



City of Cambridge

51.

IN CITY COUNCIL

May 3, 1999

COUNCILLOR RUSSELL
COUNCILLOR TRIANTAFILLOU
COUNCILLOR BORN
COUNCILLOR DAVIS
MAYOR DUEHAY
VICE MAYOR GALLUCCIO
COUNCILLOR REEVES
COUNCILLOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to report to the City Council on the situation at 326 Harvard Street as discussed in the attached materials.

In City Council May 3, 1999.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in cursive script that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury
City Clerk

THEODORE S. POLUMBAUM & NYNA BRAEL POLUMBAUM
326 Harvard Street Cambridge, Massachusetts 02139
(617) 491-4947 Fax 491-4948 E-mail: ted_polumbaum@bostonbbs.org

SR
KT
all

We hope you'll
take a few minutes
to plough through
the wretched story - #51
Thanks

3 May, 1999

**THIS IS AN URGENT REQUEST FOR YOUR HELP REGARDING HARDSHIPS
AND HEALTH AND SAFETY HAZARDS CAUSED BY A MUNICIPAL DECISION.**

Enclosed please find:

1. Letter from Ted and Nyna Polumbaum outlining the situation.
2. Letter from our son Ian Polumbaum, assistant district attorney, Suffolk County Domestic Violence Unit.
3. Letter from our daughter, Prof. Judy Polumbaum, University of Iowa.
4. Snapshots of a few of the conditions at 326 Harvard Street.

cc: City Manager Robert W. Healy
Deputy City Manager Richard C. Rossi
Mayor Francis Duehay
Vice Mayor Anthony Galluccio
Councillor Kathleen Born
Councillor Henrietta Davis
Councillor Kenneth E. Reeves
Councillor Sheila Russell
Councillor Michael Sullivan
Councillor Timothy Toomey, Jr.
Councillor Katherine Triantafillou
Planning Board Chair Paul Dietrich
Chair, Board of Zoning Appeal

WJ
Councillor Russell
Report on this situation
at 326 Harvard St

Thank you for your prompt attention.

April 30, 1999

Dear Cambridge leader,

I address you as a city resident, as a fellow public servant and as a son. I hope you can help undo the effects of an arbitrary -- if not vicious -- ruling by the Cambridge city attorney, an action that compounds a contractor's mistake and threatens the health and safety of my 75-year-old parents, Ted and Nyna Polumbaum.

Please refer to separate letters from my parents and my sister, Judy Polumbaum, for more detailed factual background. I write here to say that by declaring 326 Harvard Street to be a single-family building, the city attorney's decision ignores the history of the address and the neighborhood. It abruptly stops a renovation that will enhance, not detract from, the house and its surroundings. Most of all, for no good reason it compels two respected senior citizens to live indefinitely in unhealthy squalor.

Since the 1970s, gentrification has swept Mid-Cambridge. Some changes brought great aesthetic improvements (albeit while driving tenants out). Stately old homes which had become multi-unit rentals or rooming houses were restored to attractive one- or two-family dwellings. But at the same time, developers ran amok. They crammed sets of townhouses wherever they could. They used every inch of former lawns, or built tall units in rows perpendicular to the street to achieve maximum density in narrow lots.

The scene at 322 and 326 Harvard Street in 1980 embodied these trends. The two addresses belonged to houses that fronted the street and had large back lawns. A developer bought both parcels and put #322, a Greek Revival, on the market as a single-family home. With city blessing, the builder created 324 Harvard Street: four boxy townhouses filling both rear yards. These echoed four similar units already crowded onto a narrow lot next door at #320, where another Greek Revival once stood.

This left #326. Built for one family in 1899, the three-story behemoth later saw use as a boarding house (soon after we moved in, a gentleman rang our doorbell to say he had lived there while at Harvard). By the 1970s it had become five separate apartments -- each with its own kitchen, bathroom, electrical circuit, and entrance off the main interior stairs.

In early 1980 the house stood vacant and dismal. A Dumpster dominated the front yard and fire escapes sagged off the sides. It also stood classified, by the developer and the city, as two units within the new Harvard Mews Condominium Trust.

Both units were sold under separate deeds to my parents, a photographer and artist/designer. With their last child (me) almost through high school, they were eager to move to this progressive urban community. With money from the sale of their longtime suburban home, they created at 326 Harvard Street the unified living and working space they have now occupied for 19 years. Every one of those years, they have paid two property tax bills to the City of Cambridge. They have bought two visitor parking permits. Under the condo bylaws, they have used two off-street parking spots and cast two votes on every issue at annual meetings.

Not for decades has anyone called #326 a single dwelling unit -- until this month, when the city attorney so ruled in order to obstruct renovation plans after large-scale demolition had already occurred.

Why would a public official rule this way?

Did it stem from a reasoned view of the property's history? This theory defies logic, given that 1) decades ago the place basically functioned as a student dormitory, 2) as recently as the late 1970s it comprised five separate dwellings, and 3) the condo bylaws and the City of Cambridge itself currently recognize the address as two separate units -- even though my parents have chosen to use it only as one until now.

Did it stem from a desire to protect the neighborhood from further congestion? This theory lacks credibility, given the high-density projects that have sprouted all over town with no municipal impediment. The developers have just about run out of room in Mid-Cambridge, but the rush to plant townhouses in every open space continues in Cambridgeport where my wife Nalina Narain and I now live. Did the city attorney suddenly see a need to draw the line against multiple occupancy, when a 75-year-old husband and wife decided it would be nice in their golden years to share a building with their son and daughter-in-law?

Did it stem from aesthetic concerns? This theory makes no sense, given that the Cambridge Historical Commission unanimously approved the proposed new rear deck, staircase and second-floor entrance. Abutters received notice of the project and voiced no objection whatsoever.

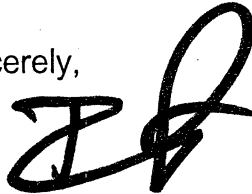
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If so, this begs two more questions. First, what does teaching someone a lesson have to do with the legal and factual merits of the project? Second, whom does the city aim to punish here?

Obviously it would devastate me and Nalina if my mother's beautiful design for our future home did not come to fruition. But at least we are young and have a nice apartment in the meantime. The greater and more urgent injustice here is the havoc wrought right now on my parents. Should they pay for a contractor's mistake? At their age, they deserve better than to live in a house where exposed wires, incomplete stairs and random holes endanger them physically; where they cannot use the door nearest their car because the deck is gone; where holes in outside walls invite insects and intruders; where they shiver at night because the heating ducts are in pieces; and where liberated dust from a century ago assails their lungs.

Nalina and I love Cambridge, to the point that despite high prices we never even looked for housing anywhere else. We both walk or take the T to work in downtown Boston -- I as a prosecutor in the Suffolk County DA's domestic violence unit, Nalina as a public policy director for Jane Doe Inc., the statewide coalition against family violence. My parents also feel lucky to live where they do. We all hope city government does the right thing so we can continue to feel that way.

Sincerely,

A handwritten signature in black ink, appearing to be 'IP' with a flourish, written over a faint circular stamp.

Ian Polumbaum
Assistant District Attorney
Domestic Violence Unit
Telephone (617) 619-4279

Wednesday, April 28, 1999 2:40:06 AM

Message

From: judy polumbaum <judy-polumbaum@uiowa.edu>,UUCP
Subject: ~~re: [redacted]~~
To: Ted Polumbaum
Nyna Polumbaum

--- begin forwarded text

To: Mr. Robert Healy <rhealy@ci.cambridge.ma.us>, Mr. Richard Rossi
<rrossi@ci.cambridge.ma.us>, His Honor Mayor Francis Duehay
<FDuehay@MCIEmail.com>, Vice Mayor Anthony Gallucio
<agallucio@ci.cambridge.ma.us>

From: judy polumbaum <judy-polumbaum@uiowa.edu>

Subject: alert from Iowa

Cc:

Bcc:

X-Attachments:

Dear Mayor Duehay, Vice Mayor Gallucio, City Manager Healy and Assistant
Manager Rossi:

As a Massachusetts daughter writing from America's heartland (Iowa City,
Iowa), I wish to bring to your attention, if you are not aware already, of
a serious injustice on the part of the City of Cambridge that has not only
disrupted daily life for my 75-year-old parents, but is threatening their
health.

My parents, Ted and Nyna Polumbaum, live at 326 Harvard St., Cambridge
02139, where they moved in 1990 after about 25 years living in the now-
tony (not so tony when they built there) town of Lincoln. I was born in Boston
and grew up in Lincoln.

Their Cambridge house was a shoddy place with 5 or 6 apartments and another
4 new condos built on the back of the lot when they bought it. My mother
had it gutted and rebuilt. My parents are not rich--it was the sale of
their home in Lincoln to a Kentucky Fried Chicken franchiser after three
decades of escalation in real estate values, combined with the condo
builders' desperate need for cash, that made it possible for them to create
a lovely living and working space.

Their house is technically a TWO-unit condo: they pay double condo fees, have two deeds, and get two tax bills from the city.

Last year, my brother Ian Polumbaum, a Suffolk County prosecutor who specializes in the fun job of putting away brutes who beat up their wives and girlfriends, and his wife Nalina Narain, who works as an advocate on family issues in Boston, began looking for a house to buy in Cambridge. They now rent an apartment in the Cambridgeport area.

My folks and they decided to explore the possibility of buying a duplex so they and my brother could be neighbors, and quickly discovered the price for what they needed was formidable--both my parents need studio space to work. Thus, my mother, who is an architect among other things, drew up plans to convert the two units of 326 into two homes with separate entrances.

They took bids and contracted for the job. Demolition began.

Then, they discovered that the contractor had failed to secure the required building permit--totally the builders' responsibility, of course. So the project was halted while the paperwork was filed late--absolutely not the fault of my parents.

The city attorney took his time, while my parents were living amidst a mess, with a big part of the house closed off and lots of dust in the air. Both are quite weary from the hauling work that preceeded the project; and my mother is developing bronchitis from the dusty air. Finally your representative pronounced the two units one unit.

The decision may have a bit of vengefulness in it as "punishment" for the late application--punishment being inflicted on my parents, who were not responsible. People also may have the idea that all those Harvard St. people are spoiled and snooty Harvard professors with unlimited resources--not so in my parents' case; my dad's a photojournalist, my mom a multi-talented artist and artisan, and both have always worked hard and are still going.

But more importantly, the decision is WRONG.

As I understand it, they've been told they can go ahead and do interior reconstruction but do not have permission to form the two homes with two separate entrances as planned--although they later can apply for a

variance. There is no assurance, of course, that this would be approved.

My parents love Cambridge; have always been good citizens; and have added much to the community. They are active in civic affairs and appreciate what government does for them. My father had an exhibition at the Cambridge Senior Center a couple of years ago documenting the important jobs performed by the maintenance engineers (i.e., garbage collectors) of "The Works"--a vital operation that most people take for granted; and another exhibit of his opens in 2 weeks.

The city at least ought to treat them as well.

I URGE you to resolve this problem as soon as possible. You may reach Ted and Nyna at 491-4947, and me at 319-338-6848 (h) or 319-335-4034 or 3389 (o)--I work at the University of Iowa.

I'd appreciate at least acknowledgment of receipt of this message. Thanks for your consideration and, I hope, expeditious action.

Sincerely,
Judy Polumbaum

Dear *Councilor Russell*

In 1980 we purchased this house at 326 Harvard Street, an 1899 vacant derelict divided into five transient apartments. The profit-seeking new owners had driven out the tenants and changed its legal status to two units of a seven-unit condominium. The entire condominium consisted of two free standing buildings and four speculative townhouses jammed behind them. We redesigned and restored the crumbling eyesore to the attractive place for living and working that it is today.

FROM 1980 UNTIL NOW WE HAVE RECEIVED TWO SEPARATE TAX BILLS AND TWO PARKING CARDS FROM THE CITY YEARLY. WE HAVE TWO DEEDS, TWO PARKING SPACES AND TWO CONDOMINIUM VOTES. ARE THESE AMPLE REASONS TO BELIEVE WE OWN AND OCCUPY TWO DWELLING UNITS?

When our son Ian (we came here when he was in high school) and his wife said they'd like to live in close proximity to us, we were delighted. The two units--1200 and 2400 square feet each according to the documents--seemed ideal. Nyna, who was trained as an architect but has not practiced, designed the conversion, got bids and chose a reputable contractor. We received approval at a hearing of the Historical Commission.

Unfortunately, we had no idea that the contractor's son had neglected to secure the building permit. That inexcusable omission was somehow unnoticed until work was under way. We were naturally angry, but it turns out that what the city is doing has caused much greater harm.

After extensive destruction of much of the house and the entire wraparound deck the contractor stopped working to apply for a permit. He was turned down--perhaps with malice for having flouted the rules. We were told it was now a zoning issue and were forbidden to proceed until the city solicitor decided if we lived in a two-unit house. We continued to live in rubble as we waited for him to get around to it. Apparently he didn't consider it worthy of prompt action or serious investigation. His eventual edict was that we own **ONLY ONE UNIT** and have no right to provide an apartment for our son, no matter what the city has been telling us for 19 years.

Our comfortable home is now a hostile and dangerous place, with dangling live wires, gaping exterior holes covered by plywood, disconnected heating system for cold nights, broken plaster everywhere, open drains, a five foot drop from our own kitchen door and a much greater drop from the second floor. The air is laden with heavy particulates and hundred year-old dust.

We are 75 years old, work full-time and consider ourselves responsible citizens. Recently Nyna received a Brandeis University appointment to create a major print exhibition; Ted, still a well-known working photographer, took time to document the trash collectors of The Works. His new show opens at the Cambridge Multicultural Art Center on May 6th (CMAC invitation enclosed). Until now we have been remarkably vigorous; now these events have seriously endangered our health and well-being. Living in a disaster zone has caused Nyna to develop chronic bronchitis, and her well-controlled high blood pressure has skyrocketed. Because work stopped before the studio--with its delicate equipment--could be properly protected Ted must constantly move large objects from place to place, reactivating a back problem that had been cured by neurosurgery. We cannot leave home for long because it would be easy to break in.

The building permit we finally got (after much nagging) specifies only baths and interior stair. One person suggested that if we sneaked in a kitchen they might look the other way. The next day a different fellow threatened that the workmen had better not be found putting in a kitchen. (Note: water, gas and drain pipes from a former kitchen are still there, as one photo shows, a remnant of five former apartments.)

So here we are with a loan for a \$100,000 contract that will accomplish absolutely zero. We demolished our serviceable deck to provide a second entry that the Historical Commission approved and would have no adverse effect on our neighbors. We destroyed much of our fine house, which needed no remodeling. Our plan respected the existing footprint of house and deck (or at least what was once a deck). The city tells us we can't touch the exterior but may put the inside back together again almost as it was before destruction, without a kitchen or separate entrance for our son and daughter-in-law and no privacy for anyone.

Does the city really believe that Ian, who prosecutes dangerous repeat batterers in Suffolk County, and his wife Nalina Narain, who develops public policy on child protection, should move in with mom and dad? Does Cambridge think it is a threat to the public welfare if they live independently in one unit of our two-unit home? What can this have to do with controlling density or making Cambridge a livable place?

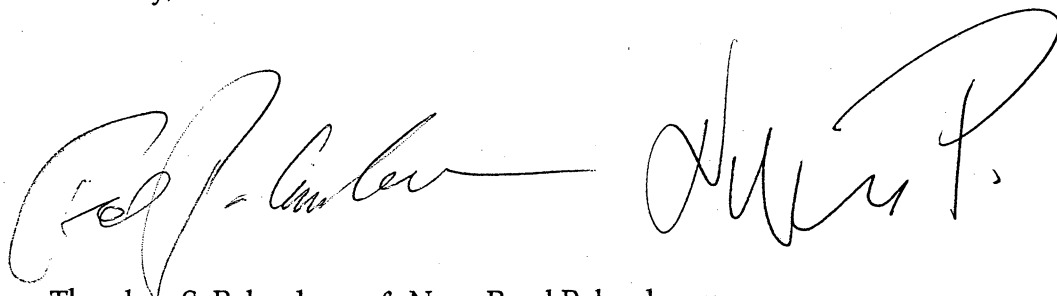
What is the obligation of a decent community to its members? Lincoln, where we lived for 25 years, suspends its strict two acre, single family zoning when by doing so they can keep older people in their own homes. Cambridge, where developers are free to overrun every available inch of open space, says with this ruling that it doesn't give a damn for its citizens. In mid-Cambridge, where the older population has dwindled, where half the households are non-family households, where small children are less than 5% of the population, is the aim to drive out people in those undesirable age groups? Our family has been penalized severely, first by somebody's stupid but unintentional blunder, but much more by the city's intentional and malicious ruling.

If the city solicitor really believes that Cambridge erred in telling us we own two units we don't believe he has the right to victimize us to make his point (we were informed to expect written notice of the decision but that never arrived). We've puzzled over a motive for the intransigence we have encountered and are distressed by the possibilities that come to mind. But we are also gratified by the concern of some, including Henrietta Davis, to whom we first spoke and Anthony Gallucio, whose office responded immediately to our daughter's E-mail from Iowa.

We believe we deserve immediate action on grounds of hardship and injustice: the dangerous and unhealthy environment to which we have been and continue to be subjected, and the threat of financial ruin that could compel us to sell our damaged home at a great loss and force us from the city. It is true that had the contractor properly applied for a permit we could have postponed construction and begun the lengthy, expensive appeals process, but we no longer have that option. If we are compelled to wait for the uncertain outcome of an appeal to resume construction we will at best live in chaos for many more months—not a great prospect at 75.

With your support we hope to resolve the issue quickly. We are confident that fair public servants will decide fairly if they are provided with all the relevant facts. We hope for your immediate response, perhaps before someone absent mindedly opens our kitchen door and tumbles to the dirt below.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Theodore S. Polumbaum' and the signature on the right is 'Nyna Brael Polumbaum'. Both signatures are written in a cursive, flowing style.

Theodore S. Polumbaum & Nyna Brael Polumbaum



RANK & FILE

photographs and
digital images of
union workers by
TED
POLUMBAUM

Ted Polumbaum

Rank and File

Photographs of workers and the role of trade unions in American life.

These photographs were made with support from Jobs for Justice and the Puffin Foundation.

May 3 - May 28, 1999

Reception: Thursday, May 6, 5-7 pm


Free and Open to the Public

Related Event: May 6, 7-8 pm - Free

Pat Reeve, Director of the Labor Resource Center at UMass Boston, will lead a discussion in the diversity of union membership and the opportunities for women in positions of leadership within unions.

Cambridge Multicultural Arts Center (CMAC)
41 Second Street, Cambridge, MA 02141

Gallery Hours: Mon-Fri, 10am-5pm
and during all CMAC events

For more information call
(617) 577-1400 TTY: (800) 439-2370 
email: info@cmacusa.org web site: www.cmacusa.org



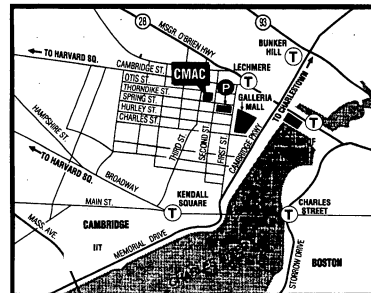
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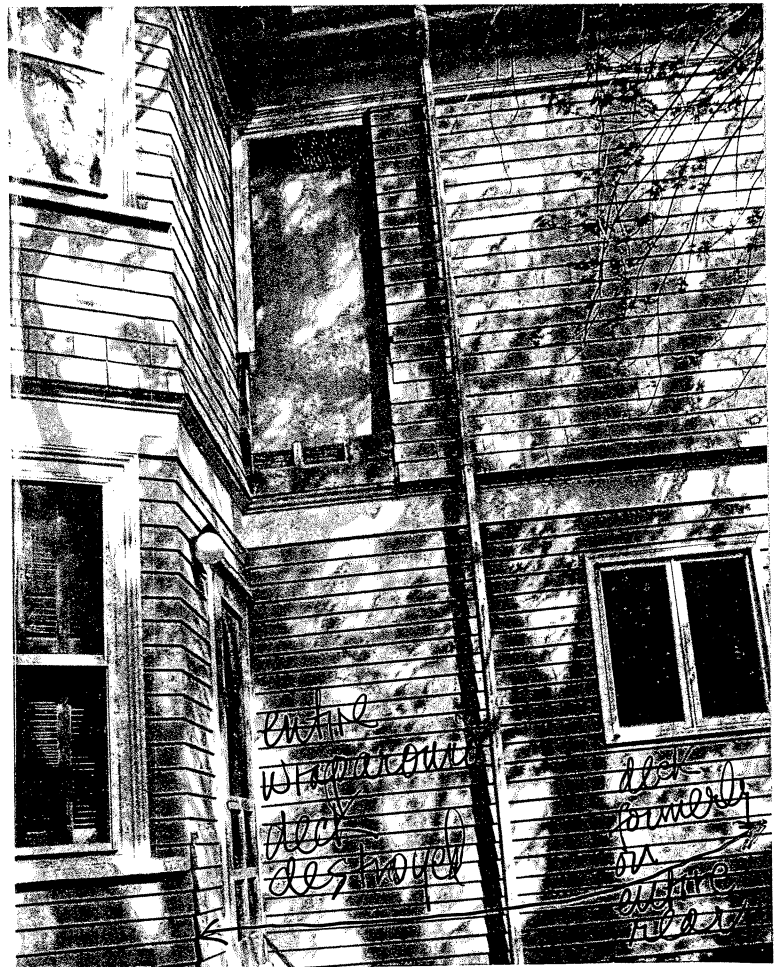
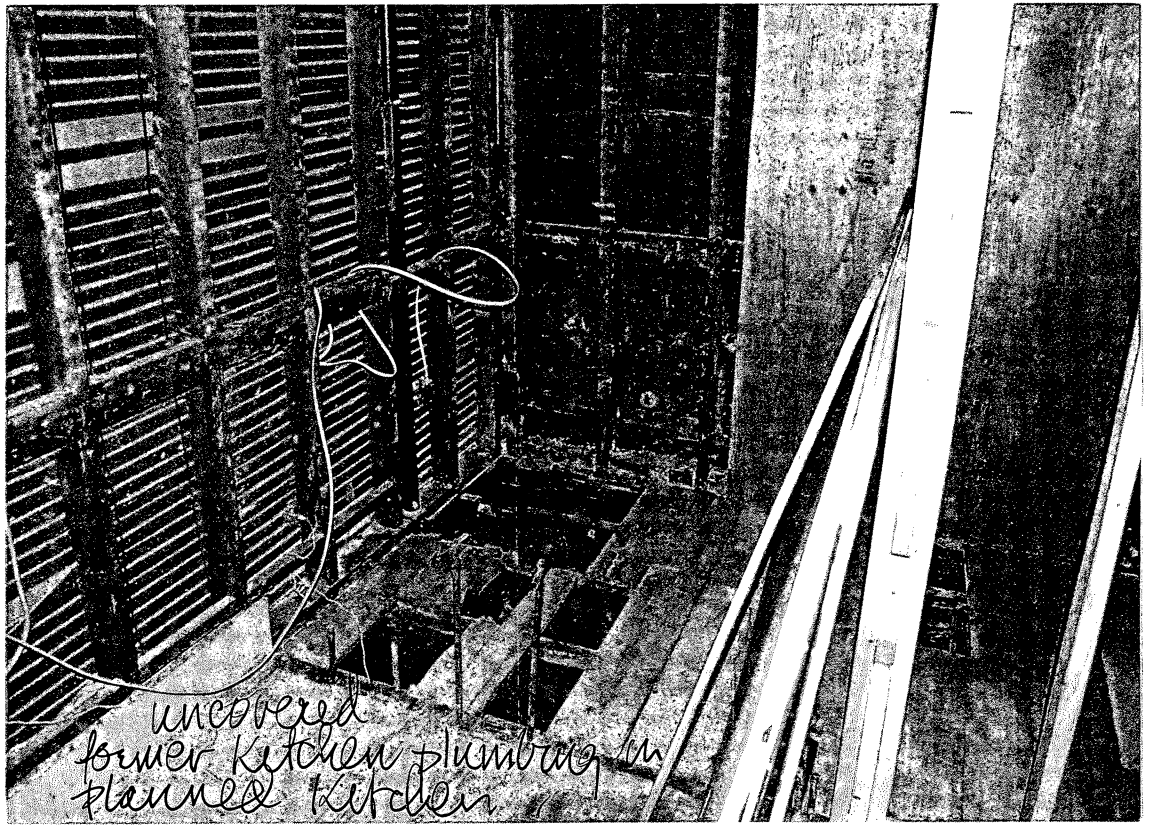
Front: *Iron Workers at Copley Center*, Ink Jet Digital Print
Originally commissioned for Newsweek in 1987



Cambridge Multicultural
Arts Center
41 Second Street
Cambridge, MA 02141
(617) 577-1400

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12A

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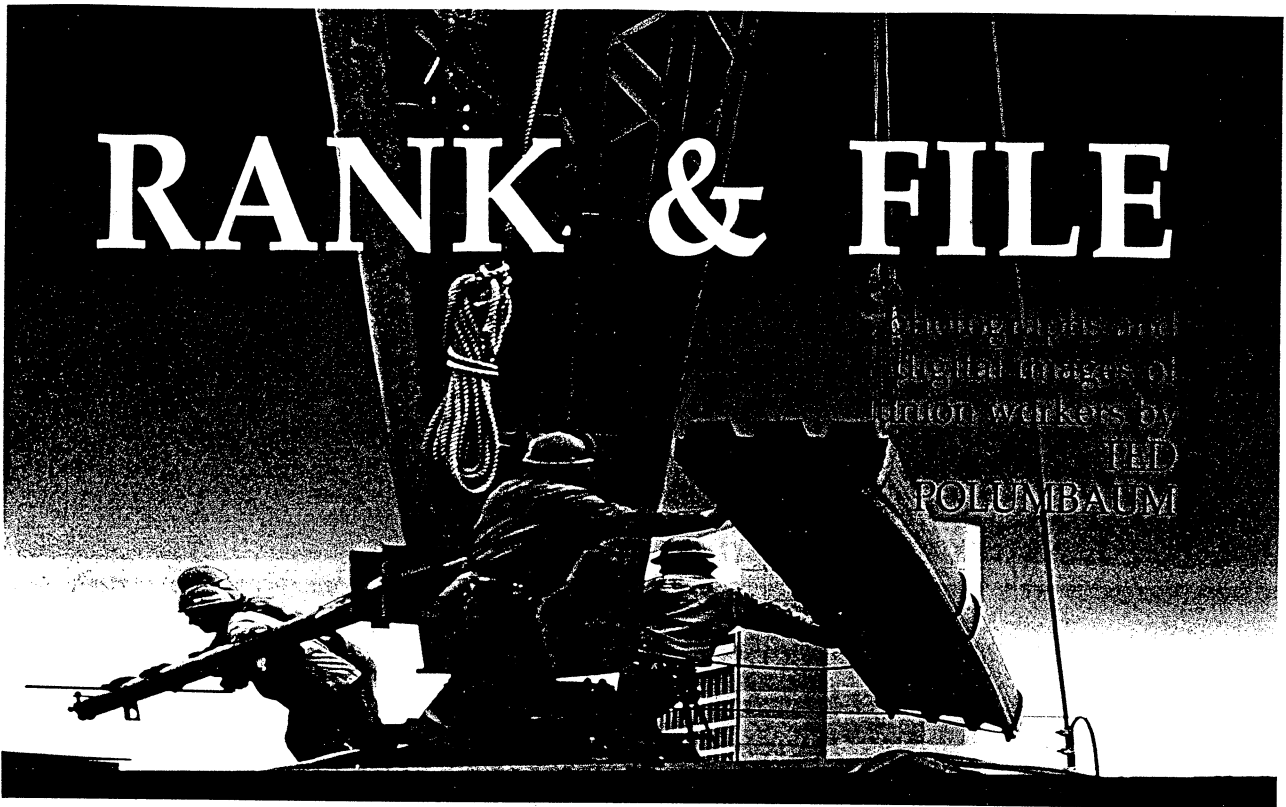
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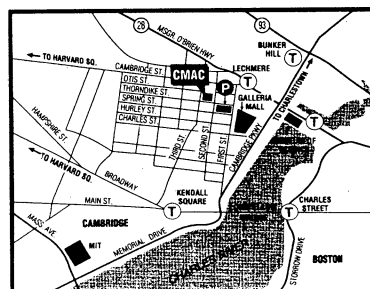
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(617) 491-4947 Fax 491-4948 E-mail: ted_polumbaum@bostonbbs.org

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W9
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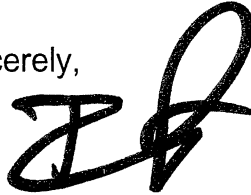
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If so, this begs two more questions. First, what does teaching someone a lesson have to do with the legal and factual merits of the project? Second, whom does the city aim to punish here?

Obviously it would devastate me and Nalina if my mother's beautiful design for our future home did not come to fruition. But at least we are young and have a nice apartment in the meantime. The greater and more urgent injustice here is the havoc wrought right now on my parents. Should they pay for a contractor's mistake? At their age, they deserve better than to live in a house where exposed wires, incomplete stairs and random holes endanger them physically; where they cannot use the door nearest their car because the deck is gone; where holes in outside walls invite insects and intruders; where they shiver at night because the heating ducts are in pieces; and where liberated dust from a century ago assails their lungs.

Nalina and I love Cambridge, to the point that despite high prices we never even looked for housing anywhere else. We both walk or take the T to work in downtown Boston -- I as a prosecutor in the Suffolk County DA's domestic violence unit, Nalina as a public policy director for Jane Doe Inc., the statewide coalition against family violence. My parents also feel lucky to live where they do. We all hope city government does the right thing so we can continue to feel that way.

Sincerely,

A handwritten signature in black ink, appearing to read 'IP' with a stylized flourish.

Ian Polumbaum
Assistant District Attorney
Domestic Violence Unit
Telephone (617) 619-4279

Wednesday, April 28, 1999 2:40:06 AM

Message

From: judy polumbaum <judy-polumbaum@uiowa.edu>,UUCP
Subject: ~~XXXXXXXXXXXXXXXXXXXX~~
To: Ted Polumbaum
Nyna Polumbaum

--- begin forwarded text

To: Mr. Robert Healy <rhealy@ci.cambridge.ma.us>, Mr. Richard Rossi
<rrossi@ci.cambridge.ma.us>, His Honor Mayor Francis Duehay
<FDuehay@MCIMail.com>, Vice Mayor Anthony Gallucio
<agallucio@ci.cambridge.ma.us>

From: judy polumbaum <judy-polumbaum@uiowa.edu>

Subject: alert from Iowa

Cc:

Bcc:

X-Attachments:

Dear Mayor Duehay, Vice Mayor Gallucio, City Manager Healy and Assistant
Manager Rossi:

As a Massachusetts daughter writing from America's heartland (Iowa City,
Iowa), I wish to bring to your attention, if you are not aware already, of
a serious injustice on the part of the City of Cambridge that has not only
disrupted daily life for my 75-year-old parents, but is threatening their
health.

My parents, Ted and Nyna Polumbaum, live at 326 Harvard St., Cambridge
02139, where they moved in 1990 after about 25 years living in the now-
tony (not so tony when they built there) town of Lincoln. I was born in Boston
and grew up in Lincoln.

Their Cambridge house was a shoddy place with 5 or 6 apartments and another
4 new condos built on the back of the lot when they bought it. My mother
had it gutted and rebuilt. My parents are not rich--it was the sale of
their home in Lincoln to a Kentucky Fried Chicken franchiser after three
decades of escalation in real estate values, combined with the condo
builders' desperate need for cash, that made it possible for them to create
a lovely living and working space.

Their house is technically a TWO-unit condo: they pay double condo fees, have two deeds, and get two tax bills from the city.

Last year, my brother Ian Polumbaum, a Suffolk County prosecutor who specializes in the fun job of putting away brutes who beat up their wives and girlfriends, and his wife Nalina Narain, who works as an advocate on family issues in Boston, began looking for a house to buy in Cambridge. They now rent an apartment in the Cambridgeport area.

My folks and they decided to explore the possibility of buying a duplex so they and my brother could be neighbors, and quickly discovered the price for what they needed was formidable--both my parents need studio space to work. Thus, my mother, who is an architect among other things, drew up plans to convert the two units of 326 into two homes with separate entrances.

They took bids and contracted for the job. Demolition began.

Then, they discovered that the contractor had failed to secure the required building permit--totally the builders' responsibility, of course. So the project was halted while the paperwork was filed late--absolutely not the fault of my parents.

The city attorney took his time, while my parents were living amidst a mess, with a big part of the house closed off and lots of dust in the air. Both are quite weary from the hauling work that preceded the project; and my mother is developing bronchitis from the dusty air. Finally your representative pronounced the two units one unit.

The decision may have a bit of vengefulness in it as "punishment" for the late application--punishment being inflicted on my parents, who were not responsible. People also may have the idea that all those Harvard St. people are spoiled and snooty Harvard professors with unlimited resources--not so in my parents' case; my dad's a photojournalist, my mom a multi-talented artist and artisan, and both have always worked hard and are still going.

But more importantly, the decision is WRONG.

As I understand it, they've been told they can go ahead and do interior reconstruction but do not have permission to form the two homes with two separate entrances as planned--although they later can apply for a

variance. There is no assurance, of course, that this would be approved.

My parents love Cambridge; have always been good citizens; and have added much to the community. They are active in civic affairs and appreciate what government does for them. My father had an exhibition at the Cambridge Senior Center a couple of years ago documenting the important jobs performed by the maintenance engineers (i.e., garbage collectors) of "The Works"--a vital operation that most people take for granted; and another exhibit of his opens in 2 weeks.

The city at least ought to treat them as well.

I URGE you to resolve this problem as soon as possible. You may reach Ted and Nyna at 491-4947, and me at 319-338-6848 (h) or 319-335-4034 or 3389 (o)--I work at the University of Iowa.

I'd appreciate at least acknowledgment of receipt of this message. Thanks for your consideration and, I hope, expeditious action.

Sincerely,
Judy Polumbaum

Dear *Councillor Russell*

In 1980 we purchased this house at 326 Harvard Street, an 1899 vacant derelict divided into five transient apartments. The profit-seeking new owners had driven out the tenants and changed its legal status to two units of a seven-unit condominium. The entire condominium consisted of two free standing buildings and four speculative townhouses jammed behind them. We redesigned and restored the crumbling eyesore to the attractive place for living and working that it is today.

FROM 1980 UNTIL NOW WE HAVE RECEIVED TWO SEPARATE TAX BILLS AND TWO PARKING CARDS FROM THE CITY YEARLY. WE HAVE TWO DEEDS, TWO PARKING SPACES AND TWO CONDOMINIUM VOTES. ARE THESE AMPLE REASONS TO BELIEVE WE OWN AND OCCUPY TWO DWELLING UNITS?

When our son Ian (we came here when he was in high school) and his wife said they'd like to live in close proximity to us, we were delighted. The two units--1200 and 2400 square feet each according to the documents--seemed ideal. Nyna, who was trained as an architect but has not practiced, designed the conversion, got bids and chose a reputable contractor. We received approval at a hearing of the Historical Commission.

Unfortunately, we had no idea that the contractor's son had neglected to secure the building permit. That inexcusable omission was somehow unnoticed until work was under way. We were naturally angry, but it turns out that what the city is doing has caused much greater harm.

After extensive destruction of much of the house and the entire wraparound deck the contractor stopped working to apply for a permit. He was turned down--perhaps with malice for having flouted the rules. We were told it was now a zoning issue and were forbidden to proceed until the city solicitor decided if we lived in a two-unit house. We continued to live in rubble as we waited for him to get around to it. Apparently he didn't consider it worthy of prompt action or serious investigation. His eventual edict was that we own **ONLY ONE UNIT** and have no right to provide an apartment for our son, no matter what the city has been telling us for 19 years.

Our comfortable home is now a hostile and dangerous place, with dangling live wires, gaping exterior holes covered by plywood, disconnected heating system for cold nights, broken plaster everywhere, open drains, a five foot drop from our own kitchen door and a much greater drop from the second floor. The air is laden with heavy particulates and hundred year-old dust.

We are 75 years old, work full-time and consider ourselves responsible citizens. Recently Nyna received a Brandeis University appointment to create a major print exhibition; Ted, still a well-known working photographer, took time to document the trash collectors of The Works. His new show opens at the Cambridge Multicultural Art Center on May 6th (CMAC invitation enclosed). Until now we have been remarkably vigorous; now these events have seriously endangered our health and well-being. Living in a disaster zone has caused Nyna to develop chronic bronchitis, and her well-controlled high blood pressure has skyrocketed. Because work stopped before the studio--with its delicate equipment--could be properly protected Ted must constantly move large objects from place to place, reactivating a back problem that had been cured by neurosurgery. We cannot leave home for long because it would be easy to break in.

The building permit we finally got (after much nagging) specifies only baths and interior stair. One person suggested that if we sneaked in a kitchen they might look the other way. The next day a different fellow threatened that the workmen had better not be found putting in a kitchen. (Note: water, gas and drain pipes from a former kitchen are still there, as one photo shows, a remnant of five former apartments.)

So here we are with a loan for a \$100,000 contract that will accomplish absolutely zero. We demolished our serviceable deck to provide a second entry that the Historical Commission approved and would have no adverse effect on our neighbors. We destroyed much of our fine house, which needed no remodeling. Our plan respected the existing footprint of house and deck (or at least what was once a deck). The city tells us we can't touch the exterior but may put the inside back together again almost as it was before destruction, without a kitchen or separate entrance for our son and daughter-in-law and no privacy for anyone.

Does the city really believe that Ian, who prosecutes dangerous repeat batterers in Suffolk County, and his wife Nalina Narain, who develops public policy on child protection, should move in with mom and dad? Does Cambridge think it is a threat to the public welfare if they live independently in one unit of our two-unit home? What can this have to do with controlling density or making Cambridge a livable place?

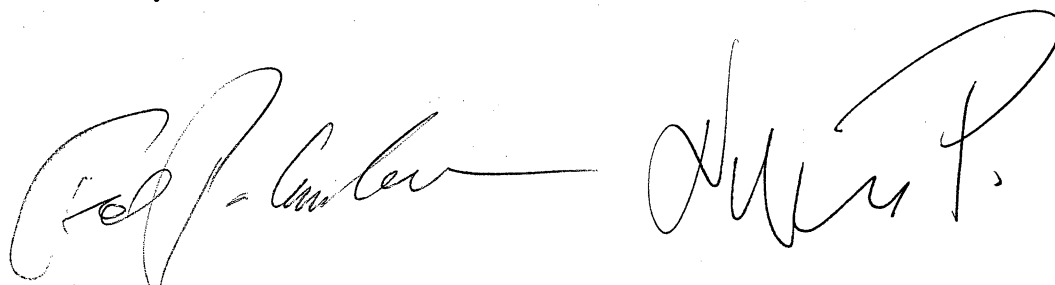
What is the obligation of a decent community to its members? Lincoln, where we lived for 25 years, suspends its strict two acre, single family zoning when by doing so they can keep older people in their own homes. Cambridge, where developers are free to overrun every available inch of open space, says with this ruling that it doesn't give a damn for its citizens. In mid-Cambridge, where the older population has dwindled, where half the households are non-family households, where small children are less than 5% of the population, is the aim to drive out people in those undesirable age groups? Our family has been penalized severely, first by somebody's stupid but unintentional blunder, but much more by the city's intentional and malicious ruling.

If the city solicitor really believes that Cambridge erred in telling us we own two units we don't believe he has the right to victimize us to make his point (we were informed to expect written notice of the decision but that never arrived). We've puzzled over a motive for the intransigence we have encountered and are distressed by the possibilities that come to mind. But we are also gratified by the concern of some, including Henrietta Davis, to whom we first spoke and Anthony Gallucio, whose office responded immediately to our daughter's E-mail from Iowa.

We believe we deserve immediate action on grounds of hardship and injustice: the dangerous and unhealthy environment to which we have been and continue to be subjected, and the threat of financial ruin that could compel us to sell our damaged home at a great loss and force us from the city. It is true that had the contractor properly applied for a permit we could have postponed construction and begun the lengthy, expensive appeals process, but we no longer have that option. If we are compelled to wait for the uncertain outcome of an appeal to resume construction we will at best live in chaos for many more months--not a great prospect at 75.

With your support we hope to resolve the issue quickly. We are confident that fair public servants will decide fairly if they are provided with all the relevant facts. We hope for your immediate response, perhaps before someone absent mindedly opens our kitchen door and tumbles to the dirt below.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Theodore S. Polumbaum' and the signature on the right is 'Nyna Brael Polumbaum'. Both signatures are written in a cursive, flowing style.

Theodore S. Polumbaum & Nyna Brael Polumbaum

SR

KT

All

51

L

Ordered: That the CM be and hereby is
~~requested~~ requested to report to the
CC on the situation ~~at~~ at
326 Howard Street as discussed in
in the attached materials



City of Cambridge

51.

IN CITY COUNCIL

May 3, 1999

COUNCILLOR RUSSELL
COUNCILLOR TRIANTAFILLOU
COUNCILLOR BORN
COUNCILLOR DAVIS
MAYOR DUEHAY
VICE MAYOR GALLUCCIO
COUNCILLOR REEVES
COUNCILLOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to report to the City Council on the situation at 326 Harvard Street as discussed in the attached materials.

In City Council May 3, 1999.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

Consent Order #51

225 CM

Councillors Russell, Triantafillou and
entire membership re: report on the
situation at 326 Harvard Street.

In City Council May 3, 1999

ORDER ADOPTED