

1510

602A-S-82



City of Cambridge

RECEIVED BY
SEP 24 10 31 AM '84

CAMBRIDGE, MASS.

IN CITY COUNCIL
October 4, 1982

COUNCILLOR CLINTON

WHEREAS: A communication has been received from the residents of Ashburton Place requesting that said Ashburton Place be accepted and laid out as a public way of the City of Cambridge, and

WHEREAS: Ashburton Place has an existing right of way of twenty feet: 12' x 6" with a partially paved roadway with 4' of brick and bituminous asphalt sidewalk on the east side and 3',6" of brick and bituminous asphalt sidewalk on the west side; and

WHEREAS: Due notice has been given of the intention of this City Council to accept as a public way in the City of Cambridge, Ashburton Place in the manner prescribed by law and a public hearing held before the City Council on October 4, 1982 at which time all other persons interested were given an opportunity to be heard, it is therefore

ORDERED: That Ashburton Place be and hereby is accepted and laid out as a public way of the City of Cambridge according to a plan on file in the office of the City Engineer of the City of Cambridge entitled "Plan of Ashburton Place, owned by City of Cambridge" dated August 26, 1983 drawn by Cullinan Engineering Co., Inc., a copy of which is recorded herewith.

Said Ashburton Place to be accepted and laid out as a public way of the City of Cambridge as shown on said plan, is bounded and described as follows:

Beginning at point on the southeasterly line of Essex Street at the southwest corner of land, now or formerly of George and Demetra Phillos being numbered 28 Essex Street, said point being at the most northerly corner of the parcel herein described;

Thence S 61°51'41" E along lands now or formerly of said Phillos, James N. Hullett and Carl F. Lesnor, and Paul Elias, a distance of 147.00 feet, to a bound with a disc at the end of Ashburton Place;

103
SEE PLAN IN RECORD BOOK 15421 PAGE 436

01/26/84 03:34 TR 363 RE 1000

- 2 -

Thence S 27°45'42" W, along lands now or formerly of Timbertop Real Estate Trust, and Noel and Richlene Aimes, a distance of 20.00 feet, to a point, said course being along the end of Ashburton Place;

Thence N 61°51'41" W along lands now or formerly of Eaclen and Sherman Haynes, Barry Phillyes, and Annie Foster, a distance of 147.00 feet, to a point on the aforesaid southeasterly line of Essex Street;

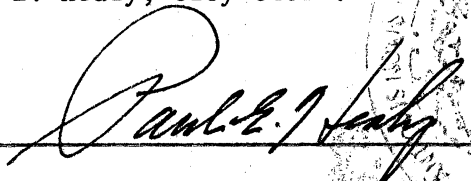
Thence N 27°45'42" E, along said southeasterly line of Essex Street, a distance of 20.00 feet, to the point of beginning, said parcel contains 2,940 square feet, more or less.

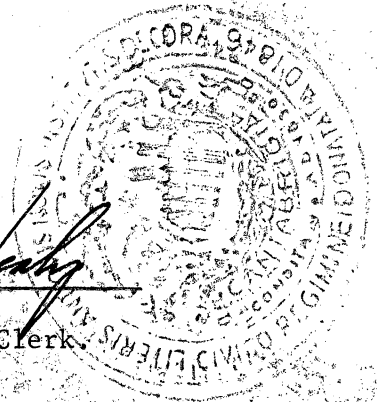
The above described parcel of land, is shown on a plan entitled "Plan of Ashburton Place, owned by the City of Cambridge" dated August 26, 1983, drawn by Cullinan Engineering Co., Inc., a copy of said plan to be filed herewith.

In City Council October 4, 1982.
Adopted by a yea and nay vote:-
Yeas 9; Nays 0; Absent 0.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.





RECEIVED & ENTERED
MIDDLESEX COUNTY
REGISTRY OF DEEDS
SOUTHERN DISTRICT
ATTEST:

John F. Jansselli
REGISTER



City of Cambridge

IN CITY COUNCIL

October 4, 1982

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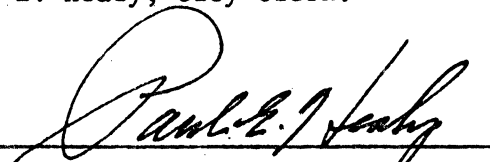
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Yeas 9; Nays 0; Absent 0.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "Paul E. Healy", written over a horizontal line.

Paul E. Healy, City Clerk.

City of Cambridge

PUBLIC HEARING

The Cambridge City Council will conduct a public hearing on the petition of James N. Hullett, et al relative to the acceptance of Ashburton Place as a public way of the City of Cambridge in the City Council Chamber, City Hall on Monday, October 4, 1982 at 7:00 p. m.

All interested individuals are requested to attend and be heard at this time.

By order of the City Council,

ATTEST:- Paul E. Healy,
City Clerk



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Joan Lastovica, City Engineer

Date September 13, 1982

From Paul E. Healy, City Clerk

Reference

Subject Petition to change the status of Ashburton
Place to an "Accepted Way"

I enclose a copy of the petition signed by the residents of Ashburton Place to change the status of Ashburton Place to an "Accepted Way". The City Council at its meeting of September 13, 1982 indicated that they wish to hold a public hearing on the acceptance of Ashburton Place as a public way of the City of Cambridge. Said hearing is scheduled for Monday, October 4, 1982 at 7:00 p.m.

As you can appreciate in order to accomplish this goal, the Engineering Department will be required to provide the measurements, meets and bounds by plan dated prior to this meeting and suitable for recording in Court at a later date.

Your kind attention in this matter will be greatly appreciated, as hearing notices must be placed in the newspapers and posted in the private way and all residents notified.

PEH/mh

Enclosure

AUG 19 12 41 PM '82

CAMBRIDGE, MASS.

August 18, 1982

TO: The City Clerk and the City Council

FROM: Residents of Ashburton Place, Cambridge, MA

RE: Enclosed petition

The enclosed petition requesting "Accepted Way" status for Ashburton has been signed by every homeowner except the owner of #5 who lives in the midwest.

Ashburton Place is a small street with 6 homes, most of which have two or more apartments.

For years, Ashburton has had minimal city services. There is no snow removal or street repair. Recently the water main sprung a major leak and it was unclear for a while whether the city would replace an ancient and often-leaking main. With the intervention of the City Manager that problem was resolved and a new main installed.

Now, the street is a dirt road with no immediate hopes of being paved. This situation will get dramatically worse in the winter and spring.

We the residents and homeowners request that the city accept Ashburton Place so the residents and homeowners, who pay city taxes, can receive regular services.

We look forward to hearing from you on this matter. Please call Barry Phillips at 722-1639 days or 868-1334 evenings if you need further information.

August 2, 1982

A PETITION

TO: The City Council, City of Cambridge, MA

FROM: The Residents of Ashburton Place

RE: Action to change the status of Ashburton Place to an "Accepted Way"

We, the residents of Ashburton Place, formally petition the City Council to change the status of Ashburton Place from "Unaccepted Way" to "Accepted Way."

Name	Address	Homeowner (Yes/No)
JAMES N. HULLITT	#2 Ashburton Place	Yes
NOEL AINES	6 Ashburton Place	Yes
* Michael Bailey	5 Ashburton place	no
Nancy M. Reed	4 Ashburton Pl.	No
Anneg Foster	1 Ashburton Pl.	YES
Barry Phillips	4 Ashburton Pl.	Yes
RL EIS	3 Ashburton Pl.	Yes

* # 5 Ashburton homeowner lives in the midwest.

All available homeowners on Ashburton Pl. have signed;
#5 is only absent homeowner.



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PEH/mh

Enclosure

AUG 19 12:51 PM '82

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FROM: Residents of Ashburton Place, Cambridge, MA

RE: Enclosed petition

The enclosed petition requesting "Accepted Way" status for Ashburton has been signed by every homeowner except the owner of #5 who lives in the midwest.

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Barry Phillips	4 Ashburton Pl.	Yes
RL Eric	3 Ashburton Pl.	Yes

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CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

September 17, 1982

To Whom It May Concern:

Pursuant to the request of the City Council I am writing to inform you that the Council is in receipt of your communication dated August 18, 1982. Said communication petitioning the City Council for a change in the current status of Ashburton Place from an "unaccepted way" to an "accepted way".

Please be advised that the City Council at its meeting of September 13, 1982 has scheduled a public hearing in answer to this request. Said hearing to be held on Monday, October 4, 1982 at 7:00 p.m. in the City Council Chamber, City Hall. All petitioners are invited to attend at this time.

Your kind cooperation in this matter will be greatly appreciated by both the City Council and this office.

Very truly yours,

Paul E. Healy, City Clerk

PEH/mh

cc: James N. Hullett - 2 Ashburton Place
Noel Aimes - 6 Ashburton Place
Nancy M. Ryan - 4 Ashburton Place
Annlee Foster - 1 Ashburton Place
Barry Phillips - 4 Ashburton Place
Paul Elias - 3 Ashburton Place



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CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Everett Kennedy, Commissioner of Public Works,
Anthony Paolillo, Chief of Police,
Chief Scott, Fire Dept.,
George Teso, Director of Traffic & Parking
From Paul E. Healy, City Clerk
Subject Petition to change the status of Ashburton
Place to an accepted way.

Date September 22, 1982

Reference

Enclosed herewith you will find a copy of a petition received from residents of Ashburton Place, requesting that the status of Ashburton Place be changed to an "Accepted Way" of the City of Cambridge.

Please be advised that the City Council at its meeting of September 13, 1982 has scheduled a public hearing to discuss this matter in more detail. Said hearing to be held on Monday, October 4, 1982 at 7:00 p.m. in the City Council Chamber, City Hall. All petitioners have been notified as to this upcoming hearing, as has been the Engineering Department.

Please indicate in writing your approval or disapproval of this petition as submitted by the residents of Ashburton Place.

PEH/mh

Enclosure

cc: Everett Kennedy, Commissioner of Public Works
Anthony Paolillo, Chief of Police
Thomas Scott, Fire Chief
George Teso, Director of Traffic and Parking

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Comm. from Paul E. Healy, City Clerk, transmitting a petition from the residents of Ashburton Place requesting that the Council change the status of Ashburton place from an unaccepted way to an accepted way.

Engineering Dept. notified 9/16/82

In City Council,

September 13, 1982

9/13/82

Meeting set for

October 4, 1982

at 17PM

Notify City Engineer

PETITIONERS AND POST



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To William Crocker, Electrical Dept.,
John Cusack, Water Dept.,
The Planning Board

Date October 1, 1982

From Paul E. Healy, City Clerk *PEH*

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CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE
CITY ENGINEER

Joan Lastovica P.E.
City Engineer

October 1, 1982

Paul E. Healy
City Clerk
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

I have reviewed the petition to change the status of Ashburton Place to an "Accepted Way." A brief report follows.

UTILITIES: The City ordered on April 20, 1892 an easement of 10 feet in width thru the middle of Ashburton Place for laying, making and maintaining therein a common sewer. The City sewer main is a 10 inch portland pipe.

RIGHT OF WAY: Ashburton Place has an existing right of way of 20 feet: 12 ft. 6 in. partially paved roadway, 4 ft. brick and bituminous asphalt sidewalk on the east side, 3 ft. 6 in. brick and bituminous asphalt sidewalk on the west side. The Cambridge Planning Board in 1969 established "Minimum Standards for Acceptance of Existing Private Ways as Public Ways" and those criterions remain sound and valid.

Per the City of Cambridge 1981 List of Streets and Ways there exist 7 accepted streets of 20 ft. width, 46 unaccepted streets of 20 ft. width, and 87 unaccepted streets of width less than 20 feet.

DESIGN: Ashburton Place is a narrow one way street open at one end only with cars presently parking over the curb. Egress from Ashburton is now limited to a vehicle backing up into the one way traffic flow on Essex Street.

Paul E. Healy
City Clerk

October 1, 1982
Page 2

CONCLUSIONS: I recommend that Ashburton Place in its present configuration remain a "Private Way." I would further recommend a determination by the City Solicitor in regard to any increased liability to the City for acceptance of this sub-standard Way with non-conforming and potentially hazardous egress.

Alternative funding sources should be investigated to satisfy the request of the petition.

Very truly yours,

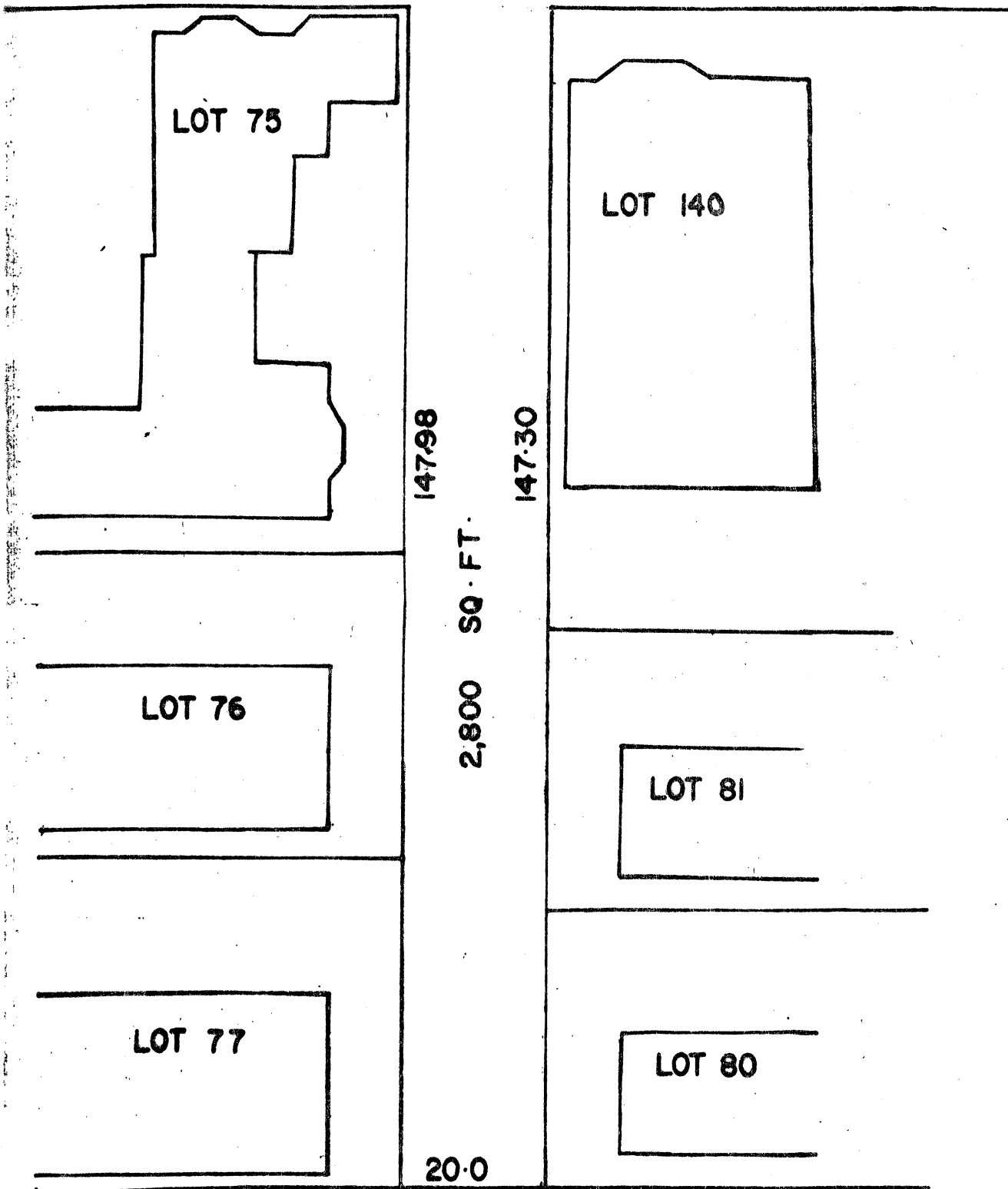
Joan Lastovica

Joan Lastovica
City Engineer

JL/h

Enclosures: Preliminary Plan for Acceptance
1981 List of Streets and Ways

ESSEX ST



LAN FOR ASHBURTON PLACE ACCEPTANCE
AMBRIDGE, MASS.

SCALE: 1" = 20'
SEP 24, 1982

For Review
10/1/82



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE
CITY ENGINEER

Joan Lastovica P.E.
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October 1, 1982

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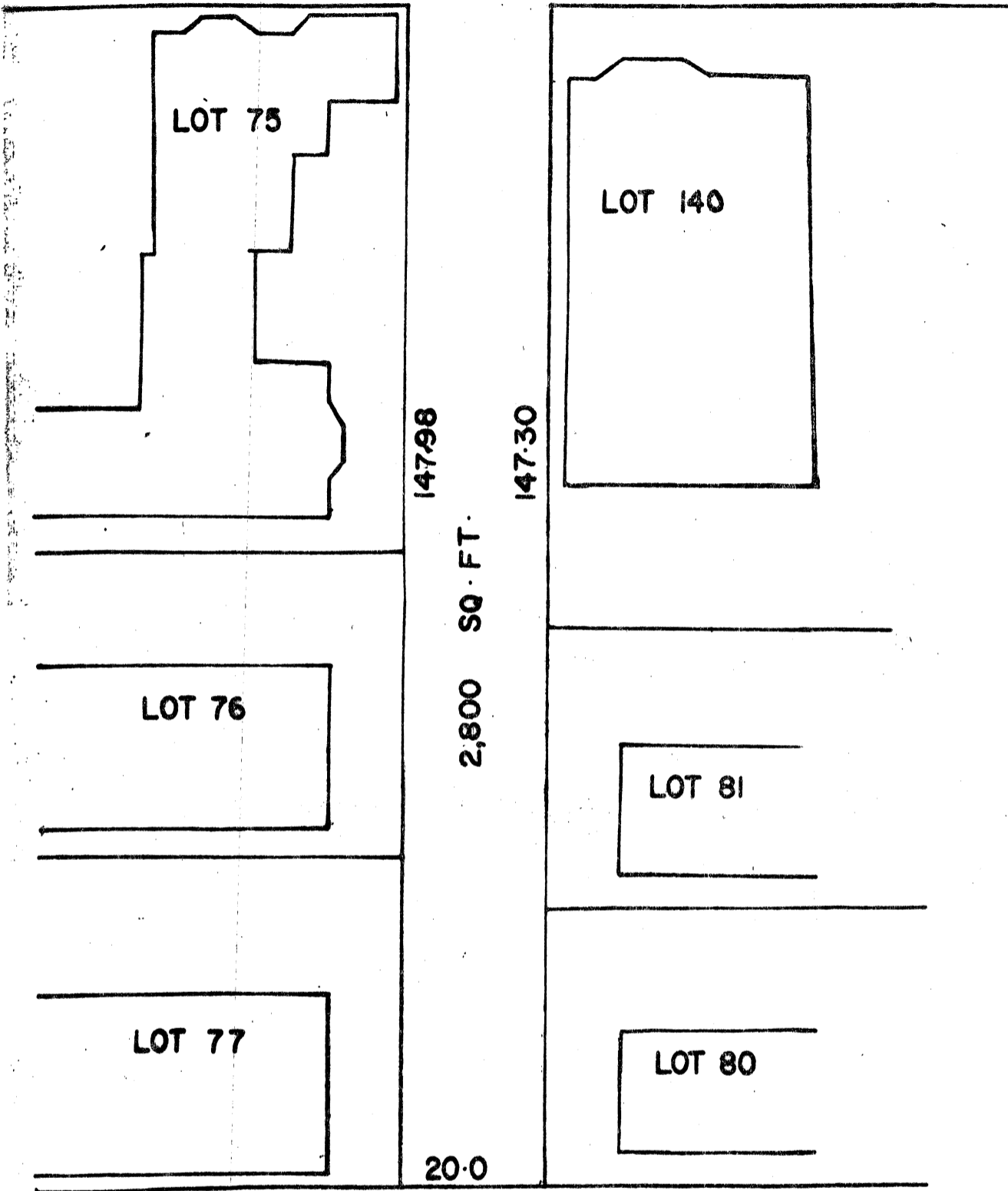


Joan Lastovica
City Engineer

JL/h

Enclosures: Preliminary Plan for Acceptance
1981 List of Streets and Ways

ESSEX ST



LAN FOR ASHBURTON PLACE ACCEPTANCE
AMBRIDGE, MASS.

SCALE: 1" = 20'
SEP 24, 1982

For Review
10/1/82

Washburn Place notification

ME Engineering notified - Sept. 13th

The Petitioners notified - Sept. 17th

Public Works

Police Chief

notified

Sept. 22nd

Fire Chief ML

Dir. of Traffic + Parking

Ad put into Chronicle - Sept. 23rd

Hearing Notice posted in Neighborhood Sept. 24th

Electrical Dept.

Water Dept. &

Planning Board notified

October 1st

AJH BORTON
P/10



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy, City Manager

Date October 13, 1982

From Paul E. Healy, City Manager

Reference

Subject Acceptance of Ashburton Place as a public way of the City of Cambridge

On October 4, 1982 the City Council voted to accept Ashburton Place as a public way of the City of Cambridge. Reports from concerned departments are attached hereto. The enclosure from the Traffic Department should be carefully studied, as it affects the future parking restrictions in Ashburton Place.

In order to finalize the acceptance of Ashburton Place, a plan of Ashburton Place dated prior to October 4, 1982 will be necessary for future recording and filing at the Registry of Deeds giving a complete description of the land encompassed in this public way.

PEH/mh

Enclosures: Excerpt from the minutes of the Council hearing held on Ashburton Place held on October 4, 1982.
Communications from the City Electrician, City Engineer, Commissioner of Public Works, Traffic Director, Fire Chief

cc: Joan Lastovica, City Engineer



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PEH/mh

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Communications from the City Electrician, City Engineer, Commissioner of Public Works, Traffic Director, Fire Chief



RECEIVED BY
CITY OF CAMBRIDGE
OCT 8 11 50 AM '82
INTEROFFICE CORRESPONDENCE
CAMBRIDGE, MASS.

To Paul E. Healy - City Clerk

Date October 7, 1982

From William H. Crocker - City Electrician

Reference WHC

Subject Petition to change the status of Ashburton Place to an accepted way.

I approve of the petition for Ashburton Place to become an
accepted way.

WHC/bc



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE
CITY ENGINEER

Joan Lastovica P.E.
City Engineer

October 1, 1982

Paul E. Healy
City Clerk
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

I have reviewed the petition to change the status of Ashburton Place to an "Accepted Way." A brief report follows.

UTILITIES: The City ordered on April 20, 1892 an easement of 10 feet in width thru the middle of Ashburton Place for laying, making and maintaining therein a common sewer. The City sewer main is a 10 inch portland pipe.

RIGHT OF WAY: Ashburton Place has an existing right of way of 20 feet: 12 ft. 6 in. partially paved roadway, 4 ft. brick and bituminous asphalt sidewalk on the east side, 3 ft. 6 in. brick and bituminous asphalt sidewalk on the west side. The Cambridge Planning Board in 1969 established "Minimum Standards for Acceptance of Existing Private Ways as Public Ways" and those criterions remain sound and valid.

Per the City of Cambridge 1981 List of Streets and Ways there exist 7 accepted streets of 20 ft. width, 46 unaccepted streets of 20 ft. width, and 87 unaccepted streets of width less than 20 feet.

DESIGN: Ashburton Place is a narrow one way street open at one end only with cars presently parking over the curb. Egress from Ashburton is now limited to a vehicle backing up into the one way traffic flow on Essex Street.

Paul E. Healy
City Clerk

October 1, 1982
Page 2

CONCLUSIONS: I recommend that Ashburton Place in its present configuration remain a "Private Way." I would further recommend a determination by the City Solicitor in regard to any increased liability to the City for acceptance of this sub-standard Way with non-conforming and potentially hazardous egress.

Alternative funding sources should be investigated to satisfy the request of the petition.

Very truly yours,

Joan Lastovica

Joan Lastovica
City Engineer

JL/h

Enclosures: Preliminary Plan for Acceptance
1981 List of Streets and Ways



RECEIVED
CITY OF CAMBRIDGE
OCT 5 8 1982
INTEROFFICE CORRESPONDENCE
CAMBRIDGE, MASS.

To : Paul E. Healy
City Clerk

Date : October 4, 1982

From : Everett R. Kennedy *ERK*
Acting Commissioner of Public Works

Reference

Subject : Petition to Change the Status of Ashburton
Place to an Accepted Way

Based upon the statements made by the City Engineer and my own personal review of present street conditions, I recommend that Ashburton Place remain a Private Way.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Paul Healy, City Clerk
G. Teso
From George Teso, Traffic Director
Subject Ashburton Place

Date Oct. 5, 1982

Reference

I have reviewed the petition to accept Ashburton Place as a public way and recommend that its status remains unchanged.

Ashburton Place is a short dead end, very narrow roadway providing access to six to eight properties. It does not meet any of the "Minimum Standards for Acceptance of Existing Private Ways as Public Ways" adopted by the Cambridge Planning Board on October 7, 1969.

If Ashburton Place was made a public way we would be required to prohibit parking on both sides of the way to provide access for emergency vehicles, plows, trash trucks, street cleaning and access and egress for all other vehicles using the street.

If parking were allowed, we would be forcing vehicles to back out of and onto a public way thus increasing liability to the City in case of an accident.

I recommend that Ashburton Place remain a private way.

LMP:rd



CITY OF CAMBRIDGE

491 BROADWAY, CAMBRIDGE, MASSACHUSETTS 02138 • TEL. 876-0125

SEP 30 1982
CAMBRIDGE, MASS.

FIRE DEPARTMENT HEADQUARTERS

THOMAS V. SCOTT
Chief of Department

September 27, 1982

Paul Healy
City Clerk

The Fire Department is in agreement with the petition presented by the resident of Ashburton Place.

Thomas V. Scott
Chief of Fire Department

City of Cambridge

PUBLIC HEARING WITH REGARD TO THE
PETITION OF THE RESIDENTS OF ASHBURTON PLACE
TO CHANGE THE STATUS OF ASHBURTON PLACE TO AN
AN ACCEPTED WAY OF THE CITY OF CAMBRIDGE

The City Council at 7:23 p.m. proceeded to a hearing on the proposed acceptance of Ashburton Place as a public way of the City of Cambridge.

The City Council heard from Barry Phillips of 4 Ashburton Place, who urged the City Council to accept Ashburton Place as a public way of the City of Cambridge citing the problems created by residents of that area: parking on the sidewalks and making access from and to Ashburton Place difficult and sometimes impossible.

The City Council was in receipt of a communication from the Office of the City Engineer Joan Lastovica dated October 1, 1982 recommending that Ashburton Place in its present configuration remain a private way and requesting a determination by the City Solicitor with reference to any increased liability that might accrue to the City for acceptance of this sub-standard way with non-conforming and potentially hazardous forms of egress.

The City Engineer stated that Ashburton Place is a narrow street, open at one end only, with cars presently parking over the curb and egress now limited to one lane, backing up into a one-way traffic flow over Essex Street. She further indicated that Ashburton Place has an existing right of way of twenty feet which includes twelve and one half feet of paved roadway and the remainder composed of bituminous asphalt sidewalk. She indicated also that these measurements did not meet the minimum standards for existing private ways for the City of Cambridge as set by the Cambridge Planning Board in 1969.

City of Cambridge

A second communication was received by the City Clerk from Everett Kennedy, Acting Commissioner of Public Works, recommending that Ashburton Place remain a private way based on the report submitted by the City Engineer.

A third communication was received from Chief Thomas V. Scott of the Fire Department, indicating his approval of the petition of the residents of Ashburton Place.

A fourth communication was received from George Teso, Director of Traffic and Parking, dated after the hearing on October 5, 1982 recommending that the status of Ashburton Place remain unchanged, citing as reasons that it was a short, dead-end street with no turn around possiblility for motor vehicles and did not meet the minimum standards prescribed by the Cambridge Planning Board on October 7, 1969 for the acceptance of existing private ways as public ways of the City of Cambridge. He further stated that in the event Ashburton Place was accepted as a public way, the Traffic Department would be required to prohibit parking on both sides of the way to provide municipal services such as fire control, snow plowing, trash pick-up, street cleaning and access and egress to and from Ashburton Place.

Councillor Clinton moved that the City Council adopt an order that Ashburton Place be accepted as a public way of the City of Cambridge, stating that all the residents of the street were in agreement with the exception of one absent landlord.

On this question the roll was called and resulted as follows:

City of Cambridge

YEAS: Mayor Vellucci, Councillors Clinton, Danehy, Graham, Russell, David Sullivan, Walter Sullivan and Wylie - 9

NAYS: None - 0

ABSENT: None - 0

and the order was:

Adopted.



RECEIVED BY
OFFICE OF CITY CLERK
OCT 26 9 59 AM '82
CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

TO: Paul E. Healy, City Clerk
FROM: Cambridge Planning Board
SUBJECT: Citizen Petition to Change the Status of Ashburton Place to an Accepted Way
DATE: October 25, 1982

Please be advised that at its regular meeting on Tuesday, October 19, 1982 the Planning Board determined that no issues of city-wide planning significance are involved in the above referenced matter. Therefore the Planning Board has no objection to the petitioned change in the status of Ashburton Place.

For the Planning Board

Arthur C. Parris
Arthur Parris,
Chairman

City of Cambridge

PUBLIC HEARING

The Cambridge City Council will conduct a public hearing on the petition of James N. Hullett, et al relative to the acceptance of Ashburton Place as a public way of the City of Cambridge in the City Council Chamber, City Hall on Monday, October 4, 1982 at 7:00 p. m.

All interested individuals are requested to attend and be heard at this time.

By order of the City Council,

ATTEST:- Paul E. Healy,
City Clerk

City of Cambridge

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By order of the City Council,

ATTEST:- Paul E. Healy,
City Clerk

- Asbury Place - Oct 4, 1982
AT 704

Notify Public Works

- Police - (one petition)

- Traffic - task if they appear

- Traffic - or disapprove
in writing

Need Learning Notice for Paper

Need Notice to all abutters

Posting of the area.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy, City Manager

Date November 29, 1982

From Paul E. Healy, City Clerk

Reference

Subject Acceptance of Ashburton Place as a public way

Please be advised that in order to complete the City Council record as it relates to the acceptance of Ashburton Place, certain pertinent information is required by this office.

On October 4, 1982, the City Council after hearing held, voted to accept Ashburton Place as a public way of the City of Cambridge. In order to fully accomplish the intent of the City Council, a plan of Ashburton Place dated prior to October 4, 1982 and giving a complete description of the land encompassed in this newly established public way will be necessary. Said plan for the purpose of filing and recording with the Registry of Deeds.

Your kind attention in this matter will be greatly appreciated by this office.

PEH/mh

cc: Joan Lastovica, City Engineer



CITY OF CAMBRIDGE
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Date November 29, 1982

From Paul E. Healy, City Clerk

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City of Cambridge

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All interested individuals are requested to attend and be heard at this time.

By order of the City Council,

ATTEST:- Paul E. Healy,
City Clerk

Posted: on 9/24/82 J.E. Connerston

Perry Pl / Essex

Ashburton / Essex

Essex / Allen Drive

Essex / Harvard St.

Sec. 17-41. Persons obstructing passage; loitering.⁸

No person shall stand upon any sidewalk or street so as to interrupt, obstruct or prevent the free passage over the same by the public, or to stand or loiter on the sidewalk in front of or at the side of any building to the annoyance or disturbance of any person, and who fails or refuses to move on when directed to do so by a police officer.

(G.O. 1943, Ch.33, §38.)

Sec. 17-42. Acceptance of public ways.

In order to protect the citizens and their real estate values and to encourage the best possible land development, no proposed public way shall be accepted by the City Council until the proposal has been referred to the City Engineer, Electrical, Planning, Public Works, Traffic and Water Departments for a review and report concerning the design, engineering, construction and utility aspects of the proposed road. If no such report shall have been filed with the Council after thirty (30) days from the date of referral, the Council may accept the proposed road.

(Ord. No. 743, May 2, 1966.)

Sec. 17-43. Rights of Superintendent not affected.

The provisions of this Division shall not be construed as limiting in any manner the legal rights and duties of the

⁸ See also §13-9 of this Code.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Joan Lastovica, City Engineer

Date May 12, 1983

From Joseph E. Connarton ^{JEC} Deputy City Clerk

Reference

Subject Enclosed proposed draft of an order accepting
Ashburton Place as a public way

Enclosed you will find a copy of a proposed draft of an order dated October 4, 1982 regarding the acceptance of Ashburton Place as a public way in the City of Cambridge. Please review this proposed draft and let me know your views and/or suggestions at your earliest convenience.

JEC/mh

Enclosure



City of Cambridge

PROPOSED DRAFT

IN CITY COUNCIL

October 4, 1982

COUNCILLOR CLINTON

- WHEREAS: A communication has been received from the residents of Ashburton Place requesting that said Ashburton Place be accepted as a public way; and
- WHEREAS: Ashburton Place has an existing right of way of 20 feet: 12' x 6" with a partially paved roadway with 4' of brick and bituminous asphalt sidewalk on the east side and 3',6" of brick and bituminous asphalt sidewalk on the west side; and
- WHEREAS: Due notice has been given of the intention of this City Council to accept as a public way in the City of Cambridge, Ashburton Place in the manner prescribed by law and a public hearing held before the City Council on October 4, 1982; now therefore be it
- ORDERED: That said Ashburton Place, containing 2,800 square feet more or less, be and hereby is accepted as a public way in the City of Cambridge, all as shown as listed on a plan entitled "Plan for Ashburton Place", dated October 1, 1982, prepared by Joan Lastovica, Professional Engineer, a copy of which is filed with this order.



City of Cambridge

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October 4, 1982

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City of Cambridge

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City of Cambridge

P R O P O S E D D R A F T

IN CITY COUNCIL

October 4, 1982

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City of Cambridge

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CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE
CITY ENGINEER

Joan Lastovica P.E.
City Engineer

October 1, 1982

Paul E. Healy
City Clerk
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

I have reviewed the petition to change the status of Ashburton Place to an "Accepted Way." A brief report follows.

UTILITIES: The City ordered on April 20, 1892 an easement of 10 feet in width thru the middle of Ashburton Place for laying, making and maintaining therein a common sewer. The City sewer main is a 10 inch portland pipe.

RIGHT OF WAY: Ashburton Place has an existing right of way of 20 feet: 12 ft. 6 in. partially paved roadway, 4 ft. brick and bituminous asphalt sidewalk on the east side, 3 ft. 6 in. brick and bituminous asphalt sidewalk on the west side. The Cambridge Planning Board in 1969 established "Minimum Standards for Acceptance of Existing Private Ways as Public Ways" and those criterions remain sound and valid.

Per the City of Cambridge 1981 List of Streets and Ways there exist 7 accepted streets of 20 ft. width, 46 unaccepted streets of 20 ft. width, and 87 unaccepted streets of width less than 20 feet.

DESIGN: Ashburton Place is a narrow one way street open at one end only with cars presently parking over the curb. Egress from Ashburton is now limited to a vehicle backing up into the one way traffic flow on Essex Street.

Paul E. Healy
City Clerk

October 1, 1982
Page 2

CONCLUSIONS: I recommend that Ashburton Place in its present configuration remain a "Private Way." I would further recommend a determination by the City Solicitor in regard to any increased liability to the City for acceptance of this sub-standard Way with non-conforming and potentially hazardous egress.

Alternative funding sources should be investigated to satisfy the request of the petition.

Very truly yours,

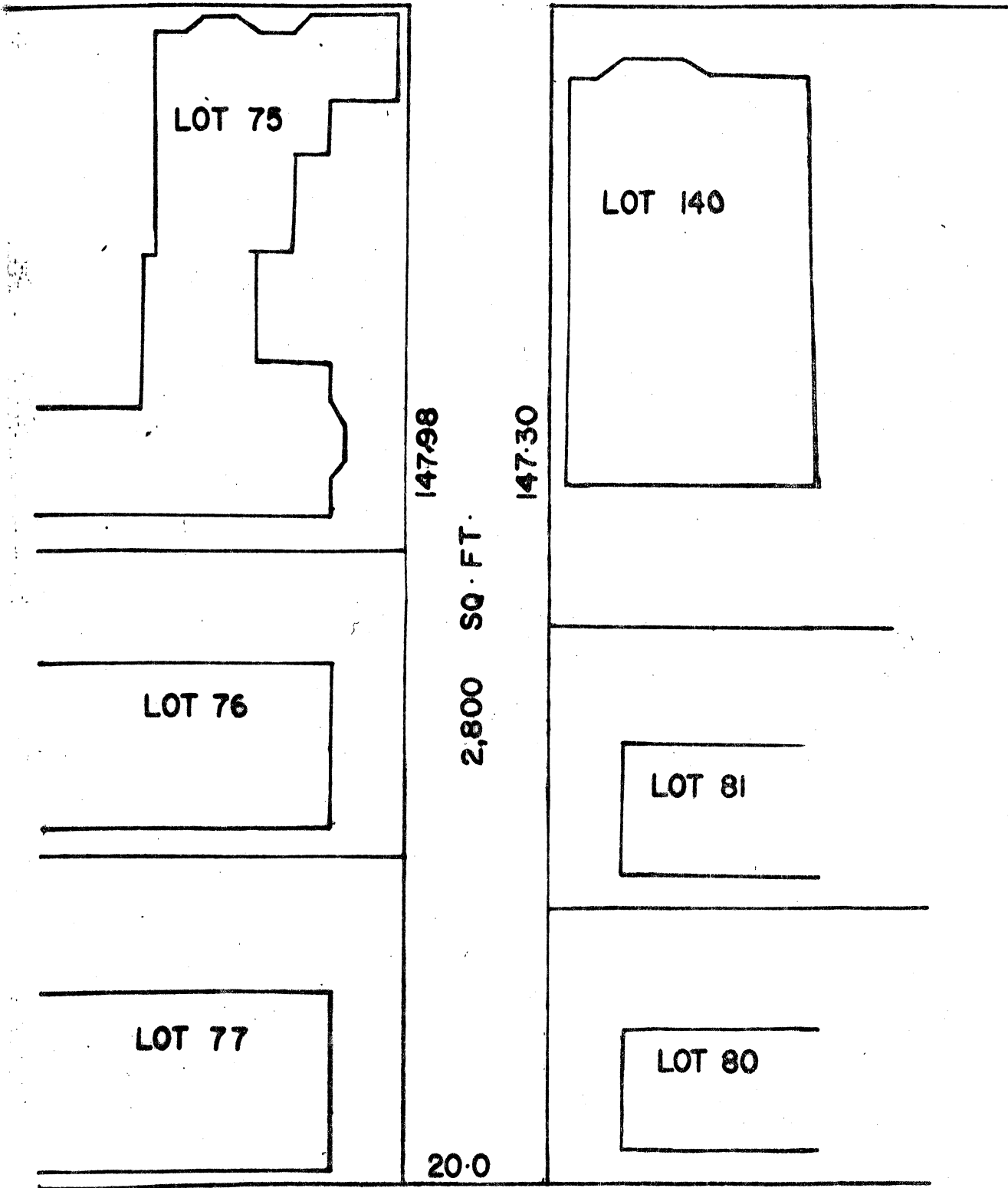


Joan Lastovica
City Engineer

JL/h

Enclosures: Preliminary Plan for Acceptance
1981 List of Streets and Ways

ESSEX ST



LAN FOR ASHBURTON PLACE ACCEPTANCE
AMBRIDGE, MASS.

SCALE: 1" = 20'
SEP 24, 1982

For Review
10/1/82



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE
CITY ENGINEER

Joan Lastovica P.E.
City Engineer

October 1, 1982

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Paul E. Healy
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October 1, 1982
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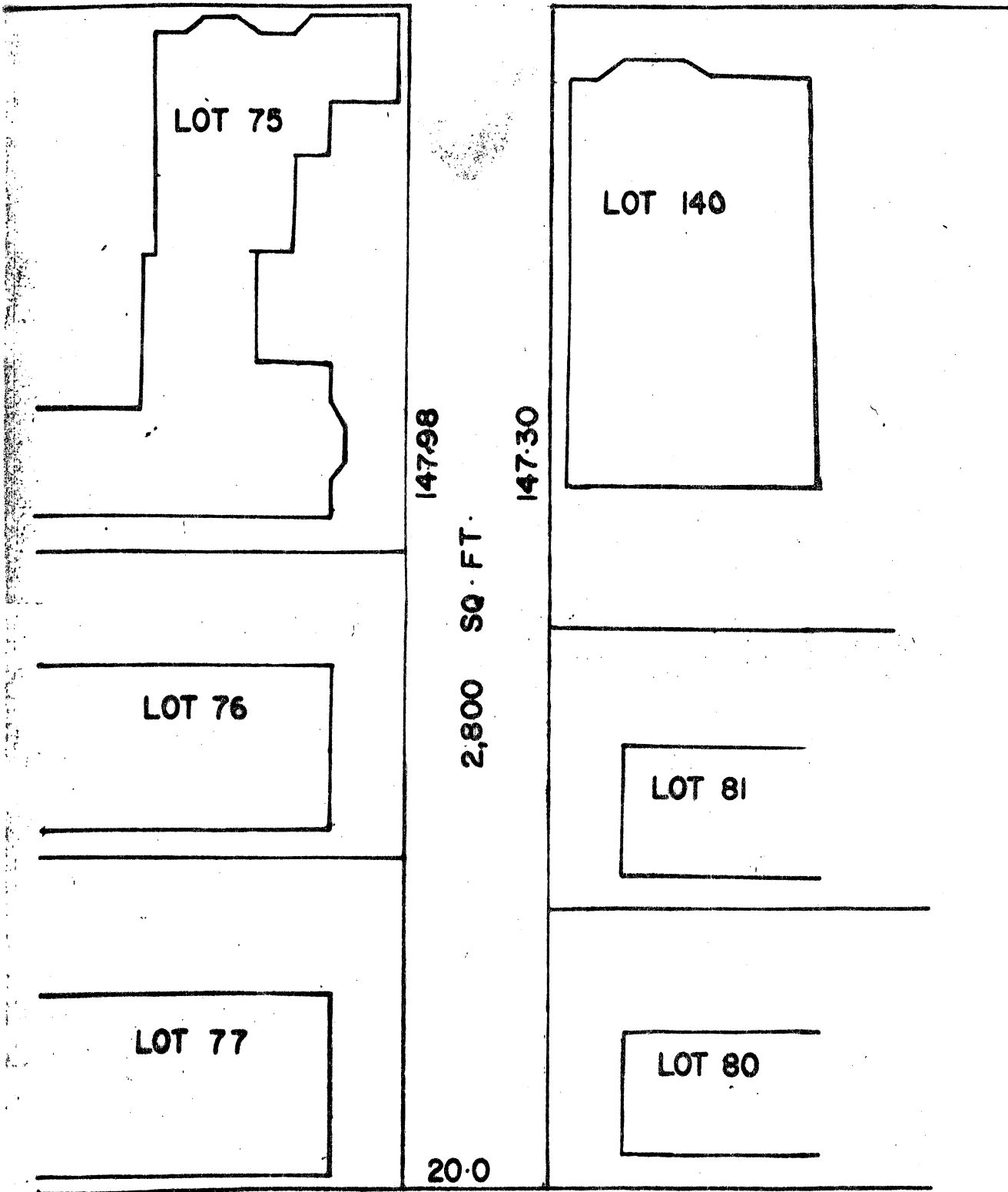


Joan Lastovica
City Engineer

JL/h

Enclosures: Preliminary Plan for Acceptance
1981 List of Streets and Ways

ESSEX ST



PLAN FOR ASHBURTON PLACE ACCEPTANCE

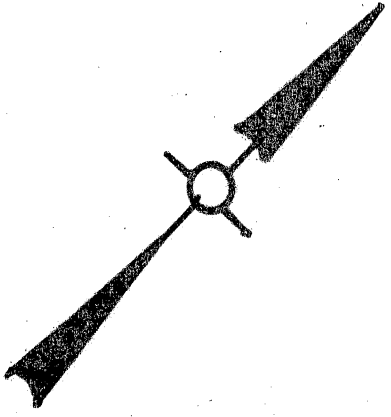
AMBRIDGE,

MASS.

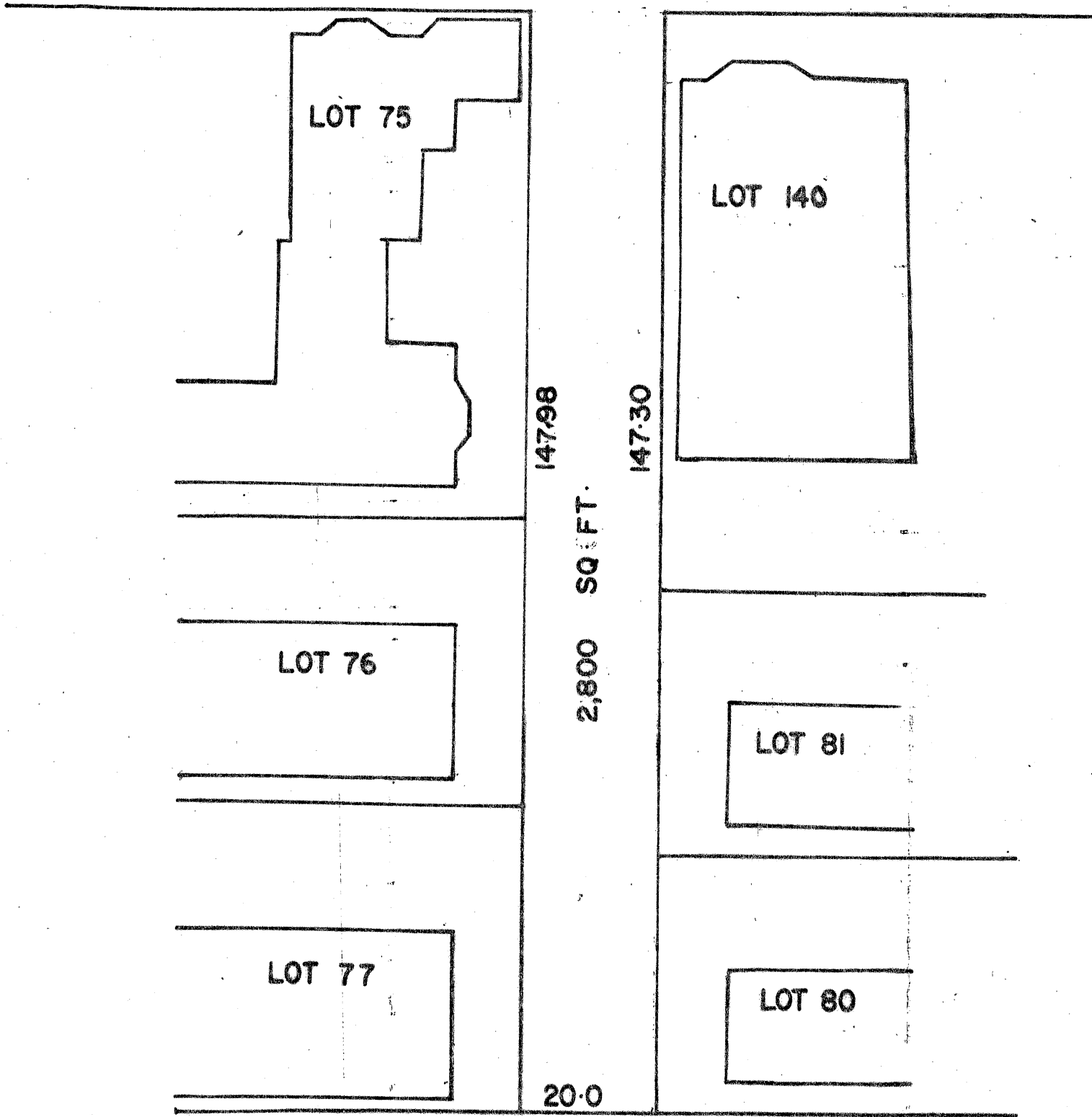
SCALE: 1" = 20'

SEP 24, 1982

For Review
10/1/82



ESSEX ST



PLAN FOR ASHBURTON PLACE ACCEPTANCE
CAMBRIDGE, MASS.

SCALE: 1" = 20'
SEP 24, 1982

For Review
10/1/82



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Joan Lastovica
City Engineer

Date January 27, 1984

From Paul E. Healy
City Clerk

Reference

Subject Acceptance of Ashburton Place

Enclosed you will find an order on the acceptance of Ashburton Place as a public way of the City of Cambridge with the legal description.

Please be advised that this acceptance was recorded by me on January 26, 1984.

Your kind attention in this matter will be greatly appreciated.

PEH/d1



City of Cambridge

COUNCILLOR CLINTON

IN CITY COUNCIL
October 4, 1982

- WHEREAS: A communication has been received from the residents of Ashburton Place requesting that said Ashburton Place be accepted and laid out as a public way of the City of Cambridge, and
- WHEREAS: Ashburton Place has an existing right of way of twenty feet: 12' x 6" with a partially paved roadway with 4' of brick and bituminous asphalt sidewalk on the east side and 3',6" of brick and bituminous asphalt sidewalk on the west side; and
- WHEREAS: Due notice has been given of the intention of this City Council to accept as a public way in the City of Cambridge, Ashburton Place in the manner prescribed by law and a public hearing held before the City Council on October 4, 1982 at which time all other persons interested were given an opportunity to be heard, it is therefore
- ORDERED: That Ashburton Place be and hereby is accepted and laid out as a public way of the City of Cambridge according to a plan on file in the office of the City Engineer of the City of Cambridge entitled "Plan of Ashburton Place, owned by City of Cambridge" dated August 26, 1983 drawn by Cullinan Engineering Co., Inc., a copy of which is recorded herewith.

Said Ashburton Place to be accepted and laid out as a public way of the City of Cambridge as shown on said plan, is bounded and described as follows:

Beginning at point on the southeasterly line of Essex Street at the southwest corner of land, now or formerly of George and Demetra Phillos being numbered 28 Essex Street, said point being at the most northerly corner of the parcel herein described;

Thence S 61°51'41" E along lands now or formerly of said Phillos, James N. Hullett and Carl F. Lesnor, and Paul Elias, a distance of 147.00 feet, to a bound with a disc at the end of Ashburton Place;

Thence S 27°45'42" W, along lands now or formerly of Timbertop Real Estate Trust, and Noel and Richlene Aimes, a distance of 20.00 feet, to a point, said course being along the end of Ashburton Place;

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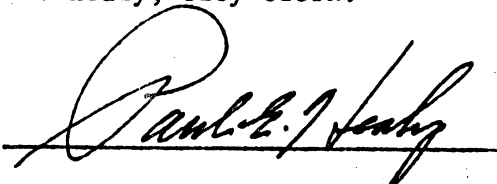
Thence N 27°45'42" E, along said southeasterly line of Essex Street, a distance of 20.00 feet, to the point of beginning, said parcel contains 2,940 square feet, more or less.

The above described parcel of land, is shown on a plan entitled "Plan of Ashburton Place, owned by the City of Cambridge" dated August 26, 1983, drawn by Cullinan Engineering Co., Inc., a copy of said plan to be filed herewith.

In City Council October 4, 1982.
Adopted by a yea and nay vote:-
Yeas 9; Nays 0; Absent 0.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "Paul E. Healy", written over a horizontal line.

Paul E. Healy, City Clerk.



City of Cambridge

IN CITY COUNCIL

October 4, 1982

COUNCILLOR CLINTON

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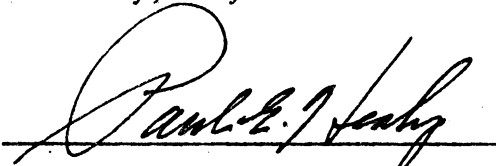
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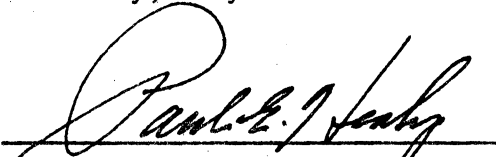
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City of Cambridge

IN CITY COUNCIL

October 4, 1982

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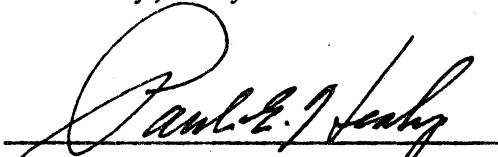
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Paul E. Healy, City Clerk.

CULLINAN ENGINEERING CO., INC.

AUBURN · BOSTON, MASSACHUSETTS

LEGAL DESCRIPTION
ASHBURTON PLACE
CAMBRIDGE, MASSACHUSETTS

December 5, 1983

Description of land in the Commonwealth of Massachusetts, County of Middlesex, City of Cambridge, being the parcel known as Ashburton Place situated on the southeasterly side of Essex Street and shown on a plan by Cullinan Engineering Co., Inc. titled "Plan of Ashburton Place, owned by the City of Cambridge" and dated August 26, 1983, bounded and described as follows:

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THENCE N $27^{\circ} 45' 42''$ E, along said southeasterly line of Essex Street, a distance of 20.00 feet, to The Point Of Beginning.

The above described parcel contains 2940 square feet, more or less.

CE



City of Cambridge

IN CITY COUNCIL

October 4, 1982

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RECEIVED BY
OFFICE OF CITY CLERK
City of Cambridge
DEC 29 3 48 PM '83
CAMBRIDGE, MASS.

PROPOSED DRAFT

IN CITY COUNCIL

October 4, 1982

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City of Cambridge
DEC 29 3 48 PM '83

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City of Cambridge

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Paul

So their O.K. for endorse-
ment, the City Engineer wants
to file map, plot plan etc.

Joe

- COUNCILLOR CLINTON -

TIME 7²²/_{PM}

City of Cambridge

MASSACHUSETTS

In City Council OCTOBER 4, 1982

VOTE OF THE CITY COUNCIL ON THE ACCEPTANCE OF ASHBURTON PLACE AS A PUBLIC WAY OF THE CITY OF CAMBRIDGE

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Wylie	✓			
Mayor Vellucci	✓			
	9	0	0	

~~MV~~
~~SR~~
~~RF~~
~~A~~



RECEIVED BY
CITY OF CAMBRIDGE
OCT 8 11 50 AM '82
INTEROFFICE CORRESPONDENCE
CAMBRIDGE, MASS.

To Paul E. Healy - City Clerk

Date October 7, 1982

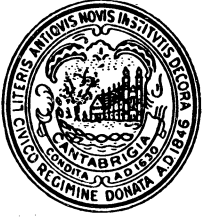
From William H. Crocker - City Electrician

Reference *WHC*

Subject Petition to change the status of Ashburton Place to an accepted way.

I approve of the petition for Ashburton Place to become an
accepted way.

WHC/bc



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE
CITY ENGINEER

Joan Lastovica P.E.
City Engineer

October 1, 1982

Paul E. Healy
City Clerk
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

I have reviewed the petition to change the status of Ashburton Place to an "Accepted Way." A brief report follows.

UTILITIES: The City ordered on April 20, 1892 an easement of 10 feet in width thru the middle of Ashburton Place for laying, making and maintaining therein a common sewer. The City sewer main is a 10 inch portland pipe.

RIGHT OF WAY: Ashburton Place has an existing right of way of 20 feet: 12 ft. 6 in. partially paved roadway, 4 ft. brick and bituminous asphalt sidewalk on the east side, 3 ft. 6 in. brick and bituminous asphalt sidewalk on the west side. The Cambridge Planning Board in 1969 established "Minimum Standards for Acceptance of Existing Private Ways as Public Ways" and those criterions remain sound and valid.

Per the City of Cambridge 1981 List of Streets and Ways there exist 7 accepted streets of 20 ft. width, 46 unaccepted streets of 20 ft. width, and 87 unaccepted streets of width less than 20 feet.

DESIGN: Ashburton Place is a narrow one way street open at one end only with cars presently parking over the curb. Egress from Ashburton is now limited to a vehicle backing up into the one way traffic flow on Essex Street.

Paul E. Healy
City Clerk

October 1, 1982
Page 2

CONCLUSIONS: I recommend that Ashburton Place in its present configuration remain a "Private Way." I would further recommend a determination by the City Solicitor in regard to any increased liability to the City for acceptance of this sub-standard Way with non-conforming and potentially hazardous egress.

Alternative funding sources should be investigated to satisfy the request of the petition.

Very truly yours,

Joan Lastovica

Joan Lastovica
City Engineer

JL/h

Enclosures: Preliminary Plan for Acceptance
1981 List of Streets and Ways

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OFFICE OF CITY CLERK

OCT 5 4 53 PM '82

CAMBRIDGE, MASS.



RECEIVED BY
CITY OF CAMBRIDGE
OCT 5 1982
INTEROFFICE CORRESPONDENCE
CAMBRIDGE, MASS.

To : Paul E. Healy
City Clerk

Date : October 4, 1982

From : Everett R. Kennedy *ERK*
Acting Commissioner of Public Works

Reference

Subject : Petition to Change the Status of Ashburton
Place to an Accepted Way

Based upon the statements made by the City Engineer and my own personal review of present street conditions, I recommend that Ashburton Place remain a Private Way.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Paul Healy, City Clerk
G. Teso
From George Teso, Traffic Director
Subject Ashburton Place

Date Oct. 5, 1982

Reference

I have reviewed the petition to accept Ashburton Place as a public way and recommend that its status remains unchanged.

Ashburton Place is a short dead end, very narrow roadway providing access to six to eight properties. It does not meet any of the "Minimum Standards for Acceptance of Existing Private Ways as Public Ways" adopted by the Cambridge Planning Board on October 7, 1969.

If Ashburton Place was made a public way we would be required to prohibit parking on both sides of the way to provide access for emergency vehicles, plows, trash trucks, street cleaning and access and egress for all other vehicles using the street.

If parking were allowed, we would be forcing vehicles to back out of and onto a public way thus increasing liability to the City in case of an accident.

I recommend that Ashburton Place remain a private way.

LMP:rd

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OFFICE OF CITY CLERK

Oct 5 4 53 PM '82

CAMBRIDGE, MASS.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE
CITY ENGINEER

Joan Lastovica P.E.
City Engineer

October 1, 1982

Paul E. Healy
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City Hall
Cambridge, MA 02139

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Paul E. Healy
City Clerk

October 1, 1982
Page 2

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Alternative funding sources should be investigated to satisfy the request of the petition.

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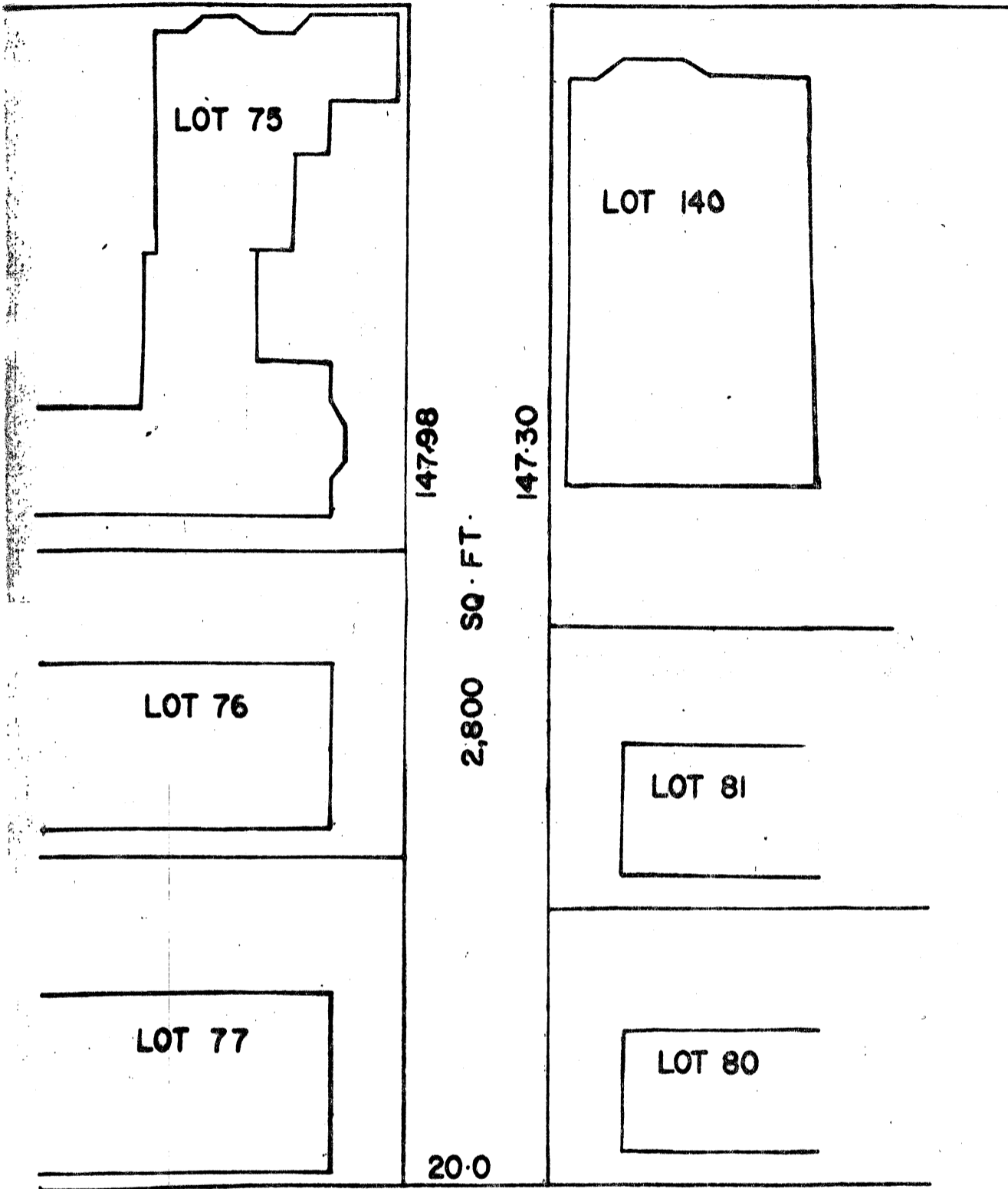
Joan Lastovica

Joan Lastovica
City Engineer

JL/h

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1981 List of Streets and Ways

ESSEX ST



LAN FOR ASHBURTON PLACE ACCEPTANCE

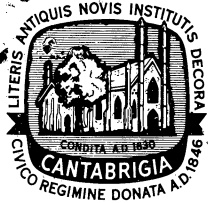
AMBRIDGE,

MASS.

SCALE: 1" = 20'

SEP 24, 1982

For Review
10/1/82



CITY OF CAMBRIDGE

491 BROADWAY, CAMBRIDGE, MASSACHUSETTS 02138 • TEL. 876-0125

RECEIVED BY
OFFICE OF THE CITY CLERK
SEP 30 4 51 PM '82
CAMBRIDGE, MASS.

FIRE DEPARTMENT HEADQUARTERS

THOMAS V. SCOTT
Chief of Department

September 27, 1982

Paul Healy
City Clerk

The Fire Department is in agreement with the petition presented by the resident of Ashburton Place.

Thomas V. Scott
Chief of Fire Department



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Everett Kennedy, Commissioner of Public Works,
Anthony Paolillo, Chief of Police,
Chief Scott, Fire Dept.,
George Teso, Director of Traffic & Parking
From Paul E. Healy, City Clerk
Subject Petition to change the status of Ashburton
Place to an accepted way.

Date September 22, 1982

Reference

Enclosed herewith you will find a copy of a petition received from residents of Ashburton Place, requesting that the status of Ashburton Place be changed to an "Accepted Way" of the City of Cambridge.

Please be advised that the City Council at it's meeting of September 13, 1982 has scheduled a public hearing to discuss this matter in more detail. Said hearing to be held on Monday, October 4, 1982 at 7:00 p.m. in the City Council Chamber, City Hall. All petitioners have been notified as to this upcoming hearing, as has been the Engineering Department.

Please indicate in writing your approval or disapproval of this petition as submitted by the residents of Ashburton Place.

PEH/mh

Enclosure

cc: Everett Kennedy, Commissioner of Public Works
Anthony Paolillo, Chief of Police
Thomas Scott, Fire Chief
George Teso, Director of Traffic and Parking

RECEIVED BY
OFFICE OF CITY CLERK

AUG 18 2 18 PM '82

CAMBRIDGE, MASS.

August 18, 1982

TO: The City Clerk and the City Council
FROM: Residents of Ashburton Place, Cambridge, MA
RE: Enclosed petition

The enclosed petition requesting "Accepted Way" status for Ashburton has been signed by every homeowner except the owner of #5 who lives in the midwest.

Ashburton Place is a small street with 6 homes, most of which have two or more apartments.

For years, Ashburton has had minimal city services. There is no snow removal or street repair. Recently the water main sprung a major leak and it was unclear for a while whether the city would replace an ancient and often-leaking main. With the intervention of the City Manager that problem was resolved and a new main installed.

Now, the street is a dirt road with no immediate hopes of being paved. This situation will get dramatically worse in the winter and spring.

We the residents and homeowners request that the city accept Ashburton Place so the residents and homeowners, who pay city taxes, can receive regular services.

We look forward to hearing from you on this matter. Please call Barry Phillips at 722-1639 days or 868-1334 evenings if you need further information.

RECEIVED BY
OFFICE OF CITY CLERK

AUG 18 12 41 PM '82

CAMBRIDGE, MASS.

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We look forward to hearing from you on this matter. Please call Barry Phillips at 722-1639 days or 868-1334 evenings if you need further information.

August 2, 1982

A PETITION

TO: The City Council, City of Cambridge, MA

FROM: The Residents of Ashburton Place

RE: Action to change the status of Ashburton Place to an "Accepted Way"

We, the residents of Ashburton Place, formally petition the City Council to change the status of Ashburton Place from "Unaccepted Way" to "Accepted Way."

N. Hullett

Name	Address	Homeowner (Yes/No)
<i>James N. Hullett</i>	<i>#2 Ashburton Place</i>	<i>Yes</i>
<i>✓ NOEL RIMES</i>	<i>6 ASHBURTON PLACE</i>	<i>Yes</i>
<i>* Michael Bailey</i>	<i>5 Ashburton place</i>	<i>no</i>
<i>✓ Nancy M. Ryan</i>	<i>4 Ashburton Pl.</i>	<i>No</i>
<i>✓ Anthony Foster</i>	<i>1 Ashburton Pl.</i>	<i>YES</i>
<i>✓ Barry Phillips</i>	<i>4 Ashburton Pl.</i>	<i>Yes</i>
<i>✓ P. L. Elias</i>	<i>3 Ashburton Pl.</i>	<i>Yes</i>

4 Listed Homeowner. Barry Phillips - modified
5 " " Eden Haynes and Sherman Haynes

* # 5 Ashburton homeowner lives in the midwest.

All available homeowners on Ashburton Pl. have signed;
#5 is the only absent homeowner.

Petition on the acceptance of ^{S62A}
Ashburton Place as a public way
of the City of Cambridge.

In City Council,
October 4, 1982

*Copy sent to Joan
Lastavica, City
Engineer 1/27/84 (ll)*