

Approved 9/6/12

Minutes of the Cambridge Historical Commission

August 9, 2012 - 806 Massachusetts Avenue - 6:00 P.M.

Members present: William B. King, *Chair* and Bruce Irving, *Vice Chair*;
M. Wyllis Bibbins, Chandra Harrington, Jo M. Solet, *Members*
Shary Page Berg, Susannah Tobin, *Alternate Members*

Members absent: Robert Crocker, *Member*; Joseph Ferrara, *Alternate Member*

Staff present: Charles Sullivan, Sarah Burks

Public present: See attached list.

Chair William King called the meeting to order at 6:07 PM and made introductions. He designated alternate members Shary Berg and Susannah Tobin to vote on all matters. He dispensed with the consent agenda and explained hearing procedures and the landmark designation ordinance.

Public Hearings: Landmark Designation Proceedings

Case L-104: 28 Fayerweather St., (A. A. Carey House). Consider preliminary designation report and make recommendation to City Council.

Charles Sullivan showed slides and summarized the preliminary landmark study report. The 1881 home of Arthur Astor Carey was a very early and influential example of the Colonial Revival style. Architect John H. Sturgis was among the first to employ Colonial precedents, including features of Boston's John Hancock House that had been demolished in 1863. The house had also been the home of Governor William Weld and his family, which had requested the designation before placing the house on the market last fall. He reviewed the proposed guidelines. Additions or new construction would require careful consideration. The large open yard was an important feature. The sunroom was not necessarily worth preserving. There was presently no garage, but that issue would likely arise with a new owner. He recommended that the Commission forward the report to the City Council with a favorable recommendation for designation.

Marilee Meyer of 10 Dana Street asked if the sunroom could be removed per the guidelines. Mr. Sullivan replied in the affirmative, subject to approval of its replacement.

Dr. Solet moved to accept the report and forward it to the City Council with a recommendation for designation. Mr. Irving seconded the motion, which passed 7-0.

Case L-109: Grace Methodist Church, 56 Magazine St. Consider petition to initiate designation study.

Mr. Sullivan showed slides and summarized the staff report, giving a brief history of the church and a description of the building. Staff had heard that the congregation was leaving and the property was to be sold. A petition requesting that the Commission initiate a landmark designation study had been signed by numerous registered voters in the neighborhood and verified by the Election Commission. The building would be difficult to replace or adapt to another use. If the site were cleared more than 4 residential units would need zoning relief. The windows were in ruinous condition and needed immediate attention. It was not clear if the building was in immediate danger, but the members of the congregation were present who could shed light on the situation.

Ed ~~Reiss-Rice~~ of Putnam Avenue asked if the church tower would have to be removed because it exceeded the 35 foot height limit of zoning. Mr. Sullivan explained that if the site were cleared for new construction, the height limit of the new building would be 35 feet.

Marietta Sbraccia of 18 Perry Street, the lead petitioner, said it had been easy to find people willing to support the petition. She said the architect, Mr. Kidder, wrote several books that remain useful to the field today. The stained glass was original. Martin Luther King, Jr. and John F. Kennedy had both visited the church.

Tim Roberts of 59 Magazine Street asked if funds would be available for repairs if the church were landmarked. Mr. Sullivan explained that Institutional Preservation Grants did not depend on landmark status.

Xonnabel Clark of 413 Concord Avenue, chair of Grace Methodist's board of trustees, said she had written up the history of the church. She repeated the rumor that the church might be sold to developers.

Jill Becker of 23 Perry Street said the stained glass windows were stunning but needed repairs. The church was an important landmark and she would be happy to help raise funds for it.

Penny Peters of 23 Cottage Street asked about ownership. Ed ~~Reiss-Rice~~ said the property was owned by the congregation but because they were moving to Watertown it would revert to the New England Conference of the United Methodist Church. The move would take place after one more Sunday of worship. The electricity and water would then be shut off. Ms. Clark said the church had received no information from the Conference.

Brian Hasbrouk of 46 Sherborn Street in Arlington said he had worked with the Commission several years ago to organize roof repairs. He asked what would happen if someone applied for a demolition permit. Mr. Sullivan explained how the demolition delay ordinance would apply.

Mr. Irving moved to accept the introductory report and its recommendation to initiate a landmark study. Ms. Berg seconded the motion, which passed 7-0.

Public Hearings: Alterations to Designated Properties

Case 2923: 136 Brattle St., by Carin Isabel Knoop. Install additional fence. *Request received to postpone hearing until October.*

Mr. King reported that the applicant had requested a postponement until the October. He assumed the request implied that the applicant was willing to extend the period allowed for a decision.

Mr. Irving moved to accept the request to postpone. Ms. Berg seconded the motion, which passed 7-0.

Public Hearing: Demolition Review

Case D-1249: 8 Blanchard Rd. Public hearing re: abutter's concerns about compliance of construction with approved plans and request to stop work.

Mr. Sullivan provided the case history and timeline. Work had been stopped on the unpermitted demolition in October 2011. In February 2012 the Commission voted to suspend the moratorium. In March, the staff approved the permit drawings, which differed from the schematics seen by the Commission in February with respect to setbacks, the organization of the rear facade, and the configuration of the roof. The plans were still compliant with zoning and the changes did not appear to impact the design concerns expressed by the Commission during its review. As construction got underway the abutter, Steve Samuel, informed the staff of his concerns. Mr. Samuel addressed the Commission in July and asked for an immediate stop-work order. On July 16, Mr. Sullivan, Ms.

Burks, and two building inspectors met on site and found that the building conformed to zoning and to the permit drawings approved in March. The roof framing had since been completed and the owner's surveyor had submitted a letter reporting that the height was compliant with the 32' 7" shown on the plans. The Inspectional Services Commissioner had sent a letter to Mr. Samuel on August 5 denying his request for a stop-work order. Mr. Sullivan read the letter and showed a recent photo of the new house.

Steve Samuel of 7 Blanchard Road said the surveyor's report that the roof height was exactly the same as the allowed height was too good to be true. He repeated his questions of July: was the Commission able to stop work? Should the changes to the drawing that were approved by staff have been reviewed at a public hearing? Had the grade of the building site been changed, resulting in a taller building?

Kenneth Anderson, a registered surveyor, described his qualifications and his status as an expert witness. He said the average grade indicated on the original application was not a defined term, but he took it to mean the mean grade. Because the footprint of the building had been moved over 5', that would result in a different mean grade for the new building. He noted that the benchmark measurement on the fire hydrant had not changed, but the mean grade for the new building may be different than the original.

Mr. Samuel said the elevation at 8 Blanchard Road was now one or two feet higher than at 7 Blanchard Road. He said it would be helpful to see the original surveyor's field notes to see how he calculated the grade and elevations. He had asked Inspectional Services to request the notes, but they had not done so.

Edward Englander, attorney for Mr. Samuel, questioned the authority of the Historical Commission to lift the moratorium and asked whether the grade had been increased. He distributed a letter to the Commission outlining those questions and his legal arguments.

Mr. King noted it was a public hearing and invited public questions or comments.

James Rafferty, representing George Kouyoumjian, the owner of 8 Blanchard Road, said the petitioners had brought their concerns to the wrong venue. The owner had originally amended the design to satisfy the concerns of the Commission. At that point, as in past practice, the Commission had recommended lifting the Moratorium. The Commission was not the forum for objecting to the actions of the Inspectional Services staff. The zoning ordinance was unclear about historic grades and whether the grade can change during a construction project. All that was before the Commission was the question of whether the Commission can lift a moratorium and whether the staff acted appropriately in approving the permit plans. He noted that the petitioners had other remedies if they wanted to pursue them.

Mr. King said he was concerned about the Commission venturing into areas it had not dealt with before. The most he could do was express concern if indeed the grade had been raised inappropriately.

Dr. Solet asked if grade changes had been approved by the staff. Mr. Sullivan replied in the negative. The height was to be the same as approved by the Commission.

Mr. Samuel indicated that he would take his objections to the Superior Court if he had to. He said other neighbors were present as they were when he had spoken in support of Mr. Kouyoumjian's request to lift the moratorium. There had been many problems during the course of construction including a gas line almost blowing

up, a fence destroyed, and property markers moved. If the Commission could lift the moratorium, it could also withdraw that action. The new foundation was closer to his property and 3' longer than the approved footprint. He asked how many violations were necessary before the Commission would withdraw its approval.

There was no further public comment, and Mr. King closed the public testimony period.

Mr. Sullivan said the grading and construction were not completed. The final grade was not yet known. The Commission's review of proposed replacement buildings in demolition cases involved schematic drawings with often the barest level of details. It was not the level of design review that the Commission employed with designated properties, where it would look at much finer details before granting certificates of appropriateness. The changes in this case were not dramatic at the schematic level. If there was a fault, it lay with the staff approving the changes, but it did so with the assurance of ISD that the permit plans were zoning and building code compliant. Reinstating the moratorium would be disproportionate to the changes that were made.

Mr. King noted that a moratorium would freeze the building in its current unfinished state, and at the end of two years the owners could build what they wanted to as long as it was zoning and building code compliant.

Mr. Kouyoumjian, the owner of 8 Blanchard Road, said the previous house was two steps above grade with 8" risers and the new house was still just two steps above grade. There had been no change to the grade. The sidewalk level had not changed and was an indicator of the previous grade.

Mr. King said he did not think the Commission needed to act on whether to reinstate the moratorium.

Mr. Samuel said he intended to appeal if the Commission did not reinstate the moratorium. He asked for an explicit finding of the Commission that he could appeal. He asked for a finding of whether he should have had the opportunity to see proposed changes at a public hearing.

Dr. Solet asked whether there was sufficient information for such a determination without ISD having heard the comments regarding the grade.

Mr. Sullivan suggested that if the Commission wanted to make a finding, that it instruct the staff to draft one in consultation with the Law Department and bring it back for a vote at the next meeting.

Mr. Bibbins said that before making a finding he would want to review the drawings in question. He said he did not have enough information to vote on a finding.

Mr. Englander offered to display the drawings.

Ms. Harrington asked what the Law Department had done in response to last month's communications. Mr. Sullivan said that it had drafted the letter that the ISD Commissioner sent Mr. Samuel.

Mr. King said that the courts might be the proper venue for a determination on the Commission's authority as to the moratorium. His opinion was that it would not be in the public interest to reimpose the moratorium.

Ms. Harrington moved to transmit the letter from Mr. Englander to the Law Department and to convey Mr. Samuel's concerns about the grade and the surveyor's field notes to ISD. Mr. Bibbins seconded the motion, which passed 7-0.

Preservation Grants

PG 12-6: 17 Seventh St. Strip and restore siding and trim.

Mr. Sullivan showed slides and summarized the grant application from Just-A-Start on behalf of the homeowner. The request of \$10,500 was for replacement of siding and trim on a house in the middle of a row of seven. It was anticipated that the next door neighbor would make a similar application the next month.

Mr. Irving moved to approve the requested grant. Ms. Harrington seconded the motion, which passed 7-0.
IPG 13-1: Western Avenue Baptist Church, 299 Western Ave. Exterior restoration and access improvements.

Mr. Sullivan explained that the church had been constructed as a stable in the late 19th century. It was converted to a church in the 1920s and covered with wood shingles. Since then, aluminum siding had been installed on the upper walls and faux stone siding at the base. The building was built on piers, not a full foundation, which was typical for a stable. A previous application for a grant in 2008 was not implemented because of structural concerns. He noted that the building also lacked an accessible entrance. A new minister had been hired and there was new interest by the church in making improvements. The requested grant of \$100,000 was for a projected scope of \$108,000 for foundation repairs, a ramp, new windows, and siding. Mr. Sullivan said he had contacted an engineer who had looked at the building in 2008. The developer of a building next door was willing to help fix the structural issues. He recommended approval of the grant in principle, so that the building issues could be explored further. The structural issues were complex and should be addressed before the siding and windows.

Reverend Jeremy Battle, the pastor, said they wanted to go back to wood shingles or a similar, longer-lasting cementitious siding. A member of the church explained that there were a lot of older people in the congregation and a ramp would help them get in.

Ms. Harrington moved to grant in principle \$50,000 outright and another \$50,000 on a matching basis, subject to further study of the structural and design issues. Mr. Irving seconded the motion, which passed 7-0.

New Business: Determination of Procedure: Landmark Designation Proceeding

Case 2826 (Amendment): 88 Garden St., by Michael & Eliza Anderson. Amend fence proposal, re-install shutters.

Mr. Sullivan explained that a certificate of appropriateness had been approved for a new front and side fence with a granite base. The owners constructed the granite base and re-graded the lawn, and then found that they liked the open look of the property.

Michael Anderson said they would like to retain the ability to install a fence in the future, but at this time they wanted to suspend construction indefinitely. Many of their neighbors had complimented them on the look of the property in its current state. He asked to change the plan to include a new fence enclosing the back yard only, which would be located forward of the existing yews (not behind the yews as shown on the site plan submitted in the submitted site plan) and to reinstall or install replica shutters. He also proposed new wood storm windows for the front elevation and Harvey triple-tracks for the other elevations.

Dr. Solet noted that Allied storms were also a good product.

Ms. Meyer observed that the house looked naked without at least a low fence to reflect the balustrade. She suggested adding further plant material. Mr. Anderson answered that further landscaping was in the works.

Mr. King closed the public comment period.

Mr. Sullivan recommended approval of the application for either fence option (in front of or behind the yews), delegating the details of the fence and shutters to the staff. Mr. Irving so moved and Ms. Berg seconded. The motion passed 7-0.

Minutes

Mr. King ~~made~~ submitted the written corrections on pages 1, 5, 6, 8, and 9 of the July minutes. Dr. Solet moved to approve the July minutes as corrected. Ms. Berg seconded the motion, which passed 7-0.

Dr. Solet moved to approve the June minutes. Mr. Irving seconded, and the motion passed 7-0.

Executive Director's Report

Mr. Sullivan reported on the proposed new light standards currently installed on Cambridge Common. He distributed a memo showing the design of the two options. Both had concealed LED lamps.

Dr. Solet commented that the light source should provide as close to a natural spectrum of light as possible, otherwise it could negatively affect people living nearby. She noted that the city had installed new LED lights on Inman Street.

Respectfully submitted,

Sarah L. Burks
Preservation Planner

**Members of the Public
Who Signed Attendance Sheet 8/9/12**

Brian Hasbrouck	46 Sherborn St
Lyman Opie	60 Magazine St
Jill Becker, PhD	23 Perry St
Marietta Sbraccia	18 Perry St
Xonnabel Clark	413 Concord Ave
James Roberts	59 Magazine St
John Sanzone	540 Memorial Dr. #304
Eliza Anderson	88 Garden St
Betty Porter	1A Blanchard Rd
Mary Crawford-Volk	60 Blanchard Rd, Belmont
Robert F. Brown	60 Blanchard Rd, Belmont
Marilee Meyer	10 Dana St
Penny Peters	23 Cottage St
Nicole Gittens	258 River St

Town is Cambridge unless otherwise indicated.