



City of Cambridge

Applications and Petitions #1

IN CITY COUNCIL

November 19, 2001

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.

James O'Connell

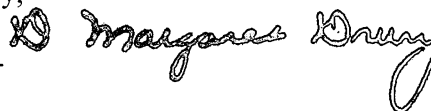
18-20 Fairmont Street

In City Council November 19, 2001.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- 

D. Margaret Drury
City Clerk

10012001

CITY OF CAMBRIDGE
APPLICATION FOR DRIVEWAY CUTS AND OPENINGS



CITY OF CAMBRIDGE

OCT 22 11 06 AM '01

RECEIVED

OCT 22 2001

CAMBRIDGE HISTORICAL
COMMISSION

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

INSTRUCTIONS: 01 OCT 17 AM 10 34

In order to obtain permission for a driveway cut or opening you must first get approval from the Department of Inspectional Services on the zoning requirements for off-street parking, including the cooperation of your immediate abutments.

To receive a review from Inspectional Services you must fill out Part I of the application. Be sure to draw your plot plan on Drawing 1, choosing the lot that represents your lot's position, i.e. corner or interior. You must also include a sketch of the proposed driveway, including dimensions, on Drawing 2. You may then calculate the cost of the driveway by using the formula based on your choice of surfaces. You must also include signed forms from abutments 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:

8/29/01

PART I:

Address of proposed curb cut or off-street parking facility: 18 + 20 Fairmont St.

Frontage: 50 Block and Lot:

Setback (distance from building to sidewalk): 18'

Distance from proposed driveway to surrounding structures and property line: 6'

Dimensions of proposed driveway: 10 x 28 (x 2 Drives)

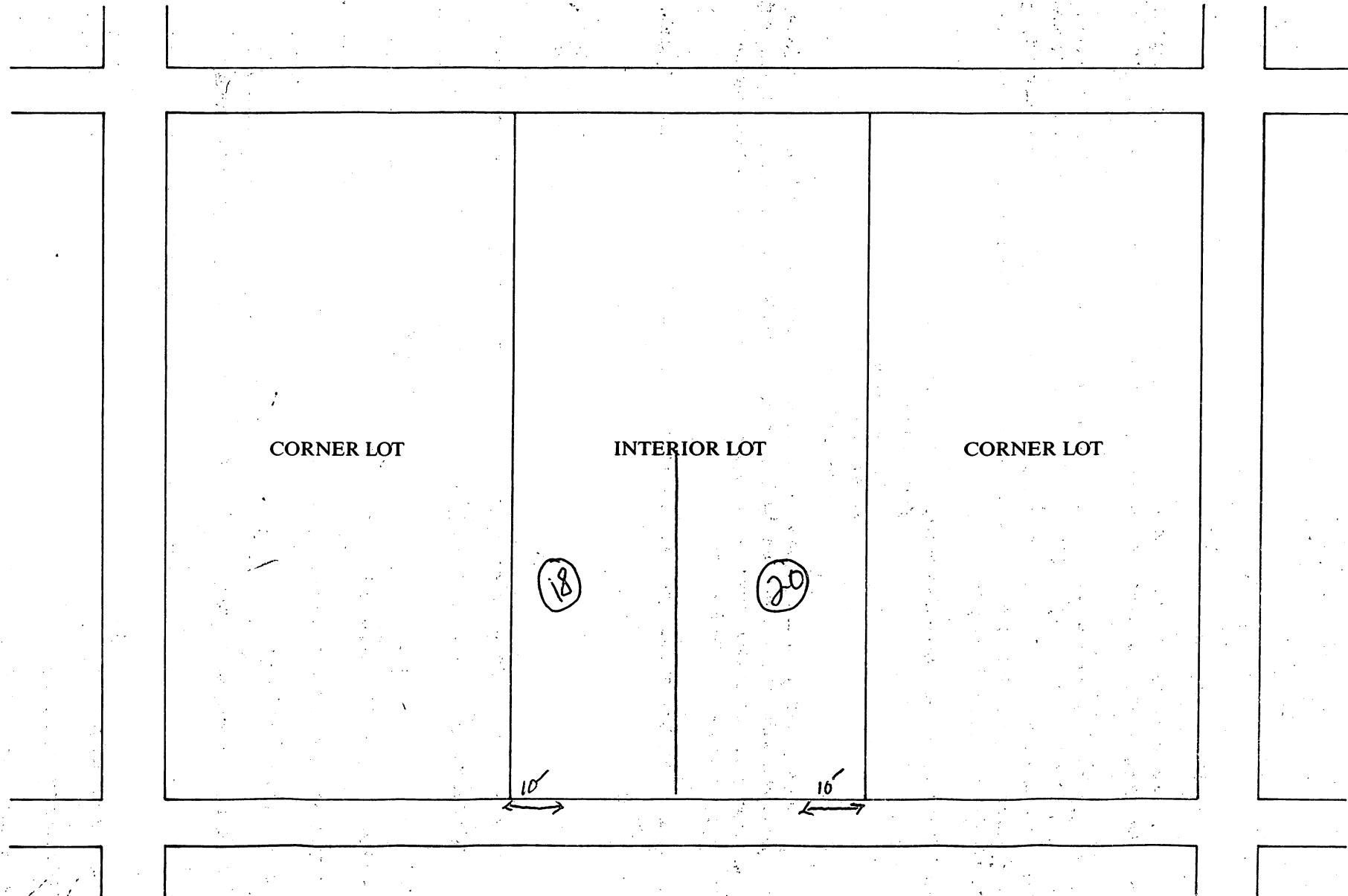
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway:

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

Control # 6313
2001 OCT 29 1001

DRAWING 1:

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

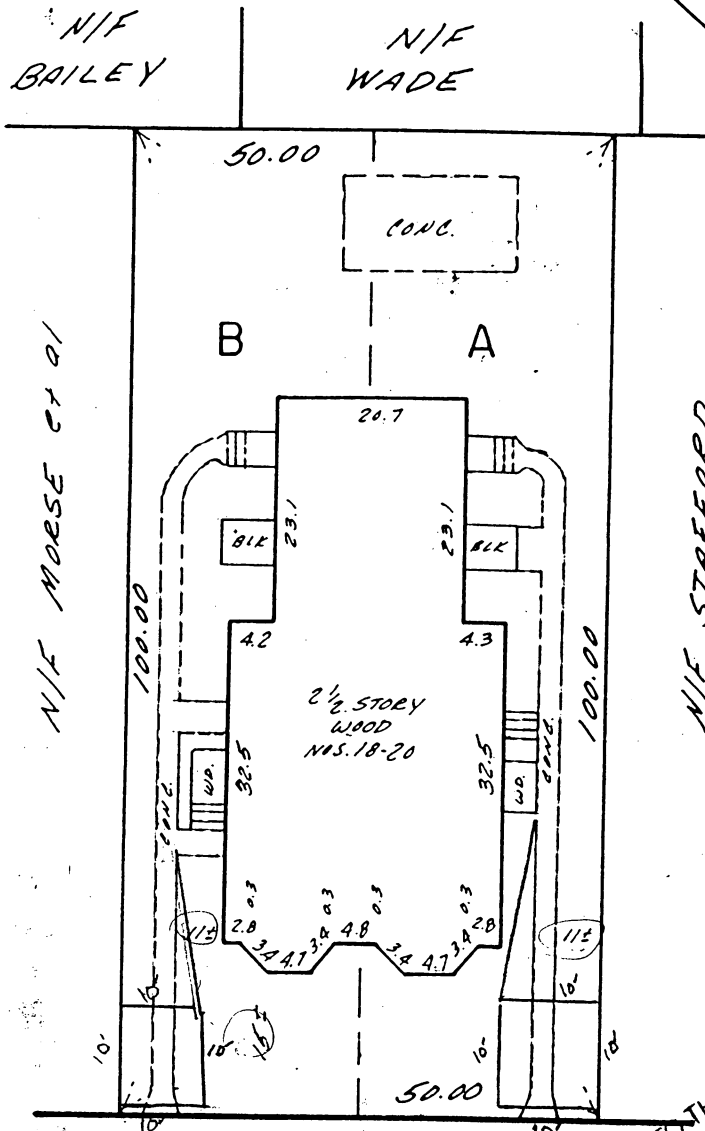


BZA

Approved

8354

506



SUBMITTED TO THE BOARD OF ZONING APPEAL
FOR CASE NO. 8354

MORTGAGE LOAN INSPECTION

SCALE: 1 IN. = 20 FT. DATE: OCT. 22, 1991 PLAN REF. BEING LOTS A & B ON A PLAN BY

W. A. MASON & SON DATED JUNE 8, 1911 RECORDED IN MIDDLESEX SO.

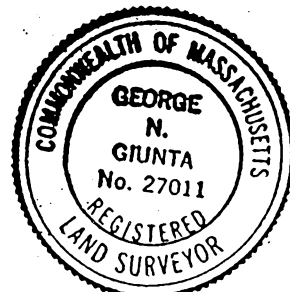
REGISTRY OF DEEDS REG. BOOK 23, PAGE 97

I HEREBY CERTIFY THAT THE BUILDING SHOWN ON THIS PLAN IS LOCATED ON THE GROUND AS SHOWN AND CONFORMS TO THE ZONING LAWS OF THE TOWN OF CAMBRIDGE

I CERTIFY THAT THIS LOCUS DOES NOT LIE WITHIN THE FLOOD HAZARD ZONE AS DELINEATED ON MAP H-02 COMMUNITY NO. 250186

NEEDHAM SURVEY ASSOC. INC.
281 CHESTNUT ST. NEEDHAM

THIS PLAN NOT MADE FROM AN INSTRUMENT SURVEY, NOT TO BE USED FOR FENCES, HEDGES OR TO ESTABLISH LOT LINES. FOR USE OF BANK ONLY.





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

October 23, 2001

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from James O'Connell, requesting a curb cut *at the premises numbered 18 and 20 Fairmont 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

Neighborhood Association: Ward Five Committee – Laura Kershner

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Neighborhood Association: Friends of Magazine Beach – Robb Johnson

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Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

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October 23, 2001

Dear Neighborhood Representative:

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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Neighborhood Association: Hastings Square Committee – Geneva Malenfant

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



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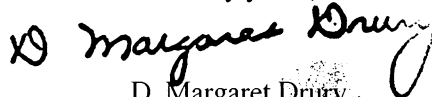
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Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Neighborhood Association: Cambridgeport Neighborhood Initiative – Stash Horowitz

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



OFFICE OF THE MAYOR

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139
(617) 349-4321 • FAX: (617) 349-4287
TTY/TDD (617) 349-4242 • Email: agalluccio@ci.cambridge.ma.us

Anthony D. Galluccio
Mayor

August 23, 2001

Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

Dear Honorable Chair and Members:

I am writing in regards to tonight's hearing (Case # 8354), a petition for two curb cuts within one-hundred feet at 18-20 Fairmont Street.

The petitioners, James O'Connell and Helen Hartman have resided in this house for over ten years. The owners are life long residents of Cambridge and have been kind, considerate and contributing members of their neighborhood. These two curb cuts, which are more than twenty-five feet from the intersection and fifteen feet from the crosswalk, will not effect the health or safety of the neighbors and are on the even side of the street where parking is prohibited. The granting of this petition will also create additional off street parking spaces.

As I understand, there has been no formal opposition to this application. As always, I greatly respect the Boards review of the details and neighborhood impact of the project, but would like to go on record supporting the petitioner's application.

Sincerely,


Anthony D. Galluccio
Mayor, City of Cambridge



Cambridge Historical Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139. Telephone: 617/349-4683
Fax: 617/349-3116 TTY: 617/349-6112 E-mail: histcomm@ci.cambridge.ma.us
URL: <http://www.ci.cambridge.ma.us/~Historic>



William B. King, *Chair*, Allison M. Crump, *Vice Chair*, Charles M. Sullivan, *Executive Director*
M. Wyllis Bibbins, Suzanne R. Green, Helen F. Moulton, Robert G. Neiley, Jo M. Solet, *Members*
Bruce A. Irving, Jennifer Jones, Frank Shirley, *Alternates*

Jurisdiction Advice

To the Owner of Property at 18-20 Fairmont St:

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

- ☐ Old Cambridge Historic District
- ☐ Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
- ☐ Avon Hill Neighborhood Conservation District
- ☐ Half Crown Neighborhood Conservation District
- ☐ Harvard Square Conservation District
- ☐ Marsh Neighborhood Conservation District
- ☐ Mid Cambridge Neighborhood Conservation District
- ☐ Designated Landmark
- ☐ Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
- ☐ Preservation Restriction or Easement (as recorded)
- ☒ Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. *No demo anticipated, therefore no further CHC review*
(City Code, Ch. 2.78, Article II)
- ☐ No jurisdiction: not a designated historic property and the structure is less than fifty years old.

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

A hearing, if required, will be held by the N/A Commission, which must complete its review before a building permit can be issued.

The next meeting of this Commission will be held on N/A.

The application deadline for this meeting will be N/A.

CHC staff initials SLB

Date 6/25/01

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.
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
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of 16 Fairmont St

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 18-20 Fairmont St.

Signed:

Date:

3/11/2001

Address:

16 Fairmont St., Cambridge MA

To Whom It May Concern:

As owner or agent of 22²⁴ Fairmont St

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 18-20 Fairmont St

Ellen R. Dunne

Signed:

Date:

3-10-2001

Address:

22 Fairmont St.

To Whom It May Concern:

As owner or agent of 22²⁴ Fairmont St

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 18-20 Fairmont St

Signed:

Date:

March 16, 2001

Address:

23 Summit St Cambridge, Ma

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

~~18-20 Fairmont St.~~ 45 Prince St

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at

18-20 Fairmont St.

Signed:

Arthur B. Comathur

Date:

3/24/01

Address:

45 PRINCE ST. CAMBRIDGE MA 02139

15 FAIRMONT ST APPROVE

Joseph E. Greene

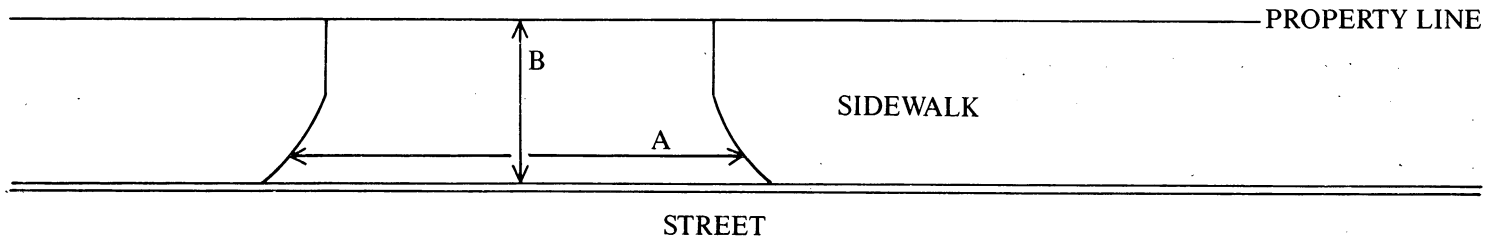
19 FAIRMONT ST. APPROVE

Shirley Kray

DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = 12 \text{ FT.} \div 3 = 4 \text{ YARDS}$$

$$B = 5 \text{ FT.} \div 3 = 1.66 \text{ YARDS}$$

$$A \times B = 6.64 \text{ SQUARE YARDS}$$

COST ESTIMATE:

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

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

CONCRETE: 6.64 SQUARE YARDS $\times$ \$40/SQUARE YARD = \$ 265.60 $\times 2$

ASPHALT: _____ SQUARE FEET $\times$ 1 TON/40 SQUARE FEET $\times$ \$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: James O'Connell Date: _____

Address: 18 FAIRMONT ST.

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Complies w/ BZA Case 8354

Signature:

Date:

8/29/01

Title:

[Signature]
Zoning P

SOE 10/17/01

PART III: TRAFFIC AND PARKING DEPARTMENT

☐ Application approved

☒ Application denied

* ALSO - FIRE DEPT MIGHT HAVE ISSUES WITH THIS OBSTRUCTION - TO ACCESS FRONT DOOR FOR FIRE ALARM

Reason:

PARKED VEHICLE WILL OBSTRUCT REASONABLE ACCESS FOR PEDESTLIANS TO ENTER & EXIT HOMES

Signature:

Date:

10-18-2001

Title:

TRAFFIC ENGINEER

PART IV: HISTORICAL COMMISSION

☒ Application approved

☐ Application denied

Reason:

Not a designated historic property

Signature:

Date:

10/23/07

Title:

Designated Property Administrator

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

Date:

10/23/01

Title:

Superintendent of Streets

Central # 6313

147H

Applications and Petitions #1

An application was received from
James O'Connell requesting a curb
cut at the premises numbered
18-20 Fairmont Street.

In City Council November 19, 2001

ORDER ADOPTED