(approved 11/5/26)

Minutes of the Cambridge Historical Commission

October 27, 2026 – Meeting conducted online via Zoom Webinar (834 0649 0014) - 6:00 P.M.

Present: Chandra Harrington, Chair; Joseph Ferrara, Paula Paris, Members; Florrie Darwin, Scott Kyle, Alternate Members

Absent: Liz Lyster, Vice Chair; Gavin Kleespies, Kyle Sheffield, Yuting Zhang, Members; Michael Rogove, Alternate Member

Staff present: Charles Sullivan, Executive Director; Sarah Burks, Preservation Planner; Allison Crosbie, Preservation Administrator

Public present: See attached list.

This meeting was held online with remote participation pursuant to Ch. 2 of the Acts of 2023. The public was able to participate online via the Zoom webinar platform.

With a quorum present, Chair Harrington called the meeting to order at 6:05 P.M. She designated all alternates present to vote. She noted that the meeting materials had been publicly posted and that the only item on the agenda was an appeal concerning 106 Ellery Street in the Mid Cambridge Neighborhood Conservation District.

Appeal of Mid Cambridge Neighborhood Conservation District Decision

Case MC-7613: 106 Ellery Street. Appeal by registered Cambridge voters.

Mr. Sullivan opened the hearing by outlining the Historical Commission's role in reviewing appeals from Neighborhood Conservation District (NCD) commissions. He explained that the appeal had been filed on October 1, 2026, by fifteen registered Cambridge voters. The Election Commission verified all signatures, and because the ordinance requires action within 30 days, the staff scheduled the meeting for October 27. Staff had assembled the case record including application, plans, minutes, decision, correspondence, and other supporting documentation.

Mr. Sullivan reviewed the standards governing appeals under Chapter 2.78.240 of the Cambridge Municipal Code. He emphasized that the Commission was not conducting a new hearing on the project itself. Instead, its role was limited to determining:

- Whether due-process requirements had been satisfied.
- Whether the Mid Cambridge NCD Commission's decision was supported by the evidence and was not arbitrary or capricious.
- Whether the NCD Commission acted within the authority granted by the ordinance and district guidelines.

He stressed that the Historical Commission was not being asked to substitute its judgment for that of the Mid Cambridge Commission concerning design merits and that the hearing was confined

strictly to the appeal issues presented in the petition. General criticism of neighborhood conservation districts or development issues were not relevant to this appeal.

Justin Saif of 72 Thorndike Street spoke on behalf of the Cambridge voters who filed the appeal. Mr. Saif described the matter as a straightforward procedural appeal. He emphasized that the petitioners were not asking the Historical Commission to reject the project itself. Instead, they sought a remand to the Mid Cambridge Commission for reconsideration because they believed procedural and legal errors had occurred during the original hearing.

Mr. Saif presented four principal arguments:

1. Participation of a Commissioner Who Did Not Attend the Full Hearing

Mr. Saif argued that Mid Cambridge Commissioner Catherine Tice arrived after the hearing had begun and missed portions of the staff presentation, introductory remarks, and part of the architect's presentation. He cited Massachusetts case law requiring quasi-judicial board members to attend the entire hearing before participating in a decision. He contended that because Commissioner Tice missed evidence presented at the beginning of the hearing, she should not have voted. He further noted that a condition in the certificate of appropriateness originated from her comments despite her late arrival.

2. Alleged Conflict of Interest

Mr. Saif argued that Historical Commission member Kyle Sheffield, who served as architect for the project, should not have presented the application before the Mid Cambridge Commission. He asserted that because all NCD decisions are appealable to the Historical Commission, any matter before an NCD falls within the "official responsibility" of Historical Commission members. He maintained that this created a structural conflict of interest and cited state ethics materials in support of that position.

3. Reliance on a Restrictive Covenant Not Entered into the Record

Mr. Saif argued that the NCD Commission relied on references to a private covenant between neighboring property owners in evaluating the proposal. He stated that the covenant itself was never entered into the record and that commissioners nevertheless cited it during deliberations. According to Saif, the decision therefore relied upon information not properly before the Commission.

4. Consideration of Size and Shape and Failure to Consider Housing Goal

Mr. Saif asserted that the Mid Cambridge Commission improperly considered the size and shape of the proposed new structure despite amendments to the ordinance prohibiting such considerations. He cited commissioner comments regarding proportionality and scale. He further argued that although the 2023 amendments require NCDs to consider City Council goals, including housing production, the Mid Cambridge Commission failed to discuss the housing implications of the project. He contrasted that hearing with another project heard the same evening in which housing was discussed more extensively.

Mr. Saif concluded by requesting that the Historical Commission overturn the determination and remand the case for a new hearing before the Mid Cambridge Commission.

Ms. Burks summarized her written memorandum and reviewed the record of the case. She explained that the application had been submitted by the property owner of record, the 106 Ellery Street Realty Trust. The proposal involved renovation of the existing house and construction of a new building at the rear of the lot. The Mid Cambridge Commission considered the application during a lengthy hearing on September 8, 2026, and approved it with a condition requiring additional photo renderings to be reviewed by staff. The Certificate of Appropriateness was issued by staff on September 11.

Ms. Burks reviewed the purposes and provisions of the amended NCD ordinance. She explained that commissions are required to consider historical and architectural character as well as broader City Council goals such as housing, sustainability, and climate resilience. She noted that the 2023 amendments prohibit commissions from using size or shape of new construction or additions as the basis for a determination.

Response to Allegation #1: Commissioner Attendance

Ms. Burks stated that Zoom attendance records showed Commissioner Tice entered approximately ten minutes after the presentation began and remained for the remainder of the hearing, including all questions, public comments, deliberation, and voting. Tice actively participated by asking questions. Ms. Burks concluded that Commissioner Tice had sufficient information to vote and noted that the hearing outcome would not have changed even if Tice had abstained.

Response to Allegation #2: Conflict of Interest

Ms. Burks explained that Kyle Sheffield was not a member of the Mid Cambridge Commission and presented the project solely in his professional role as architect. She stated that staff consulted with the City's Law Department and found no violation of the state Conflict of Interest law. Mr. Sheffield was not present and not participating in the appeal hearing.

Response to Allegation #3: Restrictive Covenant

Ms. Burks stated that commissions routinely consider information provided in testimony that is not itself entered into written evidence. While the covenant was discussed, she concluded that the NCD Commission based its approval on the project drawings, design rationale, architectural treatment, landscaping, and preservation considerations rather than the covenant alone. She indicated there was no deficiency in the record.

Response to Allegation #4: Size, Shape, and Housing Goal

Ms. Burks acknowledged that commissioners may inevitably discuss matters such as proportion and scale when describing architecture. However, she argued that the ordinance only prohibits decisions

being based on those factors. She stated that references in the Certificate acknowledging zoning compliance were informational and not part of the basis of approval.

Regarding the City Council's goal for housing production, Ms. Burks stated that housing was discussed during public questions and comments, including the number of existing and proposed units. She observed that public comment and the applicant's presentation informed commissioners even if housing was not a dominant theme in the final deliberations. She also noted that other City Council goals such as sustainability and energy efficiency in construction were discussed by members of the commission. Housing was but one of several goals cited in the enabling ordinance.

Ms. Burks concluded that due process requirements were met; the Mid Cambridge Commission had sufficient evidence on which to base its decision; and the Commission had acted within its authority. She therefore recommended denial of the appeal.

The chair asked if the current property owner of 106 Ellery Street wished to make any remarks.

Property owner Matt Hayes addressed the Commission. He stated that Commissioner Tice participated in the substantive portions of the hearing and was responsible for requesting the additional renderings. He also emphasized that the restrictive covenant had since been recorded at the Registry of Deeds.

Hayes questioned the purpose of the appeal, expressing confusion about what outcome the appellants hoped to achieve through a remand. As a developer active in Cambridge, he spoke in favor of both additional housing and historic preservation. He argued that NCDs play an important role in balancing those interests and cited nearby projects that had successfully combined preservation with increased housing production. He urged the Commission to uphold the original decision.

The chair called for questions of fact from members of the Historical Commission.

Ms. Darwin questioned the argument against the condition added by Commissioner Tice, noting that the condition required additional review and therefore, if anything, imposed an added burden on the applicant rather than benefiting the project. Saif responded that his concern centered on the participation of a commissioner who arrived late rather than the substance of the condition itself.

Mr. Kyle questioned the practical purpose of the appeal, characterizing many of the alleged procedural deficiencies as minor. He emphasized that NCD commissioners are volunteers exercising judgment in a collaborative process and suggested that the appeal appeared punitive rather than constructive. Saif reiterated that his objective was to ensure compliance with the ordinance and proper application of the amended NCD rules.

Mr. Ferrara asked staff whether commissions are expected to specifically discuss every criterion contained in the ordinance during every hearing. Mr. Sullivan responded that such a requirement had

never existed, that commissioners receive ongoing training about applicable factors, and that decisions are generally made through a holistic evaluation rather than a criterion-by-criterion checklist.

Chair Harrington also asked staff how many hearings had been held on the Ellery Street project. Ms. Burks confirmed that there had been one hearing before the Mid Cambridge Commission. The chair then opened the public questions and comments period.

Kyle Heppner of 18 Center Street argued that the appeal's interpretation of the prohibition on considering size and shape could have unintended consequences. He stated that concepts such as scale, proportion, and massing are essential architectural considerations and that eliminating discussion of those factors would undermine meaningful architectural review.

Timothy O'Donnell of 3 Dana Street expressed confusion about the purpose of the appeal, noting that the developers appeared largely satisfied with the outcome. He also asked why Ellery Street had become a focus of redevelopment activity despite already containing many multifamily structures. Staff explained that unusually deep lots on Ellery Street made them attractive for redevelopment.

Isabella Parra of 95 Dunster Street, said she is a Harvard student studying historic preservation. She asked how Cambridge balances historic preservation with evolution and growth of the city. Mr. Sullivan provided an overview of the historical development of Cambridge’s preservation programs, the creation of NCDs, and recent City Council efforts to encourage housing production. Commissioners also encouraged her to explore Historical Commission archives and attend future meetings.

Carrie Saunders of 9 Ellery Square opposed the appeal, describing it as frivolous. She observed that many of the petition signers did not live in Mid Cambridge and questioned why residents from other neighborhoods were challenging Mid Cambridge decisions. Drawing comparisons to a previous Ellery Street appeal, she argued that private legal arrangements such as covenants had properly been treated as outside the Commission’s jurisdiction. She also questioned the applicability of one legal precedent cited by the appellants.

Marilee Meyer of 10 Dana Street argued that the appeal appeared motivated by broader concerns about NCDs rather than the substance of the 106 Ellery project itself. She said the appellant had played a role in advancing the ordinance changes now being interpreted and suggested that the appeal might be intended to create a record challenging the future role of NCDs.

Ms. Harrington closed the public comment period.

Ms. Darwin observed that the appeal raised legitimate questions concerning process and stated that procedural protections are important. She commented that the appeal served as a useful reminder of the importance of following established procedures, though she believed the procedures had been followed in this case.

Mr. Ferrara thanked both the appellants and staff for presenting detailed arguments. After reviewing the record and staff analysis, he concluded that due process had been observed, that the Mid Cambridge Commission had carefully considered the proposal, and that none of the issues raised justified overturning the outcome. He moved to deny the appeal and uphold the determination of the Mid Cambridge Neighborhood Conservation District Commission. Ms. Darwin seconded the motion, which passed in a roll call vote 5-0. (Ferrara, Kyle, Darwin, Paris, Harrington)

Following the vote, Mr. Sullivan echoed Ms. Darwin's comments regarding the importance of procedural integrity and stated that the appeal served as a valuable reminder that public boards must continually strive for fairness and adherence to process, even if perfection is unattainable.

Adjournment

Ms. Paris moved to adjourn. The motion was approved 5-0. (Ferrara, Kyle, Darwin, Paris, Harrington) The meeting adjourned at 7:33 P.M.

Respectfully submitted,

Sarah L. Burks

Sarah L. Burks, Preservation Planner

Note: This draft was generated with the assistance of Microsoft Co-Pilot Generative AI and reviewed and edited by CHC staff for accuracy and form.

Members of the Public Present on October 27, 2026

Matt Hayes
Brendan Hickey
Suzanne Blier
Elena Saporta
Irina Cain
Kyle Hoepner
Marc Levy
Sarah Rhatigan
Helen Walker
John Hawkinson
John Pitkin
Debby Shapiro
Timothy O'Donnell
Thomas Vera Lreilkamp
Cary Saunders
Isabella Parra
Marilee Meyer
Pamela Ross
K Herrmann
Stavros Macrakis

Note: See https://www.cambridgema.gov/historic/permitsApplications/projectplansandstaffreports for a link to the Zoom meeting recording.

Community Preservation Act
FY27 Historic Preservation Grant Applications
Determination of significance for eligibility for Community Preservation Act funding

Excerpts from the Community Preservation Act, MGL Chapter 44:

Section 5 (b)(2): The community preservation committee shall make recommendations to the legislative body for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources.

Section 5: "Historic resources", a building, structure, vessel real property, document or artifact that is listed on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.

Description	Applicant
Gift of the Wind Restoration	Arts Council
City Hall Window Treatment	Capital Projects
City Hall Belfry Restoration	Capital Projects
Engine Four Improvements	Capital Projects
Preservation Grants	CHC
Preservation Projects Admin.	CHC
Document Conservation	CHC/Clerk/CPL/DPW
Vital Records Conservation	City Clerk
Water Petition Conservation	City Clerk
Collection Processing	CPL
Cemetery Chapel SG Windows	DPW
Non-Municipal Applicants	
St. Augustine's Basement Accessibility	Black History in Action in Cambridgeport
Tarbell School Partial Façade Restoration	Cambridge Comm. Center
Odd Fellows Hall Façade Restoration	The Dance Complex

Cambridge Historical Commission
July 31, 2026