

## **Minutes of the Half Crown-Marsh Neighborhood Conservation District Commission**

Monday, August 10, 2009 at 6:00P.M., Friends Meeting House, 5 Longfellow Park,  
Cambridge

Members present: James Van Sickle, Chair, Bill King, Judith Dortz, Dennis Wolkoff

Staff present: Sarah Burks

Members of the Public: See attached list

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The Chair, James Van Sickle, called the meeting to order at 6:00PM. He reviewed the hearing procedures.

### Public Hearing: Alterations to Designated Properties

**HCM-52: 9 Sibley Court, by Adam Seitchik and Pamela Wickham.** To expand second floor including construction of dormers; alter, move, and add some doors and windows; alter exterior doors, landings, and stairs; renovate windows and other exterior elements and replace where necessary.

Ms. Burks showed slides and described the visibility of the house from the public ways of Sparks Street and Foster Street. She summarized the application, then invited the owners to make their presentation.

Adam Seitchik, an owner, introduced his wife, Pamela Wickham, and their architect, Sally DeGan. Mr. Seitchik reviewed the background of the previous application, which received a Certificate of Appropriateness and a variance, but the Board of Zoning Appeal decision had been appealed to the land court by a neighbor. Because it could take a couple of years to resolve in court, they had decided to make a new application for a design that would not need zoning relief. He described the current application, which involved no expansion of the footprint and no expansion of openings on non-conforming walls. The design included raising height of the ell and adding three dormers. It would not require lowering the floor heights and moving the windows up and down, as had been proposed in the previous application. It also would not involve digging out the basement floor. For these reasons, he said the new design would be less impactful on the building. There would be no disruption of the view through the block because there was no expansion to the building footprint proposed. They wanted to begin construction next month.

Sally DeGan, of Spacecraft Architecture, reviewed the proposed elevation drawings and described the project details. The proposed roof height was the same as in the last application, but the dormers were new. The dormer guidelines requested 42"

setbacks and the proposal had 34” setbacks. The dormers on the front and rear elevations extend to the ridge line of the ell, but the dormer on the left elevation is held down 10” from the ridge line of the main roof. The dormer guidelines recommend that dormers be 12” below the ridge line. The dormer on the left elevation is 16’ long. She described the right window on the first floor of the front elevation that would have the sill height raised for a kitchen counter. The rightmost window on the left elevation would move. She described the hood over the entry door on the left elevation. A new door to a rear deck on the right elevation would replace an existing window. Steps to a lower patio and new basement doors were on the right elevation. A small porch would be removed from the rear elevation.

Mr. King asked if there would be any loss of light to the Foster Street neighbor and Ms. DeGan replied that there would not. Mr. King asked about materials and Ms. DeGan referred to the list on sheet A2.0; they would match the materials of the existing house.

Ms. Dortz asked the depth of the roof over the entrance door. Ms. DeGan answered that it would cover the 3’ deep landing.

Mr. Van Sickle asked what would be demolished. Ms. DeGan answered that the roof of the ell would be demolished as well as a porch on the rear elevation. The exterior walls would remain. She described a new window on the rear elevation, not visible from a public way.

Mr. Wolkoff asked about the kitchen window. Mr. Van Sickle noted that it was not visible from a public way. Ms. DeGan said the sill would be raised 15”.

Mr. Van Sickle asked if there were any changes to the landscape.

Mr. Seitchik noted that it was a new application, and that there was no expansion of the footprint of the building in this application. Mr. Van Sickle asked if the owners still planned on adding a garden shed. Mr. Seitchik said they were considering it and would come back if it were proposed for a visible location on the lot.

Ms. Dortz asked about parking space.

Mr. Seitchik noted that per the district review guidelines, he did not think that parking arrangements that met the exemption criteria in the ordinance were within of the commission’s purview. He said a landscape plan was not submitted with this application due to the reduced size of the addition and no increase to the footprint.

Mr. Van Sickle asked for public questions of fact.

Ed Sueres, of 100 Foster Street, asked how high the highest part of the roof would be. Ms. Wickham answered that the roof would be 20' at its highest. Ms. DeGan said the roof at the ell would be 19'.

Nancy Nordmann, of 23 Sibley Court, asked about the length of the dormers. Ms. DeGan said the dormer on the left elevation would be 16' from the wall of the house to the wall of the dormer. The dormers on the front and rear of the ell would be 12' 4" from the outside wall of the dormer to the lower point on the house. Ms. Nordmann noted that the dormer guidelines said that dormers in excess of 15' in length would require zoning relief. She asked the height of the ceiling inside the dormer on the left elevation. Ms. DeGan answered that the ceiling would be 7' high on the second floor in that part of the house.

Mr. Seitchik said he would review the dormer details with the Inspectional Services Department, but that he did not believe the design would require relief from the Board of Zoning Appeal. It had been designed with the intent that it conform to the zoning code.

Ms. Nordmann said the dormer guidelines were also intended to be used by the neighborhood conservation district commissions as guidelines. Mr. King answered that she was correct, and that they were guidelines considered by the commission. In some cases, the commission had determined that because of tight conditions of the building or the lot (for example in some past cases on Kenway Street) that dormers could be found appropriate even if they did not comply with all aspects of the dormer guidelines. The guidelines were good, but they were not mandates. In this case, from the public way, the perspective of the dormers is different than from the point of view from Ms. Nordmann's property or from Ms. Dietz's property.

Mr. Wolkoff thanked Ms. Nordmann for pointing out the reference to neighborhood conservation districts in the dormer guidelines.

Mr. Van Sickle asked for statements from members of the public.

Ms. Nordmann read from her prepared written statement, a copy of which she submitted for the record. She said the building was not dangerous, as had been suggested by some other neighbors. The gas and oil had been disconnected. The building was sound with a new roof. It was unsightly and old, but there was no reason to hurry the process for the applicants. She asked that the dormers not be added to the façade. She referenced the Guidelines for Infill Construction and Substantial Additions or Alterations and urged that the simplicity of the architecture be maintained. She said that dormers were not consistent

with workers cottages of the period and therefore should not be allowed, to the extent visible from a public way. The basement space would be finished, creating a larger total to the new square footage. The 1967 architectural survey noted that the yard provided breathing space for the surrounding properties. She suggested that the commission require the applicants to submit a landscape plan. She asked that the plan show parking, plantings, and structures along her property line, with the aim of minimizing the impact of the project on adjacent properties, one of the goals of the district. She expressed concern that space along the property line be kept open so that she could access the side of her house for maintaining the building. She asked the owners to keep destructive roots 4' away from her property and that they not block light, views, and air through the properties. She explained that the house was her retirement home and she wanted to be able to enjoy it. She said that while parking issues on the private way were not in the commission's purview, she was willing to find a solution that was equitable to all parties.

Laurie Doyle, of 98.5 Foster Street, asked the Commission to move the project forward. A lot of time and effort had been put into the plan. She hoped to see a good outcome.

Mr. Van Sickle listed the letters received by the Commission, including letters from Michael & Magda McCormick of 10 Sibley Court, Marcia Scott of 19 Sibley Court, Laurie Doyle of 98.5 Foster Street, and Laurie Dietz of 3 Sparks Place. He summarized the letters in support (McCormick, Scott, and Doyle) and in opposition (Dietz) to the application. He closed the public comment period.

Mr. King asked if there was to be an air conditioning compressor, and if so, where would it be located? Mr. Seitchik answered that they had not yet arrived at that level of detail. Mr. King pointed out that without knowing what the proposed changes were to the site plan, the Commission could not determine if the changes were exempt from review. He said he was prepared to move to approve the application on the condition that any changes to the landscaping, including air conditioning, a shed, and significant changes to the green space, come back to the commission as if they were a part of the current application. He said that the Infill Guidelines provided that changes made within five years were subject to composite review. He noted that he had approved of the parking arrangements in the previous application.

Mr. Van Sickle said that the Commission's minutes reflected that it had set aside the parking issue in the previous case.

Mr. Seitchik explained that this application was a new submission and it was not appropriate to ask for a landscape plan because the elements being added did not affect the landscape in any way.

Mr. Wolkoff spoke on the topic of dormers. He noted that in other cases, the Commission had approved dormers as a way to make more useful space in very small houses. He suggested pulling the dormer away from the intersection of the ell and the house.

Mr. Van Sickle said the Commission needed to consider the appropriateness of the submitted design and not try to redesign it for the applicants. He said that from a design perspective he had preferred the expanded footprint of the previous application to this design with the dormers. However, the variance for that previous design had been appealed, thereby delaying the project from moving ahead. He expressed his dissatisfaction that the matter had to again come before the Commission for a new review. He agreed that neighbors deserve light and air but indicated that property owners should be able to do reasonable things on their properties without having every detail dictated by their neighbors. He said the current design proposal was very modest, but it was unfortunate that the situation forced an alternative design of dormers. He pointed out that the visibility, and thus the Commission's jurisdiction, of the proposed changes was very minimal. He said he was inclined to approve it as submitted. He asked if there was a second to Mr. King's motion. None was offered, and the motion died.

Ms. Dortz expressed her hesitation about the dormers.

Mr. Wolkoff said the design as proposed was still a small house and fit generally within the Infill and the Dormer guidelines.

Mr. King noted that very little of the house was visible from a public way and that he ~~was~~ could approve a Certificate of Appropriateness for that portion that was visible.

Mr. Van Sickle moved to approve a Certificate of Appropriateness for the application, as submitted, on the condition that the scope of demolition be reviewed by the staff for consistency with that described in the application and that construction details be reviewed and approved by the staff.

Ms. Nordmann said that her appeal had not been filed for the purpose of delaying the project, but because communication had broken down between her and the applicants, and that they would not work with her on the details. She said she felt she was being punished for having appealed.

Mr. Van Sickle reminded her that he had closed the public comment period and that there was a motion on the floor. Was there discussion by the commission on the motion?

Mr. Wolkoff seconded the motion, which passed 4-0.

Minutes:

Mr. Van Sickle described his proposed corrections on pages 1, 2, and 3. He moved to approve the minutes as corrected for the June 8, 2009 meeting. Mr. King seconded, and the motion passed 4-0.

Ms. Nordmann addressed the chair directly about her attempts to negotiate with the applicants in the earlier case. She said she had only wanted the owners to agree not to plant a solid screen along her property line. She said that if they had obliged on that point, she would have agreed to all the rest.

Mr. King proposed further business for the agenda. He said every motion to approve a certificate should be conditional on the review and approval by staff of demolition and construction details, consistent with what had been presented by the Commission. He requested that the staff outline the procedures for review at the next meeting.

Ms. Dortz moved to adjourn the meeting. Mr. Wolkoff seconded, and the motion passed 4-0. The meeting adjourned at 8:25 P.M.

Respectfully submitted,

Sarah Burks  
Preservation Planner

**Members of the Public who signed in on 8/10/09**

Leila Nordmann	23 Sibley Ct
Nancy Nordmann	23 Sibley Ct
Ed Serues	100 Foster St
Laurie Doyle	98.5 Foster St
Aaron Kemp	245 Mt Auburn St