

MINUTES OF THE HALF CROWN-MARSH NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION
Approved at the June 12, 2023 Meeting

May 8, 2023. Meeting conducted online via Zoom Webinar- 6:00 P.M.

Commissioners present: James Van Sickle, Chair; Marie-Pierre Dillenseger, Vice-Chair; Jo Solet, Peter Schur, members; Adrian Catalano, alternate

Commissioners Absent: Rory O'Connor

Staff present: Eric Hill; Sarah Burks

Due to statewide emergency actions limiting the size of public gatherings in response to COVID-19, this meeting was held online with remote participation and was closed to in-person attendance. The public was able to participate online via the Zoom webinar platform.

With a quorum of commissioners and the applicant present, James Van Sickle, Chair, called the meeting to order at 6:01 P.M. He explained the online meeting instructions and public hearing procedures then introduced the commissioners and staff.

Case HCM-588: 60 Foster Street, by Maggie Booz. Add two new windows to Foster Street façade; replace four windows on first floor.

Eric Hill, staff, shared slides and explained a brief history of the house and the surrounding area. He explained the proposal which was to replace four existing windows on the first floor and to add two new windows at the façade on the first floor.

After Eric's presentation, Maggie Booz, applicant, and architect at 60 Foster Street, introduced herself to the commission. Expanding on Mr. Hill's presentation, she explained how the main living rooms in the home are on the first floor and are very dark inside as they are largely north-facing. They decided to add windows to lighten those spaces. She went with a design of three separate, double-hung windows as opposed to three ganged windows connected by mullions as this design is more in line with historical precedence in the neighborhood. The existing windows are replacement windows with snap-in grills. The intent is to take them out and replace them with new construction windows. The owners are only looking to invest in the first-floor windows at this point.

Mr. Van Sickle opened the meeting to questions of fact by the commission.

Mr. Catalano asked if the proposed windows are clad wood windows. He also asked what the window detail is on the upstairs windows.

Ms. Booz explained that the proposed windows are aluminum-clad wood windows with the aluminum finish at the exterior to protect them. She noted that the upstairs rooms have vinyl windows, possibly pre-dating the district.

Mr. Catalano then asked if the new windows would have sills.

Ms. Booz agreed that they would install new sills for the new window openings on the first floor to match historic dimensions.

There were no other questions by members of the commission. Mr. Van Sickle opened the meeting up to questions and comments by members of the public.

John Greenup, 45 Foster Street, supported the proposal. He made the suggestion that instead of three separated windows, that they propose a double, paired window similar to what was done on the street-fronting ell of the house.

Mr. Van Sickle asked the applicant if they were agreeable to this design change.

Ms. Booz stated that paired or ganged windows are a modern design of windows and not historically appropriate. She would not like to change the design of the proposal.

Ms. Dillenseger stated that she supported the proposal and the application and presentation was complete and comprehensive.

Marie-Pierre Dillenseger made a motion to approve the project as submitted. Peter Schur seconded the motion.

Mr. Van Sickle began a voice vote with a vote of 5-0 in favor of the motion. Approved.

Case HCM-589: 96 Foster Street, by Philip H. Graeter. To approve previously installed HVAC equipment in front yard; install moveable trash enclosure in front yard.

Eric Hill, staff, shared slides and explained the detailed history of the property at 96 Foster Street. He noted that the previous owners were approved in 2017 to raise the building 18 inches, restore a chimney that came down, alter window openings, alter door openings, and other exterior repairs as part of a larger restoration. As part of this past approval, the applicant proposed to restore ten windows; however, the previous owner came back to the Commission in March 2019 to replace the ten windows, a Certificate of Appropriateness was granted. By 2020, the property changed hands and the current owner, Susanna Jacobus applied to replace the crumbled foundation. CHC staff (Eric Hill and Charles Sullivan) met on site with the contractor and a Certificate of Non-Applicability was granted to stabilize and replace the foundation. In 2021, a Certificate of Non-Applicability was granted to add two skylights to the roof. Since then, as part of a larger site-improvement project by the new owners, an HVAC condenser was installed at the front-side yard of the property. Staff notified the owner that approval for HVAC condensers visible from a public way requires approval by the Half Crown-Marsh NCD Commission. The owner subsequently applied for a Certificate of Appropriateness and is also requesting to install a trash enclosure on slab in the front yard as part of a larger landscaping project.

Mr. Hill added that while landscaping is a part of the application, landscaping improvements are largely exempt from review from the commission; however, they can sometimes be required to provide screening for condensers and other such features.

Philip Graeter, the attorney for Susanna Jacobus, the owner, explained that the lot is very dense with a house at the center. A previous owner had plans approved for zoning relief and was approved, but the current owner does not have to stick with those plans necessarily. The past application placed the condenser at a different location towards the back of the property on the side elevation. The only façade which does not closely face another abutter is the front façade, so they installed the condenser at that location.

Mr. Graeter added that there is an easement for driveway access, which prohibits landscaping improvements there beyond the gravel which was added to the front yard. The owner had placed a noise barrier on the condenser and the unit falls under the noise ordinance allowance. Additionally, they are proposing a trash enclosure at the front yard as if placed in the rear, the back patio area would effectively be unusable. The proposed enclosure is custom-made and would be a two-door design to hold two trash barrels.

Mr. Van Sickle opened the meeting to questions of fact by the commission.

Ms. Dillenseger asked why there is such a large gravel area in the front suddenly.

Mr. Graeter explained that the accessibility easement removes many options for open space and landscaping and is angled outward towards the street. There was a brick walkway and approach before with larger trees in the front yard. Many were removed as part of the foundation replacement.

Mr. Graeter then asked if he could share his supplemental application documents which were submitted to staff a few days prior. He showed photographs of other properties in the Half Crown-Marsh district or just outside with HVAC condensers and trash enclosures visible from a public way.

Mr. Hill added that he did not have the opportunity to see if all submitted examples were approved by the commission, adding that many could pre-date the district or were violations. He concluded stating that the commission cannot review and approve cases based on what may be precedence, all cases are reviewed based on their own merits and site-conditions and weighed against the goals and guidelines for the enabling ordinance.

Mr. Van Sickle mentioned the proposed landscaping plan and asked if there was an intent for the owner to park in the front yard of the house.

Mr. Graeter stated that no, there was not an intention to park in the front yard. He added that the owner or delivery people may have parked there on a very limited, short-term basis but that was not the intent for the gravel landing at the front yard.

Ms. Dillenseger expanded on the topic asking if a car would be able to fit in the front graveled area.

Mr. Graeter estimated that a car could definitely fit there, but re-iterated that it was not the intent of the owner to park there. He added that the walking easement with the pathway also includes a driving easement for two cars to access the brick garage which is owned separately.

Mr. Catalano asked if they could go back to a curved path and remove the gravel section, more to what was seen there before. The change could possibly allow for HVAC and an enclosure but more greenery to screen these features.

Dr. Solet asked which side the garbage cans would come out of the enclosure.

Mr. Graeter stated that they would open over the gravel and be dragged to the street.

Dr. Solet asked about the size of the condenser and what distance is required for features to be located away from its fans.

Mr. Graeter explained that it is roughly 30"x30" with the need for an additional 12" distance from structures. He explained that if the condenser were to be located at the rear patio, the buildings surrounding would likely limit its ability to ever be on due to the noise ordinance and the density of buildings may create a noise canyon effect for adjacent owners.

Dr. Schur explained that some of the concerns may be related to the soil which possibly influenced the collapse of the foundation previously. He noted that there were issues with the sidewalk's evenness, powerlines and the dark color of the house, though they were not features that the commission has purview on.

Ms. Dillenseger mentioned how the commission did not ever want to be perceived as adversarial and understood that the applicant was proposing this in good faith, but the commission has guidelines to follow for reviewing the proposal in front of them. As a part of a compromise, she asked if the owner and applicant would be open to adding more green space, which is an important part of the character of the district, especially where houses are so close together.

Mr. Van Sickle added that the landscape of gravel was not appropriate, and while exempt from review on its own, the lack of vegetation provides stronger viewsheds to the condenser and proposed enclosure at the front yard. He explained that a good alternative could be for a driving path through a lawn with concrete pavers allowing grass to grow between.

Mr. Van Sickle opened the meeting up to questions and comments by members of the public.

Jay Connor, abutter at 98 Foster Street asked if the owner acquired the proper permits for the work.

Mr. Hill explained that the owner received all the proper permits but did not receive a Certificate of Appropriateness by the Half Crown-Marsh NCD Commission. A reason for this is that the Inspectional Services Department does not require CHC staff to review electrical permits as most are entirely out of CHC purview. Mr. Hill explained that he was made aware of the condenser and informed the owner, who quickly applied for a Certificate of Appropriateness.

Mr. Connor then shared his screen which showed photographs of cars parked in front of Ms. Jacobus' house. He exclaimed that the new owner, Ms. Jacobus, knew the site conditions of the property when she bought it and that the HVAC and trash were to be important elements to plan around.

Jeffrey Cronin, 94 Foster Street, was in support of Ms. Jacobus' application. He mentioned that the compressor and trash bins would be appropriate in the front yard, largely due to the site configuration and impact that it would have on neighbors if placed in the rear yard.

Francis Neczypor, 114 Foster Street, has a more procedural concern as the 2017 BZA case had a different proposal where the neighbors ultimately accepted the locations of the features on the side of the house. This is not what was approved before the BZA.

Ms. Jacobus spoke on how she did not like some comments on the color of her house and explained that she has been working to update and enhance the once-decaying property back to its former glory.

Dr. Schur apologized for his comments on the color of the house.

Michael Nelson, 94 Foster Street, said that he was around when the house was rented and it was falling down. The current owner has been considerate and thoughtful on updating the designs based on neighboring thoughts. He was in support of the condenser and trash enclosure at the front yard if they are screened with vegetation.

Mr. Van Sickle then read the letters of those who did not speak at the hearing. The letters read were submitted by: Dan Rasmussen, Meade Fasciano, Anne Lowell, and Ed Serues. Mr. Hill also read a letter submitted by John Greenup which was submitted late.

Mr. Van Sickle closed the public questions and comments period of the hearing and allowed for discussion amongst members of the commission.

Ms. Dillenseger opened by stating that the house looks great now and appreciates the work that has already been done by the current owner. She explained that it is a tough case where there are three elements at play, all separate, but they are all related: the HVAC condenser, the trash enclosure, and the graveled front yard. She said that she would love to see more green space at the front yard to screen the two structures from view. She concluded with the statement that she was uncomfortable with the compounding effect of all three features without additional screening by trees or evergreen bushes.

Mr. Graeter indicated that extensive landscaping was proposed to screen the trash enclosure.

Ms. Dillenseger indicated that she had carefully looked at the design and noted that the landscaping would not fully screen the features and only one cypress evergreen was proposed.

Dr. Solet added that the view from a public way is important and could live with the proposal if additional screening is placed.

Dr. Schur concurred with Dr. Solet in support of additional plantings around the condenser. He was looking for a compromise that would help everyone. Was overall in favor of the application.

Mr. Catalano opened by stating that whenever he works on a project, he thinks about where the dumpsters and compressors will go. He was not fully in support of the proposed locations at the front yard.

Mr. Van Sickle added that he was in agreement with Vice-Chair Dillenseger in that all three elements have to work together for it to be a successful project. The landscape improvements would be important to look at closely to screen these features. He said that the proposal is not quite there yet. He felt that there is still a large section of the front yard that is proposed as bare gravel which is not going to enhance the streetscape. There are many considerations for such a small space.

Dr. Solet asked if the applicant and owner would both agree to a continuance so they could have the time to update the plans or modify the proposal and come back at a future hearing.

Phil Graeter and Susanna Jacobus agreed to a continuance with Ms. Jacobus stating that she is open to additional landscaping and vegetation at the front yard.

Peter Schur made a motion to continue the project with the suggestion for an updated landscape proposal for the front yard and to further analyze the site conditions. Jo Solet seconded the motion.

Mr. Van Sickle began a voice vote with a vote of 4-0 in favor of the motion to continue the application. Adrian Catalano abstained. Motion carried.

Approval of minutes for 04/10/23 public meetings.

Marie-Pierre Dillenseger made a motion to approve the minutes from the April 10, 2023 meeting pending minor edits. Peter Schur seconded the motion. The vote was unanimous to approve the minutes, 5-0.

The meeting adjourned at 8:42 PM.

Respectfully submitted,
Eric Hill, Survey Director, Cambridge Historical Commission