

Minutes of the Avon Hill Neighborhood Conservation District

September 20, 2010 - 5:30 P.M. - 831 Massachusetts Ave., Basement Conference Room

Members Present: Theresa Hamacher, *Chair*; Art Bardige, *Vice Chair*; Robert Crocker, Member; Heli Meltsner, Constantin von Wentzel, *Alternates*

Members Absent: Catherine Henn, Maryann Thompson, *Members*; Mark Golberg, *Alternate*

Staff: Sarah Burks

Members of the Public: see attached sign in sheet

With a quorum present, Ms. Hamacher called the meeting to order at 5:30 P.M. She made introductions and reviewed the commission's hearing procedures. She designated alternates Heli Meltsner and Constantin von Wentzel to vote in the absence of two members.

Public Hearings: Alterations to Designated Properties

AH-358: 11 Linnaean St., by Eugene Wang and Jie Lu. Remove wood deck; construct curb cut; install driveway on Humboldt Street side of the property.

Ms. Burks showed slides and explained that the application was subject to a non-binding staff review, but due to the level of neighbor interest expressed she had asked the owners if they would be willing to appear before the commission at a public hearing rather than participate only in a staff review of the application and they had agreed. She gave a history of previous applications for curb cuts at the property and subsequent alterations to the site.

Ms. Hamacher clarified that the Commission's responsibility was to review the use of the existing paved area for parking, which would occur forward of the wall plane of the house and which would require curb cut approval from the City Council.

Eugene Wang, an owner, said they did not want to do anything detrimental to the appearance of the house or the neighborhood. He explained that his resident mother-in-law was very ill and could not walk far. On site parking was necessary for her. Because a neighbor expressed objection to parking on the Humboldt Street side of the property, they had previously proposed a curb cut and excavated parking area off of Linnaean Street. He said it would have required the removal of three large trees including a large Japanese maple as well as the removal of an electric pole and a street tree. He said they came to realize that the aesthetic effect would be very negative to the house to excavate 7' deep into the site and to park in the front yard. They opted not to move forward with the Linnaean Street driveway and instead built the stone retaining wall along Linnaean Street and paved a patio on Humboldt Street side with the money already paid to the contractor. He said the patio was not used because of an unpleasant odor from the uninhabited house next door. He clarified that the parking request was for one passenger vehicle. He noted that his was the only single family house in the neighborhood without a parking space. He said the Humboldt Street location would not be as dangerous as the Linnaean Street location because there was no parking on that side of Humboldt Street to block views and the street was one way. There were no trees to obstruct the view. The other side of the street had houses with parking spaces. He said he was unaware of any accidents on Humboldt Street. He said he had tried speaking to the opponent of the proposal with a mediator.

Ms. Hamacher asked if any physical changes to the existing paved area were being requested. Mr. Wang said no, but that if approved, he would be happy to add to the aesthetics of the area.

Ms. Meltsner asked if the parking area would be larger than the existing paved area. Mr. Wang replied in the negative.

Mr. Crocker asked if two cars would be parked tandem in the spot. Mr. Wang replied in the negative; only one car would park there.

Ms. Harnacher asked for questions of fact from the public.

Karin Weller, of 12 Humboldt Street, asked what the applicants would do to assure her that they would not park more than one car there. As many as four cars had been parked there in the past. Would they put landscaping there?

Mr. Wang said he had never had four cars parked there. He said they would add landscaping to beautify the area and prevent more cars.

Ms. Hamacher reviewed the correspondence received and summarized the letters from Jeffrey Frankel (proposing a compromise design), Virginia Burns (objecting to application), Karen Weller (objecting), Dorothy & Holbrook Robinson (supporting), and Stuart Rothman (supporting).

Mr. Wang said they had gathered 70 signatures in support of the Humboldt Street location for parking.

Dominick Jones, of 6-8 Hurlbut Street, asked what was the objection to parking cars off the sidewalk.

Michael Cabral, attorney representing Virginia Burns of 7 Humboldt Street, expressed her objection to the application. He asked if the curb cut would extend the full width of the existing brick paved area. Mr. Wang answered that it would not extend beyond the brick area. Mr. Cabral noted that Mrs. Burns' bedroom windows are near the proposed driveway. There was no fence or substantial vegetation between the two properties at that location.

Sally Cook, of 4 Humboldt Street, spoke in support of the application. She said she had confidence that the applicants would make it look attractive. The parking should not be placed on the front at Linnaean Street.

Lester Lee, of 15 Linnaean/6 Agassiz, expressed support for the application. He said Mr. Wang had been a decent and welcome addition to the neighborhood and he hoped the application would be approved.

Virginia Mee Burns, of 7 Humboldt Street, expressed her objections to the proposal. She noted her legal expenses. She said there had been break ins and violent crime on the street. The 18' wide area for parking would make her more vulnerable to break ins because of the proximity to her back door. She said she did not want the street tree, less than 8 feet from the proposed driveway, to be cut down. She objected to exhaust odors coming into her house from the driveway.

Barbara Baker, of 7 Linnaean Street, said the applicants had done a wonderful job with work to their house. She said she had no objection to them having two parking spaces.

Patty Jacobs, of 7 Linnaean Street, expressed support for the application.

Peggy Kutcher, of 25 Linnaean Street, submitted a letter of support for the application. She said other people were not told how many cars they could park, as long as the cars do not extend into the sidewalk.

Karin Weller, of 12 Humboldt Street, said the same issues were present as in May of 1995 when a curb cut application was refused. There should not be a relaxation of the law and grant of a variance. There should be more green rather than a huge parking plaza and cars pulling out into the street near the corner. She said it would not make the neighborhood more attractive. People shouldn't buy houses without parking and then seek their neighbors' support for a variance. The paved plaza was very large.

Holbrook Robinson, of 11 Humboldt Street, offered a correction saying that the John Romke application for a variance was not denied but he withdrew his application.

Peter Cook, of 4 Humboldt Street, agreed with Ms. Weller that the issue was about the law and it shouldn't be about personalities. The law about not parking within the front setback was not observed by other people in this three or four block area but it should be.

Lenore Dickinson, of 4 Humboldt Street, said she had an assigned handicap parking space. She sympathized with the applicants and supported the application.

Betsy Carey, of 7 Linnaean Street, said she had no objection to the off street parking spot. It would mean one more spot available on the street.

Helen Foster, of 7 Linnaean Street, agreed. The applicants had enhanced the neighborhood. People should not park on the street if they do not have to.

Rosalind Mikahelis said she was glad they did not construct the driveway on Linnaean Street and take down the trees.

Lester Lee said the driveway would reduce congestion on Linnaean Street and increase safety.

Mr. Wang reiterated that no tree would be cut down for the curb cut and Ms. Burns disagreed.

Ms. Hamacher closed public comment. She reviewed the district guidelines relevant to the case. She noted that the Commission did not have jurisdiction over trees, zoning, parking enforcement, noise, or smells. The matter before the commission was conversion of an existing paved area into a parking pad, a portion of which was between the wall plane of the house and the street. Parking spaces were consistent with the historical development pattern of the neighborhood. Most properties had come to have parking, even if it was not originally provided at the time the house was built.

Ms. Meltsner said the Commission should consider what impact the proposed parking would have on the historic house. The parking space was not on the principal façade. It was tucked near an ell that was less ornamented than the rest of the house. It would be set far back. She said the parking would not have a negative impact on the historic house.

Ms. Hamacher added that because of the existing pattern of this type of driveway and parking in the neighborhood, it would not negatively impact the streetscape.

Mr. von Wentzel noted the applicant's commitment to only park one car there.

Mr. Bardige said there was a pattern of parking spaces forward of the front wall plane of houses all up and down Humboldt Street. The application was consistent with the guidelines and the pattern in the neighborhood. He had no objection.

Ms. Hamacher recommended permeable paving such as brick.

Mr. von Wentzel moved to approve the use of the existing paved patio as a parking area, noting that it would require a curb cut, on the basis that it would not negatively impact the historic character of the house and because the application minimized the width of the curb cut, and the paving was permeable.

Mr. Bardige seconded the motion, which passed 5-0.

Mr. von Wentzel recused himself from the next case because he was an abutter. He left the table.

AH-365: 89 Washington Ave., by Thomas D. Parker and Mary Clara Price. Replace wood gutter with aluminum of different profile.

Ms. Burks showed slides of both 89 Washington Avenue and the neighboring house at 85 Washington Avenue. The gutters at #85 had already been replaced with a K-style gutter, similar to that proposed now for #89. She indicated that the close up photos were taken with a telephoto lens. She described the two Colonial Revival houses, built in 1940. They had very little ornamentation other than the molded profile of the gutters and gable end.

Mary Price, an owner, said the existing wood gutters had rotted and tended to fill up with leaves quickly. Larger gutters (more capacity) were desired.

Ms. Hamacher asked if the front gable end returns would be maintained.

Rick Harper, of S + H Construction, indicated that they would remain, but the new gutter would be installed on the front of them.

There were no questions or comments from the members of the public present.

Mr. von Wentzel suggested a foam product that could be installed inside the gutter that was helpful in keeping the leaves from getting in. Otherwise, the leaves would be a problem no matter what the size or profile of the gutter. He said he used the product on his own house and it worked well.

Ms. Burks asked if the owners had investigated a metal gutter that would replicate the exterior profile of the wood gutter but that would provide more capacity than wood. She asked if the gutter could start on the side elevation so that the aluminum gutter would not be attached to the front of the house.

Mr. Harper said he had priced out the various options. The aluminum K style gutter cost \$44 per foot and wood or copper would cost in the range of \$108. He said he could not find an aluminum gutter in the same profile as the wood. He said it would be difficult to tie the existing wood gutter into the K-style aluminum gutter.

Ms. Hamacher said it might be better to have just one material and wrap it around the corner.

Mr. Crocker agreed.

Mr. Bardige said aluminum gutters were appropriate for a house of this age. If wood gutters were not effective, than the water could cause damage to the house.

Mss. Hamacher and Meltsner agreed that the material was appropriate to the age of the house.

Mr. Bardige moved to approve the application, given the age of the house and the existing aluminum gutters that already existed at the back of the house.

Ms. Hamacher seconded the motion, which passed 4-0.

Staff Report

Mr. von Wentzel returned to the table.

Ms. Burks reported that there had been no new non-binging cases reviewed by the staff.

Minutes

The Commission reviewed the minutes of the August 23, 2010 hearing.

Mr. Bardige moved to approve the minutes, as submitted. Mr. Crocker seconded the motion, which passed 5-0.

Ms. Meltsner moved to adjourn the meeting. Mr. Crocker seconded, and the motion passed 5-0. The meeting adjourned at 7:14 P.M.

Respectfully submitted,

Sarah L. Burks
Preservation Planner

**Members of the Public that Signed Attendance Sheet
September 20, 2010**

Eugene Wang	11 Linnaean St
Holbrook Robinson	11 Humboldt St
Virginia Burns	7 Humboldt St
Michael Cabral, Esq.	6 Beacon St, Suite 1115
Karin Weller	12 Humboldt St
Rick Harper	S & H Construction
Tom Parker	89 Washington Ave
Mary Price	89 Washington Ave
Sally Cook	4 Humboldt St
Peter B. Cook	4 Humboldt St
Lenore Dickinson	4 Humboldt St

Addresses are in Cambridge, unless otherwise specified.