



City of Cambridge

Consent Communication #14

IN CITY COUNCIL

January 11, 1999

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.

Dominic DeFrancisco

140 Elm Street

In City Council January 11, 1999.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script that reads "D. Margaret Drury". The signature is written in dark ink and is positioned to the right of the "ATTEST:-" text.

D. Margaret Drury
City Clerk

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 abutter's forms of those abutters in front, side, rear and across the street from the property which the curb cut will be made. If the applicant is unable to obtain these signatures, he/she must include a statement with the application that an attempt was made to secure the required signatures and that it was not possible to obtain them and indicate the reasons why it was not possible to obtain the signatures.
4. The applicant shall submit the application, together with the plot plan and the abutter's forms, shall be first submitted to the Inspectional Services Department, located at 831 Massachusetts Avenue. The Inspectional Services Department will (1) immediately send a copy of the application to the City Clerk's Office to start the neighborhood association notification process, and (2) review the application for completeness of application, inclusion of abutter's forms and compliance with the City of Cambridge Zoning Ordinance.

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

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

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

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

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

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

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

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

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

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 134 ELM St. Cambridge MA.



approval



disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at 140 ELM ST

Signed: Carlos da Rãmara

Date: 12-2-98

Address: 134 ELM St. Cambridge MA.

To Whom It May Concern:

As owner or agent of 135 Elm St. Cambridge ma



approval



disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at 140 ELM ST

Signed: Leonardo Jirã

Date: 12-4-98

Address: 135 ELM St - Cambridge ma

To Whom It May Concern:

As owner or agent of 145 Elm St. Cambridge MA 02139



approval



disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at 140 Elm St

Signed: Edo Bzeld

Date: 12/5/98

Address: 145 Elm St Cambridge MA 02139

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: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

CITY OF CAMBRIDGE

To Whom It May Concern:

As owner or agent of

Dennis Lopez 124 HAMPSHIRE STREET,



approval

Cambridge, Massachusetts, I do hereby declare



disapproval

of the installment of:

Off-Street Parking Facility located at

140 ELM ST.,

Signed:

Dennis Lopez

Date:

DEC. 7, 1998

Address:

124 HAMPSHIRE ST., CAMB. MA. 02139

PROCEDURE FOR DRIVEWAY APPLICATIONS

- 1) APPLICATION TO BE PICKED UP AT INSPECTIONAL SERVICES OR PUBLIC WORKS
- 2) THE PROPERTY OWNER FILLS OUT ALL INFORMATION AS REQUIRED
- 3) THE APPLICATION IS BROUGHT OR SENT TO INSPECTIONAL SERVICES
- 4) INSPECTIONAL SERVICES FORWARDS THE APPLICATION TO TRAFFIC DEPARTMENT
- 5) THE TRAFFIC DEPARTMENT FORWARDS THE APPLICATION TO THE HISTORICAL SOCIETY
- 6) THE HISTORICAL SOCIETY FORWARDS THE APPLICATION TO PUBLIC WORKS DEPARTMENT - BOB KEATING'S OFFICE
- 7) BOB KEATING'S OFFICE FORWARDS THE APPLICATION TO THE CITY CLERK'S OFFICE
- 8) THE CITY CLERK'S OFFICE FORWARDS THE APPLICATION TO THE CITY COUNCIL FOR ACTION
- 9) ONCE THE CITY COUNCIL APPROVES (OR DISAPPROVES) THE APPLICATION IT IS SENT BACK TO THE CITY CLERK'S OFFICE
- 10) THE CITY CLERK'S OFFICE SENDS THE APPLICATION BACK TO PUBLIC WORKS - BOB KEATING'S OFFICE
- 11) BOB KEATING'S OFFICE NOTIFIES THE OWNER THAT THE APPLICATION WAS APPROVED (OR DISAPPROVED) AND THAT WE NEED THE CHECK FOR THE FULL AMOUNT
- 13) WHEN PUBLIC WORKS RECEIVES THE CHECK WE THEN SCHEDULE THE WORK



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

1998 DEC 14 A 10:33

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

December 10, 1998

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Dominic DeFrancisco, requesting curb cuts *at the premises numbered 140 Elm 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

Name of Neighborhood Association: Pisani Center Tenant Council - Manny Themea

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments:

Signature of authorized association representative

Daytime telephone no. (617) 577-1750

cc: Petitioner



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CITY OF CAMBRIDGE

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Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
City Clerk

Name of Neighborhood Association: Margaret Fuller House - Carolyn Dallas

hereby X approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative Carolyn Dallas

Daytime telephone no. (617) 547-4680

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
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Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
City Clerk

Name of Neighborhood Association: Area Four Neighborhood Coalition - Peter Berry

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative

Daytime telephone no. 661-5628

cc: Petitioner

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

'98 DEC 7

11:55

#1998/201

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

RECEIVED BY THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS
JAN - 4 - A 11:08



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 abuttors.

To receive a review from Inspectional Services you must fill out Part I of the application. Be sure to draw your plot plan on Drawing 1, choosing the lot that represents your lot's position, i.e. corner or interior. You must also include a sketch of the proposed driveway, including dimensions, on Drawing 2. You may then calculate the cost of the driveway by using the formula based on your choice of surfaces. You must also include a signed abutor sheet for each of your abuttors: back yard, one on either side and the abutor directly across the street.

Once you have gathered this information on the application, it should be submitted to:

Zoning Officer
Inspectional Services
831 Massachusetts Avenue
Cambridge, MA 02139

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, the Historical Commission and the Department of Public Works. If approved by Public Works, the application and backup will be sent to the City Council for their approval. Once the City Council approves, the driveway curb cut can be installed. However, the full cost of the cut must be paid to Public Works before the work will start.

If, however, Inspectional Services denies your application you may then appeal to the Zoning Board of Appeals.

DATE:

12/7/98

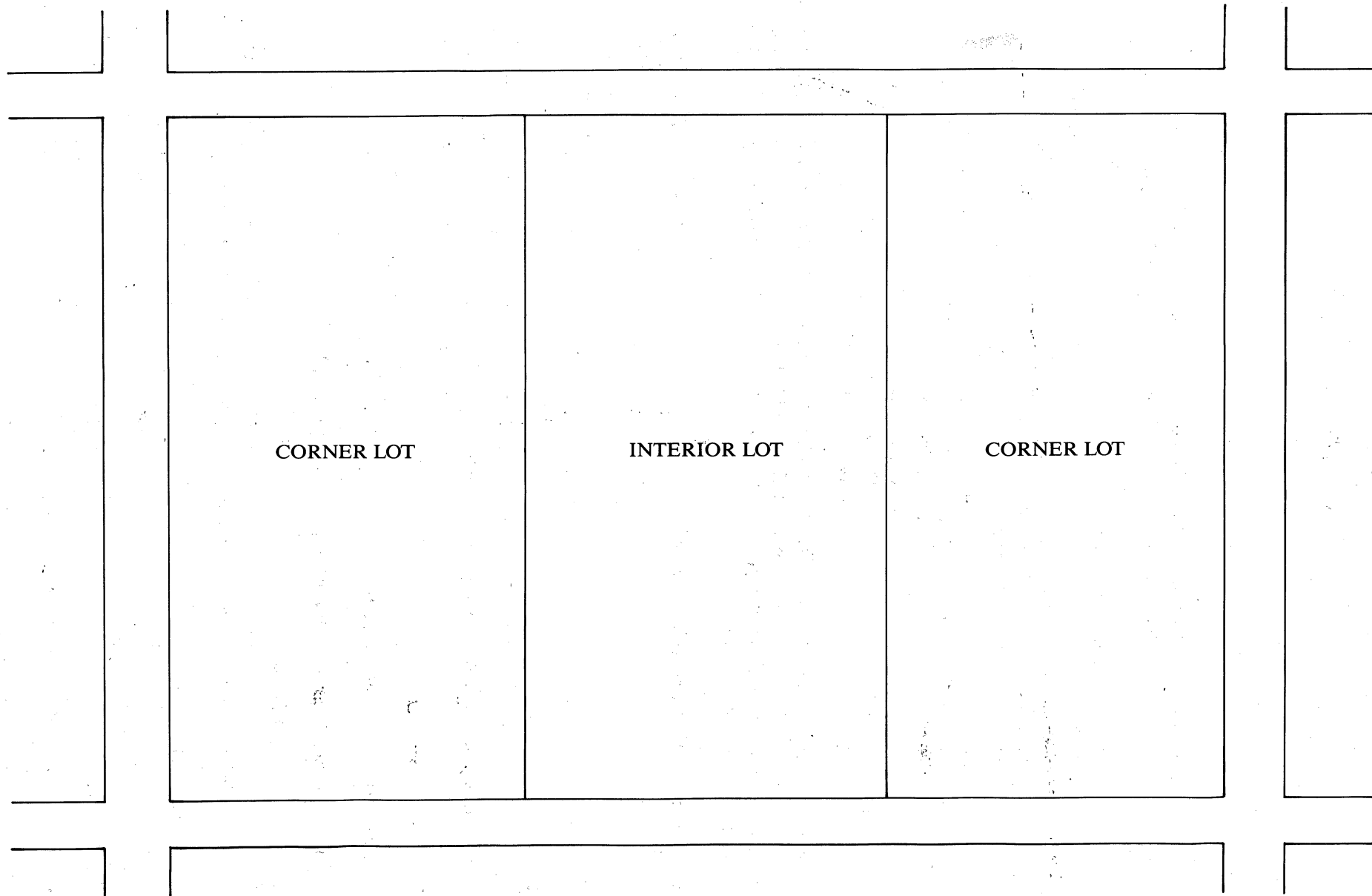
PART I:

Address of proposed curb cut or off-street parking facility: <u>140 ELM STREET</u>	
Frontage: <u>65.70</u>	Block and Lot: <u>86 / 89 (LOT)</u>
Setback (distance from building to sidewalk): <u>0</u>	
Distance from proposed driveway to surrounding structures and property line: <u>± 14'</u>	
Dimensions of proposed driveway: <u>EXISTING DRIVEWAY</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>Tel pole</u> <u>3' from curb</u>	

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

DRAWING 1:

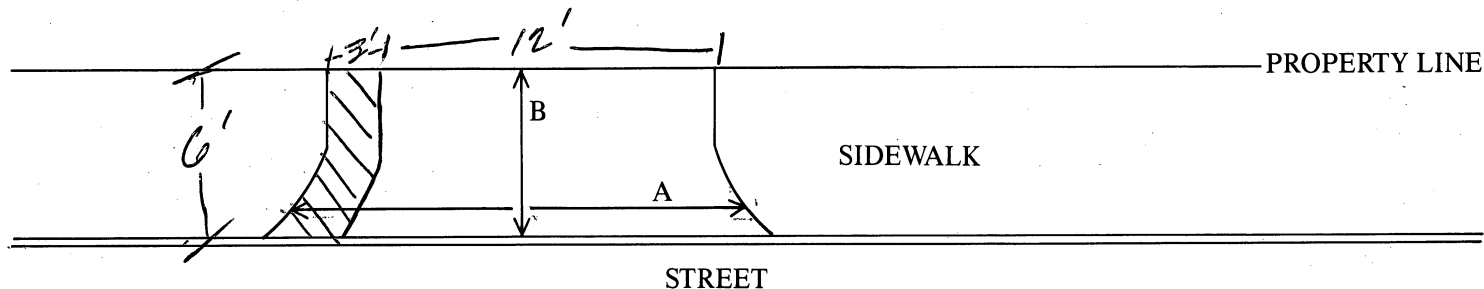
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = \frac{18}{6} \text{ FT.} \div 3 = \frac{1}{3} \text{ YARDS}$$

$$B = \frac{5}{1} \text{ FT.} \div 3 = \frac{1}{66} \text{ YARDS}$$

$$A \times B = 8.33 \text{ SQUARE YARDS}$$

COST ESTIMATE:

$$\text{BRICK: } 8.33 \text{ SQUARE YARDS} \times \$70/\text{SQUARE YARD} = \$583.10$$

$$\text{BRICK ON CONCRETE: } 2 \text{ SQUARE YARDS} \times \$85/\text{SQUARE YARD} = \$170.00 \text{ (PMK)}$$

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

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

DEPARTMENT OF PUBLIC WORKS SCHEDULED DATE FOR CONSTRUCTION:

12/7/98

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: Dominic DeFrancisco DOMINIC DEFRANCISCO Date: 12/7/98
Address: 140 ELM ST.

Funds Received: \$ _____

Check Number: _____

Tel. 868-8091

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved ☐ Application denied

Reason: IMPROVE SAFETY

Signature: [Signature]

Date: 12/18/98

Title: ZONING

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved ☐ Application denied

Reason:

Signature: [Signature]

Date: 12/14/98

Title: DOT TRAFFIC D.C.

PART IV: HISTORICAL COMMISSION

☒ Application approved ☐ Application denied

Reason:

Signature: [Signature]

Date: 12-18-98

Title: Exd CHC

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved ☐ Application denied

Reason: 3' Extension - Driveway access due to street direction change

Signature: [Signature]

Date: 12/29/98

Title: Eng. Dept.

Consent Communication #18

172

An application was received from
Dominic DeFrancisco, requesting a
curb cut at the premises numbered
140 Elm Street.

In City Council January 11, 1999

ORDER ADOPTED