

Minutes of the Cambridge Historical Commission

October 1, 2015 - 806 Massachusetts Avenue, Cambridge Senior Center - 6:00 P.M.

Members present: William King, *Chair*; Bruce Irving, *Vice Chair*; Robert Crocker, Chandra Harrington, Jo M. Solet, *Members*; Susannah Tobin, *Alternate*

Members absent: William Barry, Shary Page Berg, *Members*; Joseph Ferrara, *Alternate*

Staff present: Charles Sullivan, *Executive Director*; Sarah Burks, *Preservation Planner*; Samantha Paull, *Preservation Administrator*

Public present: See attached list.

Chair William King called the meeting to order at 6:01 P.M. He made introductions and reviewed hearing procedures, then designated alternate Susannah Tobin to vote on all matters. He noted that Cases 3482 and L-110 had been withdrawn. He dispensed with the Consent Agenda Procedure.

Public Hearings: Alterations to Designated Properties

Case 3481 (continued): 11 Dunster St., by Porter Dunster, Inc., owner, o/b/o Mike's Pastry, tenant. Install blade signs.

Mr. Sullivan showed slides and reported that the application had not been approved at the September meeting but had been continued and revisions recommended.

James Caterino of Mike's Pastry described the new sign proposal, which consisted of two internally illuminated blade signs suspended from the lamp brackets. They would measure approximately 24" x 32".

Ms. Harrington asked for clarification on the size of the existing sign and if only the white lettering of the new signs would be illuminated.

Dr. Solet confirmed that Kennedy's restaurant had closed and noted that other businesses in the building would want bigger signs too. Dan Fraine, of Porter Dunster, Inc. said that the new signs had been designed so that the other businesses could transition to the new design.

Mr. Sullivan explained that the existing signs were installed in the late 1980s or early 1990s along with the lamps, but they had proved to be too small and not practical. The new signs would still provide a uniform approach for the building, but would help support the vitality of the commercial block.

Mr. King asked if there were questions or comments from the public but there were none. He closed the public comment period.

Dr. Solet moved to approve the revised application. Mr. Crocker seconded the motion. The motion carried 6-0.

Mr. Crocker moved to delegate approval of future signs on the building, consistent with this design pattern, to the staff. Dr. Solet seconded the motion, which passed unanimously.

Case 3499: 34 Follen St., by Douglas Yoffe, 34 Follen Street LLC. Exterior renovations including alterations to windows and doors and replacement of fences.

Mr. Sullivan showed slides of the property and described the location at the bend of Follen Street.

Doug Yoffe, owner, explained that he had purchased the home from longtime Cambridge resident Sheila Cook. Ms. Cook had relocated to Providence. He explained the proposed alterations to the house elevation by elevation. Changes included altering window sizes and locations, replacing missing shutters, eliminating a door on the east side, excavating for stairs to a basement door, changing sliders to French doors, and altering the perimeter fences. The fence at much of the front would be lowered to 3'. He described the Japanese wood burning technique called *shou sugi ban*, which he intended to use instead of staining or painting the fence. He passed around a sample piece of wood.

Dr. Solet asked if the new windows would match the existing, being all wood with interior and exterior muntins. Mr. Yoffe answered affirmatively.

Mr. King asked if there were questions from members of the public.

Marilee Meyer of 10 Dana Street asked about the details of the proposed French doors. Mr. Yoffe explained that there would be two fixed panels and one operable door. They would fit into the opening for the existing sliding doors. Ms. Meyer also asked about the new windows on the second floor above the French doors and the color of the fence. Mr. Yoffe said the color of the wood depended on the species and length of the burn. There would be some natural variation.

Mr. King asked for public comment.

Ms. Meyer expressed her concern about the proportions of the panes on the French doors in comparison to the windows. The house had a nice rhythm of windows. She said the *shou sugi ban* technique was interesting, but questioned if it was appropriate for the house and the street.

Mr. King closed the public comment period.

Ms. Harrington asked if there was enough detail provided for approval. Mr. Sullivan recommended delegating approval of construction details to the staff.

Dr. Solet moved to approve a Certificate of Appropriateness for the project as submitted, subject to approval of construction details and materials by staff. Mr. Irving seconded, and the motion passed 6-0.

Public Hearings: Demolition Review

Case D-1374: 136-138 Cushing St., by MacArthur Construction Co. Demolish residence/club building (ca. 1843 with later alterations).

Mr. King explained the demolition review procedures under the demolition delay ordinance.

Ms. Burks showed slides and described the history of the property, alterations to the building over time, and existing conditions. She reported that the Wyeth Tenant House was the oldest house on its original lot in Strawberry Hill and retained its original residential character on the Vineyard Street side. She stated the staff recommendation that the building be found significant for its important associations with Nathaniel J. Wyeth, a prominent leader in the development of the Fresh Pond ice industry, and for its associations with the Santa Lucia Society, a charitable organization, and the social history of the Italian-American community of Cambridge.

Dr. Solet asked if the windows and chimneys were original. Ms. Burks answered that the chimneys appeared to be original. The windows had been replaced, and clapboards and trim might exist~~ing~~ under the siding.

Pat Zoffreo of 143 Cushing Street questioned if the sale of the property had been legal. He said that he had a copy of the original founding documents of the Santa Lucia Society. Mr. King replied that it was not within the jurisdiction of the Commission to investigate the legality of a property sale.

Dr. Solet recommended that the Commission obtain a copy of the society's founding documents and bylaws for the archives.

Ms. Tobin moved to find the building significant, as defined in the ordinance and for the reasons set forth in the staff report and additional testimony. Ms. Harrington seconded, and the motion passed 6-0.

Robert Linn of Moskow Linn Architects described the existing building and its orientation on the lot. He had studied the context of other houses in the neighborhood. The lot could support two houses. He presented a design for two single family houses with a shared driveway and parking off Cushing Street. He explained that the design used the familiar gabled roof form and punched windows together with new elements like the entry bays. The materials would be clapboards or shiplap siding, metal roofs and dormers, and would include substantial trim.

Dr. Solet asked what zoning relief was needed. Mr. Linn replied that the project would need zoning relief for FAR as it was a few hundred square feet over the allowed. Dr. Solet asked if the two houses were mirror images, and Mr. Linn replied in the negative.

Mr. King asked about the choice of a metal roof. Mr. Linn replied that they shed snow well. They provided a new architectural vocabulary and would be different than the typical asphalt roof. They would have a crispness of line that would feel more contemporary.

Ms. Harrington asked about the driveway and yard. Mr. Linn reviewed the details of the site plan.

Duncan MacArthur, an owner, noted that most parking on Cushing Street did not extend to the back of the lots.

Mr. King asked for questions from members of the public.

Mr. Zoffreo asked if the driveway was dangerously located in relation to 135 Cushing Street's driveway. Mr. Linn answered that the street was wide enough. The proposal conformed to zoning and building codes. The street represented an urban condition with the proximity of cars and driveways. Mr. King noted that the curb cut application would go before the City Council for approval.

Amy Salomon of 16 Vineyard Street asked if the giant maple tree would be removed. Mr. Linn confirmed that it would. He noted that new trees would be planted on the Vineyard Street side of the lot. Ms. Solomon asked if the proponents had considered renovating the existing building and adding another one. Mr. Linn replied that they had looked at that option, but the existing building was oddly placed on the lot for two families. The fenestration on the house was minimal. The amount of salvageable material

was minimal. Under the siding were shingles. All that was original was the shape and five-bay configuration of the Vineyard Street elevation.

Emily Siqueira of 8 Vineyard Street asked about the height of the proposed new houses relative to the neighboring buildings. Mr. Linn answered that the new houses would be a little lower, at 32-33 feet high. Ms. Siqueira said she was very fond of the maple tree.

Ms. Salomon asked that the owners consult with her before pruning trees on her side of the lot.

Mr. MacArthur noted that the new houses would be further away from the neighbors on Vineyard Street than the existing building.

Mr. King asked for public comment.

Mr. Zoffreo said he was concerned about the driveway on Cushing Street. There were already parking problems on the street. He spoke about the ecology of historic preservation and said he would provide some written information for the commission.

Ms. Meyer said the corner gave openness and green to the neighborhood. She expressed disappointment at the removal of the tree and corner open space.

Ms. Salomon said she liked the openness of Vineyard Street. It felt more like the country than other parts of Cambridge. The new development would have greater impact on Vineyard Street than Cushing Street.

Ms. Siqueira said the new houses would not affect the light in the area because of the orientation of the lot and rotation of the sun. Mr. MacArthur noted that they had considered sun and shadow. The lot was big enough for three units but they only proposed two so there would be plenty of space between.

Mr. King closed the public comment period.

Dr. Solet asked ~~e~~if the driveway was too close to the Vineyard Street intersection. Mr. Linn noted that code required 25' and the proposal was almost 40' from the corner. He said they would consider safety in designing the planting plan.

Ms. Harrington commented that the design was very good. She commended the study of neighborhood context and incorporating those cues into the design. She said it was natural for people to be concerned about the change from one to two buildings on the lot.

Mr. Irving said he lived on Cushing Street (though not an abutter). He said the club's siting on the lot made sense, but the proposed design was sensitive to its surroundings. It would be beneficial not to have three units on the site. The new vernacular designs were crisp and modern but fit with the New England precedents. He said he could support the application.

Mr. King asked about the placement of air conditioning equipment, and Mr. Linn pointed out some possible locations. Mr. King asked for examples of other metal roofs in Cambridge. Mr. Linn indicated that his own house on Grove Street had one, as did a house on Cushing Street. Mr. King said the proposal was well thought out and designed. It allowed for generous yards. He noted that while he hated

to lose a significant building, he was interested to hear the reasons given for why renovating that building was not proposed.

Dr. Solet asked if the existing building was structurally sound and if it had original fireplaces. Mr. Linn replied that they hadn't investigated the structure and that it did not have any original fireplaces. Mr. MacArthur said the society had maintained the building but redesigned the interior of the south side and rented out the unit on the north side.

Mr. Irving moved to find the existing building not preferably preserved in the context of the proposed replacement buildings and site plan. Ms. Harrington seconded the motion. The motion passed 5-1 with Dr. Solet voting in opposition.

Mr. King requested that the proponents consult with the neighbors about air conditioning and tree pruning and planting. He called for a short recess at 7:50 P.M.

Public Hearings: Neighborhood Conservation District Appeal Proceedings

Half Crown-Marsh NCD, Case HCM-300: 41 Gibson St. Anne Duggan & David Ranieri, owners. Consider an appeal of the Half Crown-Marsh NCD Commission's decision in Case HCM 300. Appeal was submitted by petition of Cambridge voters.

Vice Chair Irving reconvened the meeting at 7:59 P.M.

Mr. King recused himself from the appeal case because of his membership on the Half Crown-Marsh NCD Commission. He sat with the members of the public.

Mr. Sullivan showed slides of the property and summarized the events of the case as outlined in the written record. He reported that the Half Crown-Marsh NCD Commission had approved the application for changes to 41 Gibson Street and issued a Certificate of Appropriateness. Any ten registered voters can appeal a decision of an NCD commission. He explained that the role of the Historical Commission in such an appeal was to determine if due process requirements had been met, whether there was sufficient evidence offered to support the decision of the NCD commission, and whether the NCD commission acted appropriately or if it had been arbitrary or capricious in its actions. The Historical Commission's hearing on the appeal was not a *de novo* hearing of the owners' application for changes to the property. After summarizing all the elements of the case and appeal he offered his conclusion to the Historical Commission that there had been no lack of due process. He suggested that it would be appropriate to hear the argument of the appellants.

Mr. Irving invited a representative of the appellants to speak.

Reza Mahdavi of 140 Foster Street spoke on behalf of the appellants. He welcomed Anne Duggan and David Ranieri to the neighborhood. He listed several reasons why the Half Crown-Marsh hearing had been deficient regarding due process including lack of a projector for the images of 41 Gibson or the plans for the project. There was a laptop, but little effort was made to show the members of the public who were present at the hearing. He objected that the changes to the house had been reviewed elevation

by elevation rather than item by item. The elevations submitted by the applicants' architect had been mislabeled in cardinal direction. The meeting agenda had indicated the wrong side for the location of the bulkhead. He said the public had a hard time hearing the NCD commission's discussion about the orientation of the elevations. There had been no discussion of the demolition of the existing roof for the roof deck. He said the chair did not suspend the meeting when a member of the NCD commission left the room repeatedly to answer calls on her cell phone. The meeting room had two noisy fans making it very difficult for members of the public to hear. The motion made by the commission had not been audible. He noted that 41 Gibson Street had been the home of Barbara Ackerman, the city's first female mayor and that it was a rare example of a type of the Mansard style. Mr. Mahdavi handed out a written statement to the Historical Commission and photographs of the roof where the proposed deck would be located.

Elizabeth Van Ranst of 120 Foster Street asked the size of the roof deck. Mr. Irving answered that the purpose of the appeal hearing was not to discuss the specifics of the design but rather the procedures and events of the NCD commission's hearing.

Mr. Crocker observed that there had only been 10 or so people at the NCD commission hearing. He asked the size of the room and concluded that it had not been crowded. He asked if there had been handouts for the public to look at. Samantha Paull, Preservation Administrator for the Historical department and staff person assigned to the Half Crown-Marsh Commission, answered that she had taken extra copies of the application materials with her, but she did not remember if any of the members of the public present had taken them to look at.

Dr. Solet asked if the NCD commission member who left the room to take calls had been present for the most of the discussion.

James Van Sickle, Chair of the Half Crown-Marsh NCD Commission, reported that there had been a couple of situations at the hearing including a 95 degree day and an un-air-conditioned meeting room. There were fans, but they were noisy. He said the Vice Chair of the commission had gotten up to take a phone call more than once during the meeting. He said that had never happened before and everyone was surprised by it. He had assumed it was an emergency situation that would take her away from the meeting table. He remembered that the discussion paused while she got up to take the call and that she didn't miss anything of substance. With regard to the public's ability to see the presentation, he said the applicant had brought her laptop and used it to point out the drawings. He confirmed that the elevations had been mislabeled by the architect so he had asked him to come forward and straighten that out so that the elevations would be properly labeled before proceeding. At another point in the hearing there were questions about the location of air conditioning condensers. The commission did not have a site plan in its packet of materials. The architect approached the table with a site plan and showed the commission where the equipment would be located. He said he usually offered the opportunity for members of the public to come forward and look at things at the front of the room. He thought he had

done so at this hearing. Mr. Irving asked if the content of the NCD commission's discussion and deliberations had been understandable for the public present. Mr. Van Sickle said he thought it had been.

Ted Wagenknecht of 43 Gibson Street stated that the Vice Chair of the NCD commission had left the room three times during the hearing, one of those times lasting for about five minutes. No site plan had been shown to the public and he thought it was an elevation that had been shown to the commission indicating the location of the air conditioning equipment. Proposed changes to the application made at the last minute had led to confusion among the commissioners. Mr. Van Sickle stated that the only new thing discussed was the air conditioning equipment.

Anne Duggan of 41 Gibson Street stated that she had the site plan and details on her laptop at the hearing and that she had walked around the room with it to show the public the information.

Gerald Zuriff of 120 Foster Street said there was no provision for the Executive Director of the Historical Commission to review the case and offer a pre-judgement to the Historical Commission. Mr. Irving responded that the Commission must be provided with the facts of the case. Mr. Sullivan said his role as Executive Director included advising the Commission and managing the staff that administers the NCDs. It was his responsibility to review the record and make a recommendation.

Frank Neczypor of 9 Doane Street and 114 Foster Street said Mr. Sullivan had been at a disadvantage because the minutes of the meeting did not include all of the comments made by the public. He stated that the NCD commission members had made their decision before the hearing. Mr. Irving asked for clarification on this statement. Mr. Neczypor said he did not agree with the minutes. Mr. Sullivan said the minutes were the written record of the hearing. They had been drafted by staff and reviewed, revised, and approved by the NCD commission at the subsequent public hearing.

Dr. Solet asked about Mr. Mahdavi's statement that the roof would be demolished for the roof deck. Mr. Mahdavi said the roof was not flat but would need to be rebuilt for a roof deck. Ms. Duggan said the existing roof was covered with rubber membrane and needed to be repaired anyway. Mr. Irving asked if the roof deck had been discussed by the NCD commission at the hearing. He noted it was on the drawings. Mr. Van Sickle said it was discussed. He said it was normal to look at the schematic design and delegate construction details to the staff. The question had been raised at the hearing whether the original details at the cornice would be replicated.

Rob Duggan, father of Anne Duggan, asked if the minutes had been adopted at a subsequent public meeting of the NCD commission. Mr. Sullivan replied affirmatively. Mr. Mahdavi asked when the minutes were posted. Ms. Paull replied that review of the minutes was included on the agenda of the meeting, which was posted at least 48 hours before the meeting per the open meeting law. Mr. Wagenknecht said there were due process problems at the hearing. Mr. Duggan reported that his daughter had visited several neighbors and showed them the plans for the renovation in advance of the hearing. He noted that several of the people that signed the petition had not been present at the hearing.

Mr. Sullivan summarized his observations of the case and hearing. He said the discussion would have been better informed with a site plan, but it was not required per the district application instructions. He shared his conclusion that there had been no due process violation and that the commission had not acted arbitrarily or capriciously in making its decision. He concluded that there were faults in the presentation and with the Vice Chair's behavior in leaving the room for a phone call but the question for the Historical Commission was whether those faults were serious enough to remand the case for a new hearing.

Mr. Irving said the hearing process could be messy. It was not extraordinary to see items added to an application at the hearing or for plans to be mislabeled. He said he had not heard any evidence that the NCD commission had been arbitrary or capricious. It had met for two hours on one case.

Dr. Solet observed that there had been a difference of opinion among the NCD commissioners at the hearing about the roof deck so that indicated to her that there was considerable discussion about that aspect of the application. She stated her disappointment that Judith Dortz was not present at the current hearing to answer questions about her leaving the NCD hearing. She recommended that the staff document in the meeting minutes the length of time that a commissioner leaves the meeting room.

Ms. Tobin remarked that everyone could agree that the conditions at the NCD meeting were sub-optimal. She noted that there were noise problems with the meeting room for the current hearing as well. Despite that fact, there was considerable discussion of the facts of the case at the NCD hearing showing that consideration was given to the different aspects of the project. She said that over the course of a two-hours meeting, leaving the room for a few minutes would not, in her opinion, disqualify the Vice Chair from voting on the case.

Ms. Harrington asked how the timing of the project would be impacted if the case were remanded to the NCD commission. Mr. Irving said it would result in at least a month delay.

Mr. Crocker observed that he would not have wanted to sit through a two hour hearing on such a hot day as the NCD commission had.

Ms. Tobin moved to uphold the decision of the Half Crown-Marsh NCD Commission with the findings summarized by Mr. Sullivan in his statement. Ms. Harrington seconded, and the motion passed 5-0.

Preservation Grants

IPG 16-1: 1 Follen St., by Longy School of Music of Bard College. (#3) Roof, windows, masonry, wall. \$50,000

IPG 16-2: 25 Lowell St., by New School of Music. (#3) Accessibility. \$50,000

PG 16-1: 151-157 Allston St. #2, by Homeowner's Rehab. Repair fire damage. \$30,000

PG 16-2: 45 Harding St., by Just-A-Start. Strip and reside exterior, windows. \$30,000

PG 16-3: 9 Kenwood St., by Just-A-Start. Strip and reside. \$30,000

Mr. King resumed the chair at 9:10.

Mr. Sullivan showed slides of each property and stated the balance of available funds in the preservation grant account. He noted that the Longy School had a donor who would match grant funds awarded by the Commission. The New School lacked an accessible bathroom and access to its space on the second floor of 25 Lowell Street. He described the proposed work for each project and the estimated costs. He recommended approval of the grants in the following amounts: \$50,000 for 1 Follen Street, \$50,000 for 25 Lowell Street, \$30,000 for 151-157 Allston Street #2, \$30,000 for 45 Harding Street, and \$30,000 for 9 Kenwood Street.

Ms. Harrington so moved. Dr. Solet seconded, and the motion passed 6-0.

Mr. Irving moved to adjourn. Mr. Crocker seconded, and the motion passed unanimously. The meeting adjourned at 9:44 P.M.

Respectfully submitted,

Sarah L. Burks
Preservation Planner

**Members of the Public
Who Signed the Attendance List on October 1, 2015**

Barbara Wickwire	40 Gibson St
Reza Mahdavi	140 Foster St
Lynn Wickwire	40 Gibson St
James Caterino	11 Dunster St
Pat Zoffreo	143 Cushing St
Doug Yoffe	50 Follen St
Daniel Fraine	1374 Massachusetts Ave
Robert Linn	161 Grove St
Marilee Meyer	10 Dana Street #404
Anne Duggan	41 Gibson St
Rob Duggan	c/o 41 Gibson St
Ann Neczypor	114 Foster St
Elizabeth Van Ranst	120 Foster St
James Van Sickle	15 Brown St
Deborah Masterson	53 Foster St
T Wgs [Ted Wagenknecht?]	
John Sanzone	540 Memorial Dr.

Note: Town is Cambridge, unless otherwise indicated.