

Approved 2/22/10

Minutes of the Avon Hill Neighborhood Conservation District

December 21, 2009 - 5:30 pm - 831 Massachusetts Ave., Basement Conference Room

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

Staff: Charles Sullivan

Members of the Public: see attached list

With a quorum present, Ms. Hamacher called the meeting to order at 5:35 pm. She introduced the commissioners and reviewed the jurisdiction and procedures of the Commission. She designated the alternate members to vote on all matters.

Public Hearings: Alterations to Designated Properties

AH-330 (Amendment): 36 Lancaster St. #2, by Catherine Petersen & Jerry Callen.

Amend project to include replacement of non-original windows, change requested fence details, and construct a pergola.

Mr. Sullivan noted that the Commission had previously approved raising the grade of the parking area and altering the fences. Paving material and pattern had been approved by the staff

Ms. Petersen said that the existing windows were all modern replacements that had failed. She described the proposed new windows as inserts made by Anderson that would fit into the existing openings, rather than complete windows with jambs and sills. She told Mr. von Wentzel that the openings would be reduced by about ½" all around, and Ms. Meltsner that there would be no other exterior changes.

Mr. Sullivan agreed that 1+1 sash would be appropriate, since there was no clear precedent on the house and the windows would be only marginally visible from Washington Avenue.

Ms. Petersen described the proposed new fence design as a response to a commissioner's suggestion that the fence could incorporate a pergola. The new fence would have opaque panels, the top of which would be the same elevation as the top of the lattice panel of the existing fence. A new panel would be installed on the east side to protect the neighbor's privacy, and the two pergolas would intersect at that point.

Michael Bentley of 33 Agassiz Street cited a section of the Avon Hill NCD Order that referred to fences less than 4' between the front of the house and the street and asked if the original fence was non-conforming [Sec. V.C.3]. Ms. Hamacher said that it did not meet the guidelines. Ms. Petersen pointed out that the grade under the fence had been raised 2' at the back of the parking area, where it would be 3'6" high. Mr. von Wentzel said that the Commission's review of an alteration would be differently conducted than if the fence were completely new.

Ms. Meltsner thought there might be a hardship, given the position of the carriage house at the bottom of a slope and the need to amend the drainage and provide privacy. Ms. Henn agreed.

Mr. Bentley stated that the proposed fence involved an increase in height and additional mass, opacity and impact, and asked how the height of a fence was measured. Mr. Sullivan said that

this question had been discussed in another district, where it had been determined that the height of a fence was the distance from the prevailing grade to the top rail. The pergola should be considered separately from the fence.

Ms. Petersen pointed out that she had chosen to make the top of the proposed fence the same elevation as the lowest point of the existing fence. At the sidewalk, the fence would be 4'3" and 4'6" high; it would be 3'6" high at the back of the parking area.

Mr. Sullivan said that a fence 4' or less in front of the house could be built as of right, and pointed out that the 'guideline' previously referred to by Mr. Bentley was actually an exemption from review. He read the guideline for design review of fences and pointed out that it called on the commissioners to find a balance between privacy and conservation of vistas:

Fences should be low and transparent to conserve vistas into and through properties and to enable the pedestrian's visual access to the character of the district. The desire for enclosing private spaces should be balanced against the historically-open character of vistas in the district. Fences needed for privacy should enclose the minimum area necessary to achieve their intent and should leave a portion of the premises open to view from the public way. Where safe and appropriate, privacy fences should be set back behind a planting bed to avoid creating a vertical plane directly on the public way. [Avon Hill NCD Order, Sec. VI.C.3]

Ms. Hamacher read a letter of support from a neighbor.

Mr. von Wentzel observed that the opacity of the fence in front of the building had increased, but the lattice at the sides would be removed, achieving a certain balance. Mr. Sullivan told Ms. Henn that such a provision could be a condition of approval.

Ms. Petersen said that when it was time to replace the fence along Lancaster Street she could make it 4' high or less, with no lattice to match the new fence. Mr. Sullivan observed that there would be no need to return for further approval if that were the case.

Ms. Petersen also asked if she could install a small plaque honoring the neighbor across the street who had just died.

Ms. Henn moved in conformance with the guidelines to 1) approve the new 1+1 windows as proposed, 2) approve the fence as proposed provided that the future replacement along Lancaster Street would be a solid fence up to 4' high with a pergola but no lattice top, and 3) delegate approval of the proposed plaque to the staff. Mr. Bardige seconded, and the motion passed unanimously.

AH-336: 63 Avon Hill St., by Claudia Barnett Scott. Exterior renovations and additions to house; install garage doors; construct garden shed.

Ms. Meltsner recused herself because she was an abutter to an abutter.

Ms. Hamacher reviewed the jurisdiction of the Commission. The application was subject to binding review because it involved new openings and construction of additional space.

Marcus Gleysteen, the architect, introduced the applicant, Claudia Scott, and his associate, Melissa Andrews. He said that the project involved a thorough renovation of the house, including the relocation of an oval window, enclosure of a piazza, removal and reconstruction of a sun porch, and construction of a new gambrel-roofed ell and a separate garden shed. All new details would match existing.

Mr. von Wentzel asked about the windows. Mr. Gleysteen replied that all the windows on the visible parts of the house would be restored and given storm windows; the windows in the new addition would be Marvin true-divided-lights.

Mr. Bardige asked why the shed would be separate from the garage. Mr. Gleysteen replied that the garage was non-conforming; adding to it would require a variance. No other zoning relief would be necessary.

Sarah Krieger of 71 Avon Hill Street asked how the neighbor on the other side felt about the proposed second floor deck. Ms. Scott said that she had sent them copies of the plans, but had no response. Mr. Bardige pointed out that they had been sent a notice of the meeting. Mr. Gleysteen said the deck would be more attractive than a tar-and-gravel roof. Ms. Krieger replied that the activity might be objectionable.

Mr. Sullivan asked about the HVAC units. Mr. Gleysteen replied that there would be two units on the south side of the house, partly hidden by a bay window. They would obtain the quietest units available. He told Mr. von Wentzel that the units would be about 40" high and would be well screened with shrubbery.

Mr. Gleysteen reviewed the proposed fences. Both the Commission and Ms. Krieger objected to the 7' fence along the north and rear property line, and the applicant agreed to build 4' and 6' fences as allowed without further review.

Ms. Henn said that she thought the project was entirely appropriate, and Mr. Bardige agreed.

Ms. Hamacher moved to approve the project as proposed, except that the rear fence would be less than 6' high and the HVAC units would be appropriately screened. Ms. Henn seconded, and the motion passed unanimously.

Minutes

Ms. Hamacher pointed out that Mr. Bardige's name was misspelled in the draft of the minutes of November 16, 2009. Mr. von Wentzel moved approval of the minutes with that correction. Ms. Hamacher seconded, and the motion passed unanimously.

The meeting adjourned at 7:05 pm.

Respectfully submitted,

Charles Sullivan
Executive Director

Members of the public in attendance December 21, 2009

Jerry Callen, 63 Orchard St., Cambridge, MA 02140
Michael Bentley, 33 Agassiz St., Cambridge, MA 02140
Katy Petersen, 63 Orchard St., Cambridge, MA 02140
Sarah Krieger, 71 Avon Hill Street
Melissa Andrews, 185 Mt. Auburn Street
Marcus Gleysteen, 185 Mt. Auburn Street
Claudia Scott, 120 School Street, Concord, N.H.
Barbara Currier, 148 Lexington Avenue