

## Minutes of the Cambridge Historical Commission

November 3, 2016 - 806 Massachusetts Avenue, Cambridge Senior Center - 6:00 P.M.

Members present: William King, *Chair*; Bruce Irving, *Vice Chair*; William Barry, Robert Crocker, Jo Solet, *Members*; Joseph Ferrara, Kyle Sheffield, *Alternates*

Members absent: Shary Berg, Chandra Harrington, *Members*; Susannah Tobin, *Alternate*

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

Public present: See attached list.

Chair King called the meeting to order at 6:07 P.M. and explained the hearing procedures.

### Public Hearings: Alterations to Designated Properties

**Case 3698: 13 Waterhouse St., by First Church of Christ, Scientist, Cambridge.** Temporary banner.

Mr. Sullivan showed slides and described the building.

Ruth Walker, a church member, explained that the church wanted to hang a 6' x 2.5' banner for a month. She showed pictures of a previous, shorter term installation. The goal would be to install fastening hardware in the masonry joints and to create a way to lift the banner into place without having to use ladders each time. She indicated on a slide where it would be located.

There was no public comment on the proposal.

Mr. Barry indicated that the larger the banner, the more it would be impacted by wind.

Mr. Ferrara suggested that the banner be hung behind the front plane of the columns. Ms. Walker concurred.

Mr. Barry moved to grant a ~~temporary~~ certificate of appropriateness for an annual temporary installation of a banner during November until the Sunday following Thanksgiving Day on hardware as described, subject to approval of installation details by the CHC staff. Dr. Solet seconded the motion, which passed 5-0.

**Case 3699: 19 Follen St., by Clark Abt.** Install rooftop solar array.

Mr. Sullivan showed slides and described the house. He noted that several additions and alterations had been made over time, resulting in a complex massing of roof forms. [Mr. Sheffield arrived].

James Laskowski of Endless Energy, the solar installer, described the proposed array. All panels would be parallel to the roof. The meter and disconnect would be visible from the west. The conduits would come down next to the existing meter. The conduit and meter boxes could be painted after installation but were required by code to be a certain color.

Mr. King asked how high the panels would be above the roof plane. Mr. Laskowski answered that they would be no more than 5" above the roof. Most of their installations were 4-5". Mr. King asked about the setbacks from the edges of the roof. Mr. Laskowski said it would vary by area.

Dr. Solet asked about reflectivity of the panels. Mr. Laskowski said they were low lustre with not a lot of glare. They met aircraft safety requirements.

Mr. Ferrara asked if the panels could go on both sides of the ell. Mr. Laskowski said that only one side faced south and the other side would not be worth doing.

Mr. Barry noted that jogged arrangements of panels would be more noticeable than aligned panels. Mr. Laskowski said the panels on the ell would be more efficient if tilted at an angle, but they proposed them to be parallel to the roof for reduced visibility. No efficiency would be gained by moving panels from front to back locations. [Mr. Irving arrived].

Mr. King asked about the age of the roof. Mr. Laskowski answered that new roofing was being installed. The solar equipment would match the life of the roof—about 25 years.

Mr. Sullivan noted that he had seen an installation elsewhere with triangular panels to fit the roof space. Mr. Laskowski explained that those would have been non-operational panels for aesthetics only. Operative panels were all rectangular.

Mr. Sheffield asked about color and relationship to the ridge. Mr. Laskowski said it was a black module in a black frame on a white back sheet. The panels would start below the ridge cap. Mr. Sheffield asked about PV shingles. Mr. Laskowski said they were much less efficient and most did not meet 2014 requirements.

Clark Abt, the applicant, said he had thinned a large pine tree to allow more light for the panels.

Jim Modarri of 112 Fayerweather Street said a spreadsheet showing the bonus of the four panels on the side would be helpful information. Mr. Laskowski said he could provide it. He added that the time schedule was tight to get the panels up before the end of the year.

There being no more comments, Mr. King closed the period comment period.

Mr. Barry and Mr. Lakowski discussed alternate configurations.

Mr. Sheffield noted that he had solar panels and a very straight forward roof configuration that made it easy. He understood the technical limitations of this complex roof massing.

Mr. Sullivan noted that the technology would continue to evolve. As with TV antennas and window AC units, solar installations would change over time. He recommended a Certificate of Appropriateness as proposed. The roof was very high and not a strong architectural element of house's presentation.

Dr. Solet moved to approve the application as presented. Mr. Ferrara recommended adding to the motion a finding that the installation was not incongruous or inappropriate because of the shape, configuration, and lack of prominence of the roof in question. Dr. Solet so amended the motion. Mr. Ferrara seconded, and the motion passed 6-0 with Mr. Irving not voting because he had arrived late.

**Case 3700: 98 Winthrop St., by Paul Overgaag for Tim Buk Tu Real Estate LLC.** Demolish outside bar; repave patio; remove and rebuild chimney; move patio door; make patio accessible.

Mr. Sullivan showed slides and described the ca. 1806 house, noting that the current owner had previously converted the building for restaurant use and built additions.

Paul Overgaag, the owner, noted that he had opened the Red House restaurant fifteen years ago. He had entered the medical marijuana business and had a growing facility and dispensary in Georgetown, Mass. He was one of twelve applicants approved to date and he hoped to open a location at 98 Winthrop Street. He described how he would divide up the building for both the dispensary (on left side) and the restaurant (on the right side). The proposed alterations included an accessible entrance, removal and reconstruction of the chimney due to interior arrangements, moving the gate, and reactivating the masonry steps to the patio, removing the outside bar, altering the patio, adding cameras, and moving a door to the patio.

Raj Dhanda, an abutter on Winthrop and Eliot streets, asked about the addition at the rear of the building. Mr. Overgaag showed on a plan where the current dining room would be expanded. The addition would be 3' wide by 27' long. The new wall would not have windows. Mr. Sullivan noted that the addition would not be visible from a public way. Mr. Dhanda said the construction of an addition would require easements. He expressed concern that the historic wall behind their properties would be damaged.

Mr. Sullivan indicated the location of the wall on the slides. The wall was owned by the three abutting property owners.

Mr. Overgaag noted that he had designed back wall of the dining room on a cantilever to keep footings away from the historic wall.

Mr. King closed the public comment period.

Dr. Solet asked if the applicant anticipated expanding the dispensary to take over the whole building. Mr. Overgaag answered that he did not anticipate that now. It would be big enough and he still enjoyed the restaurant business. He said he would keep the Commission updated on any changes.

Mr. Sullivan recommended approval of a certificate of appropriateness on the grounds that there was nothing incongruous about the proposed exterior changes. Mr. Crocker moved to approve the application, with the finding that the changes were not incongruous to the building and on the condition that construction details be approved by staff. Dr. Solet seconded the motion, which passed 7-0.

**Case 3364: 16-18 Eliot St., by Charles River Holdings, LLC.** Amend the design of a 3-story residential addition (Case 3364) by expanding the addition to the north over the existing one-story commercial portion of the building.

Mr. Sullivan showed slides and summarized the case history. The previous owner had applied to build a three story residential addition above the existing two story commercial building. The new owner had received an extension of the certificate from the chair and now was applying to amend the certificate to include an extension of the addition over the trapezoidal one-story section on the west side.

Peter Quinn, the architect, distributed a hard copy drawing set and projected a pdf version. The amendment was precipitated by a zoning amendment that changed how basement space is counted toward

FAR, meaning that the proposed addition could be larger. The proposed change would allow 16 apartments instead of 15. The proposal would also need special permit approval. The trapezoidal wing, called the annex, included restaurant space on the first floor and a roof deck also used by the restaurant. He showed shadow studies of adding a third, fourth, and fifth floor above the annex.

Mr. Sheffield asked about the cladding. Mr. Quinn said the front of the building would have a stone-like material as a rain screen and the sides would be clad with a clapboard-type material. The addition would have the same. Mr. Sheffield asked if he had considered stepping the addition down one story to transition the mass down to the abutting building. Mr. Quinn replied in the negative.

Dr. Solet asked for a further description of the zoning changes that ~~changed~~altered the calculation of FAR.

Jonathan Banker of 110 Oxford Street spoke on behalf of his father, Robert Banker, the abutter on Eliot Street. He expressed concern that their windows would be blocked by the new addition. Mr. Quinn noted that abutting building was built to the property line and if ~~were it had been~~ built under current codes, there would be no windows in that location.

Mr. King asked for questions of fact and public comments from the public.

Costanza Eggers of Porter Road asked about shadows of the approved design. Mr. Quinn showed an image of ~~the~~ that design, but said he had not brought the previous shadow studies.

Marilee Meyer of 10 Dana Street said the proposal would max out the allowed FAR and was in her opinion too big for the site.

James Williamson of Jackson Place said the previous owner had agreed to allow tour groups access to the historic wall. He asked that the Commission make that provision part of the discussion.

Mr. Ferrara concurred with Mr. Sheffield's suggestion to eliminate one floor from the new addition on the trapezoidal portion of the building because having the fifth floor weakened the pavilion quality of that floor of the main building. Mr. Dhanda, the applicant, asked if changing the material of the addition to the annex would help. Mr. Ferrara said it would be appropriate to differentiate the annex in both material and mass. Mr. Irving supported the idea.

Mr. King asked the proponents if they wanted to amend their application to remove a floor of the new addition or to continue the hearing. Mr. Dhanda agreed to amend the application to eliminate the fifth floor over the annex, but to otherwise keep the design the same in materials and design.

Mr. Sullivan noted that the previous owner had committed to maintain and restore the wall. Mr. Williamson's suggestion to allow public access to the wall was consistent with the conservation district guidelines but access could not be required. Mr. Dhanda agreed to maintain and restore the wall consistent with the commitment of the previous owner.

Mr. Irving moved to approve the amendment to the certificate of appropriateness for a new addition on the annex of a third and fourth floors subject to staff approval of the construction details. Mr. Sheffield seconded the motion, which passed 7-0.

Public Hearing: Demolition Review and Landmark Designation Procedures

**Case D-1384 & D-1385: 207 & 227 Cambridge St., by Mark Lechmere LLC.** Consider request to extend the demolition delay period at the request of the owner. Consider whether to initiate a landmark designation study of the preferably preserved buildings.

Mr. King reported that the Commission had received another continuation request for the hearing with the voluntary extension of the demolition delay for a further two months. Mr. Irving moved to approve the continuance. Mr. Crocker seconded the motion, which passed 7-0. Mr. King called for a brief recess. He reconvened the meeting after five minutes.

**Case L-121: Harvard Square Kiosk.** City of Cambridge, owner. Consider petition of registered Cambridge voters to initiate a landmark designation study of the Kiosk.

Mr. King introduced the matter. He described the hearing procedure and asked that each speaker keep his or her remarks to three minutes or less.

Mr. Sullivan reported the receipt of a petition to initiate the landmark designation process for the kiosk. Ten signatures were validated and public hearing scheduled. He explained the designation study process. He showed slides and described the history of the kiosk, including its relocation and adaptive reuse in the 1980s. The existing kiosk had replaced a larger oval headhouse built in 1912. The present kiosk was designed to be transparent for safety reasons and to have a covered area for pedestrians. The Historical Commission preserved the building in 1978 by nominating it to the National Register of Historic Places. The MBTA then agreed to adaptively reuse the kiosk rather than demolish it. It was dismantled and stored off site in 1979 and reassembled in 1983 to designs by Skidmore Owings & Merrill. He showed pictures of the original design elements and the alterations made for use as a newsstand.

The kiosk is located in the Harvard Square Conservation District, which since 2000 has required that publicly visible exterior alterations be approved by the Historical Commission. Mr. Sullivan explained that city staff began meeting last fall about conceptual designs for future new uses, but those were still undetermined. The city's architect, Ted Galante, had shown the staff committee several design ideas. Mr. Sullivan had advised that all remaining original fabric of the building must be preserved, but later additions such as the magazine racks could be removed. The staff committee had ceased meeting in June because no further design development could be done until a use for the building was determined. He emphasized that the rendering by Mr. Galante was only a conceptual design, but it had the merit of preserving almost all of the remaining original fabric of the building. The city had advertised an RFP for a consultant to advise a working group that would discuss options for the building's use. Mr. Sullivan said

landmark designation would be a duplicative measure with the same procedures and protection mechanisms of the Harvard Square Conservation District. However unnecessary, landmark designation would reinforce the previous efforts of the Commission to preserve the building.

Mr. King asked for questions of fact from the public.

Suzanne Blier of Fuller Place asked several questions on behalf of Pebble Gifford. What was the difference between landmark and neighborhood conservation district (NCD) protections? Who would get a legal opinion on the matter? How could the kiosk be more protected? Ms. Blier then illustrated her own questions with a slide presentation. She asked if historic district and landmark review criteria were similar. What were the differences between the conceptual design and the original design? If the building were landmarked, what would be the issues for the designs of the windows? What were requirements vs. suggestions in an NCD? Why was the Read Block, a landmark, used as an example building for the Permitting Guide to the Harvard Square Conservation District? Would it make sense to have a historic district instead of an NCD?

Pebble Gifford of Hilliard Street asked about the difference in the appeals process between landmarks and NCDs. Were there different enabling statutes for historic districts? Mr. Sullivan answered that landmarks and NCDs were enabled by local ordinance, Ch. 2.78, Article III of the City Code. Historic districts were enabled by state statute, Ch. 40C of the Mass. General Laws. The petition that was submitted requested that a landmark designation process be initiated.

Carole Perrault asked about the recommendations made in the Harvard Square Conservation District Final Study Report and in landmark study reports. Were those recommendations binding? Mr. King explained that the recommendations of the Historical Commission regarding designation were transmitted to the City Council, which was the body that voted on the designation. Designation study reports also contain goals and objectives for the district or landmark. Those were design guidelines intended to inform the Historical Commission in its subsequent review of applications for alterations. They were only guidelines and were not binding. Ms. Perrault asked if there was a mechanism to identify character defining features that should be preserved. Mr. Sullivan said those could be identified in a landmark report. In an NCD, each project was reviewed on its own merits, subject to area-wide guidelines. A landmark study could codify the specific recommendations for the kiosk that are already the goals of the staff and the conservation district. Ms. Perrault said the goals of the district were all over the place, which allowed the Historical Commission to pick and choose from among them. Mr. Sullivan said this had been an objective of the framers of the district. Not every goal of the [district order](#) was intended to apply to every situation.

Francis Donovan of 42 Irving Street asked if anything would be lost by having a landmark study. He commented that economic pressures could put the building at risk.

Costanza Eggers of Porter Road asked if the public could participate in the drafting of the recommendations for the landmark report. Mr. Sullivan answered that the staff of the Commission would draft

the report but the public could comment on the draft at the public hearing. Ms. Eggers asked why there had not been public meetings with Ted Galante. Mr. Sullivan answered that Mr. Galante's firm had been hired by the Department of Public Works. He explained that his role as CHC director was to advise other city departments on preservation issues, as he had done in this matter. Ms. Eggers asked why the National Register nomination did not mention Charles Blackhall's role in designing the kiosk. Mr. Sullivan answered that Blackhall's role was not yet known in 1978.

Marilee Meyer of Dana Street asked if the City Council's recent vote superseded the Commission's vote to start a landmark study. Mr. King answered that the City Council communication was a suggestion.

James Williamson of Jackson Place asked the difference between the Old Cambridge Historic District and the Harvard Square Conservation District. Mr. Sullivan said historic districts had less latitude to be tailored to a particular area, which is why the NCD model was applied in this case to the Harvard Square district. An NCD could be as restrictive as a historic district (except it could not regulate paint colors), but it could also be adjusted to fit the needs of a particular neighborhood. Mr. Williamson asked how many landmark studies were in process for the Harvard Square district. Mr. Sullivan answered one. Mr. Williamson asked if the associations with Sheldon Cohen were important for the history of the building as a newsstand. Mr. Sullivan answered that Mr. Cohen's involvement was an important part of the story of the kiosk and its use as a newsstand. Mr. Williamson asked for Mr. Sullivan's conclusion about Blackhall's contribution to the kiosk. Mr. Sullivan said there were contemporary newspaper accounts indicated that Blackhall was the architect and his son had communicated that in a letter. The design concept was also influenced by Prof. Charles Breed of MIT. Mr. Williamson asked about the conceptual design. Mr. Sullivan said there had been several design concepts presented to staff by Ted Galante that did not satisfy the preservation goals. The design developed to the point of the rendering shown, which preserved most the remaining original fabric of the building. The lighting was an accessory and would depend on the ultimate program for the building.

Abhishek Syal, Secretary of the organization Our Harvard Square, asked if the conceptual design would change the appearance of the Harvard Square context area. Would a first time visitor's experience of the Square be different with a modified kiosk? Mr. Sullivan answered that everyone falls in love with Harvard Square as it exists the first time they see it. The objective in his advice to date has been to preserve the integrity of the original fabric of the building.

Costanza Eggers asked about pendant lighting and window muntins. Mr. Sullivan noted that the glazing and muntins no longer exist. The present pendant lights were not original but were period appropriate.

Michael Brandon of Seven Pines Avenue noted that he had submitted a landmark study petition in 1994 when Sheldon Cohen was selling the Out of Town News business. The landmark study was not

started at that time. Mr. Sullivan had explained that the terms of the new lease had been written to protect the kiosk and that landmark status was not necessary. Mr. Brandon asked if the current occupant had a lease, and if it could be renewed. Mr. Sullivan said he did not have a copy, but he understood that it was currently a month-to-month arrangement that would expire in January 2019. He did not know the specific maintenance provisions of the lease. The city had recently repaired masonry that had been damaged by a car accident. The city had done a condition report of the roof. Mr. Brandon asked if plumbing would be added. Mr. Sullivan answered that city staff had investigated the systems but without a specified program it was not clear what would be needed. Mr. Brandon asked about the visioning process meetings held by the Harvard Square Business Association and the Community Development Department (CDD). Mr. Sullivan said he had not attended those meetings.

Ms. Perrault asked why Mr. Sullivan had made a distinction between the lease and landmark protections in 1994. Mr. Sullivan said the Commission usually didn't initiate a landmark proceeding if there were alternatives that would serve the purpose. The landmark/NCD ordinance was fairly new at that time and untested. The Commission had gained a lot more experience with it since then.

Mr. King opened the public comment period.

Mr. Donovan said that if there was no downside to a designation, why not go in that direction?

Professor Blier noted that there were almost 1000 signatures on the online petition.

Ms. Meyer said that if the Harvard Square Conservation District could not be administered as a historic district then it would be better to focus on one building at a time. The kind of glass used on the kiosk was important. She suggested muntins, not butt glazing. If the surrounding context was changing how would that impact decisions of appropriateness? She would like Out of Town News to stay there. The building should not be white-washed into a contemporary scheme.

Denise Jillson, Executive Director of the Harvard Square Business Association, commented that the Association had great concern about the kiosk. The current tenant had not done a good job of maintaining the building. The newspaper business was not sustainable. The tenant sells lottery tickets, cigarettes, and pornography, which shouldn't happen in a city-owned building. Only the public should profit from the kiosk. She noted the red umbrellas [on the plaza surrounding the kiosk](#) were purchased by the Association and gifted to the city; the businesses put them up and take them down and water the plants and clean the tables and pick up trash to keep the area looking nice. She said the Association wanted to see the building cared for and preserved to its 1927 appearance. She noted that she had signed the petition.

Mr. Brandon said no one had objected to a landmark study. There had so far been a lack of transparency in the planning but good ideas would come forward. He complimented the staff of the Commission and the members of the Association for trying to preserve this gem.

Mr. Syal said we live in an experience economy and he wanted the experience of the kiosk to be preserved.



Ms. Eggers said the City Council had ordered a study of the effectiveness of the Harvard Square Conservation District. Only one of the 38 landmarks in the city was a publicly owned building. The kiosk was surrounded by other buildings that were quickly being cheapened. She said she wanted to see pendant lights, not LEDs.

Councilor Nadeem Mazen of 720 Massachusetts Avenue said he was moved by the comment about conservation vs. preservation. There was no harm in having the study. There was a public movement here for more process to cast sunlight on a challenging issue. He thanked the Business Association for their stewardship of the Square.

Abra Berkowitz of Our Harvard Square noted that the group was cross-generational. There was so much information to study and she hoped there would be that opportunity over the next years.

Mr. Williamson submitted additional signatures for the petition. He liked Mr. Sullivan's remarks about the study report documenting the Historical Commission's efforts over the last 30 years and to confirm the goals for the kiosk's preservation. There was uncertainty about the process to date; a study would help us understand better what design elements should be preserved or restored such as the wired glass. Public interest in that could be expressed during the study. He quoted Clarence Blackall's letter from the Cambridge Municipal Art Association about putting public art in the subways.

Ms. Perrault said that peoples' voices mattered.

Mr. King closed the public comment period.

Mr. Sheffield said he looked forward to a landmark study and designation of the kiosk with more stringent rules. Dr. Solet agreed.

Mr. Barry said it was a balancing act between the existing ~~provisions~~ protections of the NCD and the badge of landmark status. Mr. Crocker said he was on the fence. The district protections were as good as landmark status.

Mr. Ferrara said establishing the use of the building would help inform the recommendations of a landmark report. Mr. Irving agreed.

Mr. King said the kiosk was very messy at present and did not present the best impression. He said he was sympathetic to the huge effort put into the petition process but he was also concerned about what landmarking one building would say to all the other buildings in the Harvard Square Conservation District. There had been many cases in the ~~Harvard Square Conservation District~~ District and they had been handled carefully. Each building was special and each case unique. There was a lot of misinformation circulating, which was concerning. He would vote for a study on the grounds that ~~it was~~ the kiosk is a public building that deserved more discussion because of the history, but not because it is not already adequately protected by the district.

Dr. Solet moved to accept the petition and initiate a landmark study process for the kiosk but not the whole plaza. Mr. Sheffield seconded the motion, which passed 6-0. Mr. Crocker abstained.

New Business: Alterations to Designated Properties

**Case 3703: 6-12 Mason St., by Joseph H. Davis LP.** Change exterior paint colors.

Mr. Sullivan described a late application to alter exterior paint colors. The proposed colors had been selected in consultation with Susan Maycock of the CHC staff.

Mr. Crocker moved to approve the application as submitted, subject to the ten-day-notice procedure. Mr. Ferrara seconded the motion, which passed 7-0.

Preservation Grants

**Case PG 17-2: 15 Seventh St., by Just A Start, \$12,500.** Windows, clapboards, and trim.

Mr. Sullivan showed slides and reported that several houses in this row had received preservation grant funding. The current project request was for \$12,500 and he would recommend approval.

Dr. Solet so moved. Mr. Irving seconded the motion, which passed 7-0. Dr. Solet asked if the wires on the building would get cleaned up, and Mr. Sullivan replied in the affirmative.

Minutes

Mr. King described his proposed minor edits. Mr. Irving moved to approve the October minutes as corrected. Mr. Barry seconded the motion, which passed 7-0.

Director's Report

There was no written report for the month. Mr. Sullivan showed the Commission a copy of the just published Building Old Cambridge book. It weighed in at 7.5 pounds and had just under 1000 pages. He announced the November 17 book release party at the Old Cambridge Baptist Church.

Mr. King offered kudos to Mr. Irving for his photograph in the Cambridge Historical Society's newsletter.

Dr. Solet announced an upcoming program that her son had written.

Mr. Barry moved to adjourn, Mr. Crocker seconded, and the motion passed unanimously. The meeting adjourned at 10:30 P.M.

Respectfully submitted,

Sarah L. Burks  
Preservation Planner

**Members of the Public  
Who Signed the Attendance List on November 3, 2016**

James Laskowski	288 Kidder St, Wilkes Barre, PA 18702
Clark Abt	19 Follen St
Suzanne Blier	5 Fuller Pl
Marilee Meyer	10 Dana Street
David Matthews	5 Arlington St #42
Jonathan Banker	110 Oxford St
Paul Overgaag	10 Eliot St
Laura Deford	3 Fuller Pl
Saniya Thasar	1299 Beacon St, Brookline 02446
Raj Dhanda	1299 Beacon St, Brookline 02446
Jim Modarri	112 Fayerweather St #1
John Hawkinson	cambridgeday.com
Chris Murphy	31 Show St, Weymouth
Bob Richards	395 Broadway
James M. Shea	44 Langdon St
Michael Brandon	27 Seven Pines Ave
Carole Perrault	9 Dana St
James Williamson	1000 Jackson Pl
Pebble Gifford	15 Hilliard St
Andrew Morvay	11 Ware St #22

Note: Town is Cambridge, unless otherwise indicated.