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Memo to: Members of Cambridge City Council
From: The NCSC Sub-Committee on Portland Stoneware

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CAMBRIDGE, MA

2/28/94

At the City Council hearing regarding the neighborhood problems with Portland Stoneware, (both the flagrant disregard for city regulations and the inappropriateness of a large trucking company being located in a narrow residential neighborhood) many issues were discussed and numerous suggestions made as to possible improvements or remedies to the situation. Let it be noted that Portland Stoneware did not attend the hearing.

Below is a list of some of the city regulations that we feel are broken on a regular (if not daily) basis, and other dubious operating practices that we feel the city should investigate.

We request that the city enforce or investigate these possible infractions of the law.

1. Enforce posted *Do Not Enter* regulations at Middlesex and Rindge during school hours
2. Enforce noise ordinance. Flatbed diesals run out night and day, and loading and unloading is often done in the early morning hours, evenings, and on Sundays and holidays
3. Enforce the city ordinance banning businesses from operating between 7pm and 7am (this city ordinance was overturned at the state level)
4. Investigate improper securing of cargo
5. Investigate whether Middlesex St is properly constructed for trucks of this weight and length
6. Investigate spray painting of lally columns; do they properly vent and dispose of the paints?
7. Enforce snow removal ordinance
8. Prevent trucks from idling on the street and in the yard
9. Enforce removal of the recently constructed illegal structure built without a permit.

Department heads all agreed to look into those issues that fall into their jurisdiction:

The Police Department, as of this date, has been evident in preventing trucks from operating before 7am, and enforcing the *Do Not Enter* regulation at Middlesex and Rindge. (Thanks!)

The Legal Department agreed to look into the issue of the state overturning a city regulation, and issues of enforcement of noise, traffic, and other regulations that seem to be in conflict with Portland Stonewares normal operations. Although the option of a private law suit was mentioned by Mr. Healy and others, we wish to reiterate that we do not consider this a viable option when there seem to be many other legal avenues that the city can pursue.

Inspectional Services agreed to review the building code and permitted use and to inspect the site to ascertain whether or not they are spray painting, what solvents they are using and whether or not they are venting and disposing of them properly. We would like to obtain copies of the *Materials Safety Data Sheet* (from the Fire Department) and the *Resource and Conservation Recovery Act* report (a requirement from the DEP) to make sure that they are handling these materials properly. We would also like to know the status of the illegal building that they constructed and, (having been denied a variance) when they will have to remove it.

Community Development agreed to look into putting together a deal for the site, or to assist Portland Stoneware in finding a new site

We understand that a report is coming back to us from the Council and we hope that there will be clarification on some of these issues so that decisions can be made regarding the future of Portland Stoneware at the Pemberton Street site.

Thank-you,

The NCSC Sub-Committee on Portland Stoneware

Megan Hanna

Consent Communication #3

S-8A

A communication was received from the
NCSC Sub-committee on Portland Stomeware
re: the City regulations that they feel are
being broken on a regular basis.

In City Council March 7, 1994

Referred to City Mgr
Copy sent 3/8/94
MCM