

JD

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

June 17, 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. Supporting reasons for our position are as follows:

THE CITY COUNCIL HAS AUTHORITY TO DENY THE DEVELOPERS' CURB CUT APPLICATION AND IS NOT COMPELLED TO GRANT IT. THE DEVELOPERS HAVE FAILED TO SHOW REASONABLE NECESSITY AND LACK OF INTERFERENCE WITH THE RIGHTS OF THE PUBLIC.

Opining on the City Council's consideration of Curb Cut Applications, Cambridge City Solicitors have stated that,

The property owner's right of access to the street is not absolute but, rather, is subject to reasonable regulation and restriction in the public interest.... It is important to note that the property owner has the right to construct a driveway in front of his premises only if reasonably necessary and if done in such a way as not to interfere with the rights of the public, and that this right is subject to such reasonable regulations as the public authority may prescribe.... We believe that the special circumstances existing in the City of Cambridge, an old, densely developed and populated urban environment might well be sufficient to persuade a Court that a denial of a curb cut for vehicular access to a lot may be justifiable.

Letter dated May 22, 2006 from City Solicitor Donald A. Drisdell to City Manager Robert Healy attaching the Legal Opinion of former City Solicitor Russell Higley dated February 1, 1996 (the "Legal Opinion"). (See, attached Exhibit 1.)

A. No Necessity for this Curb Cut.

In no case does an applicant have an absolute right to a curb cut. This is particularly true in this in this case where there is no "reasonable necessity" whatsoever for this permit. The developers already have an existing 6-unit apartment building available for rental without the need for any curb cut. Moreover, on or about February 20, 2013, the developers submitted an application for a building permit for interior renovations only. According to ISD records, this permit was granted on March 13, 2013. In addition, on or around February 20, 2013, the developers also submitted an application for a building permit for an 11'x 26' addition at the rear of the building, a plan calling for minimal excavation (no basement level for addition), assumed minimal exterior demolition to accommodate joining of the addition, no building relocation, minimal loss of open, green space, no parking and no curb cut. According to ISD records, this permit was granted on June 5, 2013. With all these development options, the developers cannot demonstrate that the curb cut is reasonably necessary.

B. Rights of the Public Support Denial of this Application.

The developer has also failed to show that the proposed project does not interfere with the rights of the public. In considering this issue, the Legal Opinion suggests that the City Council look to several criteria including zoning compliance, traffic safety, impact on historic assets, minimal impact on on-street parking and "the concerns and responses of members of the community, including neighbors, abutters, and the appropriate neighborhood associations in the area of the applicant."

1. Zoning: Lack of Stamped Plans.

Our prior letters have raised questions concerning the curb cut's and the project's compliance with the Cambridge Zoning Ordinance (CZO). While the developers have made representations of zoning compliance, they have nonetheless elected not to provide plans or information stamped by a professional land surveyor or civil engineer attesting to compliance with all dimensional requirements of the CZO. Where the developers have not met their burden of showing in a definitive manner compliance with the CZO, for this reason alone, it follows that the City Council should deny this application.

2. Traffic Safety: Lack of a Traffic Study.

This remains our primary concern. Leaving aside strict compliance with the letter of law whether it is the CZO or curb cut regulations or guidance, adding this single-lane curb cut at this location to a very busy street in close quarters to numerous intersections is a very bad idea that will detract from the public's safety. To date, as far we know, the developer has submitted no traffic study including traffic volumes for vehicles, pedestrian or bicycles, traffic speeds, accident history or sight distances. Besides stating that City Council has exercised its discretion to grant other single-lane curb cuts, there has been no explanation as to traffic impacts when vehicles seek to turn left into the site or left out of the site, never mind how traffic will flow at all if cars are seeking to leave and enter the site at the same time during morning or evening rush hours. The traffic impacts will be horrific and the Council should not let this happen.

3. Historic Impacts: Partial Demolition of Significant Structure.

We previously relayed to the Council that we respectfully disagree with the analysis of the Cambridge Historical Commission.

4. On-Street Parking: Approval Decreases On-Street Parking.

We previously pointed out to the Council the loss of precious on-street parking that installation of this curb cut will cause. This neighborhood needs more, not less, on-street parking.

5. Concerns of neighbors, abutters, and neighborhood associations.

a. Lack of Information.

When came to the Council the first week in May, 2013, we lacked information to evaluate the Curb Cut Application or the proposed project, and that is still the case. We have made repeated requests for documentation that have not been met, most recently:

- During a meeting on Tuesday, June 4, a verbal request to Mark Boyes-Watson and Muireann Glenmullen for a legible copy of the Basement Level Plan went unmet. We discussed the diagram as submitted to the Council May 29, 2013 (04.30.2013 labeled Figure 1 and included as Page 12.)
- During a meeting on Thursday, June 6, we submitted a written request to Mark Boyes-Watson and Muireann Glenmullen for the same document. Mr. Boyes-Watson immediately provided a Basement Level Plan dated 04.30.2013, but it is not the same diagram submitted to the Council.
- A Public Records Request for any and all documentation related to development proposals for 93 Kirkland Street, made in writing and delivered by hand on Wednesday, June 5 to the City of Cambridge Inspectional Services Division (ISD) has not been fulfilled. While ISD has provided printed and electronic copies of other plans, repeated requests for access to information regarding the proposal under review have gone unanswered.

b. Threat to our Land and Buildings.

When we came before the City Council during the first week in May, 2013, we told you that we believed the extensive nature of demolition, excavation, paving and proposed stormwater management techniques required to support the proposed project will harm the roots systems of our trees and over time cause damage to the basement of our building by redirecting water flow towards our property and other drainage issues. That opinion has not changed, despite nearly several hours of meetings and follow-up conversations with the developers, their offer to hire an arborist to evaluate the root zone for our trees, and the documentation they have provided.

We have made requests for additional documentation that have gone unfulfilled, most recently:

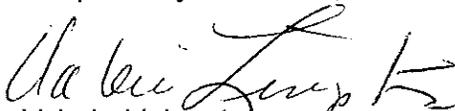
- During a meeting on Thursday, June 6, 2013, we submitted a written request to the developers for the Geotechnical Report for 93 Kirkland Street. We were not allowed to have a copy of this document, but were allowed to read it in their presence during that meeting. *This failure and refusal to provide the Geotechnical Report is particularly egregious since it makes it impossible for the Dewires to fairly and fully evaluate the stormwater impacts on their property.*
- During a meeting on Tuesday, June 4, 2013, we reviewed a diagram of the proposed stormwater drainage system. During a meeting on Thursday, June 6, 2013, we submitted a written request to the developers for a description of the proposed stormwater drainage system for 93 Kirkland Street, along with a diagram of this system, including intersections with municipal systems, to scale. That documentation was provided on Monday, June 10, 2013. We have not had ample time to hire a reviewing consultant and obtain a critique of the report.

We are very concerned by specific recommendations with regard to backfill and surface water runoff made in the Geotechnical Report, which we cannot refer to as we do not have a copy. We are also very concerned that the developer proposes to roughly double the amount of impervious surface areas on this small lot and, in order to cope with added surface water, bury a 5000 gallon tank to store driveway runoff and build four (4) drywells for roof runoff. Particularly without the ability to submit both the stormwater and geotechnical reports to a peer review consultant, we are *extremely* concerned that we will suffer damage to our property. Our concerns are heightened since a nearby property of ours was damaged by stormwater management improvements undertaken on an adjacent lot. At this time, the developers have not demonstrated that the proposed excavation and construction of the driveway and parking structure and the proposed stormwater system comply with the intent of Article 6 of the CZO “[t]o avoid potential adverse impacts on adjacent land uses.”

c. Consensus of Opposition.

Please see attached as Exhibit 2, a petition signed by numerous residents and owners in the neighborhood in opposition to the approval of the curb cut application.

Respectfully submitted,


Valerie Livingston

on behalf of

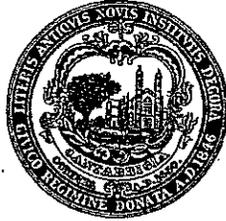
Thomas A. Dewire, Jr.
James Michael Dewire
Trustees, Dewire Family Trust

EXHIBIT A 5 PAGES

Donald A. Drisdell
City Solicitor

Nancy E. Glowa
Deputy City Solicitor

Aylesworth
Arthur J. Goldberg
L. Witts First Assistant City Solicitor



Assistant City Solicitors

Vali Buland
Paul S. Kawai
Elizabeth A. Shaw
Samuel A.

Amy

CITY OF CAMBRIDGE

Office of the City Solicitor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

May 22, 2006

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

Re: Council Order No. O-14 of 4/3/06 and Council Order No. O-29 of 12/20/04 Requesting a Legal Opinion from the City Solicitor on the City's Curb Cut Policy

Dear Mr. Healy:

I am submitting herewith copies of a Legal Opinion from the City Solicitor dated 2/1/96 regarding the City's Policy and Procedures Regarding Curb Cuts together with the City's Procedure With Respect to Driveway Cuts, Openings and Off-Street Parking Spaces or Facilities and the City's Policy on Application for Driveway Cuts, Openings and Off-Street Parking Spaces or Facilities, both of which were submitted to the City Council and approved on February 1, 1996, and a communication from you to the City Council of 12/30/97 regarding "clarifying the current policy of whether all curb cuts necessary to a new building project must be approved by the City Council prior to the granting of building permits."

Thank you for your attention to this matter.

Very truly yours,

Donald A. Drisdell
City Solicitor



CITY OF CAMBRIDGE

Office of the City Solicitor
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Cambridge, Massachusetts 02139
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February 1, 1996

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

Re: Communications and Reports from City
Officers Item #1 of January 29, 1996

Dear Mr. Healy:

Pursuant to the above-captioned Item #1, I am submitting an opinion regarding the procedures to be followed in the City's processing of an application for a curb cut, and the criteria to be considered by the City Council in reviewing such applications, and have set forth below my analysis of what criteria the City Council may use in considering whether to grant or deny a curb cut application.

A. The City's Policy and Procedures Regarding Curb Cuts

I have attached hereto the City's "Procedure With Respect To Driveway Cuts, Openings And Off-Street Parking Spaces Or Facilities" which has been prepared and recently revised by the City Clerk, and which is available in the City Clerk's Office to persons who wish to apply for a curb cut.

I have also attached the City's "Policy On Applications For Driveway Cuts, Openings And Off-Street Parking Spaces Or Facilities", which was prepared by this Office in coordination with members of your staff and the Department Heads of the several Departments which review curb cut applications prior to submission to the City Council. This Policy Statement outlines a new monitoring procedure recently developed by the Data Processing Department and installed on the City wide VAX that will allow for the control of the flow of information relating to applications for curb cuts among the Inspectional Services Department, the Board of Zoning Appeal, the Traffic and Public Works Departments, the Historical Commission and the City Clerk's office.

B. The City's Authority To Grant Or Deny Curb Cuts

1. The City's Regulatory Powers

Pursuant to the provisions of G.L. c. 82, §21, the City of Cambridge has the authority to lay out, relocate or alter public ways. Under the authority granted the City by this statute, the City Council and Administration have developed the above Policy and Procedures relative to processing and reviewing property owners' applications for curb cuts to their premises. This authority is, however, subject to a property owner's right of reasonable access to their property from the abutting public or private way and, therefore, there must be a balancing of the public interests involved and the private property owners' interests, as set forth below.

2. The Property Owner's Right of Access

There is a common law rule that a property owner has a right of access to the abutting public way. Dwyer v. M.D.C., 269 Mass. 573, 578 (1930). In one case, the Court stated, "Access to a public way is one of the incidents of ownership of land bounding thereon, and this right is appurtenant to the land and exists when the fee of the way is in the municipality as well as when it is in private ownership." Anzalone v. M.D.C., 257 Mass. 32, 36 (1926) (citations omitted).

It has also been held that although the Massachusetts Highway Department has the authority pursuant to G.L. c. 81, §21 to regulate the digging up or opening of a state highway, this authority does not extend to barring entirely the access of an abutting landowner, Wenton v. Commonwealth, 335 Mass. 78, 80 (1956), and that a property owner's loss of access to their property from a public way may be compensable damage. Betty Corporation v. Commonwealth, 354 Mass. 312 (1968).

However, the property owner's right of access to the street is not absolute but, rather, is subject to reasonable regulation and restriction in the public interest. 39A C.J.S., "Highways", §141(2)(a) (1976). Thus, the rule has been stated as follows:

In the exercise and enjoyment of his easement of access, an abutting owner has a right to construct a driveway or other suitable approach in front of his premises, from his land to the traveled part of the highway, if reasonably necessary and if done in such a way as not to interfere with the rights of the public, subject to such reasonable regulations as the public authority may prescribe. Cities ... may regulate the access of abutters by granting or withholding permissions to make curb cuts, construct driveways to the road, and the like, although an abutter may not thereby be deprived of all access without compensation.

39 Am. Jur. 2d, "Highways, Streets and Bridges", §181 (1968).

It is important to note that the property owner has the right to construct a driveway in front of his premises only if reasonably necessary and if done in such a way as not to interfere with the rights of the public, and that this right is subject to such reasonable regulations as the public authority may prescribe. Id. Accordingly, as this right is not absolute, it is significantly diminished where the property owner already has access to their premises from a public or private way, where it interferes with the rights of the public to have public shade trees, on-street parking, safe and smooth traffic flow, the preservation of historic structures, streets and neighborhoods, and the provision of services and utilities, etc., and is thus subject to a proper balancing of the private and public interests.

3. Criteria To Be Applied By The City Council
In Reviewing Curb Cut Applications

In accordance with the City's authority to promulgate reasonable regulations to protect the public interests and rights, the City's Policy Statement and Procedures Statement set forth the many criteria the various City Departments must consider in their review of a curb cut application. The City Council may reconsider all relevant criteria or may simply ascertain whether the various Departments properly applied the appropriate criteria in their review of an application. The specific criteria to be applied, as set forth in the Procedure Statement, include the following:

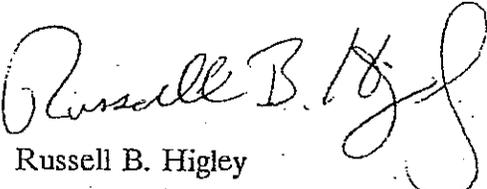
- a. Compliance with all relevant aspects of the City's Zoning Ordinance;
- b. Review of traffic safety concerns and compliance with all relevant traffic regulations, including whether the curb cut will have a detrimental effect on the roadway and a determination of what effect the driveway will have on the street it is on as to the volume of traffic, pedestrians and bicycles, traffic speed, accident history, sight distances and the location of the proposed driveway in relation to other driveways and intersections, and the impact on existing and on-street parking and sign posts;
- c. Determination of whether the curb cut is in an historic or neighborhood conservation district or is on the premises of a landmark, so as to prevent developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the historic district, including a review of the general design, arrangement, texture, material and color of the features involved, including new driveways, paved paths and landscaping structures, and the relation of such features to similar features of buildings and structures in the surrounding area;
- d. Review of the curb cut location for potential interferences with other city utilities and structures, assessing the requested length of the proposed curb cut to insure that it will have minimal impact on existing on-street parking, to insure that utility poles, trees, hydrants, sign posts, etc. will not obstruct or be obstructed by the proposed curb cut, and to insure that the proposed curb cut will not infringe on abutters' property; and

e. Consideration of the concerns and responses of members of the community, including neighbors, abutters and the appropriate neighborhood associations in the area of the applicant.

4. Judicial Review of Curb Cut Decisions

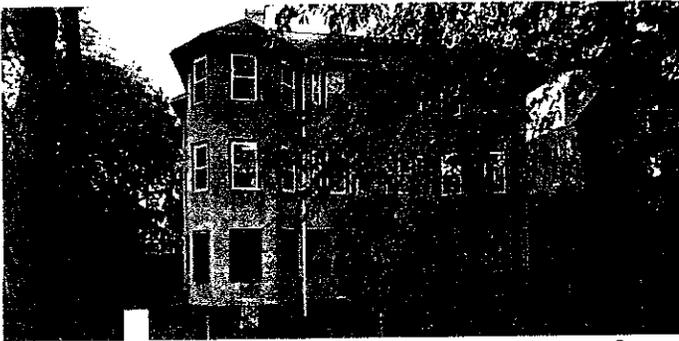
Although the above referenced caselaw suggests that a municipality must permit a property owner access to the premises from a public or private way, we believe that the special circumstances existing in the City of Cambridge, an old, densely developed and populated urban environment might well be sufficient to persuade a Court that a denial of a curb cut for vehicular access to a lot may be justifiable. An even stronger argument can be made for the denial of a curb cut where one already exists. Thus, where a second or third curb cut is requested, and a review of the relevant criteria demonstrates that it would not be in the public's best interests to add another curb cut in that location, a denial of that application would in all likelihood be upheld by the Courts. However, such denials have not been specifically upheld by our Courts, and could therefore be challenged by Court action. Accordingly, where some criteria support a grant of a curb cut and others support a denial, the City Council must balance the various interests identified in this Memorandum and, guided by the appropriate considerations and potential impact on the community, and the Council's best judgment, attempt to arrive at the most reasonable decision. The more objective and demonstrable the criteria, the stronger the case will be for validation of the City Council's decision to grant or deny a curb cut.

Sincerely,



Russell B. Higley

Say NO to another driveway on the last block of Kirkland/Washington, NO to the destructive infill development of Grace Norton House, and NO to lack of neighborhood notification!



A developer has purchased the historic Grace Norton Apartment House (93 Kirkland), received permission to demolish up to 42 percent* of the building, move the rest toward Kirkland Street, cram 3 townhouses in the green space behind, and has an application for a particularly hazardous curb cut before the Cambridge City Council on Monday the 17th. Due to lack of effective public notification, most residents of the surrounding neighborhood had no knowledge of the plans and

NO FORUM in which to address concerns about safety, preservation, and loss of green space. If the Council approves the curb cut application on Monday, the demolition and excavation could start at any time!

1) A third curb cut on this short portion of Kirkland/Washington Street poses a safety menace to pedestrians and drivers. Dozens of toddlers enter and exit The Learning Tree Academy, a day care center already feet away from two driveways, and less than 100 feet away from the developers proposed new driveway, which would accommodate the additional inflow and outflow of cars from 9 condos. 93 Kirkland is on the block of Kirkland leading to the intersection of Kirkland/Washington and Beacon Street. The traffic at this intersection, and the intersections of Line and Kirkland, and Roberts Road and Kirkland is infamously congested, driving conditions so bad, that recent accidents on each side of Beacon left vehicles embedded in the Wine Cask front window (corner of Beacon and Washington) and the Bank of America ATM (Washington and Beacon). Additional traffic is unthinkable!

2) Grace Norton Apartment House (1911) represents the Norton family's contribution to gracious and affordable urban housing, with a spacious, even elegant architectural design, purposively retaining natural green elements (the expanse of green yard behind, in front and to the side). The proposed infill development destroys the modest footprint of the original building, swallowing almost all the green space on the 8,000 square foot lot and is an insult to the integrity of the original graceful design of 93 Kirkland, and to the abutting properties, which lose any setback buffer. So carefully crafted that the Cambridge Historical Commission reports that it is still in "good condition" today, Grace Norton tells us a story of development done with care and consideration to detail, space, and the purposeful retention of nature, which ought still to be a model for architects and developers today.

3) As a city we cannot allow development to erase our architectural history. Nor can we continue to allow the heedless destruction of beautiful and historically significant design focused on the inclusion of open green. Construction on one lot, lot by lot, is affecting the quality of life of the entire city, where infill development is creating a traffic nightmare, crowding, pollution, and noise, erasing our history and eroding our precious open space.

We the undersigned ask the Cambridge City Council to deny the request for a curb Cut at 93 Kirkland Street for safety reasons. We strongly believe that The Grace Norton Apartment house merits historical preservation as a notable example of successful urban design and as a model for architects and developers today.

Signature	Name (please print)	Address	telephone or email
	JASON BECKSTED	10 SHADY HILL SQ	857 253 8812
	R.C. BROWN	61 DANA #3	
	RABBI BEN-ZION GOLD	BEN-ZION GOLD 61 DANA #1	617 497-6255
	SILVIA ARROM	4 Shady Hill Sq.	617-714-4378

* percentage of the building to be demolished based on developers' plans and Historical Commission estimation

- | Signature | Name (please print) | Address | telephone or email |
|-------------------------------|---------------------|-----------------------------|---------------------------------------|
| 5. <i>Mary C. Foley</i> | MARY C. FOLEY | 10 MARIE AVE #2, CAMBRIDGE | 02139 |
| 6. <i>Gerri Guardino</i> | Gerri Guardino | 61 Dana St. #2 | Cambridge, 02138 |
| 7. <i>Isabelle Torroella</i> | ISABELLE TORROELLA | 30 MAGNOLIA AVE - CAMB. | 02138 |
| 8. <i>Mario Torroella</i> | MARIO TORROELLA | 30 MAGNOLIA AVE, | CAMB 02138 |
| 9. <i>Rhonda Roselli</i> | Rhonda Roselli | 17 Myrtle Avenue, | Cambridge, MA 02138 |
| 10. <i>Susan M. Carter</i> | Susan M. Carter | 41 Holden St. Cambridge, | MA 02138 617-661-0722 |
| 11. <i>Jane Raker</i> | Jane Raker | 3 Shady Hill Sq. Cambridge, | MA 02138 617-4921320 |
| 12. <i>Edward Rabe</i> | Edward Rabe | 3 Shady Hill Sq Cambridge | MA 02138 617-4921322 |
| 13. <i>Alli Rabe</i> | Alli Rabe | 3 Shady Hill Sq. Cambridge | MA 02138 617-694-519 |
| 14. <i>Broch Welch</i> | Broch Welch | 6 Shady Hill Sq Cambridge | MA 02138 310-200-757 |
| 15. <i>Leslie Nielsen</i> | Leslie Nielsen | 6 Shady Hill Sq " " " | " " " 310-866-7411 |
| 16. <i>Rich Nielsen</i> | Rich Nielsen | 14 Holden St Cambridge, | MA 02138 857-998-8019 |
| 17. <i>Jocelyn V. Horn</i> | Jocelyn V. Horn | 14 Holden St Cambridge | MA 02138 857 998 8039 |
| 18. <i>Merau Gold</i> | Merau Gold | 10 Shady Hill Sq. Cambridge | (857) 728-114 |
| 19. <i>Robert C. Mitchell</i> | Robert C. Mitchell | 7 Shady Hill Sq. 02138 | MA (617) 868-742 |
| 20. <i>Sonia Dalley</i> | Sonia Dalley | 26 Farrar St. 02138 | 02138 Camb. 02138 meraugold@yahoo.com |
| 21. <i>Sonia Dalley</i> | SONIA DALLEY | 4 FARRAR ST | 02138 617-441-0327 |
| 22. <i>Cecilia Chertavian</i> | Cecilia Chertavian | 95 Irving St Cambridge, | MA 02138 617-354-9521 |
| 23. <i>Mrinalini Jaikumar</i> | MRINALINI JAIKUMAR | 9 Farrar St, Camb, | MA 02138 (minij@comcast.net) |
| 24. <i>Kate Japp</i> | Kate Japp | 5 Shady Hill Sq Cambridge | MA |
| 25. <i>Julia Powell</i> | Julia Powell | 18 Scott St. Cambridge, | MA 02138 |

Signature	Name (please print)	Address	telephone or email
26.	ATMIED NUR	2 Sedgewick Rd	617 945-0372
27.	Deborah Deborah Valenze	1 Shady Hill Sq.	617-354-326
28.	Michael T. Gilmore	1 Shady Hill Sq	617-354-326
29.	Ed Semet	34 Roberts Ave	28
30.	Dulchene Glaser	12 Scott St	02138
31.	William Strayer	12 Scott St	02138
32.	Dennis J. Kelly	8 Scott St	02138 DENNIS J. KELLY
33.	Adaline Linag	7 Bryant St	-02138 adaline.rose@lydian.com
34.	Jean Riscoe	48 Irving St.	02138
35.	Helen Fein	46 Irving Street	02138
36.	Richard S. Fein	46 IRVING ST.	02138
37.	Polly Harold	46 Irving St.	02138 Polly Harold
38.	Robert B. Mancell	44A Irving St.	02138 rmancell@emich.edu
39.	Robert B. Mancell	42 IRVING ST	02138 fitzdonovan@emich.edu
40.	Jeremy Schwartz	170 MASS Ave	02140 j.schwartz@emich.edu
41.	Cy Britt	2 Shady Hill Square,	Cambridge, MA 02138
42.	Barbara S. Powell	18 Scott St.	Cambridge, MA 02138
43.	Jane C. Thomas	45 Holder St,	Camb. MA 02138
44.	GRIZZ LAUNDRY	88 Dana St.	Cambridge 02138
45.	George W. Hudson	64 Barr St	Cambridge 02138

- | Signature | Name (please print) | Address | telephone or email |
|-----------|----------------------|-------------------|---|
| | BENJAMIN FLAIM | 7 FRANCIS AVE. | 617-547-0246
brflaim@gmail.com |
| | Nancy Rial | Francis Ave | 617-492-2483
nlibrarie@yahoo.com |
| | Annegret Wilham | 6 Francis Ave | awilham@web.de |
| | Dennis Wolf | 8 Francis Ave | Cambridge, MA 02138 |
| | Thomas Wolf | 8 Francis Ave. | Cambridge MA 02138 |
| | Lynn Margherò | 18 Francis Ave | Cambridge MA 02138 |
| | Brian Burke | 18 Francis Ave | Cambridge MA 02138 |
| | Martha Semott | 34 Roberts Rd | Cambridge MA 02138 |
| | Judith Fagin | 30 Francis Avenue | Cambridge MA 02138 |
| | Kelley Tighe | 109 Irving St. #3 | Cambridge MA 02138
KelleyTighe@gmail.com |
| | SARI FOLLANSBEE | 84 IRVING ST. | CAMBRIDGE MA 02138
sari@edtechdesign.com |
| | VERA HILDEBRAND | 86 IRVING ST. | CAMBRIDGE MA 02138 |
| | RUTH BENNETT | 47 Roberts Rd | 02138 |
| | Samuel Grandahl | 65 Elm St. #2 | Cambridge 02139 |
| | margaret wilkenmyer | 95 Dunster St. | Cambridge 02138 |
| | Margaret Kelley | 30 Roberts Rd | Cambridge MA 02138 |
| | Margaret Kelley | | |
| | MARGARET KUDARAVSKAS | 11 Holden St | CAMBRIDGE MA
617-492-4586 02138 |
| | JULIE BAING | 28 Myrtle Avenue | Cambridge, MA |
| | ANDREW SCHLESINGER | 109 Irving St. | 02138 |

Signature	Name (please print)	Address	telephone and email
66.	<i>Martina C. Schlessinger</i>	109 Irving St.,	02138
67.	<i>David Hampton</i> DAVID HEMPTON	4 th Francis Avenue,	02138
68.	<i>Linda Chadwick</i>	60 Francis Ave	02138
69.	<i>Linda Chadwick</i> <i>Albino M. Wyzanski</i>	75 Francis Ave. Cambridge	02138
70.	<i>Tamara Wyzanski</i>	75 Francis Ave Cambridge	02138
71.	<i>Nilgün Gökçür</i>	" " "	"
72.	<i>Scheri Fritman</i>	SCHERI FULTNER 20 FARRAR ST. CAMB	02138 02138
73.	<i>Hank Reisen</i>	HANK REISEN 20 Farrar St. CAMB.	02138
74.	<i>Hannah Gold</i>	Hannah Gold 7 Shady Hill sq	Camb. 02138 h
75.	<i>Michael Belanger</i>	MICHAEL BELANGER 658 DANAST	CAMB. 02138
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Say NO to another driveway on the last block of Kirkland/Washington, NO to the destructive infill development of Grace Norton House, and NO to lack of neighborhood notification!



A developer has purchased the historic Grace Norton Apartment House (93 Kirkland), received permission to demolish up to 42 percent* of the building, move the rest toward Kirkland Street, cram 3 townhouses in the green space behind, and has an application for a particularly hazardous curb cut before the Cambridge City Council on Monday the 17th. Due to lack of effective public notification, most residents of the surrounding neighborhood had no knowledge of the plans and

NO FORUM in which to address concerns about safety, preservation, and loss of green space. If The Council approves the curb cut application on Monday, the demolition and excavation could start at any time!

1) A third curb cut on this short portion of Kirkland/Washington Street poses a safety menace to pedestrians and drivers. Dozens of toddlers enter and exit The Tree House Academy, a day care center already feet away from two driveways, and less than 100 feet away from the developers proposed new driveway, which would accommodate the additional inflow and outflow of cars from 9 condos. 93 Kirkland is on the block of Kirkland leading to the intersection of Kirkland/Washington and Beacon Street. The traffic at this intersection, and the intersections of Line and Kirkland, and Roberts Road and Kirkland is infamously congested, driving conditions so bad, that recent accidents on each side of Beacon left vehicles embedded in the Wine Cask front window (corner of Beacon and Washington) and the Bank of America ATM (Washington and Beacon). Additional traffic is unthinkable!

2) Grace Norton Apartment House (1911) represents the Norton family's contribution to gracious and affordable urban housing, with a spacious, even elegant architectural design, purposively retaining natural green elements (the expanse of green yard behind, in front and to the side). The proposed infill development destroys the modest footprint of the original building, swallowing almost all the green space on the 8,000 square foot lot and is an insult to the integrity of the original graceful design of 93 Kirkland, and to the abutting properties, which lose any setback buffer. So carefully crafted that the Cambridge Historical Commission reports that it is still in "good condition" today, Grace Norton tells us a story of development done with care and consideration to detail, space, and the purposeful retention of nature, which ought still to be a model for architects and developers today.

3) As a city we cannot allow development to erase our architectural history. Nor can we continue to allow the heedless destruction of beautiful and historically significant design focused on the inclusion of open green. Construction on one lot, lot by lot, is affecting the quality of life of the entire city, where infill development is creating a traffic nightmare, crowding, pollution, and noise, erasing our history and eroding our precious open space.

We the undersigned ask the Cambridge City Council to deny the request for a curb Cut at 93 Kirkland Street for safety reasons. We strongly believe that The Grace Norton Apartment house merits historical preservation as a notable example of successful urban design and as a model for architects and developers today.

Signature	Name (please print)	Address	telephone and email
1. <i>Jeffrey Newton</i>	JEFFREY NEWTON	81 KIRKLAND ST. APT. #1	jlnewton@mac.com 617-864-8065
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4. <i>Jody Diamond</i>	JODY DIAMOND	79 Kirkland St. #3	kompson5@gmail.com

* percentage of the building to be demolished based on developers' plans and Historical Commission estimation

- | Signature | Name (please print) | Address | telephone and email |
|--------------------------------|----------------------------|------------------|---|
| 5. Neal Carney | NEAL CARNEY | 77 KIRKLAND ST | 617-351-0993 |
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| 11. BONNIE HALVORSON-BOURGEOIS | BONNIE HALVORSON-BOURGEOIS | 45 ROBERTS RD #2 | bhalvorgeois@gmail.com |
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| 13. Valerie Livingston | VALERIE LIVINGSTON | 68 Hildora St | 8490680 |
| 14. Thomas A. Dewire | Thomas A. Dewire | 2 Hildora St | Cambridge 02138 |
| 15. James M. Dewire | James M. Dewire | 2 Hildora Street | Cambridge 02138 |

Consider my name added to your petition, primarily due to traffic congestion and safety issues associated with the drive way (would be interesting to know if there have been similar safety issues associated with the driveway servicing the housing complex next door.) Overall I'm for protecting green space and trees too. That said, the design itself looks tastefully done, and does preserve the most interesting features of the original building (unlike the monstrosity that occurred on the small brick house slightly further down Kirkland!) the architect is to be commended for that.

Best of luck,

Bonnie Halvorson-bourgeois

Sent from my iPhone

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23.

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