

## B. Matters of Public Concern

Public comments were repeatedly solicited and matters of concern were discussed at each meeting. In general, these included housing affordability; whether or not to include the Cambridge Street business district in the study; the costs of materials and labor to conform to district requirements; the necessity and cost of professional representation; and the possibility of arbitrary and capricious behavior by future NCD commissioners.

### 1. Housing Affordability

Housing affordability was the most discussed concern brought up by opponents to the ECNCD study. In response, CHC staff compiled data on housing values and rental costs within and without established NCDs in Cambridge. This issue received so much attention that the City Council adopted a policy order addressing this concern:

*That the City Manager be and hereby is requested to confer with the Cambridge Historical Commission and other relevant City Departments to ensure that any report or recommendation for a new Neighborhood Conservation District in Cambridge presented to the City Council include an analysis of the potential effects on City housing affordability based on current research, as well as any mitigations that the Cambridge Historical Commission recommends, so that the City Council may holistically evaluate the matter (Policy Order POR 2020 #218).*

CHC staff consulted with staff of Cambridge Community Development and Cambridge Assessing departments to analyze East Cambridge demographics and the impact that existing NCDs have had on property values and rental costs both inside and outside of their boundaries. The assessed property value study on the Avon Hill and Half Crown-Marsh NCDs showed that values in NCDs tend to stay constant to values within the assessing districts (Avon Hill) or rise more slowly than those outside the NCD (Half Crown-Marsh). The rental analysis used the best data available from a consortium led by the Metropolitan Area Planning Council (MAPC) which scrapes rent data from the web, primarily from Craigslist.com, with duplicates, scam listings, and room shares removed from the data set. While the sample lacked listings on some sites, the available data and findings concluded that generally rents outside of existing NCDs seem to be higher than rents within them.<sup>1</sup>

### 2. Cambridge Street Business District

The commercial district of East Cambridge runs along Cambridge Street from Lechmere Square to the railroad tracks. A point of discussion and opposition to the study has involved whether to include Cambridge Street within the jurisdiction of the ECNCD. Proponents explained that some of the most significant properties in the neighborhood are along Cambridge Street, with many early houses and character-defining buildings dispersed along the corridor. Opponents contended that an additional layer of review could harm the local business community with delays in permitting and approval processes. The study committee addressed these concerns through a proposed administrative review process, meaning that for nearly all properties along Cambridge

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<sup>1</sup> For a more detailed description of the housing costs study, refer to Part II of the Preliminary Report, Section C: Effects of Historic Preservation Measures on Property Values and Rents.

Street (those not listed on the National Register of Historic Places), typical applications ranging from new conforming signage, restoration of storefronts, painting, etc., would be reviewed at the staff level and the owners would be able to proceed without waiting for a public hearing process to conclude.

The study committee discussed adjusting the boundaries to eliminate properties within the Business-A district along Cambridge Street on at least two occasions. CHC staff observed that eliminating jurisdiction along Cambridge Street would simplify administration of the neighborhood conservation district and remove a source of opposition to the study. The majority of study committee members supported keeping the study area intact, understanding that Cambridge Street or other parts of the study area could be removed later by the committee, CHC, or City Council.

Additionally, the study committee and members of the public collectively agreed that an amendment to zoning rules on Cambridge Street to allow signage that does not meet the current sign code (Article 7.00 of the Cambridge Zoning Code) could be a benefit to the business community and neighborhood. Representatives of the East Cambridge Business Association and the study committee agreed that the City Council should amend the sign code to allow the NCD commission to approve non-conforming signage, similar to the provisions in the Harvard Square NCD.

### 3. Cost of Materials and Labor:

Aside from housing affordability, another cost concern was the potential increase in cost of materials. It is true that some historically appropriate products on the market today tend to cost more than the cheapest products sold and advertised by manufacturers. Windows, for example, can range in costs widely depending on the material, type, and quality of the product. The Cambridge Historical Commission's policy regarding the replacement of windows is to retain historic windows whenever possible. Historic wood windows and other wooden detailing on buildings, are from old-growth wood, which is much denser and resistant to rot and mold compared to wood today. Numerous studies have shown that, compared to historic windows protected by storm windows, energy savings from replacement windows will not recapture their cost before the new windows themselves fail and must be replaced – often in as little as 15 years.<sup>2</sup>

Many historic elements can be retained and restored at a cost less or similar to replacement in the same quality. The committee has recommended binding review for many alterations to the National Register properties in the study area. For properties not listed on the National Register,

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<sup>2</sup> Several studies reveal comparable energy savings between a restored single-glazed wood window/storm combination and a double-glazed replacement window. See Bill Mattinson, et. al., "What Should I Do About My Windows?" *Home Energy* 19/4 (2002); Noelle Lord, "Embracing Energy Efficiency," *Old House Journal* (September/October 2007); Andrew Shapiro and Brad James, "Creating Windows of Energy-Saving Opportunity," *Home Energy Magazine Online* (September/October 1997), <http://homeenergy.org/archive/hem.dis.anl.gov/eehem/97/970908.html>

non-binding review of certain alterations would not require owners to replace with higher quality products unless desired by the owner.

#### 4. Cost of Professional Representation by Applicants:

Some members of the public expressed concern that applicants would be required to bring professional representatives to public hearings for review of their project.

While applicants might need representation for larger projects (new construction, demolition, and gut-renovation) to effectively discuss the project and answer questions, for a vast majority of projects applied for in Cambridge NCDs such representation is neither recommended nor necessary. Applicants are never required to bring attorneys, architects, engineers, landscape architects, or other professionals to a hearing. For major projects the Historical Commission and NCD commissions generally need the same level of detail already required by the Inspectional Services Department for issuance of a building permit.

#### 5. Possibility of Arbitrary or Capricious Commissions:

The Study Committee discussed the possibility that a neighborhood conservation district commission might engage in arbitrary or capricious behavior.

While it is not common, such events can occur in any appointed or elected board or commission. City ordinances and procedures address these issues should they arise. First, an applicant denied approval of a project due to arbitrary findings or personal preference can appeal the NCD decision to the Cambridge Historical Commission. Secondly, members of the Cambridge Historical Commission and neighborhood commissions are required to undergo state-mandated training in conflict of interest and open meeting statutes and submit annual statements in response to Cambridge's ethics ordinance.

In Cambridge, NCD and historical commissioners are appointed by the City Manager to serve three-year terms and typically serve until replaced. Commissioners who have been observed engaging in arbitrary or capricious behavior have not been reappointed. CHC staff work directly with applicants and attend all Cambridge Historical and NCD Commission meetings. Staff advise commissioners on their jurisdiction, and their recommendations help commissioners shape their determinations to bring successful outcomes for the applicant and the community.