

## **Minutes of the Half Crown-Marsh Neighborhood Conservation District Commission** ***Approved at the August 15, 2016 Meeting***

June 13, 2016 - 6:00 PM at Friends Meeting House, 5 Longfellow Park, Cambridge

Members present: James Van Sickle, *Chair*; Judith Dortz, *Vice Chair*; William King, Marie-Pierre Dillenseger, Deborah Masterson, Charles Smith, and Peter Schur, *members*

Members absent: *none*

Staff present: Samantha Paull

Members of the Public: see attached list

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Mr. James Van Sickle, Chair, called the meeting to order at 6:00pm and gave an overview of the agenda. Mr. Van Sickle discussed meeting procedures. He noted that as all members were present, the alternates were not voting.

### **HCM-335: 7-9 Gibson Street, by Robert Livingston. Alter windows and remove chimney.**

Ms. Samantha Paull, staff, gave an introduction to the application and noted how the application differed from the previous proposal. She added that the owner was not present but had sent in an email detailing his request and his contractor was present for questions.

Mr. Bill King, Commissioner, said he felt it was a prominent chimney. He noted that it appeared that the chimney had already been removed. Ms. Paull replied yes, that the chimney was removed by accident as outlined in the owner's email. Mr. Van Sickle read the email, which noted that the request was driven by a desire to add a countertop in front of the windows. Ms. Paull noted that the chimney did not match the original plans and might not be original to the structure.

Ms. Mary Cannor, abutter on Gibson Street [she did not sign in], asked if there were plans for skylights or additional dormers. Mr. Contractor responded that there might be a skylight in the rear, but the plans had not been finalized and they were not considering any additional dormers at this time. Ms. Cannor said she did not object to the proposal.

Ms. Coon, resident at 985 Memorial Drive, expressed her concern with the small sign that marks the Half Crown-Marsh Neighborhood Conservation District on Hilliard Street. Ms. Paull gave her a card and asked her to follow up outside of the meeting.

Mr. Van Sickle closed the public hearing. He asked the Commission for comments.

Ms. Judith Dortz, Vice Chair, asked if the windows will align on the sides with the windows below and if the headers will still align. Mr. Contractor replied yes, the location would not change, just the sill height.

Mr. Van Sickle asked if the windows would be operable. Mr. Charles Murphy, the contractor for the project, replied yes and he believed they would be a one-over-one window. Ms. Paull noted that when

she met with the applicant he discussed casements to maximize the view. Mr. Murphy confirmed the request of casements. Mr. Van Sickle said that the Commission struggled with requests for alterations in the kitchen as it was an understandable request but could have a negative impact on the historic character depending on the location.

Mr. Bill King asked about the alterations to the front porch. Ms. Paull said that she had talked to the owner about approving those alterations on a staff level if the original plans were followed as he was restoring a historical feature. She continued, if the plans varied from the original linen plans for the house that the owner had, that it may need to return to the Commission for review. Mr. King asked if the windows on the front porch would remain. Ms. Paull stated that at this time the plan is to open the front porch and restore the historic element; thus the windows would be removed.

Mr. King made a motion to approve the application as proposed. Mr. Charles Smith, Commissioner, seconded the motion. The motion was approved 3-2 with Ms. Deb Masterson and Ms. Marie Pierre Dillenseger in opposition.

**HCM-323: 138 Mt. Auburn Street, by Loreda, LLC. Alter exterior, demolish rear ell, and construct new ell.**

Ms. Paull gave an overview of the history of the property, noting that the structure had suffered a fire in the 1970s, was rebuilt with a flat roof and altered into the mansard as it looked today in the late 1990s. She showed the survey photo of the property which reflected the original Greek Revival architectural style of the structure.

Mr. Nick Maynard, architect for the project, introduced the applicant Andy Stevenson and the attorney, Mr. James Rafferty. Mr. Maynard outlined the new proposal before the Commission, pointed out how it varied from the previous proposal while showing slides. He noted that the proposal was one and a half feet less than the previous proposal and the addition was only 1,000 square feet. He added that the dormers were reduced and meet the dormer guidelines for Cambridge. Mr. Maynard showed plans that reflect an alternate option which had an increased pitch for the mansard roof, making the structure more historically accurate and concealed the elevator head house which brought the structure up to ADA compliance.

*The Commission took a brief recess from 6:34pm to 6:37pm while Dr. Peter Schur, Commissioner, answered a page.*

Mr. Maynard showed slides that reflected the visual impacts of the massing from street level. He noted that the proposal included preserving the open pedestrian alleyway and location of the existing fence.

Ms. Dortz asked how close the fence came to the rear elevation of the structure. Mr. Maynard said the rear wall of the structure would be 10 feet from the abutting structure.

Mr. King asked what the height of the existing structure, the proposed renovation and the alternate were. Mr. Maynard replied that the proposal would not impact the existing height, which was just under 35 feet. He noted that the addition of the steeper hip on the mansard portion would take it up to 40 feet at its peak but noted that the additional height was barely visible and did not impact shadows. Mr. Van Sickle asked what the maximum permitted height in this zoning district, O-3, was. Mr. Maynard responded 90 feet, and up to 120 feet for dormitories.

Mr. King asked where the mechanical equipment would be located. Mr. Maynard responded that currently there are 9 heat pumps/condensers at ground level and the goal was to get down to a single unit. He added that if they could not do the single chiller they would reduce it as much as possible. Mr. King asked if the only projection above the roof was the elevator headhouse. Mr. Maynard replied yes. Mr. Van Sickle asked if the elevator headhouse was contained within the roof in the alternate proposal. Mr. Maynard replied yes.

Ms. Dillenseger asked what the distance between the fence and the rear wall of the structure would be with the addition. Mr. Maynard responded about five (5) feet.

Dr. Schur asked when the rear ell was added. Mr. Maynard said that it appeared to be early but it was altered after the fire. Dr. Schur said it didn't seem like it was present in current photos. Ms. Paull put the survey photo up on the PowerPoint.

Dr. Schur asked if there was additional parking proposed, as there was on a previous application, or if the sidewalk in the area was being impacted by the proposal. Mr. Rafferty replied noting that the area where vehicles were parked in the photos was on land owned by the property owner rather than sidewalk space. He continued that the City would not permit that and that the parking spaces existed on the site plan and survey. Mr. Rafferty continued that this was not unique in Cambridge as there were many small streets that had a sidewalk only on one side of the street. Mr. Van Sickle asked for the dimension of the parking space. Mr. Maynard replied that he was not sure. Mr. Rafferty added that technically there was no curb in this area. Mr. Maynard clarified that there was hardscaping all around the structure with some planting beds. He continued that it appeared there was about 18 inches between the edge of the pavement and the property line. Mr. Van Sickle asked what the space was where people were parking, as the City of Cambridge required 18 feet for a parking space. Mr. Rafferty replied that the parking spaces were created prior to 1961 and were a legal nonconforming condition. Mr. Van Sickle noted that 18 inches would not suffice for a proper sidewalk in this area if the city wanted to build it. Mr. King added that the city is building larger and larger sidewalks and now required at least three (3) feet for a sidewalk. Mr. Van Sickle added that the City is building four (4) foot sidewalks when they could.

Mr. Rafferty noted that the previous alterations that turned the structure into a mansard were approved in 1999 and the parking situation as it existed currently was discussed in the minutes and included on the certificate of appropriateness granted to the project. He continued that it was a longstanding condition. He added that the space opened up by the removal of the mechanical lift would not be turned into parking but would remain open, paved space. Mr. Van Sickle noted that had changed from the previous proposal. Mr. Maynard replied yes.

Ms. Dillenseger asked if the applicant had shadow studies that he could show. Mr. Maynard pulled up his shadow study videos that showed the shadow impact of the addition at various angles around the property. He noted that much of the shadows are from the existing structure and that the addition will shadow the main historic structure primarily versus impacting surrounding properties. Mr. Van Sickle asked if the thru-views from the street were being blocked. Mr. Maynard showed on his PowerPoint presentation various angles that showed that they were being enhanced with the removal of the lift.

Ms. Dortz asked what the setback of the Ell was from the primary structure. Mr. Maynard said it would replicate current conditions which was an 18 inch step in on each side.

Mr. Smith said that the step down appeared to be minimal and that the massing was not reduced from the previous application as the Commissioner had expressed concern with the third floor. Mr. Maynard said that the third floor was the goal of the project and that a reduction of 20% was not minimal.

Mr. Van Sickle asked for questions from the public.

Mr. Craig Appel, abutter at 11 Gerry Street, asked if the Commission had received the 12 emails from abutters. Ms. Paull referred the Commission to the emails that had been handed out to them at the beginning of the hearing. She noted that she had received about four (4) or five (5) emails regarding the current plans; she said she had not received anything recently from Mr. Appel. Mr. Appel handed the Commission his additional emails and said he felt like there were two red herrings in the presentation. He continued by noting that the zoning setbacks were not under the purview of the Commission and that the previous proposal was not what the Commission was comparing the current proposal to but rather the existing conditions. Mr. Appel expressed his concern with the proposal before the Commission, stating he felt it was too large for the site.

Mr. Richard Plumb, abutter at 14 Gerry Street, asked if there was a regulation that addressed the volume change proposed rather than just the footprint. Mr. Maynard replied that generally zoning was looking at the Gross Floor Area (GFA) which included all floor levels, not just the footprint. Mr. Plumb said that it appeared to be an excessive increase in area. He asked if a third floor existing on the rear Ell currently. Mr. Maynard replied there was not and continued that the basis for the renovation and proposal was to add that third floor massing. Mr. Plumb reiterated his concern with the massing. Mr. King added that the Commission had a guideline to determine whether an addition was substantial or not, if it increased the square footage by 25% or more that was considered substantial. Mr. Van Sickle read the guidelines for evaluating a substantial addition. Mr. Plumb asked if that percentage related to the overall structure or just the size of the addition. Mr. Rafferty stated that generally that rule was applied to the overall structure and that the overall number was used to calculate the addition. Mr. King said regardless of how we measure it, the guidelines and criteria can be used to help determine whether an addition is appropriate or incongruous.

Mr. David Rich, abutter at Gerry Street, said that the applicant's presentation was helpful. He continued, stating that the general sense of the neighborhood is the proposal is out of scale with the existing massing, and that it is incongruous to the abutting buildings. He added that he felt the applicant's presentation focused more heavily on the site's compliance with the guidelines but little about the compatibility with the neighborhood.

Mr. Van Sickle replied noting that there were several zoning districts within the Commission's purview and that the O-3 portion was very small. He added that his understanding was that the zoning district was added as a transition between commercial nature of Harvard Square and the residential area west of the square. Mr. Rich said that he felt like the existing structure already occupied the majority of the lot. Mr. King said that the land area related to the parcel and the surrounding area. Mr. Rich said that when evaluating the project in context the applicant needed to look both ways on Mt. Auburn Street, both toward Harvard Square and toward the residential and smaller commercial like Darwin's. Mr. Rich expressed his concern that parked cars spilled out onto the street. Mr. Van Sickle responded that the Commission did not rule on parking and it was an issue for the police to ticket the cars for another Department. Ms. Dortz expressed concern over property owners in the District as a whole assuming that a sidewalk is an extension of their driveway.

Ms. Sally Adams, resident at 986 Memorial Drive said she traversed Gerry Street by car and foot and was concerned with the change feeling at odds with the small street with small houses. She continued by saying that she did not agree with Mr. Van Sickle's comment about the area being an area of transition - she felt the transition happened farther up the street by the Post Office and Story Street. She stated that the intangible aspects of the project would create a looming structure at the front of the street. She said if the proposed project were for educational purposes she said she would not object but she did not want to see the financial services sector expanding in the neighborhood.

Mr. Appel reiterated that the proposal was only consistent with structures closer to Harvard Square, not Gerry Street or west down Mt. Auburn Street. Mr. Appel asked where HVAC would be kept since the project included reducing the existing mechanical area. Mr. Maynard responded that there would be five (5) feet from the building wall to the fence. Mr. Appel asked if HVAC would be added in that space. Mr. Maynard replied yes and directed him to the site plan. Mr. Appel asked if there would be a chiller pen. Mr. Maynard replies yes.

Mr. Van Sickle read the emails of abutters who were not present at the hearing, from Ms. Lucy Titman and Ms. Barbara Yeoman.

Ms. Newes asked if there would be additional heat, noise and cars because of the addition. Mr. Van Sickle noted that these were not criteria that the Commission evaluated the proposal under. He read the criteria for the Commission's evaluation: additions should not block layered views, additions should be placed to preserve some layered views and create alternative new views, and additions should not significantly diminish light by casting large new shadows beyond the applicant's property line. He said those were the points that the Commission review under this application.

Mr. King commented that he was not a resident member of the Commission and did not want to participate in the vote. He asked the Chair to designate an alternate to vote. Mr. King added that he preferred the alternate proposal because he did not want to see rooftop mechanicals. He added that the Commission did not evaluate on the merits of zoning - zoning determined the setbacks and the Commission could impose additional setbacks if and only if the proposal impacted the criteria the Commission was ordered to evaluate applications under. He closed by stating this addition impacted the character of the neighborhood; thus he felt a resident member should be voting.

Mr. Van Sickle designated himself as the voting alternate.

Ms. Dortz commended them on cutting back and reiterated that the Commission was not comparing the proposal to the previous version but to the existing structure. She also read the Cambridge Historical Commission's pamphlet on Neighborhood Conservation Districts, which mentioned the impact of projects to the character of the neighborhood.

Dr. Schur asked if the addition of the third floor alone was 1,000 square feet or if the addition as a whole was the number reviewed. Mr. Rafferty replied that the addition as a whole is what is evaluated. Mr. Van Sickle concurred with Mr. Rafferty on utilizing the addition as a whole.

Ms. Dortz asked if the addition square footage included the second floor and the basement. Mr. Maynard replied yes.

Ms. Dillenseger said she recognized the need of business to work in the area but expressed concern that the applicant was not staying within the smaller scale of the neighborhood.

Mr. Rafferty said that there were some factual statements about the surrounding structure that could benefit from clarification. He continued to state that there were extant three-story structures on Gerry Street as well as Brewer Street, to address the concern that the abutters had that a three-story structure was uncommon in the surrounding area. He added that for the proposed application, the compliance with its zoning district mattered because if not the criteria would have been different for the Commission to evaluate the project under. He stated that there appeared to be a fair amount of criticism over the existing three-story mansard condition, which was approved by the Commission previously. He continued, stating that correction of the hip portion of the mansard roof did not benefit the owner but rather the district – addressing the concerns of the abutters that the project was rooted in obtaining more money for the space. Mr. Rafferty noted that the existing ell was truncated because of the fire, previously had a gable roof. He expressed concern over the notion that the district would prevent any additions, stating that prevention of additions would be a problem. He said that he proposal would create better conditions than existed currently, opening up views by removing the lift and maintaining the pedestrian alleyway, which was located on private property and not required to be maintained. He said that the applicant was attempting to be responsive to the concerns of the Commission and abutters and expressed concern over a position that nothing should change. He noted that the subject property was not a historic structure but a replica and that the corrected mansard would go a long way toward improving the structure and its impact to the District as a whole.

Mr. Van Sickle asked for additional comments from the Commission, there were none.

Mr. Van Sickle shared his concerns with the project, noting it was a difficult project to review. He said that architecturally the second option, with the corrected roof is a dramatic improvement over the previous application and helps it to relate to its surrounding structures and character rather than appearing like the haphazard renovation it was currently. He continued that it was absolutely appropriate to the character along Mount Auburn Street, stating that the addition of the massing on the back, while one would hope that it could have been stepped down an entire floor, the need for the elevator and headhouse are understandable. He said that the addition as proposed remained subservient to the primary structure. He said that from the application materials, he did not see that the addition added any significant shadow, nor did it cut off thru-views between the buildings, which were criteria that applications in the District were reviewed under. He added that it seemed to match the character of the neighborhood as there were three-story structures in the surrounding area as Mr. Rafferty had pointed out.

Mr. Van Sickle asked for other comments, there were none.

Dr. Schur made a motion to reject the proposal as submitted as the proposal created a massing that did not fit in with existing massing on Gerry Street. Ms. Dillenseger seconded the motion. The motion was approved 4-1, with Mr. Van Sickle voting against the motion.

### **Minutes**

Mr. King made a motion to approve the minutes as edited. Mr. Smith seconded the motion. The motion was approved 5-0.

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Approved at the August 15, 2016 Meeting

Dr. Schur made a motion to adjourn the meeting. Mr. Smith seconded the motion. The motion was approved 5-0 at 8:12 pm.

Respectfully submitted,

Samantha Paull  
Preservation Administrator

**Members of the Public  
(who signed the Attendance list)**

Charles Murphy	Contractor/Rep	83 Virginia Rd, Concord
Nancy Porter	Abutter	14 Gerry Street
Richard Plumb	Abutter	14 Gerry Street
Johane Kuhn	Abutter	985 Memorial Drive, #303
Howard Stevenson	Resident	31 Fayerweather St
Craig Appel	Abutter	11 Gerry Street
Sallie Adams	Neighbor	986 Memorial Drive
Andrew Stevenson	Owner Rep	138 Mt. Auburn Street
David Rich	Abutter	10 Gerry Street
Virginia Newes	Neighbor	986 Memorial Drive #105
Ann Oliver	Neighbor	985 Memorial Drive, #502
Nicholas Maynard	Architect	PO Box 457, Lincoln
Jim Rafferty	Representative	130 Bishop Allen Dr #1

Note: All addresses are located in Cambridge unless otherwise noted.