

December 3, 1990

Mr. Robert Healy  
City Manager  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Re: City Council Approval of  
First Street Handicapped  
Access Ramp

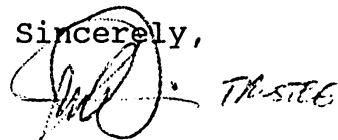
Dear Mr. Healy:

At the suggestion of the City Clerk, I have enclosed some additional documentation for your information and use in preparing a warrant for City Council approval of the handicapped access ramp proposed for First Street adjacent to River Court. Enclosed please find:

1. A certificate of insurance: which names the City of Cambridge as an additional insured with respect to the handicapped access ramp.
2. Description of property: A formal description of the River Court property taken directly from the River Court Condominium Master Deed which was recorded with Middlesex South Registry of Deeds in Book 19666, Page 285.

If you have any questions on this material or need any additional information please give me a call at 451-1300. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Davis", with the word "TRUSTEE" written in capital letters to the right of the signature.

Jonathan G. Davis, Trustee  
River Court Dev. Trust

JGD:nmh  
cc: Joseph Connarton

# ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

12/3/90

PRODUCER

Rodman Insurance Agency, Inc.  
75 Wells Avenue  
Newton Centre, MA 02159

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW

## COMPANIES AFFORDING COVERAGE

COMPANY LETTER **A** Home Insurance Company

COMPANY LETTER **B**

COMPANY LETTER **C**

COMPANY LETTER **D**

COMPANY LETTER **E**

CODE

SUB-CODE

INSURED

Jonathan G. Davis, Trustee  
River Court Development Trust  
1 Appleton Street  
Boston, MA

## COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| CO LTR | TYPE OF INSURANCE               | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | ALL LIMITS IN THOUSANDS          |          |
|--------|---------------------------------|---------------|----------------------------------|-----------------------------------|----------------------------------|----------|
| A      | GENERAL LIABILITY               |               |                                  |                                   | GENERAL AGGREGATE                | \$       |
|        | XX COMMERCIAL GENERAL LIABILITY |               |                                  |                                   | PRODUCTS-COMP/OPS AGGREGATE      | \$ 1,000 |
|        | CLAIMS MADE XX OCCUR.           |               |                                  |                                   | PERSONAL & ADVERTISING INJURY    | \$ 1,000 |
|        | OWNER'S & CONTRACTOR'S PROT.    | PPPF698527    | 9/1/90                           | 9/1/91                            | EACH OCCURRENCE                  | \$ 1,000 |
|        |                                 |               |                                  |                                   | FIRE DAMAGE (Any one fire)       | \$ 50    |
|        |                                 |               |                                  |                                   | MEDICAL EXPENSE (Any one person) | \$ 5     |
|        | AUTOMOBILE LIABILITY            |               |                                  |                                   | COMBINED SINGLE LIMIT            | \$       |
|        | ANY AUTO                        |               |                                  |                                   | BODILY INJURY (Per person)       | \$       |
|        | ALL OWNED AUTOS                 |               |                                  |                                   | BODILY INJURY (Per accident)     | \$       |
|        | SCHEDULED AUTOS                 |               |                                  |                                   | PROPERTY DAMAGE                  | \$       |
|        | HIRED AUTOS                     |               |                                  |                                   |                                  |          |
|        | NON-OWNED AUTOS                 |               |                                  |                                   |                                  |          |
|        | GARAGE LIABILITY                |               |                                  |                                   |                                  |          |
|        | EXCESS LIABILITY                |               |                                  |                                   | EACH OCCURRENCE                  | \$       |
|        | OTHER THAN UMBRELLA FORM        |               |                                  |                                   | AGGREGATE                        | \$       |
|        | WORKER'S COMPENSATION           |               |                                  |                                   | STATUTORY                        | \$       |
|        | AND                             |               |                                  |                                   | (EACH ACCIDENT)                  | \$       |
|        | EMPLOYERS' LIABILITY            |               |                                  |                                   | (DISEASE-POLICY LIMIT)           | \$       |
|        | OTHER                           |               |                                  |                                   | (DISEASE-EACH EMPLOYEE)          | \$       |

## DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

City of Cambridge Additional Insured with respect to a Handicapped Access Ramp located on 1st Street, Cambridge, Mass serving retail space currently rented to C'EST SI BON

## CERTIFICATE HOLDER

City of Cambridge  
City Hall  
795 Mass Ave  
Cambridge, MA 02139

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ~~NOTIFY~~ TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

*Brian Rodman*

ACORD CORPORATION 1988

RIVER COURT CONDOMINIUM

EXHIBIT A

Those certain parcels of land with the buildings and improvements thereon situated and now numbered 10 Rogers Street, Cambridge, Middlesex County, Massachusetts and bounded and described as follows:

Parcel 1

Beginning on the southerly side of Rogers Street at its intersection with the easterly line of First Street; thence running

|               |                                                                                                                                                                                                                   |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EASTERLY      | along Rogers Street, two hundred and sixty-five (265) feet to land formerly of Cambridge Improvement Company; thence running                                                                                      |
| SOUTHWESTERLY | along said last mentioned land one hundred and forty-eight one hundredths (100 48/100) feet to other land now or formerly of John T. Scully; thence turning and running                                           |
| WESTERLY      | by said other land now or formerly of John T. Scully, in a line parallel with said Rogers Street, two hundred and fifty-five and one one-hundredth (255.01) feet to said First Street; thence turning and running |
| NORTHERLY     | on and along said First Street one hundred (100) feet to the point of beginning;                                                                                                                                  |

excluding those portions of said parcel which are subject to the fee taking by the Massachusetts Department of Public Works as referenced in that certain Order of Taking dated April 25, 1984, recorded with the Middlesex South District Registry of Deeds (the "Registry") in Book 15577, Page 25.

The above parcel, including the portion excluded hereby, is shown as the northerly portion of the lot bounded on three sides by Binney, First, and Rogers Streets as shown on a plan recorded December 19, 1896, in the Registry in Book 2523, Page 12.

Parcel 2

SOUTHERLY by Binney Street, two hundred and forty-five and 60/100 (245.60) feet;

WESTERLY by First Street, one hundred (100) feet;

NORTHERLY by land now or formerly of LaCentra two hundred and fifty-five and 57/100 (255.57) feet;

SOUTHEASTERLY by the above described parcel one hundred and 83/100 (100.83) feet;

excluding those portions of said parcel which are subject to the fee takings by the Massachusetts Department of Public Works as referenced in that certain Order of Taking dated April 25, 1984, recorded with the Registry in Book 15577, Page 25.

Said parcel, including the portion excluded hereby, is shown on a plan recorded with the Registry, in Book 11188, Page 244, entitled "Plan of Land in Cambridge - Mass." dated June 22, 1966, and prepared by William S. Crocker, Inc.

Parcels 1 and 2 are the same premises shown on a plan entitled "Plan of Land at Commercial Avenue, Rogers Street, First Street & Binney Street in Cambridge, Mass. Middlesex County, Scale 1" = 20', October 20, 1986", prepared by Boston Survey Consultants, such plan being recorded with the Registry with the deed recorded in Book 17513, Page 136, and such premises are more particularly described as follows:

Beginning on the Southerly side of Rogers Street at its intersection with the Easterly line of First Street; thence running along the Southerly sideline of Rogers Street S 80-31-11 E, 245.82 feet; thence turning and running along a curve with a radius of seventeen (17) feet a distance of 34.33 feet to a point on the Westerly sideline of Commercial Avenue; thence along the Westerly sideline of Commercial Avenue S 35-11-29 W, 179.48 feet; thence turning and running along a curve with a radius of twenty-five (25) feet a distance of 28.09 feet to a point on the Northerly sideline of Binney Street; thence along the Northerly sideline of Binney Street N 80-26-09 W, 135.84 feet to a point; thence turning and running along a curve with a radius of twenty-five (25) feet a distance of 39.25 feet to a point on the Easterly sideline of First Street; thence along the Easterly sideline of First Street N 09-30-34 E, 175.02 feet to the point and place of beginning.

The foregoing premises are comprised of the northerly portion of the lot bounded on three sides by Binney, First and Rogers Streets on a plan recorded September 19, 1896 with the Registry in Book 2523, Page 12 and a parcel shown on a plan recorded with the Registry in Book 11188, Page 244 entitled "Plan of Land in Cambridge-Mass." dated June 22, 1966, prepared by William S.

Crocker, Inc. excluding however those portions of said parcels which are subject to the fee taking by the Massachusetts Department of Public Works as referenced in that certain Order of Taking dated April 25, 1984, recorded with the Registry in Book 15577, Page 25.

Parcels 1 and 2 are also shown on a plan entitled "Condominium Site Plan River Court Condominium located at Rogers Street, Cambridge, Mass." Scale 1" = 20', dated February 14, 1989, by Otte & Dwyer, Inc., Surveyors, Saugus, Massachusetts consisting of two (2) sheets recorded herewith ("Site Plan").

Being the same premises conveyed to the Declarant by deed of Ferdinand Colloredo-Mansfeld, et. al., Trustees of CC&F Commercial Avenue Trust, dated October 22, 1986, and recorded with the Registry in Book 17513, Page 136.

The premises have the benefit of and are subject to, as the case may be, the following matters of record, insofar as applicable and in force and effect:

1. The provisions of a Special Permit, for Planned Unit Development, (PB #55), issued by the Cambridge Planning Board by Decision dated September 16, 1986, a certified copy of such Decision being recorded with the Registry on October 22, 1986 in Book 17513, Page 186, as amended by Minor Amendment dated December 1, 1987, a certified copy of such Minor Amendment being recorded with the Registry in Book 19243, Page 1, as further amended by Minor Amendment No. 2 dated January 19, 1988, a certified copy of such Minor Amendment No. 2 being recorded with the Registry in Book 19243, Page 5.

2. The following licenses: License No. 227 dated July 8, 1874, recorded with the Registry in Book 1320, Page 219, License No. 1166 dated May 23, 1889, recorded with the Registry in Book 1911, Page 514 and License No. 2328 dated January 26, 1900, recorded with the Registry in Book 2862, Page 554.

3. Order of Taking by the Commonwealth of Massachusetts, Department of Public Works, dated April 25, 1984, recorded with the Registry in Book 15577, Page 25, and filed as Document No. 660508.

4. Order of Taking by the Commonwealth of Massachusetts Department of Public Works, recorded with the Registry in Book 16148, Page 497.

5. Construction Mortgage and Security Agreement dated October 22, 1986, from the Declarant to Bank of New England, N.A., recorded with the Registry in Book 17513, Page 149.

6. Collateral Assignment of Leases and Rents dated October 22, 1986, by and between the Declarant and Bank of New England, N.A. recorded with the Registry in Book 17513, Page 172.

7. Easement and Covenant Agreement by and between the City of Cambridge and Jonathan G. Davis, Trustee of River Court Development Trust dated February 29, 1988, recorded with the Registry just prior hereto (the "Easement Agreement") as amended by First Amendment to Easement and Covenant Agreement dated January 30, 1989, recorded with the Registry just prior hereto.

8. Easement from Jonathan G. Davis, Trustee of River Court Development Trust, to Cambridge Electric Light Company dated October 3, 1988 recorded with the Registry in Book 19397, Page 61.



CITY OF CAMBRIDGE  
COMMISSION FOR PERSONS WITH DISABILITIES

57 Inman Street  
Cambridge, MA 02139 28 PM 4: 48  
498-9000, Ext. 9509 (Voice)  
492-0235 (TTY/TDD) CAMBRIDGE MA.

Michael Rocha, Chairperson  
Sondra Korman, Communications  
Coordinator

November 27, 1990

Gloria Cartagena  
Erich Dietrich  
John Fernandes  
Carol McLaughlin  
Rose Medeiros  
Robert Nichols  
Robert Patterson  
Paul Schlaver  
Marie Wright

Robert W. Healy, City Manager  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Dear Mr. Healy,

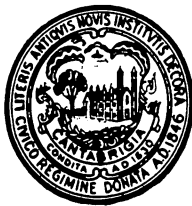
The purpose of this letter is to express support for Jonathan Davis' request for an easement to provide handicap access on First Street at River Court. Through a regrettable set of circumstances the main entrance to the commercial property at that location is higher than the sidewalk grade. Interior spacial constraints, coupled with structural limitations associated with the parking garage under the property, make other access alternatives infeasible. The Architectural Access Board has ordered the owner to bring the entrance into compliance and has granted the necessary variances for a ramp and adjacent walkway which fail to meet dimensional requirements.

No reasonable alternative to handicap access at this site is available, and the owner has no recourse but to ask the City for an easement to construct the required ramp on City property. Having exhausted other remedies, I now petition you to request that the City Council consider the easement on First Street at the earliest possible date in order to facilitate construction of the access ramp in the immediate future, weather permitting.

Sincerely,

Gail Enman, Director  
Cambridge Commission for Persons with Disabilities

cc: Roger Booth  
Joseph Connarton  
Jonathan Davis



# CITY OF CAMBRIDGE

## COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

November 28, 1990

To: Robert W. Healy, City Manager

From: Michael H. Rosenberg, Assistant City Manager  
for Community Development

Subject: River Court (Planning Board Special Permit #55)  
Access Problem

The staff of the Community Development Department has worked with the other concerned City agencies in review of the handicapped access problem at River Court, following the issuance of a variance from the Massachusetts Architectural Access Board (October 24, 1990). Our recommendation is that the H J Davis Development Corporation be allowed to construct the ramp essentially as proposed in the design which they submitted for the variance. We would like to inspect the work on site to ensure that the quality of the work is consistent with the plans and the surroundings.

Throughout the design review process in East Cambridge over the last ten years, we have encouraged ground floor retail in this location with the intent of creating an active, inviting character to the street. The cafe is exactly the kind of use we envisioned, and is an attractive addition to the street life in this area. Of course, it is most unfortunate that the construction of River Court did not allow for the cafe to be built at the sidewalk level, with no steps. That would have been to everyone's benefit.

The proposed ramp is rather awkward, both from a functional and from an aesthetic point of view. In terms of function, the sidewalk is only eight feet wide along the cafe frontage; four feet would be the minimum required for both the ramp and the remaining sidewalk. Thus, the ramp just fits, with no room for landscaping or for a more spacious treatment. Aesthetically, the ramp will look rather crowded in the proposed location. However, despite numerous attempts to identify alternatives, we have found no other more satisfactory solution. Hence, we recommend that the ramp be approved, but with the proviso that this not be seen as a precedent for locating handicapped ramps on public sidewalks.

cc: Gail Enman  
Jonathan Davis  
Joseph Connarton



RECEIVED

90 DEC -4 AM 5:13

H J DAVIS DEVELOPMENT CORPORATION · ONE APPLETON STREET · BOSTON · MA 02116 · 617-467-1300  
OFFICE OF THE CITY MANAGER

December 3, 1990

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City Manager  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Re: City Council Approval of  
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Access Ramp

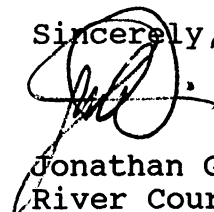
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 TR-STEER

Jonathan G. Davis, Trustee  
River Court Dev. Trust

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COMMISSION FOR PERSONS WITH DISABILITIES

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November 27, 1990

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Cambridge Commission for Persons with Disabilities

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# City of Cambridge

MASSACHUSETTS

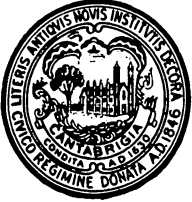
Agenda # 18 - Approval of easement on  
public sidewalk for a Handicapped Ramp  
for River Court.

In City Council December 10 1990

|                            | YEA | NAY | ABSENT | PRESENT |  |
|----------------------------|-----|-----|--------|---------|--|
| Mr. Ed Cyr                 | ✓   |     |        |         |  |
| Mr. Francis H. Duehay      | ✓   |     |        |         |  |
| Mr. Jonathan S. Myers      | ✓   |     |        |         |  |
| Mr. Kenneth E. Reeves      | ✓   |     |        |         |  |
| Mrs. Sheila T. Russell     | ✓   |     |        |         |  |
| Mr. Walter J. Sullivan     |     | ✓   |        |         |  |
| Mr. Timothy J. Toomey, Jr. | ✓   |     |        |         |  |
| Mr. William H. Walsh       | ✓   |     |        |         |  |
| Mayor Alice K. Wolf        | ✓   |     |        |         |  |

8

1



# CITY OF CAMBRIDGE

## COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

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cc: Gail Enman  
Jonathan Davis  
Joseph Connarton

18.



## CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

FAX. 868-8159

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

RICHARD C. ROSSI

Deputy City Manager

December 10, 1990

To The Honorable, The City Council:

I hereby request that the City Council approve an easement on the public sidewalk for a Handicapped Ramp for River Court. It is being recommended by Commission for Persons With Disabilities and the Community Development Department as the only feasible solution to accessibility. Passage is recommended.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy  
City Manager

RWH/mev  
attachment

Agenda # 18

S-1229

Approval of an easement on the public  
sidewalk for a Handicapped Ramp for  
River Court.

In City Council,

December 10, 1990

*Approval of ramp*  
*8-1-0.*