

Mark Boyes-Watson, 222 Erie Street, Cambridge, Ma 02139
Muireann Glenmullen, 4 Channing Circle, Cambridge, Ma 02138

May 29th, 2013

Mayor Henrietta Davis
Vice Mayor E. Denise Simmons
Councilor Leland Cheung
Councilor Marjorie C. Decker
Councilor Craig A. Kelley
Councilor David P. Maher
Councilor Kenneth E. Reeves
Councilor Timothy J. Toomey, Jr.
Councilor Minka vanBeuzekom

2013 MAY 29 PM 4 28
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

RE: 93 Kirkland Street Curb Cut Application

Dear Mayor Davis and Members of the Cambridge City Council,

We write as the owners of 93 Kirkland Street for which we have submitted a curb cut application that is before you. This application has been approved by the all the required city departments, including Inspectional Services, the Department of Public Works, and Traffic and Parking to ensure it is technically compliant. We have met with our abutting neighbors and have their signatures in support.

There is one exception, the Dewire Family, whose representative Valerie Livingston has now twice appeared before you opposing the curb cut and asking the Council to delay voting on the matter. We are very concerned that in your deliberation, you and members of the community have been deliberately misinformed and misled.

To summarize what has transpired:

At the beginning of April we met with each of our abutters and explained our plans for the property, and obtained their support with the exception of Thomas Dewire, who was accompanied by Valerie Livingston. Thomas Dewire declined to sign either for or against the curb cut.

Shortly after, on April 4th 2013, our site development plan, including the plan to modify and relocate the existing building at 93 Kirkland Street, was reviewed in full at a public hearing by the Cambridge Historical Commission. Our plans were approved without conditions as indicated in the attached correspondence from Charles Sullivan (Attachment A). Thomas Dewire and Valerie Livingston were there to hear the presentation and spoke at the public hearing.

Since that hearing, in an attempt to influence your granting of the curb cut permit, substantial misinformation has been widely disseminated about our plans for 93 Kirkland Street. The misinformation is as follows:

1. The Agassiz Neighborhood Council (ANC) posted an erroneous Community Notice declaring the property "in Danger of Demolition." (Attachment B).

On May 17th Charles Sullivan of the Cambridge Historical Commission wrote the ANC, refuting the erroneous information (Attachment C).

On May 24rd, the ANC on May 25th posted Mr. Sullivan's correction on their website. In the meantime however, in addition to the erroneous ANC notice, neighbors in the community had been presented door-to-door with the further inaccurate information and urged to sign a "petition to delay. You have a letter in your file from a community member in opposition clearly based on this misunderstanding that the proposal includes an almost total demolition of the existing building.

2. In the "Petition for Delay" under the cover letter of May 16th from Thomas Dewire to the City Council, it states:
 - "93 Kirkland Street is *"in a neighborhood recognized on the National Register of Historic Places."* This statement is very misleading at best. While it is adjacent to a defined area that forms part of the National Register it is NOT in the National Register District. According to Charles Sullivan it was probably excluded because, rather than being in the area of architecturally significant historic homes, it is in a commercial zone across the street from Savenors Market and the Kirkland Laundromat and Dry Cleaners.
3. In a separate letter to the Council sent by the Dewire Family Trust via email, also dated May 16th (Attachment E), is the following misinformation:
 - Demolition of the structure:
The letter asserts that we seek *"to replace the historic structure now at the site."* This is entirely false. The structure is not being replaced as is clear from the Historical Commission decision.
 - Insufficient information:
The letter further claims *"we did not have enough information to evaluate the Application despite requests for information."* This is an extraordinary assertion given that Thomas Dewire and Ms. Livingston were present at the Cambridge Historical Commission hearing on April 4th, that we had reviewed the plans with them prior to that meeting, and that the plans are also available online. Further, since the hearing, we have made multiple attempts to reach out personally to the Dewires, including hand delivering a letter. These have been ignored.
 - Failure to conform to Article 6:
The letter from the Dewire Family claims that the proposal *"fails to conform"* to Article 6 of the Zoning Ordinance and lays out a series of technical objections. As referenced above, our application was approved

by the Inspectional Services Department, Department of Public Works and the Department of Traffic and Parking. The claims in the letter are not accurate. Attachment E is an item by item refutation of these claims annotated on the original letter in red.

In addition to decades of work successfully restoring and re-imagining residential properties in Cambridge, we are both longterm residents of Cambridge and care deeply about the aesthetics of our city. We are honored to have received multiple Cambridge Historical Commission awards for our work, most recently last year for our work at 122 Oxford Street, itself in the Agassiz neighborhood. We have been committed to working respectfully with our neighbors to balance the interests of both our restoration and reinvention work with those of our neighbors. Frequently, initial wariness at proposed change has shifted with the transformation of the property into strong support. The 2008 Preservation Award we received for 17 Perry Street in Cambridgeport, for instance, was nominated to the Cambridge Historical Commission not by us but by our neighbors themselves. A list of Boyes-Watson Architects historic awards is attached as Attachment F.

After a month of delay we need to move our curb cut application forward. We hope that this information has been helpful in correcting misleading information, and that you will look favorably on our proposed project to turn around a vacant and blighted property. We would like to invite you to visit the site at 93 Kirkland Street and will be available to meet you there. We will also be available to answer any questions you may have about our curb cut application in the Ackerman Room at City Hall between 4:00-5:30 on June 3rd. In the meantime, please feel free to contact us with any questions.

Respectfully,

Two handwritten signatures in black ink. The first signature is on the left and the second is on the right.

Mark Boyes-Watson (617.901.0951) Muireann Glenmullen (617.283.6715)



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139

Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: <http://www.cambridgema.gov/Historic>

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director*
William G. Barry, Jr., M. Wyllis Bibbins, Robert G. Crocker, Chandra Harrington,
Jo M. Solet, *Members*; Shary Page Berg, Joseph V. Ferrara, Susannah Barton Tobin, *Alternates*

April 23, 2013

Muireann Glenmullen, Manager
93 Kirkland Street LLC
P. O. Box 380592
Cambridge, Massachusetts 02238

re: Case D-1297: 93 Kirkland St.

Dear Muireann,

On April 4, 2013, the Cambridge Historical Commission voted to find the existing building at 93 Kirkland Street to be significant, as defined in the city's demolition delay ordinance, Chapter 2.78, Article II of the City Code. It further found that the current placement on the lot and the rear portion of the building (approximately 17.8' in depth) was not preferably preserved in the context of the plans for the relocation and development described in the architectural drawings presented by Boyes Watson Architects titled, "93 Kirkland Street, Cambridge, MA," and dated March 20, 2013 and April 4, 2013.

I have the demolition permit application on file and can sign that and return it to you when you are ready to file the application with the Inspectional Services Department.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles M. Sullivan'.

Charles M. Sullivan
Executive Director

cc: Ranjit Singanayagam, Inspectional Services
Mark Boyes-Watson

COMMUNITY NOTICES



CONNECT



CONTENT

Painter Jill Hoy Exhibits Work at Century 21 Avon

Grace Norton House in Danger of Demolition

Community Discussion of Dr. King Jr.'s Speech "Beyond Vietnam"

Oxford and Forest St. Paving

Farm Fresh Barbecue on Garfield St.

Painter Jill Hoy Exhibits Work at Century 21 Avon

As part of Cambridge Open Studios, plein air painter Jill Hoy, will be showing a selection of Maine and Cambridge oil paintings at Century 21 Avon, 1675 Mass. Ave, Cambridge.

Worked outdoors on location, subjects range from architecture and gardens, to Seascapes and vintage gas stations. The paintings will be on view **Saturday, May 18 and Sunday, May 19.**

Jill Hoy teaches drawing and painting at the Maud Morgan Art Center, 20A Sacramento St. Additionally, she runs the Jill Hoy Gallery in Stonington Maine seasonally and is married to painter Jon Imber. Learn more at: www.jillhoy.com.

INCORRECTLY SUGGESTS THAT THE HOUSE WILL BE DEMOLISHED

Source: Jill Hoy, artist and community member

Grace Norton House in Danger of Demolition

The Grace Norton Apartment House, a historic 6-family building at 93 Kirkland Street, is in danger of demolition. Developers are in the process of obtaining building permits for two structures on the property, one of which will retain the facade of the original building.

The Cambridge City Council will be meeting on **Monday, May 20 at 5:00 PM** to review a Curb Cut application for 93 Kirkland Street. Approval by the city council is required before the developers can receive those permits.

We want to show the City Council that we care about our neighborhood, and what happens to it. To learn more, contact Citizens for Saving Norton House at norton93kirk@yahoo.com.

Source: Citizens for Saving Norton House

From: "Sullivan, Charles M."
<csullivan@cambridgema.gov<mailto:csullivan@cambridgema.gov>>
Date: May 17, 2013, 1:21:10 PM EDT
To: "psinclair@agassiz.org<mailto:psinclair@agassiz.org>"
<psinclair@agassiz.org<mailto:psinclair@agassiz.org>>
Subject: RE: ANC Community Notice - 5/17/13

Terry,

The Norton house at 93 Kirkland Street is not in danger of demolition.

The new owners of the building received permission from the Historical Commission to remove about 18' from the rear of the building and move it slightly on the lot to allow construction of three townhouses behind it. The exterior of the existing building will be restored, and it will retain the same relationship to Kirkland Street and its neighboring buildings as at present.

This site is in a Residence C-2B zoning district, which allows substantially greater density than the adjoining A-2 district that protects the rest of the Shady Hill neighborhood. Preserving the Norton building in the manner approved by the Historical Commission protects the site from a much larger and more intrusive project that could be built as-of-right if the Norton building were demolished.

Charlie

Charles M. Sullivan, Executive Director
Cambridge Historical Commission
831 Massachusetts Avenue
Cambridge, Mass. 02139
617 349-4684 (direct line)
617 349-3116 (fax)

Dewire Family

2 Holden Street, Cambridge, MA 02138

May 16, 2013

2013 MAY 16 PM 3 49

Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Re: Curb Cut Application, 93 Kirkland Street

Dear Mayor Davis and Members of the City Council,

Enclosed, please find a petition from my brother and I, along with our neighbors expressing concern about the nature of proposed development for 93 Kirkland Street.

We have certainly learned much more since we began this petition over ten days ago, and we have received explanations for information in the public record. However, significant questions remain unanswered, and we are not the only ones who have them.

Thank you for your thoughtful consideration.

Sincerely,

Thomas A. Dewire, Jr.
2 Holden Street, Cambridge, MA 02138

ATTACHMENT 'D' (cont)
PROPERTY IS NOT IN THE HISTORIC DISTRICT



Petition to Delay the Vote by the Cambridge City Council Regarding the
 Curb Cut Application for 93 Kirkland Street, Cambridge MA 02138

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS

Summary: On April 5, 2013, the City of Cambridge Inspectional Services received an application for a curb cut at 93 Kirkland Street, address of the Grace Norton Apartment House. This property is in a neighborhood recognized on the National Register of Historic Places in 1986 (Item No. 86001680, Record No. 403624).

The Dewire Family, abutters and residents of 2-4-6-8 Holden Street, has discovered inconsistencies in the public record of this property regarding site/plot plans, zoning, and property classification which make this application difficult for us to evaluate, and thus impossible for us to offer informed and productive input at this time.

Action Petitioned For: We the undersigned are concerned neighbors who do not have enough information about the nature of the proposed development for 93 Kirkland Street and we request additional time to consider the application and its impact. We the undersigned hereby petition the Cambridge City Council to stay the vote on this application.

Date	Signature	Printed Name	Address
May 5, 2013	James Dewire	James Dewire	2 Holden Street Cambridge, MA
6 May 2013	Thomas Dewire	Thomas Dewire	2 Holden St. Camb. 02138
May 16, 2013	Richard T. Gilmore	Richard T. Gilmore	1. Shady Hill St, 02138
MAY 16 2013	Valerie Hungsten	VALERIE HUNGSTEN	6-8 Holden 02138

Thomas A. Dewire, Jr.
James Michael Dewire
Trustees, Dewire Family Trust

BY HAND AND VIA ELECTRONIC MAIL

Mayor Henrietta Davis
Vice Mayor E. Denise Simmons
Councillor Leland Cheung
Councillor Marjorie C. Decker
Councillor Craig A. Kelley
Councillor David P. Maher
Councillor Kenneth E. Reeves
Councillor Timothy J. Toomey, Jr.
Councillor Minka vanBeuzekom

May 16, 2013

Re: Curb Cut Application, 93 Kirkland Street (the "Application").

Dear Mayor Davis and Members of the Cambridge City Council,

We strongly urge the City Council to exercise its authority to deny or, in the alternative, delay the Application. We are the Trustees of the Dewire Family Trust (DFT) and own the abutting properties at 2-4 and 6-8 Holden Street. The DFT will be the most directly affected party were the Application granted and, ultimately, the 9-unit, 11 parking space, two-building complex come to replace the historic structure now at the site.

As a preliminary matter, please note that the Application fails to include any mention of the comments of the DFT on the Application. We provided no statement of support or opposition because, at the time, we did not have enough information to evaluate the Application despite requests for information.

After careful review it is clear that the Application fails to conform to either the letter or the spirit of Article 6 of the Cambridge Zoning Ordinance ("CZO") governing off-street parking for several reasons:

1. The proposal includes a single ingress/egress driveway which has a width of 10.5' to 13.1' wide. This not only poses a substantial safety issue, but also violates section 6.42 of the CZO which mandates a minimum aisle width of 22 feet. With 11 proposed parking spaces the traffic circulation will be completely unmanageable, particularly during winter months where there is no room for snow storage. For this reason alone, the Application must be denied.

Response:

The proposal includes a single ingress/egress driveway as is provided for in in Section 6.43.4 (a) of the City of Cambridge Zoning Ordinance. The proposal also provides the minimum aisle width of 22' as is shown on the attached Figure 1. The 13.1' dimension referred to in item 1 above is the distance between the buildings not the aisle width for the parking as is suggested.

2. For the same reasons, the proposal also violates section 6.43 which calls for "maneuvering areas and appropriate means of vehicle access to a street." The 13.1' wide maneuvering area for 11 parking spaces is too small and patently unsafe. The 10.5' width of the driveway at the street will clearly create an unsafe condition the moment one car tries to enter the property while another vehicle is leaving the property. With the already horrific traffic conditions in this neighborhood additional congestion and unsafe conditions should not be allowed.

Response:

The maneuvering area for the parking spaces is 22' as required by Section 6.42 of the City of Cambridge Zoning Ordinance and as is shown in the attached Figure 1 - BASEMENT LEVEL PLAN. One-Way driveways are common in the City of Cambridge. We have designed and built several projects approved by the City of Cambridge which use a One-Way driveway as a means to access small parking facilities such as this.

3. The proposal also violates the 25' offset between the proposed driveway and any intersections (6.43.4(b)). Specifically, the proposed curb cut lies within 25' of (a) the intersection of Kirkland Street and Washington Street, Somerville (b) the intersection of Kirkland, Washington, and Line Streets (Cambridge, Somerville) and (c) Levy Road (6.43.4(b)). This is already a highly congested intersection which will only see worse days as commuters to and from the millions of square feet of office, lab, educational, and retail space in East Cambridge seek alternate routes.

Response:

See attached Figure 2 showing the relationship between the proposed curb cut and the above mentioned intersections. The closest intersection is at Line Street which is approximately 40' from the proposed. Note also that Kirkland and Washington (item 'a' above) are the same street and Levy Road (item 'c' above) is no longer a road according to both City of Somerville and City of Cambridge records.

4. *"To encourage public transit, bicycle usage and walking in lieu of automobiles where a choice of travel mode exists"* (6.11). While the proposal includes off-street parking facilities, it is less than 250' from the intersection of two major MBTA cross-town bus routes: 83, which intersects the Red Line subway, and 86, which intersects the Orange, Red, and Green lines. This area is also served by the Zipcar automobile sharing program and the Hubway bicycle sharing program.

Response:

Off-street Parking is required by Section 6 of the Zoning Ordinance.

5. *"To reduce hazard to pedestrians on public sidewalks"* (6.11) (6.43.4(c)). There is zero visibility from this proposed driveway towards Somerville to both pedestrians and oncoming traffic due to a 6' wooden fence resting on top of 0.9' wide concrete strip wall (Due North Land Surveying, February 28, 2003). DPW specifications call for "minimum 20-foot visibility in both directions for motorists entering the roadway or crossing a public sidewalk" (TP&T Building Permit Review Guidelines, 2007.) The proposal violates the Guidelines.

Response:

The proposal meets the provisions of the City of Cambridge Zoning Ordinance and the drive aisle is set a minimum five feet from the property line as required by the Zoning Ordinance.

6. ***"To avoid potential adverse impacts on adjacent land uses" (6.11).*** Light, noise, and other pollution directed toward our living quarters will disrupt our quality of life. Based on previous experience, we believe the extensive nature of demolition, excavation, and paving required to support the proposed project will harm our trees (damage to root systems) and over time cause damage to our property (redirecting water flow towards our property and other drainage issues).

Response:

These issues, though important, are not relevant to the proposed Curb-Cut Application. There are various City of Cambridge agencies assigned to monitor the above concerns during permitting and construction.

After patient consideration, we have come to the conclusion that the Application is fatally flawed in its current form due to significant traffic flow and safety concerns. We urge the City Council to deny the curb cut application and thank you in advance for your careful consideration of this application.

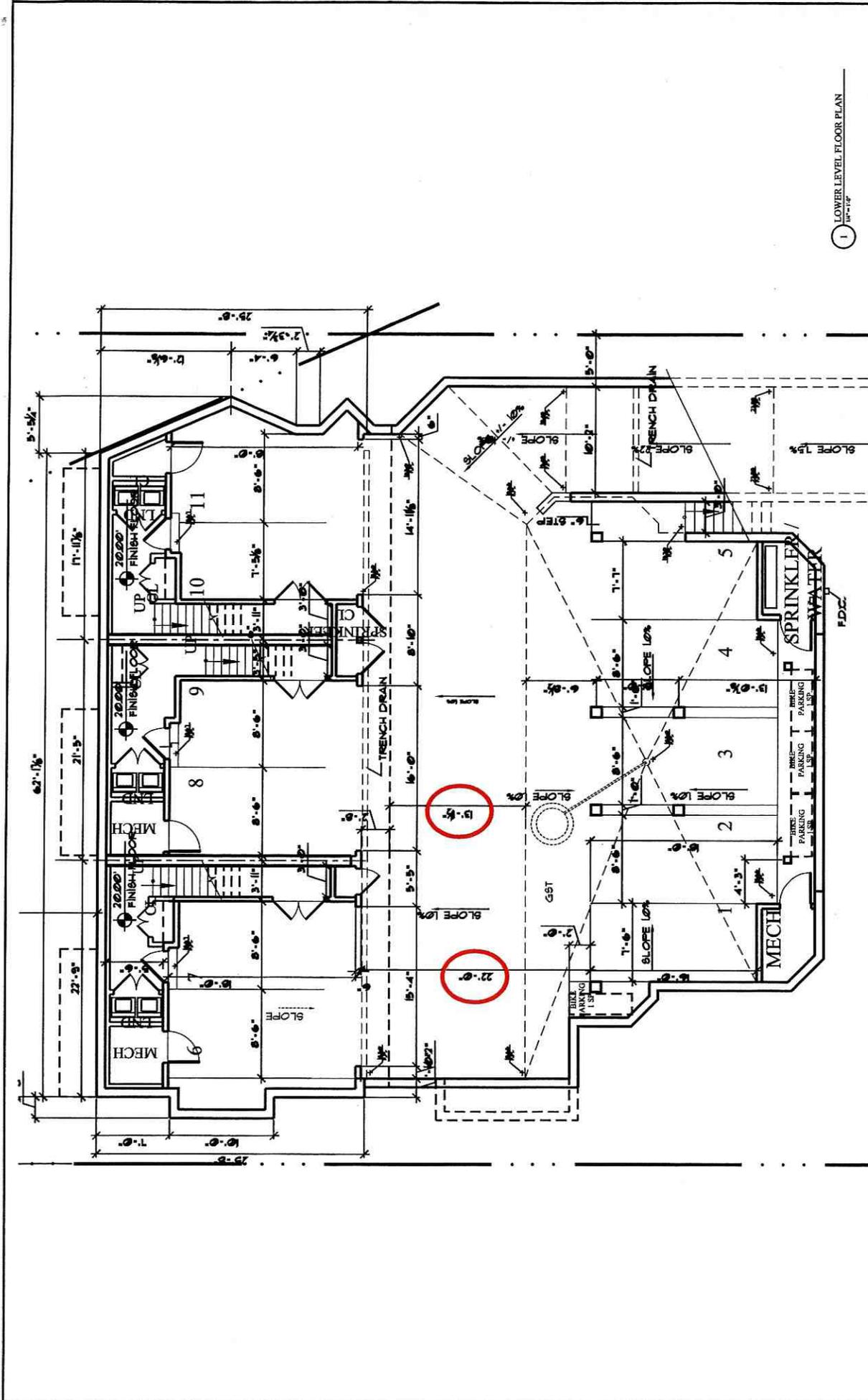
Respectfully yours,

Thomas A. Dewire Jr.

James Michael Dewire

**Thomas A. Dewire, Jr.
James Michael Dewire
Trustees, Dewire Family Trust**

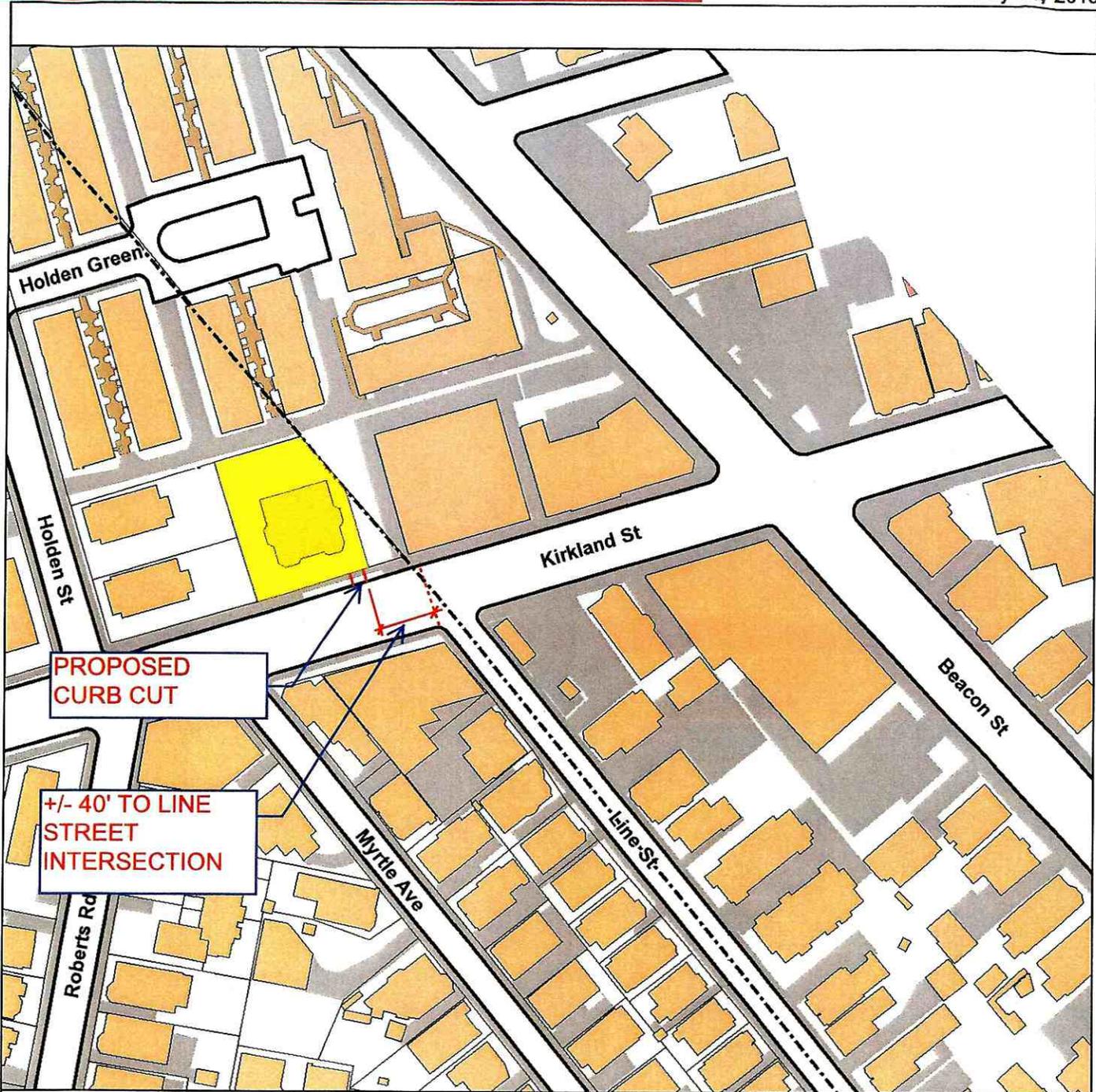
FIGURE 1: BASEMENT LEVEL PLAN



 BOYES-WATSON ARCHITECTS <small>architects@boyeswatson.com 1000 Boylston Street, Boston, MA 02116 Phone: (617) 552-5200 Fax: (617) 552-5201</small>	93 KIRKLAND STREET, CAMBRIDGE MA PROPOSED FLOOR PLANS - BOTH BUILDINGS	18290 04-30-13		BUILDING PERMIT A-301
	1 LOWER LEVEL FLOOR PLAN 1/8" = 1'-0"			

FIGURE 2: ADJACENT INTERSECTIONS

May 24, 2013



City of Cambridge
Massachusetts

1" = 100 ft

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- Rail
- Building Footprints
- Parcels
- Paved Surfaces
 - Paved Roads
 - Bridges
 - Unpaved Roads
 - Unpaved Parking
 - Sidewalks
 - Driveways
 - Alleys
 - Other Paved Surface
 - Public Footpath