

Minutes of the Mid Cambridge Neighborhood Conservation District Commission

Mon., May 6, 2013 at 6:00 PM, McCusker Center, 2nd Fl., 344 Broadway, Cambridge

Commission Members present: Nancy Goodwin, *Chair*; Tony Hsiao, *Vice Chair*; Lestra Litchfield, Charles Redmon, *members*; Monika Pauli, *alternate*

Commission Members absent: Carole Perrault, *member*; Sue-Ellen Myers, *alternate*

Staff present: Eiliesh Tuffy

Members of the Public: See attached list.

Nancy Goodwin, Chair, called the meeting to order at 6:02 PM.

Public Hearing: Alterations to Designated Properties

MC-4258: 9 Leonard Ave., by 9 Leonard Ave. Condo Trust. Replace wood windows in dormers w/clad unit and redesign eaves.

The property under review is a 2-1/2 story Queen Anne commonly found on Leonard Avenue. The property has suffered from repeated water damage and the members of the condo board are seeking to expand the overhang of the eaves and install larger gutters to help deflect water from the face of the sidewalls. The window sills of the 3rd floor dormer windows are also in an advanced state of deterioration. In those locations, the board would like to completely replace the windows with more water resistant clad units and sills.

Ms. Litchfield asked if the new gutters would be copper or aluminum and whether they'd checked the capacity and pitch of their existing gutters to see if they were adequate. The applicant said they clean the gutters regularly but they still seem unable to handle the water runoff. They are proposing copper at the rounded front bay and aluminum everywhere else.

Mr. Redmon asked if they were trying to design a transition between the change in the eaves line from the front elevation to the sides.

Ms. Goodwin recommended they just raise the gutter up higher and be sure to properly flash it into the roof to avoid having to build out the entire eaves.

Ms. Pauli asked if one side of the roofline would be lower than the other when completed. The applicant said they were thinking of lowering the eaves only on the left side of the building but not on the right but they are still in discussions about the details of the project.

Ms. Goodwin asked if they just planned to replace the 2 dormer windows and the applicant said yes.

No questions or comments were received from the public.

Mr. Redmon said he felt there were a lot of geometry problems to this project given the rounded front bay that might be difficult to solve. He recommended perhaps snow guards could help control snowmelt in winter months. The gutter as it exists gives a knife edge against the sky. They may not be pleased with the appearance once that is built out.

Ms. Goodwin recommended talking to their contractor again about gutter replacement, better flashing and higher capacity gutters.

Ms. Litchfield moved to deny the application to change the design of the roof eaves and urged the applicant to reconsider that aspect of the project. Mr. Redmon seconded the motion, which passed 5-0.

MC-4233 (cont'd): 24 Clinton St., by 24 Clinton Street, LLC. Continuation of the public hearing to review the proposed restoration and redevelopment of an 1855 Greek Revival three-family dwelling.

The proceedings were a continuation of the public hearing commenced on April 1, 2013. The hearing was continued at the suggestion of the Commission and with consent from the applicant, in order to allow time for the project team to create a second design option that explored an attached addition – after which time they could submit revisions for the Commission’s consideration in deliberating the case.

The property under review is a Greek Revival style house originally constructed in 1855, with later Italianate modifications, most notably a 1st floor projecting window bay on the front façade. The earliest city atlas on which the building appears dates to 1873. The footprint of the building as of 1873 includes a rear ell similar in size to that of the existing structure. The building was previously used as a rooming house, which called for the addition of numerous interior partitions for sleeping quarters. It is currently zoned as a 3-family and is occupied as a rental property. The exterior of the building is currently clad in vinyl siding and the original 2-over-2 wood windows were replaced with 1-over-1 white vinyl windows.

The C-1 zoning district allows for 3 dwelling units. The original proposal as submitted on April 1st called for demolition of the existing rear ell, restoration of the exterior of the front building to wood clapboards and 2-over-2 window sashes, and conversion of that building into a single family dwelling. A new single family dwelling would then be constructed the required 10-11’ behind the front structure. Both buildings as designed in the original submission conformed to the required zoning requirements, were allowable “as of right” and amounted to 2 total dwelling units – 1 less than the allowable 3 dwelling units for this lot under C-1 zoning.

In the continued discussion, staff presented images of the subject property, specifically those vantage points which afford the greatest public visibility from both Clinton Street and through-lot views from Bigelow Street to the rear. Historic maps showed that the many buildings along Clinton Street were originally constructed with a secondary rear ell behind the main block of the house. Secondary structures that were constructed in the latter half of the 19th century were rear stables and/or carriage houses. The 1886 atlas shows three secondary structures on Clinton Street, located behind the houses at #8, #14 & #18. Of those 3 secondary structures, only two remain: one behind #8 Clinton and the other behind #18 Clinton. They have both been converted for residential use, but were not subject to review by the Mid Cambridge Commission for change of use. The other secondary residential structure in the abutting lots is a 1927 auto garage that was converted for residential use in the early 1980s under an earlier version of the District Order. The Mid Cambridge Commission does not review changes to garages that were built for the use of automobiles.

In addition to the summary of development within the Clinton Street area, staff also showed examples of secondary rear structures built as new construction that were previously approved by the Commission. Those examples are located at 46 Highland Ave. (approved in 2003) and 19 Highland Ave. (approved in 2005). The rear building at 46 Highland Ave. replaced an existing auto garage located directly on the rear lot line. The rear building at 19 Highland Ave. was also built after the demolition of an auto garage, but maintains a rear yard setback. Staff noted that in both cases on Highland Ave. the lots were 7,500 sq. ft. – whereas 24 Clinton St. is a 5,000 sq. ft. lot.

The applicant, Mahmood Firouzbahkt, spoke of the property’s history prior to his ownership – during which time it had been subdivided on the interior to accommodate a 20-room boarding house. After taking over ownership, the applicant converted the building back to a 3-family and demolished a dilapidated garage at the rear of the lot. He said that, prior to embarking on the current redevelopment plan, he had spoken with individuals familiar with the guidelines for rehabilitating the site and based his

submittal on that information. In response to the Mid Cambridge Commission's request for him to study an alternate, attached addition of square footage, the applicant said his architect drew up a set of plans with those conditions. After reviewing the attached addition option, the applicant said that he personally still preferred the initial 2-structure proposal because the original design allows the restored historic house to stand on its own and there is slightly more open space. The attached construction means that the garden for the front building would have to be partitioned off at the rear as ½ of the rear yard space.

The architect, Mark Boyes-Watson, illustrated the massing of the two scenarios (freestanding structures vs. an attached rear addition) on the scale model for the Commission members and general public to see.

Staff clarified the difference in the Commission's form of review for each of the two different options on the table. The two-structure design would not require zoning relief because it is allowable as-of-right under Res C-1 zoning restrictions, but the 2-structure plan triggers a binding review on behalf of the Mid Cambridge NCD Commission because the new construction exceeds 750 sq. ft. By contrast, the attached rear construction (742 sq. ft.) would have non-binding review by the Mid Cambridge NCD Commission, but would require zoning relief for adding more than 10% to an existing non-conforming building.

The architect went through the plans for the alternate study. The attached version eliminates the 11' of open space between the two proposed single family houses in favor of contiguous construction. The study for the attached rear addition maintains the existing setbacks of 2.5'-10.3' along the property line shared with 26 Clinton Street, but reconstructs the existing rear ell with an added gabled roof toward the rear elevation. The ridge height of the attached rear construction would be roughly 30' (while "heights from average grade" are not indicated on the revised plans, it appears to scale out to approximately 4' lower than the existing 34' ridge height of 24 Clinton). The rear yard setback would vary from 30.6' at its greatest down to 24.5' where the entirely new section of the rear ell would be built. The minimum required rear yard setback is between 20-21'. The new section of the rear ell, which extends further south in the direction of 20 Clinton Street would be sited 7.5' feet from that shared property line. The minimum side yard setback required under current Zoning guidelines is 7.5'. The South Elevation or right side setback is 7.5' in both the initial two-structure proposal as well as the study for an attached rear addition.

The applicant presented a copy of a statement for the case records which he then read, outlining the goals set forth in the Mid Cambridge District Order as well as the Commission's *Guidelines for Determining Appropriateness of Proposed Construction Projects* (adopted by the Commission in 1988). The Guidelines are provided to applicants seeking to do substantial alterations and/or new construction within the conservation district. Mr. Firouzbahkt addressed the goals of the District Order as well as the new construction guidelines within the document and explained how the original two-structure proposal met the stated goals and guidelines for such issues as avoiding excess infill, complementing existing buildings, preserving and restoring the original building, enhancing the economic value of the property and neighborhood through its rehabilitation, project density, height, massing, diminishment of light and air to abutters, parking and landscaping.

The original proposal (Scheme A) calls for a 26' tall secondary structure. The attached study (Scheme B) is 29' tall. Both options are lower than the allowable 35' height limit in this zoning district.

The F.A.R. for each of the proposals meets the .75 limit for the site. Surrounding buildings currently standing on Clinton and Bigelow streets range from .87 – 1.65 FAR, in excess of the .75 FAR limitation for Res. C-1.

While the applicant felt the opposing voices were present and vocal at the April 1 meeting, he said he had also received favorable support from abutters who either were not in attendance or had submitted comments in writing. Mr. Firouzbahkt closed by stating that, if the project is proved to be not incongruous with the district than there is not adequate grounds for disapproval. It was his feeling that the initial proposal meets all of the stated criteria for compliance and, after studying an alternative for an

attached rear ell as directed by the Commission, wishes to proceed with the initial two-structure proposal for the Commission to deliberate its appropriateness.

Questions were received from the Commission.

Mr. Redmon asked what the ridge heights & rear yard setbacks were for the original proposal vs. the attached ell.

The applicant stated the detached single family home would be 26 feet to the ridge, while the attached ell would be 29' tall, making it 3' feet taller and in his opinion not as nice. The rear yard setback for the detached plan would meet the requirement of 20.1'. The attached ell would have a rear yard setback of 24.5' at the furthest reaching rear elevation.

Ms. Goodwin asked if the square footage would be the same.

- The existing house is 3,775 sq. ft.
- The initial two-structure proposal calculates out to 3,764 sq. ft. of Gross Floor Area (GFA). Of that figure, 1,510 sq.ft. of GFA is comprised of a 2-story freestanding rear dwelling. The basements in the two-structure plan are not tall enough to count towards the overall GFA calculations.
- The attached rear ell study re-allocates existing legal GFA in the basement by raising the floor height. That square footage then becomes available to expand the rear ell. The attached ell proposal calculates out to 3,772 sq ft of Gross Floor Area.

The architect added that the side yard setback to the south (facing 20 Clinton) in both designs is 7'-6". The only change in the attached ell study was that the projecting bay facing south was removed.

Questions of fact were received from the public.

Pat White of 20 Clinton Street asked why the footprint of the attached rear ell couldn't be shifted to the north. The architect said Zoning would not allow them to push the footprint of the existing rear ell any closer to the north property line.

Mr. Firouzbahkt added that the setbacks for the rear ell leave 34.5' of space between it and 20 Clinton Street, as well as 51.5' between the ell and the building at 26 Clinton St. <Staff: these figures do not seem correct>

A resident of 20 Clinton Street said they preferred the original two-structure submission.

Pat White stated that there seemed to be some confusion about whether the initial two-structure proposal was still in play, because members of the public thought it was denied at the April 1 hearing. The Chair read from the minutes of the April 1 hearing to clarify the nature of the proceedings and why the case was continued at that time. The Commission suggested the applicant could conduct a study of an alternate design which shifted the square footage into some form of an attached addition as opposed to a freestanding structure for the sake of comparison and further deliberation. The applicant agreed to a continuation of the hearing in order to explore an attached ell design before coming back to the Commission to present that option as well.

Paula Lovejoy of 9 Clinton Street said she thought excessive infill was not allowed. She asked if both plans require demolition of the existing ell. The architect said the 2nd option which is the attached addition is simply adding on to the existing massing.

Mr. Firouzbahkt said the house needs a lot of fixing up and another reason why they prefer the 1st scheme is that it allows the original house to stand alone as a well-restored project. The rear ell must be substantially gutted, but the architect said it has a strong outer foundation.

Ms. Lovejoy asked what measures were being taken to prevent flooding.

The project team referred to the letter from an engineer signing off on the proposed designs for groundwater management and information on the proposed French drain systems was included in the case file materials.

Comments were received from the public.

Tuny McMahon of 14 Highland Ave. addressed the issue of excessive infill and referred to the secondary structures that had been approved by the Commission on Highland Avenue. She felt Highland Avenue had been destroyed by the density of those types of projects. Just because the project is legal doesn't make it right. This project, to her, felt more like inappropriate infill. The 11' space between the two structures in the initial plan could only be used for storing garbage cans.

Dennis Benzan of 1 Pine Street spoke in favor of the two-structure proposal. He stated that he himself was dealing with the encroachment of properties in his neighborhood, but that you have to think about the people involved as well. He assumed that the applicant preferred to have the initial two-structure proposal approved. He felt the applicant was trying to be responsive to the Commission's request by studying an alternative design but that ultimately this was an owner who is investing in Cambridge.

Henry Irving of 23 Bigelow Street made the following comments:

- The proposal calls for only 2 units as opposed to the allowable 3
- Buyers for two single-family houses are more likely to set down roots
- He argued that the people in 20-22 Clinton Street will have a nicer view of 24 Clinton than vice versa
- He liked the lower roofline

A resident of 20 Clinton whose entire property faces 24 Clinton said it was unfavorably used as a halfway house. They thought the two-building plan was more elegant than adding on to the existing ell.

Thad Davis of 21 Clinton Street spoke in favor of the two-structure proposal. He said it felt more open in nature.

Margaret McLallen of 31 Bigelow Street said she thinks all the neighbors are hoping for improvements. The redevelopment plan would increase the number of windows facing the Bigelow lots from 3 to 15. She preferred the 2nd proposal for an attached addition because it would be further away from the rear lot line and could provide a greater opportunity for planting and screening.

Mr. Firouzbahkt said he agreed screening could happen through landscaping and he was committed to working with the abutters in that regard. The architect said landscaping works both ways, benefitting the owner and abutters. Staff pointed out that details such as final landscape plans are often relegated to staff or submitted at a later stage in the project for subsequent review on large scale projects such as this.

Michael Dennis of 20 Clinton Street said that he is an architect and urban designer who also teaches at M.I.T. While he had never met the project architect for this case before he felt the initial two-structure proposal was a better one. He had come to look at the plans in the Historical Commission office and did not like the 2nd design for an attached rear ell and thought the original design was far superior. He said there was only 4' difference in the rear yard setback between the 2 plans, the side yard setback to 20 Clinton St. is the same in both plus there is a big row of trees existing between 20 & 24 Clinton. He acknowledged that the proposed two structures would be much smaller than surrounding buildings. He felt it was no contest between the two designs, but agreed it would be better if the massing could be moved further to the north.

Pat White of 20 Clinton showed a photo mock-up of the view from her unit as it would be diminished by the new construction proposal. She said she was authorized to speak on behalf of herself as well as 3 other residents at 20-22 Clinton St.: Anne Alter, Suresh Ramakoti & Martin Zwierlein in opposition of new construction that impacted their sense of mid-block openness.

A resident of 20 Clinton Street said she had signed on to a letter without fully understanding the project.

David Spillane of 21 Bigelow Street spoke in support of the two-structure proposal. He said he currently lives w/one of the historic Clinton Street stables directly behind him and that he's perfectly happy.

Steve Cohen of 21 Fayette Street said it seemed clear that the applicant was trying to do the right thing and had reached out to both officials and neighbors during the process. He saw a lot of good things about the project, including the restoration of the existing house. The FAR also seems to be lower than surrounding areas. The overall Open Space calculations are being increased and the closest proximity to any surrounding building is 35 feet. He said he lives 15 feet from his neighbor. Mr. Cohen also mentioned that the jurisdiction of the Commission is over the view of the proposed work from the public way. He preferred the separate house. It is lower in height. Design matters are subjective and he can see how some would prefer otherwise but the standard is not to disapprove a project unless it is clearly incongruous with the architecture and development patterns throughout history. He felt the Commission should consider the quality of design and said there is always room to improve. Both designs were good in his opinion and thought the Commission could approve either one or perhaps both and leave it up to the applicant.

Pat Hollenbeck of 31 Bigelow Street spoke in opposition of the proposal, stating that he had problems when the owner bought the house 10 years ago and that he wants to have a good neighbor agreement drawn up as part of this process. He had concerns about water runoff towards Bigelow Street and potential for flooding on his property and others on Bigelow, particularly because the two-building plan involves a great deal of excavation. Mr. Hollenbeck said he has spent a significant amount of money to preserve his property at 29 Bigelow Street and he wants some guarantees regarding:

- Trees: ensuring that the trees at 26 Bigelow Street are protected because he does not believe they will survive all the heavy construction on site
- Utilities: appealing to the applicant and the Commission to help bury the utilities that are grouped in the southeast corner of the lot in order to improve the view in that area and overall quality of life

He felt that the 2nd option for an attached rear ell would be less invasive.

The architect discussed the landscape and drainage work planned, the increase of overall open space once all the asphalt is removed and a willingness to protect trees for the benefit of all abutters.

Chair Goodwin interjected to close the period for public comment. She established that both plans have met the criteria for review and are both in compliance with district guidelines. With that she opened the floor for the Commission's comments and deliberation.

Ms. Goodwin said she was concerned about the narrow space between the two buildings, but was leaning towards the initial two-structure proposal. The rear ell proposal was not like most historic rear ells that are built with a flat roof, but rather something glommed on to the front house.

Lestra Litchfield said she preferred the attached construction option, pointing out that architectural models and drawings are very abstract and every time these projects are approved people think it's going to be great but in reality they are much bigger. She agreed the narrow space between buildings would only be used for garbage. She endorsed the 2nd option as more in keeping historically with the way other buildings had been expanded throughout the progressive development of the area.

Mr. Firouzbahkt said he thought it would be better to break up the massing across two buildings and that the rear structure at 37 Bigelow [converted auto garage not reviewed by Mid Cambridge] is what they would essentially be building.

Mr. Redmon said he was not at the April 1st meeting but had familiarized himself with the plans and read the minutes. By having two structures it provided an opportunity of having sunlight hit both. The

freestanding building seemed lower to the ground and would provide more breathing room to the people next to it at 26 Clinton Street, who would have an almost comparable setback of 35' from the new construction comparable with the setback to 20 Clinton.

Ms. Pauli said that she liked the bigger yard created in the attached ell design and that a rear ell looks like something that could have already been there. She would love it if this had been a carriage house conversion but that is not the case. Ultimately, the question was what could be seen from the street.

Staff showed a picture of 28 Clinton Street, which was added on to in an L-shaped rear addition similar to the footprint of 24 Clinton's attached new construction proposal, where only once outer bay is clearly visible from the street.

Mr. Hsiao said perhaps the 3-D view is the most appropriate for deliberation, and made the following comments:

- The applicant has submitted plans for work he is permitted to do
- Staff summary indicated the existence of historic secondary structures as well as approvals of new secondary structures in areas where Zoning allows
- The overall scale of the rear ell option looked larger than the scale of the original two-structure submittal
- Massing of the rear elevations will create the greatest impact on the Bigelow residents and while the attached ell would be pushed 4' further away from the rear lot line, it would also be almost 4' taller in overall height
- Additional problems with the rear ell include the lack of a characteristic flat roof, its design which is fussier than the front house, and the fact that it feels so much larger
- With regard to windows, Mr. Hsiao flipped the model 180 degrees to show that perhaps there might be different options to calm down the fenestration on the rear elevations
- A quieter design may downplay the impact of the new construction

Mr. Hsiao felt the architect submitted a very serious study for an alternate approach, but he felt that the initial two-structure proposal was ultimately the better approach. The landscape hasn't been touched upon at this stage, and the fenestration could be reworked, but those details are often what can make or break a project. He noted that follow through on this project will be critical.

Mr. Hsiao initiated a motion to accept the original two-structure proposal with details of the original house's restoration to be further developed. The architect said he will not know what exists on the building until it is stripped of the vinyl siding. And for permitting purposes he had hoped to proceed in the following order of work:

1. Permit the rear house for construction
2. Strip the front house
3. Finish the front house

Mr. Hsiao made a motion to approve the original application proposing demolition of the existing rear ell, restoration of the main block of the existing building, and construction of a new freestanding dwelling to the rear with the following conditions:

FRONT HOUSE:

The design revisions for the front house rehabilitation that were submitted as part of the plans titled: "Option #2 – Non Binding Review", dated 04.17.13 were found to be more appropriate than the original submittal. Specifically, retaining the size and width of the existing front bay in keeping with historic window bays from the same period of construction.

LANDSCAPE PLAN:

A landscape plan must be submitted for Commission review and approval.

GENERAL CONDITIONS:

- Staff should be alerted once the vinyl siding is removed to conduct a site visit with the project team.

- Changes to the approved front house rehabilitation and new rear dwelling plans must be brought to staff for further review and referral to the Architects Committee or Mid Cambridge NCD Commission as deemed necessary.

Mr. Redmon seconded the motion, which passed with 4 consenting votes. Ms. Litchfield entered a dissenting vote against the application, as she viewed it to be excessive infill.

Minutes

Mr. Hsiao made a motion to approve the minutes of the April 2013 meeting. Ms. Pauli seconded the motion, which passed 5-0.

The meeting was adjourned at 8:45p.m.

Respectfully submitted,

Eiliesh Tuffy
Preservation Administrator

Members of the Public who signed the attendance sheet, May 6, 2013

Michael Kuchta	9 Leonard Ave, Cambridge, MA 02139
Steve Cohen	26 Fayette St., Cambridge, MA 02139
Pat White	20 Clinton St., #5, Cambridge, MA 02139
Solomon Abrams	7 Union St., Cambridge, MA 02139
Margaret McLallen	31 Bigelow St., Cambridge, MA 02139
Pat Hollenbeck	31 Bigelow St., Cambridge, MA 02139
Tuny McMahon	14 Highland Ave., Cambridge, MA 02139
Mahmood Firouzbakht	24 Clinton St., Cambridge, MA 02139
Janene Davis	20 Clinton St., #2, Cambridge, MA 02139
Paula Lovejoy	9 Clinton St., Cambridge, MA 02139
N. Danielle	18 Clinton St., Cambridge, MA 02139
Thad Davis	21 Clinton St., Cambridge, MA 02139