

City of Cambridge

MASSACHUSETTS

In City Council

Jan 30 1989

C.D. Sullivan - Mental Charty Right #25-

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy		✓		
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan		✓		
Mr. William H. Walsh				✓
Ms. Alice K. Wolf	✓			
Mayor Alfred E. Vellucci	✓			

6

2

1

Order Relegated



City of Cambridge

(Calendar Item No. 25)
6.

IN CITY COUNCIL

COUNCILLOR D. SULLIVAN

JANUARY 23, 1989
January 30, 1989

- WHEREAS: On February 26, 1986, the Cambridge Rent Control Board determined that the owner of a six-unit building at 74-76 Putnam Avenue had violated the City's Full Occupancy Ordinance "by causing the building to be vacant for more than 120 days without good cause", because of the owner's failure to maintain the building and his virtual abandonment of it; and
- WHEREAS: On September 22, 1986, judgment entered in state Superior Court affirming this decision by the Board; and
- WHEREAS: On December 23, 1986, the owner demolished this building, without obtaining a legally required removal permit; and
- WHEREAS: On April 15, 1987, the Rent Control Board voted to recommend that the City take this now vacant land at 74-76 Putnam Avenue by eminent domain, under the Full Occupancy Ordinance, section 23-1(f) of the City Code, in order to construct replacement affordable housing; and
- WHEREAS: Although this recommendation was referred to the Community Development Department for implementation and an appraisal of the land was made, no further action has been taken for almost two years, and the land remains vacant; now therefore be it
- ORDERED: That the City Manager initiate proceedings as soon as possible to take the property at 74-76 Putnam Avenue by eminent domain in order to construct housing affordable to low and moderate income Cambridge families.

In City Council January 30, 1989.

Adopted by a yea and nay vote:-

Yeas 6; Nays 2; Absent 0; Present 1.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton
Joseph E. Connarton, City Clerk.

(COUNCILLOR WALSH RECORDED AS ABSTAINING FROM VOTING IN THIS MATTER)

Editorial

Time to get tough

CHRON. 4/23/87, p. 4

The Cambridge Rent Control Board made the correct decision last week when it voted to recommend taking property on Putnam avenue by eminent domain.

The property, owned by Richard and Elizabeth Valente, is an empty lot now, but late last year, it became the center of a dispute between Inspectional Services Commissioner Joseph Cellucci and other city officials when Cellucci issued a demolition permit for the buildings which once stood there.

Those buildings were never officially removed from rent control. City ordinance says clearly that a removal permit was necessary before the buildings could be demolished.

But Cellucci argued that state regulations superceded city ordinance and those regulations empowered him to issue the demolition permit.

The legal dispute will be settled in court, but, in the meantime, the city has lost the buildings at 74-76 Putnam Ave.

The Valentess' attorney says the rent control board was wrong in recommending that the city take the property by eminent domain. He says the city's dispute is with its own inspectional services department, not the allegedly unwitting property owners.

It's difficult to sympathize with that argument when you consider the "greater good," which, after all, should be uppermost in governmental decision-making. In this case, it is all but mandatory that the rent control board, in essence, "make an example" out of the Putnam avenue property.

Regardless of the outcome of the city's legal case against Cellucci, property owners have to know that the city will get tough in enforcing the removal permit ordinance.



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1/23/89 - CHARTER RIGHT EXERCISED BY COUNCILLOR WALTER SULLIVAN

Order # 6

F-36-25

C.D. Sullivan order re: that the City Manager initiate proceedings, as soon as possible, to take by eminent domain the property at 74-76 Putnam Ave., in order to construct affordable housing for low & moderate income Cambridge families.

In City Council,

January 23, 1989

*1/23/89 - Charter Right by C. in J. Sullivan
1/30/89 Order Adopted 6-2-10-1*