



CITY OF CAMBRIDGE

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MEMORANDUM

TO: ROBERT W. HEALY, City Manager

FROM: RUSSELL B. HIGLEY, City Solicitor

RE: Calendar Item #3 - 11/19/90

DATE: December 20, 1990

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The property located at 189-191 Hampshire Street is currently the subject of litigation in the Middlesex Superior Court. Briefly, the owner (now deceased) applied for a demolition permit. Commissioner Cellucci withheld the issuance of the permit as the applicant had not obtained sign-offs from the Historical Commission and the Rent Control Board, pursuant to the mandates of the Cambridge Municipal Code. (See, for instance, Cambridge Municipal Code §44.010-090). The property consists, in part, of twenty-four rent controlled units. After administrative proceedings in accordance with M.G.L. c. 30A, the Rent Control Board denied the removal permit. The applicant appealed Commissioner Cellucci's withholding of the permit to the State Building Code Appeals Board, which overturned the denial and ordered that a demolition permit issue forthwith. The City appealed the decision to the Middlesex Superior Court which ultimately remanded the matter to the Appeals Board at the request of the parties. The second time around, the Appeals Board again overturned the Commissioner's decision and ordered that a demolition permit issue forthwith. The City, the Rent Control Board, and the tenants appealed the decision to the Middlesex Superior Court. Since the Appeals Board denied the motion to stay the order, we filed a Motion to Stay with the Superior Court. No ruling have yet been rendered with regard to the Motion.

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CITY OF CAMBRIDGE

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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

January 7, 1991

To The Honorable, The City Council:

Please find attached a response from Russell B. Higley, City Solicitor, relative to Awaiting Report Item No. 72, regarding property located at 189-191 Hampshire Street.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy
City Manager

RWH/mev
attachment

Agenda # 21

5-96

Awaiting Report Item Number 72 regarding
the property located at 189-191 Hampshire
Street.

In City Council,

January 7, 1991

*Referred back to
the City Manager
for report*