

## **Minutes of the Mayor's Special Advisory Committee on Neighborhood-Based Resiliency**

March 28, 2017—795 Mass Ave, City Hall, Ackerman Room: 6:30 P.M.

Members present: Mark Aidinoff; Sonia Andujar; Gary Dmytryk; Emily Harrison; Craig Kelley, *Chair*; Gail Kubik; and Steve Wineman.

Committee staff: Wilford Durbin, *Executive Assistant to the Committee*

Guest Speaker: Ranjit Singanayagam, *Commissioner of Inspectional Services*; Sisia Daglian, *Assistant Commissioner of Inspectional Services*; Anthony Tuccinardi, *Manager of Operations at ISD*; David Byrne, *Senior Building Inspector ISD*.

Members of the Public: Stephen Nutter; Quinton Zondervan, two other members of public

Mr. Kelley called the meeting to order at 6:30. He mentioned a program being run by the Red Cross of Massachusetts to install free smoke alarms and carbon monoxide detectors in Cambridge on April 6, May 20, and June 3 from 9:00 a.m. through 3:00 p.m.

He introduced the day's guest speakers from Inspectional Services Department (ISD). Mr. Kelley said ISD somewhat of a weird department in that it does many things that you may not association together. Tasks that fall under their umbrella include to inspect buildings, rodent control, and health code compliance. He described the work of the Committee. They are getting toward end of year long process, he said, and asked all the members to introduce themselves.

Mr. Sanganyagam introduced the members of his department, and explained the various districts that split up the City for inspections. He described the various responsibilities broadly falling under the following categories: building inspections, mechanical inspections, housing inspections, and food and sanitary inspections.

Mr. Sanganyagam and Ms. Daglian gave a presentation (attached), and the following were conversations sparked by the content.

He gave an example of how ISD might be mobilized outside of those set tasks, to include hurricane relief preparedness. In such event, ISD representatives will be dispatched to highlight safety problems ahead of hurricanes, secure objects, caution members of the public on loose objects, hazards, etc.

Mr. Kelley asked if after a disaster event, whether ISD or CFD could close a building.

Mr. Sanganyagam responded that both departments could make such a decision, but we was mainly talking about services ISD would provide before a hurricane to help prepare the community. He also said that ISD can be called on to help in other emergency preparedness situations, such as flooding of buildings.

Mr. Aidinoff asked if Mr. Sanganyagam could give sense for how quickly Cambridge's sewers could become overwhelmed during a flooding event, and how bad the backed up might be.

Mr. Sanganayagam said that the Department of Public Works could provide better information, but it can happen quickly, and indeed be bad for residents and businesses.

Ms. Harrison asked if the inspectional process was the same in the aftermath of a flooding disaster whether the property was residential, commercial, or retail.

Mr. Sanganayagam said they work with and help more residential property, and that commercial properties can contract someone to provide inspections, but the department can do both. Food inspectors will often go into commercial establishments after a power failure, but otherwise the inspectors would provide residential services first.

Mr. Kelley asked if his basement were flooded, why would he ask ISD to come inspect if there was a potential they would then tell him the house was no longer inhabitable.

Mr. Sanganayagam said ISD inspectors still dispensed valuable advice on mold threats and other hazards, but they would not go in unless invited. If there is no water or electricity access in a structure, that space is no longer inhabitable, and they might go in. He said that ISD inspectors can also help resident access services quicker, such as mold remediation services to owner or landlords.

Ms. Kubik asked if ISD held meetings periodically to educate public on these services.

Mr. Sanganayagam said they do educate the public at certain meetings throughout the year, and make sure that inspectors give out information during certification and any other regular interactions.

He talked about other programs as well.

Mr. Kelley said that one of the good things about these monthly meetings is that certain topics start to blend together. When HRI was here, they talked about sprinklers going off, the damage that could cause, and remediation efforts.

Mr. Kelly asked if the lab safety committee also fell under the ISD.

Mr. Sanganayagam responded negatively, that is was under the Cambridge Health Alliance.

Mr. Kelley asked if ISD had inspectors on the clock 24/7.

Mr. Sanganayagam responded that inspectors are on call 24/7, but not necessarily on the clock. The Cambridge Fire Department calls us for our help as necessary.

Ms. Andujar said that she has seen dwellings where the fire extinguishers seem to be missing, how asked how enforcement works in city dwellings.

Mr. Sanganayagam responded that they can only make recommendations in most cases. Unless the owner is doing renovations, inspectors can't go in uninvited and force anyone to adopt safety standards.

Mr. Kelley asked about preparing housing and buildings for future heat impacts. He recounted reports from parents at the former King Open School on Cambridge St. that classrooms became so hot that the children's medicine would start to lose potency.

Ms. Daglian said that most people know if you have robust building envelop, the temperature inside the building will be more stable. Robust, meaning adequate climate appropriate insulation. She said they would like to see building codes evolve more quickly. For city buildings, it is possible to require more stringent standards to mitigate some of the heat problems. It would be very effective to enforce energy code compliance during the construction phase. If thermal bridging were required, they would like their inspectors to be able to collect that information.

Mr. Kelley noted that many building codes were set by the state, and asked how much the city do on its own.

Mr. Sanganayagam said the City could introduce some zoning changes, or incentives. For green building, we can recreate setback incentives. You can project into setbacks for added insulation, for example.

Mr. Aidinoff turned the conversation to MIT, saying that there have there been efforts, but in the absence of enforcement powers, how could one embarrass the university to come into compliance.

In response to infrared photos of thermal loss, Ms. Harrison stated that this looks like very effective public service, but asked if there had been any larger outreach or citywide heat mapping. Has ISD done anything to show residents their problem areas through infrared technology like this, she asked.

Ms. Daglian said they have not done anything like that, but it's an interesting idea.

Mr. Kelley said it seems like you could take as many pictures as you want, but that won't amount to much if you can't enforce.

Ms. Harrison asked how resistant to changing residents would be when they know the extent of thermal loss, for example.

Mr. Byrne said it's all about money. If there is money to make improvements during a project, the developers may. But contractors are trying to get a project in under budget. The majority of design elements come down to the minimum cost associated with construction.

Mr. Wineman said there may have been a thermal study done in 2012 on Cambridge homes, but its obscurity speaks to its effectiveness in raising public awareness.

Mr. Dmytryk asked how ISD inspects buildings with so much construction going on at a single project, and across the City. He lives in a fairly new building, he said, and the structure has about \$2m in repairs and updating necessary, from electrical, to sprinkler, and balcony issues. These are all issues that ISD inspect, but issues were not caught, and the developer was about to get away with not making updates. The project contractor said that this was epidemic, that there are new buildings in Cambridge that require over \$1m to bring things up to code.

Mr. Byrnes said that he had not heard of problems with construction in the City to that extent. They go out and inspect electrical, plumbing, etc., but the brunt of the responsibility falls on the designers. They have to stamp compliance with all relevant codes when they submit their plans. Our agency could not catch all those issues without living there, he said. But still, concrete testing

is done by designers. ISD will find problems after a project is done, but can only inspect what they see.

Mr. Dmytryk asked if these certificates are signed before occupancy permits are given.

Mr. Byrnes responded in the affirmative, which is why it's important to make sure the job was done right before certificates are signed.

Mr. Sanganyagam stated that when a single family or two family is built, ISD will inspect the property thoroughly. When it's a 40 unit building, it's difficult to give the same level of inspection. That's why the architect must sign an affidavit stating that work was done properly.

Mr. Kelley said that he always thought ISD was the warranty of good construction, but with so much building going on, it's impossible to inspect everything.

Mr. Dmytryk continued that if what they've seen in his building was representative,, there is a pandemic problem of poor construction that does not meet code.

Mr. Kelley said that it is important to keep future residents aware of the statute of limitations for challenging affidavits and certifications claiming work was done properly.

Mr. Kelley turned the conversation to urban agriculture. He asked what current animals and crops are being considered.

Mr. Sanganyagam stated that right now, it's mostly chicken and bees.

Commenting on a slide discussing Melbourne's (Australia) agriculture plan, Mr. Wineman asked how long the Melbourne plan would feed the city if the food distribution system where disrupted.

Ms. Daglian said she was not sure, and that it is hard to plan for that level of disruption.

Mr. Kelley said from a zoning perspective, if a homeowner removed a paved surface to make a driveway into a garden, could they convert it back into a paved surface later. If they want to get a driveway again, are there any problems to that, he asked. It was something to think about for the committee. People are unwilling to give up things that they can't get back, he said, and that makes it harder for people to take that plunge.

Mr. Sanganyagam pointed out that a resident can remove paving and still park there.

Ms. Kubik asked if the City produced green street maps, info on street trees, etc.

Mr. Sanganyagam responded that he was fairly sure CDD and DPW do have that information.

Mr. Kelley asked they wanted to talk about green roofs, does ISD get involved.

Mr. Sanganyagam responded affirmatively. This is an issue that zoning allows us to address, he said. For example, if you are capped at 3 floors, you create incentives to have a green roof to make a 4<sup>th</sup> floor.

Mr. Dmytryk said the primary advantage of a green roof is to capture and slow storm water.

Mr. Aidinoff that the Committee had heard in a number of presentations from City agencies that it's sometimes much easier to be in Cambridge. And in some regards, it's the same everywhere else. It seems that most issues here come down to state code, is there a local element that's missing, he asked?

Mr. Sanganyagam responded that local zoning codes can have a major difference. The energy stretch code, for example, raises standards for insulation and air tightness, etc.

Mr Byrne added that with stretch code, it was 20 percent higher than what was required at state level. A municipality cannot write building code, only the state. If there were going to be changes, it would have to come through zoning. With the stretch code, MA gave option for localities to adopt stricter standards.

Ms. Kubik asked if a state code fails in certain aspects, can the city work through zoning to address the gaps?

Mr. Sanganyagam said only where allowed.

Ms. Kubik stated that in NYC a building code appendix was passed to make improvements to buildings that are more flood prone. The only people that truly have authority to push for changes is the city.

Mr. Kelley said that such changes would have to come through home rule in Massachusetts.

Mr. Sanganyagam said not always. There are other ways to affect change. CDD is working with state to encourage best practices, he said.

Mr. Dmytryk said that in Alewife, there are concerns about building in a wetland, so perhaps we need more stringent codes. There is a lot of opposition to tall buildings for example, but to capture CO2 and water, we probably need higher buildings with a smaller ground-floor footprint.

Mr. Kelley asked where responsibility lies for managing stuff. A builder may come to ISD to do inspections, and different departments for various other needs.

Mr. Sanganyagam said that the building code also has flood mitigation prevention implementations. Certain buildings they must apply to the EPA standards.

Mr Byrne said one has to bring amendments through the state. Cities and towns can only adopt what the state gives us.

Mr. Kelley said he wanted to explore the rodent control part, because that comes up a lot. When he says rodents, he means rats.

Mr. Sanganyagam stated that every dumpster in the city must be permitted. They must be rodent proofed, and inspected every year.

Mr. Kelley asked what other requirements are in place, because DPW and other departments were involved in recent control efforts.

Mr. Sanganyagam said ISD also licenses the haulers, so we have their information as well.

Ms. Harrison asked about trash cans that might have more volume than dumpsters, but are not regulated the same way.

Mr. Tuccinardi said that they can still enforce if there is a problem.

Ms. Harrison said that it was well known that their building had a huge rat problem, but they did not know how to address, as residents of Harvard, or as residents of Cambridge.

Mr. Kelley asked if ISD inspectors can go on to Harvard property to say that their trash cans are not in compliance.

Mr. Sanganayagam responded in the affirmative, if that is causing a problem we can address it, he added.

Mr. Kelley stated that it seemed confusing that Harvard's dumpsters have to be licensed, and their waste hauler has to be licensed, but the 25 bins that they put out every night don't have to be licensed.

Mr. Sanganayagam said that was technically correct, but if there is a rodent problem, or defects in the barrels, we can enforce regulations to get extermination and make the University replace the barrels.

Mr. Byrne said they often go to a complaint area, see what the issue is, and take a two block stroll around the complaint area to look at the restaurants, houses, gardens, etc., and look for potential contributors.

Mr. Kelley added that that may include rodent burrows. Mr. Tuccinardi may show up and find a problem on your property and suddenly you have a problem, he said.

Mr. Tuccinardi responded that they mainly go after the food source, and bait for rats. When the King Open School was demolished, they did over 900 inspections, and would not issue demolition permits without a rodent report.

Ms. Harrison asked if a Zika outbreak hit the city, would there be a different inspection process, or would ISD rely on existing protocol.

Mr. Sanganayagam said they would probably follow existing protocol for equine encephalitis, but they would first and foremost rely on guidance from CHA.

Mr. Kelley asked if we wanted to look at 15 issues to address through inspections from a resiliency standpoint, could you say whether it can be addressed, or how it might be implemented, or something like that.

Mr. Sanganayagam said they could look into it.

Mr. Wineman put a question forth to the committee. He said that there is often tension between an orientation to enforcement standards and building mutual reliance on each other. He asked how the two might be rectified. If all complaints go to the City, he asked, then how do we build better neighborhoods.

Ms. Daglian said that they like to get information out to the public so they can work on issues themselves. They prioritize educate on various issues at community meetings, and this brings community members together to work on communal problems.

A member quipped that it is still an effective policy to enforce “Clean it or lien it.”

Ms. Harrison asked how a department changes quickly enough to address new problems.

Mr. Sanganyagam said that state codes are broadly defined, and require local interpretation and enforcement.

Mr. Tuccinardi said effective tools were local information and outreach. With the December fire, we mobilized right away, he said. Rodent control was one of the first thing ISD did after the fire was addressed.

Mr. Sanganyagam said that if there is ever a complaint, please call us.

Mr. Kelley thanked them for their time and turn the conversation to Committee business. He asked for a motion to accept minutes from January, and they were adopted.

Mr. Kelley said the idea is to complete work in June, but perhaps we need to take a break in July and August and complete in September.

Mr. Wineman said he thought they should start as soon as possible.

Mr. Kelley said that the school department is the last big group to talk with but they can do that at luncheon.

Ms. Holloway said the resiliency report from other city sent around by Ms. Dillard seems like a great place to start. Why not begin, she asked. They could begin by testing the city on that report’s resiliency index. She thought it would be good required reading prior to writing the report.

Mr. Kelley said sure, they don’t want to reinvent the wheel.

Mr. Wineman said they should not lock themselves into not talking to any other human being, but they need to move into next phase. They need to start writing. They can break into small groups, have luncheons, and move bits along.

Mr. Kelley asked if people are willing to delegate picking the dates to him and Mr. Durbin to find public meetings for the group. One of the great ideas is to have a photo contest, and perhaps they should do that again.

Mr. Durbin said that they would first need to have a clear goal and ask for participants.

Mr. Aidinoff said that DPW recently took pictures of people with hats when it was hot out. A lot of people talked about it. They need a hook to capture attention, he said.

Mr. Kelley asked if they should just put a stake in the whole idea.

Mr. Wineman said he didn’t want to use Committee time for this.

Ms. Harrison said the group could have a middle school project that asks students to collect data, then they go out and interview neighbors (spreading awareness), and then give information back. They could even invite students to present their work.

Mr. Dmytryk asked what the group process would be for drafting. Is the plan that Craig and Wil write it all and the Committee is asked to review, he asked, or do they all work together, review notes, etc.

Mr. Durbin stated that if the Committee wanted to have some longevity, it needed to be robust enough to operate regardless of the November 2017 election results, and besides, he added, he would have a newborn the next time this Committee met.

Mr. Kelley said that come had come in with the agreement that they would not be asked for more time commitments than Tuesday nights. So if members are willing, he and Mr. Durbin can use their time.

Ms. Holloway said that she imagined facilitating a session where members present on topics, put ideas on flip charts, and write the 5-6 most meaningful ideas and presentations. At least it would give a framework for moving forward, she said.

Mr. Wineman said his biggest concern is not what the report will be—there will be sticky points and such—but there is a lot of common ground around this table about what resiliency looks like and needs to look like. His biggest concern is that they do what most committees do, which is write and nothing happens, they all leave. That is how the system works. He would love to see them involved in the implementation phase. There may be things they could do themselves to get the ball rolling on major issues. He can see them next year organizing neighborhood meetings. He would like to see them entertain the implementation role.

Ms. Andujar agreed. As a low-income tenant in the community, she sees a lot of isolation and mistrust. She tries to reach out to her neighbors for everything. Building that cohesion is tough, even at this table they do not come from the same neighborhoods.

Mr. Kubik volunteered her graphic designing skills to the final project.

Mr. Durbin reminded the Committee about an upcoming meeting with Northeastern University Ph.D. candidate Courtney Page.

Mr. Kelley adjourned the meeting.