

Approved 4/2/09

## Minutes of the Cambridge Historical Commission

March 5, 2009 - 806 Massachusetts Avenue - 6:00 P.M.

Members present: Chair King; Vice Chair Irving; Mss. Harrington and Berg;  
Messrs. Bibbins, Crocker, and Shirley

Staff present: Mr. Sullivan, Ms. Burks

Public present: See attached list.

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Chair King called the meeting to order at 6:06 P.M. and introduced the commission and staff. He designated alternates Berg and Harrington to vote on all cases.

### Public Hearings: Alterations to Designated Properties

**Case 2035: Cambridge Common, by City of Cambridge, o/b/o Prince Hall Monument Committee.** Review artist's design for Prince Hall monument and consider decision of the Public Arts Commission.

Mr. King explained that the proponents had requested a continuance of the hearing to April 2. Hearing no objections, he granted the request.

**Case 2162 (Amendment): 4 Shady Hill Sq., by David Goldbaum.** Alter corner windows on side and replace iron railings.

Mr. Sullivan showed slides.

David Goldbaum, owner, described the proposed changes at the corner window to the right of the side entrance. He also explained that the existing scrollwork railings did not meet current codes and suggested replacing them with straight balusters, with 4" minimum spacing. He said the scrollwork was inappropriate to the house.

Mr. King explained the hearing procedures.

Mr. Irving asked whether the sill and head height would match the windows to the left of the entrance. Mr. Goldbaum said it would be closer to those levels than the existing corner windows, but the head could not go up quite as high.

There were no questions or comments from the public.

Mr. Shirley moved to amend the Certificate of Appropriateness for the changes, as submitted and described by the applicant. Mr. Crocker seconded, and the motion passed 7-0 with no further discussion.

Mr. King asked when the preservation restriction for Shady Hill Square would come for review. Mr. Sullivan answered that the draft restriction was being circulated amongst the owners. The sale of the center lot had not yet occurred. The landmark study was still active. He summarized the background of the case.

**Case 2322: 92 Brattle St., by Peter & John Howe, Trustees.** Review previously-installed window air conditioner.

Mr. Sullivan showed slides and indicated the location of the air conditioner. He described the Certificate of Hardship application, based on the need of conditioned air and ventilation in the 3<sup>rd</sup> floor apartment.

Mr. King asked if this particular window on the front of the house was the only practicable location.

John Howe, a trustee, explained that the location ventilated the tenant's bedroom.

Ms. Berg asked if consideration had been given to using a unit that would not extend outside the window frame, but sit inside the room. Mr. Howe said he would inform the family that there was another option. He explained that the tenant's condition was chronic and so the unit was needed year-round.

Mr. King suggested a temporary certificate of hardship, if the commission finds that approval of the application would not cause substantial detriment to the public welfare nor substantial derogation from the intent and purposes of the historic districts law.

Mr. Goldbaum, of 4 Shady Hill Square, suggested that the outside portion of the unit be painted a dark brown or black, so that it would be less visible.

Mr. Irving moved to approve a temporary Certificate of Hardship, to expire at the end of the current tenancy, on the basis that a substantial hardship to the tenant would exist if the application were denied, with the determination that the approval of the application would not cause substantial detriment to the public welfare nor substantial derogation from the intent and purposes of the historic districts law, and with the suggestions to the proponent for alternate products or painting, which would also be approved if the proponent so chooses. Mr. King noted for the record the letters that had been received. Mr. Bibbins seconded the motion, which passed 7-0.

Public Hearings: Neighborhood Conservation District (NCD) Proceedings

**Joint hearing with the AHNCD Boundary Study Committee.** Consider report and recommendations of the Avon Hill NCD Boundary Study Committee.

Mr. King invited the Avon Hill NCD Boundary Study Committee members to sit at the table. Theresa Hamacher, Art Bardige, Heli Meltsner, and Jacquie Olds joined William King, Bruce Irving, and Robert Crocker at the table, representing the full membership of the Boundary Study Committee. The members introduced themselves. Mr. King summarized the NCD amendment procedures provided in the ordinance, Ch. 2.78, and then turned the chair over to Boundary Study Co-chairs, Art Bardige and Theresa Hamacher.

Ms. Burks reviewed the timeline of the Boundary Study and summarized the changes to the Committee's recommendations since the original report of November 2006. She explained that several of the recommendations had already been carried out by the NCD commission, the staff, or the City Manager, such as the appointment of six new members to the NCD commission.

Ms. Hamacher, of 95 Raymond Street, elaborated that the Boundary Study Committee had tried to make sure the binding and non-binding review triggers were in conformance with the purposes of the district. Further clarification to the language in the proposed amended city council order was requested and the committee set out to do that in the second round of the study. She thanked Craig Whitaker for his close reading of the November 2006 report and recommendations. The Boundary Study Committee kept a balance of jurisdictional requirements between the present regulations and the proposed amended regulations.

Mr. Bardige, of 98 Raymond Street, agreed and said the Boundary Study Committee kept that goal for balance in mind constantly. Some areas of jurisdiction were decreased and others were increased.

Nelson Gore, of 60 Raymond Street, asked for clarification of the review of changes on the front elevation. How would that be applied to a house with a main entrance on the side?

Ms. Hamacher said it depended on the request, but most rules focused on the façade with the principal entrance. The language had been carefully considered in response to Craig Whitaker's suggestion that the order be as specific as possible.

Mr. Gore spoke in opposition to the Committee's recommendation that the three Gray Gardens East houses not be taken out of the district. How could letting one percent of the district's properties out hinder the district's ability to perform? He said there was a memorandum by CHC staff which gave a rationale for how the Gray Gardens Houses should be removed from the district. He noted that in 1997, Joy Pratt's house had been taken out of the proposed new district because it was part of Gray Gardens East.

Catherine Henn, of 6 Walnut Avenue and a current member of the Avon Hill NCD Commission, said that the proposed changes would be helpful to the commission and provided clarification of the original report.

Judy Bagalay, of 15 Raymond Street, commended the study committee on its hard work. The language in the revised order and recommendations was more helpful to homeowners.

Mr. King, a member of the study committee, said that the Bagalays and Craig Whitaker were very helpful in improving the language of the order and recommendations.

Mr. King moved that the Boundary Study Committee recommend the Addendum Report in the form presented and to remove "Preliminary" from the title page. Heli Meltsner of 74 Avon Hill St. seconded the motion. Mr. Bardige suggested that the Committee discuss the points made by Nelson Gore, but the other members of the Committee felt that they had been fully discussed. On the motion, the Boundary Study Committee voted 7-0 in favor. Ms. Hamacher closed the Boundary Study Committee hearing.

Mr. King resumed the chair and reconvened the Historical Commission hearing. He noted that before the Boundary Study Committee was appointed, there was significant levels of unhappiness in the way things were proceeding in the Avon Hill NCD and it was big news in the local media. He noted that he had not heard the same kinds of negative comments in the last two years. Reviewing the meeting procedures at the beginning of every Avon Hill NCD Commission meeting and the appointment of new members had been very helpful. He asked the public if they perceived more fairness and contentment with the procedures of the NCD commission.

Ms. Bagalay said that her hearing before the commission in July had been a fair and equitable process. She had been treated in an extremely friendly manner. The NCD commission had asked good questions. She had not been to many hearings since then.

Ms. Henn said that though she was biased as a member of the NCD commission, she had the sense that under Ms. Hamacher's and Mr. Bardige's leadership the NCD commission hearings had been very positive. She could only remember one case in which a portion of homeowner's request was denied.

Mr. Crocker said he had attended a couple of hearings as an abutter to a project, and each case was dealt with nicely and the applicants went away happy.

Mr. King said he would be interested to see how the elimination of non-binding reviews turns out in practice. Other NCDs had non-binding reviews, so it would be an interesting test.

Mr. Gore said that he agreed with Ms. Bagalay that the change in membership had made a difference in the operation of the NCD commission. He supported City Councilor Decker's suggestion that binding reviews be eliminated in the district. If necessary, the Historical Commission could make a binding review. The Historical Commission budget could be increased to accommodate this new role, if necessary.

Mr. King described the sunset provision and the proposed amendment to the ordinance that would make it possible for the City Council to amend or rescind a district at the time of its review of a sunset report.

Mr. Shirley noted that as an architect presenting applications to district commissions in other towns he had consistently disliked non-binding reviews. He did not see the value in non-binding reviews. Ms. Hamacher and Mr. Bardige agreed.

Mr. King said that Recommendation #17 seemed to be no longer necessary since the termination of the Lower Common NCD Study and the merger of the Half Crown and Marsh NCDs.

Ms. Berg recommended also eliminating Recommendation #12, which had already been carried out by the City Manager who had appointed 6 new NCD commission members.

Mr. Sullivan said that those points could be made in a cover letter.

Ms. Berg moved to approve the report and forward it on to the City Manager for transmittal to the City Council, as required by the ordinance, with the exception of Recommendations #12 and #17, which would be explained in a cover letter. Mr. Bibbins seconded the motion, which passed with no further discussion 7-0.

#### Preservation Grants

##### **Case IPG 09-6: Cambridge-Ellis School (80 Trowbridge St.). Repair barn. \$7,000**

Mr. Sullivan showed slides and described the school building, originally a factory. The adjacent barn had deteriorating architectural elements including the rake molding, fascia, and gutters. The grant request was for up to \$7,000.

Mr. Irving said that was a reasonable estimate and moved to approve the request. Mr. Shirley seconded the motion, which passed 7-0.

##### **Case IPG 08-3: Grace Methodist Church (56 Magazine St.). Repair roof. \$21,000**

Mr. Sullivan showed slides and described the building. The project had previously received a grant, but the proposal was to expand the scope of the roof repair project and increase the grant by \$21,000. Mr. Irving moved to approve the increase. Mr. Bibbins seconded the motion, which passed 7-0.

##### **Case PG 09-4: 4 Tremont St. Masonry repointing. Just-A-Start. \$12,000**

Mr. Sullivan showed slides and described the building. He reported that the commission had approved a grant six years ago to rebuild the pilasters. Just-A-Start requested up to \$12,000 for masonry repointing around the lintels and sills. He recommended that the commission offer \$6,000 and split the cost with the homeowner. Repointing was a capital improvement, not maintenance.

Mr. King noted that there were many buildings in the city from the same period with similar brick masonry. He recommended that the commission offer information to property owners about best practices for this type of project.

Mr. Irving moved to approve a grant of \$6,000. Mr. Crocker seconded the motion, which passed 7-0.

**Case PG 09-5: 124 Thorndike St.** Restore siding and windows. Just-A-Start. \$10,000-\$18,000.

Mr. Sullivan showed slides and described the building, which was currently covered in vinyl and Perma-stone siding. He described the project to remove the siding on the front and left side and restore the clapboards and replace the vinyl windows with 2-over-2 wood windows. The request was for up to \$18,500. Mr. Shirley moved to approve a grant of up to \$18,500, but less if Mr. Sullivan could negotiate it. Mr. Irving suggested that the front air conditioner be moved to the window or over or below the window. Mr. Shirley amended the motion, and Mr. Irving seconded. The motion passed 7-0.

Preservation Awards: Review of Nominations

Mr. Sullivan described the award nominations and distributed the nomination forms and photos. The commission discussed the nominated projects and reached a consensus on the winners.

Minutes

Mr. King suggested corrections and additions on pages 1 and 2 of the January minutes. Ms. Harrington moved to approve the minutes as corrected. Mr. Shirley seconded, and the motion passed 7-0.

Director's Report

Ms. Harrington asked about the tour of the Philip Johnson House. Mr. Sullivan said the house had not yet been sold.

Mr. Bibbins asked about the easement on the Watson house on Harvard Street. Mr. Sullivan described the voluntary restriction.

Mr. Sullivan gave an update on the construction at 56 Churchill Avenue.

Mr. Irving moved to adjourn. Mr. Crocker seconded. The motion passed unanimously, and the meeting adjourned at 8:45 P.M.

Respectfully submitted,

Sarah L. Burks  
Preservation Planner

**Members of the Public  
Who Signed Attendance Sheet 3/5/09**

Jim Shannon	820 Massachusetts Ave #407
Art Bardige	98 Raymond St
T. Hamacher	95 Raymond St
Jacqueline Olds	30 Hillside
Catherine Henn	6 Walnut
David Goldbaum	100 Wilson Rd
Judy Bagalay	15 Raymond St
Nelson Gore	60 Raymond St
John Howe	69 Prospect St

Note: Town is Cambridge unless otherwise indicated.