

Minutes of the Cambridge Historical Commission

December 6, 2018 - 806 Massachusetts Avenue, Cambridge Senior Center - 6:00 P.M.

Members present: Bruce Irving, *Chair*; Susannah Tobin, *Vice Chair*; William Barry, Chandra Harrington, Jo Solet, *Members*; Paula Paris, Kyle Sheffield, *Alternate members*

Members absent: Robert Crocker, Joseph Ferrara, Gavin Kleespies,

Staff present: Charles Sullivan, *Executive Director*, Sarah Burks, *Preservation Planner*

Public present: See attached list.

Mr. Irving called the meeting to order at 6:05 P.M. and introduced the members present. He explained the consent agenda.

Dr. Solet moved to place **Case 4019: 151 Brattle St., by Sikander Ilyas & Heidi Greiling** (install pair of windows on east elevation of carriage house) on the consent agenda. Ms. Tobin seconded and the motion passed 6-0.

Public Hearing: Alterations to Designated Properties

Case 3897: 10 Church St., by Kirche, LLC. Request for continuance of hearing.

Mr. Sullivan presented a letter from the applicants requesting a continuance until March 2019.

Mr. Irving asked for questions. Peter Valentine asked if the project would fit with the historical character of Harvard Square. Mr. Irving said that was not the question at hand. There being no further questions or comments, Mr. Irving closed the public comment period.

Dr. Solet moved to grant the continuance. Ms. Tobin seconded and the motion passed 6-0.

Case 4020: Harvard Hall, 12 Harvard Yard, by President & Fellows of Harvard University. Exterior restoration, replace window sashes, install lighting.

Mr. Sullivan introduced the case with slides and a brief history of the building, Harvard's second oldest. It was located in the Old Cambridge Historic District.

Henry Moss, the architect, said that the masonry on the 1754 original structure and the 1870 addition was deteriorating differently, and more seriously in the latter case. Some brownstone at the front stairs needed to be replaced entirely, while some could be consolidated. Some old repairs needed to be redone. Replacement would be difficult because it was hard to get a good match for old stone. The brick would be cleaned and repointed much as had been done at Massachusetts Hall. The cupola was leaning toward the north, and on close examination found to be rotting at the base. It would be removed, rebuilt, and replaced. Windows would be replaced with new wood windows to match. The project would run from May to October 2019.

Mr. Irving called for questions

Mr. Sheffield asked about the base of the cupola. Mr. Moss said that it was brick with a course of brownstone on top, enclosed in wood. He told Dr. Solet that the cupola would be brought down to the ground for restoration. New windows would have insulated lights.

Mr. Irving asked for public comment. Peter Valentine complimented the project. There were no other comments.

Mr. Sheffield complimented Mr. Moss on the thoroughness of his study and asked if there would be any changes to the program. Mr. Moss said the interior would be refreshed, but the program would remain the same.

[Ms. Paris arrived.]

Mr. Sullivan recommended a Certificate of Appropriateness for the project as proposed.

Dr. Solet so moved, Mr. Barry seconded, and the motion passed 6-0.

Case 4021: 6 Shady Hill Sq., by Jane & Melissa Thomas. Alter select windows and doors, install vents, construct deck with railing above porch, construct path, repair stucco, paint.

Ms. Burks showed slides and introduced the case.

Melissa Thomas, the owner, said the house was in bad repair. She planned to install pavers on the path and a patio in the back. The only change in the front would be the front door. On the side elevation the fire escape was removed without permission, and she had replaced the door there with a window. The bathroom window had been moved and a pair of French doors had been installed to give access to a balcony over the porch that would need a balustrade. On the rear two doors had been added and she planned to add a bay window. The stucco was in poor shape and needed to be redone.

Mr. Sheffield asked about the second floor French doors; they seemed very close to the corner. Ms. Burks said the drawing was incorrect.

Ms. Paris asked about the second floor window that replaced a door. Had she considered replacing the Juliet balcony? Ms. Thomas said the room was now a bathroom and even the window barely fit. Ms. Paris pointed out that it was an important exterior feature. Ms. Thomas said it had been a strange exterior feature that looked odd when the fire escape was removed. Dr. Solet asked if the balcony could be reinstalled; Ms. Thomas agreed.

Mr. Barry asked about the details of the balustrade. Ms. Burks said it would be like the one at 5 Shady Hill Square.

Mr. Irving asked for questions of fact, and then opened the meeting for comments.

Jane Raab of 3 Shady Hill Square objected to the removal of the French door on the third floor, and asked if Katie Lapp's letter objecting to the path had been noted. Ms. Thomas said the removal was a drafting error. She told Ms. Rabb that the trim would be Bleeker Beige, not white. Ms. Rabb said none of the alterations had been brought to the attention of the neighborhood association.

Cy Britt of 2 Shady Hill Square also objected to the removal of the balcony and said the new pavers were different from the ordinary ones. Hadn't other neighbors gone before the association for approval? Ms. Rabb said that no one else had made substantial changes and even landscaping had been regularly discussed.

Mr. Irving closed the public comment period.

Mr. Barry recommended replacing the French doors even if they would be inoperable. The glass

could be obscured.

Dr. Solet said there was a precedent for false openings. The window might have to be operable because it was a bathroom. How visible was the location? Mr. Sullivan said it was visible from Beacon Street and obliquely visible from the green.

Mr. Barry moved to approve a Certificate of Appropriateness for all the changes except the Juliet balconies and the French doors, which should be returned in some fashion. Ms. Thomas asked if she could install a window down to the floor but not real doors. Mr. Barry said he would delegate that to the staff.

Mr. Irving said the balustrade over the porch would have to be 42" high. Mr. Sheffield observed that it could be lower if there was no access. Mr. Barry said it could be built at 36" with a higher metal rail. Dr. Solet disliked the pipe railing and asked if the higher balustrade would be discernible; Mr. Irving said it would be. Mr. Sheffield observed that the other side of the house at #7 was missing its balustrade and would face the same issue. Mr. Barry said he would amend his motion to accept a 36" balustrade with a metal railing.

Ms. Burks read Mr. Barry's amended motion. Ms. Paris seconded, and the motion carried 6-1 with Dr. Solet opposed.

Public Hearing: Demolition Review

Case D-1485: 13-15 Vincent St., by Matt Hayes. Consider whether to initiate landmark study of preferably preserved significant building.

Mr. Sullivan showed slides and summarized the case to date. This was a fifth-month hearing to decide whether to initiate a landmark designation study. He reviewed the landmark criteria and said that while the house could be considered to meet criteria 1 (significant in the social history of the area) it did not meet criteria 2 (architecturally significant).

Ms. Paris agreed with Mr. Sullivan's assessment. She said she was interested in the neighborhood preservation aspect of the Commission's mission.

Mr. Irving opened the meeting to public comment.

Susan Carter of 41 Holden Street spoke in favor of preserving Cambridge architecture in general.

Nancy Ayoub represented her mother, a resident of 9 Vincent Street. She thought other neighbors felt similarly.

Virginia Stanford of 17 Vincent Street spoke of George Byars's significance and opposed the demolition. Soon all the neighborhood's character would be lost.

Fred Meyer of 83 Hammond Street supported preservation of this house and neighborhood character generally.

Matt Hayes, the owner, said he supported preservation but that he had returned three times with design options that had not been accepted. He appreciated the comments but his best efforts were not

enough.

Ms. Harrington regretted the continued loss of houses like this but agreed that it did not meet the landmark criteria.

Dr. Solet wanted a beautiful project and urged the developer to accept a reasonable return on his investment.

Mr. Sheffield said all the proposed designs had been sub-par. Replacement buildings should express excellence in design if they are replacing significant buildings. Developers could make that happen. He was frustrated that they could simply wait out the delay.

Mr. Barry said the larger area should be protected. Landmarking was inadequate in this situation. Ms. Harrington agreed.

Ms. Paris added that the first house to go in a neighborhood creates a precedent for further demolitions; then the neighborhood will be broken. Mr. Irving disagreed. He didn't think one demolition could break a neighborhood. He never got feedback about whether or how well a new house fit in. He acknowledged that there could be discomfort with change, but sometimes it was beneficial. Ms. Paris said she didn't see that as a disagreement.

Mr. Sullivan said the house was clearly significant, but it was one of many similar houses scattered throughout West Cambridge. The Commission should not initiate a landmark study if there wasn't a strong case to take to City Council for designation.

Dr. Solet observed that perhaps the staff could have helped the applicant improve his designs. Mr. Sullivan replied that staff had met repeatedly with Mr. Hayes, and they did with all applicants. The staff could often make suggestions to make applications more acceptable, but could not be tasked with crafting an appropriate proposal in opposition to the applicant's wishes.

Ms. Harrington moved to decline to initiate a landmark designation study, per the Executive Director's recommendation. Mr. Barry seconded and the motion passed by a vote of 6-1, with Ms. Paris opposed.

Case D-1490: 74 Oxford St./43 Wendell St., by 74 Oxford St. LLC. Consider whether to initiate landmark study of preferably preserved significant building.

Mr. Sullivan introduced another fifth-month hearing to consider initiating a landmark designation study, in this case for an 1893 Queen Anne two-family house. He summarized the staff memo and noted that staff had engaged in repeated conversations with the developer.

William Senné, the developer, said he had been working on a resolution, but the project would require a variance. He had substantial neighborhood support but the process would require patience.

Mark Boyes-Watson, the architect, said the building contained five apartments and four rooms in a rooming-house arrangement. Zoning allowed four units. His proposal would extend the cross gable on the north side, enclose the porches, and create light wells for a basement unit. They would need an FAR

variance for the addition.

Dr. Solet asked how much additional space would be created. Steve Hiserodt said about 1,500 sq. ft., including the basement.

Joel Bard of 51 Wendell Street said that the neighborhood strongly supported Mr. Senne's proposal. He asked the commission to support the project before the BZA. If the BZA denied the project it would be useful to have the landmarks study underway to keep protections in place.

Fred Meyer of 83 Hammond Street commended the architects and said his only objection was to the parking space in front of the building. He suggested making the building three units rather than four and turning the basement into common space.

Lynn Rice of 76 Oxford Street said she was the immediate abutter to the north. Her main goal was to preserve the building; it was worthy of landmark status.

Karen Engels of 47 Wendell Street said she was happy to compromise to preserve the building and urged the initiation of the study.

Tom Nubanko of 94 Hammond Street agreed with Mr. Meyer about the parking and urged the developer to seek other solutions.

Mr. Senné said he would explore solutions to the parking issue. He said he would go to the BZA for zoning relief whether or not the Commission initiated the landmark study.

Mr. Irving closed the public comment period.

Mr. Barry agreed that the property was significant and supported a landmark study. He said that the developer's proposal was appropriate and warranted a Certificate of Appropriateness. The Commission should support the project with a letter to the BZA.

Mr. Sheffield moved to initiate a landmark designation study for the reasons stated in the staff report. Mr. Barry seconded, and the motion passed unanimously.

Mr. Sheffield moved that the Commission should support the proposed project with a letter to the Board of Zoning Appeal. Ms. Harrington seconded and the motion passed unanimously.

Case D-1500: 156-160 Norfolk St., by 160 Norfolk St. LLC. Partial demolition of side wings of Mansard house.

Mr. Senné announced that his team had met with staff and developed a proposal that would not require a demolition permit. He withdrew his application.

Mr. Sullivan said that no motion was necessary.

Case D-1501: 120 Magazine St., by Lindsay MacIndoe & Wendy Holding. Evaluate work performed under building permit for conformity with demolition ordinance. Consider demolition application.

Mr. Sheffield announced that he would recuse himself because his firm had been engaged to design the interior of the project. He left the meeting.

Mr. Sullivan showed slides and explained that the case involved the unauthorized demolition of a

significant house. A stop-work order had been issued, and the owners had requested relief from the mandatory two-year moratorium that was automatically imposed in such cases. The house in question was a Greek Revival constructed in 1844 by Isaiah Bailey with fluted Doric columns and an overhanging gable similar to some houses on Cottage Street, with a shed dormer added in 2001. Staff had approved removal of the eaves as not significant, and the owners had received a variance to construct a larger addition. Before construction started ISD approved the enclosure of the front porch without requiring an amendment of the variance. The contractors lifted the old house and constructed a new foundation under it. After the frame was lowered into place the contractors removed the roof, the attic floor, and the second floor, leaving only some studs and sheathing at the first floor. This constituted demolition under ISD's definition of the term, and a stop-work order was requested.

James Rafferty, the owners' attorney, said they didn't contest that there had been an unauthorized demolition. The two owners were the victims. They had put their savings into the project intending to keep the house and were devastated at this development. The contractor was present and could explain what happened.

Mr. Irving said that it wasn't necessary to ascribe blame. Mr. Rafferty said it was highly relevant that the owners weren't complicit.

Michael Wiggins, attorney for contractors S+H Construction, said that the crew had clearly violated proper procedures when they realized that the frame had to be taken down for safety reasons. It was not a voluntary demolition.

Sarah Lawson, the owner of S+H, apologized and showed slides of the project. A building permit was issued on June 29, and the crew removed the eaves and cladding, jacked up the house, and poured a new foundation. The plans called for a new internal structure on the first and second floors, new dormer framing, and new window framing. While removing the original framing the building started to sway. They consulted a structural engineer about bracing, but on October 11 the crew chief decided that the roof was unsafe and should come down. The rest of the structure came down the next day. He should have stopped and talked to ISD but did not.

Dr. Solet asked what the original permit had allowed. Ms. Lawson said that removal of interior walls caused the instability. They had been advised by structural engineer Alan Archers.

Ms. Harrington asked to this had ever happened on an S+H project. Ms. Lawson said it had not.

Mr. Rafferty spoke about the impact of a two-year moratorium on construction. His clients would have to live with the consequences. They spent more than two years with design, permitting, and contractor selection. He asked the Commission to recognize that the moratorium would benefit no one. The legislative intent was to impose a sanction, but the burden shouldn't be on his clients, who were not active participants in the construction process. The architect was present and could discuss the design of the replacement structure. Modifications such as the details of the windows and trim could be made if necessary for mitigation, but the enclosure of the porch was critical to the program.

David Foley, the architect, described the exterior and showed that the BZA had approved a shed dormer that was smaller than existing. The proposed dormer would also extend to the peak of the roof, but the ends had been pulled back from the wall plane. Mr. Rafferty said that there was an opportunity to improve the dormers because the project had to go back to the BZA anyway.

Lindsay McIndoe of 11 Salem Street, an owner, said she and her partner had been looking for a house for many years and were excited to find this one. They chose experienced architects and contractors and planned to preserve the house. They were shocked to find that it had come down. Regarding the late change to enclose the porch, ISD had explained that it constituted existing FAR and didn't need relief. Ms. McIndoe explained that it was an improvement to the design and the only place their piano could fit.

Dr. Solet asked if Alan Archer had been on the job from the beginning. Mr. Rafferty said that Steve Siegel stamped the permit application as structural engineer. The non-matching dormers were intentional; the dormer on the left gave head room for the stairs.

Wendy Holding, an owner, confirmed the sequence of events. She said members of the BZA had liked the alterations to the dormer.

Paula Paris acknowledged that the episode seemed like a nightmare, but the BZA application clearly described the project as a renovation. This was almost new construction.

Mr. Irving asked if the existing plie of boards could be considered the existing building. Mr. Sullivan said the hearing was to consider retroactively approving demolition of a building that he determined was significant in its prior state.

Mr. Barry asked to discuss precedents and whether the Commission had authority to shorten the moratorium.

Mr. Sullivan addressed Ms. Paris's question about whether the project constituted renovation versus new construction. When the architect's framing plan called for an all-new frame, how did that not constitute demolition and new construction? He cited several previous cases of unauthorized demolition. At 1564 Massachusetts Avenue, where the developers removed all but the front façade, the Commission negotiated a termination of the moratorium after 18 months when the developer agreed to construct an exact replica of the original structure. Negotiated settlements and terminated moratoriums followed unauthorized demolitions on Salem Street, Churchill Avenue, and Cedar Street. In the most recent case on Kinnaird Street the developer abandoned his original plan and built a replica of the demolished house in its original appearance. Most of these cases resulted in mitigation in the form of appropriate design changes.

Mr. Rafferty said the owners now had to return to the BZA for approval to rebuild the non-conforming house. They had already spent a lot of money. The public would benefit from allowing construction to proceed.

Mr. Irving opened the public comment period.

Alex Slive of Walker Street said that he had owned S+H Construction for over 40 years. The owners had no idea the house was coming down. They should not be penalized.

Marci Sater of Salem Street said the owners, her neighbors, were a responsible couple and the demolition was not their fault.

Lucy Brown of 1 Bailey Place, an abutter, supported the owners, as did Jill Shulman of Salem Street. Mr. Sullivan read several letters of support.

Mr. Barry agreed that it was a tragic mistake. The question of the public interest was key. He asked Mr. Sullivan to explain the Commission's authority in such situations. Mr. Sullivan replied that the ordinance did not contain a procedure for terminating the moratorium. In the cases he had cited the Commission had considered the public interest in finishing construction promptly and had negotiated mitigating changes in the design. The original house had been a vernacular Greek Revival; the current plan was a pastiche.

Dr. Solet said that if the porch were reconstituted it would need railings. Mr. Sullivan said there were plenty of Greek Revival house with porch railings.

Mr. Barry said there was no public interest in freezing the site for two years. However, if it was going to be all new construction he did not favor the faux historic front and modern back.

Mr. Irving said he favored retaining the current design with the enclosed porch and asymmetrical dormers. The dormer could be improved He agreed that it was not the owners' fault.

Dr. Solet said the outcome would be better if the designers started from scratch. Were there consequences for the licensed architects or the contractor? Mr. Irving said this was not germane.

Susannah Tobin observed that they were all in agreement that an abandoned construction site was not in the public interest. The ordinance did not encourage this approach but some mitigation could be agreed to.

Ms. Harrington agreed that no one wanted to penalize the homeowners. The design had already been approved. Dr. Solet said the design had not been approved by the Historical Commission, as it would have been if they had sought demolition review before the fact. She thought it was disastrous.

Ms. Tobin said the precedents suggested some form of mitigation, such as shrinking the dormer. Mr. Irving suggested restoring the corner boards as in the 1965 photo and making the

dormer conform to BZA guidelines.

Mr. Sullivan suggested that the Commission make the following findings:

- that an unauthorized demolition had occurred;
- that the required penalty was a two-year moratorium on construction;
- that requiring the construction site to remain idle for two years was not in the public interest;
- that the building in its prior state was significant;
- that the significant building was not preferably preserved in the context of the replacement design.

Mr. Barry moved to find 120 Magazine Street to have been significant in its former state.

Ms. Harrington seconded and the motion carried 6-0.

Mr. Barry moved that the significant building was not preferably preserved in the context of the findings proposed by Mr. Sullivan. Ms. Harrington seconded. The motion carried 5-1 with Dr. Solet opposed.

Mr. Sheffield returned to the meeting.

Preservation Grants

PG 19-5	302-304 Concord Ave., HRI: Reconstruct porch, \$25,000
PG 19-6	289 Rindge Avenue, HRI: Siding, windows, \$50,000
PG 19-7	290 Washington St., HRI: Siding, windows, \$25,000
PG 19-8	237 Allston Street, JAS: foundation, \$7,100
IPG 19-4	St. Augustine's A.O. Church, 137 Allston St.: \$50,000 outright, another \$50,000 on receipt of matching funds

Mr. Sullivan showed slides of each property and described the work proposed for each application. He recommended grants in the amounts shown above.

Mr. Barry moved to approve a grant of \$25,000 for work at 302-304 Concord Avenue, and Mr. Sheffield seconded. Ms. Harrington and Ms. Paris recused themselves because they were friends of the owner. The grant was approved by a vote of 5-0 with two abstentions.

Dr. Solet moved to approve the other grants per the Director's recommendations. Mr. Kleespies seconded the motion, which passed 7-0.

Minutes

Ms. Tobin moved to approve the minutes of the October 2018 meeting, pending submission of any changes to Ms. Burks. Dr. Solet seconded, and the motion passed 7-0.

Other Business

Dr. Solet asked about the Commission's jurisdiction over the proposed 5G wireless antennas, which she considered noisy and visually intrusive. Ms. Sullivan said that the city was working on aesthetic standards as allowed by FCC regulations.

Mr. Sullivan said the Armenian Church at 145 Brattle Street had requested permission to install a small plaque near the front door of the parish house, pending receipt of a significant donation. He suggested approval be delegated to staff with a ten-day notice. Ms. Paris so moved, Mr. Kleespies seconded, and the motion passed 7-0.

Mr. Barry moved to adjourn. Ms. Harrington seconded, and the motion passed unanimously. The meeting was adjourned at Zero Dark:30.

Respectfully submitted,

Sarah L. Burks
Preservation Planner

**Members of the Public
Who Signed the Attendance List on December 6, 2018**

Henry Moss	225 Friend Street, Boston
Adrienne Cali	“
Lynne Reiss	76 Oxford Street
Paul Wagoner	67 George Street, Medford
Silvia Aaron	4 Shady Hill Square
Mel Downes	360 Concord Ave.
Ray Penrose	154 Willow Street
Sara Holt Walker	221 Harvard Street #3)
Anne-Sofie Divenyi	60 JFK Street
Diane Gray	1350 Massachusetts Avenue
Melissa Thomas	6 Shady Hill Square
Cy Britt	2 Shady Hill Square
Susan Carter	41 Holden Street
Nicholas Faillace	33 Church Street
John Sullivan	Lesley University
Jess Tones	33 Church Street
John Hawkinson	
Hull Fulweiler	16 Howland Street
Virginia Stumpf	17 Vincent Street
Karen Engels	47 Wendell Street
Joel Bard	51 Wendell Street
Paul Levenson	47 Wendell Street

Note: Town is Cambridge, unless otherwise indicated.