

Approved 8/8/2013

Minutes of the Cambridge Historical Commission

July 11, 2013 - 806 Massachusetts Avenue - 6:00 P.M.

Members present: William King, *Chair*; Bruce Irving, *Vice Chair*; M. Wyllis Bibbins, Robert Crocker, Chandra Harrington, Jo M. Solet, *Members*; Shary Page Berg, Joseph Ferrara, Susannah Tobin, *Alternate Members*

Members absent: Robert Crocker, *Member*

Staff present: Charles Sullivan, *Executive Director*, Sarah Burks, *Preservation Planner*

Public present: See attached list.

Chair King called the meeting to order at 6:03 PM and made introductions. He explained the hearing procedures and designated the alternates to vote in the following order: Ms. Berg, Ms. Tobin, and Mr. Ferrara.

Public Hearing: Landmark Designation Proceedings

Cases L-109: Grace Methodist Church, 56 Magazine Street, Grace Methodist Church c/o New England Conference of the United Methodist Church, owner. Discuss preliminary landmark study report and make recommendation to City Council.

Ms. Burks summarized the preliminary landmark report, including the significance of the property and the purpose of landmark designation, as provided in the ordinance.

Mr. King suggested that the report be edited to refer to the property as 56 Magazine Street and not just by the name Grace Vision United Methodist Church.

Jill Becker of 23 Perry Street thanked the Commission for the report. Brian Hasbrouck, an Arlington resident, said he had been associated with Grace Methodist for many years. He spoke in favor of designation, but expressed concern about the safety of the steeple. One of the columns had fallen off in a storm. The church had made major repairs about 30 years ago. It would be an ongoing issue for the new owner. He recommended that the designation exclude the steeple or build in flexibility for possibly removing it. Ms. Becker agreed. She noted that the column fell to the ground during Hurricane Sandy. During heavy storms, the whole corner was roped off. Mr. Sullivan observed that Commission review procedures took public safety into account.

Xonnabel Clark of 413 Concord Avenue spoke as a longtime member of the Grace Vision UMC congregation. She thanked the Commission for the study, and said she was delighted that the buyer would preserve the building as a church.

Ms. Berg asked if the new owners had contacted the staff. Mr. Sullivan said that he had discussed the building's condition with them, and they were planning to apply for an institutional preservation grant.

Mr. King closed the public comment period.

Mr. Irving moved to accept the staff recommendations in the report, to make the recommended edits referring to the property, and to recommend to the City Council that it designate the property as a landmark. Ms. Berg seconded the motion, which passed 7-0. Ms. Berg voted as alternate.

Public Hearing: Demolition Review

Case D-1308: 33 Richdale Ave., by Hathaway Partners LLC. Demolish majority of industrial building (1910 with additions).

Mr. King noted the entrance of City Councilor Marjorie Decker.

Mr. Sullivan showed slides and summarized the staff report on the Hathaway Bakery, which was built between 1910 and 1919. The company became a major regional producer of baked goods and went public in the 1920s. The Cambridge plant closed about 1949 after a larger bakery was built in Brighton. He showed slides of other industrial buildings on Richdale Avenue that had been converted for residential use and live/work lofts. He said the building was significant and probably eligible for the National Register of Historic Places.

Mr. King asked if anyone would like to speak against finding the building significant. There being no such arguments, Mr. Irving moved to find the building significant, as defined in the ordinance and for the reasons stated in the staff report. Mr. Bibbins seconded the motion, which passed 7-0, with Ms. Tobin voting as alternate.

Mr. King asked the applicants to present the proposed replacement project.

Rob Wolf introduced himself as a local resident who had adaptively re-used several historic buildings in Cambridge, including 161 First Street, 58 Charles Street, and St. Peter's School on Concord Avenue. He wanted to preserve this building and had been studying the options since January. The main problem with adaptively re-using the building for residential use was its depth. He introduced his architect, Joel Bargman.

Mr. Bargman said he was experienced working with historic buildings, but code changes required that it meet new seismic and wind load requirements. He reviewed the site plan and elevations of the proposed design. He pointed out the portion of the building that would be preserved and converted into two apartments. It was the last unaltered portion of the original façade. He noted the neighborhood context of 3-4 story frame residential buildings. He noted the high windows in the old building, which made the spaces difficult to use for residential units. He showed a study in which the whole building would be preserved, but the parking would be inadequate and the units would be very narrow and deep. He reviewed the proposal to keep 7 bays of the existing building, one bay deep, and build a new building at the rear of the property. This would open up the streetscape, offering visual relief. All parking would be below the building.

Dr. Solet asked if more of the building could be used if atria were cut into it. Mr. Bargman said atria could be useful for taller buildings, but too much space would be lost with a one-story building.

David Callen of 75 Richdale Avenue (the former Payne Elevator Building) asked if there would be open space on the west side. Mr. Bargman replied in the affirmative.

Oliver Radford, a resident of Cambridge Terrace and office tenant in 33 Richdale Avenue, asked how seismic concerns would be addressed on the seven bays that were proposed for re-use. Mr. Bargman replied that the new rear wall would help stiffen the building and the necessary structural work would be performed on the front and side walls. It was affordable for a small area, but not for the whole building.

George Kirchner of 75 Richdale Avenue commended the developer for proposing a residential use.

Arlene Miller of 75 Richdale Avenue said she loved living in a former industrial building. She spoke positively about the Hathaway building and its street wall elevation. She noted that the windows in the Payne Elevator were also very high, but the residents were creative with their space.

Joe Sullivan of 79 Upland Road asked how tall the new building would be. Mr. Bargman replied that it would be 45' high. Mr. Sullivan asked if a traffic impact study had been completed. Mr. Wolf answered that the report was in progress and would be submitted to the Planning Board.

Debbie Whitney of 75 Richdale Avenue said high windows in her units provided privacy and lots of light.

Charles Stevenson asked if the proponents had studied keeping the full façade of the existing building. Mr. Bargman replied in the affirmative. He said they chose a different design because breaking up the street facade would better relate to the neighborhood. The new building would be set back further from the street.

In reply to Liz Moore of 75 Richdale, the architect described the materials of the new building as cement board clapboards and metal corrugated siding.

John Howard of the Porter Square Neighborhood Association indicated that there would be a community meeting with the developer on Thursday the 18th.

Eric Hoagland of 17 Upland Road asked if the construction would meet LEED standards for green design. Mr. Wolf said it would be at least LEED silver. Geothermal heating and cooling was being considered.

Ellen Wolfe of 75 Richdale noted that the part to be preserved was very small. The cladding on the new building did not look industrial.

Mr. Bargman told Marian Foster of 75 Richdale that storm water would be contained on the site.

Elaine Spatz-Rabinowitz of 75 Richdale Avenue spoke in favor of preserving the façade of the building. The north side of the street had a very historic industrial feeling. The new building was too tall and wide.

Peter Miller of 46 Porter Road said he would rather look at the rundown industrial building than a new one. In winter it would cast shadows over the tracks. He discouraged the developer from putting balconies on the back of the building because of the noise, smell, and diesel fumes from the railroad.

Carol Cohen of 40 Porter Road said the gritty historic building should be preserved. She dealt with the train by watching the schedule and closing the windows before it came by. The section to be preserved was just a crumb of the old building.

Mr. Hoagland said having a new green building was more important than preserving the old one.

Charlotte Moore of 9 Rutland Street asked the Commission to find the building preferably preserved. The bakery was part of the historic context of the Porter Square area.

Steve Perry of 24 Cambridge Terrace and 33 Richdale Avenue said the length of the existing building was its triumph. Porter Square was a mixed use area and not always about beauty. He recommended that the building be found preferably preserved and a landmark study considered.

Mr. King closed the public comment period. He said that too much of the building was sacrificed in the proposal, making up only 4 percent of the total number of units. He encouraged the owner to study other options if a delay was imposed.

Mr. Irving challenged the developer to consider keeping the entirety of the façade, which was a consistent with the context of the north side of the street. He suggested that the back part of the building not be too tall. He concluded with a quote from Orson Welles: "The enemy of art is the absence of limitations."

Dr. Solet moved to find the building preferably preserved in the context of the proposed replacement design. Ms. Harrington seconded the motion, which passed 7-0 with Mr. Ferrara voting as alternate.

Public Hearing: Neighborhood Conservation District (NCD) Appeal

Mid Cambridge NCD Case MC-4233: 24 Clinton Street. 24 Clinton Street LLC, owner. Consider an appeal of the Mid Cambridge NCD Commission's decision submitted by petition of Cambridge voters.

Mr. King noted that the Commission members had all seen the appeal documents and record of the case. The NCD ordinance had been passed ca. 1980 and there had been fewer than 10 appeals during that time. He noted that the hearing was not a *de novo* hearing on the original application, but a review of how it was handled by the staff and the NCD commission. He was impressed by the amount of testimony taken into consideration by the NCD commission. He noted that the NCD commission's decision was not unanimous. The appellants argued that there was no representative of the Historical Commission on the NCD commission, but that matter was not in the control of either body, since it was the city manager's decision whom to appoint. Neither the Historical Commission nor the NCD commission recorded their hearings. Each chair runs meetings differently. The change in the notice for the May hearing was an issue, and he read both notices. The minutes of the April meeting reflected the continuance of the hearing for the purpose of studying other design options. He noted that the neighborhood association newsletter had inaccurately characterized the outcome of the April meeting.

Dr. Solet said the appellants also argued that the notice for the April hearing did not go out to the tenants as required by the ordinance. Ms. Burks reported that the tenant notification had been abandoned about 1999, with no way to identify tenants in the city's GIS data. A list of registered voters was manually assembled to notify tenants of the May hearing, with double the number of notices sent out than for the April hearing.

Mr. King noted another argument made by the appellants about the properties that were referenced in the staff presentation at the hearing. Joan Pickett, President of the Mid Cambridge Neighborhood Association and a resident of 59 Ellery Street, said the appellants took issue with the properties cited by the staff as examples of freestanding residences located in rear yards. She said the decision to appeal had not been taken lightly. There were procedural and substantive issues with how the case was handled. The notices were misleading, the notification was deficient at the first hearing, and there was general misunderstanding by the public about the outcome of the first hearing. The minutes were not as accurate as a transcript.

Mr. King observed that testimony about a detached design option was heard at the first hearing.

Francis Donovan of 42 Irving Street said it was oversimplifying to say that as long as the issues were clear to the members of the NCD commission, it did not matter if the opponents showed up at the second hearing. No harm would be done to remand the case for a new hearing. The public notice was deceptive, perhaps by accident, but harm was done.

Dr. Solet asked how the applicant felt about having a new hearing. Mahmood Firouzbahkt replied that there had been plenty of opportunities to participate in the review. If someone was interested, they would have shown up to hear about the "addition" at the second hearing. He wished the notice had been worded in a clearer

way, but he thought it had been adequate. His offers to talk to the abutters about the project had not been reciprocated. He noted that none of the additional people notified of the May hearing attended.

Debbie Knight of 380 Broadway read a letter from Frankie Lieberman, a former NCD commission member who had attended the April hearing. She understood at the end of the first hearing that a detached structure would not be acceptable to the commission. If zoning was the only consideration, then the Mid Cambridge commission would be redundant.

Nancy Goodwin, Chair of the Mid Cambridge NCD commission, was sorry that there had been a misunderstanding about the April discussion and regretted that the notices were worded differently. The Mid Cambridge commission had continued the hearing from April to May because it wanted the applicant to study the possibility of an attached dwelling rather than a detached one, but it had not voted to disapprove the first detached design. The applicant studied the attached option, but that design was taller than the detached building and was not the preferred design. She would not object to having another hearing on the matter if the applicant wanted to return, but she would not be surprised if the outcome was the same as before.

Daniel Fisher, an abutter at 25 Bigelow Street, said it had not been clear to him what the second meeting was about. There was not much open space in the back and he asked for another hearing.

Margaret McMahon of 14 Highland Avenue said she had been present at both Mid Cambridge hearings. The first meeting focused on the site and the context. She thought the Mid Cambridge commission had concluded that the two-house proposal was inappropriate. She was surprised to see the option still on the table in May. The architect could have done a more interesting design for an attached dwelling. The commission was compelled to choose the detached option because the quality of the design wasn't as good. The focus of the second hearing was design, not site and context.

Paula Lovejoy of 90 Clinton Street concurred with others who thought a detached unit had been denied. The tenant notification was important because there were so many leased condos in Mid Cambridge.

Mark Boyes-Watson, the architect for 24 Clinton Street, said the Mid Cambridge commission had conducted a diligent review. The first hearing was very long with lots of public testimony. The board wasn't ready to approve a project at that time, and continued the hearing with the instruction that an attached design be studied. He noted that the attached option would trigger non-binding review by the Commission. The case was discussed exhaustively. The infill issue was basically equivalent with the two design options. The commission chose the detached option. Multiple reviews were onerous to the applicant in the time and expense they require.

Dr. Solet inquired of the applicant his opinion of a new hearing. Mr. Firouzbakht said it was his opinion that both design options met the guidelines of the district. He did not see a point in having a new hearing.

Mr. Irving said he did not think there had been a screw-up. Nothing was ever off the table until a decision was voted on. Proper procedure was followed in continuing the case for discussion of further options. He did not think the matter needed to be remanded to the Mid Cambridge commission.

Mr. Barry said there was obvious confusion, but that was perhaps because of the misstatement in the Mid Cambridge Neighborhood Association newsletter.

Ms. Picket said approximately 15 people left the April hearing with the idea that the commission had found a detached building to be inappropriate.

Francis Spinks of Bigelow Street asked Mr. King if he thought the notice had been deficient. Mr. King answered that it had potentially been misleading but the detached option had not been voted down and was therefore still on the table for the continued hearing.

Ms. Harrington asked the appellants if they would be satisfied with a new hearing even if the decision were the same. Ms. Pickett said not everyone had the chance to be heard at the hearings. The opponents did not get equal time with the applicant. If that was resolved in a new hearing, they would be satisfied.

Dr. Solet said that another hearing might bring the neighborhood back together. Ms. Tobin said that while neighborhood comity was desirable, she agreed with Mr. Irving that a continuance without a vote to deny the first design was a clear indication that the matter was still under discussion. A notice that said the hearing had been continued was not deficient. Mr. Ferrara agreed that it should have been expected that all options were still on the table at the continued hearing.

Mr. Barry said that remanding the case would relaunch the process and potentially result in a different outcome. The applicant would be at risk for a different vote.

Mr. Irving moved to find that procedures were followed to the Historical Commission's satisfaction, that due process was met, and that the Mid Cambridge commission had not been arbitrary or capricious, and he further moved to not remand the matter back to the Mid Cambridge commission. Ms. Tobin seconded the motion, which passed 6-1. Dr. Solet was the dissenting vote and Ms. Berg voted as alternate.

New Business: Determination of Procedure: Alterations to Designated Properties

Case 3088: 4 University Rd., by Chapman Arms LLC, c/o Homeowners Rehab, Inc. Exterior repairs; replace windows throughout building.

Mr. Sullivan showed slides and summarized the application to replace the existing windows that dated to ca. 1982. The new windows would be equally appropriate but a better product. He recommended approval.

Mr. Irving moved to approve the application, subject to the ten day notice procedures. Mr. Barry seconded, and the motion passed 7-0 with Ms. Tobin voting as alternate.

Case 3091: 20 Follen St., by Twenty Follen Street LLC. Change exterior paint colors; change stair and add condenser at rear.

Mr. Sullivan showed slides and described the house, one of two post-WWII houses on Follen Street. The owner proposed to change in the color of the body to gray. The trim would remain white. The other proposed work was at the back of the house and not visible from a public way.

Mr. Irving moved to approve the application, subject to the ten day notice procedures. Ms. Harrington seconded, and the motion passed 7-0, with Mr. Ferrara voting.

Community Preservation Act

Mr. Sullivan reviewed the memo and proposals for FY14 projects with his recommendations. The Commission discussed the projects and asked questions.

Mr. King noted that Mr. Bibbins was the Commission's representative on the Community Preservation Committee. Mr. King wanted to be sure there were no objections to the use of CPA funds for the Powder Magazine, which was owned by the state. Mr. Sullivan said no objections had been raised last year.

Mr. Irving moved to accept the director's recommendations and forward them to the Community Preservation Committee. Ms. Berg seconded, and the motion passed 7-0 with Ms. Berg voting.

Minutes

Mr. King said he had no corrections for the April 4 minutes.

Mr. Bibbins corrected the June 13 minutes to indicate that he attended but Mr. Ferrara was absent.

Mr. King offered the following edits to the June 13 minutes:

Page 2, starting with the 7th paragraph:

Mr. Irving noted that he was a Councilor of the Society. Other commissioners identified themselves as advisors. Mr. King said that only members of the Society's governing body should need recuse themselves.

Ms. Berg asked if approval would set a precedent. Mr. Sullivan said that it would not.

Ms. Harrington moved to approve a Certificate of Appropriateness for the sign, subject to compliance with the procedure to send with a 10-day notice to the abutters. Ms. Tobin seconded, and the motion passed unanimously with Mss. Berg and Tobin voting and Mr. Irving not voting.

Page 3, inserting a new 6th paragraph:

There being no further public questions or comments, Mr. King closed the public comment period.

Page 3, last paragraph:

There being no further public questions or comments, Mr. King closed the public comment period.

Mr. Irving moved to approve the April 4 minutes as submitted and the June 13 minutes as corrected. Ms. Tobin seconded. The motion passed 7-0 with Ms. Tobin voting.

Director's Report

Mr. King asked about the granite sculpture in Harvard Square that the T was removing because of structural problems. Mr. Sullivan said he had been notified, but because it was state property, the Commission had no jurisdiction in the matter.

Mr. Irving moved to adjourn. Mr. Barry seconded, and the motion passed unanimously. The meeting adjourned at 10:01 P.M.

Respectfully submitted,

Sarah L. Burks
Preservation Planner

**Members of the Public
Who Signed Attendance Sheet 7/11/13**

John Sanzone	540 Memorial Dr
Brian Hasbrouck	46 Sherborn St, Arlington 02474
Carol Cohen	40 Porter Rd
Marc Weiss	17 Buena Vista Pk #3
Michael Dennis	20 Clinton St #4
Xonnabel Clark	413 Concord Ave
Edward J. Rice	460 Putnam Ave
Debbie Whitney	75 Richdale Ave #8
Christopher Robinson	20 Ware St #9
Elaine Spatz-Rabinowitz	75 Richdale Ave
Arlene Miller	75 Richdale Ave #10
D. M. Hebden	273 Harvard St #16
Ellen Wolfe	75 Richdale Ave #14
Marion Foster	75 Richdale Ave #18
Adam Siegel	130 Centre St, Brookline 02446
C. Ian Stevenson	16 Cambridge Ter. #1
John Lewicki	52 Regent St
Daniel Fisher	25 Bigelow St
Roy M. Ray	345 Washington St
David Kalan	75 Richdale Ave #1
Solomon Abrams	7 Union St
George Kirchner	75 Richdale Ave #7
Jill Becker	23 Perry St
Arthur Wolfson	33 Richdale Ave
Marjorie Sagan	75 Richdale Ave #7
Marian Darlington-Hope	350 Washington St
Nancy Goodwin	113 Inman St
Charlotte Moore	9 Rutland St
Francis Donovan	42 Irving St
Elizabeth Gombosi	42 Irving St
Steve Jerome	11 Garden St
Bill Forster	244 Lexington Ave
Paul Slavinski	8 Aldersey St, Somerville 02143
John M. Howard	8 Cogswell Ave
Julie Sammut	62 Richdale Ave
E. B. Moore	75 Richdale Ave
Maria Nortz	46 Porter Rd
Peter Miller	46 Porter Rd

Town is Cambridge unless otherwise indicated.