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Minutes of the Half Crown-Marsh Neighborhood Conservation District Commission

Mon., August 13, 2012 at 6:00 PM, Friends Meeting House, 5 Longfellow Pk., Cambridge

Commission Members present: James Van Sickle, *Chair*; Judith Dortz, *member*; Deborah Masterson, Charles Smith, *alternates*

Commission Members absent: Robert Banker, William King, *members*; Michael Robertson, *alternate*

Staff present: Eiliesh Tuffy

Members of the Public: See attached list

Chair Van Sickle called the meeting to order at 6:00 PM. Mr. Van Sickle introduced the Commissioners and staff present.

Public Hearing: Alterations to Designated Properties **HCM-161: 31-33 Willard Street, by Mithun Nallari.**

Situated at the corner of Willard Street and Dinsmore Court, this Mansard residence was built in 1870. The city was alerted to the partial installation of a perimeter fence that appeared to exceed the conservation district's height limitation of four feet. Staff contacted the property owners, who had recently acquired the property and were unaware of the restrictions and guidelines for review of such work. Once notified, the owners submitted the necessary application materials for review of the proposed project. At present, there are solid wood fence sections installed along the Dinsmore Court elevation with posts that rise several feet above the four-foot height limit.

The new fence, as proposed, would be over four feet in height. The bottom four feet would be solid wood panels and this would be topped by a 2-foot tall lattice section for a total height of 6 feet. The goal of the project was to create a barrier between the traffic and fumes along Willard Street and their private yard, so that their daughter could have a sheltered play area. The primary concerns stated by the property owners were the exhaust fumes that could aggravate their daughter's asthma and shielding the play area from public view in order to create a greater sense of safety for both their family and their tenants.

The Nallaris mentioned recent reports of home intrusions and theft, reports of which were included in their application materials. They said that their daughter had been hospitalized several times since they moved into the house because of asthma-related issues that they felt were aggravated by the pollution from passing vehicles. They felt the design of the "good neighbor" fence with the lattice topper was a good compromise and a visual improvement over the unkempt hedges that were there previously. The idea was to create a vertical garden by hanging plants along the fence panels.

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Ms. Masterson asked what the height of the currently installed fence sections was. The owners stated they measured 48” from the sidewalk. Mr. Van Sickle asked about the height of the taller posts. The owners said they were 2-feet taller in anticipation of the added lattice topper.

Mr. Robertson asked if the gates planned for the end of the driveway would be open the vast majority of the time. The owners said they would be closed often to allow their child to play safely.

Mr. Nallari asked about the tall stockade fence across Willard Street that surrounds the Skating Club’s property. Staff clarified that Willard Street is the boundary between the Marsh District on the west side of the street and the Old Cambridge Historic District on the east side of the street. Therefore the fence surrounding the Skating Club would not have been reviewed by the Commission hearing this case and not subject to the same restrictions.

Questions and comments were accepted from the public.

An email was received from a neighbor on Dinsmore Court who was supportive of a lattice-topped fence that was 5-feet in overall height. Mr. Van Sickle asked if the Nallaris had read the email from this neighbor. They said they had, but that they wished for the added privacy of a 6-foot fence. They added that, if their ideal design choice of a 24” lattice topper was not accepted, they would be happy to compromise with a 12” lattice topper.

Molly Crook of 9 Dinsmore Court said she had concerns about the fence looking like a fortress. She also commented that for the majority of the year, the proposed hanging plants would be dormant and not in bloom. She felt the proposed fence would lend a discordant feel to Dinsmore Court. Ms. Crook also questioned how much the fence and hanging plants would alleviate the pair quality concerns, since the applicants’ residence is up on the second floor of the building, and their windows would not be directly screened by this new fencing. She said the new owners had not fostered amiable relations with the surrounding neighbors.

Mr. Van Sickle discussed that, in his many years serving on the Commission, the two most contentious issues have been proposals to tear down houses and the installation of tall fences. People become alarmed by tall, 6-foot fences, feeling that they project a sense of “fortification” and destroy the character of the street. For these reasons, the guidelines specified a 4-foot height limit to allow people to define their property boundary without blocking views. The other theory is that cutting off visibility from the street actually makes neighborhoods less safe. The Commission has taken this issue very seriously and realizes it is a sensitive issue in the neighborhood.

Ms. Crook of 9 Dinsmore Court added that, as a gardener by trade, she knows it’s possible create a privacy screen with a 4-foot fence and supplemental plantings. She had personally done this to soften a chain link fence on her property.

Two letters of support for the proposed fence were read to the public, one from the physician of the Nallaris' daughter and another from a fellow resident of the district.

Ms. Dortz reiterated the comments of Chairman Van Sickle and added that maintaining the openness of the neighborhood is why people are drawn to it. She acknowledged there is traffic in

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this area but that it was part of adjusting to where you live. Ms. Dortz said that, walking by the fence she felt it was very solid and that one person's privacy means another's barrier. She could not support making it any higher and noted that a lattice topper would not aid in blocking exhaust fumes.

Ms. Masterson concurred with the previous comments of the Commissioners.

Staff commented that fences over 4' tall have been approved on a limited basis in the Half Crown-Marsh district, but typically only on rear property lines that are not publicly visible. In those cases, the Commission prefers a "good neighbor" style fence, which incorporates a more open design for at least the top 12" of the fence.

Ms. Masterson made a motion to deny the application for a Certificate of Appropriateness for the proposed fence design, which was already partially installed at 31-33 Willard Street. The fence design, as proposed, was denied approval because its solid design, excessive height and prominent visibility from Willard Street were felt to be incongruous with the district and not in keeping with the goals outlined in the neighborhood conservation district order.

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

The Commission instructed the property owner to reduce the height of the existing fence posts along Dinsmore Court to 48", which should be commenced within three months from the date of the hearing. Those portions of the rear yard fence that are recessed from the visible building facades should have a lattice topper and not exceed 66" (5'-6") in total height.

Additional considerations were voiced by the Commission to the property owners:

- If in question, resolve any property line disputes with neighbors to ensure accurate installation points for fencing
- The non-structural, or "kind side" of the fence should face out towards the neighbors' properties
- Look to city staff for examples of appropriate fence designs, or alternate screening solutions that could achieve the goal of greater privacy

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A quorum of members from the July meeting was not present to review and approve the minutes from that meeting. The July minutes will be presented for review at the next meeting of the Commission.

The meeting was adjourned at 7:07pm.

Respectfully submitted,

Eiliesh Tuffy
Preservation Administrator

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Members of the Public who signed the attendance sheet, August 13, 2012

Mr. & Mrs. Nallari	33 Willard Street, Cambridge, MA 02138
J. Jhala	15 Gerry Street, Cambridge, MA 02138
Michael Guerino	7 Dinsmore Ct., Cambridge, MA 02138
Sean Guerino	7 Dinsmore Ct., Cambridge, MA 02138
Molly Crook	9 Dinsmore Ct., Cambridge, MA 02138