of his property would be closed.

John Hancock, of 391 Concord Avenue, indicated his approval for the proposal at 395-397 Concord Avenue. No letters were submitted from any abutters indicating any support of or opposition to the variance.

After discussion, the Chair moved that the variance to continue the use of a pre-existing parking space as shown on the plot plan submitted with the application be granted, with the condition that the vehicles shall not park within the front yard setback at 395-397 Concord Avenue and that the existing curb cut be corrected to conform with the end of the driveway. The five member board in favor of the proposed variance.

The Board based its decision on the hardship caused the Petitioner by the literal enforcement of the Ordinance. The hardship is owing to the shape and location of the structures and the land on which they are situated, but does not affect generally the zoning district in which they are located. The Board also found that desirable relief could be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Ordinance.

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the petitioner in any way from the duty to comply with local ordinance and regulation of other local agencies, including, but not limited to the Historical Commission, License Commission and the Rent Control Board and/or compliance with requirements pursuant to the Building Code and other applicable codes.

John Miller

John Miller, Chairperson

Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on 3/14/96 by

Maria Pacheco, Clerk.

Twenty days have elapsed since the filing of this decision

No appeal has been filed ✓

Appeal has been filed and dismissed or denied _____

Date APR 16 1996

K. Margaret Kury

City Clerk.



CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 391-393 Concord Ave., Cambridge, MA☒ approvalCambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at 395 Concord Ave. Cambridge, MASigned: [Signature]Date: July 15, 1996Address: 391 Concord Ave., Cambridge MA

To Whom It May Concern:

As owner or agent of 401 Concord Ave☒ approvalCambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at 395 Concord Ave. Cambridge, MASigned: Dolores M. BulkowskiDate: August 3, 1996Address: 401 Concord Ave. Cambridge, MA 02138-1217

To Whom It May Concern:

As owner or agent of John J. Gallagher

COURTINA

☒ approval

TOBIN SCHOOL

Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at 395 Concord Ave. Cambridge, MASigned: [Signature]Date: 8/5/96Address: Tobin School Cambridge, MA197 Venn Lane

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: _____



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

August 19, 1996

Dear Neighborhood Representative:

This office is in receipt of a copy of a petition from David Halston and Liliane Wang requesting *a new curb cut at the premises numbered 395-397 Concord Avenue., 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

Name of Neighborhood Association: Jack Joseph Neighborhood 9 Association

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

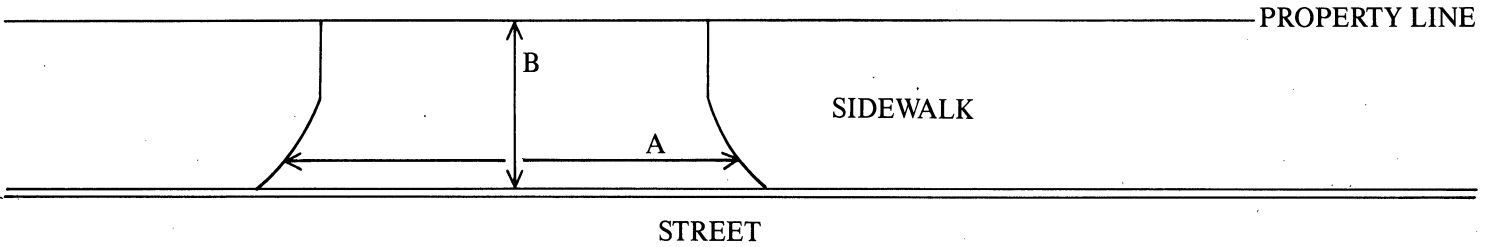
Daytime telephone no. _____

cc: Petitioner

DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



A = _____ FT. ÷ 3 = _____ YARDS

B = _____ FT. ÷ 3 = _____ YARDS

A × B = _____ SQUARE YARDS

*Simply want to
extend curb cut
several feet
to West onto
property. See
attached plot plan
with sketch
approved by
Zoning Board.*

COST ESTIMATE:

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

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

✓ CONCRETE: _____ SQUARE YARDS × \$40/SQUARE YARD = \$ _____

ASPHALT: _____ SQUARE FEET × 1 TON/40 SQUARE FEET × \$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: *D. W. H. S. + John H. S.* Date: 8/11/96

Address: 395 Concord Ave. Cambridge, MA 02138

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved ☐ Application denied

Reason: B2A 7193

Signature:

Date:

Title:

No FRONT YARD 1KG

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature:

Date:

Title:

PER TRAFFIC DIV.

PART IV: HISTORICAL COMMISSION

☒ Application approved ☐ Application denied

Reason:

Signature:

Date:

Title:

EXDCH

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature:

Date:

Title:

Supt. of Streets

Consent Communication #10 H-154

Petition was received from Daniel
Halston requesting a curb cut at the
premises numbered 395 Concord Avenue.

In City Council September 16, 1996

ORDER ADOPTED