

Minutes of the Half Crown-Marsh Neighborhood Conservation District Commission

August 9, 2010 – 6:00p.m. – Friends Meeting House, 5 Longfellow Park

Commission Members Present: Judith Dortz, William King, Jim Van Sickle, members; Grenelle Scott, Deborah Masterson (recused), alternates

Commission Members Absent: Robert Banker, member

Staff: Sarah Burks, Charles Sullivan, Eiliesh Tuffy

Members of the Public: See attached sign-in sheet

Chairman Jim Van Sickle called the meeting to order at 6:04pm, introduced the Commissioners and staff present, and read the rules and regulations of the Commission into the minutes. The chair noted that the meeting room would only be available until 10:00pm.

Public Hearings: Alterations to Designated Properties

HCM-84: 45 Foster Street, by John Greenup. Alterations to previously approved plans.

Ms. Deborah Masterson recused herself from reviewing this case because she is an abutter to the property and moved to the audience.

Ms. Sarah Burks provided background information on the property, and said that the last meeting of the Half Crown-Marsh Neighborhood Conservation District Commission for this project had been held in October 2009. At that hearing, the staff described the expiration of the two year moratorium and the administrative process to review plans for a building permit consistent with the 2007 project. Since that time, a building permit was issued and work has commenced. The current application was received on July 21, 2010. It was advertised as a new case to review proposed alterations to windows, skylights, trim, vents and chimneys. Photographs were shown of the current building conditions and the building in 2006 prior to its demolition. The original structure was an 1853 house that was approved for renovations but was demolished during that process.

The property owner, Mr. John Greenup, and his architect, Mr. Campbell Ellsworth, then further elaborated on the project, saying that construction began earlier that day and they were requesting some changes to the approved plans. They then went through each of the submitted drawing sheets to point out those change requests.

When discussing the east elevation, Mr. Greenup said that he would like to build an eave on that side of the building, but that it would be less than two feet from the property line which requires special permission from the state building code appeal board. Mr. William King asked whether a zoning variance was needed to build within two feet of a neighboring building or within two feet of the property line. Mr. Greenup was not sure.

Windows were a primary point of discussion at the meeting, with the owner requesting permission for:

- A window above the front door, similar to those found at the following addresses on Foster Street: #39, 46, 50, 52-54
- Changes to cellar windows

Ms. Judith Dortz asked if the windows were larger than in the original house, and whether the basement windows extended below grade. Mr. Greenup said yes to both questions and reiterated that he was seeking the Commission's approval for some aesthetic changes. He said that additional basement windows were being proposed to improve light and ventilation.

Mr. William King asked about the size and location of the air compressor shown on the drawings. Mr. Greenup and his architect, Mr. Campbell Ellsworth, indicated that the mechanical unit would be approximately 2'x2'x2' and would be shielded with shrubbery, but that a specific unit had not been selected yet.

Mr. Van Sickle noted the lack of a fence on the plans and asked if one was intended for the property, which would also shield the air conditioning unit. Mr. Greenup said there was a fence shown on the elevations.

Mr. King noted that water in basements was an issue in the Half Crown-Marsh district, and asked the owner if he had experienced such problems following the recent heavy rains. Mr. Greenup said he had not.

Questions were then received from the public.

Ms. Deborah Masterson of 53 Foster St. asked if the details of the air conditioning unit mechanicals had to be determined at the meeting. Mr. Van Sickle said a condenser unit had not yet been chosen by the owner. It did not have to be settled at the current meeting.

Mr. Neil Levine of 5 Foster Place said he had measured all of the window openings on the original house prior to its demolition, comparing the rough openings of the original structure to those found at #5 and #7 Foster Place. He asked what those sizes were now and how were any changes justified. Mr. Greenup referred to a note sheet submitted to the Historical Commission on April 15 that called out three different window dimensions and was part of the approved permit plans. He said he had scaled the three window sizes off the drawing and then stated the three window sizes.

Comments were received from the public.

Mrs. Mary Louise Kent of 2 Foster Place read a statement in opposition from the Schrams that was entered into the record.

Mr. Levine of 5 Foster Place read a statement of opposition that was entered into the record, asking that the Commission reject all changes except the false corner board and roof trim on the east elevation of the addition.

Mr. George Kent of 2 Foster Place read a statement in opposition that was entered into the record, taking issue with the drawings that were approved by the Half Crown-Marsh Neighborhood Conservation District Commission versus those that were currently being used by the property owner, which he felt did not match. Mr. Kent objected to the proposed window changes saying they would make the house look new. He objected to any projection of the eave within two feet of the property line. He also objected to the lack of vertical dimensions on the drawings.

Mrs. Mary Field of 39 Foster Street spoke in opposition, referencing the review guidelines for the district and their enforcement by the staff and Commission. Mr. Van Sickle asked if Mrs. Field had any comments about the proposed changes under review at the current meeting. She said she objected to the proposed changes because she did not know why they were being done.

Mr. Van Sickle read three letters into the record from,

- Ed Serues of 100 Foster Street in support of the proposed changes, but respecting the opponents' views.
- James Biggar of 24 Foster Street in support of the application, and
- an email from George Kent of 2 Foster Place, co-signed by multiple neighbors, in opposition to the proposed changes.

Mr. Van Sickle asked if there were any vertical dimensions on the plans. Mr. Greenup said he was instructed by Mr. Charles Sullivan to keep the height of the new building the same as the original structure, which measured 24'-4" from the roof ridge to the sidewalk at the southeast corner.

Other details related to the floor height, door sill, and front steps were brought up by members of the public, but Mr. Van Sickle reminded everyone that those items were not before the Commission for review. Ms. Burks offered clarification that this was a new application for a new Certificate of Appropriateness that would amend certain elements of the building permit plans already on file.

Mr. Greenup offered that, if there was strong sentiment on behalf of the Commission to deny the application, he would withdraw his request.

Mr. King stated that his initial reaction to the proposed changes was that they were not objectionable; they would make things more symmetrical. He also made note of Mr. Levine's comments to the contrary arguing that symmetry is not appropriate, and suggested that perhaps a site visit would help illuminate the appropriate conditions.

Ms. Dortz said that she had been on site earlier in the day and was struck by the close proximity of the new construction to 39 Foster Street. She also said she had tried to picture the proposed changes, but could not.

Mr. King said that when the previous owner, Matthew Curtis, initially submitted the plans for renovating the historic house and constructing a new addition, the Marsh Neighborhood Conservation District Commission had been aware of those issues and considered the project in relation to the guidelines of the district. The Commissioners had also been struck by the unanimous support of the neighbors at that time, when informed about Curtis's plans to fix up the old house. He felt that there were no problems with the way the Marsh Commission had made its decision at that time. At present, the current Commission was posed with the question of whether to approve some or none of the requested changes.

Mr. Van Sickle said he also felt a site visit would be helpful. Mr. Greenup said he was amenable to a site visit. Mr. King said that maintaining orderly discussion on site would be crucial and that there should not be any repeat testimony on site that had already been heard this evening. The Commission asked to receive copies of the written statements submitted during the proceedings in advance of the site visit.

Ms. Grenelle Scott said that she was very torn about the requested changes. Ms. Dortz said that her sense at the moment was to not approve the proposed changes.

Mr. Van Sickle expressed that he was sympathetic to requests that the new construction attempt to recreate the old façade, but was also sympathetic to the request to add basement windows.

Mr. King moved to adjourn the meeting until its continuance at 45 Foster Street at 4:30pm on August 12, 2010. Ms. Dortz seconded the motion which passed 4-0.

Minutes

Ms. Dortz offered corrections to the May 10, 2010 minutes on:

- p. 2, 8th paragraph
- p. 3, 2nd paragraph from the bottom

Mr. King offered corrections on:

- p. 3, top paragraph, and submitted the proposed corrections in writing

Mr. Van Sickle asked to strike the last phrase on

- p. 2, 3rd paragraph

Mr. King moved to approve the minutes for the May Commission meeting as corrected. Ms. Dortz seconded the motion, which passed 4-0.

Mr. King moved to adjourn the meeting. Ms. Scott seconded the motion, which passed 4-0. The meeting was adjourned at 8:08pm.

Respectfully submitted,

Eiliesh Tuffy
Preservation Administrator

Members of the Public who signed in for the
meeting on 8/9/2010

Name	Address	City	Zip Code
Mary E & Mel Field	39 Foster St.	Cambridge	02138
George Kent	2 Foster Pl.	Cambridge	02138
Loulie Kent	2 Foster Pl.	Cambridge	02138
Mary Alice Van Sickle	15 Brown St.	Cambridge	02138
John Downes	8 Foster Place	Cambridge	02138
Cally Burns	8 Foster Place	Cambridge	02138
Lily Delorey	52-54 Foster	Cambridge	02138
John Greenup	45 Foster St.	Cambridge	02138
Campbell Ellsworth	267 Norfolk St	Cambridge	02139
Neil Levine	5 Foster Pl	Cambridge	02138
Susan Lockhart	5 Foster Place	Cambridge	02138
Woody Tucker	46 Foster St	Cambridge	02138
Karl H Klaussen	20 Brown St	Cambridge	02138

Minutes of the Continued Meeting of the Half Crown-Marsh Neighborhood Conservation District Commission

August 12, 2010 – 4:30p.m. – 45 Foster St., Cambridge (attendees standing in the Foster Place roadway, in front of the west façade of the building)

Commission Members Present: Judith Dortz, William King, Jim Van Sickle, members; Grenelle Scott, alternates

Commission Members Absent: Robert Banker, member; Deborah Masterson, alternate

Staff: Charles Sullivan, Eiliesh Tuffy

Members of the Public: See attached sign-in sheet

Chairman James Van Sickle convened the continued hearing at 4:30p.m.

Public Hearings: Alterations to Designated Properties

HCM-84: 45 Foster Street, by John Greenup. Alterations to previously approved plans.

Mr. Van Sickle stated that, prior to the close of the August 9th meeting, the Commission had said there would be no repeat of public testimony. It was decided to reopen the period of public comment in order to further discuss the written statements presented on the 9th and reviewed by the Commissioners in the intervening days.

Mr. King said it was helpful to review the public comments. He also agreed with Mr. Van Sickle's earlier clarification that the bulk of the project had already been reviewed and approved by the Commission and that was no longer under consideration at this point.

Mr. George Kent went over the chronology of building plans that had been reviewed by the Commission, outlining the following points:

- At the December, 2006 Commission meeting, plans dated November 29, 2006 were reviewed for approval.
- The plans dated May 8, 2007 that were submitted for the building permit were only supposed to apply to select changes, and Mr. Kent identified three discrepancies between the Nov. 29, 2006 plans and the May 8, 2007 plans, which were:
 - o South Elevation, new addition: change in the fenestration arrangement and the rightmost window had been converted to a door
 - o North Elevation, house reconstruction: two double-hung windows on the second floor were changed to one double-hung window centered under the roof peak
 - o East Elevation, house reconstruction: one of the second floor windows was increased in size

Mr. Greenup said he does want to return to full size windows in the building, and that he was using the May 8, 2007 plans as a baseline for construction.

Mr. Kent reiterated that there had been a Commission meeting for this project in April, 2007 which meant that the May 8, 2007 plans were drawn up after the meeting and therefore were not reviewed by the Commission.

Mr. Neil Levine added that the Certificate of Appropriateness was issued based on November 2006 plans. He said that, between December 2006 and May 2007 window sizes were increased without discussion or approval and that he would like to see the plans amended to address the three window changes outlined by Mr. Kent.

Mr. Sullivan reminded the public that that portion of the project was irrelevant in this discussion, that the past plans were history and a permit set had already been approved. Now the Commission was only reviewing requested changes to the permit plans.

Mr. Van Sickle pointed out that applicants do come back and submit changes to staff with different dates, and that the dates of plans were getting confusing during Mr. Curtis's ownership of the property, but that the permit plans on file were those that had been accepted for the project. He also reminded the public that the objective of the case currently under review was to determine whether changes to the windows, chimneys and trim were appropriate or inappropriate. He asked that the discussion focus on only those elements going forward, and that comments refer to the elements currently before the Commission.

Mr. Levine said that, looking at the project façade facing Foster Place, it was clear that it was part of a collection of houses on that street. His one major objection was that the proposed second-floor window over the front door was not consistent with any of the other houses on the street. He also said the original house's windows were closer to the edges of the house than what the owner was now proposing.

Mr. Greenup said that the placement of an interior staircase prompted the relocation of the first floor windows on the north elevation.

Mr. Levine said it was not so much the placement of the windows as their size that he wanted to remain the same as the historic house. Mr. King pointed out that the windows at #8 Foster Place were different than the other houses and that he was seeing different window styles. He also said the windows not directly facing the street seemed to be of lesser importance.

Ms. Dortz said she felt a little confused and that everything in the new proposal seemed symmetrical.

Mr. King asked if there were other basement windows on Foster Place. Mr. Levine said yes, but that they were not visible when the grade was raised. Mr. Van Sickle mentioned that, in order to keep water out of the house, there should be a separation of grade. He said he was flexible on the addition of basement windows, but was worried about ground water. Ms. Dortz asked how high the windows would be above ground level.

Ms. Toni Pomeroy of 65 Sparks Street interjected, saying that the Foster Street had a lot of individuality, and the houses had very different glazing patterns along the street. She thought that they should be thinking long-term and also noted differences such as exterior shingles versus clapboards. She said she was surprised to hear people wanting everything to be the same. Mr. Levine pointed out that Ms. Pomeroy currently lives in a house on Sparks St. that is owned by Mr. Greenup.

Mr. Van Sickle proposed that the Commission disallow the proposed second floor window over the Foster Place doorway. Mr. King asked to rephrase the motion to state that, except for the 2nd floor window, the other proposed changes were not incongruous.

Mrs. Kent asked how long there would be changes. She also said that the owner was issued a Certificate of Appropriateness, but that it keeps changing. Ms. Holly Beaty of 8 Foster Place asked if there was a limit to the number of times the owner could apply for changes. Mr. Van Sickle said the owner has a right to apply for changes under the process.

Mr. King made a motion that, with the exception of the second floor window over the main Foster Place doorway, which is incongruous with the uniform arrangement of other houses on that street, the Commission approve the changes to the plans as submitted because they are not incongruous to the district.

Ms. Dortz asked how many windows and at what grade were windows in the basement. Mr. Greenup said there would be three windows facing Foster Place and they would all be at grade.

Ms. Grenelle Scott said that she was impressed with the public comment and tended to think that the Commission should pay attention to Mr. Levine's and Mr. Kent's comments.

Mr. King revised his motion to state that all of the proposed changes to amend the prior Certificate of Appropriateness, with the exception of the second floor window above the door, are not incongruous to the neighborhood.

Mr. Levine asked which Certificate of Appropriateness, and said they were getting into hot water. Mr. Charles Sullivan restated that this is a new case requiring a new Certificate of Appropriateness to amend the building permit plans on file. Mr. King withdrew his previous motion.

Mr. King moved to approve the application to amend to the permit plans as submitted by the applicant, finding the proposed changes to be not incongruous, with the exception of the second floor window over the Foster Place doorway, which was found to be incongruous to the pattern on Foster Place. Ms. Dortz seconded the motion.

Ms. Dortz asked about the source of the trompe l'oeil gable facing 39 Foster Street. Mr. Greenup said he based that detail on the design of #7 Foster Place, but that he could change it if the Commission deemed necessary. Mr. Van Sickle said they could not rule on any changes to that trim, as it was not part of the current application before the Commission.

The motion made by Mr. King passed 4-0.

Mr. King made a motion to adjourn the meeting. Mr. Van Sickle seconded the motion, which passed 4-0.

Respectfully submitted,

Eiliesh Tuffy
Preservation Administrator

Members of the Public who signed in for the
meeting on 8/12/2010

Name	Address	City	Zip Code
Mary Louise Kent	2 Foster Place	Cambridge	02138
George Kent	2 Foster Place	Cambridge	02138
Woody Tucker	46 Foster St	Cambridge	02138
Karl Klaussen	20 Brown St	Cambridge	02138
Toni Pomeroy	65 Sparks St	Cambridge	02138
Susan Lockhart	5 Foster Place	Cambridge	02138
Neil Levine	5 Foster Place	Cambridge	02138
John Greenup	45 Foster St.	Cambridge	02138
Ann H. Beaty	8 Foster Pl / 221 Mt. Auburn St.	Cambridge	02138
Melinda Lee	30 Foster St	Cambridge	02138
Jon Rosenfeld	54 Foster St	Cambridge	02138
John Downes	8 Foster Pl	Cambridge	02138
Carolyn Burns	8 Foster Pl	Cambridge	02138
Mary Schmidt	22 Bradbury		