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Not on my street

Half-ruined mansion, other neglected houses

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This mansion at 251 Salisbury St. is owned by romance writer Heather Graham and her husband, Worcester native Dennis Pozzessere. They are shown in a photo on romance novel writer Shannon Emmel's website, from a romance writers' conference in New Orleans, hosted by Graham.

(T&G Staff/MARK C. IDE)



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This 2009 file photo shows Martin Mullaney in front of a property he owns at 182 Grand St. (T&G file photo/PAUL KAPTEYN)

City nuisance ordinance

The city nuisance ordinance was updated and strengthened in 2008 to include the following new provisions:

Nuisances are defined as:

- Dilapidated buildings
- Overgrowth
- Trash
- Stagnant pools of water
- Buildings with defective paint or siding

All properties must be maintained according to the following standards:

All property must be kept in good repair and in safe and sanitary condition so as not to cause or contribute to a hazardous or blighted area or harm public safety.

- Free of vegetation over 12 inches high.
- Buildings must be structurally sound and free of extensive peeling, flaking or chipped paint.
- Must be free of accumulation of trash except in closed containers.
- No pools of stagnant water that harbor mosquitoes and other insects.

Violators must remove the nuisance within 10 days or face the following fines:

First violation: \$50
Second violation: \$100
Third violation: \$200
Fourth violation: \$300

Source: City Ordinances

T&G Staff/STACEY ARSENAULT

WORCESTER — The half-ruined mansion could be a perfect setting for one of author Heather Graham's best-selling horror or romance novels.

The writer and her husband, city native Dennis Pozzessere, bought the brooding Classical Revival home at 251 Salisbury St. — a historic landmark in the heart of one of the city's most affluent neighborhoods — in 1991 as a second home for the Coral Gables, Fla.-based couple and their five children.

The jet-setting socialites had ambitious plans to fix up the house, which they initially visited for a few years during summers and occasional holidays, and to furnish it with antiques.

Instead, they appear to have all but abandoned the 15,600-square-foot edifice, which is showing obvious signs of neglect and deterioration.

From the edge of the once-finely manicured gardens, heavily flaking paint can be seen peeling off the mansion's towering columns all the way up to a tin observation deck.

The mansion has since become a flashpoint in city housing officials' campaign to enforce a tough new nuisance property statute throughout the city — from the stately wooded avenues of the upscale West Side to gritty blocks in sections of the Main South neighborhood.

Since the city's three inspectors assigned to nuisance property investigations began their work in spring 2008, they have logged more than 13,000 work orders after inspecting properties and finding violations of the nuisance and public health ordinances, according to city records. Of those, 98 percent have been resolved but about 500 cases remain open — either in court, receivership, in the process of demolition or under negotiation with the property owner and the city.

After the city passed the nuisance measure two years ago, housing inspectors ordered the Pozzesseres to paint the house, a remedy backed by neighbors and historic preservation activists.

But the couple ignored the order, and after repeated failed attempts to get them into court, a housing court judge last month held them in contempt, threatened to jail them and imposed back fines of more than \$30,000. The fines are rising at the rate of \$100 per day.

The Pozzesseres did not return several messages left on their home voice mail.

Amanda M. Wilson, the city's director of housing and health inspections, said in an interview that Dennis Pozzessere has called a few times and indicated that the couple “wants to get it done,” but has never followed through or shown up at a court hearing.

Sounding exasperated, Ms. Wilson noted: “The fines don't stop.”

One fed-up neighbor pointed out that, unlike some home owners, the Pozzesseres apparently don't lack the financial means to keep up their property.

"It's an eyesore, and it could be one of Worcester's stellar properties," said Stanley Sakellson, a retired financial trader who lives around the corner on Academy Street. "It's very strange."

With other "problem properties," city officials sometimes use the nuisance statute as a club, and at other times as more of a lever to achieve compliance from owners of deteriorating properties, some of whom are aged, sick or mentally ill.

The measure allows inspectors to levy fines and order into housing court landlords and owner-occupants who allow grass to grow more than a foot or have shrubs blocking entrances or exits; have pools of stagnant water on their land; store more than one unregistered vehicle; or violate public health ordinances such as allowing trash to accumulate.

The city also has the right to go onto a non-cooperative owner's property and do minor cleanups such as mowing the lawn or removing trash. For those "services," the city places a small lien on the property title.

Daniel J. Cahill, a housing inspector with the city's nuisance team, carries a ruler with him to measure overgrown grass. Mr. Cahill enters violations into a laptop mounted in his city-issued pickup.

"Sometimes it's so bad, you can't get out the door," Mr. Cahill said of trash and vegetation buildup at some houses, during a recent tour of properties with which the city has had problems.

The city can also take more drastic measures, such as placing properties in receivership or even demolishing buildings.

Demolition is the blunt hammer that housing officials say they have been forced to use with Martin Mullaney, an 86-year-old landlord said by city officials and neighbors to be a compulsive hoarder of junk. He has repeatedly been found in contempt by housing court judges for violating housing and health codes.

Almost always, however, Mr. Mullaney has paid his taxes and the fines.

Even so, in 2008, the city took down one of four three-deckers he owned on Grand Street, a dead-end street in Main South — a vacant, decrepit hulk that officials say Mr. Mullaney had stuffed with junk and trash.

At that time, the city only could afford one or two demolitions a year. Since the foreclosure crisis, however, the city has received a \$400,000 federal grant with which it can raze about 10 abandoned buildings.

Two of the demolitions involve properties owned by Mr. Mullaney, said Ms. Wilson, the inspection director.

One, at 194 Grand St., another three-decker that was packed with garbage and debris, was knocked down late last month. Another, at 182 Grand St., two buildings down from Mr. Mullaney's own house at 174 Grand St., has been the subject of a drawn-out court battle

between Mr. Mullaney and the city over the last few months.

After years of failing to comply with court orders to rehab the ravaged building, Mr. Mullaney maintained that he would renovate the three-decker top-to-bottom, and even produced paperwork showing that he had more than \$200,000 in savings that he could use for the work, according to Ms. Wilson.

In the last few weeks, it turned out that Mr. Mullaney's contractor was not licensed, and that he did not have a real plan to rehab the building. A housing court judge ruled against Mr. Mullaney, clearing the way for the city to raze the structure.

Mr. Mullaney's next-door neighbor, Tin Nguyen, lives with his wife and two children in a well-kept single-family house with a neatly tended lawn and small vegetable garden sandwiched between Mr. Mullaney's house and the vacant three-decker that is slated to come down.

Mr. Nguyen, 47, a computer technician and immigrant from Vietnam, has been lodging complaints with the city for years about trash accumulation and derelict vehicles in Mr. Mullaney's own yard and in the empty three-decker next to him.

Mr. Nguyen noted with disgust that the mess is not confined just to the buildings. Across the street, a large fenced-in lot also owned by Mr. Mullaney has sprawling piles of construction debris and household trash, along with abandoned cars and trailers and even an old backhoe.

He said he has been frustrated by what he sees as the slow pace of the city's response to the squalor.

"It's a big mess. He's just collecting trash. The city comes over here and just looks at it and they don't do anything as long as he pays the fines," Mr. Nguyen said. "In my country, he'd be thrown in jail for this."

One day last month, before the court allowed the city to demolish the 182 Grand St. three-decker, Mr. Mullaney sat in his white van with a man who said he was the contractor.

"I'm fixing it. I'm keeping it up," Mr. Mullaney said. "I was sick for a little while. Things got ahead of me. I live down here. I brought the neighborhood back."

Across the city, on the edge of the largely middle-class Burncoat neighborhood, Donald Bonnette lives alone in a falling-down ranch-style home that Mr. Cahill, the nuisance inspector, has visited many times, trying to convince Mr. Bonnette to clean up his overgrown yard.

The house actually is owned by the estate of Mr. Bonnette's dead parents, and Mr. Bonnette's son, who lives in Florida and won't take city officials' calls, pays the property tax bills.

Answering a reporter's knock on the front door, Mr. Bonnette said he has injuries and can't do yard work.

"How do you think I should do it? I have bad eyes and shoulders, bad joints, and I had prostate surgery," Mr. Bonnette said. "I can't physically do it."

Ms. Wilson said the city and the housing court have tried to deal with property owners and occupants as humanely as possible, balancing the rights of property owners with the interests of neighbors and the larger community

In Mr. Bonnette's case, the city got elder services department workers involved, but Mr. Bonnette turned them away, Ms. Wilson said.

Taking over the property, and, in effect, evicting Mr. Bonnette isn't a realistic option, she noted.

Enactment of the nuisance property statute and assigning inspectors to enforce are making a visible dent in what has been a significant problem in the city, according to Ms. Wilson.

"Having these tools is immeasurably important," she said. "Before, we didn't have the ability to write up that grass was 4 feet high. It wasn't enforceable."

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