

Minutes of the Cambridge Historical Commission

November 7, 2013 - 806 Massachusetts Avenue - 6:00 P.M.

Members present: William King, *Chair*; William Bary, Robert Crocker, Chandra Harrington, Jo M. Solet, *Members*; Shary Page Berg, Susannah Tobin, *Alternates*

Members absent: M. Wyllis Bibbins, Bruce Irving, *Members*; Joseph Ferrara, *Alternate*

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 explained hearing procedures.

Public Hearing: Alterations to Designated Properties

Case 2829 (Amendment): 40 Norris St., by LaCourt Family LLC c/o Dr. Mouhab Rizkallah. Modify design of cooling tower, mechanical pit, and plantings.

Mr. Sullivan showed slides and described the reason for the hearing. The pit and mechanical equipment for the cooling tower were larger than shown on permit drawings, necessitating a review by the commission. The proposal would include cladding the exposed portion of the 26" sidewalls of the pit with brick, with a limestone coping and a steel grate across the top and plant material in planters.

Dr. Mouhab Rizkallah, the owner, described work that had been completed to date. In order to meet the city's noise level requirements he needed larger equipment with fans that could spin at a slower/quieter speed as well as sound attenuation fixtures, all of which required a wider pit. The Commission and the Planning Board approved a 216 sf pit (12' x 18'). He thought he could adjust the dimensions as long as he still had the required planted area. [Ms. Tobin arrived]. He described the proposed plants: junipers that would hang over the sides of the walls.

Dr. Solet asked about low frequency noise. Dr. Rizkallah indicated that he did not think it would be a problem. Dr. Solet asked about heat from the exhaust of the equipment. Dr. Rizkallah answered that the exhaust would bypass the planters.

Ms. Berg indicated that the planter design with irrigation might work, but evergreens like juniper and holly might not be the best choice. Dr. Rizkallah said he would be happy for suggestions. He described the redesign of the handicap ramp, which would eliminate the need for railings.

Mr. King asked for questions of fact from public.

Young Kim of 17 Norris Street asked about the manufacturer of the equipment. Dr. Rizkallah replied that it was Marley. He asked about dimensions and whether Marley had indicated that the equipment would work properly with the planters. Dr. Rizkallah indicated that he had checked with the manufacturer to make sure it would work as planned.

Kevin Crane of 27 Norris Street indicated that the approved plans showed a pit that was flush to the ground. Dr. Rizkallah displayed section drawings submitted to the Planning Board that showed a projection above ground, but said that the height had not been specified.

Mr. Sullivan said the raised pit proposal had evolved after Dr. Rizkallah had initially shown a flush design with a wrought iron fence; the approved plan eliminated the fence. He said the Commission was being asked whether this larger installation was still an appropriate design.

Dan Bertico of 13 Norris Street objected to the mechanical equipment. Why could it not be sunk further so that there was only a 6" high wall? Dr. Rizkallah said the pit was already deeper than the building's footing. He could not safely go deeper. Mr. Bertico asked about geothermal. Dr. Rizkallah said it would not work on this site because there was not enough open land to drill the wells.

Mr. King opened the public comment period.

Mr. Crane said he did not believe the pit was bigger because of the noise ordinance requirement. David Bass of 23 Norris Street said it was much larger than the neighbors expected. Jean Fong of 53 Norris Street said the 25' x 14' bunker would detract from the building. Mr. Kim asked why the manufacturer had changed and why more cooling power was needed.

Mr. King said he was glad there would not be window AC units. He closed public comment.

Dr. Solet said that she would want the installation to allow enough space around the units to allow them to work properly and insure the least noise possible. This might be the best plan available.

Mr. Barry observed that the concept for the mechanical pit with walls above grade had already been approved. A wall 26" above grade was a reasonable height in a landscaped environment. He recommended a material other than brick - maybe something darker, like slate. Ms. Berg disagreed and said new materials would be distracting. Brick was a good choice. Mr. Barry said that as long as the design had been vetted by the manufacturer, he would be satisfied about its performance.

Ms. Harrington commented that she was concerned that once again a property owner had bypassed the Commission's procedures. Better communication was needed.

Mr. Barry moved to find the 26" retaining wall not incongruous in the context of the overall mass of the building, and to approve the new design as an amendment to the Certificate of Appropriateness on the conditions that a) the owner submit a representation by an acoustical consultant that the system would work as expected with this design and b) the design would be subject to approval of construction details by staff. Dr. Solet seconded, and the motion passed 7-0.

Case 3154: 9 Follen St., by Matthew Kavet. Convert covered porch to mud room.

Mr. Sullivan showed slides and summarized the application.

Diane Liu, the architect, said the design would enclose a covered porch for use as a mudroom. The roof would extend further and the exterior window would remain in place. She indicated that a second column could be added to frame the relocated door. The view from the public way was minimal.

Marilee Meyer of 10 Dana Street asked if the columns would be freestanding. Ms. Liu replied in the affirmative.

Mr. Sullivan reported that a letter of support had been received from the Ragon family.

Mr. King closed public comment.

Mr. Barry asked if consideration had been given to keeping just the single column. Ms. Liu replied that she had. If the two-column design was too formal for a secondary entrance, it could remain just one column. Mr. Sullivan suggested using an engaged square pilaster with matching capital, rather than a full second column. The pilaster could extend about 3". Mr. Barry agreed.

Ms. Harrington moved to approve the application, as described with the pilaster substituting for the new column. Mr. Barry seconded, and the motion passed 7-0.

Case 3155: 92 Brattle St., by 92 Brattle Street Cambridge Trust. Change window to door at front; construct kitchen addition at rear.

Mr. Sullivan showed slides and described the 1881 house. He noted that some of the slides had been taken from within the property because it was hard to see the house from a public way. He noted that the Commission had approved construction of the rear stair tower in 1986.

Kelly Speakman of Boyes-Watson Architects described the proposed alterations, including changing a 12+2 window into a door of the same width, matching the existing moldings. This would become the main entry to the house. Another door would be converted to a window. The kitchen would be extended in a one-story addition with cedar clapboards to match existing.

There were no questions or comments from members of the public.

Dr. Solet said she did not see the small lights proposed for the transom used elsewhere on the building. Ms. Speakman said the number of lights could be adjusted; there was already a lot of variation.

Dr. Solet moved to approve the application as submitted on the condition that construction details be approved by the staff, with particular attention to the design of the transom. Ms. Harrington seconded, and the motion passed 7-0.

Mr. King called a recess to allow commissioners to review materials submitted for the next case.

Public Hearing: Landmark Designation Proceedings

Case L-114: 93 Kirkland St. Consider petition to initiate a landmark study for the property.

Mr. King described the demolition delay ordinance and landmark designations procedures.

Mr. Sullivan showed slides and reported that the application to move the house and demolish the rear portion had been approved at a hearing in April 2013. The building was found significant but not preferably preserved with respect to the proposed partial demolition, alterations, relocation, and new construction. He described the sequence of subsequent events, noting that legal action stopped the clock on the expiration of a permit. The zoning board would hear an appeal of the issuance of a building permit on November 14. Changes to project plans since April were very minor. The petition was based on a number of factors including the significance of the Norton family. Though owned by the Nortons, it was not part of the Shady Hill development. It was built by Grace Norton at the end of her life, when she was probably

influenced by the advice of her trustees. The Commission's policy on the validity of permits allowed the chair to grant extensions to certificates. An extension request had been received the day before, but the chair had not acted on it. He recommended rejecting the petition for landmark study because the project that the petitioners objected to had already been approved by the commission.

Mr. King said he would wait to see what the Commission decided on the landmark petition before he decided whether to extend the life of the certificate.

Valerie Livingston, a petitioner, said she occupied the property at 6-8 Holden Street. She read prepared remarks that she submitted for the record. She described the location of the building in relationship to Holden Square and the Shady Hill estate. There would have been a clear view of the estate from the building when it was first built. She submitted additional names to the petition. She stated that the building permits had been issued in June but had not been acted upon by the owners and that the state had stopped the asbestos removal because hazardous materials were raining down on abutting properties. The public interest would be served by initiating the landmark study.

Dr. Solet asked about the other project proposals that Ms. Livingston said were under consideration at the time when the demolition application came before the Commission. Ms. Livingston said there was a permit issued for interior renovation and that project was under review in February of 2013. Dr. Solet noted that she had voted in opposition to the decision to find the property not preferably preserved.

Ms. Livingston said the commission's policy regarding the life of certificates suggested that a *de novo* hearing should take place if demolition had not been substantially completed within six months.

Mr. King said he ~~took~~ takes several factors into consideration when deciding whether to grant extensions. Was-Is the project still alive? Had-Has the project changed in any significant way? Was-Is it ~~was~~ worth the staff and commission time to have a new hearing? He also ~~checked~~ checks with the staff to find out if there ~~were~~ are any other relevant issues to inform his decision.

James Rafferty, attorney for the property owner, said the policy also provided for the chair to consider the applicant's "just cause" for requesting an extension. The owners had applied for a demolition permit within a month of the April decision but ISD did not issue the permit for four months. An as-of-right option was studied but the property lacked a curb cut. The cut was granted by the City Council, but their decision had been appealed by the Dewire Family Trust. He said that Ms. Livingston lived at 121 Beacon Street in Somerville, not at 6-8 Holden Street. His clients had a proven track record of doing quality work, but had been vilified at public hearings over the past several months. The proposal had already been approved by the Commission. There was no reason to review it again.

Ms. Livingston said she occupied 6-8 Holden Street. It was hers to do with what she liked, though the Dewire Family Trust was the owner. She disagreed about who was being vilified.

Susan Carter of 41 Holden Street said she had asked the City Council to reconsider the permits. 150 people objected to the curb cut. She had delays in her project due to neighbors, but she persevered until the project was completed.

Mr. King closed the public comment period.

Mr. Barry moved to decline to initiate a landmark study on the basis that in the absence of significant new information it was not in the public interest to revisit ~~that-what~~ had already been decided in a previous public hearing process. Mr. Crocker seconded. Dr. Solet said the Commission's understanding of what was in the public interest could change with new information. She spoke in favor of starting a landmark study. Mr. Barry asked if the property warranted study for landmark designation. Ms. Berg said the Commission decided in April that it did not warrant delay or further study. Mr. Barry said he looked not just at the number of signatures on a petition but how many people attended a hearing in support. Mr. King called for a vote, and the motion passed 6-1, with Dr. Solet opposed.

Minutes

Mr. King asked who had made the motion on Case 3143 in the October 10 minutes. Ms. Burks replied that her notes indicated that Dr. Solet had made the motion. Mr. King offered other corrections on pages 1, 2, 3, 4, 7, 8, 9, and 11.

Mr. Barry corrected his comments on page 3, to read that he had been less concerned about the amount of paving than he had been about the vertical design elements.

Dr. Solet offered corrections to the record of Case 2984. The earlier fence was a stockade fence.

Mr. Crocker moved to approve the minutes as corrected. Mr. Barry seconded, and the motion passed 7-0.

Ms. Berg moved to adjourn. Ms. Harrington seconded, and the motion passed 7-0. The meeting adjourned at 9:39 P.M.

Respectfully submitted,

Sarah L. Burks
Preservation Planner

**Members of the Public
Who Signed the Attendance List on November 7, 2013**

Kevin Crane	27 Norris St
Matt Kavet	9 Follen St
Young Kim	17 Norris St
Dan Bertko	13 Norris St
Mouhab Rizkallah	40 Norris St
Merav Gold	7 Shady Hill Sq
Valerie Livingston	6-8 Holden St
Thomas Dewire	2 Holden St
Marilee Meyer	10 Dana St
Jeanne Fong	53 Norris St
Lois Carna	13 Norris St
Robert Casey	1 Drummond Pl
David Bass	23 Norris St
Susan Carter	41 Holden St
James Rafferty	675 Massachusetts Ave
Muireann Glenmullen	4 Channing Cir