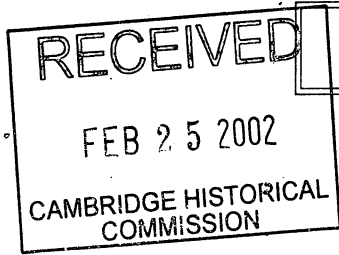


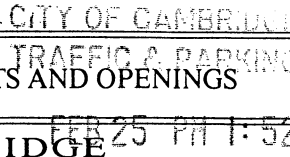
2

02012002



APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE



02 FEB 19 PM 1:52
CITY OF CAMBRIDGE
INSPECTIONAL SERVICES
2002 MAY 16 P

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:

12/12/01

PART I:

Address of proposed curb cut or off-street parking facility: <u>64 GARFIELD ST</u>	
Frontage: <u>60.80' (FRONT + REAR)</u>	Block and Lot: <u>B155 L9</u>
Setback (distance from building to sidewalk): <u>6' FRONT 50' REAR</u>	
Distance from proposed driveway to surrounding structures and property line: <u>10' to left - 4' to right</u>	
Dimensions of proposed driveway: <u>10'x10 with 18'x38' PARKING (SEE DETAIL)</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>(SEE DETAIL)</u>	

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

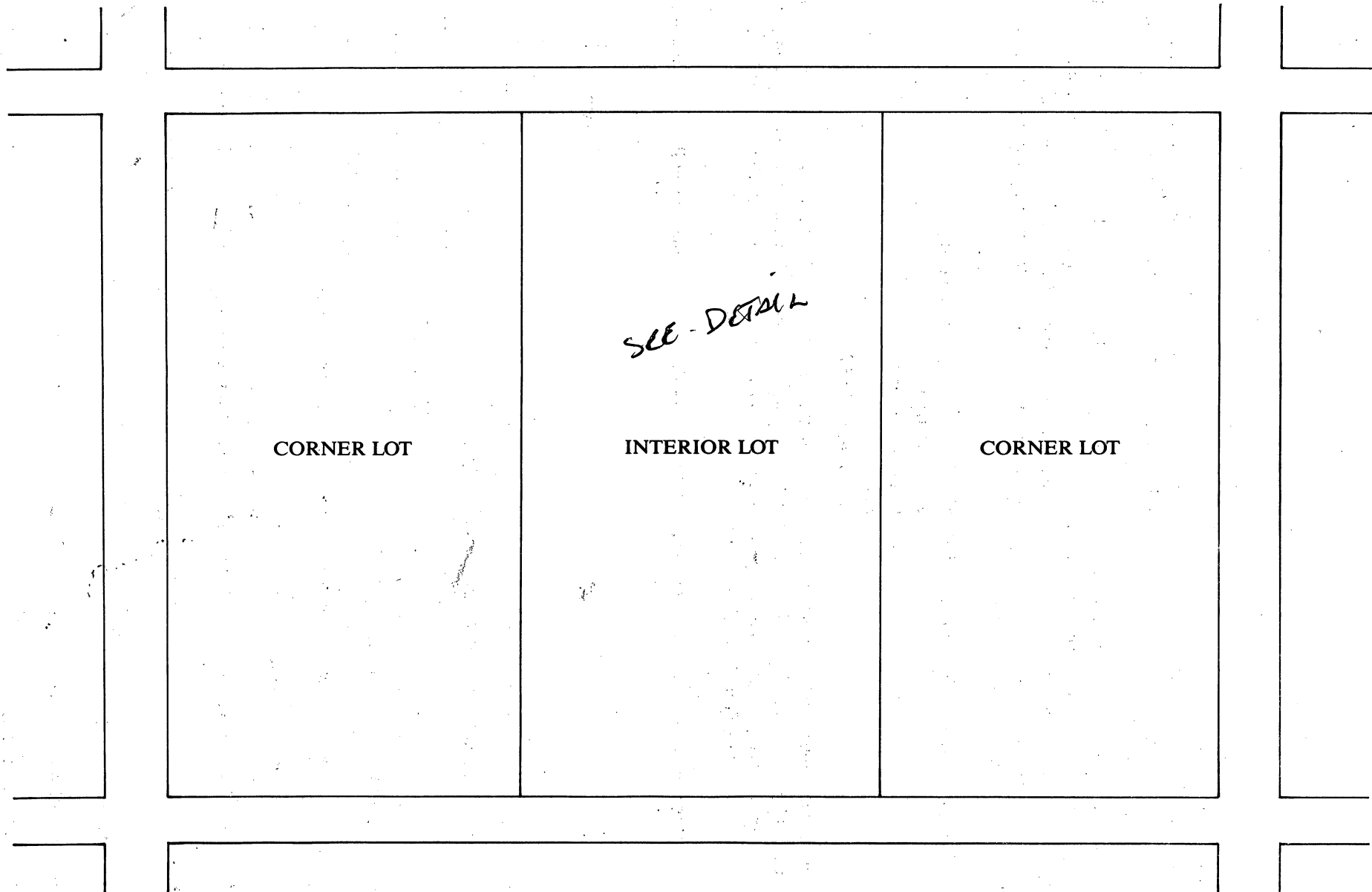
CAMBRIDGE, MASSACHUSETTS
OFFICE OF THE CITY CLERK

2002 MAY 16 P 3:22

Control # 6326

DRAWING 1:

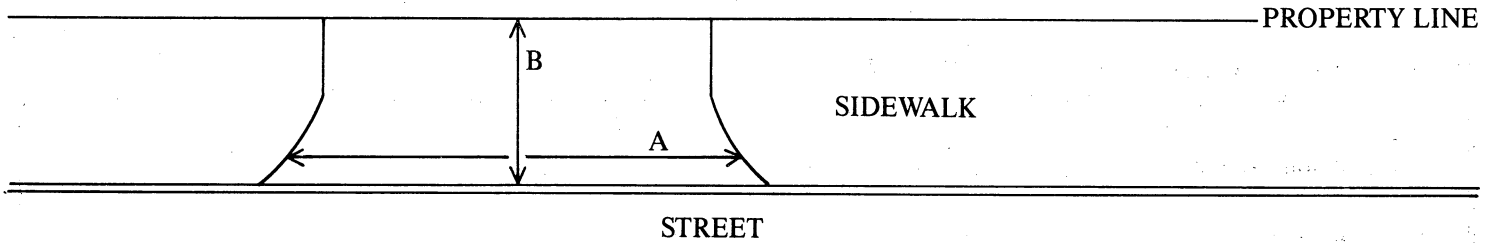
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



A = _____ FT. ÷ 3 = _____ YARDS

B = _____ FT. ÷ 3 = _____ YARDS

A × B = _____ SQUARE YARDS

All work to be done by independent contractors to DPW specifications RKP

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:

Margaret Morrissey

Date: *Feb 13th 2002*

Address:

340 Harvard St Camb 02139

Funds Received: \$ _____

Check Number: _____

*STR
617-354-1900*

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

Control #6326

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature:

Date: 2/25/02

Title: 28N (my) / NO FRONT YARD PKG
OPEN SPACE OK

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature:

Date: 3-6-02

Title: Traffic Engineer

PART IV: HISTORICAL COMMISSION

☒ Application approved ☐ Application denied

Reason: Not a designated historic property

Signature: Sarah Burkes

Date: 2/25/02

Title: Designated Property Admin

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Note Conditions * Existing Hydrant & Utility Power Pole
Must be Relocated

Signature:

Date: 5/16/02

Title: Superintendent of Streets

② Contractor/owner is responsible for all costs associated with the installation of the Curb Cut driveway.

③ Entire Side walk, curbing & Roadway paving for width of Property will be restored to City of Cambridge Spec. W & Cuper

This petition has been already submitted to the City Clerk, and is here updated with additional signatures.

To the Members of the Cambridge Council and Zoning Board:

We, the undersigned, wish to go on record as regards the application of Margaret Morrissey, owner and developer of 64 Garfield Street, for a curb-cut onto Sacramento Place. As there is no procedure for direct public hearings into curb-cut decisions, please accept and consider this petition when evaluating your decision.

We are generally opposed to the application for numerous reasons.

- A. The curb-cut would have to pass through what is now a retaining wall at the end of Sacramento Place.** The neighborhood, and Sacramento Place specifically, have had trouble with flooding in recent years, and numerous steps have been taken to control water flow, including construction of the retaining wall, a berm in Sacramento Field, and the general sewer redesign taking place currently throughout the Agassiz neighborhood. A driveway through the retaining wall would surely drain runoff from the higher-level Garfield Street yards onto Sacramento Place, exacerbating already-difficult drainage problems.
- B. Construction of a driveway and parking area would violate green space ordinances.** Zoning regulations are clear that driveways and parking areas are not to be counted as green space. The Council should note that installation of such will reduce the required green space to a level below that required by law, necessitating the need for a variance hearing before the Zoning Board.
- C. Ms. Morrissey applied for a construction variance, then withdrew the application in the face of public opposition.** When ten residents of Sacramento Place attended the first scheduled zoning hearing to voice their opposition to the proposed construction, Ms. Morrissey made the decision to apply for the curb-cut separately, thereby circumventing public review and input. Additionally, at that zoning board hearing, Ms. Morrissey was instructed to get a complete report on the proposed changes to the property from the Historical Commission, indicative of the Commission's support for the construction. Again, rather than pursue this, Ms. Morrissey withdrew her Zoning Board application in favor of a curb-cut application, thus circumventing the appropriate review of the Historical Commission (the property is listed as a historical site).
- D. A fire hydrant and a street light/utility pole would have to be moved.** Neither house at the end of Sacramento Place wishes to have the utility pole or streetlight anywhere but midway between the two houses, as a matter of safety and convenience. Additionally, if the utilities are moved, this would most likely result in the loss of currently-available parking space. The construction required to move the utilities is in and of itself a nuisance which will further make parking unavailable.
- E. The added traffic is unwelcome on Sacramento Place.** Children of families on Sacramento Place now use the space requested for a curb cut as a safe dead-end

street for skating, chalk, etc. Additionally, generations of families have lived in 64 Garfield Street without the need for anything other than public parking. Adding more parking spaces would only increase neighborhood traffic in an area that is already struggling with traffic issues (see the Oxford St traffic-calming plans). This additional Sacramento Place traffic would include not only the occupants of the 64 Garfield property, but also their guests, deliveries, workmen, etc. All such traffic would also pass down Sacramento Street, exacerbating that street's traffic issues.

Ms. Morrissey is developing the property not for her own residence but as a real estate development project. Thus her concerns are primarily economic in shaping her decision to add parking to the property. The rest of us will have to live with the outcome of this matter for the rest of our lives.

NAME

Address

Burton Wolff

22 Sacramento Place

Benjamin Katz

22 Sacramento Place

Paul Kloss

22 Sacramento Place

Joseph A. Coates
40 6 to 75

Cambridge MA 02138

19 Sacramento Place

19 Sacramento Place

Carol Xephoski

21 Sacramento Place

Cambridge, MA

Peter H. Clair

21 Sacramento Pl

Cambridge, MA

Noriko Katagiri

23 Sacramento Pl

Cambridge, MA

Joachim Thullner

10 SACRAMENTO PLACE

CAMBRIDGE, MA 02138

Mr. Anand Chitambar

10 Sacramento Place

Cambridge MA 02138

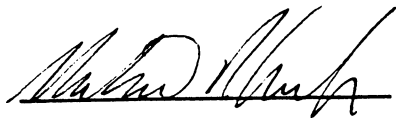
[Signature]

18 A 9 24

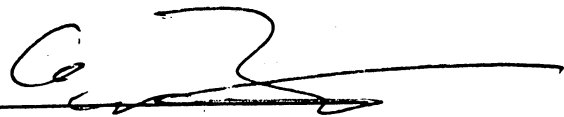
22 Sacramento Place

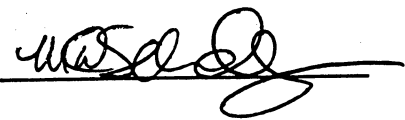
Rachel Dinnwood

Sara Dinnwoodie

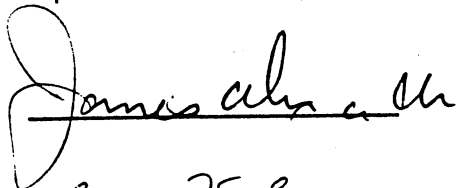


Helen H Lambert

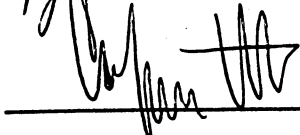




Donna Alexander



Lynia V. Cross

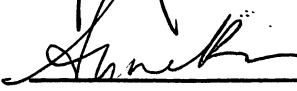




Chrys Rowe







OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

2002 APR 18 A 9 24

2 Sacramento Pl

2 Sacramento Pl.

20 Sacramento Pl

Helen H Lambert

25 Sacramento St.

GEORGE TOLKSTADT
29 Sacramento St

Mike Schindler

23 Sacramento Pl.

11 Sacramento Pl

11 Sacramento Pl.

11 Sacramento Pl.

25 Sacramento St.

25 SACRAMENTO ST.

25 Sacramento St

3 Sacramento PLACE #2

JESSE FLACK
3 Sacramento Pl. #3

ANNE RIESENFELD
3 Sacramento Pl. #3

New

NEW

street for skating, chalk, etc. Additionally, generations of families have lived in 64 Garfield Street without the need for anything other than public parking. Adding more parking spaces would only increase neighborhood traffic in an area that is already struggling with traffic issues (see the Oxford St traffic-calming plans). This additional Sacramento Place traffic would include not only the occupants of the 64 Garfield property, but also their guests, deliveries, workmen, etc. All such traffic would also pass down Sacramento Street, exacerbating that street's traffic issues.

Ms. Morrissey is developing the property not for her own residence but as a real estate development project. Thus her concerns are primarily economic in shaping her decision to add parking to the property. The rest of us will have to live with the outcome of this matter for the rest of our lives.

NAME

Address

— Co —
Wessing M. Kuhn

18 Sacramento Place
Cambridge, MA 02138

Susan Redlich
Susan Redlich

19 Sacramento Apt. 1
Cambridge, MA 02138

NEW

2002 APR 18 A 9:24
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Mush, gush, blush and ponder you and I
I imagined things I never thought I'd hear
Kempt and kingly when ensconced in your embrace
Evoke, if not evolve beyond, that fleshy pinion
Lest we find that living pains are softened face to face

17000000

street for skating, chalk, etc. Additionally, generations of families have lived in 64 Garfield Street without the need for anything other than public parking. Adding more parking spaces would only increase neighborhood traffic in an area that is already struggling with traffic issues (see the Oxford St traffic-calming plans). This additional Sacramento Place traffic would include not only the occupants of the 64 Garfield property, but also their guests, deliveries, workmen, etc. All such traffic would also pass down Sacramento Street, exacerbating that street's traffic issues.

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NAME

Address

Laurence Wolff

22 Sacramento Place

Benjamin Kloss

22 Sacramento Place

Rein Kloss

22 Sacramento Place

J. Lynn Conner
Ac Wtong

Cambridge MA 02138

19 Sacramento Place

19 Sacramento Place

Carol Sephorini

21 Sacramento Place

Cambridge, MA

Peter St. Clair

21 Sacramento Pl

Cambridge, MA

Noriko Katagiri

23 Sacramento Pl

Cambridge, MA

Joachim Thullner

10 SACRAMENTO PLACE

CAMBRIDGE, MA 02138

Mrs. Ann Zisch

10 Sacramento Place

Cambridge MA 02138

[Signature]

2 Sacramento Place

Rachel Immertus

2 Sacramento Pl

Sara Dinwoodie

2 Sacramento Pl.

Marian Murphy

20 Sacramento Pl

Helen H Lambert

Helen H Lambert
25 Sacramento St.

George T. Jackson

George T. Jackson
29 Sacramento St

Mike Schindler

Mike Schindler
23 Sacramento Pl.

Donna Alexander

11 Sacramento Pl

James Alexander

11 Sacramento Pl.

Lydia V. Enos

11 Sacramento Pl.

To the Members of the Cambridge Council and Zoning Board:

We, the undersigned, wish to go on record as regards the application of Margaret Morrissey, owner and developer of 64 Garfield Street, for a curb-cut onto Sacramento Place. As there is no procedure for direct public hearings into curb-cut decisions, please accept and consider this petition when evaluating your decision.

We are generally opposed to the application for numerous reasons.

- A. **The curb-cut would have to pass through what is now a retaining wall at the end of Sacramento Place.** The neighborhood, and Sacramento Place specifically, have had trouble with flooding in recent years, and numerous steps have been taken to control water flow, including construction of the retaining wall, a berm in Sacramento Field, and the general sewer redesign taking place currently throughout the Agassiz neighborhood. A driveway through the retaining wall would surely drain runoff from the higher-level Garfield Street yards onto Sacramento Place, exacerbating already-difficult drainage problems.
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- C. **Ms. Morrissey applied for a construction variance, then withdrew the application in the face of public opposition.** When ten residents of Sacramento Place attended the first scheduled zoning hearing to voice their opposition to the proposed construction, Ms. Morrissey made the decision to apply for the curb-cut separately, thereby circumventing public review and input. Additionally, at that zoning board hearing, Ms. Morrissey was instructed to get a complete report on the proposed changes to the property from the Historical Commission, indicative of the Commission's support for the construction. Again, rather than pursue this, Ms. Morrissey withdrew her Zoning Board application in favor of a curb-cut application, thus circumventing the appropriate review of the Historical Commission (the property is listed as a historical site).
- D. **A fire hydrant and a street light/utility pole would have to be moved.** Neither house at the end of Sacramento Place wishes to have the utility pole or streetlight anywhere but midway between the two houses, as a matter of safety and convenience. Additionally, if the utilities are moved, this would most likely result in the loss of currently-available parking space. The construction required to move the utilities is in and of itself a nuisance which will further make parking unavailable.
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Ms. Morrissey is developing the property not for her own residence but as a real estate development project. Thus her concerns are primarily economic in shaping her decision to add parking to the property. The rest of us will have to live with the outcome of this matter for the rest of our lives.

NAME

Address

Lawrence Wolff

22 Sacramento Place

Benjamin Katz

22 Sacramento Place

Rein Kass

22 Sacramento Place

J. L. Katz
19 Sacramento Place
Cambridge MA 02138

Cambridge MA 02138

19 Sacramento Place

19 Sacramento Place

Carol Sephorini

21 Sacramento Place

Cambridge, MA

Peter H. Clair

21 Sacramento Pl

Cambridge, MA

Noriko Katagiri

23 Sacramento Pl

Cambridge, MA

Joachim Thull
10 Sacramento Place

10 SACRAMENTO PLACE

CAMBRIDGE, MA 02138

Mrs. Anna Zoltick

10 Sacramento Place

Cambridge MA 02138

[Signature]

2 Sacramento Place

Rachel Summers

2 Sacramento Pl

Sara Dimwoodie

2 Sacramento Pl.

Marian M. M. M.

20 Sacramento Pl

Helen H. Lambert

Helen H. Lambert

25 Sacramento St.

C. J. J.

GEORGE TOLKENS
29 Sacramento St

M. S. S.

Mike Schindler

23 Sacramento Pl.

Donna Alexander

11 Sacramento Pl

James Alexander

11 Sacramento Pl.

Lydia V. Enos

11 Sacramento Pl.

To the Members of the Cambridge Council and Zoning Board:

We, the undersigned, wish to go on record as regards the application of Margaret Morrisey, owner and developer of 64 Garfield Street, for a curb-cut onto Sacramento Place. As there is no procedure for direct public hearings into curb-cut decisions, please accept and consider this petition when evaluating your decision.

RECEIVED
CITY CLERK
CAMBRIDGE, MASSACHUSETTS
JUN 26 A 10:05

We are generally opposed to the application for numerous reasons.

- A. **The curb-cut would have to pass through what is now a retaining wall at the end of Sacramento Place.** The neighborhood, and Sacramento Place specifically, have had trouble with flooding in recent years, and numerous steps have been taken to control water flow, including construction of the retaining wall, a berm in Sacramento Field, and the general sewer redesign taking place currently throughout the Agassiz neighborhood. A driveway through the retaining wall would surely drain runoff from the higher-level Garfield Street yards onto Sacramento Place, exacerbating already-difficult drainage problems.
- B. **Construction of a driveway and parking area would violate green space ordinances.** Zoning regulations are clear that driveways and parking areas are not to be counted as green space. The Council should note that installation of such will reduce the required green space to a level below that required by law, necessitating the need for a variance hearing before the Zoning Board.
- C. **Ms. Morrisey applied for a construction variance, then withdrew the application in the face of public opposition.** When ten residents of Sacramento Place attended the first scheduled zoning hearing to voice their opposition to the proposed construction, Ms. Morrisey made the decision to apply for the curb-cut separately, thereby circumventing public review and input. Additionally, at that zoning board hearing, Ms. Morrisey was instructed to get a complete report on the proposed changes to the property from the Historical Commission, indicative of the Commission's support for the construction. Again, rather than pursue this, Ms. Morrisey withdrew her Zoning Board application in favor of a curb-cut application, thus circumventing the appropriate review of the Historical Commission (the property is listed as a historical site).
- D. **A fire hydrant and a street light/utility pole would have to be moved.** Neither house at the end of Sacramento Place wishes to have the utility pole or streetlight anywhere but midway between the two houses, as a matter of safety and convenience. Additionally, if the utilities are moved, this would most likely result in the loss of currently-available parking space. The construction required to move the utilities is in and of itself a nuisance which will further make parking unavailable.
- E. **The added traffic is unwelcome on Sacramento Place.** Children of families on Sacramento Place now use the space requested for a curb cut as a safe dead-end

Cal 3

Consent Communication #3

A communication was received
from Lawrence Wolff et al.,
transmitting opposition to a curb
cut application at the premises of
64 Garfield Street.

In City Council March 18, 2002

**TABLED ON MOTION OF
VICE MAYOR DAVIS.**

In City Council May 20, 2002

**REFERRED TO
APPLICATIONS AND
PETITIONS #2.**

Neighbors out of the country 10
We are homeowners at 74 Garfield Street, Cambridge. As the abutters of 64 Garfield Street, we are opposed to the proposed curb cut involving the breaching of the retaining wall, the moving of a utility pole and fire hydrant, and the opening of a driveway onto Sacramento Place. Our understanding is that this series of moves will bring the pole into the immediate vicinity of our back yard and affect the quality of the very limited open space we possess at the back of our house.

We urge the members of the City Council to reject the application for this curb cut. 2002 APR 18 A 9:33

Respectfully,

April 4, 2002

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

To: Cambridge City Council
Jay H. Jasanoff

From: Jay and Sheila Jasanoff
Sheila Jasanoff

Re: Proposed driveway at 64 Garfield Street
Sheila Jasanoff

We are homeowners at 74 Garfield Street, Cambridge. As the abutters of 64 Garfield Street, we are opposed to the proposed curb cut involving the breaching of the retaining wall, the moving of a utility pole and fire hydrant, and the opening of a driveway onto Sacramento Place. Our understanding is that this series of moves will bring the pole into the immediate vicinity of our back yard and affect the quality of the very limited open space we possess at the back of our house.

We urge the members of the City Council to reject the application for this curb cut.

Respectfully,

Jay H. Jasanoff

Jay H. Jasanoff

Sheila Jasanoff

Sheila Jasanoff

Cal 6

Consent Communication #10

A communication was received from Jay and Sheila Jasanoff, transmitting opposition to the proposed curb cut at 64 Garfield Street.

In City Council April 22, 2002

PLACED ON THE TABLE.

In City Council May 20, 2002

**REFERRED TO
APPLICATIONS AND
PETITIONS #2.**

TO THE CITY COUNCIL:
we are the only immediate abutters of the proposed
curb cut, which we unanimously oppose

9

We the abutters of 64 Garfield Street, Cambridge, are opposed to the proposed curb cut involving the breaching of the retaining wall, the moving of a utility pole and fire hydrant and the opening of a driveway onto Sacramento Place. We urge the members of the City Council to reject the application for this curb cut.

Peter D. Clair PETER ST. CLAIR 21 SACRAMENTO PL.
Carol Sepkoski Carol Sepkoski 21 Sacramento Pl.
Michael Schindlinger Michael Schindlinger 23 Sacramento Pl.
Larry Wolff Larry Wolff 22 Sacramento Place
Benjamin O. Klass Benjamin O. Klass 22 Sacramento Place
Perri Klass Perri Klass 22 Sacramento Place

2002 APR 18 A 9:33
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

cal 5

Consent Communication #9

A communication was received
from Peter St. Clair et al.,
transmitting opposition to the
proposed curb cut at 64 Garfield
Street.

In City Council April 22, 2002

PLACED ON THE TABLE.

In City Council May 20, 2002

**REFERRED TO
APPLICATIONS AND
PETITIONS #2.**

6

Joachim Theilhaber
Nathalie van Bockstaele
10, Sacramento Place
Cambridge, MA 02138
Tel. (617) 868-2212

To: Cambridge City Council
Re: Proposed curb cut at 10 Sacramento Place to accommodate entry to house at 64 Garfield Street (owner: Margaret Morrissey).

Cambridge, March 2nd 2002

Dear Council Members,

As residents at 10, Sacramento Place, we are writing to express our opposition to a proposed curb cut at the end of our street. This curb cut is meant to accommodate entry to a house actually located on neighboring Garfield Street (64, Garfield Street; owner: Margaret Morrissey).

We are opposed to this project on the following grounds:

Safety of our handicapped child: our older son is autistic, and is very bad at estimating the danger from moving vehicles. Part of our intent in moving to Sacramento Place, which is a dead end street, was to live near minimal car traffic. We fear that opening an entrance at the end of the street, in-line with the street, will result in both increased traffic, and especially much faster traffic, as cars speed down the street to gain the directly opposed driveway.

Danger of new, devastating floods: in past years drainage on Sacramento Place has been a critical issue. Five years ago, major flooding (2 feet of water *outside* the houses) occurred, filling the basements of several houses on the street and causing major property loss, in our case the loss of a furnished basement and countless personal records of years past. While the construction of a berm in the adjoining field may have since alleviated the problem, it is obvious that opening an additional, large passage into the street from the adjoining, *higher* ground (Garfield Street is at least 3 feet higher than Sacramento Place) may easily tip back the drainage equilibrium and re-instore frequent flooding.

6

We have been told that Ms. Morrissey, the present owner of the house at 64 Garfield Street, cannot open a driveway directly onto Garfield Street because of the historical status of her house. It would be the ultimate irony that to preserve the appearance of a single house on Garfield Street, and accommodate a single owner, disruption to the lives of all residents of Sacramento Place would be required.

Looking forward to our attendance during your vote on this matter, we remain

Sincerely Yours,

Joachim Fleckner Wan B. D. Steele

6

Dear Ms. Drury,

Please receive the attached letter, regarding the proposed curb cut at 10 Sacramento Place, meant to accommodate entry to a house at 64 Garfield Street (owner: Margaret Morrissey).

Sincerely,

Joachim Theilhaber

Joachim Theilhaber
10, Sacramento Place
Cambridge, MA 02138
Tel. (617) 868-2212

2002 MAR -5 A 11: 24
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Cal 4

Consent Communication #6

A communication was received from Joachim Theilhaber and Nathalie van Bockstaele, transmitting opposition to a curb cut application at the premises of 64 Garfield Street.

In City Council March 18, 2002

**TABLED ON MOTION OF
VICE MAYOR DAVIS.**

In City Council May 20, 2002

**REFERRED TO
APPLICATIONS AND
PETITIONS #2.**

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

55 Garfield:



approval



disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at

64 Garfield St Camb. MA

Signed:

James P. Green

Date:

Jan. 29.02

Address:

55 Garfield St.

Camb. MA

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

Unit 5, 61 Garfield St,

☒

approval

Cambridge, Massachusetts, I do hereby declare

☐

disapproval

of the installment of:

Off-Street Parking Facility located at

64 Garfield St Camb. Ma.

Signed:

[Signature]

Date:

2/13/02

Address:

61 Garfield St

To Whom It May Concern:

As owner or agent of

61 Garfield #2

☒

approval

Cambridge, Massachusetts, I do hereby declare

☐

disapproval

of the installment of:

Off-Street Parking Facility located at

64 Garfield St. Camb MA

Signed:

[Signature]

Date:

Address:

61 Garfield St., #2

To Whom It May Concern:

As owner or agent of

36 Garfield St

☒

approval

Cambridge, Massachusetts, I do hereby declare

☐

disapproval

of the installment of:

Off-Street Parking Facility located at

64 Garfield St. Camb Ma.

Signed:

[Signature]

Date:

1-29-02

Address:

36 Garfield St, Cambridge

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.
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- 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.

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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

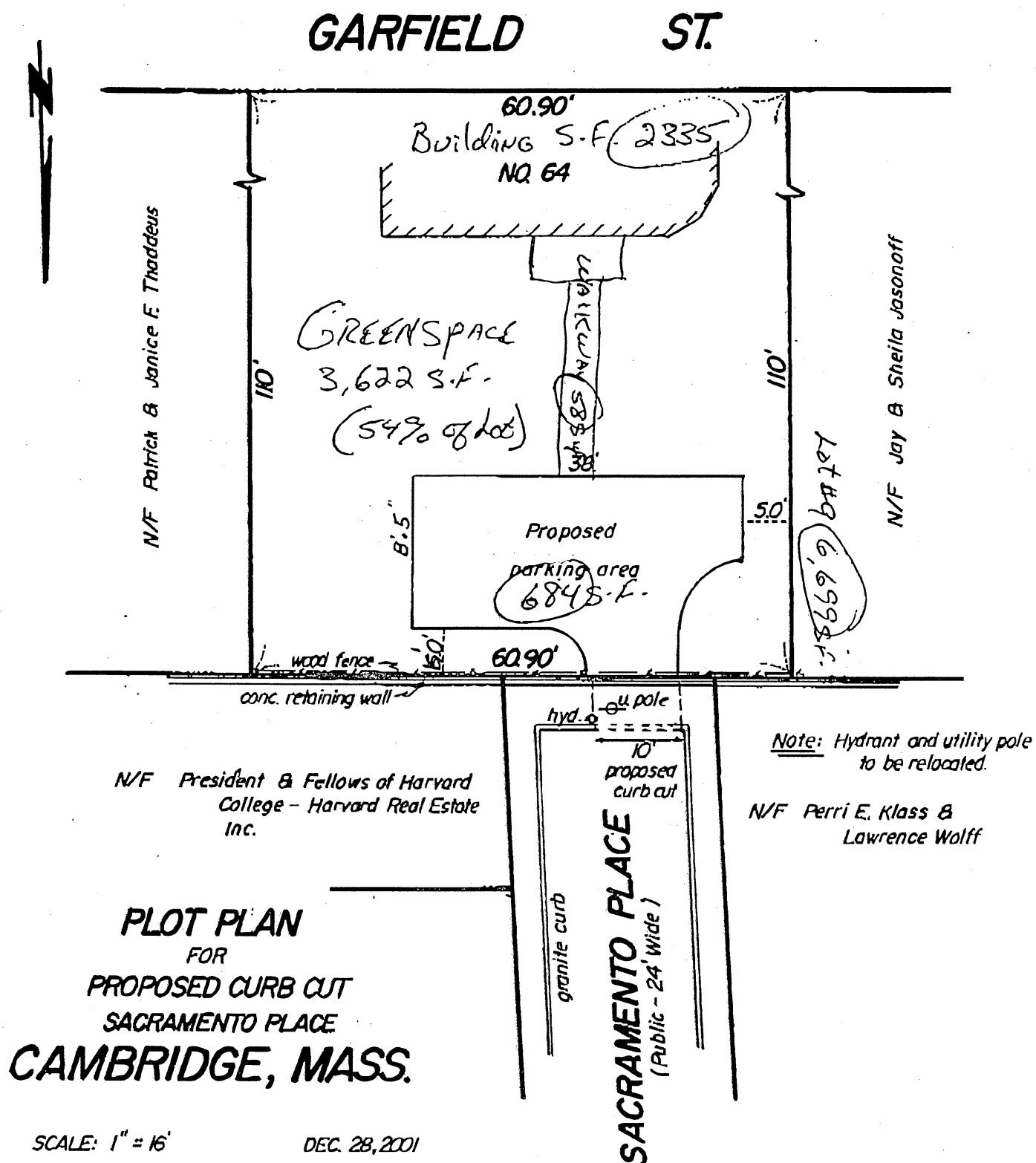
application and will request that the neighborhood association inform the City Clerk whether it approves or disapproves of the application. Petitioners are urged to contact their neighborhood association early to avoid delay.

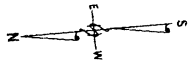
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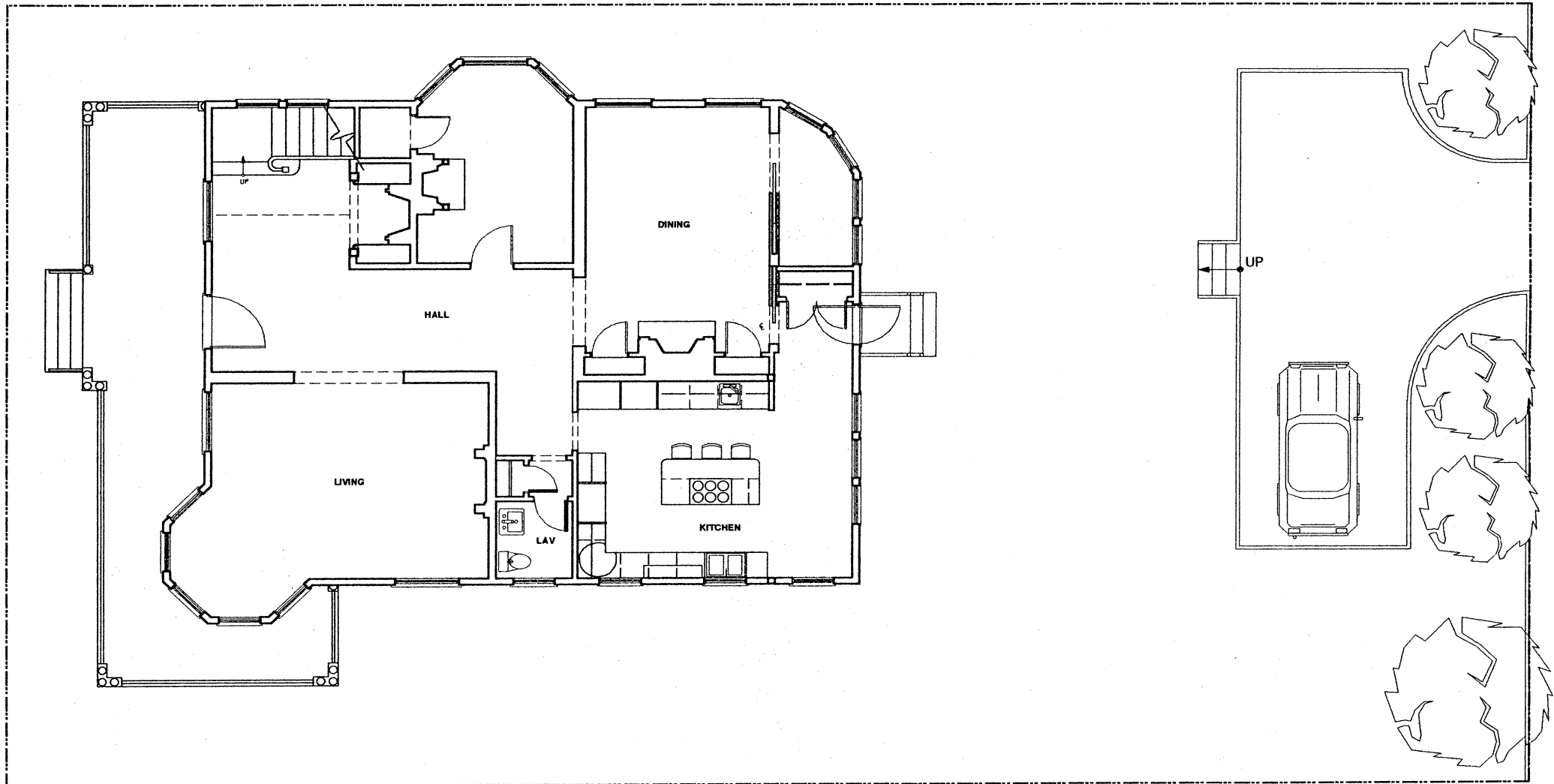
If a curb cut is required in connection with a project for which a building permit from the Inspectional Service Department is required, the building permit will not be issued until approval for the curb cut is first obtained from the Council. In extraordinary cases, an incremental (foundation, site 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.





LOT 10

LOT 9
6,699 +/- SF



DINGMAN ALLISON
ARCHITECTS

1950 Massachusetts Ave
Cambridge, MA 02138
ph: 617.497.4150
fax: 617.868.1055

ALTERATIONS TO:

64 GARFIELD STREET
CAMBRIDGE, MASSACHUSETTS

date: January 25, 2002
project number: 0101
drawn by: JP/JG
revision: 3

LOT 8

SITE PLAN
64 Garfield Street





64 GARFIELD STREET PROPOSED CURB CUT & DRIVEWAY
DIXON ALLISON ARCHITECTS

10.1.01



R

64 GARFIELD STREET PROPOSED CURB CUT & DRIVEWAY
MCMANUS ALLISON ARCHITECTS

10. 1. 0

340 Harvard Street
Cambridge, MA 02139

February 14, 2002

To Whom it May Concern:

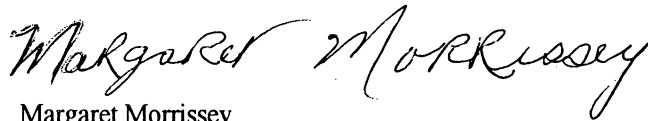
This is to inform you that I have tried to reach the following abutters, but to no avail.

74 Garfield Street, (out of the country until June, 2002)

58 Garfield Street

23 Sacramento Place

Thank you,

A handwritten signature in cursive script that reads "Margaret Morrissey". The signature is written in dark ink and is positioned above the printed name and address.

Margaret Morrissey
Owner, 64 Garfield Street

SUPPORT IN FAVOUR OF PARKING IN REAR

OF 64 GARFIELD ST CAMB

YES NO

1	Beryl Bengman, 61 Garfield #12	✓	
2	Georgina Collins 61 Garfield ST # 4	✓	
3	Mary Turrentino 61 Garfield ST #10	✓	
4	Neil Mulway 61 Garfield ST #4	✓	
5	Helen Donis Keller 54 Garfield St	✓	
6	Boris Muzorund 54 Garfield	✓	
7	MARK WOODS 44 GARFIELD	✓	
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February 14, 2002

To Whom It May Concern:

Re: 64 Garfield Street
Curb Cut for Parking

This is to advise you that as the owner of the property located at 2 Sacramento Place, Cambridge, I have had the opportunity to review the plans for the above curb cut. As a result, I want to write this letter in full support.

I feel the plan as submitted is extremely well designed and done in a thoughtful manner so as to take all potential problems including design into full consideration.

Very truly yours,


Catherine Lennon
Owner of 2 Sacramento Place

**UNIVERSITY CITY REALTY III LLC
796 BEACON STREET
NEWTON CENTRE MA 02459**

617 969 1800

January 29, 2002

Engineering Department
147 Hampshire Street
Cambridge MA 02138

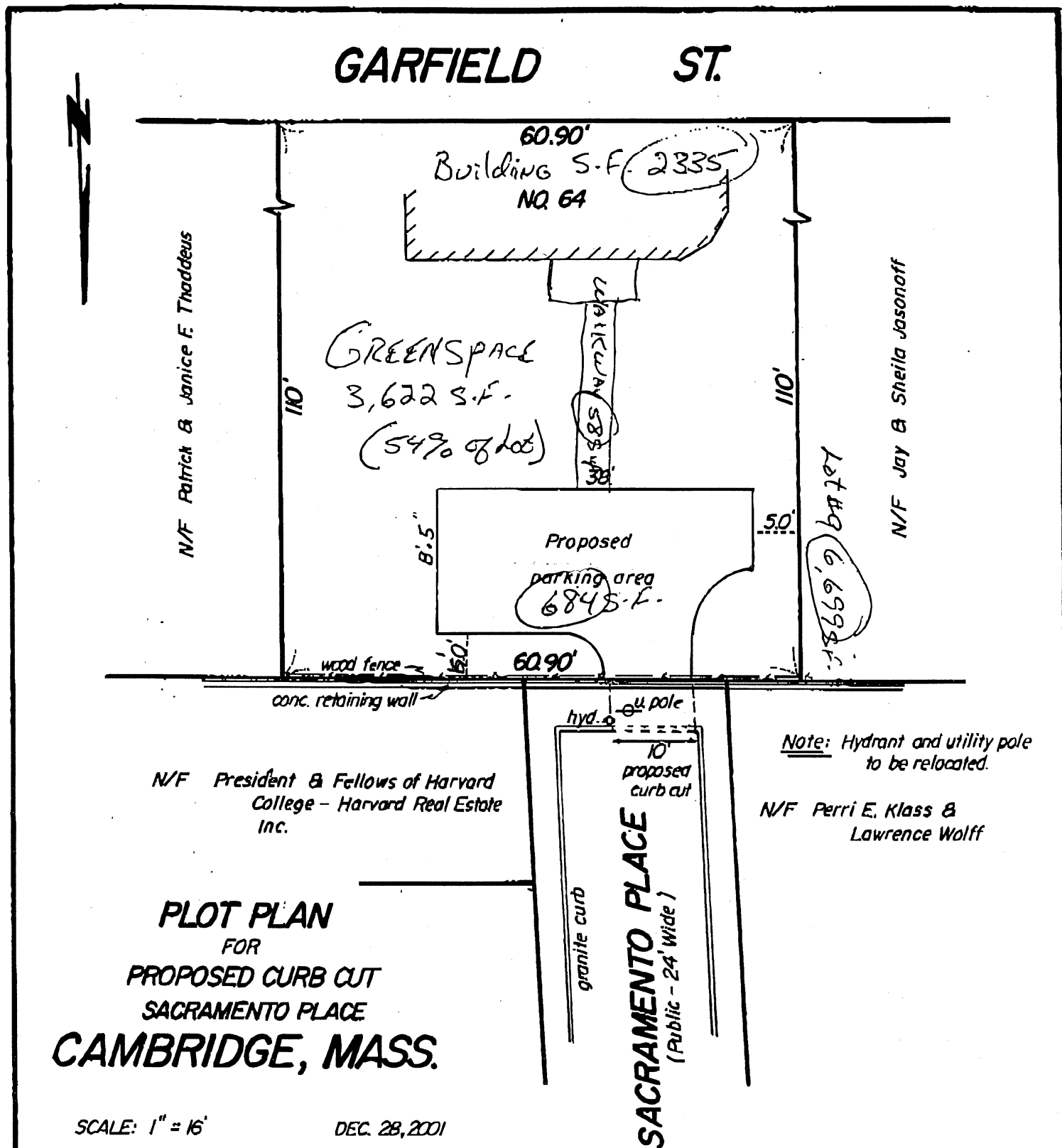
Re: 64 Garfield Street

Please consider this our request to remove part of the concrete wall at the rear of our property to install a driveway and parking area. We will continue the wall approximately 2 feet into our property and install bituminous pavement on the driveway and parking area all as per the enclosed plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret Morrissey", written in a cursive style.

Margaret Morrissey
Owner



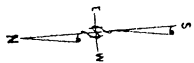
Wendell H. Mason

Professional Engineer & Land Surveyor

122 Essex Street Beverly, Massachusetts 01915

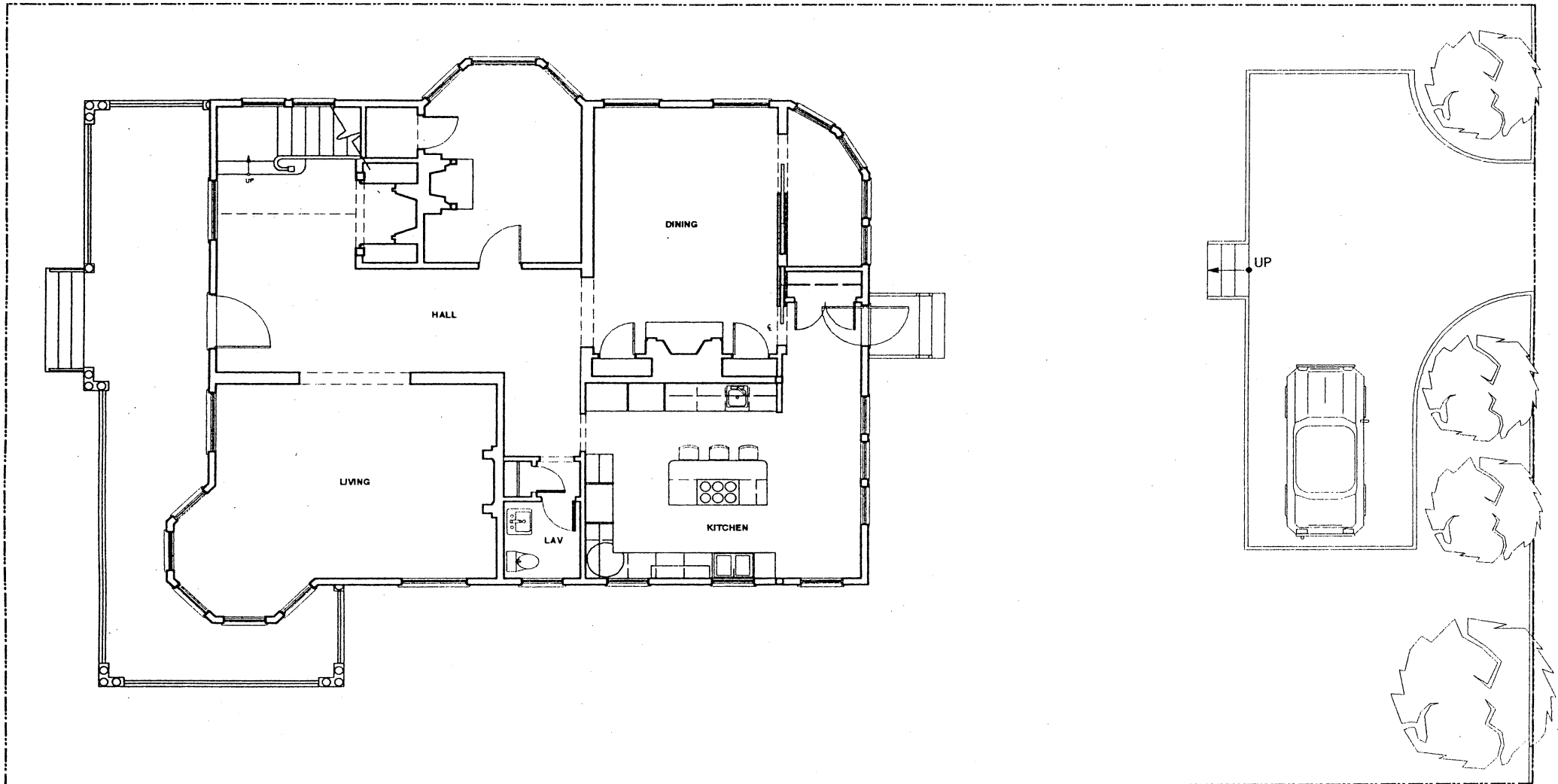
Tel. (978) 922-5686





LOT 10

LOT 9
6,699 +/- SF



LOT 8

DINGMAN ALLISON
ARCHITECTS

1950 Massachusetts Ave
Cambridge, MA 02138
ph: 617.497.4150
fax: 617.868.1055

ALTERATIONS TO:

64 GARFIELD STREET
CAMBRIDGE, MASSACHUSETTS

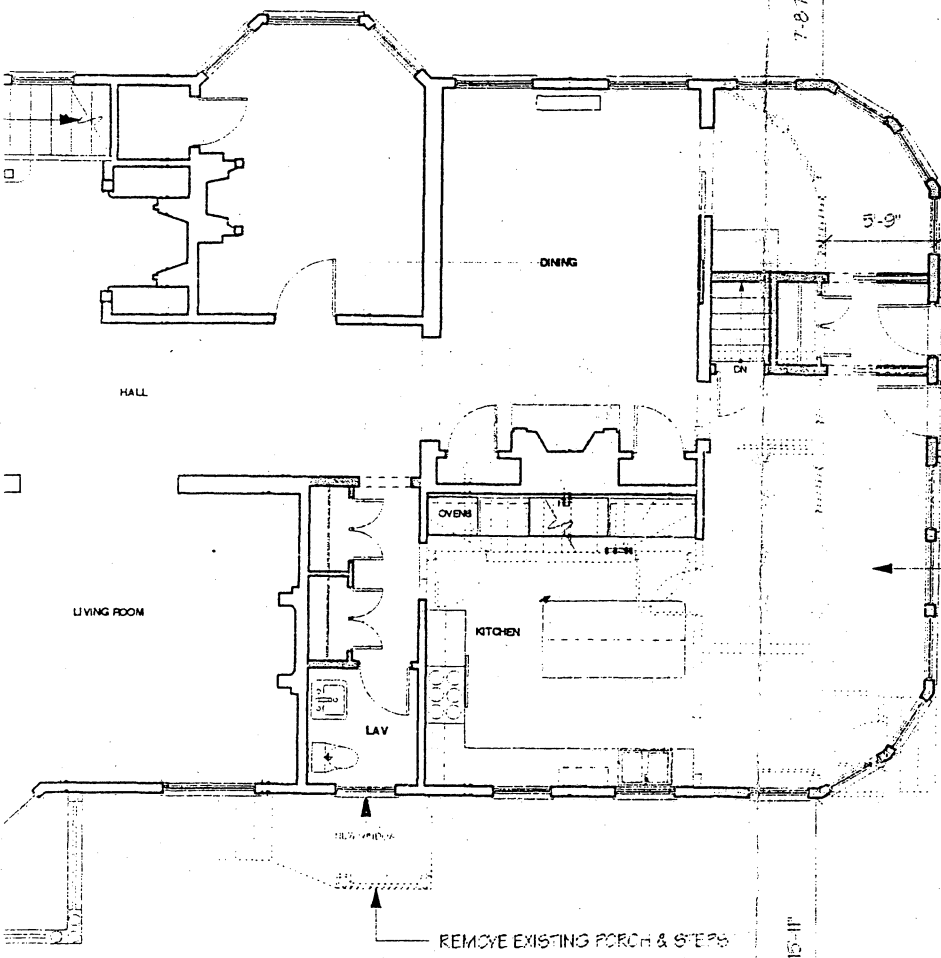
date: January 25, 2002
project number: 0101
drawn by: JP/JG
revision: 3

SITE PLAN
64 Garfield Street

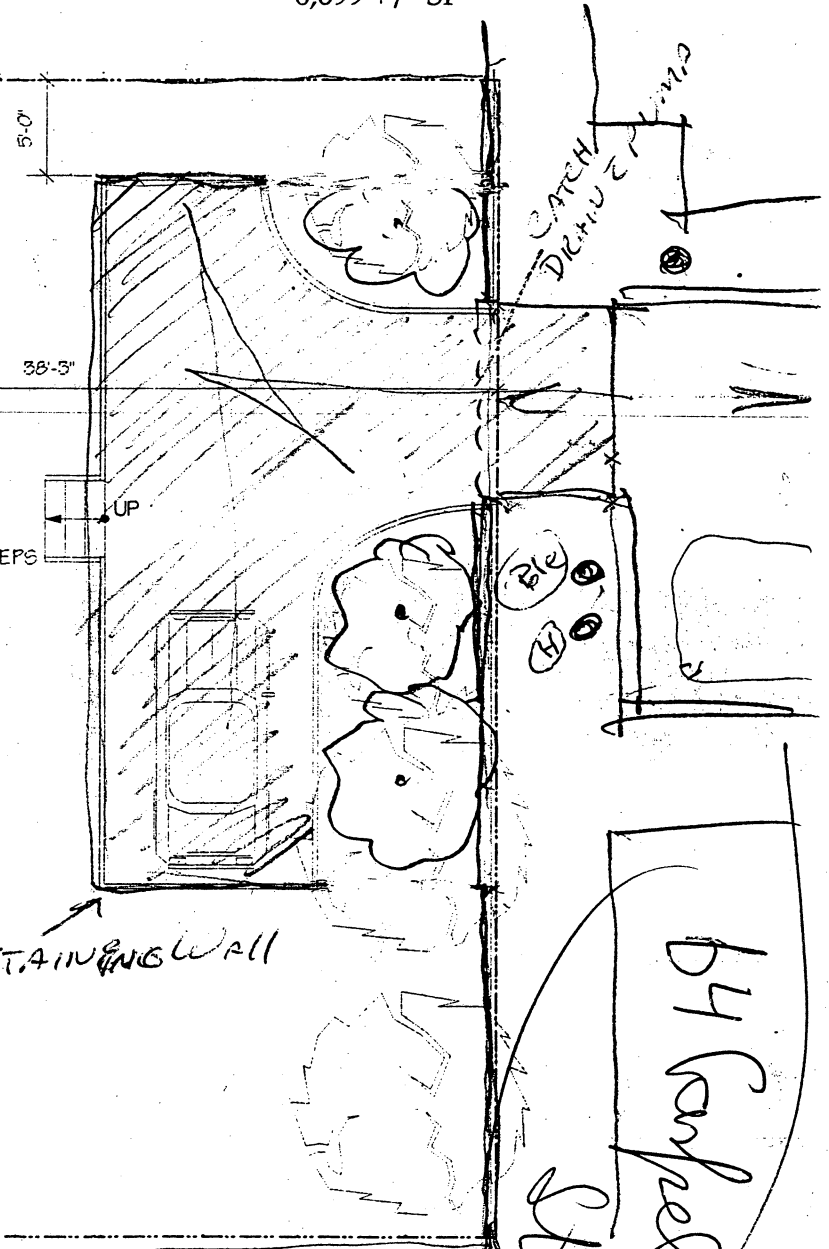
2.5' 0' 5' 10' 15' 20'

LOT 10

LOT 9
6,699 +/- SF



NEW PORCH & STEPS
NEW ONE STORY ADDITION



64 Garfield
Project 10

ALTERATIONS TO:

64 GARFIELD STREET
AMBRIDGE, MASSACHUSETTS

Date: August 20, 2001
Project number:
Drawn by: JP/JG
Revision: 2

LOT 8

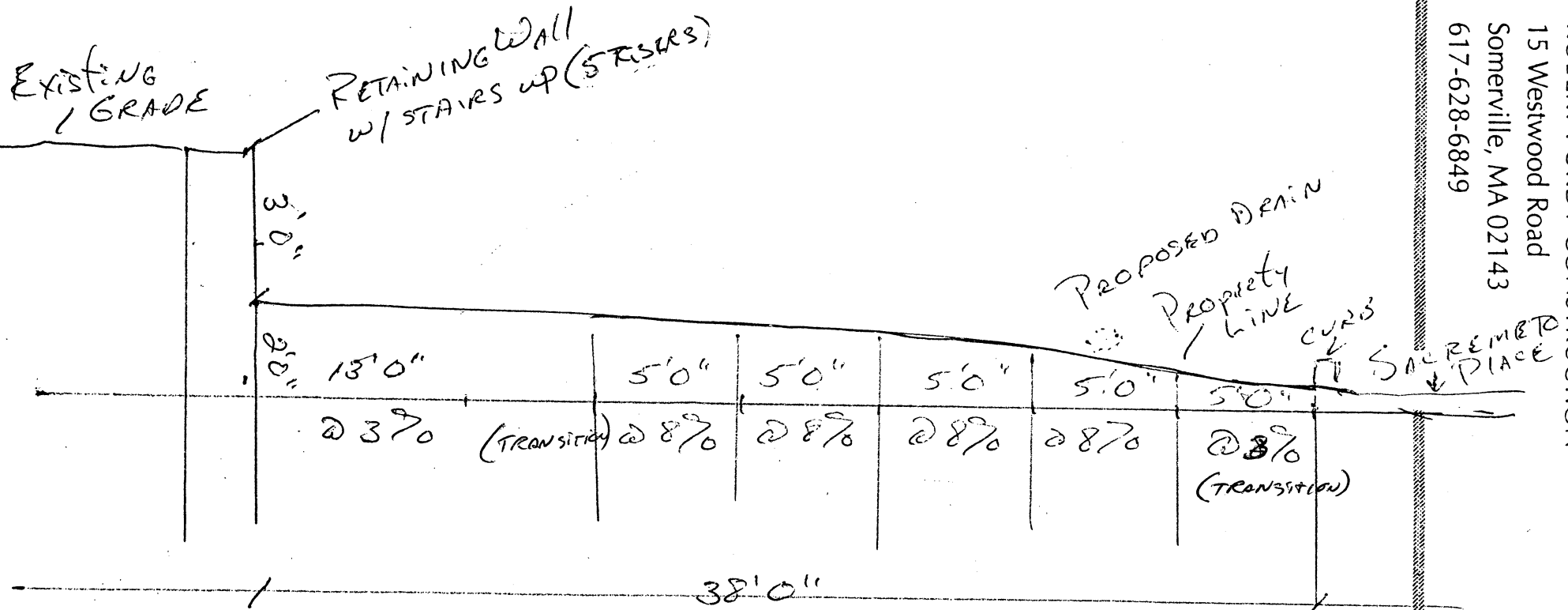
SITE PLAN
64 Garfield Street



SECTION THROUGH DRIVEWAY RAMP 64 GARFIELD STREET



ROBERT PURDY CONSTRUCTION
15 Westwood Road
Somerville, MA 02143
617-628-6849



Length of Proposed Ramp w/ Percent Grades



64 GARFIELD STREET PROPOSED CURB CUT & DRIVEWAY
DUNNAN ALLISON ARCHITECTS

10.1.01

February 14, 2002

To Whom It May Concern:

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This is to advise you that as the owner of the property located at 2 Sacramento Place, Cambridge, I have had the opportunity to review the plans for the above curb cut. As a result, I want to write this letter in full support.

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Very truly yours,



Catherine Lennon
Owner of 2 Sacramento Place

NOTED: 02/14/02 01:45 FAX 6174810923

**UNIVERSITY CITY REALTY III LLC
796 BEACON STREET
NEWTON CENTRE MA 02459**

617 969 1800

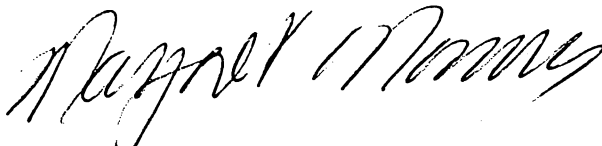
January 29, 2002

Engineering Department
147 Hampshire Street
Cambridge MA 02138

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Margaret Morrissey
Owner

340 Harvard Street
Cambridge, MA 02139

February 14, 2002

To Whom it May Concern:

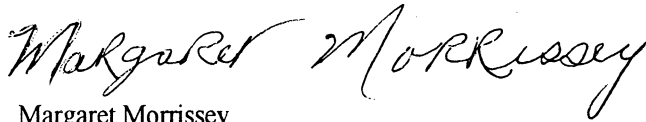
This is to inform you that I have tried to reach the following abutters, but to no avail.

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58 Garfield Street

23 Sacramento Place

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Margaret Morrissey
Owner, 64 Garfield Street

SUPPORT IN FAVOUR OF PARKING IN REAR OF 64 GARFIELD ST CAMPB

YES NO

1	Beryl Dingman, 61 Garfield #12	✓	
2	Georgina Collins 61 Garfield ST # 4	✓	
3	Mary Turrentine 61 Garfield ST #10	✓	
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William Dwyer
Superintendent of Streets
147 Hampshire St.
Cambridge MA 02139

Dear Mr. Dwyer,

I'm very grateful to you for taking the time to speak with me yesterday regarding my concerns about the curb cut at the end of Sacramento Place, and about the proposal to move the telephone pole ten feet closer to my house. When you visit Sacramento Place, I trust you'll see how extremely close that would bring the pole to my house, with all the wires, and the noise of the transformer, and the light of the streetlight just outside my children's windows. I trust it will also be clear to you on Sacramento Place that the street level is much lower than that of Garfield St and Sacramento St, which is why Sacramento Place has repeatedly been a flooding disaster over the years that I've lived here; and dynamiting the concrete wall at the end of the dead end will make us all the more vulnerable to disastrous flooding. It seems unfair to disrupt our neighborhood so significantly for the sake of creating a driveway for a new investor on Garfield Street; I've lived on Sacramento Place for 16 years without a driveway, parking my car on the street. I'm enclosing a copy of our Sacramento Place petition, so that you will see that the residents are strongly opposed to this curb cut; on the application for the curb cut there are "abutters" on Garfield Street who "approve" of the curb cut, but they are completely unaffected by it; we the residents of Sacramento Place (including 12 children right now) will have to live with the consequences of flooding, traffic, and moving the pole, the wires, and the fire hydrant; thank you very much for talking this through with me the other day. I hope that those who make eventually make this decision will be able to take our concerns into account. Because I will be out of town on March 21, I have formally requested that the hearing on the telephone pole at Pole and Conduit be postponed until after my return on March 26. As you'll see, my house is the one that would be most affected by moving the pole, so I'd like to have my voice heard when the issue is discussed. Thank you again.

Yours sincerely,



Larry Wolff
22 Sacramento Place
Cambridge MA 02138

(617) 876-7820
email: wolff@bc.edu

Pole and Conduit Commission
Attention: Nancy Oates, Richard Scali

Monday, March 11, 2002

To the Pole and Conduit Commission:

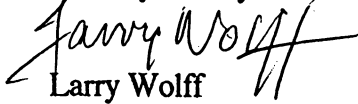
I live at 22 Sacramento Place, and have just received the notice of the meeting of Pole and Conduit to be held in ten days on March 21 about moving the telephone pole at the end of Sacramento Place ten feet closer to my house. I will be out of town on March 21 and can not attend the meeting, and, since I am the person most directly involved in this decision, I respectfully request that the issue be postponed for discussion at a future meeting when I can attend.

I would like to outline for the Commission the reasons why I strongly oppose moving the telephone pole with all its wires ten feet closer to my house. As you will see on Sacramento Place, there are barely ten feet between the pole's present location and my house, so that the new location will put the telephone pole with all its wires at an extremely close distance of several feet from my house. First, I am concerned about this for reasons of safety, both for the extreme closeness of the wires and pole to my house in case of an accident, and also for the ladder access to the upper floors of my house in case of a fire emergency. I have three children who sleep in bedrooms on the third floor. I am particularly concerned about the additional fire hazard of moving a transformer so much closer to the house, in case of accident; the transformer would, again, be very close to where the children sleep. Second, I am concerned about this move as damaging to my property, since I would have a pole covered with wires only several feet from my house, and I would have the light from the streetlight and the noise from the transformer only several feet from my house.

It is my understanding that this move has been proposed to accommodate the new developer at 64 Garfield Street who wants to put in a driveway at the end of Sacramento Place for that property's convenience and value. I, however, have been living at 22 Sacramento Place for 16 years, raising a family of three children, and parking my car on the street. I am deeply disturbed that the city of Cambridge is now contemplating this movement of the telephone pole with all its wires, a move which endangers my family and damages my property.

For all these reasons, I hope that Pole and Conduit will reject this proposed moving of the telephone pole, and I hope that you will therefore postpone the hearing for a time when I can be present to voice my concerns. I have to be out of town from March 15 to March 26, and it is too late for me now to do anything about that. Since my house and my family are most directly concerned by the proposed move, it would seem to me extremely unfair to the spirit of Cambridge democracy to hold this meeting at a time when I can not possibly attend.

Thank you for your consideration,


Larry Wolff
22 Sacramento Place
Cambridge MA 02138

tel. (617) 876-7820
email: wolff@bc.edu

Mr. Dwyer,

Thank you for taking the time to consider the enclosed letter of opposition to the curb-cut application of Margaret Morrissey, signed by nearly every inhabitant of Sacramento Place and nearby residents of Sacramento Street.

Please note that all of the signatures gather by the Ms. Morrissey in support of her application – save one - are from Garfield Street residents, who will be unaffected by the proposal. The other comes from a non-resident property owner on Sacramento Place, who also will be unaffected on a day-to-day basis.

Those of us who have signed the enclosed letter will be affected every day, and very significantly, if this massive construction project were allowed to proceed (requiring moving utilities, a hydrant, breaking a retaining wall, dealing with subsequent drainage issues). We see a large public detriment as the costs of the proposal, and no public benefits.

We urge you to reject the application now before you.

Thank you for your consideration,

Michael D. Schindlinger 3/12/2002

Michael D. Schindlinger
(abutter to proposed curb-cut)
23 Sacramento Place
Cambridge, MA 02138
617-876-7374

City of Cambridge

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

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CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 21 SACRAMENTO PL.☐ approval

Cambridge, Massachusetts, I do hereby declare

☒ disapproval

of the installment of:

Off-Street Parking Facility located at 64 Gasfield CambridgeSigned: Peter D. ChinDate: 2/6/02Address: 21 Sacramento Pl.

To Whom It May Concern:

As owner or agent of ~~100000~~ 22 Sacramento Place☐ approval

Cambridge, Massachusetts, I do hereby declare

☒ disapproval

of the installment of:

Off-Street Parking Facility located at 64 Gasfield CambridgeSigned: Lawrence WolffDate: 10 Feb 2002Address: 22 Sacramento Place

To Whom It May Concern:

As owner or agent of 11 Sacramento Pl.☐ approval

Cambridge, Massachusetts, I do hereby declare

☒ disapproval

of the installment of:

Off-Street Parking Facility located at 64 GasfieldSigned: Lydia V. GuasDate: 10 Feb 2002Address: 11 Sacramento Place

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: _____

To the Members of the Cambridge Council and Zoning Board:

We, the undersigned, wish to go on record as regards the application of Margaret Morrissey, owner and developer of 64 Garfield Street, for a curb-cut onto Sacramento Place. As there is no procedure for direct public hearings into curb-cut decisions, please accept and consider this petition when evaluating your decision.

We are generally opposed to the application for numerous reasons.

- A. The curb-cut would have to pass through what is now a retaining wall at the end of Sacramento Place.** The neighborhood, and Sacramento Place specifically, have had trouble with flooding in recent years, and numerous steps have been taken to control water flow, including construction of the retaining wall, a berm in Sacramento Field, and the general sewer redesign taking place currently throughout the Agassiz neighborhood. A driveway through the retaining wall would surely drain runoff from the higher-level Garfield Street yards onto Sacramento Place, exacerbating already-difficult drainage problems.
- B. Construction of a driveway and parking area would violate green space ordinances.** Zoning regulations are clear that driveways and parking areas are not to be counted as green space. The Council should note that installation of such will reduce the required green space to a level below that required by law, necessitating the need for a variance hearing before the Zoning Board.
- C. Ms. Morrissey applied for a construction variance, then withdrew the application in the face of public opposition.** When ten residents of Sacramento Place attended the first scheduled zoning hearing to voice their opposition to the proposed construction, Ms. Morrissey made the decision to apply for the curb-cut separately, thereby circumventing public review and input. Additionally, at that zoning board hearing, Ms. Morrissey was instructed to get a complete report on the proposed changes to the property from the Historical Commission, indicative of the Commission's support for the construction. Again, rather than pursue this, Ms. Morrissey withdrew her Zoning Board application in favor of a curb-cut application, thus circumventing the appropriate review of the Historical Commission (the property is listed as a historical site).
- D. A fire hydrant and a street light/utility pole would have to be moved.** Neither house at the end of Sacramento Place wishes to have the utility pole or streetlight anywhere but midway between the two houses, as a matter of safety and convenience. Additionally, if the utilities are moved, this would most likely result in the loss of currently-available parking space. The construction required to move the utilities is in and of itself a nuisance which will further make parking unavailable.
- E. The added traffic is unwelcome on Sacramento Place.** Children of families on Sacramento Place now use the space requested for a curb cut as a safe dead-end

street for skating, chalk, etc. Additionally, generations of families have lived in 64 Garfield Street without the need for anything other than public parking. Adding more parking spaces would only increase neighborhood traffic in an area that is already struggling with traffic issues (see the Oxford St traffic-calming plans). This additional Sacramento Place traffic would include not only the occupants of the 64 Garfield property, but also their guests, deliveries, workmen, etc. All such traffic would also pass down Sacramento Street, exacerbating that street's traffic issues.

Ms. Morrisey is developing the property not for her own residence but as a real estate development project. Thus her concerns are primarily economic in shaping her decision to add parking to the property. The rest of us will have to live with the outcome of this matter for the rest of our lives.

NAME

Address

Lawrence Wolff

22 Sacramento Place

Benjamin Katz

22 Sacramento Place

Paul Kess

22 Sacramento Place

Stephen K. Cantor
40 6075

Cambridge MA 02138

19 Sacramento Place

19 Sacramento Place

Carol Aphorhi

21 Sacramento Place

Cambridge, MA

Peter St. Clair

21 Sacramento Pl

Cambridge, MA

Noriko Katagiri

23 Sacramento Pl

Cambridge, MA

Joachim Thull
Thull

10 SACRAMENTO PLACE

CAMBRIDGE, MA 02138

Maria Anna D'Amico

10 Sacramento Place

Cambridge MA 02138

[Signature]

2 Sacramento Place

Rene Dimmock

Sara Dimmock

Mary Ann

Helen H Lambert

George

Mike

Donna Alexander

James Alexander

Lydia V. Enos

2 Sacramento Pl

7 Sacramento Pl.

20 Sacramento Pl

Helen H Lambert

25 Sacramento St.

George Tolchouse
29 Sacramento St

Mike Schindler

23 Sacramento Pl.

11 Sacramento Pl

11 Sacramento Pl.

11 Sacramento Pl.



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

February 27, 2002

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Margaret Morrissey, requesting a curb cut *at the premises numbered 64 Garfield 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.

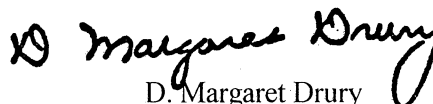
Please indicate by return mail your approval or disapproval of the petition within twenty-one days from the date of this letter. If the response is "disapproval" please state reasons. Be sure to sign the form and include a daytime phone number. I have enclosed a self-addressed stamped envelope to facilitate 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

Agassiz Neighborhood Council - Terry Delancey

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



OFFICE OF THE CITY CLERK

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D. MARGARET DRURY
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DONNA P. LOPEZ
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February 27, 2002

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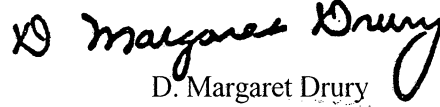
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Agassiz Neighborhood Council - Joan Squeri

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

(617) 349-4260

FAX (617) 349-4269

TTY/TDD (617) 492-0235

2002 MAR 22 A 9:58

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

February 27, 2002

Dear Neighborhood Representative:

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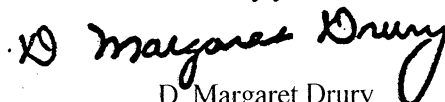
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Agassiz Neighborhood Council - Joan Squeri

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. 388-8694

cc: Petitioner

To the Members of the Cambridge Council and Zoning Board:

We, the undersigned, wish to go on record as regards the application of Margaret Morrissey, owner and developer of 64 Garfield Street, for a curb-cut onto Sacramento Place. As there is no procedure for direct public hearings into curb-cut decisions, please accept and consider this petition when evaluating your decision.

We are generally opposed to the application for numerous reasons.

- A. **The curb-cut would have to pass through what is now a retaining wall at the end of Sacramento Place.** The neighborhood, and Sacramento Place specifically, have had trouble with flooding in recent years, and numerous steps have been taken to control water flow, including construction of the retaining wall, a berm in Sacramento Field, and the general sewer redesign taking place currently throughout the Agassiz neighborhood. A driveway through the retaining wall would surely drain runoff from the higher-level Garfield Street yards onto Sacramento Place, exacerbating already-difficult drainage problems.
- B. **Construction of a driveway and parking area would violate green space ordinances.** Zoning regulations are clear that driveways and parking areas are not to be counted as green space. The Council should note that installation of such will reduce the required green space to a level below that required by law, necessitating the need for a variance hearing before the Zoning Board.
- C. **Ms. Morrissey applied for a construction variance, then withdrew the application in the face of public opposition.** When ten residents of Sacramento Place attended the first scheduled zoning hearing to voice their opposition to the proposed construction, Ms. Morrissey made the decision to apply for the curb-cut separately, thereby circumventing public review and input. Additionally, at that zoning board hearing, Ms. Morrissey was instructed to get a complete report on the proposed changes to the property from the Historical Commission, indicative of the Commission's support for the construction. Again, rather than pursue this, Ms. Morrissey withdrew her Zoning Board application in favor of a curb-cut application, thus circumventing the appropriate review of the Historical Commission (the property is listed as a historical site).
- D. **A fire hydrant and a street light/utility pole would have to be moved.** Neither house at the end of Sacramento Place wishes to have the utility pole or streetlight anywhere but midway between the two houses, as a matter of safety and convenience. Additionally, if the utilities are moved, this would most likely result in the loss of currently-available parking space. The construction required to move the utilities is in and of itself a nuisance which will further make parking unavailable.
- E. **The added traffic is unwelcome on Sacramento Place.** Children of families on Sacramento Place now use the space requested for a curb cut as a safe dead-end

street for skating, chalk, etc. Additionally, generations of families have lived in 64 Garfield Street without the need for anything other than public parking. Adding more parking spaces would only increase neighborhood traffic in an area that is already struggling with traffic issues (see the Oxford St traffic-calming plans). This additional Sacramento Place traffic would include not only the occupants of the 64 Garfield property, but also their guests, deliveries, workmen, etc. All such traffic would also pass down Sacramento Street, exacerbating that street's traffic issues.

Ms. Morrissey is developing the property not for her own residence but as a real estate development project. Thus her concerns are primarily economic in shaping her decision to add parking to the property. The rest of us will have to live with the outcome of this matter for the rest of our lives.

NAME

Address

Louise Wolff

22 Sacramento Place

Benjamin Kline

22 Sacramento Place

Paul Kline

22 Sacramento Place

St. George's Church
400 1st St

Cambridge MA 02138

19 Sacramento Place

19 Sacramento Place

Carol Aphorhi

21 Sacramento Place

Cambridge, MA

Peter H. Clair

21 Sacramento Pl

Cambridge, MA

492-1034

Noriko Katagiri

23 Sacramento Pl

Cambridge, MA

Joaglin Hall

10 SACRAMENTO PLACE

CAMBRIDGE, MA 02138

Mrs. Ann Zisch

10 Sacramento Place

Cambridge MA 02138

[Signature]

2 Sacramento Place

Rachel Immers

Sara Dimwoodie

Marianne

Helen H. Lambert

C. J.

W. S. D. S.

Donna Alexander

James Alexander

Lydia V. Enos

2 Sacramento Pl.

2 Sacramento Pl.

20 Sacramento Pl.

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25 Sacramento St.

George Tolkenstave
29 Sacramento St.

Mike Schindler
23 Sacramento Pl.

11 Sacramento Pl.

11 Sacramento Pl.

11 Sacramento Pl.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

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tty/TDD (617) 492-0235

2002 MAR 15 A 10: 54

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

February 27, 2002

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Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
D. Margaret Drury
City Clerk

Agassiz Neighborhood Council - Terry Delancey

hereby approve disapprove of said driveway petition.

Comments: *we have heard from Peter St. Claire on Sacramento Place who has concerns around flooding regarding removal of retaining wall, utility poles*
Signature of authorized association representative *Terry Delancey*
Daytime telephone no. *617-349-6287*
cc: Petitioner
Agassiz N.C.
removal agreed
This curb cut



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

2002 MAR 22 A 9:58

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

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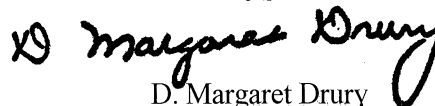
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D. Margaret Drury
City Clerk

Agassiz Neighborhood Council - Joan Squeri

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. 388-8879

cc: Petitioner

18 Sacramento Place
Cambridge, MA 02138

June 10, 2002

2002 JUN 10 A 11:49
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

HAND DELIVERED

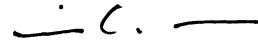
D. Margaret Drury, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: *Application for Curb Cut by University City Realty, III, LLC, a/k/a Margaret M. Morrissey, for premises numbered 64 Garfield Street, Cambridge*

Dear Ms. Drury:

I believe that the referenced application is on the agenda for tonight's City Council meeting. In any event, would you please include the enclosed memorandum with attachments in the record. I have provided several copies. Thank you.

Sincerely,



Lessing A. Kahn

Encl.

Memorandum (with Attachments "A" and "B") re *Application for Curb Cut by University City Realty, III, LLC, a/k/a Margaret M. Morrissey*, for premises numbered 64 Garfield Street, Cambridge

Date: June 10, 2002

To: Cambridge City Council

From: Lessing A. Kahn

I have been a tenant at 18 Sacramento Place for about twelve years. I oppose the curb cut application.

Open at its southern end at Sacramento Street, Sacramento Place is a short, dead-end residential street that ends with a curb, about three feet of land (with no sidewalk), and then a retaining or bulkhead wall about three feet high. The wall, which extends a long way on both sides of the southern end of 64 Garfield Street, separates the higher, northern land, from the lower land of the northern end of Sacramento Place and the adjacent properties. The wall is topped by a wooden fence, which is about five feet high. Older present or former residents of Sacramento Place assert that the wall and fence have existed for at least fifty years.

University City Realty III, LLC, is the owner of 64 Garfield Street. See Attachments "A" and "B". The deed to the owner recites that its property is "bounded...southerly: by land of owners unknown...." The deed does not state that the property is bounded (southerly) by either Sacramento Place or a wall. Attachment "B".

Although there is very little procedural or substantive law specific to the curb cut application process, it may be safe to say that it should not be a vehicle for finessing issues about real estate interests between a proposed curb cut and an applicant's property. Until the ownership of the land and the rights in the retaining or bulkhead wall at the northern end of Sacramento Place are clarified, there is a question as to whether the applicant has standing to prosecute its curb cut application.

For many years, and notoriously, the residences on Sacramento Place have been subject to flooding during periods of heavy or sustained rain. Due at least in part to inadequate drainage, water runs onto residential lots and collects in the basements of homes. During my tenancy, this has occurred several times. On one occasion, the water rose to about four feet in the basement. Within the past few years, the City of Cambridge undertook to improve the drainage system that serves Sacramento Place. Although it may be difficult to quantify the degree of flooding before and after the City's work, the flooding of the residential lots and collection of water in the basements of homes has continued.

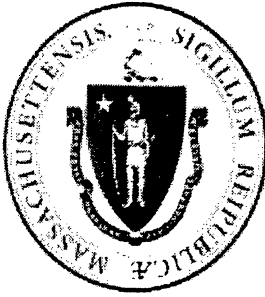
As part of its "curb cut" project, the applicant proposes excavation and construction that will remove part of the retaining or bulkhead wall and result in a declination from the

2002 JUN 10 A 11:49
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

applicant's land to Sacramento Place to provide a driveway. Common sense may not be a reliable substitute for civil engineering or water flow control expertise. Against the historical background however, which includes the City's ineffectual efforts to alleviate the flooding problem, it would seem that the applicant's excavation and construction plans deserve a high level of scrutiny. The City may have engaged in some oversight of the applicant's plans under, for example, Art. 6.45 of the Zoning Ordinance. On the other hand, Sacramento Place residents have expressed frustration of their efforts to examine, review, and respond to the applicant's excavation and construction plans during the application process, because, among other things, the written materials which applicant submits to City personnel undergo changes, presumably as the result of communications to which the residents are not privy. In short, the application process to date has largely consisted of a competition between pro- and contra-application contingents for the private attention of City personnel, including City Councilors. The manner in which the applicant has obtained approval of its proposed excavation and construction plans by City personnel has not enhanced the Sacramento Place residents' confidence in the City's decision-making process.

Since displacement of the "common enemy" rule by a "reasonable use" rule (*Triangle Center, Inc. v. Department of Public Works*, 386 Mass. 858, 862-865 (1982); *Tucker v. Bedoian*, 376 Mass. 907, 916-919 (1978)(concurring opinion)), it is clear that both government entities and private parties may be liable for a "private nuisance," viz., "when a property owner creates, permits, or maintains a condition or activity on his property that causes a substantial and unreasonable interference with the use and enjoyment of the property of another," *Murphy v. Chatham*, 41 Mass. App. Ct. 821, 823, review denied, 424 Mass. 1106 (1997), quoting *Doe v. New Bedford Hous. Auth.*, 417 Mass. 273, 288 (1994), and citing, among other cases, *Schleissner v. Provincetown*, 27 Mass. App. Ct. 392 (1989)(town's storm water disposal system which periodically flooded plaintiff's property constituted nuisance)(synopsis in original). Not surprisingly, facts which give rise to allegations of private nuisance have been used to support other legal theories of recovery. See, e.g., *DeSanctis v. Lynn Water & Sewer Commission*, 423 Mass. 112, 118-120 (1996)(negligent trespass). For a discussion of the remedies available upon a finding of private nuisance, including categories of damages and injunctive relief, see *Schleissner v. Provincetown*, *supra*, pp. 393-397.

— . C. —
Lessing A. Kahn



The Commonwealth of Massachusetts
William Francis Galvin

Secretary of the Commonwealth
 One Ashburton Place, Boston, Massachusetts 02108-1512
 Telephone: (617) 727-9640

UNIVERSITY CITY REALTY III, LLC Summary Screen



Help with this form

[Request a Certificate](#)

The exact name of the Domestic Limited Liability Company (LLC): UNIVERSITY CITY REALTY III, LLC

Entity Type: Domestic Limited Liability Company (LLC)

Identification Number (FEIN, Trust ID, etc.): 000763578

Date of Organization in Massachusetts: 08/01/2001

The location of its principal office:

No. and Street: 300 FIRST AVE.
 City or Town: NEEDHAM State: MA Zip: 02494-0000 Country: USA

If the business entity is organized wholly to do business outside Massachusetts, the location of that office:

No. and Street:
 City or Town: State: Zip: Country:

The name and address of the Resident Agent:

Name: PAUL G. ROBERTS
 No. and Street: 300 FIRST AVE.
 City or Town: NEEDHAM State: MA Zip: 02494-0000 Country: USA

The name and business address of each manager:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	ROBERT KEEZERS	796 BEACON ST. NEWTON CENTRE, MA 02459-0000 USA
MANAGER	MARGARET M. MORRISSEY	340 HARVARD ST. CAMBRIDGE, MA 02138-0000 USA
MANAGER	STEVEN A. MILLER	25 WOODBINE RD., #6 NATICK, MA 01760-0000 USA

The name and business address of the person in addition to the manager, who is authorized to

ATTACHMENT "A" (Page 2)

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
SOC SIGNATORY	PAUL G. ROBERTS	300 FIRST AVE. NEEDHAM, MA 02494-0000 USA
SOC SIGNATORY	ROBERT KEEZERS	796 BEACON ST. NEWTON CENTRE, MA 02459-0000 USA
SOC SIGNATORY	MARGARET M. MORRISSEY	340 HARVARD ST. CAMBRIDGE, MA 02138-0000 USA
SOC SIGNATORY	STEVEN A. MILLER	25 WOODBINE RD., #6 NATICK, MA 01760-0000 USA

The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY SIGNATORY	PAUL G. ROBERTS	300 FIRST AVE. NEEDHAM, MA 02494-0000 USA
REAL PROPERTY SIGNATORY	ROBERT KEEZERS	796 BEACON ST. NEWTON CENTRE, MA 02459-0000 USA
REAL PROPERTY SIGNATORY	MARGARET M. MORRISSEY	340 HARVARD ST. CAMBRIDGE, MA 02138-0000 USA
REAL PROPERTY SIGNATORY	STEVEN A. MILLER	25 WOODBINE RD., #6 NATICK, MA 01760-0000 USA

☐ Consent ☐ Manufacturer ☐ Confidential Data ☐ Does Not Require Annual Report
☐ Partnership ☐ Resident Agent ☐ For Profit ☐ Merger Allowed

Select a type of filing from below to view this business entity filings:

ALL FILINGS
 Annual Report
 Certificate of Amendment
 Certificate of Cancellation
 Certificate of Consolidation

View Filings

New Search

I, Jean Bagnaschi, Executrix of the Estate of Eileen M. McElarney, pursuant to powers of sale Middlesex Probate No. 00P5966EP

of Carlisle, Middlesex County, Massachusetts,

Being married, for consideration paid, One Million Two Hundred Fifty Thousand (\$1,250,000.00) Dollars

Grant to University City Realty III, LLC of Cambridge, Middlesex County, Massachusetts
300 FIRST AVE, NEEDHAM, MASS 02454

with quitclaim covenants

A certain parcel of land and the buildings thereon being at present numbered 64 Garfield Street, Cambridge, Massachusetts, and bounded:

NORTHERLY:	by Garfield Street, sixty and 90/100 (60.90) feet;
EASTERLY:	by land now or late of Warren and Brandeis, Trustees, by a line parallel with and distant Easterly 670.90 feet from the Easterly line of North Avenue, one hundred ten (110) feet;
SOUTHERLY:	by land of owners unknown, sixty and 90/100 (60.90) feet;
WESTERLY:	by land now or late of Worcester, one hundred ten (110) feet.

Containing 6,699 square feet of land. Be all measures more or less or however otherwise bounded or described.

For grantor's title see deed of Ednaw Miner dated 8-1-57 and recorded with Middlesex South District Registry of Deeds, Book 8998, Page 128.

Witness my hand and seal this 30 day of August, 2001.

Jean Bagnaschi
Jean Bagnaschi

The Commonwealth of Massachusetts

Middlesex, ss.

8-3, 2001

Then personally appeared the above-named Jean Bagnaschi and acknowledged the foregoing to be her free act and deed, before me

Paul C. Kilian
Paul C. Kilian, Notary Public

My commission expires: 9-11-03

CAMBRIDGE
DEEDS REGISTRY
MIDDLE, SOUTH
08/03/01 7:54AM 01
000000 4300
FEE \$5700.00
CASH \$5700.00

*** MASS. EXCISE TAX: 5700.00 ***

45.00

638

MSD 08/03/01 12:15:25



City of Cambridge

Calendar Item #1

IN CITY COUNCIL

June 10, 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.

Margaret Morrissey

64 Garfield Street

Said curb cut is granted subject to the following conditions:

- 1. Existing hydrant and utility power pole must be relocated.**
- 2. All costs associated with the installation of the curb cut driveway are the responsibility of the contractor/owner.**
- 3. The entire sidewalk, curbing and roadway paving for width of property shall be restored to City of Cambridge specifications.**

In City Council June 10, 2002.

Adopted by a ye and nay vote:-

Yeas 5; Nays 3; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council June 10, 2002

Ch Right #1 Curb Cut for 64 Garfield

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

City of Cambridge

MASSACHUSETTS

Ch Right #1

In City Council June 10, 2002

Petition for Curbside - M to table & get more info

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



AGASSIZ NEIGHBORHOOD COUNCIL

Terry DeLancey, Executive Director

20 Sacramento Street
Cambridge, MA 02138
Phone: (617) 349-6287
Fax (617) 497-4388

BOARD OF DIRECTORS

Sue Bergin
William Bloomstein
Benadette Manning
Wendy Prellwitz
Sal Sagarese
Joan Squeri
Douglas Varden
Fred Willey

May 30, 2002

Margaret Drury
City Hall
795 Massachusetts Ave.
Cambridge, MA 02139

Dear Margaret,

I am writing this request due to a miscommunication between our two offices. A while back we received a letter from your office, requesting our position on the 64 Garfield Street curb cut issue. Once we received neighborhood reaction on the issue, we sent back our form, stating that we take a neutral stance, but that some neighbors had concerns about the cut.

Recently it has come to our attention that our past chairperson Joan Squeri had received the same request of information from the City, and approved the cut. We spoke with Mary Beth in your office who informed us that in order to clear this up, we would need to write you a letter. We would therefore like to request that the letter of approval by Joan Squeri be rescinded from the consideration of the Cambridge City Councilors, and please follow our letter which takes a neutral stance on the issue.

Please let me know if I can further help clear up this issue. Thank you very much for your assistance on this.

Sincerely,


Terry DeLancey
Executive Director

2002 JUN -3 A 10:26
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Consent Communication #8

A communication was received from Terry DeLancey, Executive Director, Agassiz Neighborhood Council, clarifying their neighborhood association response to the curb cut application at 64 Garfield Street.

In City Council June 10, 2002

**REFERRED TO CHARTER
RIGHTS #1.**

Cal 1 4-6-07

Applications & Petitions #2

An application was received from Margaret Morrissey, requesting a curb cut on Sacramento Place at the premises numbered 64 Garfield Street. See also Calendar Items #3, 4, 5, 6.

In City Council May 20, 2002

**CHARTER RIGHT EXERCISED
BY VICE MAYOR DAVIS.**

In City Council June 10, 2002

**MOTION TO TABLE -
FAILED.
3-5-1.**

**ORDER ADOPTED WITH
CONDITIONS.
5-3-1.**