

## Minutes of the Cambridge Historical Commission

March 2, 2017 - 795 Massachusetts Avenue, Cambridge City Hall - 6:00 P.M.

Members present: William King, *Chair*; Bruce Irving, *Vice Chair*; Robert Crocker, Chandra Harrington , Jo Solet, *Members*; Joseph Ferrara, Susannah Tobin, *Alternates*

Members absent: William Barry, *Member*; Kyle Sheffield, *Alternate*

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

Public present: See attached list.

With a quorum present, Chair King called the meeting to order at 6:05 P.M. and explained the hearing procedures. He designated Mr. Ferrara to vote as alternate and also Ms. Tobin, when she arrived. He stated the three-minute rule for the length of public comment.

### Public Hearings: Alterations to Designated Properties

**Case 2954: 40 Bow St., by Tamarillo, LLC, owner, o/b/o Blue Bottle, tenant.** Install signs.

Mr. Sullivan showed slides and described the storefront, one of four called out in the Harvard Square Conservation District order as subject to review of alterations by the full Commission.

Kathleen Moore of Galluccio & Watson law offices summarized the application for signs for the Blue Bottle coffee shop.

Ryan Simpson, the architect, described the proposed signs. They would be made of wood and would feature the blue bottle logo and text painted on the sign.

Dr. Solet asked about the fastening details. Mr. Simpson answered that they would be fastened with metal brackets at the top and bottom, designed to be as minimally visible as possible.

Mr. Ferrara asked about the thickness of the signs and the background color. Mr. Simpson said that the signs would be approximately 1” thick and the background would have a clear natural finish.

Mr. King asked if there were questions from the public.

Marilee Meyer of 10 Dana Street asked for more information about the appearance of the sign. A rendering of the sign was displayed on the screen.

Dr. Solet asked about the type of wood that would be used. Mr. Simpson said that had not yet been selected.

Mr. Ferrara noted that fastening the sign directly into the pilaster was a challenge. He asked if the pilaster was original. Mr. Sullivan noted that much of the woodwork of the storefront was at the end of its life expectancy and had been replaced with new material that replicated the original details. Mr. Ferrara agreed there was no other location for the sign, because the rest of the storefront was glass.

[Ms. Tobin arrived].

Mr. King closed the public comment period.

Dr. Solet cautioned that water should not be allowed to get behind the sign or in the penetration point of the screws. She moved to approve the application as presented subject to review of construction details by staff. Mr. Irving seconded the motion, which passed 7-0 with no further discussion.

**Case 3744: 1 Berkeley St., by Azra & Fiyaz Kanji.** Build deck on northwest side, replace window with door to deck, add a window on rear wall.

Mr. Sullivan showed slides and summarized the application for changes in the back corner of the house. He noted that the work would not be prominently visible, even though it was the Commission's practice to consider foliage as ephemeral.

Monika Pauli of Pauli & Uribe Architects passed presentation boards around the room showing winter views of the site. She explained that the owners wanted to have access to their garden. She described the proposed deck and ipe railing, painted white. The wood decking would be allowed to weather naturally to a silver gray.

Mr. King asked if the new window would match an existing window on the house. Ms. Pauli explained that all the windows dated to about 1991 when the house was restored after a major fire.

Mr. King asked for questions or comments from the public but there were none.

Dr. Solet moved to approve a certificate of appropriateness for the application as presented, with the condition that construction details be reviewed and approved by the staff, particularly the details of the new door. Mr. Ferrara seconded the motion, which passed 7-0 with no further discussion.

Public Hearings: Landmark and Neighborhood Conservation District Designation Proceedings

**Case L-125: 1-7 JFK St., by petition of registered voters.** Petition requesting reconsideration of the commission's decision to not initiate a landmark study for the Abbot Building.

Mr. Sullivan reported that the petition had been received on February 6, 2017 and verified by the Election Commission. The petition and related correspondence had been distributed to the commission.

Suzanne Blier of 5 Fuller Place, representative of the petitioners, showed a Powerpoint presentation in support of the petition. She asked procedural questions about the commission's decision on January 5 when it declined to arrange for the preparation of a landmark study report on the Abbot building. She noted that the City Council had voted unanimously on February 27 to support the petition. She described the building's significance for its architecture as well as for its associations with the Magliozzi brothers of Car Talk and Newhall & Blevins architects. She said the property met both criteria of significance in the landmark designation ordinance. She posed the question of whether the denial of the petition had exceeded the Commission's authority. She suggested that even if landmark designation of the building ~~was~~ were considered redundant, redundancy was not itself a bad thing. She asked the Commission to reconsider and do the study. In regard to the second petition, to study amendments to the district, she said it would save time in the long run to identify and call out the significant buildings in the district.

Abra Berkowitz of 253½ Broadway spoke in favor of the petition. She noted the comments made at the City Council meeting and the support of the councilors.

Carole Perrault of 9 Dana Street referred to her written submission. She expressed frustration that the public spends hours trying to understand the designs but feel they aren't being heard by some of the

city boards. She reported on a convention she had just attended that compared conventional planning to holistic planning. A book, *Bending the Future: Fifty Ideas for the Next Fifty Years of Historic Preservation*, described the holistic planning process. She read an excerpt.

Marilee Meyer of 10 Dana Street asked what the difference would be between landmark status and the Harvard Square Conservation District. She stated that Harvard Square and Cambridge were being sucked up by big money. The public should decide what to pass down to future generations.

Abhishek Syal of Our Harvard Square said many people were passionate about the Square. The current design by Equity One did not respect the buildings on JFK and Brattle streets as individuals.

Mr. King asked if there were any speakers with comments against the petition. There were none. He closed the public comment period.

Mr. Sullivan reported on letters received in support of the petition from Suzanne Blier, Carole Perrault, Tim Shaw, Abhishek Syal, and James Williamson. He said there were two aspects to the petition, the first being an appeal of the Commission's decision on January 5 not to accept the petition ~~and to~~ initiate a landmark study and the second being a request for reconsideration of that decision. He noted that the ordinance did not grant a right of appeal on a decision not to accept a petition or initiate a landmark study. The ordinance did contain language about reconsideration, requiring 2/3 vote of the members to decide to reconsider. That would require 5 of the 7 members to vote in favor. He reported that there had been a legal complaint filed with the Massachusetts Superior Court about the same issues. Discussing the details of the arguments for appeal and reconsideration in open session could be detrimental to the Commission's defense in that lawsuit. He asked the chair to call for a vote regarding the request for reconsideration without discussion.

Mr. King noted that the members present on January 5 had been Messrs. King, Irving, Barry, Crocker, and Ferrara (designated alternate on the vote), Dr. Solet, and Ms. Harrington. He called for a roll call vote on the question of reconsideration from only those members who were present on January 5. The resulting vote was 3 in favor of reconsideration (Solet, Crocker, and Ferrara) and 3 opposed (Irving, Harrington, and King). The question failed to receive the necessary 5 affirmative votes for reconsider the Commission's previous decision of January 5, 2017.

**Harvard Square Conservation District, by petition of registered voters.** Petition to initiate a study process to amend the terms of the Harvard Square Conservation District order.

Mr. Sullivan reported that the petition to amend the district order had been received on February 6, 2017 and verified by the Election Commission. The ordinance allows 10 registered voters to petition to initiate a study process for district designation, amendment, or rescission, or the Commission itself could initiate such as study on its own initiative.

Suzanne Blier of 5 Fuller Place presented on behalf of the petitioners. She indicated that after the 1-3 Brattle Street application was heard by the Commission some members of the public were still not

satisfied that the door should be moved to face the center of the square. They decided there must be a better way to protect significant buildings in Harvard Square rather than petitioning for landmark study each time a change was proposed to a significant building. She studied other preservation ordinances, including that of San Francisco. The Harvard Square Conservation District guidelines were not restrictive enough and the protection was not as strong as in San Francisco. It was time to rethink the language in the district order. She said a study could consider additional application requirements such as night-time light studies and viewshed studies. It could require court reporting and posting of all plans online (referencing a plan by Prellwitz Chilinski Associates that was never submitted to the Historical Commission for consideration in Case 3678 that the public wished to see). A study could reconsider the boundaries of the district and the procedures for demolition of buildings in the district.

Nancy Gold of Weston read a letter from a preservation consultant in San Francisco. She was astonished at the Commission's decision not to study the Abbot building for landmark designation and its decision to allow the demolition of the Corcoran's building.

Abra Berkowitz of 253½ Broadway said it was worth having a study committee to have a full discussion of the options for the district. If the Commission would engage the petitioners, the petitioners could stop being so reactive and start being more proactive. She read from the historic preservation book *Keeping Time*. She called for greater transparency. Stores were closing all the time.

Pebble Gifford of 15 Hilliard Street said she had participated in the original district studies for Harvard Square. The existing district order allowed for too much leeway, and it should be tightened up to better protect and preserve buildings. She said the Commissioners were the custodians of the buildings in the city while the petitioners were lobbyists. She urged the Commission to focus on the criteria for appropriateness, not their own likes and dislikes. She cited a roof deck as an example.

Carole Perrault of 9 Dana Street spoke in favor of having a study process. Recent efforts for landmark studies proved the need for such a study. She cited recent projects as reason for wanting change including the Smith Campus Center, Kennedy School, the Science Center Plaza, 16-18 Eliot Street, Wordsworth building storefronts and signs, Abbot building "facadism," the Corcoran building demolition, and the undetermined future of the Harvard Square Theatre. She said the petitioners and the Commission should work together collaboratively, otherwise the petitions would keep coming. The Commission could ask more from the developers.

Abhishek Syal of Our Harvard Square said he wanted a better understanding of the framework for historic preservation decisions. A study would be an opportunity to look at best practices used elsewhere. There was no harm to having a study and it could result in improvements.

Marilee Meyer of 10 Dana Street pointed to the fact that storefronts could be changed as of right in the district as something that she would like to see changed.

Michael Brandon of 27 Seven Pines Avenue spoke in favor of having a study. A tiered system of significance might be a good idea. There was a lot of development pressure on Harvard Square. The Commission was one of the first entities to use the NCD model at the municipal level. The city should continue to be forward thinking and see if any changes to the district order are needed. He recognized that it would require a lot of staff time and recommended a budget increase to assist in the project.

John DiGiovanni of Trinity Properties said he had been a member of the original study committees for Harvard Square. That process took 2½ years and 52 meetings to complete. He referenced the five-year study report done for the district. A study shouldn't presume that there must be changes, but he could support a new review of the district. It should be undertaken with the same amount of care and thoughtfulness as the original study. The love everyone had for the Square should be embraced in the study.

Mr. King closed the public comment period.

Mr. Sullivan noted that some of the claims made in the petition could relate to the ongoing litigation in Superior Court and should not be discussed by the commissioners. He disputed the allegations in the appeal that the Commission had not acted appropriately or that he had sought to mislead people by describing its jurisdiction. He recommended the Commission initiate on its own a study process to evaluate and consider amendments to the district order and possibly to the enabling ordinance.

Mr. King recommended the following language for a motion,

That, without making any findings of concurrence or agreement with any of the premises in the various "WHEREAS" clauses or in the substance of the proposed revisions set forth in the "Petition to Amend the Harvard Square Conservation District Guidelines" dated January 31, 2017, but concurring that the conservation and preservation of Harvard Square may benefit from the study and discussion of the existing and possible alternative and/or additional guidelines and procedures, the Commission accepts the petitioners' request to initiate the process, and asks the City Manager to appoint a study committee, to consider possible amendments to the Order that established the Harvard Square Conservation District and possibly to the Neighborhood Conservation District enabling ordinance (Ch. 2.78, Art. III): it being understood that during the period of such study and until the City Council may amend such Order, the standards, criteria, and guidelines set forth in such Order and the current procedures of the Commission shall remain in effect with respect to the District.

He noted that only the appointed study committee could vote on recommendations to the Historical Commission and the City Council, but that all meetings would be open to the public and participation by all was encouraged.

Ms. Blier asked a point of fact about the procedures during the study period. She noted that the petition asked that during the study the Commission consider if buildings were significant or contributing that were before it. Mr. King explained his draft language on this point.

Mr. Irving said he would move the motion unless other members suggested changes. None were made, so he made the motion.

Dr. Solet asked if the original 2000 order required a review every five years. Mr. Sullivan replied that it only required one review at the five year mark in 2005. Mr. King pointed out that the City Council had ordered that the review be updated.

Ms. Harrington seconded the motion. With no further discussion, the motion passed 7-0.

Mr. King asked that the minutes reflect that members of other bodies other than the Historical Commission should think about ways to address citywide issues facing the community. He noted that the study committee would include three members or alternates of the Historical Commission and four additional appointees. He indicated that he would not take a role on the committee and urged his young colleagues to step forward. He then called for a recess. The meeting reconvened at 7:53 P.M.

#### Director's Report

Mr. Sullivan reported that he had drafted a response to a City Council order asking about better public notification of demolition hearings. He explained that originally the Commission had required applicants to post notices, but when an applicant objected the law department had told the staff to stop the practice since it wasn't specifically required in the ordinance. The law department was again consulted when the Council order came out last year and the current advice was to adopt a regulation permitting the practice. That regulation had been adopted in January. He explained that a second clause in the Council order still needed a response. The wording was unclear but he wanted to discuss it with the Commission before responding. It could relate to the five days allowed the Executive Director to make an initial determination of significance. Mr. King suggested it could also refer to the 45 day period within which the Commission had to have a hearing and make its determination of significance. Mr. Sullivan said perhaps that was one of several procedural aspects of the ordinance that could be amended. He thanked the Commission for their thoughts and said he would respond.

#### Preservation Award Nominations

Mr. Sullivan showed slides of the nominated projects. He said he was hoping to have the awards program at the O'Connell Branch library in East Cambridge.

[Mr. Irving left].

The Commission shared their thoughts on the merits of the nominated projects but did not make any decisions on the final list.

Dr. Solet asked about brick paving at 92 Brattle Street. Mr. Sullivan said he would look into it.

Ms. Harrington moved to adjourn. Mr. Crocker seconded, and the motion passed 6-0. The meeting adjourned at 8:37 P.M.

Respectfully submitted,

Sarah L. Burks  
Preservation Planner

**Members of the Public  
Who Signed the Attendance List on March 2, 2017**

Carole Perrault	9 Dana St.
Susan Miller Havens	18 Brattle St. #354
Pebble Gifford	15 Hilliard St
Michael Brandon	27 Seven Pines Ave
Priscilla McMillan	12 Hilliard St.
Dick Clarey	15 Brookford St
Elizabeth Houghteling	132 Brattle St
Beaver Spooner	329 Walden St

Note: Town is Cambridge, unless otherwise indicated.