

#10032011

630
2

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE



INSTRUCTIONS:

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

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 abutters 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 / 15 / 2011

PART I:

Address of proposed curb cut or off-street parking facility: 37 LANCASTER STREET

Frontage: 354.12 WEST LOT (110.50 + SOUTH LOT 243.62) Block and Lot: 176-27

Setback (distance from building to sidewalk): 26.6 FEET

Distance from proposed driveway to surrounding structures and property line: 4'-3" FROM PROPERTY LINE, 9'-3" FROM STRUCTURE

Dimensions of proposed driveway: 10'-0" WIDE DRIVEWAY, 134'-6" LENGTH.

Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: 4'-6" FROM UTILITY POLE
8'-0" FROM TREE

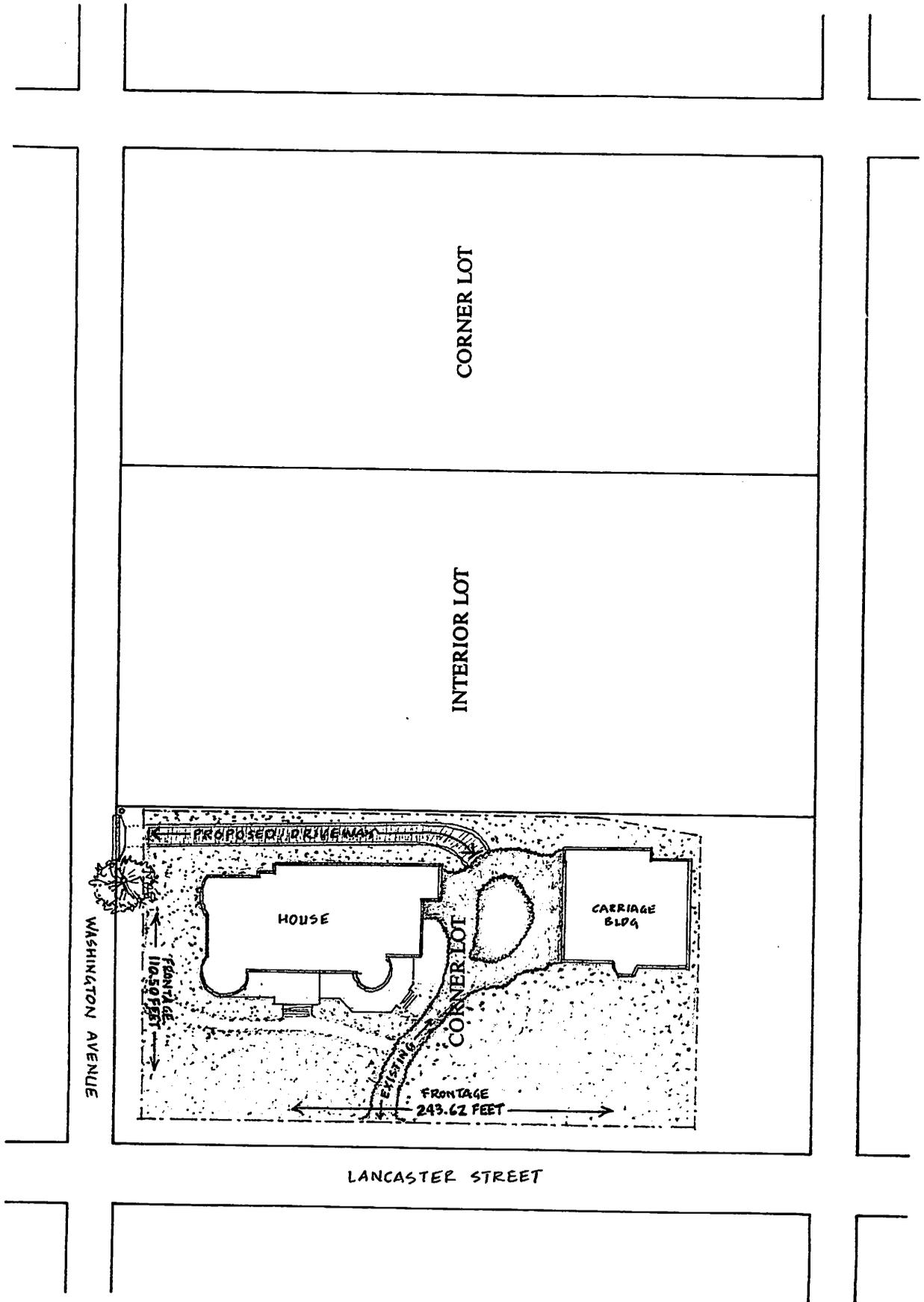
OFFICE OF THE CITY CLERK
CITY OF CAMBRIDGE

2011 JAN - 3 P 2:08

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

DRAWING 1:

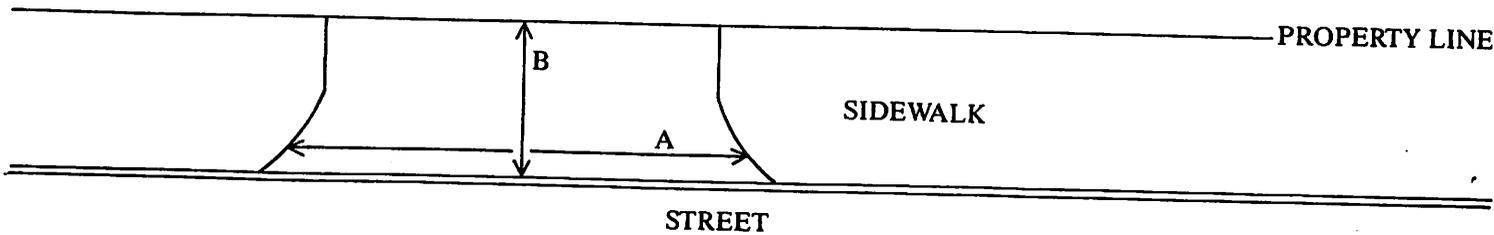
PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



A = 13.5 FT. ÷ 3 = 4.5 YARDS

B = 8.5 FT. ÷ 3 = 2.8 YARDS

A x B = 12.6 SQUARE YARDS

COST ESTIMATE:

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

BRICK ON CONCRETE: 12.6 SQUARE YARDS x \$85/SQUARE YARD = \$ 1,071

CONCRETE: _____ SQUARE YARDS x \$40/SQUARE YARD = \$ _____

ASPHALT: _____ SQUARE FEET x 1 TON/40 SQUARE FEET x \$125/TON = \$ _____

DEPARTMENT OF PUBLIC WORKS SCHEDULED DATE FOR CONSTRUCTION:

Box containing the date: / /

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: B. Patel, BHUPESH PATEL (DESIGNTANK INC.) OWNER'S AGENT. Date: Aug 18, 2011

Address: 3 Bowdoin St, Cambridge, MA. 02138.

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

Application approved Application denied

Reason: _____

Signature: _____ Date: 10/24/11

Title: _____

PART III: TRAFFIC AND PARKING DEPARTMENT

Application approved Application denied

Reason: _____

Signature: _____ Date: 11-15-11

Title: Traffic Engineer

PART IV: HISTORICAL COMMISSION

Application approved Application denied

Reason: The Avon Hill NDC approved a ribbon driveway and handicap ramp as shown on "Proposed Site Plan" dated 11/30/11 by mayermayer inc

Signature: Sarah Burkes Date: 12/20/11

Title: Preservation Planner

PART V: PUBLIC WORKS DEPARTMENT

Application approved Application denied

Reason: _____

Signature: _____ Date: 11/10/2011

Title: Superintendent of Streets & Sidewalks

Applicant is responsible for construction of curb cut and adjacent sidewalk to curb cut.



Avon Hill Neighborhood Conservation District Commission

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139
Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112
E-mail: histncds@cambridgema.gov
URL: <http://www.cambridgema.gov/Historic/avonhillhome.html>

Theresa Hamacher, *Chair*; Arthur Bardige, *Vice Chair*
Robert Crocker, Catherine Henn, Maryann Thompson *Members*
Mark Golberg, Heli Meltsner, Constantin von Wentzel, *Alternates*

CERTIFICATE OF APPROPRIATENESS

PROPERTY: 37 Lancaster Street

OWNER: John McQuillan
37 Lancaster Street
Cambridge, Massachusetts 02140

Sean D. Hope, Esq.
Hope Legal Office
130 Bishop Allen Drive
Cambridge, Massachusetts 02139

The Avon Hill Neighborhood Conservation District Commission hereby certifies, pursuant to Title 2, Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the City Council order establishing the Commission, that the alteration described below is not incongruous to the historic aspects or architectural character of the building or district:

Exterior alterations to the house and grounds including,

1. Construction of a sloped walkway on the north side of the house, to provide handicap access to the rear door. Sides of the ramp are to be constructed of puddingstone to match the foundation of the house and the top surface to be paved with bluestone.
2. Installation of French drains and amend the soil on the north side of the house to provide better drainage around the house and better soil conditions for plantings.
3. Pavement of a ribbon driveway behind the house from Washington Avenue and connect it to the existing circular driveway at the northeast corner of the house. The driveway shall consist of two paved strips of granite cobble stones.

Work is to be carried out as indicated on the site plan, north elevation, and west rendering by Meyer and Meyer Inc. Architecture & Interiors titled, "McQuillan Residence 37 Lancaster Street Cambridge, Massachusetts," and dated November 30, 2011.

Construction details including material samples and specifications for site work must be reviewed with and approved by the staff.

The plans and specifications referenced above are incorporated into this certificate, which is binding on the applicant, and all improvements shall be carried out as described therein.

This certificate is granted upon the condition that the work authorized is commenced within six months after the date of issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance, or if such work is suspended in significant part for a period of one year after the time the work is commenced, this certificate shall expire and be of no further effect; provided that, for cause, one or more extensions not exceeding ninety days each may be allowed in writing by the Chair.

Case Number: AH-407

Date of Certificate: December 22, 2011

Attest: A true and correct copy of decision filed with the office of the City Clerk and the Avon Hill Neighborhood Conservation District Commission on 12/22/11.

By Arthur Bardige / sb Vice Chair.

Twenty days have elapsed since the filing of this decision.

No appeal has been filed _____ . Appeal has been filed _____ .

Date _____ , City Clerk.

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 36 LANCASTER STREET, UNIT 2

approval

Cambridge, Massachusetts, I do hereby declare

disapproval

of the installment of:

Off-Street Parking Facility located at 37 LANCASTER STREET, CAMBRIDGE

Signed: [Signature] (JERRY L. CAUGEN) Date: Aug 22nd, 2011

Address: 63 ORCHARD ST. CAMBRIDGE, MA 02140 (MAILING ADDRESS)

To Whom It May Concern:

As owner or agent of Margaret Thompson

approval

Cambridge, Massachusetts, I do hereby declare

disapproval

of the installment of:

Off-Street Parking Facility located at across the street

37 Lancaster Cambridge

Signed: [Signature] Date: Sept 15, 2011

Address: 47 Washington Ave Cambridge

To Whom It May Concern:

As owner or agent of Robert & Gatewood Colvin

approval

Cambridge, Massachusetts, I do hereby declare

disapproval

of the installment of:

Off-Street Parking Facility located at 37 Lancaster St

Signed: [Signature] Date: 9/2/11

Address: 31 Lancaster

As shown (no blacktop) in figure

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 58 WASHINGTON AVENUE

approval
 disapproval

Cambridge, Massachusetts, I do hereby declare

of the installment of:

Off-Street Parking Facility located at driveway and curb cut at 37
LANCASTER ST., CAMBRIDGE, MA 02140

Signed: Howard D. Medwed Date: 9/1/11

Address: 58 WASHINGTON AVE, CAMBRIDGE, MA 02140

The proposed driveway is parallel to and close to my property line. My house is also close to the property and the proposed driveway represents an invasion of the privacy which my property and 37 Lancaster St. have enjoyed since 1887.

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 58 Washington Avenue

approval

Cambridge, Massachusetts, I do hereby declare

disapproval

of the installment of:

Off-Street Parking Facility, located at driveway and curb cut at 37

Lancaster St., Cambridge, MA 02140

Signed: Elizabeth R. and Cornelius J. Morrison Date: 9/11/11

Address: 58 Washington Ave., Cambridge, MA 02140

The purpose of this curb cut is to add a surplus driveway on a property which already has ample driveways and a turnaround. It is totally unnecessary, offensive to the neighborhood, removes two street parking spaces, very detrimental to the owners of 58 Washington Avenue and environmentally damaging. The proposed driveway would be a blatant invasion of our privacy and peace and quiet. The architects' depictions of the driveway area are misleading and deceptive.

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 63 WASHINGTON AVE

approval

Cambridge, Massachusetts, I do hereby declare

disapproval

of the installment of:

Off-Street Parking Facility located at CURB CUT ON WASHINGTON AVE

BETWEEN 58 WASHINGTON AVE & 37 LANCASTER ST.

Signed: Brenda Jenber Date: 9/2/2011

Address: 63 WASHINGTON AVE, CAMB, MA 02140

HOPE LEGAL LAW OFFICES

130 BISHOP ALLEN DRIVE
CAMBRIDGE, MA 02139
TELEPHONE (617) 492-4100 Ext. 118
FAX (617) 492-3131

HOPE LEGAL LAW OFFICES

sean@hopelegal.com

Mr. Sean O'Grady
Inspectional Services Department
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

September 13 2011

Re: 37 Lancaster Curb Cut Notice

Dear Mr. O'Grady

This letter confirms that a copy of the Curb Cut application for 37 Lancaster Street was delivered by hand or U.S. mail to the following Abutters.

Howard Medwed 58 Washington Ave Cambridge, MA 02140 <i>Disapprove</i>	Jerry Callen & Catherine Petersen 63 Orchard Street Cambridge, MA 02140 <i>approve</i>
Elizabeth Moynihan 58 Washington Street Cambridge, MA 02140 <i>Disapprove</i>	Denny Ellerman & Elena Castedo 36 Lancaster Cambridge, MA 02140 <i>approve</i>
Seth Friedman 36 Arlington Street Cambridge, MA 02140 <i>Disapprove</i>	Joshua Posner 32 Arlington Street Cambridge, MA 02140 <i>No response</i>
Robert & Gatewood Colvin 31 Lancaster Street Cambridge, MA 02140 <i>approve</i>	Robert & Crosby Forbes 38 Arlington Street Cambridge, MA 02140 <i>No response</i>
Michael Bentley c/o Robert Allen Esq Tr. 33 Agassiz Street Cambridge, MA 02140 <i>No response</i>	Maryann Rosenthal 49 Washington Ave Cambridge, MA 02140 <i>approve</i>

Thank you for your attention this matter.

Very truly yours,
Sean D. Hope Esq.

O'Grady, Sean

From: Howard Medwed [hmedwed@burnslev.com]
Sent: Thursday, September 01, 2011 3:20 PM
To: sean@hopelegal.com; O'Grady, Sean
Cc: 'mameve'; 'Neil Goodwin'; 'Vincent Panico'; 'Brian C. Levey'; 'Margot Welch'; 'Cornelius Moynihan (cmoynihan@nixonpeabody.com)'; 'Bonnie Moynihan (moynihan@dor.state.ma.us)'; 'Inge hoffmann'; 'andreawilder@comcast.net'; m.meltsner@neu.edu; Burks, Sarah
Subject: 37 Lancaster Street curb cut application
Attachments: 4301_001.pdf

Attached is my objection which I am filing on my behalf and on behalf of my wife; our co-owners Bonnie and Neil Moynihan join in this objection and intend to file an abutters objection form as well. Also attached are e-mails I received from Neil Goodwin and Inge Hoffman (Washington Avenue property owners), Andrea Wilder (Arlington Street) and Michael Meltsner (Avon Hill Street). Others such as Brenda Steinberg (by most definitions an abutter) and Carl and Marjory Wunsch (Washington Avenue) have verbally expressed their objections and may be sending in their formal objections. This unnecessary curb cut is unduly invasive of my property and disruptive to Washington Avenue. I request that Mr. O'Grady schedule a site visit before making a recommendation. I am surprised that a curb cut has been requested before this project has been acted on by the Avon Hill Neighborhood Conservation District commission.

Howard D. Medwed
Burns & Levinson LLP
Partner | Chair | Tax
125 Summer Street | Boston MA 02110
617.345.3352 (d) | 617.345.3000 | 617.345.3299 (f)
www.burnslev.com
hmedwed@burnslev.com

*Only print this e-mail if necessary.

Applicable Treasury Regulations require that I inform you that no US tax advice contained in this communication and any attachment is written or intended to be used, and cannot be used by any taxpayer either for the purpose of avoiding US tax penalties or for promoting, marketing or recommending to another party any tax-related matter addressed herein. Each taxpayer who has not specifically engaged Burns & Levinson LLP to provide advice with respect to the subject matter of this communication should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

This e-mail message is intended only for the designated recipient(s). It may contain confidential or proprietary information, and may be subject to the attorney-client privilege and/or other confidentiality protections. If you are not the intended recipient, you may not review, retain, disseminate, distribute or copy this communication. If you have received this communication in error, please notify us immediately by telephone or reply e-mail. Thank you.

From: Howard Medwed
Sent: Tuesday, August 30, 2011 1:20 PM
To: 'SETH FRIEDMAN'; Denny Ellerman (ellerman@MIT.EDU); Elena Castedo (ecastedo@comcast.com); Brenda Steinberg; 'Marjory Wunsch'; 'carl Wunsch'; Neil Goodwin; Cornelius Moynihan (cmoynihan@nixonpeabody.com); Bonnie & Neil Moynihan (moynihan4440@gmail.com!); Bonnie Moynihan (moynihan@dor.state.ma.us)
Cc: 'mameve'; Vincent Panico; 'Brian C. Levey'; 'Margot Welch'
Subject: FW: Attached Image

Attached are a drawing of a proposed driveway entrance and the other contents of a letter sent by certified mail to me and Bonnie Moynihan recently. It indicates that Sean Hope intends to file for a curb cut on the Washington Avenue side of the McQuillan property at 37 Lancaster Street. The letter includes two forms for abutters to indicate approval or disapproval of the proposed curb cut. I do not know who received any similar letter, and I am passing it on since I believe I received the letter to show neighbor outreach without reaching out very far. Mameve and I and Neal and Bonnie

Moynihan remain adamantly opposed to the curb cut. The McQuillans are planning a long driveway very close to the property line of our residence at 58 Washington Avenue. This driveway is an imposition on our privacy and peace and quiet. The driveway is unnecessary since adequate automobile access to the rear of the McQuillans' house can be achieved from the current driveway without a driveway debouching on Washington Avenue. The application does not reveal that the curb cut will eliminate at least 2 and possibly 3 parking spaces because it is relatively close to a fire hydrant. No explanation has been given to justify the need for this driveway or any consideration of its effects on Washington Avenue. These spaces are at a premium on days when neighbors have many guests and on the third Friday of all but a few months. The driveway is one part of a plan with other elements which are inconsistent with the character of our neighborhood.

I would appreciate it if you would fill out the abutters form indicating disapproval (and if you wish your reasons for disapproval) and send it to Sean Hope at the address on his letterhead and send a copy to me. I plan to make sure that Inspectional Services is aware of the neighborhood opposition to this by forwarding your forms to Inspectional Services in case Sean Hope doesn't. If you know of any other abutters likely to be opposed to this curb cut who are not addressed in this e-mail, please pass it on to them.

If you have any questions, please do not hesitate to contact me.

Thank you

Howard

Howard Medwed
58 Washington Avenue
Cambridge, MA 02140
617 868-8805
hmedwed@comcast.net

Howard D. Medwed
Burns & Levinson LLP
Partner | Chair | Tax
125 Summer Street | Boston MA 02110
617.345.3352 (d) | 617.345.3000 | 617.345.3299 (f)
www.burnslev.com
hmedwed@burnslev.com

Howard Medwed

From: jwp34 [jwp34@aol.com]
Sent: Wednesday, August 31, 2011 1:30 PM
To: Howard Medwed
Subject: proposed cubcut and driveway

Dear Howard,

Margot emailed me the notice about your neighbors' plan to invade your privacy by putting in another driveway to their Lancaster St. house. As an abutter to the monstrous building being erected at 79 Raymond St., I also was asked to sign the same form you describe, and to say if I approved or disapproved of the plan, which has apparently already been accepted.

I refused to sign the form and explained why. The curb cut/driveway would be directly opposite my front door and driveway in the narrow cul-de-sac that is Wyman St. The idea of signing something you violently oppose and saying you oppose it makes no sense. There are two other abutters in this case; one signed but I don't know about the other one. As I'm sure you know, if an abutter refuses to sign, it makes it harder for the party involved--they have to go before a board, I believe, and explain why they failed to obtain the necessary signatures.

Anyway, thanks for reading this. I just had to vent! How can people be so selfish and insensitive to those who live near them?

Good luck!

Judy (Judith Parker, 8 Wyman St.)

Howard Medwed

From: Inge hoffmann [ingeshoffmann@gmail.com]
Sent: Wednesday, August 31, 2011 7:01 AM
To: hmedwed@comcast.net
Subject: curb

I agree with you, but I am not an abutter

How can I help?

inge at 91

Inge Schneier Hoffmann
Lecturer on Psychology
Department of Psychiatry
Harvard University Medical School

Howard Medwed

From: Neil [neilgoodwin@mac.com]
Sent: Tuesday, August 30, 2011 6:44 PM
To: Howard Medwed
Subject: curb cut

Hi Howard,

I completely agree with you and will send in the forms you attached.
I did not see one going to Maryann Thompson - she would probably have an opinion.

-all- best,

Neil

Howard Medwed

From: andreawilder@comcast.net
Sent: Wednesday, August 31, 2011 9:45 AM
To: hmedwed@comcast.net
Subject: Driveway

Hi Howard,

Of course I will send this in.

Our neighborhood stands (up) for peace and quiet.

1. Do you have a copy of other plans for their property?
2. What role does our own Avon Hill Historic District have in this?

Andrea Wilder

Howard Medwed

From: Meltsner, Michael [m.meltsner@neu.edu]
Sent: Wednesday, August 31, 2011 10:11 AM
To: sean@hopelegal.com
Subject: 37 Lancaster
Attachments: image.png

I am the owner of 74 Avon Hill Street, 02140. I oppose the driveway and curb cut proposed in the site plan for 37 Lancaster Street. The property in question has other clear access points for vehicles that do not infringe on the reasonable privacy concerns of the abutters. The proposal not only seems unnecessary but, being so close to the property line, indifferent to our Avon Hill community values. I have no position with respect to other aspects of the site plan.

Michael Meltsner

02140

O'Grady, Sean

From: andreawilder@comcast.net
Sent: Thursday, September 08, 2011 3:45 PM
To: O'Grady, Sean
Subject: Driveway, 37 Lancaster Street

Sean,

I absolutely oppose the driveway that is proposed for 37 Lancaster Street.

37 Lancaster Street already has a driveway that serves both the house and the carriage house and enters easily from Lancaster Street without disturbing any of the neighbors. A driveway from Washington Avenue would encroach on the privacy of the Medwed/Moynihan house and take away parking spaces on Washington Avenue. It is completely unnecessary and would detract from the neighborhood.

Andrea Wilder
12 Arlington Street



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

September 6, 2011

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from John McQuillan, requesting a curb cut *at the premises numbered 37 Lancaster 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
D. Margaret Drury
City Clerk

Buena Vista Social Club – Ruth A. Ryals

hereby approve disapprove of said driveway petition.

Comments: *I am signing personally, not for the organization*
Signature of authorized association representative *Ruth A. Ryals*
Daytime telephone no. *617-547-6453*

cc: Petitioner



Brian C. Levey
15 Walnut Street, Suite 400
Wellesley, MA 02481-2133
Direct: (781) 416-5733
Fax: (781) 416-5781
blevey@bdlaw.com

September 13, 2011

VIA ELECTRONIC MAIL AND U.S. MAIL

Sean D. Hope Esq.
Hope Legal
130 Bishop Allen Drive
Cambridge, MA 02139

*Re: 37 Lancaster Street, Cambridge, MA: Application for Driveway Cut and
Openings - Abuttor's Form*

Dear Sean:

As you know, this firm represents Seth Friedman who owns and resides at 36 Arlington Street, Cambridge, which property directly abuts the rear of 37 Lancaster Street. I enclose Mr. Friedman's disapproval of John and Elizabeth McQuillan's above-referenced intended application to the Inspectional Services Department (the "ISD" and the "Application"). This disapproval is based, among other reasons on the following:

Confirm Proper Service

Notwithstanding that the ISD's "Procedures with Respect to Driveway Cuts, Openings and Off-Street Parking Spaces or Facilities," requires a signed form "from abutters on the sides and rear of the property," the McQuillans appear to have selectively distributed the Abuttor's Form for the Curb Cut Application. My client received his copy of the Application Form objection only after registering an objection with the ISD in a letter dated September 6, 2011. In addition, my client was advised by another abutter that he also received no Abuttor's Form for the Curb Cut Application. The McQuillans should provide a complete list of owners and residents served with the Abuttor's Form and there should be no ISD approval until there is confirmation the Form has been sent to all parties entitled to receive it.

Fully Disclose Project

On April 12, 2011, the McQuillans filed an application with the Avon Hill Neighborhood Conservation District Commission ("Avon Hill NCDC") for a Certificate of Appropriateness for

Sean D. Hope Esq.
September 13, 2011
Page 2

37 Lancaster. In it, the McQuillans sought to alter the structure in several respects including adding the same curb cut and driveway leading to “a *porte cochere* at the rear entry to provide a sheltered entry point.” (See, attached **Exhibit A**.) At or about the time the McQuillans originally sent the Abutter’s Form to selected abutters, excluding Mr. Friedman, they also withdrew their application to Avon Hill NCDC. The Curb Cut Application shows the very same driveway absent the *porte cochere* and other building alterations. (See, attached **Exhibit B**, pp. 3 and 6.) While the McQuillans are free to change their plans, they are not entitled to strategically segment their application.

As we understand it, the Curb Cut Application should not proceed to the City Council for final determination until Avon Hill NCDC rules on some form of relief for the driveway (that is in plain view from the public way). This raises the question why the McQuillan’s did not simply proceed with the driveway component of their Avon Hill NCDC application rather than withdraw it and seek the Curb Cut. Mr. Friedman opposes any effort to segment or “piecemeal” the permitting for this project. Rather, the McQuillans should disclose the full scope of their project plans so that their entire plan is before each permit-granting authority and neighbors will be not subjected to endless rounds of hearings for numerous permits and approvals.

Confirm Zoning Compliance

The Curb Cut Application lacks information necessary for both ISD and abutters to determine whether the project complies with applicable zoning regulations. No setbacks are provided so setbacks from intersections and/or crosswalks can not be determined as required under § 6.40 of the Cambridge Zoning Ordinance. Further, it is impossible to calculate if the large additional paved area leaves the site in compliance with the private open space limitations of § 5.22. Given the absence of information in the Application, it is unclear that the project results in either 50 percent private open space under § 5.22.1 or 25 percent permeable or green open space under § 5.22.3. ISD is charged with reviewing zoning compliance for this Application and this information must be provided in order for these determinations to be made. Also, information on compliance with both Traffic, Parking and Transportation and Department of Public Works specifications (e.g., sightlines and slopes) is omitted. Absent this information, neither the neighbors nor ISD can fully and fairly review the Application.

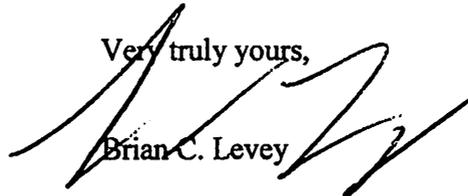
Mr. Friedman requests the opportunity to review a full and complete Curb Cut Application after which he can and will provide either his final assent or objection to this

BEVERIDGE & DIAMOND_{PC}

Sean D. Hope Esq.
September 13, 2011
Page 3

application. In the interim, until he has an opportunity to do so, Mr. Friedman is left with no choice but to object to the present incomplete application.

Very truly yours,



Brian C. Levey

Enclosures

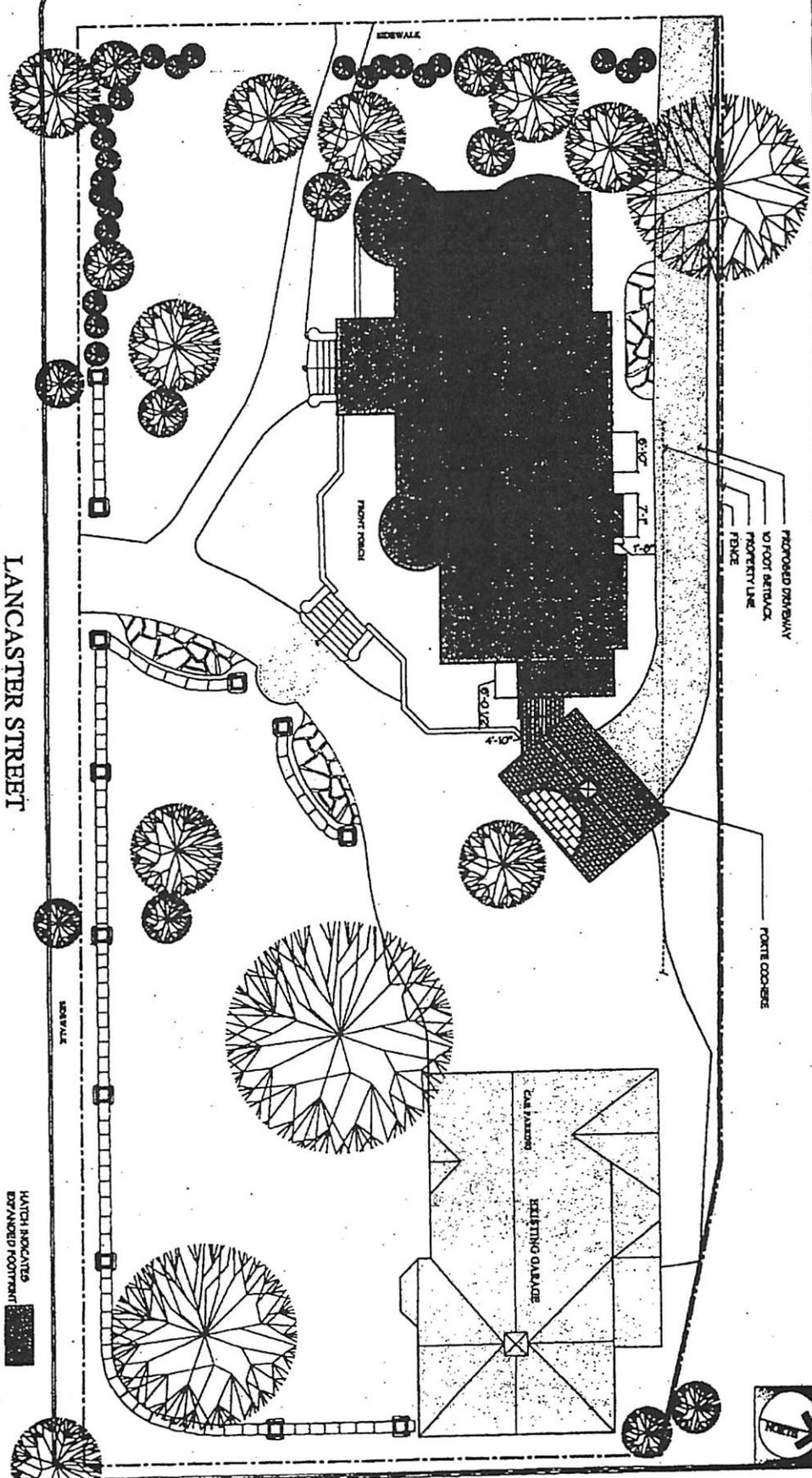
cc: City Councilor Craig A Kelley (Via Electronic Mail)
Sean O'Grady, Zoning Specialist (Via Electronic Mail)
Sarah Burks, Preservation Planner (Via Electronic Mail)
Seth Friedman (Via Electronic Mail)
Howard D. Medwed, Esq. (Via Electronic Mail)

Subcontractor/Designer
McQuillan Residence
371 Lancaster Street • Cambridge, Massachusetts

Site Plan
Scale: 1/8" = 1'-0"
April 6, 2011

MEYER and MEYER
1 N. C.
ARCHITECTURAL & INTERIORS
214 Cambridge Street, Cambridge, MA 02142
617 552 8122
www.meyerandmeyer.com

LANCASTER STREET



PROPOSED DRIVEWAY
10 FOOT SETBACK
PROPERTY LINE
FENCE

FRONT PORCHES

HATCH INDICATES
EXPANDED FOOTPRINT



APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
CITY OF CAMBRIDGE



INSTRUCTIONS:

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

To receive a review from Inspectional Services you must fill out Part 1 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 abutters 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: 8/15/24

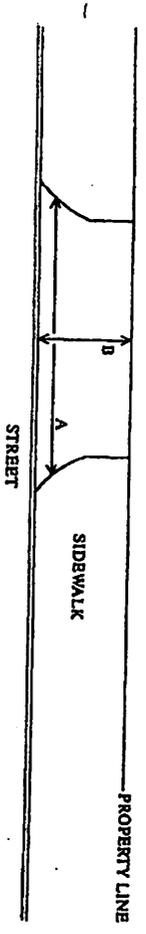
PART 1:

Address of proposed curb cut or off-street parking facility:	37 LANCASTER STREET		
Frontage:	354.12	VEHICLE DRIVEWAY	Block and Lot: 176-27
		(100.50 + 243.62)	
Setback (distance from building to sidewalk):	26.6 FEET		
Distance from proposed driveway to surrounding structures and property line:	4.5' from Rearward Lmf, 9.5' from structure		
Dimensions of proposed driveway:	10'-0" wide DRIVEWAY, 144'-6" LENGTH		
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway:	4'-0" from Utility Box 0'-0" from TREE		

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

DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE
CITY OF CAMBRIDGE



A = 13.5 FT. + 3 = 4.5 YARDS

B = 8.5 FT. + 3 = 2.8 YARDS

A x B = 12.6 SQUARE YARDS

COST ESTIMATE:

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

BRICK ON CONCRETE: 12.6 SQUARE YARDS x \$85/SQUARE YARD = \$ 1,071

CONCRETE: _____ SQUARE YARDS x \$40/SQUARE YARD = \$ _____

ASPHALT: _____ SQUARE FEET x 1 TON/40 SQUARE FEET x \$125/TON = \$ _____

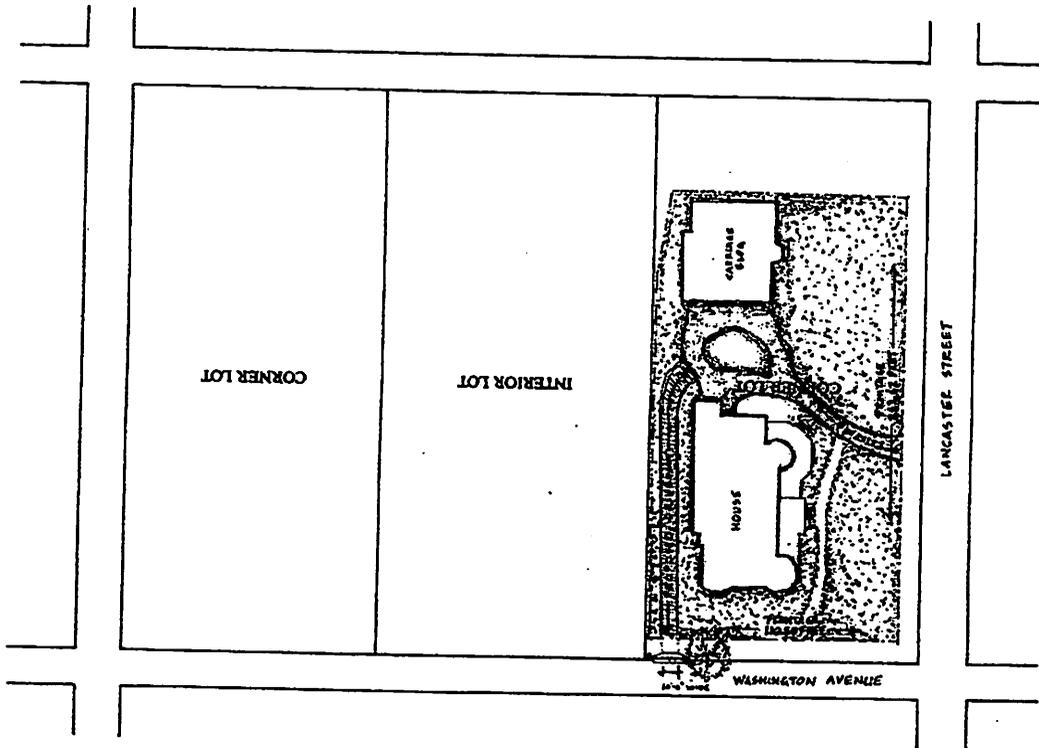
DEPARTMENT OF PUBLIC WORKS SCHEDULED DATE FOR CONSTRUCTION:
DEPARTMENT OF PUBLIC WORKS STATED FEE: \$ _____

____ / ____ / ____

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: B.P.T. Boushara Patel (Residence No.) Owner's agent Date: Aug 18, 2011
Address: 3 Bowdoin St, Cambridge, MA. 02138

Funds Received: \$ _____ Check Number: _____



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

DRAWING 1:

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

Application approved Application denied

Reason: _____

Signature: _____ Date: _____

Title: _____

PART III: TRAFFIC AND PARKING DEPARTMENT

Application approved Application denied

Reason: _____

Signature: _____ Date: _____

Title: _____

PART IV: HISTORICAL COMMISSION

Application approved Application denied

Reason: _____

Signature: _____ Date: _____

Title: _____

PART V: PUBLIC WORKS DEPARTMENT

Application approved Application denied

Reason: _____

Signature: _____ Date: _____

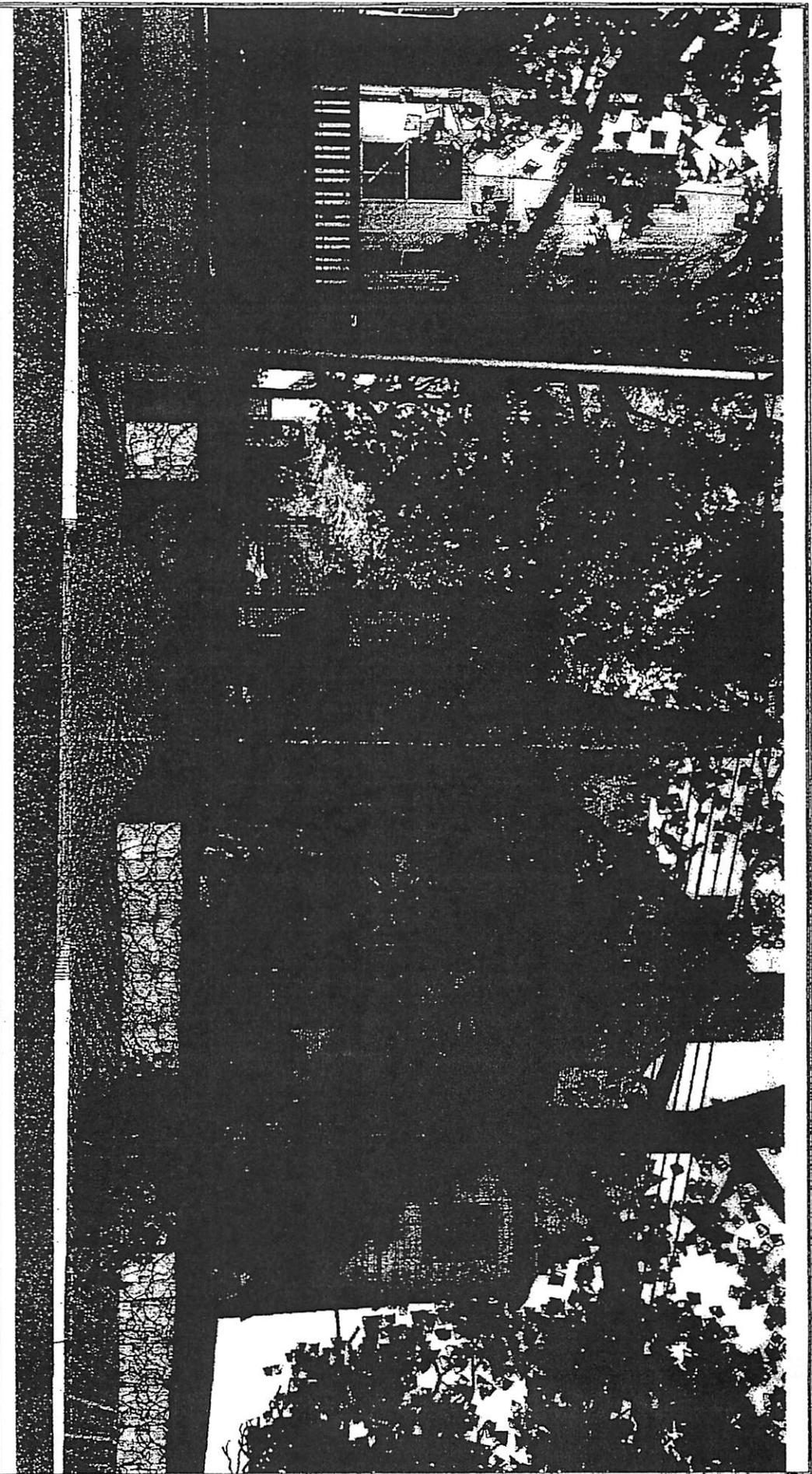
Title: _____

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern: Seth Friedman, 36 Arlington Street
As owner or agent of _____
 approval
Cambridge, Massachusetts, I do hereby declare disapproval*
of the installment of:
Off-Street Parking Facility located at 37 Lancaster Street
Signed: _____ Date: 9/13/11
Address: Beveridge & Diamond, 15 Walnut Street, Wellesley, MA 02481

* For reasons stated in attached letter dated September 13, 2011.



Design Development

McQuillan Residence

371 Lancaster Street • Cambridge, Massachusetts

View From West
with Proposed Driveway

Scale: NTS

July 11, 2011

MEYER and MEYER
I.N.C.
ARCHITECTURE & INTERIORS
198 Commonwealth Avenue
Boston, Massachusetts 02115
617.265.0135
www.meyerandmeyer.com

September 6, 2011

VIA ELECTRONIC MAIL AND U.S. MAIL

Sean O'Grady, Zoning Specialist
Inspectional Services Department
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

*Re: 37 Lancaster Street, Cambridge, MA - Application for Driveway Cut and
Openings*

Dear Mr. O'Grady:

This firm represents Seth Friedman who owns and resides at 36 Arlington Street, Cambridge, which property directly abuts the rear of 37 Lancaster Street. We understand that in late August, 2011, John and Elizabeth McQuillan filed the above-referenced application with the Inspectional Services Department (the "ISD" and the "Curb Cut Application").

ISD Should Require the Applicants to Supply Proof of Service

Notwithstanding that the ISD's "Procedures with Respect to Driveway Cuts, Openings and Off-Street Parking Spaces or Facilities," requires a signed form "from abutters on the sides and rear of the property," the McQuillan's failed to provide my client with notice of the Curb Cut Application. In addition, my client was advised by another abutter that he also received no notice of the Curb Cut Application. For this reason alone, we urge ISD to require that the McQuillan's re-start this process and provide proof of service on all neighbors required to receive notice.

ISD Should Require the Applicants to Fully Disclose Project

On April 12, 2011, the McQuillans filed an application with the Avon Hill Neighborhood Conservation District Commission for a Certificate of Appropriateness for 37 Lancaster. In it, the McQuillans sought to alter the structure in several respects including adding the same curb cut and driveway leading to "a *porte cochere* at the rear entry to provide a sheltered entry point." (See, attached **Exhibit A**.) On August 22, 2011 -- on or about the time of the filing of the Curb

Sean O'Grady, Zoning Specialist
Inspectional Services Department
September 6, 2011
Page 2

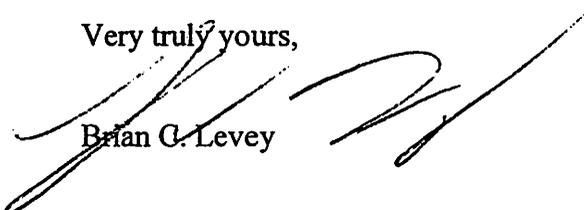
Curb Application -- the McQuillans withdrew their application to Avon Hill NCDC. While the McQuillans are entitled to change their plans, their intentions remain unclear. The Curb Cut Application will not proceed to the City Council for final determination until Avon Hill NCDC rules on some form of relief for the driveway sought under the Curb Cut Application. This raises the question why the McQuillan's did not simply proceed with the driveway component of that application rather than withdraw and seek the Curb Cut. Segmented or piecemeal permitting for this project should not be allowed. Rather, ISD should require the McQuillans to disclose the full scope of their project plans so that the proper phasing of applications can be determined and neighbors will be not subject to endless rounds of hearings for numerous permits and approvals.

ISD Should Require the Applicants to Supply Supplemental Information

As we understand it, the Curb Cut Application materials lack information necessary to determine the project's compliance with applicable zoning regulations not only under § 6.40 (e.g., setbacks from any intersections and/or crosswalks), but compliance with private open space limitations under § 5.22. Also, information on compliance with both Traffic, Parking and Transportation and Department of Public Works specifications (e.g., sightlines and slopes) should be supplied. ISD should require this information to be provided as well so that Mr. Friedman as well as other interested neighbors can fully and fairly review this application.

Mr. Friedman requests the opportunity to review and full and complete Curb Cut Application after which he can and will provide either his final assent or objection to this application. In the interim, until he has an opportunity to do so, Mr. Friedman is left with no choice but to object to the present incomplete application.

Very truly yours,


Brian C. Levey

Enclosure

cc: Sean Hope (Via Electronic Mail)
Howard Medwed (Via Electronic Mail)

Schematic Design
McQuillan Residence
37 Lancaster Street • Cambridge, Massachusetts

Site Plan
Scale: 1/16" = 1'-0"
April 6, 2011

MEYER and MEYER
18 C
ARCHITECTS & INTERIORS
308 Commonwealth Avenue
Cambridge, MA 02142
617.266.0353
www.meyerandmeyer.com

LANCASTER STREET

HATCH INDICATES
EXPANDED FOOTPRINT

