



CITY OF BOSTON
PUBLIC IMPROVEMENT COMMISSION

PUBLIC WORKS DEPARTMENT
CITY HALL ROOM 714

Boston, Massachusetts 02201

Telephone: (617) 635-4961
Fax: (617) 635-4558
Email: PIC@cityofboston.gov

JOANNE P. MASSARO
Chairperson

Commission Members:
Transportation Department
Property Management
Inspectional Services
Water & Sewer Commission

AMY S. CORDING
Chief Engineer

TODD M. LIMING
Acting Executive Secretary

DISCONTINUANCE CHECKLIST
Surface, Sub-Surface, Airspace

- 1. Title search
- 2. Prepare plans
- 3. Submit plans to public agencies
- 4. Submit plans to private utility companies
- 5. Schedule BRA Hearing (if applicable)
- 6. Provide full submission package to the PIC
 - Plans
 - Petition
 - COBUCS number
 - Title opinion
 - Public agency responses
 - Boston Transportation Department
 - Inspectional Services Department
 - Boston Water & Sewer Commission
 - PWD – Street Lighting Division
 - Commission for Persons with Disabilities
 - Boston Parks & Recreation Department
 - Boston Redevelopment Authority
 - Mayor's Office of Neighborhood Services
 - Boston Landmarks Commission (if applicable)
 - Architectural District Commission (if applicable)
 - Utility company delivery receipts
 - Manager's Certificate or Certificate of Authority
 - TAPA (if applicable)
 - Appraisal
 - Deed
 - Legal description



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- 7. Appear at PIC Hearing under "New Business"
- 8. Revise/amend project as directed by Commission
- 9. Appear at PIC Hearing under "Public Hearing"
- 10. Supply PIC with Mylar copies for Registry of Deeds
- 11. Permits and Construction



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DISCONTINUANCE PROCEDURE
Surface, Sub-Surface, Airspace

The following steps should be taken, generally in the noted sequential order, to petition the Public Improvement Commission to Discontinue a portion or the entirety of the public right-of-way. Once the articles listed in Step 6 have been submitted to the satisfaction of the Chief Engineer, you will be placed on the next available PIC Hearing agenda under "New Business".

1. Perform a title search to determine the underlying fee ownership of the area to be discontinued. If the City of Boston maintains ownership of the roadway in fee then the applicant should either (a) first obtain the property through Boston City Council, or (b) consult with the Boston Redevelopment Authority (BRA) to have the BRA perform a Taking of the subject property and also be a co-petitioner for your action. If the City owns the roadway as an easement you may proceed without consulting City Council or the cooperation of the BRA.
2. Prepare plans to conform to the following criteria:
 - Full-sized 24"x36" in the landscape orientation
 - Stamped and signed by a MA-registered civil engineer and/or land surveyor
 - PIC's title block in the lower right-hand corner (an example is enclosed)
 - Additional signature lines reading:
 - PIC Design Review
 - PIC Chief Engineer
 - Approved, Commissioner of Public Works
 - Blank 3.5"x3.5" box in the lower left-hand corner (for Registry use)
 - Cross-sectional (elevation) view of the area(s) to be discontinued with vertical dimensions (if the discontinuance is vertical)
 - Legal description of the discontinuance area(s) (see App. 1 and 2 for examples)



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3. Submit to the following public agencies plans and background information relating to the project. A written response indicating approval will be required from every listed public agency. See the enclosed "Public Agency Contacts" for contact information.
 - Boston Transportation Department (BTD)
 - Inspectional Services Department (ISD)
 - Boston Water & Sewer Commission (BWSC)
 - PWD – Street Lighting Division
 - Commission for Persons with Disabilities
 - Boston Parks & Recreation Department
 - Boston Redevelopment Authority (regardless of underlying roadway ownership)
 - Mayor's Office of Neighborhood Services
 - Boston Landmarks Commission (if applicable)
 - Architectural District Commission (if applicable)
4. Submit via certified mail plans to the private utility companies listed on the enclosed "Utility Contacts" document. A written response will not be required from these companies; however, their comments shall be addressed to the satisfaction of the Commission.
5. If the BRA must perform a taking in association with your Discontinuance action, the necessary BRA Hearing shall be scheduled to occur prior to your project appearing at a PIC Hearing under "Public Hearing".
6. Provide full submission to the PIC for review. This submission shall include three full-sized sets of the prepared plans along with an Engineering Report. The report shall include the following:
 - Petition signed by the interested party, the BRA (if necessary as per Step 1), and any other abutting property owners
 - COBUCS number as provided by Public Works Department, Highway Division
 - Title opinion resulting from Step 1, including all supporting documentation (Book & Page numbers and/or Certificate numbers)
 - Letters of support/approval from every public agency noted in Step 3
 - Proof of delivery (delivery receipt) from every utility company noted in Step 4 (also include all responses that may have been provided)
 - Manager's Certificate (for a licensed LLC) or Certificate of Authority (for all other business structures) verifying that the individual(s) signing the petition have the authority to make the decisions associated with the subject PIC action
 - Transportation Access Plan Agreement (TAPA) if deemed necessary by BTD



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- Appraisal for the area to be discontinued (to be provided by the BRA if applicable)
 - Draft of the Deed to be recorded at the Registry of Deeds
 - Legal description of the area to be discontinued in electronic form (see App. 1 and 2 for examples)
7. Once PIC Staff is satisfied with the submission the project will be placed on the next available PIC Hearing agenda under "New Business". The petitioner and any other supporting parties (e.g. co-petitioners, contracted engineers, legal counsel, public agencies, etc.) should be prepared to present the project to the Commission and field any questions or comments that may arise. A date for a Public Hearing will be declared.
 8. Revisions and/or plan amendments may be requested by the Commission at the "New Business" Hearing. These should be addressed prior to the Public Hearing as scheduled in Step 7.
 9. Return to the PIC Hearing under "Public Hearing". The petitioner and any other supporting parties should be prepared to provide evidence of the steps taken to satisfy the comments made by the Commission at the New Business Hearing. If the Commission is satisfied a motion to approve the petition will be voted on. If any issues are outstanding a motion to deny or continue the petition will be voted on. If the petition is continued a date for the Continuation of the Public Hearing will be declared and the process reverts to Step 8.
 10. After obtaining an approving vote from the Commission, provide to PIC staff two copies of the final plans on Mylar. One copy may be monochrome, the other should show existing conditions in black and the subject discontinuance lines in blue. One copy will be kept on file at City Hall and the other will be recorded with the Registry of Deeds.
 11. Upon receipt of the Mylar plans, the necessary permits may be granted and construction may commence.



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Appendix 1 – Example Legal Description (Surface Discontinuance)

A certain parcel of land situated at the intersection of Blandford Street and Cummington Street is hereby discontinued, and is bounded and described as follows:

Beginning at a point at the intersection of the westerly sideline of Blandford Street and the northerly sideline of Cummington Street, thence running;

- S 09° 17' 52" W a distance of 50.09 feet by the westerly sideline of Blandford Street, thence turning and running;
- N 77° 16' 36" W a distance of 1174.42 feet by the southerly sideline of Cummington Street, thence turning and running;
- N 08° 52' 53" E a distance of 50.11 feet by said Cummington Street, thence turning and running;
- S 77° 16' 36" E a distance of 1174.78 feet by the northerly line of Cummington Street to the point of beginning.

Said parcel containing an area of 58,730 square feet, more or less.

Appendix 2 – Example Legal Description (Vertical Discontinuance)

A portion of the public highway named Sumner Street is hereby discontinued vertically above the sidewalk, and is bounded and described as follows:

Beginning at a point on the southerly sideline of Sumner Street and said point being 706.25 feet, N 59° 46' 45" W of the intersection of the northwesterly sideline of Lewis Street vertically above the street between elevations 57.75' and 64.75' BCB, thence running;

- N 59° 46' 45" W a distance of 67.16 feet by the southerly sideline of Sumner Street to a point, thence turning and running;
- N 30° 13' 15" E a distance of 4.50 feet into Sumner Street to a point, thence turning and running;
- S 59° 46' 45" E a distance of 67.16 feet through Sumner Street to a point, thence turning and running;
- S 30° 13' 15" W a distance of 4.50 feet through Sumner Street to the point of beginning.

Said parcel containing an area of 302 square feet, more or less.