



City of Cambridge

56.

IN CITY COUNCIL

August 2, 1993

COUNCILLOR WALSH

WHEREAS: On July 19, 1993, two Rent Control properties located at 63 Cedar Street, Cambridge, containing four rental units were demolished; and

WHEREAS: This demolition of Rent Control properties was authorized based on the actions of the Board of Survey; and

WHEREAS: Neither the Rent Control Board written regulations nor any written Ordinance of the City of Cambridge spelled out the procedure for demolition of Rent Control properties; and

WHEREAS: The past history of demolition in somewhat similar cases has been treated totally different by City of Cambridge officials; and

WHEREAS: Upon inquiry by this City Councillor as to the authority for granting this permit, the City Manager submitted the attached memorandum; and

WHEREAS: The history of this property raises many issues which need to be addressed by the City Council in their capacity as policymakers; now therefore be it

ORDERED: That his Honor, the Mayor schedule a hearing to be held as to the history of 63 Cedar Street and invite the Executive Director of the Rent Control Board, the City Manager, the Director of Inspectional Services, the Board of Survey and the Law Department to be present and that said hearing be held at the September 20, 1993, meeting of the City Council.

In City Council August 2, 1993.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- *D. Margaret Drury*

D. Margaret Drury
City Clerk

FACSIMILE TRANSMITTAL FORM/LAW OFFICES

Telephone Number: 547-1772
Facsimile Number: 491-0923

54

DATE: 7/28/93

TO: Jackie Flynn, City Clerk's Office

FROM: Bill Walsh, Esquire

Telephone:

Fax: 349-4307

If you do not receive 4 pages including this cover sheet, please call immediately.

REMARKS:

This is for the consent agenda

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1993 JUL 29 PM 12: 01
CAMBRIDGE MA.

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CCM-101



RECEIVED BY
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City of Cambridge

IN CITY COUNCIL

July 28, 1993

COUNCILLOR WALSH

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ORDERED: That His Honor the Mayor order a hearing to be held as to the history of 63 Cedar Street and invite the Executive Director of the Rent Control Board, the City Manager, the Director of Inspectional Services, the Board of Survey and the Law Department to be present and that said hearing be held at the September 20th meeting of the City Council.



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CITY OF CAMBRIDGE
 678 MASSACHUSETTS AVENUE
 CAMBRIDGE, MASSACHUSETTS 02139
 CAMBRIDGE MA. TEL. 468-8077

RENT CONTROL BOARD
 D. MARGARET DRURY, EXECUTIVE DIRECTOR

MEMORANDUM

TO: Robert Healy, Richard Rossi, Joseph Cellucci,
 Charles Sullivan, ~~Sally~~ Zimmerman, Donald Drisdale

FROM: Margaret Drury, ^{MD}

DATE: March 29, 1988

RE: Procedures for Demolition Permit and Building Permit
 Applications in Light of Cambridge v. Cellucci

Demolition Permits. No demolition permit application shall be accepted by Inspectional Services for processing until the applicant has obtained Rent Control and Historical Commission signatures. No demolition permits will be issued without a signature on the application by authorized Rent Control and Historical Commission personnel. Where Commissioner Cellucci has made a written finding, based on a Board of Survey report, that public safety requires immediate demolition of the building, Rent Control staff and Historical Commission staff have two business days from the date of receipt of the application to sign off on it. If there is no signature by that deadline, Commissioner Cellucci may issue the permit without Rent Control and/or Historical Commission sign off.

For the Rent Control Board, staff authorized to sign off on demolition (and building) permit applications are as follow:

- Margaret Drury, Director
- Cheryl Donohue, Assistant Director
- Judith Stalus, Deputy Counsel
- Donna Turley, Deputy Counsel

For the Historical Commission, staff authorized to sign off on demolition (and building) permit applications are as follow:

- Charles Sullivan, Director
- Sally Zimmerman, Preservation Planner
- Nancy Doonan, Assistant Director

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1993 JUL 29 PM 12:01
Demolition and Building Permit Procedures
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Page two
CAMBRIDGE MA.

Building Permits. No building permit will be accepted by Inspectional Services unless that application is accompanied by a completed "Cambridge form" on which both authorized staff from the Rent Control Board and the Historical Commission have signed off.

There are two possible scenarios for obtaining this signoff: either the applicant obtains the signature before submission of the application or Inspectional Services sends the application with the additional form to CRCB and HC after receipt and before issuance of the permit. Either way, CRCB and HC should get the original building permit application to prevent accidental issuance of the permit before signoff by CRCB and HC. It would appear that there are some advantages to having the applicant obtain the signoff because there is less possibility of loss and time delay through interoffice transfer and because the applicant will have more control over the timing.

In the very few cases in which the information on the building permit application or attached form indicates that the applicant seeks to do work that constitutes a gut rehab or a reduction of the number of existing rent controlled units, the Rent Board staff will immediately establish a special case and will request on the form that no building permit issue except to do code work ordered by Inspectional Services. Otherwise, Rent Control Board signoff will mean only that the CRCB has reviewed the application. If as a result of this review, CRCB staff find possible removal permit violations, they will immediately inform the owner that receipt of the building permit does not mean they have satisfied the requirements of the removal permit ordinance.

With respect to the Historical Commission review, the permit cannot be issued without signoff by the HC staff.



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RENT CONTROL BOARD
D. MARGARET DRURY, EXECUTIVE DIRECTOR

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Charles Sullivan, ^{Jago} Solly Zimmerman, Donald Brisdale

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August 2, 1993

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City Council Aug. 2, 1993

Adopted by the affirmative vote

of 9 members

W. Margaret Drury
City Clerk

Consent order # 56

221
CM

Councillor Walsh re: hearing as to the
history of 63 Cedar Street.

In City Council,

August 2, 1993

order adopted