



City of Cambridge

8.

IN CITY COUNCIL

March 2, 1992

COUNCILLOR RUSSELL
COUNCILLOR WOLF

ORDERED: That the City Manager be and hereby is requested to direct the Inspectional Services Department to investigate the situation at the premises numbered 15 Watson Street which is a source of concern to neighbors and abutters of the property as described in the attached letter; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on this matter.

In City Council March 2, 1992.

Adopted by the affirmative vote of eight members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy; *Joseph E. Connarton*

ATTEST:-

Joseph E. Connarton
City Clerk

Feb. 17, 1992

Commissioner Joseph J. Cellucci
Inspectional Services Department
City of Cambridge
831 Mass. Ave.
Cambridge, MA 02139

Dear Commissioner Cellucci,

We are neighbors and abutters of the property at 15 Watson St., Cambridge. On June 15, 1991 the owner of 15 Watson St., Ms. Pamela Emerson, excavated a nine foot deep hole encompassing most of her backyard (photo enclosed). Within two hours of beginning work, you presented Ms. Emerson with a stop work order, however she ignored this and proceeded with the excavation - working on a Saturday and the following Monday (June 17, which was a legal holiday).

The stop work order was issued because Ms. Emerson had no permit from the City of Cambridge to build anything at that time. She claimed she had a permit from the state. In fact the state had instructed the city to re-issue a permit granted in 1988 to a previous owner. However as of June 15 the city had not reissued the 1988 permit. Not only was Ms. Emerson advised that Zoning Board approval would be required before such issuance, but she had not even requested that the specific 1988 permit be reissued. Instead, since 1990 she has been requesting a permit for a much larger building, a half dozen variations of which had been rejected by the Board of Zoning Appeals because of size, setback, and use considerations. (Her current home business use - repairing, renting, and rehearsal of keyboard instruments is in violation of the zoning ordinance). In fact the last ^{denial} ~~with~~ city hearing on August 1, 1991 resulted in the latest proposal being ~~with~~ ^{denied} with prejudice. Even had there existed a permit to dig, Ms. Emerson failed to give the abutters the requisite seven days notice of her intent, further illustrating her failure to respond to neighborhood concerns..

The excavation (more like a crater) is located and is sized for the rejected building plans. It is too deep and located on the wrong side of the yard to comply with the permitted building plans of 1988. It is now February, the excavation has been open for eight months, and as it is dug down to the water table it has been collecting water when it rains. Ms. Emerson has shored up the side closest to her own home with soil which she saved at the time the hole was dug. The side adjacent to #12 and #14 Salem Street has not been protected in any way, and the edge of the hole is within a few feet of the rear fences of both properties.

We have requested of both the Cambridge Building Department and the Law Department that the hole be filled. Building code violations, including building without a permit, and defiance of a stop work order are punishable by a \$1000/ day fine for as long as the violations exist. For Pamela Emerson this fine would now be around \$240,000 - or nearly equal to the assessed value of 15 Watson St. At the last BZA hearing in August we were under the impression that this would be pursued, but so far the City of Cambridge has not pressed for a fine nor the filling of the hole. Eight

months later we are still suffering this eyesore, experiencing decreased property values, and worrying about structural damage to our homes and erosion of our backyards.

Therefore we are petitioning the city for help. We want this crumbling crater filled. We believe that we have suffered enough. Thank you for your attention to this matter.

Sincerely.

Carol Krieger - 14 Salem St.

Donna Pauson 14 Salem St

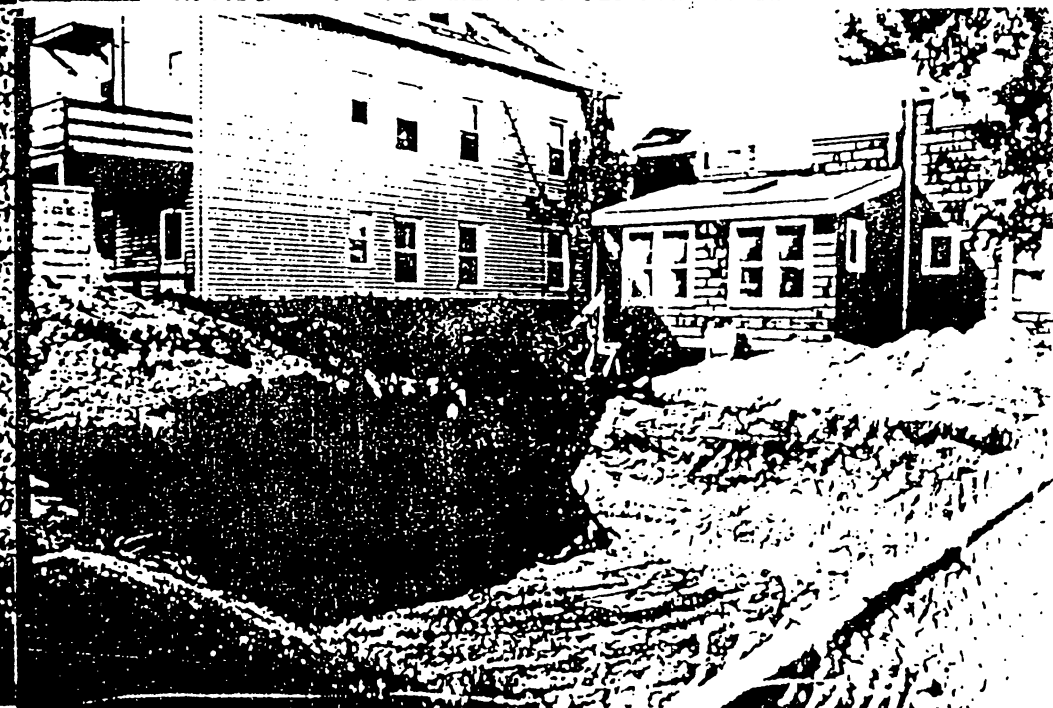
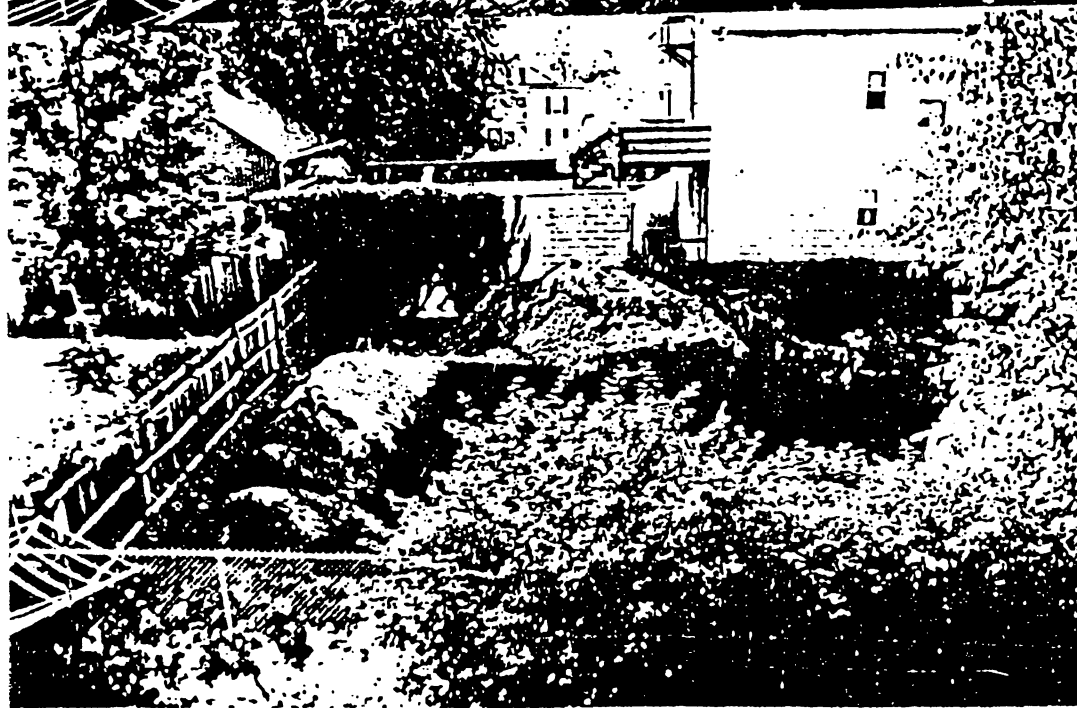
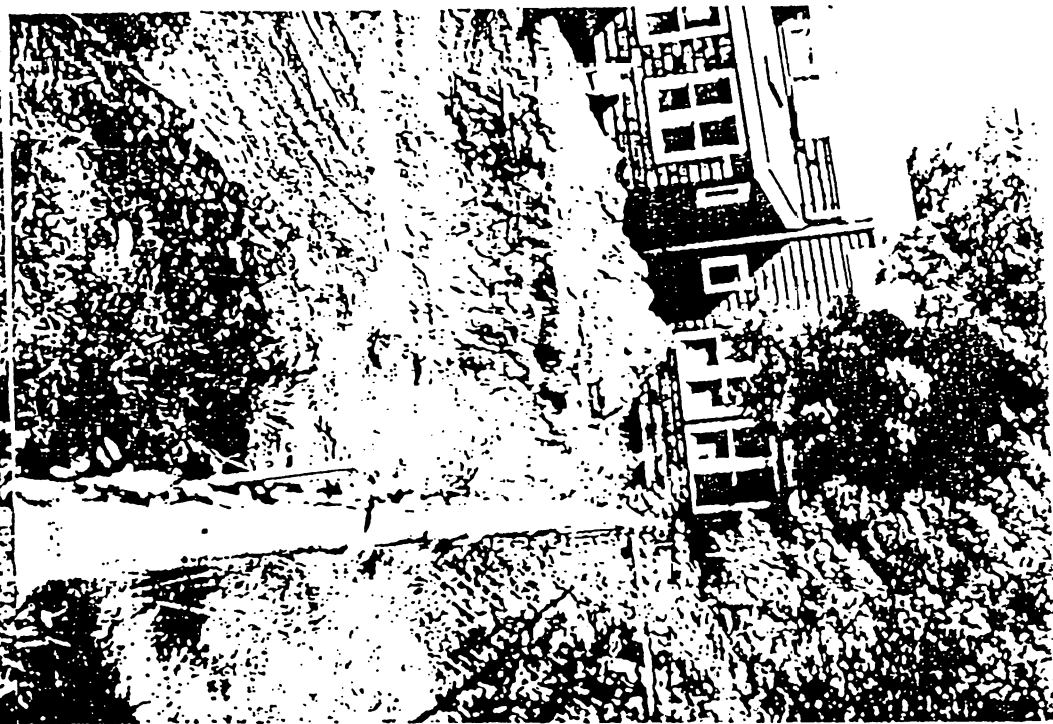
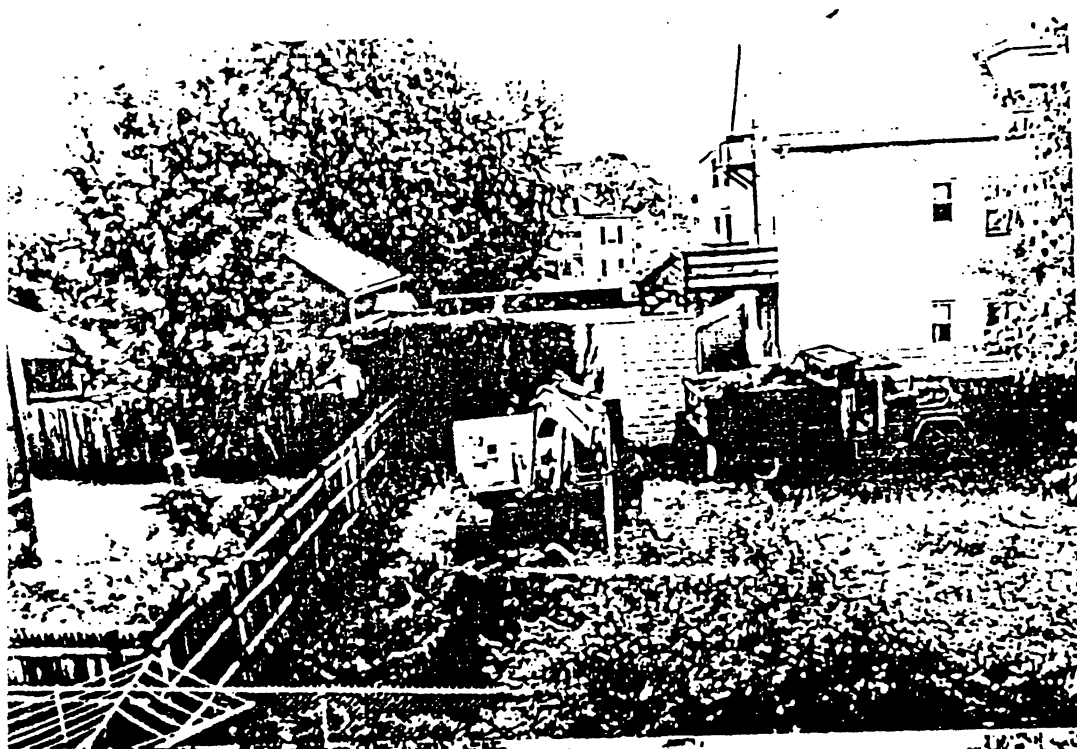
Geoffrey Alente 14. Salem St.

Mary U. Herman 12 Salem St.

Hazel Miller 10 Salem St.

Ciley Hayes 8 Salem St

CC Ranjit Singanayagam, Inspectional Services
Chairman Melvin Gadd, Board of Zoning Appeal
Laura Yager, Esq., Office of the City Solicitor
The Cambridge TAB
Cambridge City Council



Councillor Russell

48

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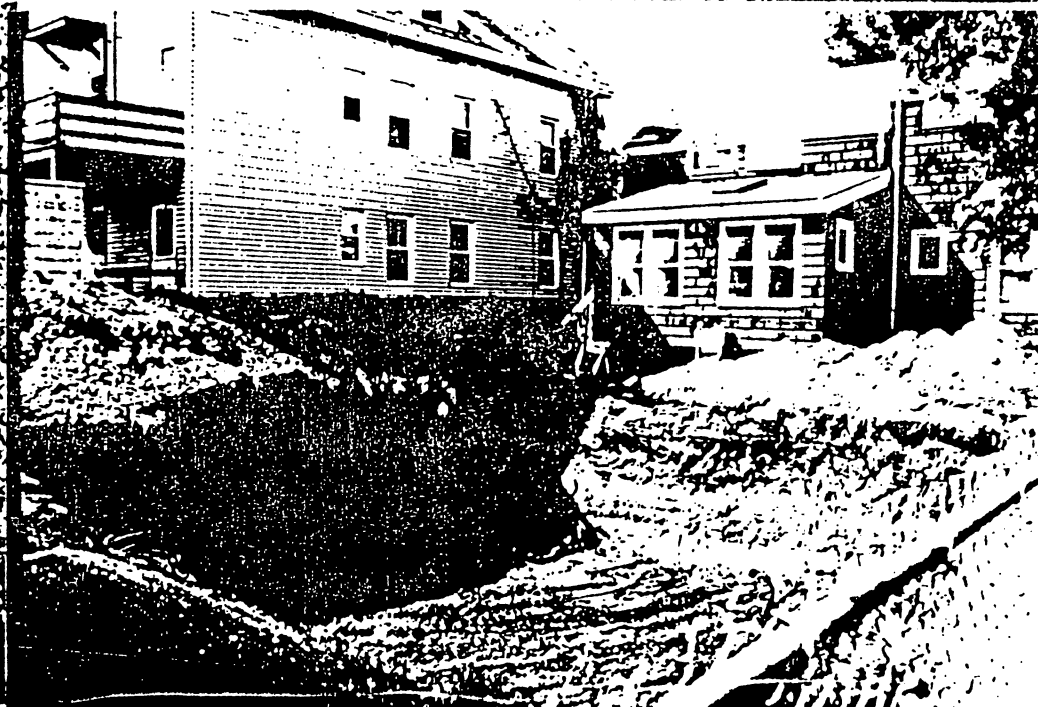
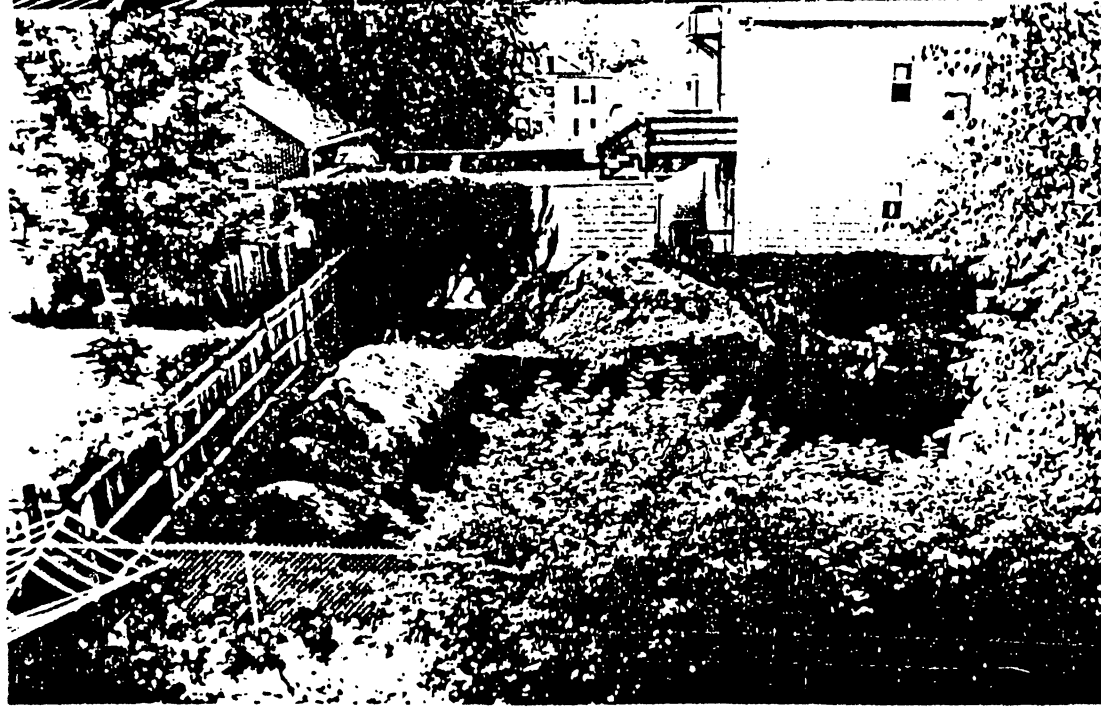
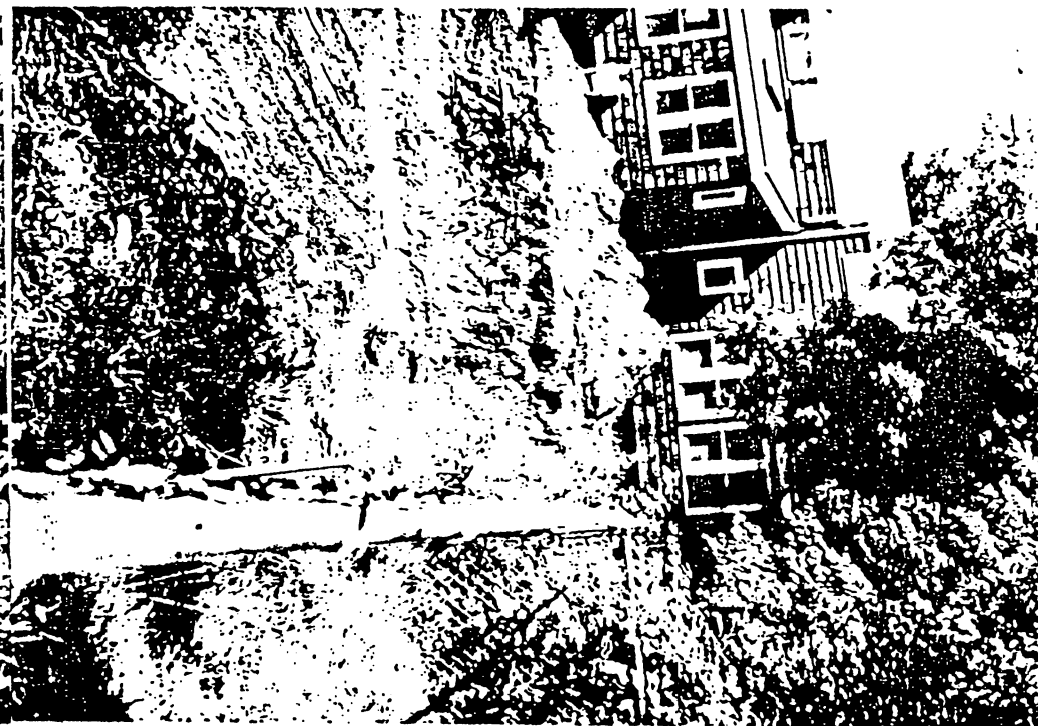
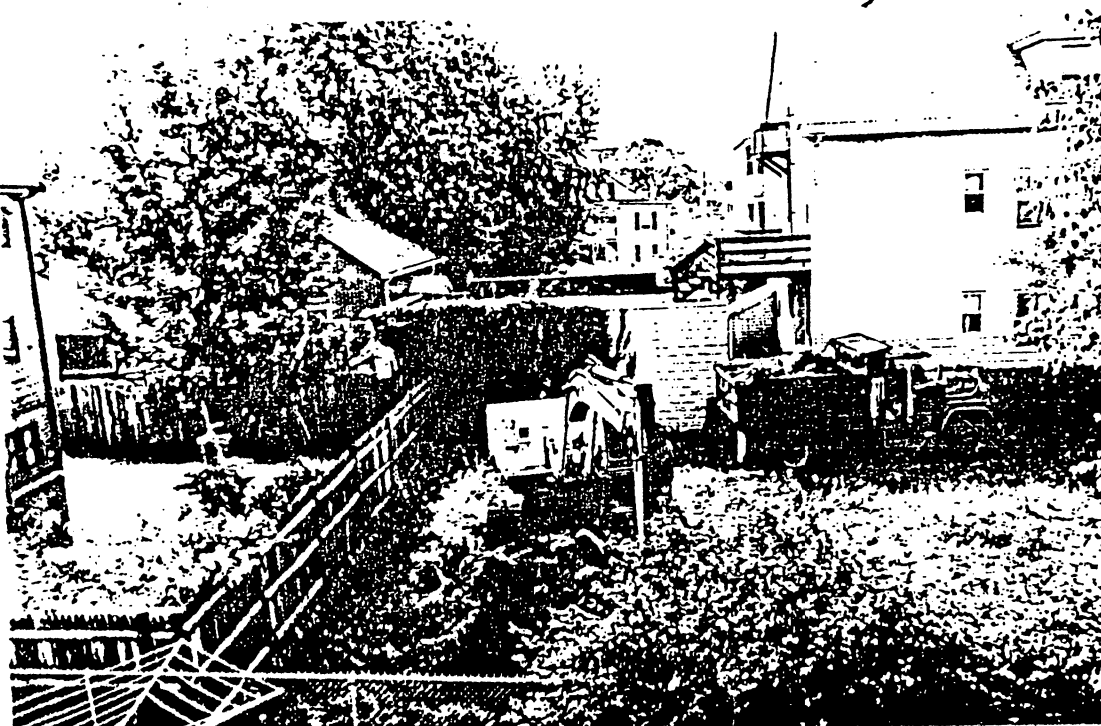
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Mary V. Sterman, 12 Salem St.

Hannel Muller 10 Salem St

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Consent Order # 8

Wally F-86
Councillor Russell re: inspection of the
premises numbered 15 Watson Street.

In City Council,

March 2, 1992

Order adopted