

Approved 6/6/13

Minutes of the Cambridge Historical Commission

May 2, 2013 - 806 Massachusetts Avenue - 6:00 P.M.

Members present: William King, *Chair*; Bruce Irving, *Vice Chair*; William Barry, Robert Crocker, Chandra Harrington, Jo M. Solet, *Members*; Shary Page Berg, Joseph Ferrara, Susannah Tobin, *Alternate Members*

Members absent: M. Wyllis Bibbins

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

Public present: See attached list.

Chair King called the meeting to order at 6:05 PM and designated alternate members Berg, Tobin, and Ferrara to vote in the order listed. He explained the consent agenda procedure, reviewed the agenda, and asked if there were any cases that any member of the public, commission, or staff would recommend for approval per the consent agenda for which it would not be necessary to have a full hearing. Cases 3027, 3029, and 3033 were recommended. Mr. King asked if anyone present wanted a hearing on any of those cases.

Hearing no objections, Mr. Crocker moved to approve the following cases, per the procedures of the consent agenda policy, and authorized the staff to review and approve construction details:

Case 3027: 6 Follen St., by Don Picard. Remove front fence.

Case 3029: 99 Brattle St., by Lesley University and Episcopal Divinity School. Remove old signs and install new signs on campus.

Case 3033: 1201 Massachusetts Ave. (Inn at Harvard), by President & Fellows of Harvard College. Replace doors at east entrance; install bike racks on expanded brick paving.

Mr. Barry seconded the motion, which passed 7-0 with Ms. Berg voting as alternate..

Public Hearings: Alterations to Designated Properties

Case 2953 (Amendment): 52 Church St., by 50 Church Street Realty Trust. Amend sign proposal.

Mr. Sullivan showed slides of the property and explained that the applicant was returning for an amendment to a Certificate of Appropriateness to install a projecting sign as originally proposed.

James Rafferty, attorney for the applicants, urged the Commission to approve the projecting sign and a wall sign listing daily performers. He said Community Development staff had encouraged his clients to return to the original designs because they were indicative of an entertainment venue.

Mr. Irving asked about the illumination of the projecting sign. Mr. Rafferty said it would be white neon.

~~Chandra~~ Ms. Harrington asked if the marquee would have digital lettering. Josh Bhatti replied that the letters would be put on by hand. ~~Sarah~~ Ms. Burks asked if the marquee would be internally illuminated. Mr. Rafferty answered that it would be illuminated by the existing gooseneck lights.

There being no questions or comments, Mr. King closed the public comment period.

Mr. Sullivan recommended a Certificate of Appropriateness for the signs valid for the current occupant only, to terminate when the Sinclair ends its tenancy. ~~Jo~~ Dr. Solet so moved. Ms. Tobin seconded, and the motion passed 7-0 with Ms. Tobin voting.

Case 3028: 2½ Berkeley St., by Lloyd M. Aiello. Install exterior gas meter.

Mr. Sullivan showed slides. He had advised the Aiellos that the Commission prefers meters to be located inside, not in a visible exterior location.

Dr. Aiello explained that his insurance company was pressing him to remove the oil tank beneath the driveway. He proposed locating the new gas service and meter on the front wall of the house behind the fence and a tree. It would only be visible part of the year. He explained his reasons for preferring an outside meter, which were further described in the application. It would create a hardship if the application were not approved because he was required to remove the oil tank.

Nancy Ms. Aiello noted that the meter would be behind three holly bushes, and she could plant a fourth.

Mr. Crocker asked how the new furnace would be vented. Dr. Aiello replied that it would be vented through the side wall behind the gate on the left side of the house.

Dr. Solet noted that she once had an indoor gas meter leak. If the applicant's insurance would lapse without the measures described, that would be a hardship. She would support the application.

There being no questions or comments, Mr. King closed the public comment period.

Dr. Solet moved to approve a Certificate of Hardship, given the specific difficulties of the property and circumstances of this case, noting that the issuance of a Certificate of Hardship would not cause substantial detriment to the public welfare or substantially derogate from the purposes of the district. Mr. Irving seconded, and the motion passed 7-0 with Mr. Ferrara voting as alternate.

Case 3030: 5 Follen St., by Michael & Elizabeth Bierer. Alter fencing, paving, and exterior color. Reinstall shutters as condition permits.

Mr. Sullivan showed slides and described the property.

Elizabeth Bierer described her proposed improvements, including a new stockade fence, a lattice to hide yard waste, trash, and recycling containers, altering the steps, replacing a walkway with bluestone pavers, placing a trellis on the house, repaving the patio, and installing two gates and a privacy lattice back of the house. She described the colors that she had chosen in consultation with Susan Maycock. She wanted to repair and reinstall the shutters, depending on their condition and cost. She withdrew her application to repave the driveway with gravel until she could reach a mutually agreeable decision about materials with her abutter.

Ms. Bierer told Ms. Berg that the front fence would remain the same for the time being.

Florrie Darwin of 7 Follen Street, the rear abutter, noted that she had a right-of-way over the driveway. She would like the pavement to be permeable but something that could be shoveled. The drive needed to serve as a pedestrian path and be accessible for a wheelchair.

Mr. King closed the public comment period.

Ms. Harrington moved to approve the application except item #2 (driveway repaving), subject to approval of construction details by staff. Ms. Berg seconded. The motion passed 7-0 with Ms. Berg voting.

Case 3031: 44 Bow St. (Lampoon Building), by Harvard Lampoon Trust. Install a fire door and fire escape.

Mr. Sullivan showed slides and described the building.

Vincent Panico, attorney for the owner, summarized the application to install an egress door and fire escape on the Plympton Street side of the building. The design had been approved by the building commissioner, fire department, and public works. The fire escape would require an easement from the city.

John Tittman, the architect, described the repairs which would also be part of the project, including refurbishing the windows, roof, and masonry. An interior stair would take up too much space. He described the iron balcony, drop-down stair, egress door, and door surround.

Ms. Harrington asked about the material and color of the egress door. Mr. Tittman replied that it would be solid wood and painted black like the other doors. Mr. Ferrara pointed out that the masonry surround appeared to be a copy of one on the ground floor, and seemed too elaborate.

Mr. Barry asked if there was any existing ironwork on the building. The success of the design would depend on the details. Mr. Tittman replied that he used the ironwork on the front of the building as cues for the design. He had also looked at other buildings by the same architect, including Horticultural Hall.

Mr. Sullivan asked about the mechanics of the stair. Were the pulleys necessary or could a coil spring be used instead? How much masonry would be disturbed in the construction? Mr. Tittman said that some pieces of stone would be new, from the same quarry. The pulleys were playful, as the original architect had been playful in other aspects of the building's design.

Ms. Darwin noted that Wheelwright had also designed the building at 371 Harvard Street.

Ms. Burks asked what would prevent people from congregating on the balcony, causing a different safety concern. Mr. Tittman said the alarm would be triggered when the door was opened and the platform outside the door was only 3' square.

Mr. ~~Bibbins~~ Barry said he was not troubled by the counterweights and pulleys. The element of whimsy was appreciated. Ms. Harrington agreed, but Mr. Irving said the design would be better without them.

Mr. ~~Bibbins~~ Barry moved to approve a Certificate of Appropriateness for the application, subject to the approval by the staff of the construction details for either the weights and pulleys or a spring coil system. Mr. Irving seconded the motion, which passed 7-0 with Ms. Tobin voting.

Case 3032: 3 Church St., by First Parish Unitarian Universalist. Remove and replace exterior cladding, trim, gutters, and downspouts on north wall.

Mr. Sullivan showed slides of the 1833 church. He summarized the application to replace the cladding on the north wall facing the burying ground. He had met with representatives of the church over several years to discuss gutters, drainage, retention of original fabric, and the ramifications of insulating the walls. He described the narrow wood tongue and groove siding.

John Winslow of Winslow Architects reported that S+H Construction had studied the wall's condition. He showed photos of the areas where paint had been stripped off. The narrow tongue-and-groove boards had a high moisture content. A scarf joint was being considered instead.

Ms. Harrington asked about the condition of the south wall. Mr. Winslow said it was in better condition, but it gets more sun.

Dr. Solet asked if blown-in insulation was proposed. Mr. Winslow answered that the church had not yet reached a decision about type of insulation or whether to insulate at all.

Mr. Irving asked what species of wood would be specified for the cladding. Mr. Winslow said western red cedar was preferred because Spanish cedar was three times the price.

Dr. Solet asked about drainage. Mr. Winslow said the gutters would be enlarged, and another downspout could be added.

Mr. Sullivan said a larger copper gutter with the same profile would provide more capacity. He was skeptical about using a scarf joint. Toenailing it could cause the wood to tear apart. He had never seen that detail on a building. He recommended tarpaper instead of Tyvek, which had been linked to moisture problems in some applications. He recommended a Certificate of Appropriateness, with approval of construction details delegated to the staff. He said he was not likely to approve a scarf joint unless convinced otherwise.

Mr. Irving agreed with Mr. Sullivan about the scarf joint and Tyvek. He moved to approve the application, with the conditions described by Mr. Sullivan. Mr. ~~Bibbins-Barry~~ seconded, and the motion passed 7-0 with Mr. Ferrara voting.

Case 3034: 57 J.F. Kennedy St. (92 Winthrop St.), by Crimson Galleria LP. One-story entrance vestibule.

Mr. Sullivan showed slides and a photograph of the subject property.

James Rafferty, attorney for the new tenant, Shake Shack, described the proposed one-story vestibule addition at the entrance to the restaurant. It would provide a double door for a weather lock. He described the proposed new glass on both the first and second floors and new exterior paint in signature Shake Shack gray.

Mr. Irving asked about the diagonal line on the rendering. Lou DeAngelis of Shake Shack clarified that the diagonal was a mullion. The windows on the second floor would be operable and there would be an interior railing for safety. Outdoor seating would be provided in front of the restaurant but not on the side or back.

Ms. Berg asked if there was precedent for painting only a portion of the building. Mr. Sullivan answered that the building was painted one color now, but the sign band changed with the tenants. He was neutral on the matter. Mr. King noted that the Harvard Square Conservation District order encourages unique storefront designs and vibrant signage to foster commercial vitality.

Mr. Barry asked if the wall sign would stand out from the face of the building. Mr. DeAngelis said it would extend about 6" and be externally illuminated.

Dr. Solet moved to approve the application, including the window changes, subject to approval of construction details by the staff. Ms. Harrington seconded, and the motion passed 7-0 with Ms. Berg voting.

Public Hearing: Landmark Designation Proceedings

Case L-113/Case D-1285: 59 Cushing St., by Emery Homes LLC. Consider initiating a landmark designation study for a preferably preserved significant building. *Written request to withdraw the demolition application received.*

Ms. Burks reported that a letter had been received from Kevin Emery withdrawing his demolition application. She noted that the hearing had been publicly advertised.

Mr. Sullivan said that a design for the site had not been finalized. The house, an Italianate sidehall of the 1850s, was a plausible landmark if there was significant community support for it. He noted that it was a large lot and more units could reasonably be developed on the site, but the question remained about how much alteration would be proposed for the historic house.

Mr. King noted that if they developers still wanted to demolish the house they would have to reapply, but without a landmark study the Commission would run the risk that the historic character of the house would be lost due to inappropriate alterations.

Mr. Irving said the abutters may not have understood that the house could be significantly and detrimentally altered without a demolition permit.

Ms. Harrington moved to initiate a landmark designation study of the house and lot at 59 Cushing Street. Ms. Tobin seconded, and the motion passed 7-0 with Ms. Tobin voting.

Public Hearings: Demolition Review

Case D-1298: 161 Grove St., by Robert Linn. Demolish house (1953).

Mr. King explained the demolition review procedures.

Mr. Sullivan showed slides and summarized the staff memo. The land was subdivided by the city in 1951 and most of the houses on Grove and Blanchard were constructed in 1952-53. He described the ranch house form and the significance of the house in the context of the Grove/Blanchard subdivision. The modest buildings create the post-war suburban character of the area.

Robert Linn, the owner and architect, introduced himself as a resident of the Agassiz neighborhood. He had wanted to design a home for his family in Cambridge for a long time. His design for this site was contextual but also contemporary. The footprint was not changing much and the square footage of the new house would be smaller. He described the proposed materials of panelized wood, maybe tongue and groove or shiplap, clean lines, and corner windows. The house would be 3' taller than existing.

Richard Clarey of the North Cambridge Stabilization Committee, a resident of Brookford Street, commented that the area should be a neighborhood conservation district because of its unique history, location, and views. Two new, ugly buildings had recently been built there.

Mr. King explained that there had been an NCD study several years ago, but the idea lacked enough support from the neighborhood to make it a viable proposal to the city council. He said Mr. Linn's proposal was an appropriate 21st century design in the context of its 20th century neighborhood. Dr. Solet agreed. She said the design was straightforward and natural.

Liza Paden of Theriault Court complimented the architect for a good set of plans, a design that was sensitive to the adjacent public open space, did not maximize the FAR, and did not wall itself off from the street.

Mr. Irving moved to find the building significant, as defined in the ordinance and for the reasons in the staff report. Ms. Harrington seconded, and the motion passed 7-0 with Mr. Ferrara voting.

Ms. Berg moved to find the building not preferably preserved in the context of the proposed replacement. Mr. Irving seconded, and the motion passed 7-0 with Ms. Berg voting.

Mr. Irving commented that in the absence of an NCD, the best hope for the neighborhood would be the influence of good examples of new construction like this.

Case D-1299: 115 Harvey St., by Amelia Westmark. Review razing of building, exceeding the scope of the demolition permit.

Ms. Burks showed slides and reviewed the staff report. She described the demolition of the Cambridge Lumber Company buildings and an 1845 house at 119 Harvey Street. She said the staff had found the ell and roof of 115 Harvey Street not significant and had signed off on a partial demolition permit. The building inspector had stopped work on April 1, 2013 after the whole house had been taken down to the first floor level.

Sean Hope, attorney for the owners, explained that zoning approval had been granted for removal of the ell and roof and for construction of a third story with a flat roof. The overall FAR of the building was to be reduced because of the removal of the ell and the change in the basement height, but it would still be non-conforming. The demolition and resulting stop-work order was a hardship to the owners. It was not a planned demolition, because the goal was to keep the grandfathered status of the non-conforming building. A portion of the building was still standing when the job was stopped, but it was removed for public safety reasons. He submitted a letter signed by four abutters in favor of proceeding with the formerly permitted project.

David Barsky, the project manager, said he had been brought on the job by the contractor after the project was designed and permitted. He had consulted a structural engineer before starting. The plan for supporting the taller building included pouring a new slab and installing new columns and footings. The building looked straight and true, but when demolition began on the roof, after the rear addition and a large portion of the rear wall had been removed, the house started to twist off its foundation. He feared for the safety of the crew if the building came down on its own, so he called for them to move away and for the walls to be collapsed in a controlled way. It was then that they saw that all four corner posts were rotted, the perimeter studs were not tied into the sills, the mortar in the foundation was unstable, and that there was extensive termite damage.

Ms. Harrington asked Mr. Barsky what other options he had when he saw the building coming off its foundation. Mr. Barsky answered that he made a snap decision because he did not want anyone to get hurt. He, the building inspector, and the structural engineer had all thought it was feasible to demolish the addition, the rear wall, and the roof without risking the whole structure, but they had been wrong. Ms. Harrington asked if the interior walls had been demolished yet. Mr. Barsky answered in the negative. He had not completed the partial demolition that had been permitted before the building became unstable and started to move off its foundation.

Mr. Clarey asked if Lisa Gould, an abutter, had submitted an e-mail in time for the meeting. Ms. Burks replied that Ms. Gould had sent an e-mail, called to say that she would revise it, and then e-mailed that she did not want it presented to the Commission. Mr. Clarey said the Ms. Gould had indicated to him that she opposed the current proposal. The owners had mentioned the rot to the BZA and he believed they had gotten a partial demolition permit in order to avoid a hearing with the Historical Commission. He urged the Commission to impose the full two-year penalty.

Mr. Jensen, husband of the owner, reviewed their history with the house. They had wanted to remodel it, and had designed a project with a gabled third floor with dormers. The developer of the Cambridge Lumber site told them that their house was over his property line and they needed to remove it. The BZA had instructed them to redesign it with a flat roof. They got their lowest bid from the contractor on the Cambridge Lumber site, in part because he would already have a crew and equipment nearby and could do them at the same time. When he spoke to the BZA about the foundation problems, he was speaking about the rear addition, not the main house.

Mr. Sullivan answered questions about the demolition permit procedures, partial demolition of older, fragile buildings, and the proper protocol when something was not according to plan. The Inspectional Services Department can step in when there is a public safety hazard and require that an unstable structure be taken down, but in this case the building officials had been notified after the walls were taken down.

Mr. Irving indicated that he did not think there was evidence of ill intent. It was a badly conceived plan, but he did not think the owners should be penalized with a two-year moratorium.

Mr. King said his reading of the ordinance was that the Commission's only role was to decide if there had been a voluntary demolition outside of the procedures laid out in the ordinance, not to decide what penalty to put into effect. The definition of demolition in the ordinance was fuzzy and included the intent to complete the demolition. It was not clear if the work done at 115 Harvey was done in violation of the ordinance. The two departments (ISD and CHC) needed to reach a meeting of the minds about demolition definitions and procedures.

Mr. Sullivan agreed that there was no evidence that the crew intended to complete the demolition of the house. Mr. Barsky was proceeding under the approved plans when the building started to move, but he should have stood back and called the building inspector rather than ordering the demolition on his own.

Mr. ~~Bibbins-Barry~~ said the Commission's process was not black-and-white. It would seem that the intent was to maintain the front and side walls in order to protect the grandfathered condition of the house under zoning.

Dr. Solet asked what the owners wanted to build now. Mr. King said that was a matter for the BZA.

Mr. Irving moved to find that the statute had not been violated because there was no evidence of intent to complete the demolition of the house when the permitted partial demolition was commenced. Mr. ~~Bibbins-Barry~~ seconded, and the motion passed 7-0, with Ms. Tobin voting. [Mr. Irving left the meeting].

Preservation Grants

Case ~~IPG 13-6~~¹³⁻¹: 1555 Massachusetts Ave., by Harvard Epworth Methodist Episcopal Church. Windows. \$50,000 requested.

Mr. Sullivan showed slides and summarized the application for \$50,000 on a matching basis for phase two of a window project, which included replication of leaded glass windows that had been lost in a fire.

Case PG: ~~11-2~~¹³⁻²: 288 Washington St., by Just-A-Start Corp. Gutters, trim, and clapboards. \$29,300 requested.

Mr. Sullivan showed slides and described the house. A preservation grant had been awarded ca. 1978 to remove the asphalt siding and replace the clapboards. The pine lumber used then had not held up well. The current application was for \$29,300 for exterior renovation and restoration.

¹³⁻³
Case PG: ~~11-3~~ 2-4 University Rd., by Homeowner's Rehab. Windows and masonry. \$50,000 requested.

Mr. Sullivan showed slides and explained the windows were all 1+1 pine replacements from the 1980s, of poor quality and not in good condition. The application was to return them to the original 6+1 pattern using a Jeld-Wen aluminum-clad wood window that had been performing well for the last dozen or so years. The requested grant was for \$50,000. A second \$50,000 grant would be requested in FY 2014.

Mr. Sullivan recommended all three grant applications. Dr. Solet moved to approve the grants as presented. Ms. Harrington seconded, and the motion passed 7-0 with Mr. Ferrara and Ms. Berg voting.

Minutes

The Commission reviewed the January 3, 2013 minutes. Dr. Solet offered corrections to typos on pages 1 and 2. She moved to approve the minutes as corrected. Ms. Tobin seconded. The motion passed 7-0, with Mr. Ferrara and Ms. Tobin voting as alternates.

The Commission reviewed the February 7, 2013 minutes. Mr. King noted that the certificate of appropriateness for 1336 Mass. Ave. had been granted (p. 4), and that Ms. Harrington had made approval of the certificate for 54 Brattle St (p. 5) subject to the condition that the construction details be approved by the staff. Dr. Solet moved to approve the minutes as corrected. Ms. Harrington seconded, and the motion passed 7-0.

Preservation Award Nominations

Mr. Sullivan reviewed the winning projects, as determined at the last meeting. No changes to the list were made by the Commission.

Executive Director's Report

Mr. Sullivan reported on the status of the Kendall Square landmark study. It would expire in July unless M.I.T. requested an extension of the study and interim protections.

New Business

There being no further business, Mr. Ferrara moved to adjourn. Mr. Crocker seconded, and the motion passed 7-0 with Mss. Tobin and Berg voting. The meeting adjourned at 10:45 P.M.

Respectfully submitted,

Sarah L. Burks
 Preservation Planner

**Members of the Public
Who Signed Attendance Sheet 5/2/2013**

Robin Aiello	2½ Berkeley St
Nancy Aiello	2½ Berkeley St
Lloyd Aiello	2½ Berkeley St
John Sanzone	540 Memorial Dr
S. Berliner, II	P.O. Box 560087, West Medford 02156
Joshua Bhatti	119 Braintree St #605, Boston 02134
Lou DeAngelis	Shake Shack, 24 Union Sq East, NYC 10003
Water O'Brien	72B Cushing St
Sandra Pilotto	65 Cushing St
Liza Paden	6 Theriault Ct
Rob Wolff	42 Arlington St
Sam Wolff	19 Maple Ave
Levering White	113 Brattle St
Robert Linn	3 Howland St
Dick Clarey	15 Brookford St

Town is Cambridge unless otherwise indicated.