FINAL REPORT

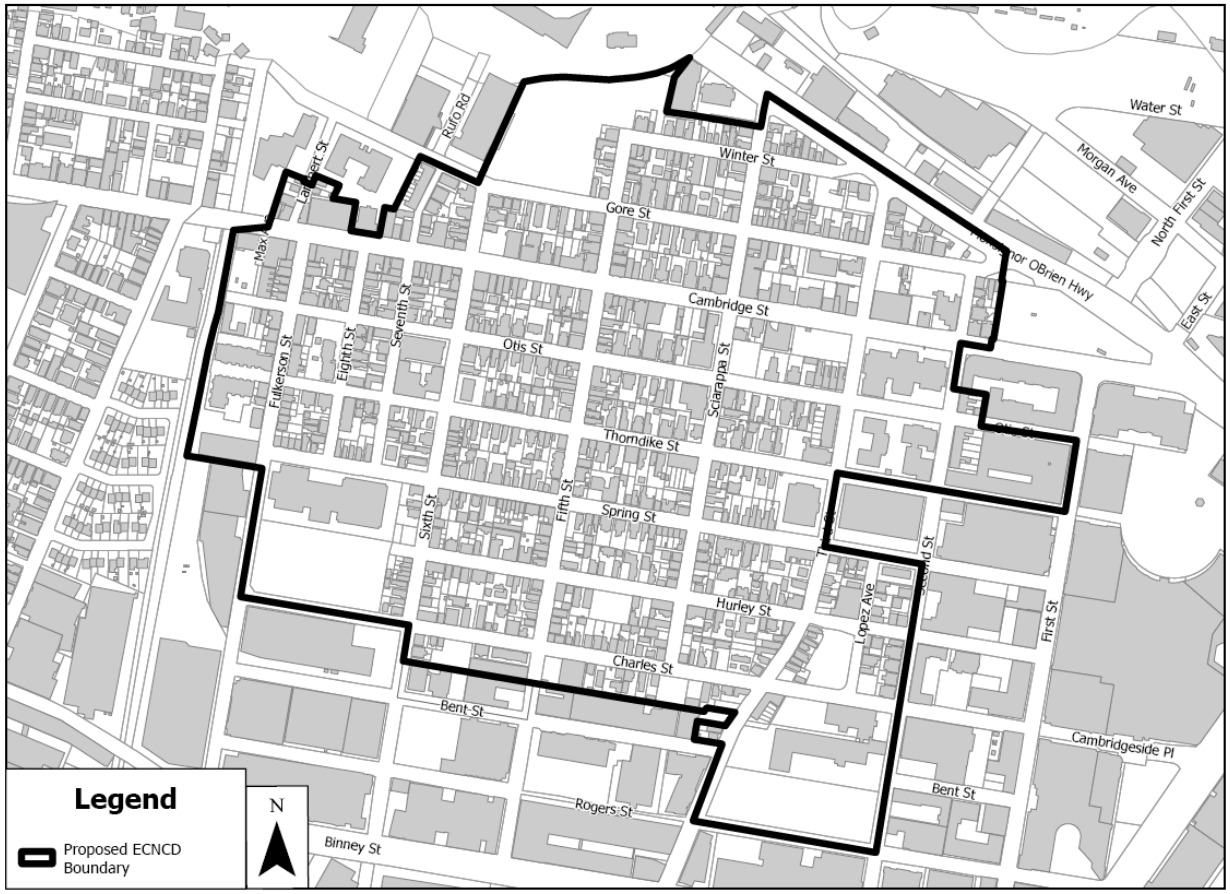
of the

EAST CAMBRIDGE NEIGHBORHOOD CONSERVATION

DISTRICT STUDY COMMITTEE

Proposed East Cambridge Neighborhood Conservation District

Cambridge Historical Commission and Cambridge GIS, December 1,2022



East Cambridge Neighborhood Conservation District Study Committee

Cambridge Historical Commission

December 20, 2022

Summary and Recommended Actions

The Cambridge Historical Commission voted in September 2019 to initiate a study of the East Cambridge Neighborhood Conservation District in response to citizen concerns about rapid development and inappropriate renovations of significant buildings in the study area.

The City Manager appointed the East Cambridge Neighborhood Conservation District Study Committee in January 2020. The committee met monthly from January to March 2020 and resumed meeting remotely in January 2021. Attendees, who included many interested parties and members of the public, discussed the goals and guidelines that would be appropriate for East Cambridge and the application of those goals and guidelines to matters of demolition, new construction, and alterations. This Preliminary Report was adopted by the Study Committee on April 20, 2022 and released for public comment. The Committee expects to convene in July 2022 to consider a recommendation to the Historical Commission and the City Council.

An East Cambridge Neighborhood Conservation District, if adopted, would regulate demolition, new construction, and certain exterior alterations to existing buildings with the goal of protecting the architectural character of the area while allowing appropriate change and development.

NCDs do not regulate exterior features not visible from a public way, interior features, landscaping, paint colors, and normal maintenance activities. The Study Committee recommends exempting additional non-destructive activities, such as new siding and alterations that do not change window or door locations and leave significant historical features intact; replacement windows (with certain conditions); all sorts of vents, heating and air conditioning equipment, solar panels, charging stations, most roofing materials, skylights, fences 4’ high or less in front of a building or 6’ high or less behind the front wall, and so on. On Cambridge Street, restoration of original storefronts would be encouraged, and zoning-compliant signs would be exempt from review.

Throughout the study process the committee has worked to ascertain the appropriate jurisdiction needed to protect historic resources without unduly burdening residents and property owners. The current proposal expresses the committee’s desire to preserve significant buildings from demolition or inappropriate alterations, maintain original architectural detailing where existing, permit non-destructive alterations and allow for architectural diversity in new construction. A goal statement, ten secondary goals, design guidelines, and a proposed scope of jurisdiction have been drafted to guide the reviews by a future East Cambridge NCD commission.

Proponents argue that the public benefits of a district would help conserve significant buildings in the historic core of East Cambridge, protect generational ownership and ‘naturally-occurring’ affordable housing, support smart growth, provide a public forum for comments on development projects, and encourage storefront revitalization on Cambridge Street.

Opponents disagree with these findings. They fear that the unintended consequences of a neighborhood conservation district might include increased costs, the prospect of deferred maintenance, a stifling of creativity, unnecessarily long delays, and arbitrary and capricious decisions by an NCD commission.

If adopted, a neighborhood commission comprised of residents and property owners would be appointed to review applications for new construction, demolition, and some alterations on properties within the district. Demolition and new construction would always be subject to review,

decisions on alterations would be either binding or non-binding based on the scope of work and if the property is included in the National Register of Historic Places.

On September 20, 2022 the Study Committee reviewed the results of public outreach activities and voted to proceed with the recommendations for jurisdiction and boundaries proposed in the April 20, 2022 draft of this report. On October 19, 2022 the Study Committee voted to approve this final version of the Preliminary Report and to transmit it with a positive recommendation to the Cambridge Historical Commission and the Cambridge Planning Board.

The Cambridge Planning Board met on November 22nd, 2022 to consider the Preliminary Report. With seven members present the Board voted unanimously to transmit the following suggestions in support of the proposed district:

A) That projects proposed under the Affordable Housing Overlay (AHO) provisions of the Zoning Code should be subject to non-binding review by the proposed NCD commission;

B) That the southern boundary of the proposed district could be adjusted to eliminate the properties facing Bent Street; and

C) That specific guidelines be adopted for the regulation of properties on Cambridge Street.

On December 1, 2022 the Historical Commission held a public hearing to review the motivation, goals, and history of the study in the context of Ch. 2.78 Article III, the enabling ordinance for neighborhood conservation districts. After public testimony and comments, the Commission voted unanimously to adopt suggestions A and B of the Planning Board, to accept the report as modified, and to transmit a Final Report to the City Manager and City Clerk with a recommendation for City Council designation by adoption of the proposed Order.

Members of the East Cambridge Neighborhood Conservation District Study Committee

Ronald Creamer Jr.	*Property owner*
William Dines	*Neighborhood resident and property owner*
Francesca Gordini	*Neighborhood resident and tenant*
Valerie Reece	*Neighborhood resident and property owner (resigned July 18, 2022)*
Gavin Kleespies	*Cambridge Historical Commission representative*
Paula Paris	*Cambridge Historical Commission representative*
Kyle Sheffield	*Cambridge Historical Commission representative*

Cambridge Historical Commission Staff

Charles Sullivan, *Executive Director*

Eric Hill, *Survey Director*

Sarah Burks, *Preservation Planner*

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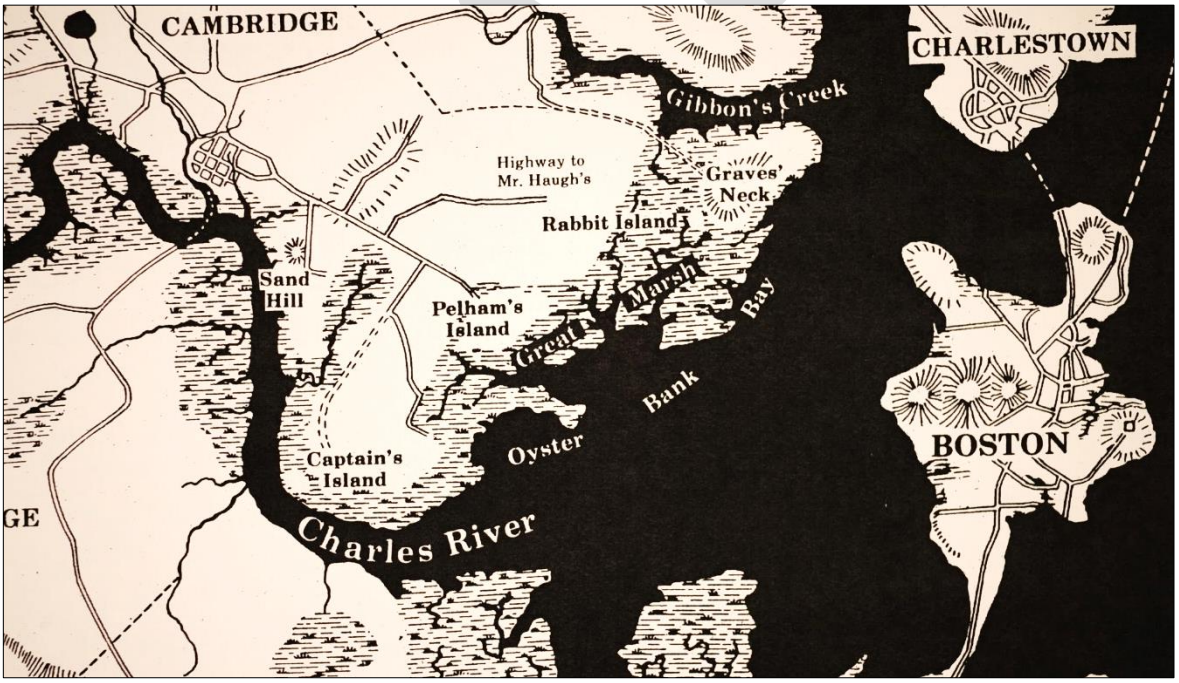
I. Historic and Architectural Significance of the East Cambridge Neighborhood

East Cambridge is one of the oldest and most distinctive neighborhoods in the city. Founded in the earliest years of the 19th century, it contains Cambridge's only fully-planned grid of streets, densely settled with vernacular buildings that house the area's constantly evolving population. For many decades a largely working-class community of immigrants and their descendants, East Cambridge today is still a largely intact island of naturally-occurring affordable housing bordered by some of the most valuable real estate in the United States.

A. Introduction

East Cambridge in the 17th and 18th centuries was a landscape of upland and salt marsh, surrounded by vast mud flats at low tide, almost entirely isolated from the rest of Cambridge and Boston. The dividing lines changed over the decades as the tides swept in and out, eroding some areas and building up others. Much of the area was rich in oysters and provided abundant natural resources for the Indigenous people who first inhabited this area.

In the 17th century, colonists called the East Cambridge area Graves' Neck for its owner and first English settler, engineer Thomas Graves. One of a swarm of drumlins between the Charles and Mystic Rivers, East Cambridge formed the northernmost of a series of hills that rose out of the salt marshes north of the Charles River. East Cambridge was effectively separated from the rest of Cambridge by the expansive salt marsh to the south and west known as "the Great Marsh".



Cambridge and Boston in 1640 CHC

East Cambridge was further isolated by Oyster Bank Bay and Gibbons' Creek, large bodies of water to the east and north respectively, which distanced the area from Boston and Charlestown.

By the late 19th century all the marshes had been filled in. East Cambridge became contiguous with Cambridgeport, but the extent of the former watery landscape is still evident in the street pattern today. South of Charles Street and west of Sixth Street the street grid is more open than in the original upland area. Blocks vary in size, the landscape is flatter, and there is more open space. This irregular area marks the extent of the original "Great Marsh".

The northern edge of East Cambridge was also transformed in the 19th century. Beginning in the 1830s, the Miller's River was gradually filled to create solid land, thus eliminating the water transportation that had been so important in attracting industry to this side of East Cambridge. The last remnants of the original marsh landscape and tide flats which had characterized the area for so long were obliterated in the 1890s when the eastern edge of East Cambridge was filled to create a seawall on the Charles River Basin.

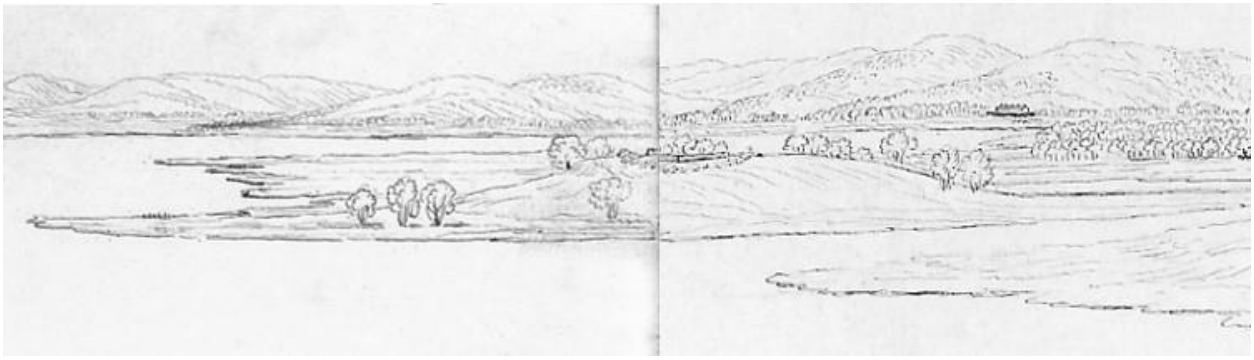
B. Early Century Land Use and Ownership

Thomas Graves sold his grant in 1634 to Atherton Haugh, whose descendants farmed Graves Neck for four generations before selling to a Boston merchant in 1699. Seven years later future Lieutenant Governor Spencer Phips bought the Haugh property, and by the time of his death in 1757 he had accumulated 326 acres that extended inland to Columbia Street and south to Main Street. This property, which was operated as two separate farms, was divided up and passed to Phips's children and grandchildren.

Although Phips was descended from early Puritan stock, he had long since converted to Anglicism and married his children into the Loyalist West Indian planter families who dominated society in pre-Revolutionary Boston. His daughter Mary's husband, Richard Lechmere, came into possession of the most important piece of Graves Neck and bought out most of the other heirs. The Lechmeres lived on Brattle Street near their Tory relatives and rented out the farm. They moved to Boston in 1771, and when they fled to England Lechmere Point was confiscated by the Committee of Correspondence.

During the Siege of Boston in 1775-76 the American Army fortified East Cambridge with gun batteries and earthworks. A British military map also depicts the dikes that farmers had constructed to help drain the Great Meadow.

East Cambridge and Boston in 1777 Henry Pelham, *A Plan of Boston in New England* …, London, 1777

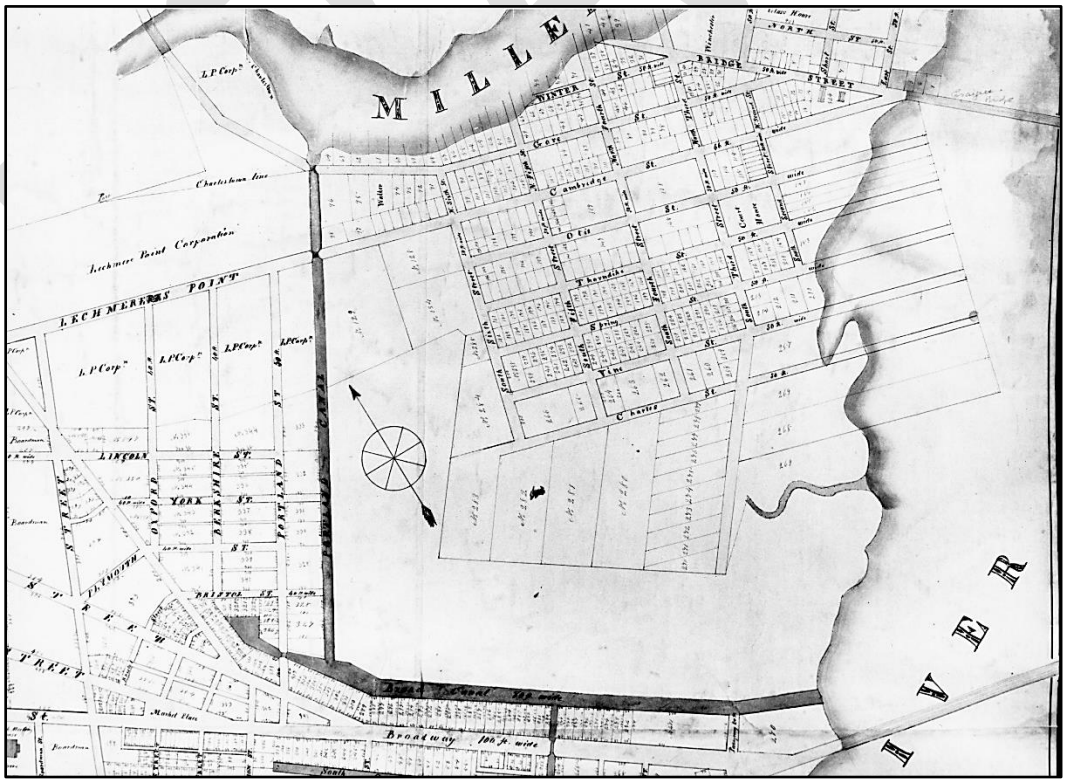


Lechmere Point and Fort Putnam during the Siege of Boston. Composite of views taken by Lt. Alexander Robinson from Bunker Hill, Jan. 4, 1776

C. Andrew Craigie and the Lechmere Point Corporation

The prime figure in the development of East Cambridge was Andrew Craigie (1754-1819), an accomplished speculator in land when this was an accepted means of accumulating capital. Born in Boston in 1754, Craigie was appointed "medical commissary and apothecary for the Massachusetts army" two weeks after the Battle of Bunker Hill. During his tenure Craigie amassed a sizable fortune by speculating in government securities.

After the war Craigie purchased the John Vassall estate on Brattle street, and in 1795 began secretly acquiring 300 acres of land on Lechmere's Point. He continued in this vein until 1805, when he petitioned the General Court for permission to build a bridge from Lechmere's Point to Boston. With the bridge under construction, Craigie formed the Lechmere Point Corporation and sold shares to investors, including Harrison Gray Otis, merchant Israel Thorndike of Beverly, and his old colleague Gov. Christopher Gore.



East Cambridge in 1824 Peter Tufts, Plan of Cambridgeport Parish, 1824

The Lechmere Point Corporation hired Cambridge surveyor Peter Tufts to lay out lots for sale. Tufts' plan of East Cambridge is a regular grid with the main streets running parallel to Cambridge Street and the north-south streets serving as secondary streets. A second regular grid was laid out north of Bridge Street and parallel to it. Blocks are a uniform 200 x 400 feet with no alleys or service ways dividing them. On the eastern edges of the plan, the blocks are only 295 feet long to squeeze in an extra street (Second Street) at the edge of the marsh. The grid pattern was likely influenced by the Mount Vernon Proprietors' development of Beacon Hill, which was successfully completed prior to the laying out of East Cambridge. Later extensions of Tuft's plan of East Cambridge were laid out as the neighborhood continued to grow south and west.

Implementation of Tuft's plan required many changes to the natural landscape. The drumlin that was the most notable feature of Lechmere Point was an irregularly-shaped deposit of undifferentiated glacial till surrounded by salt marshes on all sides. Like Beacon Hill, it offered a convenient source of fill; in 1809 the Proprietors voted to lower the grade of Cambridge Street by six feet from its highest point, and it is likely that the summit of the drumlin, which was occupied during the Revolution by Fort Putnam was taken down at least as much if not more. Elsewhere many level lots were created by excavating into the side of the hill and constructing stone retaining walls that remain a significant feature of the neighborhood.

Stone and brick retaining wall at 60 Gore Street, possibly associated with the construction of the Gore Primary School in 1871. Destroyed 2022.

By 1812 the old courthouse in Harvard Square was so small and out of repair that Middlesex County authorities were considering replacing it. Some towns seized upon this opportunity to have the county offices moved to Concord, which they argued was more centrally located and where a new courthouse and jail had recently been erected. But Craigie and the Lechmere Point Corporation envisioned the courthouse would be a catalyst for their project, and in May 1813 offered a grant of land and a gift of $24,000 to construct a new courthouse and jail. In 1813 the county accepted the Corporation's offer and appointed a committee to oversee construction of the new buildings at Lechmere Point, instantly creating a demand for residential and commercial development in the area.

D. Residential Development

Many of the homes in East Cambridge date from 1820-1870 and represent the progression of architectural styles from the early-to-mid 19th century. East Cambridge housewrights initially built two-room wood-frame gable-end workers cottages. For the rest of the century, they followed three primary house plans, all survivals from the 18th century. These included a four-room center-hall plan, a two-room center-hall plan, and a side-hall plan. Housewrights kept building the same plans but decorated the exteriors in the Federal, Greek Revival, and Italianate styles. These forms were used in single-family detached dwellings, double houses and rowhouses.

East Cambridge in 1854 H.F. Walling, Map of the City of Cambridge (CHC)

Some of the earliest structures in East Cambridge were the rowhouses located at 45-51 Gore Street. The four brick houses have been modified over the years but were constructed in 1821 by the Lechmere Point Corporation as speculative houses in a high architectural standard to bolster development in the newly platted neighborhood. Though in varied levels of architectural integrity with altered rooflines and detailing, much of the original fenestration and form remains.

Lechmere Point Corp. houses (1821), 45-51 Gore Street. The two units on the right show the original roof form.

The Winter Street National Register District includes sixteen houses, fourteen of which were worker's cottages built before 1854. Many early residents of the area were employed by the New England Glass Company, whose factory was located across Bridge Street (now Monsignor O'Brien Highway). The district is the best-preserved streetscape of workers cottages in East Cambridge. The homes are typically 1½-story gable-end frame dwellings with entrances at the side yards. In the early 19th century, it was common for managers of industry to live near their employees, as seen by the Thomas Leighton House, 22 Winter Street (1834), which follows the same building form at a larger scale.

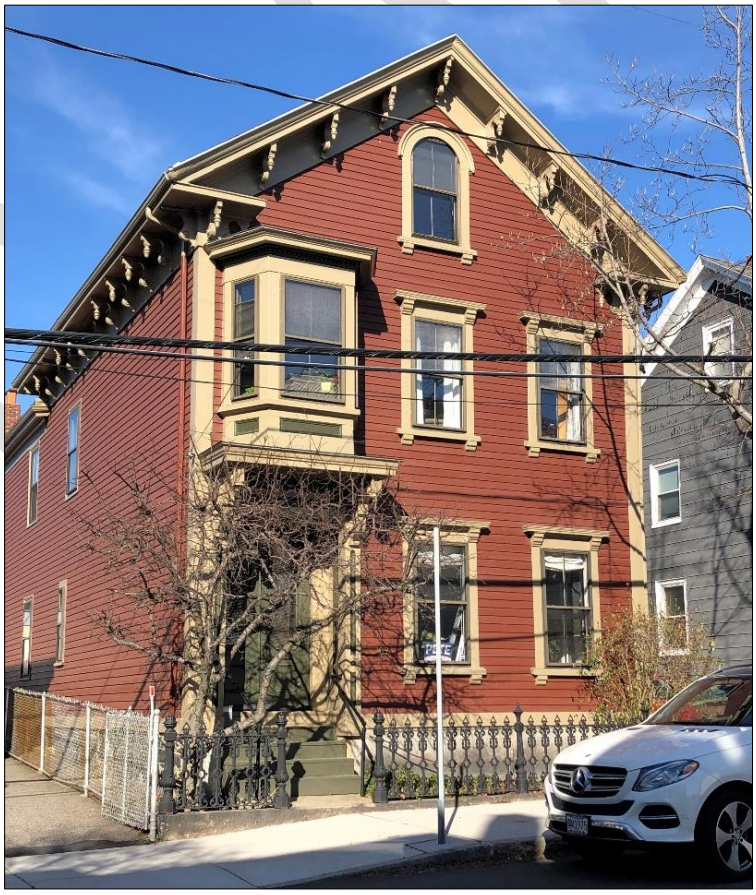
Winter Street Worker's Cottages, c.1940 CHC

Thomas Leighton House, 22 Winter Street, in ca. 1860 and 2016 CHC

As East Cambridge became more established, larger Greek Revival homes were constructed, mostly around the Middlesex County complex. Greek Revival houses which make up a majority of houses in East Cambridge and can be found in forms ranging from rowhouses to detached single-family dwellings. The style is characterized by Greek and Classical features including gables serving as pediments, columns and pilasters, and bold entablatures above entrances and cornices.

Greek Revival rowhouses (1842) at 36-46 Second Street CHC

The Italianate style emerged from the Greek Revival and proliferated until the late 19th century, due to the boxy forms that maximized profits for builders. Early examples commonly borrowed the gable roof and side-hall plan vocabulary from the Greek Revival houses built earlier, but were distinguished by their brackets, door and window hoods, oriels, and arched windows. Later examples featured wide overhanging eaves and brackets. Instances of the Italianate style are found in detached, double-houses, rows, and tenements throughout the neighborhood.



109 Thorndike St. (1857), a well-preserved example of the Italianate style with characteristic features. CHC

6-14 Max Avenue (1889), a later example of the Italianate style as a multi-family tenement building. CHC

Early workers housing contrasted with more substantial housing built for Boston commuters and courthouse-related professionals. This early suburban development centered near the courthouse, along "Quality Row" on Second and Third Streets and up Otis Street to the crown of Putnam Hill, a stretch which became known as "Millionaire's Row". The row at 83-95 Third Street makes up some of the highest-style residential architecture in East Cambridge. The brick row features brownstone trim and mansard roofs punctured by dormers and represents the Second Empire style of architecture.

“Quality Row” (1860) 83-95 Third Street. CHC

Later styles including the Queen Anne and Colonial Revival are rare in East Cambridge. Housing construction in the area virtually ceased after 1900, when all available sites had been developed. In the second half of the 20th century, large apartment complexes including the Truman Apartments (1968) at 27 Eighth Street and Thorndike Place (1986) at 217 Thorndike Street displaced earlier houses.

140 Otis Street (1895), a rare Colonial Revival in East Cambridge.

E. Churches, Schools, and Public Buildings

Many churches were constructed throughout the 19th century as the population continued to grow, with industries attracting immigrants from various European countries. The churches of East Cambridge have changed along with its population, but the sites and some buildings have remained since the 19th century. Earliest extant churches include the Third Congregational Church on Third Street (1827) in the Federal style and the Second Baptist Church (now St. Francis of Assisi) on Cambridge Street (1838, remodeled 1868, 1890 and 1930). The largest church in the neighborhood, Sacred Heart (1874), is among the best examples of Victorian Gothic architecture in the city. A number of churches closed due to dwindling membership in the 20th century, with some razed and others converted to other uses, including the modest St. Hedwig's Church at 99 Otis Street (1939) which was converted to residential use in 1998.

St. Hedwig's Church (1939) at 99 Otis Street. CHC

As early as 1811, the citizens of East Cambridge petitioned the town to establish a school in their district. The first school was built by 1818 and was followed almost every decade thereafter with a new building to accommodate the rapidly increasing population: the first Putnam School on Otis Street (1825), the Thorndike School and the Otis School (1830s), and a replacement Putnam School (1840s). As East Cambridge continued to grow, the modest neighborhood schools became crowded and larger, more architecturally significant schools were built, many of which have been demolished. The third Putnam School on Otis Street (1887), the oldest extant school

in East Cambridge, was converted to housing in 1985. Many schools in Cambridge were consolidated, and larger, neighborhood schools were constructed. In 1968, the old Thorndike School on Spring Street was replaced by the Robert F. Kennedy School (1969). The Kennedy School is a typical example of a Mid-Century Modern school with minimal detailing and clean lines.

Third Putnam School (1887), 86 Otis Street. CHC

The civic buildings in East Cambridge make a definitive architectural statement in the neighborhood. The original Middlesex County Courthouse was designed by architect Charles Bulfinch in 1814. Although substantially rebuilt in 1848 under the supervision of Ammi B. Young, noted designer of Boston's Custom House and later Superintending Architect of the U.S. Treasury, the reconstruction closely followed Bulfinch's original conception. The historic Courthouse complex and the Registry of Deeds (1896) across Otis Street display a remarkable unity of design; architectural themes originated by Bulfinch were adopted by the various later architects to create a collective grouping of significant civic architecture. The adaptive reuse of the Old Superior Court and the Clerk of Courts building by Graham Gund in 1981 is complemented by Bulfinch Square Park, a plaza designed by landscape architect Carol R. Johnson in a similar manner to Lechmere Canal Park.[1]

While the restoration and adaptive reuse of the court buildings has provided valuable open space and a revitalized core for the East Cambridge neighborhood, the future of the monumental Registry of Deed building is still undetermined. The Third District Court at 121 Third Street, designed by Charles Greco in 1931, also faces an uncertain future as the court system consolidates its facilities elsewhere. Historic preservation protections should be in place before they are deaccessioned by the state.

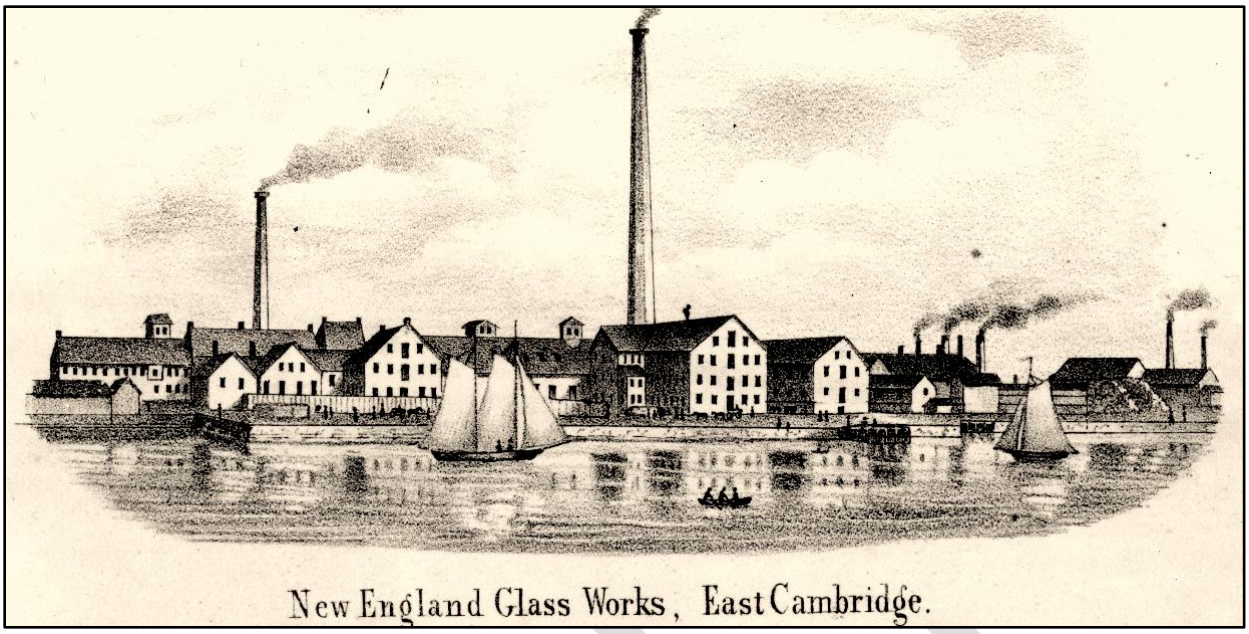
[1] The Middlesex Superior Courthouse, constructed in 1968, was not included in the NCD study area.

Middlesex County Complex – Bulfinch Square before and after 1984 restoration by Graham Gund.

F. Industrial Development

East Cambridge was the first part of Cambridge to undergo industrial development and until the 1880s was unrivaled as the industrial center of the city. Most of the early industrial enterprises needed access to water and road transportation and large areas of cheap waterfront land, and these were available in abundance in East Cambridge. The Charles and Miller's Rivers, although tidal, provided access to coastal shipping, while the Middlesex Canal and the Boston & Lowell, Fitchburg, Boston & Maine, and Grand Junction (Boston & Albany) railroads gave unparalleled access to the interior. Boston, a short walk across the Canal Bridge, provided both a market and a labor force.

In September 1813, the Lechmere Point Corporation's first sale for industrial purposes was a large tract bounded by North Street, Water Street, Short Street and Miller's River purchased by Jesse Putnam of Boston of behalf of the Boston Porcelain & Glass Company. While the company was in operation just three years, it was the start of East Cambridge as an industrial center. By 1845 the glass industry was the largest employer in the city. The most important single manufacturer was the New England Glass Company, which spanned most of the century from 1818 to 1888. At its peak, New England Glass employed more than 500 people. Next in prominence was the Bay State Glass Company on Bridge Street, although it operated less than 30 years and closed after the Panic of 1873. These companies produced diverse lines of high-quality cut and engraved flint glass, ruby glass, and molded and pressed glass, as well as lamps and scientific instruments. The glass companies brought in skilled laborers from West and Central Europe, many of whom lived in tenements north of Bridge Street and along Winter and Gore Streets.



The New England Glass Works in 1854. H.F. Walling, Map of the City of Cambridge CHC

East Cambridge's early industries settled on the periphery, close to water transportation. Most located north of Bridge Street because of easier access to the harbor, but a few industries chose Third Street locations south of the courthouse and jail, among them the New England Glass Bottle Company (1826-1845) and a brush manufacturer (ca. 1847-1868). These areas were isolated from residential and commercial development, as well as removed from traffic over the bridge. The Bottle House Block at 204-214 Third Street (1827) is a remnant of this era.

Meat processing facilities located in East Cambridge as it offered not only an inexpensive, spacious location but also the advantage of easy waste disposal in the tidal waters of the Miller's River. John P. Squire's pork packing business, which occupied 22 acres on Gore Street and employed a thousand workers at its peak in the 1890s, was by far the largest industry in East Cambridge until the complex was destroyed by fire in 1963.

J.P. Squire's complex (right) from Medford Street, ca. 1946. CHC

The significance of industrial development in the history of East Cambridge cannot be understated. The influx of working-class jobs and land for development allowed immigrant communities to thrive, creating a diverse community which remains to this day.

G. Social History

While East Cambridge's early development was controlled by Andrew Craigie and his wealthy Boston investors, the community was settled by ambitious New Englanders from rural districts and skilled German and Scottish glass workers. In the mid-1840s Irish refugees from the potato famines began to flood the Boston area, often settling on the marshy fringes of established settlements and taking any work available. Proximity to Boston and a large labor pool attracted processing industries such as John P. Squire's meat packing plant. As new nationalities—Portuguese, Polish, and Italian—settled in the neighborhood, they formed their own churches and social organizations, gradually displacing the Yankees and, by the 1920s, even the Irish. The population stabilized after the passage of immigration restrictions in 1924, and at the beginning of the 21st century the neighborhood still has significant representation from practically every traditional immigrant community.

East Cambridge was also notable as the locus of the first significant environmental regulations in America, stemming from the extraordinarily toxic pollution of the Millers River by the Squire company in the 1860s and '70s. Social reformer Dorothea Dix taught Sunday School at the Middlesex County jail, secured separate facilities for the mentally ill, and agitated for more humane treatment of institutionalized populations throughout the country. Women foundry workers secured some of the earliest equal pay protections in the period before World War One. The energy and skills of East Cambridge residents supported industries throughout the Boston area for decades.

H. Cambridge Street as a Mixed-Use Corridor

Cambridge Street at Third Street, looking east in 1934 BERy collection, CHC

Cambridge Street has served as the major transportation and commercial corridor of the neighborhood since it was laid out in 1809. The street bisects the residential neighborhood and is lined with a broad assortment of uses, styles and periods of construction, representing a cross-section

of development of the greater neighborhood. As a commercial district, Cambridge Street exhibits a human scale and architectural variety that make it attractive for local retailers and services. Commercial buildings on Cambridge Street are quite modest in comparison to its civic structures. Historically, East Cambridge's population was too small and downtown Boston was too close for the area to develop a significant business district that would draw customers from outside the area, but in recent years a few distinctive shops and restaurants have begun to make Cambridge Street a destination for the broader community.

Cambridge Street between Second and Sciarappa streets established itself as the retail center of East Cambridge by 1850. Buildings west of Sciarappa remained predominantly residential until population growth later in the century encouraged many homeowners to build storefront additions or open stores on their ground floors. Only two owners resisted this trend, as can be seen at 369-371 Cambridge Street (1825) and 379-381 Cambridge Street (1837).

379-381 Cambridge Street (1837) 367-371 Cambridge Street (1825)

By 1857, retail stores made up two-thirds of all businesses on Cambridge Street, with tradesmen and professionals moving elsewhere. In the subsequent decades, many homes were altered or replaced with modest, wood-frame commercial buildings with retail on the ground floor and apartments above. Typically constructed in the Italianate style, which was popular at the time, the buildings widely feature flat roofs and overhanging eaves with brackets. In the1880s, Cambridge Street witnessed a development boom west of Fifth Street, when many houses were moved to the rear of their lots or elsewhere for larger commercial structures built on the sidewalk.

635 Cambridge Street (1867) with new storefront, 1906 CHC

Stores were added to many houses as demand for space increased on Cambridge Street, filling up yards to the lot lines and occupying entire ground floors. This trend continued in the 20th century. An example can be seen at 635 Cambridge Street (1867), a three-story Italianate building which was given a store addition in 1900. This became the site of a popular bar that remains in business today.

Storefronts were often set into homes or apartment buildings when building out to the street was not possible. The house at 450 Cambridge Street (1856), with a 1901 storefront alteration, retains the side-hall entrance that provides access to the residential units above. A new entrance and plate glass window were added for the retail use. Subsequent alterations include the perma-stone cladding popular in the mid-20th century.

450 Cambridge Street (1856) with inserted storefront from 1901. CHC

Most purpose-built commercial buildings in East Cambridge are relatively modest in comparison with its civic and institutional structures, yet some prominent masonry commercial structures remain on Cambridge Street between Third and Sciarappa streets. N. F. Goldsmith's three story building at 303-305 Cambridge Street (1876) is a rare example of elaborate Italianate brick masonry inset with encaustic decorative tiles. McCloskey & Harty's four story mixed use block next door at 307-313 (1898) is a more modest but still substantial work of architecture. Casket manufacturer William L. Lockhart's Queen Anne mixed-use block at 337-343 Cambridge Street in 1883 features bracketed eaves and a two-story projecting bay that provides architectural diversity above the ground level.

303-305 Cambridge Street (right) and 307-313 Cambridge Street (left) CHC

William L. Lockhart's Block, 337-343 Cambridge Street (1883) CHC

Notable bank buildings include the Lechmere Bank (1917) a Classical Revival structure which was recently incorporated into converted to a pharmacy development, and the East Cambridge Savings Bank (1931), a significant Art Deco design with compatible 1970s addition.

East Cambridge Savings Bank, constructed in 1931 (left), with 1977 addition (right) Steve Rosenthal photo, CHC

After WWII and through the 1980s, several significant structures between Second and Sciarappa streets were replaced with modern buildings and many others were remodeled with post-war finishes. The most distinguished of these is the former Hastings-Tapley building at 271 Cambridge Street, designed in the Post-Modern Style in 1984 and sympathetically altered in 2021.

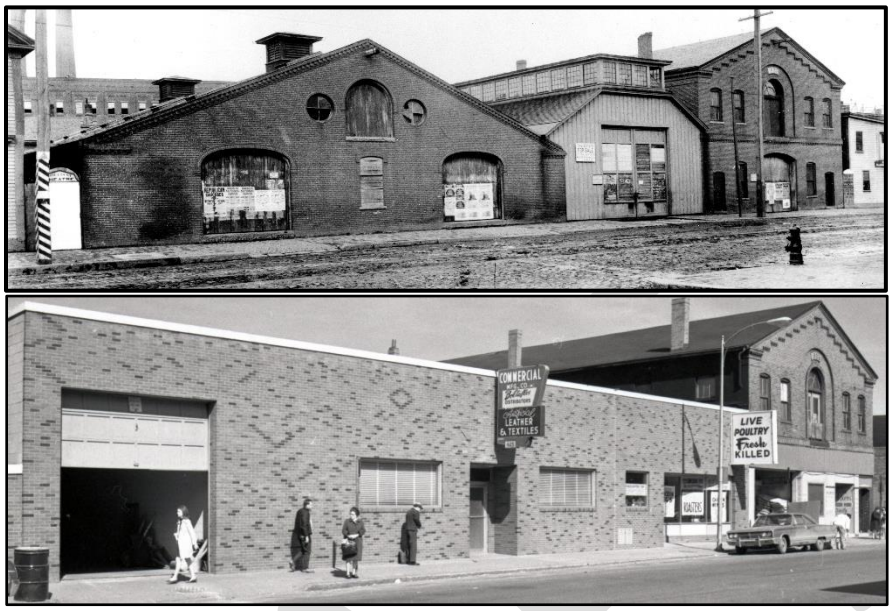
Former Hastings-Tapley Building, 271 Cambridge Street (1984), after renovation CHC photo, 2021

At the far west end of Cambridge Street in East Cambridge the Lechmere Theater was razed in 1957 and replaced by the Pavilion in 1986. Next to the railroad tracks a service garage was re-

Cambridge Street looking east from the railroad crossing, 1974 CHC

placed by a neighborhood health center associated with the LBJ Apartments in 1974, itself now demolished. In the same area the one-story stables adjacent to the 1869 Union Railroad Carbarn at 619 Cambridge Street were demolished or remodeled in 1962. While this site seemingly offers an opportunity for greater density, a recent sale prefigures a remodeling at the current scale.

While current zoning would allow greater heights and density on parts of Cambridge Street, future development must be balanced with preservation of significant buildings and careful design of replacement structures to preserve the eclectic character of the business district.



Union Railway Carbarn (1869) at 619 Cambridge Street in 1899 (top) and 1970 (bottom).

G. Development Trends

By the late 19th century, the dense housing development which typifies East Cambridge and the heavy industries that were expanding north of the Broad Canal met along Bent Street. In the 1890s, the days of single-family detached and row houses in East Cambridge were over. Most desirable land was already developed, and later developers sought to maximize land value with the construction of less-expensive tenement housing. The development of dense working-class housing encouraged the outflow of the middle-class residents at the center of the neighborhood. Little new development occurred in the neighborhood before all construction ceased in 1929 at the onset of the Depression. The gradual revival of construction elsewhere in Cambridge after 1960 barely touched the neighborhood.

137 Otis Street ca.1946, with recently added picture window.

As with many industrial and urban areas after World War II, East Cambridge suffered from suburbanization and

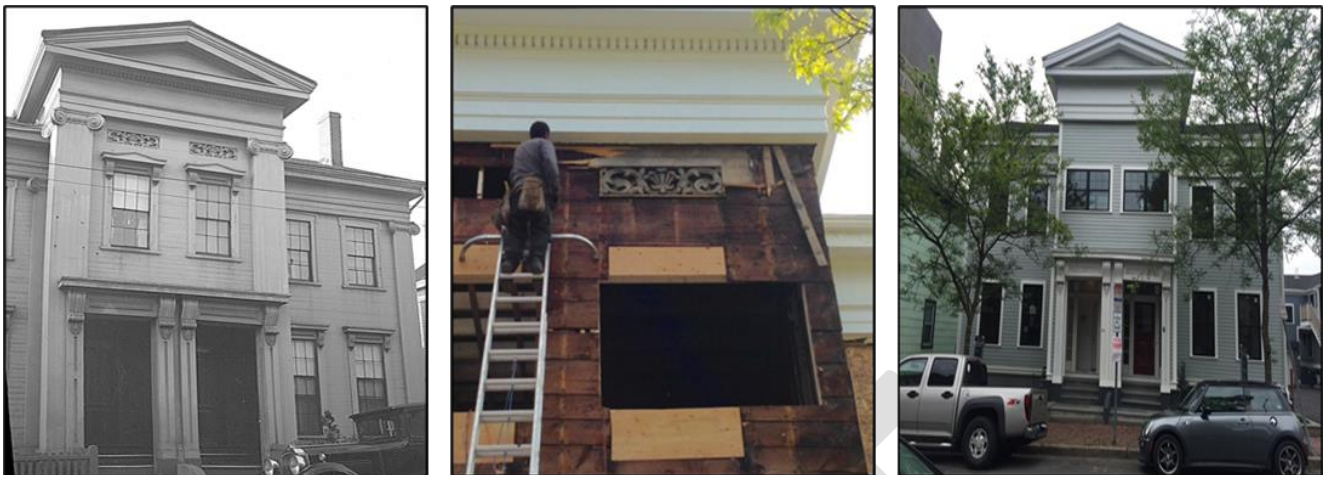
consolidation of industries which in turn caused many residents to move to the suburbs for jobs and more land. A few apartment complexes and townhomes replaced modest housing and industrial buildings in the 1980s, though these were not common and the fabric of East Cambridge remained mostly intact. At the same time, many houses and businesses were updated with materials which were available at the time, including asphalt shingles, Permastone, and vinyl siding, often covering historic materials. Additionally, it was common for new windows to be installed, altering historic fenestration with larger picture windows.

In the 1980s and 1990s several former industrial buildings on the periphery of the neighborhood were repurposed for housing or offices, and many others were razed and redeveloped. Development spread from Kendall Square's success northward into the southern edge of East Cambridge.

While East Cambridge long seemed isolated from outside influences, it is apparent that the surrounding development and employment opportunities in Kendall Square and Cambridge Crossing have made East Cambridge a more sought after location for investors and residents.

84-94 Thorndike Street in 1970 (left) and 2020 (right). Changed window configuration disrupted the continuity of the block.

Development pressure in East Cambridge has caused many life-long and multi-generational residents to leave the neighborhood, often selling their properties to developers or owners who embark on sometime ill-considered rehabilitation projects to bring the buildings up to current tastes and standards. In some of these renovations synthetic siding and enclosures are removed and at times uncover historic fabric. While some developers and owners attempt to restore these features, others are not interested or seek to lower costs of exterior renovations to maximize interior amenities and programming. At 66-68 Otis Street (1846) a developer removed siding as part of a gut renovation and discovered historic detailing underneath. However, the developer removed original architectural features and altered the historic window openings to accommodate smaller windows at the second floor. The design called for four separate entrances at the street until the building was given an emergency landmark hearing and protected from further incompatible alterations.



66-68 Otis Street in 1930s (left), 2016 (center), and post-renovation (right). Note original window placement and new windows on façade over entrance. CHC photos

Several buildings in East Cambridge have recently undergone "gut" renovations that included removal of all features inside and out, leaving just a shell of the building to work within. It may be necessary to upgrade structures to meet modern codes, but it need not be destructive to historic features that contribute to the neighborhood's architectural character.

II. Preservation Measures in East Cambridge

Development activities in East Cambridge are currently guided by a variety of municipal ordinances and boards that sometimes allow significant projects to proceed with little or no review. Only projects in the East Cambridge Overlay Districts that constitute new construction of over 20,000 square feet in floor area, or that entail applications for variances or special permits, are subject to approval by the Cambridge Planning Board and/or the Board of Zoning Appeal. Projects that involve demolition of a significant building over fifty years old are reviewed by the Cambridge Historical Commission, which may result in a twelve-month delay. Currently, neither zoning nor existing local historic preservation ordinances can adequately protect the broad range of character-defining elements that comprise East Cambridge. No public body reviews alterations, as-of-right construction projects, or demolition of buildings less than fifty years old for possible adverse effects on the character of the neighborhood. As-of-right projects currently may proceed without public review of their potential for destructive alterations.

This section describes current zoning regulations; existing and potential historic preservation measures, and their effects on property values and rents; and the experience of the Cambridge Historical Commission in administering the Study Area in 2019-2021.

A. Zoning

Municipalities use zoning to govern how land may be used and buildings constructed in each zoning district. In Massachusetts, M.G.L. Ch. 40A enables communities to establish dimensional regulations that specify maximum gross floor area, density, height, setbacks, and open space. Projects meeting these basic criteria may be constructed "as-of-right," or without public discussion of design, materials, or appearance. Other projects may require a variance (which may be granted if there are unique conditions of the lot that create a hardship for the owner) or a special permit. In overlay districts, which are areas of special planning concern, additional special permits may be required by from the Planning Board. The design of such projects may be negotiated to bring them into compliance with the specific criteria established for the overlay district, which is an important benefit to the public. However, detailed review of a project's design is only undertaken when a special permit is required.

Zoning in Cambridge as instituted in 1924 initially dictated land use and building density in Business, Residential, and Unrestricted (industrial) districts. Parts of East Cambridge, Harvard Square, Central Square, and the Massachusetts Avenue corridor connecting them were placed in the Unrestricted District with greatest density, while residential districts immediately abutted them. In the post-WWII period, concern about the decline of cities led to a remarkable loosening of zoning restrictions. In 1960, as urban economies went into free fall, the Planning Board proposed that height and density restrictions be loosened or eliminated to allow the population in residential districts and the floor area in business and industrial districts to be doubled over current levels "to allow the free market to operate."

The 1961 zoning revisions, as subsequently amended many times over, bracketed East Cambridge with an Industry A-1 district south of Charles Street and a Planned Unit Development overlay north of O'Brien Highway. The commercial corridor of Cambridge Street is in a Business A district, while the residential parts of East Cambridge north and south of Cambridge Street are in C-1 districts. The Middlesex County buildings between Cambridge and Spring Streets are in a BB business district. The East Cambridge Housing Overlay District south of Charles Street and along Msgr. O'Brien Highway supports higher density housing in those areas.

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Private Op. Sp. to Lot Area
					Front	Side	Rear		
Res. C-1	0.75	5,000	1,500	50	H+L (a) 4	H+L (n) 5	H+L (c) 4	35	30%
Bus. B	2.75/3.0	none	300	none	none	none	none	80	none

Figure 1. Table of dimensional requirements for C-1 and Business B districts CDD

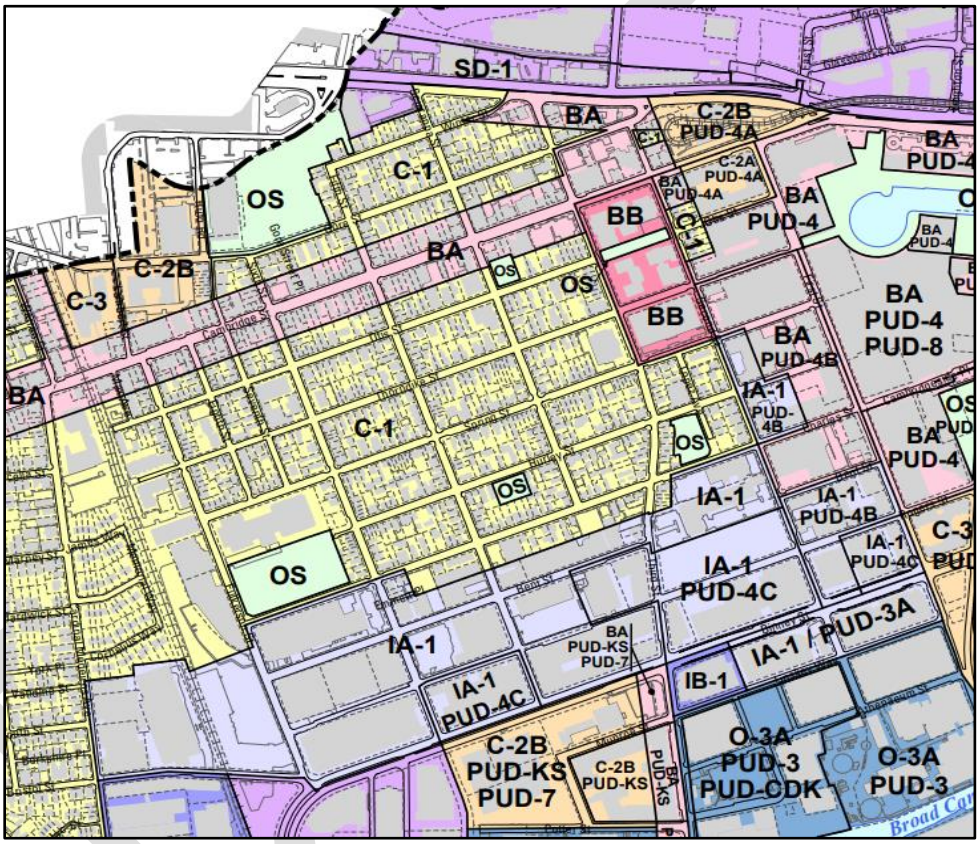


Figure 2. Zoning Districts in East Cambridge

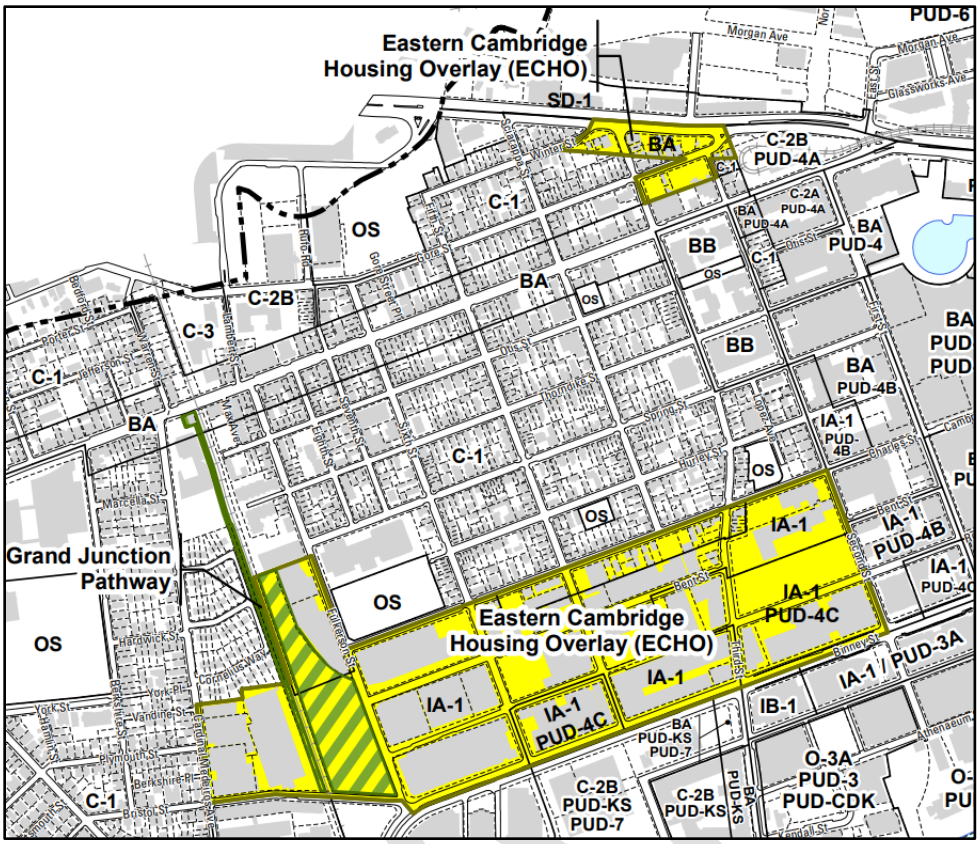


Figure 3. Overlay Zoning Districts in East Cambridge

1. Influence of Zoning on Current Development

As a vast majority of East Cambridge buildings were built prior to zoning in Cambridge and are presently non-conforming on their lots, the development pressure is different than in other neighborhoods in the city. Where a developer can demolish a home on a larger lot in West- or Mid-Cambridge and build back the same size or larger as-of-right, the reality is not the same in East Cambridge, where lots are much smaller, and buildings are more often within the setbacks and above allowed FAR.

New construction must conform to zoning requirements that are in many cases more restrictive than current conditions. As developers cannot easily demolish houses and build back the same size in East Cambridge, they often renovate existing structures inside and out to provide maximum return on investment. This process can result in a loss of important exterior details and features.

One of the catalysts of the ECNCD Study petition was a project at 66-68 Otis Street, a high-style Greek Revival double house constructed in 1846. Like many other houses in the neighborhood, modest alterations in the mid-20th century covered much of the original detailing under layers of siding. In 2016, a developer began a gut renovation of the house. Upon removal of the asbestos siding much of the original detailing was found in good condition. However, the developer removed important architectural features and significantly altered window openings on the front façade. Further plans proposed changing the paired front doors to four separate doorways and the removal of the pediment, both of which were prevented when the Commission accepted a landmark petition and the City Council enacted the designation. As developers are often forced by zoning constraints to work within the confines of existing buildings, removal of exterior features

and installation of simplified, often inappropriate exterior details offer short-term investors a higher return on investment. However, failure to retain or restore original building fabric can result in architectural ambiguity and a loss of craftsmanship that reflects the social and economic history of the neighborhood.

B. Historic Preservation Tools

Historic preservation, as practiced by municipalities, is an activity that promotes the public welfare by preserving the distinctive characteristics of places and buildings that are significant for their history or architecture. Preservation tools available in Cambridge include the National Register of Historic Places, a Federal listing administered by the Massachusetts Historical Commission; historic districts and preservation restrictions enabled by the Massachusetts General Laws; and local ordinances allowing review of demolitions and designation of landmarks and neighborhood conservation districts.

1. National Register of Historic Places

The National Register of Historic Places is a list of buildings, sites, structures, and objects, as well as districts, that are important in American history, culture, architecture, or archeology. It is a Federal designation that is administered by the Massachusetts Historical Commission. Properties on the National Register are also on a companion list, the State Register of Historic Places. Listing on the Register recognizes the importance of the site to the community, state, or nation, and allows owners to take advantage of tax incentives for renovation or donation of preservation easements. National Register listing provides state historic preservation officers an opportunity to comment on projects that are funded or permitted by the state or federal governments. Unless a project involves such funds or permits, an owner's plans for a National Register property are not restricted in any way.

There are four National Register districts and six individually-listed properties in East Cambridge. These are:

- East Cambridge National Register District. Approximately 100 buildings primarily on Otis and Thorndike streets between First and Fifth streets. The district is largely residential in character, although it also includes the former Irving & Casson-A.H. Davenport factory, the Old Superior Courthouse, the Registry of Deeds, and the Putnam School.
- Lechmere Point Corporation Houses National Register District, 45-51 Gore Street and 25 Third Street. Brick row houses constructed in 1821.
- Sacred Heart Church, Rectory, School and Convent National Register District. An entire city block on Sixth Street constructed between 1874 and 1906.
- Winter Street National Register District. Approximately 15 early-19th century workers cottages on Winter and Sciarappa streets.

Individually listed properties include:

- American Net & Twine Co. factory, 155 Second Street
- Benjamin Hoyt House, 134 Otis Street
- Bottle House Block, 204-214 Third Street
- East Cambridge Savings Bank, 292 Cambridge Street
- House at 42 Lopez Avenue
- Union Railway Car Barn, 613-621 Cambridge Street

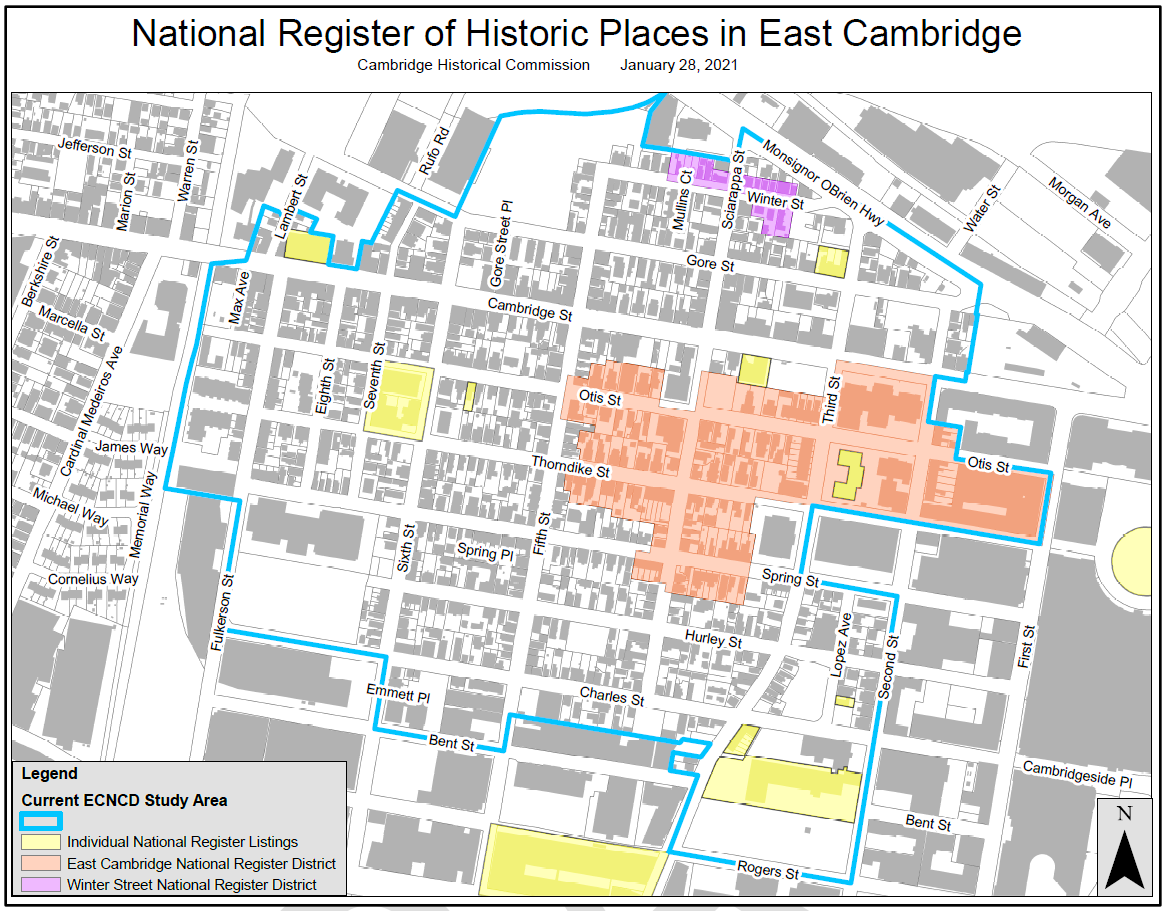


Figure 4. East Cambridge National Register Designations.

2. Local Historic Districts

The fundamental tool for historic preservation in Massachusetts is Chapter 40C of the General Laws, which authorizes cities to establish local historic districts by a two-thirds vote of the City Council. An historic district commission such as the Cambridge Historical Commission has authority to review all new construction, additions, and alterations to structures within the district and visible from a public way.

The Cambridge Historical Commission administers two Chapter 40C historic districts. The Old Cambridge Historic District, established in 1963, has been enlarged several times and now extends along Mason and Brattle streets from Harvard Yard to Fresh Pond Parkway. The Fort Washington Historic District on Waverly Street was designated in 1982.

a. Objectives

The purpose of historic districts is stated in the enabling legislation, Ch. 40C of the General Laws. The Act is intended

> to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns or their architecture, and through the maintenance and improvement of settings for such

> buildings and places and the encouragement of design compatible therewith.[2]

The first Massachusetts historic districts on Beacon Hill and Nantucket were established by special Acts in 1955 following an opinion of the Massachusetts Supreme Judicial Court that such legislation was a constitutional use of the state's power to promote public welfare. The SJC cited a United States Supreme Court decision in the case of Berman vs. Parker (1954).

> The concept of the public welfare is broad and inclusive . . . The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled.[3]

Subsequently, the SJC ruled, in connection with the right of a municipality to prohibit billboards, that "aesthetics alone may justify the exercise of the police power," and quoted Article 97 of the Amendments to the Massachusetts Constitution, which established the right of the people to "the natural, scenic, historic, and aesthetic qualities of their environment."[4]

The courts have also upheld historic districts on the grounds of their contribution to the economic well-being of a community. The Supreme Judicial Court in a Nantucket opinion noted that "the erection of a few wholly incongruous structures might destroy one of the principal assets of the town."[5] Courts have noted that these benefits may accrue to the individual property owner as well as to the community at large, but have considered that public purposes are served if the public good, measured in terms of increased property value or business volume, outweighs private costs.[6] It has been judicially determined that historic district designation does not necessarily constitute a taking of private property without compensation, and it has been noted that many zoning ordinances are as demanding in their application.[7] Once again, the public benefit is held superior to a reasonable degree of private sacrifice, a principle that was upheld by the Appellate Division of the New York Supreme Court in confirming the landmark designation of Grand Central Terminal.[8] In upholding this designation, the U.S. Supreme Court also ruled that "states or cities may enact land use restrictions or controls to enhance the quality of life by preserving the character and desirable aesthetic features of a city."[9]

Historic districts cannot be enacted easily or quickly. Chapter 40C requires a survey and report on the areas proposed for protection, review and comment by other public agencies, a public hearing with notification of all affected property owners, and passage of the historic district ordinance by the City Council by a two-thirds majority. Once a district has been established, the historic district commission reviews all construction and alterations of structures that will be visible from a public street, sidewalk, or park.

The authority of an historic district commission cannot be arbitrarily exercised. The legislation requires that a commission "shall not make any recommendations or requirement except for the purpose of preventing developments incongruous to the historic aspects or architectural features of the . . . district." The Supreme Judicial Court, in reviewing the Nantucket ordinance in 1955,

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[2] Chapter 373, Acts of 1960, §2
[3] 348 U.S. 25 (1954).
[4] John Donnelly & Sons vs. Outdoor Advertising Board (1975).
[5] 333 Mass. 773, 780 (1955).
[6] T. J. Reed, Land Use Controls in Historic Areas, 44 Notre Dame Lawyer 3, 387.
[7] 333 Mass. 773, 778 (1955).
[8] 50 A.D. 2nd 265, 377 N.Y.S. 2nd 20 (1975).
[9] Penn Central Transportation Co. vs. New York City, 438 U.S. 104 (1978).

warned that enforcement actions would need to be carefully circumscribed, since in some instances decisions of an historic district commission might give rise to "peculiar hardship and remoteness from the legitimate purpose of the act" which would amount to unconstitutional applications of it. Accordingly, the legislation establishes a time limit requiring a commission to act on a petition within a given period and provides for appeal of commission decisions.

b. Administration of Historic Districts

The administration of historic districts is guided by the provisions of Chapter 40C, except as specially provided for in the local ordinance creating the district, or as established as a regulation by an historic district commission.

All buildings of whatever size or function, as well as all structures, including signs, fences, walks, terraces, driveways, walls, light fixtures, or the like, which are "open to view from a public street, public way, public park or public body of water", may fall within the review of an historic district commission.[10] Building projects that must be reviewed include construction, reconstruction, alteration, erection, demolition, and removal as they affect exterior features of a structure visible from a public street, way, or park. Such features may include the kind, color, and texture of exterior building materials, the color of paint or materials used on exterior surfaces, and the type and style of windows, doors, lights, signs, and other fixtures, unless exempted by the ordinance or by regulation. An historic district commission may also impose dimensional and setback requirements more stringent than required by the zoning code.

After reviewing the proposed work, a commission must issue a Certificate of Appropriateness, a Certificate of Hardship, or a Certificate of Nonapplicability, as the case may be. No building or demolition permit for work in a district can be issued by a building department until a certificate has been issued by an historic district commission, unless more than 45 days has elapsed without commission action.[11]

The authority of an historic district commission is limited by statute:

> The commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the historic district.[12]

If a commission disapproves an application, it must give its reasons to the applicant in writing. However, commissions are specifically authorized to make recommendations for changes which would make the application acceptable. If the applicant modifies the application to conform to a commission's suggestions, a certificate must then be issued.

Appeals from historic district commission decisions may be made to the Superior Court, or, if the ordinance provides, initially to a panel appointed for the purpose. Standing is granted to "the applicant, an owner of adjoining property, an owner of property within the same historic district as property within one hundred feet of said property lines and any charitable corporation in which one of its purposes is the preservation of historic structures or districts."[13]

When an appeal is made to the Superior Court, all "pertinent evidence" shall be heard and the

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[10] M.G.L. Ch. 40, Section 5.

[11] Chapter 40C permits as much as 60 days. Section 2.78.060 of the City Code requires 45 days in Cambridge.

[12] Chapter 40C, Section 7.

[13] Chapter 40C, Section 5. The City Solicitor has interpreted this definition of standing as including the applicant, any abutter, any owner of property within 100 feet of the applicant's property, and charitable corporations as described. (Letter of Russell B. Higley, March 10, 1999.)

court "shall annul the determination of the commission if it finds the decision . . . to be unsupported by the evidence or to exceed the authority of the commission."[14] In practice, the courts have supported historic district commission decisions unless they have found evidence of arbitrary or capricious actions.

c. Establishment of Historic Districts

Procedures for establishing or expanding an historic district are dictated by Chapter 40C. An historic district study committee prepares a report on the historical and architectural significance of the buildings, structures or sites to be protected, a map showing the boundaries of the area to be included in the historic district, and an ordinance for consideration by the City Council.

The report must be submitted to the local planning board and the Massachusetts Historical Commission. A public hearing, for which all affected property owners must be given two weeks written notice, must be held no less than sixty days after the report has been released. After the hearing, the historic district commission prepares a final report which incorporates the comments received at the public hearing and the recommendations of the planning board and the MHC. The report may then be submitted to the City Council, where a two-thirds majority is required for adoption. The district or district extension goes into effect when a map showing the boundaries is filed with the registry of deeds.

3. Landmark Designation

Protection of individual buildings in Cambridge is exercised under the authority of Chapter 2.78, Article III of the City Code, which was adopted in 1981 under the City's home rule authority. The ordinance allows individual properties to be designated as protected landmarks using the goals and procedures of Chapter 40C. (It was generally assumed at the time that Chapter 40C did not permit designation of individual buildings as historic districts; although many Massachusetts communities now designate individual buildings under Chapter 40C, Cambridge continues to designate landmarks under its own ordinance.)

Under the landmark ordinance, the Historical Commission may recommend for designation as a landmark any structure,

> which it determines to be either (1) importantly associated with one or more historic persons or events, or with the broad architectural, aesthetic, cultural, political, economic or social history of the City or the Commonwealth or (2) historically or architecturally significant (in terms of period, style, method of construction or association with a famous architect or builder) either by itself or in the context of a group of structures.[15]

In most respects, a landmark is designated and administered in a manner similar to an historic district, although the ordinance allows greater flexibility in tailoring the terms of the designation to accommodate the particular circumstances of the landmarked property. A designation study may be initiated by a petition of ten registered voters, or by the Commission acting on its own. Under an amendment to the ordinance adopted in 1995, the commencement of a landmark designation study allows the Commission to protect the structure from inappropriate change for up to one year to allow preparation of a report and a recommendation to the City Council. Landmarks are designated by simple majority vote of the City Council, and designation orders incorporate

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14 Chapter 40C, section 12A.

15 Cambridge City Code, §2.78.180.A

by reference the Commission's report on the standards and objectives by which applications for changes are to be judged.

A landmark study can be terminated without a recommendation to the City Council if the Commission decides that designation is not warranted. Sometimes, a property owner will decide that it would be more advantageous to donate a preservation easement to the Commission than to have the Commission and the City Council continue with designation. As discussed below, a preservation easement granted to the City is usually equivalent to a landmark designation.

4. Neighborhood Conservation Districts

Neighborhood conservation districts (NCDs), which are established under the same Cambridge ordinance as landmarks, were intended to provide more flexible protection than could be accomplished in an historic district under Chapter 40C. Chapter 2.78, Article III provides a legislative framework within which proposals for NCDs can be drafted by a study committee, evaluated by the Historical Commission, and adopted by the City Council. Districts have been established to serve a wide range of objectives, from preventing excessive infill in Mid Cambridge to supporting the commercial vitality of Harvard Square. NCDs can be administered by a commission of neighborhood residents or by the Historical Commission itself.

a. Objectives

The authority to designate neighborhood conservation districts is contained in Chapter 2.78, Article III of the Cambridge City Code, which was enacted by the City Council on March 23, 1981 under the Home Rule amendment to the Massachusetts Constitution.

Chapter 2.78, Article III was enacted to provide a mechanism and framework to decentralize the protection of neighborhoods in Cambridge in a manner beyond that contemplated by Chapter 40C of the Massachusetts General Laws. In drafting the ordinance, the Commission found precedent in Chapter 772 of the Acts of 1975, the act establishing the Boston Landmarks Commission. This act authorized the City of Boston to designate architectural Neighborhood Conservation Districts, protection areas, and protected landmarks. The Cambridge Historical Commission drew on Chapter 772 for some concepts and definitions, but wherever possible adopted the familiar historic district procedures of Chapter 40C for the new task of neighborhood conservation.

The purposes of Article III are:

> to preserve, conserve and protect the beauty and heritage of the City of Cambridge and to improve the quality of its environment through identification, conservation and maintenance of neighborhoods . . . which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the City; to resist and restrain environmental influences adverse to this purpose; to foster appropriate use and wider public knowledge and appreciation of such neighborhoods . . . ; and by furthering these purposes to promote the public welfare by making the city a more attractive and desirable place in which to live and work.

b. Establishment of Neighborhood Conservation Districts

Procedures for the establishment of a neighborhood conservation district substantially parallel provisions for establishment of historic districts under Chapter 40C. Any ten registered voters may petition the Historical Commission to request the City Manager to appoint a study

committee.[16] Alternatively, the Historical Commission may initiate the study independently. The study committee must prepare a preliminary report which considers the options set forth in Article III for the neighborhood conservation district's review authority, outlines the exact boundaries of the area to be designated, presents an architectural and historical justification for the area, and includes an order to implement the district.

Copies of the preliminary report of the study committee must be submitted to the Historical Commission, the Planning Board, the City Manager, and the City Clerk. The Historical Commission must hold public hearing, for which all affected property owners must be given fourteen days' notice, within 45 days of receiving the report.

After the public hearing, the Historical Commission makes a recommendation to the City Council with regard to the designation, which is transmitted with the final designation report to the City Manager and the City Clerk. The order designating the district can be adopted by a simple majority. The designation becomes effective when a map setting forth the boundaries of the district has been filed with the City Clerk and recorded at the Middlesex County Registry of Deeds. Unless the order provides that the Historical Commission itself will administer the district, it will be administered by a neighborhood conservation district commission consisting of five members and three alternates appointed by the City Manager.

Neighborhood conservation districts were established in Mid Cambridge in 1984, in the Half Crown area in 1985, on Avon Hill in 1998, and in Harvard Square in 2000. The Marsh NCD, established in 2000, was combined with the Half Crown NCD in 2007.

c. Administration of Neighborhood Conservation Districts

The administration of neighborhood conservation districts is guided by the provisions of Chapter 2.78, Article III, except as specially provided for in the order creating the district, or as established as a regulation by the commission administering the district.

As in historic districts, all buildings of whatever size or function, as well as all structures, including signs, fences, walks, terraces, driveways, walls, light fixtures, or the like, which are "open to view from a public street, public way, public park or public body of water", may fall within the jurisdiction of a neighborhood conservation district commission.[17] Building projects subject to review include construction, reconstruction, alteration, erection, demolition, and removal as they affect exterior features of a structure visible from a public street, way, or park. Unless exempted by the order or by regulation, jurisdiction can extend to the kind, and appearance of exterior building materials, and the type and style of windows, doors, lights, signs, and other fixtures. A neighborhood conservation district commission may also impose dimensional and setback requirements more stringent than required by the zoning code.

After reviewing the proposed work, a commission may issue a Certificate of Appropriateness, a Certificate of Hardship, or a Certificate of Nonapplicability, as the case may be. No building or demolition permit for work in a district can be issued by the building department until a certificate has been issued by a neighborhood conservation district commission unless more than 45

[16] A decision by the Superior Court in the case of *Gifford vs. Cambridge Historical Commission* (2017) confirmed that the Commission can vote to decline a landmark or neighborhood conservation district designation petition, a vote is entirely discretionary and not subject to appeal

[17] M.G.L. Ch. 40, Section 5, and similar language in Ch. 2.78.150B.

days has elapsed without commission action.[18]

A Certificate of Appropriateness will be issued when a commission has determined that a project is not incongruous with the conservation of the district; this is the most frequently-issued certificate. A Certificate of Nonapplicability is issued for a project which a commission determines involves normal maintenance or does not involve an exterior feature, or one not visible from a public way. Finally, a Certificate of Hardship may be issued when refusal to issue a Certificate of Appropriateness or Nonapplicability would cause the applicant substantial hardship, financial or otherwise, as long as there is no substantial detriment to the district.

Applications for a certificate are made by completing an application form, which includes a description of the proposed alteration, and submitting the application with "such plans, elevations, specifications, material and other information … as may be deemed necessary by the Commission to enable it to make a determination."[19] These supporting materials generally are the same as are required by the Inspectional Services Department for a building permit or by the Planning Board or Board of Zoning Appeal for a hearing. As in historic districts, a commission must determine within fourteen days of an application whether a certificate is required.

In passing on applications for certificates, a commission is required to consider, among other things, the historic and architectural value and significance of the site, building, or structure, the general design, arrangement, texture, material and color of the features involved, and the relationship of these features to similar features of buildings in the surrounding area. In the case of new construction or additions to existing buildings, a commission must consider the size and shape of the building, in relation to both its site and surrounding buildings.[20] A commission can also establish appropriate designs or lists of materials or the like for the guidance of property owners and can decide to exempt certain features from review after the district is established.

A neighborhood conservation district commission does not regulate alterations to interior arrangements or architectural features not subject to public view.[21] Landscaping with plants, trees or shrubs is specifically exempted from review, and a district does not prevent ordinary maintenance, repairs, or replacements that do not involve a change in exterior appearance.[22]

Finally, it should be noted that the authority of a neighborhood conservation district commission is limited:

> The commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects, architectural significance, or the distinctive character of the landmark or Neighborhood Conservation District.[23]

Enactment of a neighborhood conservation district in no way requires owners to alter their properties, nor requires restoration of a structure to any historical period. Work must be reviewed only if it involves a change from that which exists; maintenance or replacement in kind of an existing feature that is incongruous with the historic or architectural qualities of the district may

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[18] Chapter 40C permits as much as 60 days. Section 2.78.060 of the City Code establishes the 45 day period in Cambridge. Chapter 2.78, Article III does not specify a time limit for action, but incorporates the procedures outlined in Ch. 40C, Section 11.

[19] Ch. 2.78.210.C.

[20] Chapter 2.78.220A.

[21] Chapter 2.78.220A.

[22] Chapter 2.78.200.

[23] Chapter 2.78.220.B. This section tracks the language of M.G.L. Ch.40C, Section 7.

take place without a certificate as long as there is no change in exterior appearance.

Applications for certificates are first reviewed by the staff to establish jurisdiction. If the matter is beyond the authority of the staff to resolve it is placed on the agenda of the next meeting of the commission. The commission reviews applications in public hearings, with notice given to interested parties. If the application involves an alteration which is considered insubstantial in effect, however, the commission may approve the matter subject to a ten-day period for comment or objection.

As in historic districts, a commission must give its reasons for disapproving an application to the applicant in writing. Commissions are authorized to make recommendations for changes which would make the application appropriate. If the applicant modifies the application to conform to a commission's suggestions, a certificate must then be issued.

d. Appeals in Neighborhood Conservation Districts

Chapter 2.78, Article III, Section 240 applies to neighborhood conservation districts and landmarks and provides for appeals from three types of action: from the designation of a landmark or NCD by the City Council; from a determination of a neighborhood conservation district commission; and from a determination of the Historical Commission. Standing is granted in the first instance to “any person aggrieved;” in the second, to the applicant or ten registered voters; and in the third, to the applicant alone. Appeal of a designation is made to the superior court; appeal from a determination of an NCD commission to the Historical Commission; and appeal from a determination of the Historical Commission to the superior court. A provision of Ch. 40C that allows appeals to a panel appointed by the regional planning agency is not available under the neighborhood conservation ordinance.

5. Demolition Review

Cambridge’s demolition delay ordinance, Ch. 2.78, Article II of the City Code, was adopted in 1979 under the authority of the Home Rule Amendment to provide interim protection for significant buildings threatened by inappropriate demolition. The ordinance applies to applications for demolition permits for all buildings over fifty years old. The Executive Director’s initial determination that the building is significant triggers a public hearing before the Historical Commission. If the Commission finds that the building is both significant and "preferably preserved" in comparison to the replacement project, the Building Commissioner must withhold the demolition permit for twelve months.

Ordinarily, at the conclusion of the delay period the demolition permit will be issued without further review, provided that the property owner has all the necessary permits for the replacement building. The Commission, however, has the option of initiating a landmark designation study for the building during the demolition delay period. This effectively protects the building for up to another year while a recommendation is prepared for the City Council. The demolition review ordinance does not apply in historic districts or neighborhood conservation districts.

6. Preservation Easements

Chapter 184 of the General Laws allows a property owner to record a preservation easement or restriction that will protect the structure from demolition or inappropriate alteration. The Cambridge Historical Commission has accepted preservation easements as an alternative to landmark designation. Easements are generally limited to a duration of thirty years, although perpetual restrictions are allowed if the property is listed on the National Register of Historic Places. Easements remain in effect when an historic district or neighborhood conservation district is enacted.

While the specific restrictions contained in a preservation easement may vary from building to building, the more restrictive jurisdiction would apply in the event of an inconsistency between the easement and a district. There are currently no buildings in East Cambridge protected by preservation restrictions.

While Cambridge has an extensive array of historic preservation tools, in practice most preservation initiatives are taken to preserve buildings with obvious historic significance or in response to specific development threats. While many East Cambridge buildings are regulated in some way (almost all are subject to the fifty-year threshold for demolition review), the neighborhood's many modest but still significant contextual structures are likely to remain unprotected until they are in imminent danger. Contextual buildings are sometimes difficult to designate as landmarks, but their loss can adversely affect the character of the urban fabric.

C. Property Values and Rents in Historic Districts and NCDs

Over the past few decades, numerous studies have been undertaken to measure the economic impact of historic preservation regulations. While there are variations in scope, location, and methodology among the studies, a sizable number of them focus on the impact of historic districts on property values and affordability. Such studies typically examine the value of the affected properties, the rate of change in values, and/or the contributory value of being within a local historic or conservation district. Most of these studies focus on historic districts, not conservation districts, and widely conclude that historic districts are in fact associated with a net increase in housing costs. However, the opposite is sometimes true for conservation districts.

A study conducted in New York City between 1980 and 2000 found that local historic district properties on a price per square foot basis increased in value significantly more than non-designated properties.[24] Similarly, a study of four towns and cities in Connecticut in 2011 determined "in head-to-head square-foot comparisons based on age and style, properties within local historic districts were worth more than similar properties not within the districts".[25] It should be noted, however, that local historic districts were often established in affluent neighborhoods with larger, more valuable, and more architecturally significant properties, and that historic district regulations are typically quite rigorous.

Neighborhood conservation districts are a means by which neighborhoods can maintain their character while allowing change (which is usually discouraged in local historic districts). NCDs came about within the past few decades as the field of preservation became more inclusive. Cities such as Philadelphia, Dallas, and Boston have seen increased desire by neighborhood residents to establish conservation districts as a tool to retain existing building fabric and affordability.[26] The conservation district movement embraces vernacular architecture and recognizes the importance of social history and cultural diversity, not just preservation of architecturally significant mansions built by wealthy citizens and has grown in importance as an anti-gentrification movement.

Academic research on the financial impacts of conservation districts is limited in comparison to

[24] Glaeser, Edward L. Preservation Follies (2010)
[25] Connecticut Local Historic Districts and Property Values (2011) PlaceEconomics
[26] https://whyy.org/articles/the-rise-of-the-overlay-how-an-obscure-zoning-tool-is-shaping-philly-again/; Boston Globe, "Chinatown residents celebrate new affordable housing …", August 15, 2021

that of historic districts for two major reasons. First, conservation districts are a much more recent concept than historic districts. Second, conservation district goals and guidelines vary greatly between neighborhoods, so generalized comparisons of similar neighborhoods are not necessarily valid; conservation districts draft neighborhood-specific standards to meet the challenges they face and no two are identical.

One 2008 study analyzing the effects of conservation districting on housing affordability in Dallas has been mentioned numerous times by some participants in the ECNCD study process. [27] The finding that the study "demonstrates a positive and statistically significant relationship between residential sales prices and properties located within conservation districts" may be true in Dallas, but there are numerous variables which are unaccounted for. First, the study focuses solely on Dallas conservation districts. Existing conservation districts in Dallas are almost entirely early 20th century single-family homes on large lots; a stark contrast to the complex housing types and density found in East Cambridge.

Second, the study does not consider the variety of conservation district standards in Dallas. For instance, in Conservation District #15, the Vickery neighborhood, the maximum height allowed is 30' and the maximum number of stories allowed is two stories. The district provides no protection for demolition but requires new construction to be designed with features of a historic style. Allowed to build in the Prairie style (a square box), developers have maximized the size of replacement buildings that sell for a higher price per square foot, which increases assessed values. In another district, CD #6 (Hollywood/Santa Monica), where the height is limited to 24' (1½ stories). This conservation district provides a much smaller buildable area for developers. As a result, CD #6 is stable in prices and is the district least likely to see new construction.

William Hersch, Chief Planner in the city's Planning & Urban Design Department, described trends in Dallas.

We have districts that are looking into forming just to help ensure that taxes do not go up. Old Lake Highlands is thinking about becoming a CD. It is a collection of small, one-story Ranch houses that has seen new McMansion construction in the last few years. This not only dwarfs the original houses, but the larger homes garner a much higher price, which in turn increases taxes for the neighborhood. By limiting the number of stories allowed to one story (the Ranch style), developers will not see this as a viable place for new constriction, and it could be more financially stabilized as a result.[28]

Due to the dissimilarity of housing types in cities all over the country, coupled with the fact that goals and guidelines can vary substantially from one conservation district to another, CHC staff felt it would be most effective to understand the role of conservation districting on Cambridge properties, not rely on outdated studies in other parts of the country. In this context CHC staff worked with other city departments to conduct an in-depth, multi variable study on the effects of conservation districts on housing costs and better understand the impact of NCDs on housing prices in Cambridge.

1. Assessed Value Analysis

Historical Commission staff worked with Cambridge's Assessing and Geographic Information System (GIS) departments to better understand the impact of neighborhood conservation district

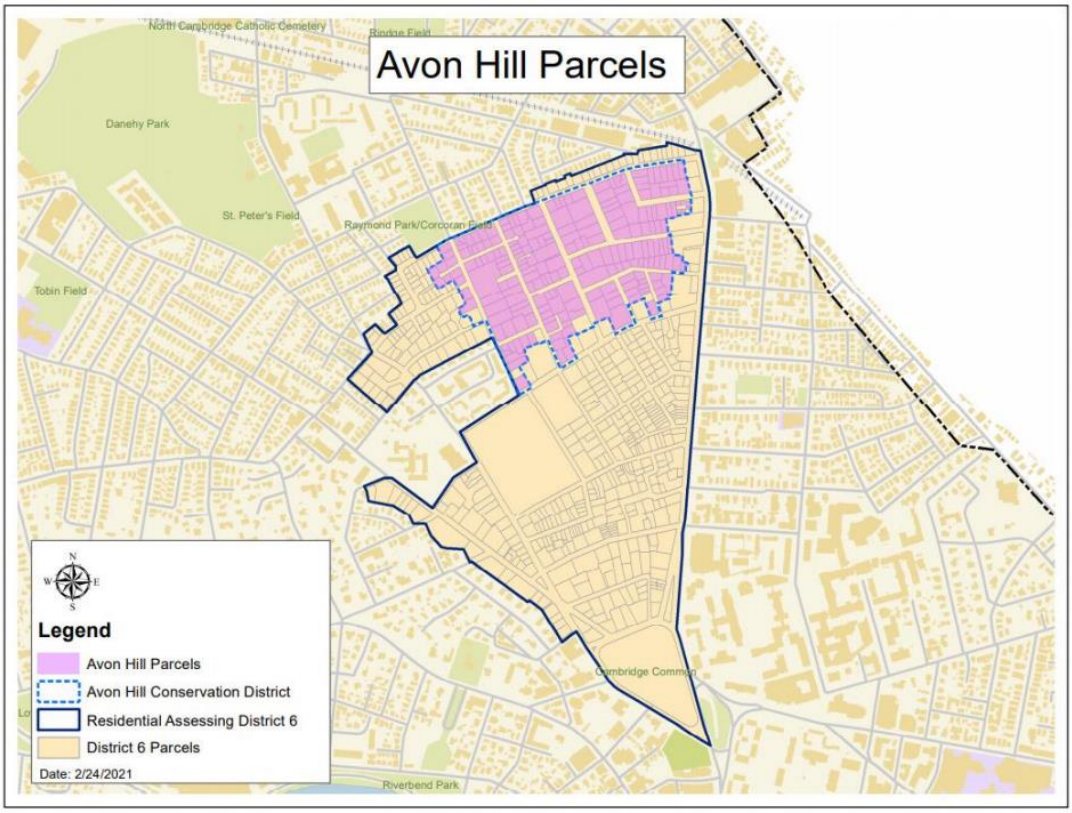
[27] Conservation Status and Residential Transaction Prices: Initial Evidence from Dallas, Texas. (2008) Journal of Real Estate Research 30(2):225-248 Diaz III et.al.

[28] William Hersch to Eric Hill, electronic communication, January 8, 2020.

designation on property values. For this study, assessed valuation data rather than sales data was used, since assessed data is a public record and provides larger samples than that would be available from property transactions. Two existing neighborhoods were analyzed by comparing assessed valuations from before they were established as NCDs with the most recent valuations. The NCD parcels were compared to parcels in their wider assessing districts, which are generally similar in building type and size.

a. Avon Hill NCD

The Avon Hill Neighborhood Conservation District contains 285 properties in an area roughly bounded by Linnaean Street, Raymond Street, Upland Road and the zoning boundary of the BA-2 and C-2 districts along Massachusetts Avenue. The Avon Hill NCD was adopted by City Council in December 2009.



In the Avon Hill study, fiscal year 2010 assessments (Value Prior to District Creation) were compared to the fiscal year 2021 assessment (Current Value), comparing growth in Assessing District Six within and outside the NCD in the approximately ten years since adoption. The comparison found that there was no discernable difference between the two surveyed areas in terms of growth in assessed value. The assessed value for parcels both inside and outside the NCD increased on average 90% in 10 years.

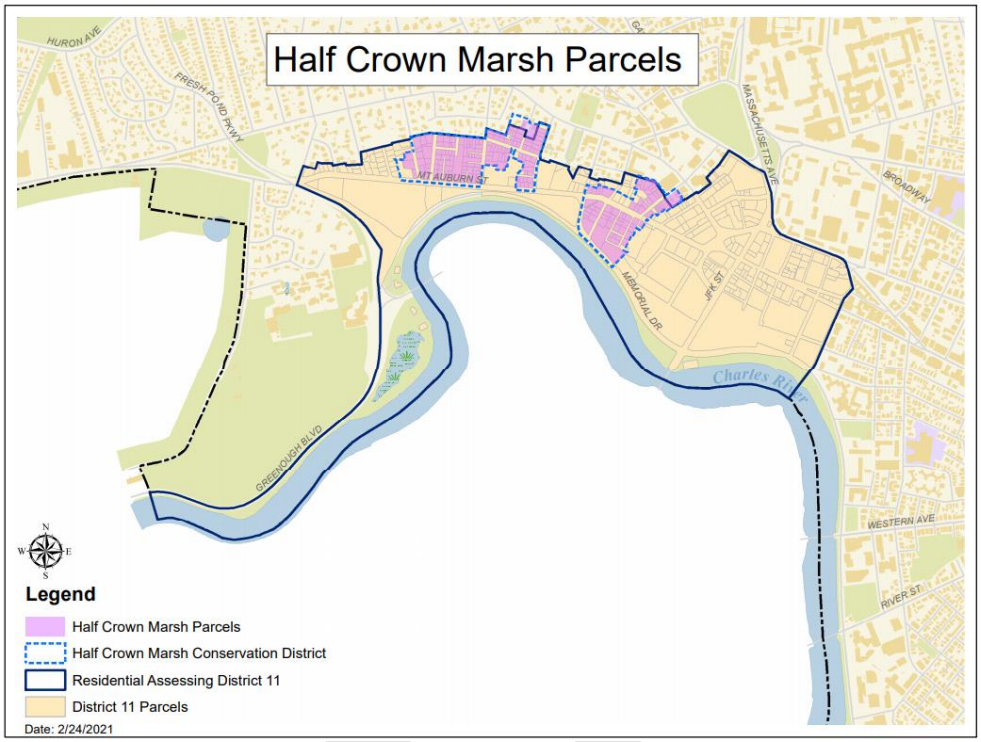
In Avon Hill NCD?	Count	Value Prior to District Creation	Current Value	Average of Pct Increase	Average of Prior Assess/SF	Average of Current Assess/SF
Not In District	1788	$517,854	$975,919	90%	$450	$852
In Conservation District	285	$1,164,639	$2,216,658	90%	$456	$857
Grand Total	2073	$606,775	$1,146,498	90%	$451	$853

The table below breaks out Assessing District Six parcels by type in addition to location in or out of the conservation district. Again, there was little to no difference in the change in assessed value. It also becomes apparent that initial difference in assessed value between NCD parcels and non-NCD parcels was driven by a different mix of uses and building square footage rather than any effect of the conservation district on values.

Avon Hill NCD	Count	Value Prior to District Creation	Current Value	Average of Pct Increase	Average of Prior Assess/SF	Average of Current Assess/SF
Single Family	370	$1,417,796	$2,669,081	92%	$488	$915
SF Not In District	217	$1,369,818	$2,546,985	92%	$503	$939
SF In Conservation District	153	$1,485,842	$2,842,250	91%	$467	$880
Condo	1599	$382,816	$725,491	90%	$450	$853
Condo Not In District	1488	$359,774	$682,084	90%	$449	$852
Condo In Conservation District	111	$691,702	$1,307,389	89%	$461	$865
Two Family	72	$1,105,322	$2,081,935	89%	$349	$656
Two Fam Not In District	56	$1,046,011	$1,978,836	90%	$347	$654
Two Fam In Conservation District	16	$1,312,913	$2,442,781	86%	$355	$661
Three Family	32	$1,298,566	$2,474,075	91%	$311	$596
Three Fam Not In District	27	$1,287,085	$2,462,656	92%	$309	$596
Three Fam In Conservation District	5	$1,360,560	$2,535,740	87%	$322	$598
Grand Total	2073	$606,775	$1,146,498	90%	$451	$853

b. Half Crown-Marsh NCD

The Half Crown-Marsh Neighborhood Conservation District in Assessing District Eleven contains 160 properties and encompasses two neighborhoods separated by a portion of the Old Cambridge Historic District. The district is located west of Harvard Square between Brattle Street and the river, with Hilliard Street on the east and Lowell Street on the west. The Half Crown Neighborhood Conservation District and the Marsh Neighborhood Conservation District were established in 1984 and 2000, respectively. The districts were merged in 2007. In the Half Crown-Marsh study, fiscal year 2000 assessments were compared to the fiscal year 2021 assessments to compare differences within and outside the NCD.



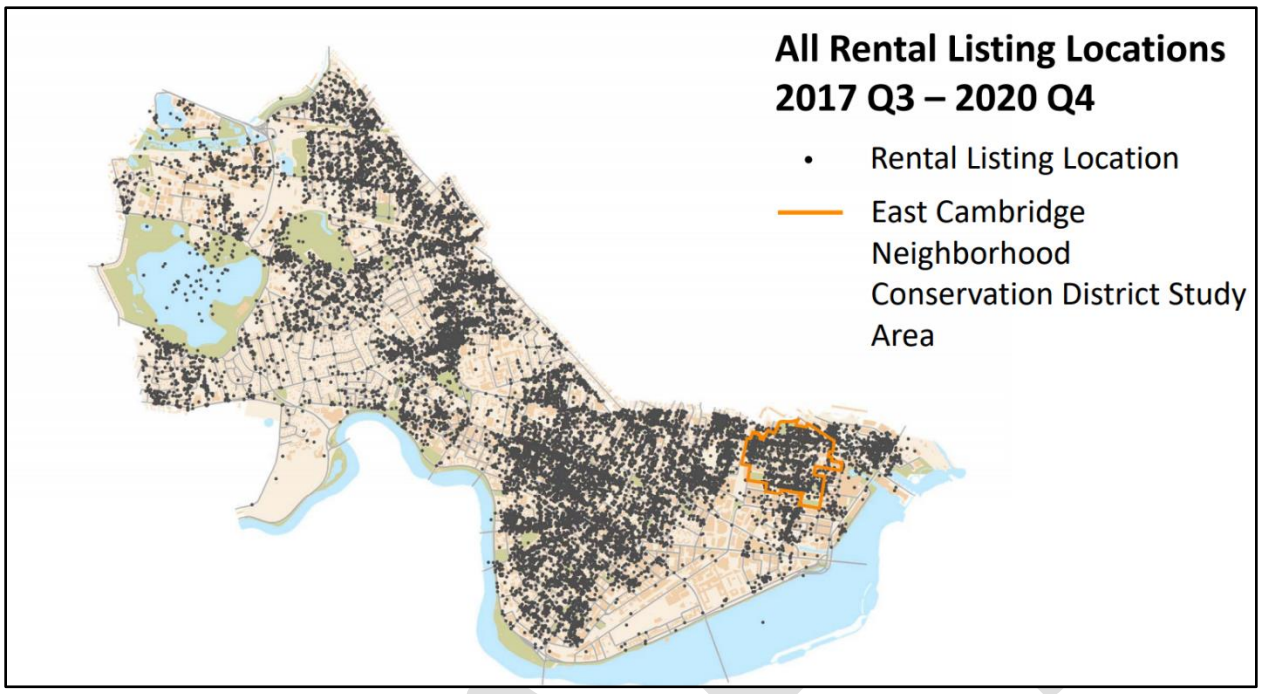
The study determined that property assessments in the Half Crown-Marsh NCD have risen more slowly than those in the rest of the Assessing District. The table below includes assessments for residential properties including single family, two-family and three-family buildings. The NCD parcels are compared to those outside the NCD within Assessing District Eleven.

In NCD District?	Count	Avg of FY2000 Assessment	Avg of FY2000 Assess/SF	Avg of Current Assessment	Avg of Current Assess/SF	Average of Pct Change
No	56	$629,236	$247	$2,512,532	$981	310%
Yes	160	$584,020	$282	$2,066,796	$972	269%
Total	216	$595,743	$273	$2,182,357	$974	279%

The average assessed value of Half Crown-Marsh NCD properties increased 26.9% over 21 years, while the average assessed value of non-NCD properties in the Assessing District increased 31.0% in the same period. While the sample size of the non-NCD parcels is smaller than in Avon Hill, the results show that no significant change in values attributable to enactment of an NCD occurred in either Assessing District.

2. Rental Analysis

According to most recent available data, the East Cambridge Study Area contains 3,869 dwelling units. Among occupied units, 41% are owner-occupied and 59% are renter-occupied. Since over half of all dwellings in the study area are renter-occupied, it is important to understand the impact that establishment of an NCD may have on rental costs. The Cambridge Historical Commission and Community Development Department (CDD) jointly sought to analyze available data to gauge the potential impact on rents of the establishment of an NCD.



The analysis relies on city-wide data provided by the Metropolitan Area Planning Council (MAPC) which was scraped from websites advertising units for rent in Cambridge. Data used in the analysis spans Quarter 3 of 2017 through Quarter 4 of 2020. CDD used ArcGIS and location data provided with the MAPC data set to ensure that all listings included in the analysis were from the study area. Default locations, such as zip code and neighborhood centroids, were removed from the data subject to analysis.

Rental listings were separated into three classifications: NCD listings (i.e., listing located in an existing NCD); city-wide listings outside an existing NCD; and city-wide listings outside both an existing NCD and neighborhoods where significant large multifamily development has taken place, specifically areas in and around Kendall Square, Cambridge Crossing, and Alewife (see addendum for the full report, including geographic boundaries). Additionally, rental listings were further broken-down by bedroom count, evaluating data for studio, 1-bedroom, 2-bedroom, and 3-bedroom apartments.

Mean Differences in Median Asking Prices

	Median Inside NCDs less Median Outside NCDs	Median Inside NCDs less Median Outside NCDs Except Alewife & MIT/Kendall/North Point Areas
Studio	$(210)	$(137)
1-Bedroom	$(143)	$(56)
2-Bedroom	$(177)	$(100)
3-Bedroom	$64	$107

In most instances the analysis found that the median rents for units located outside existing NCDs exceeds those within NCDs. For example, the median rent of studio apartments outside existing NCDs was $210 per month greater than those in districts. Only in the case of 3-bedroom units did median rents inside existing NCDs exceed those found elsewhere in Cambridge.[29]

3. Conclusion

While some studies show significant increases in property values in historic districts nationally, the record for neighborhood conservation districts is mixed. Studies of the effect of NCDs on property values and rents in Cambridge suggest that NCDs do not materially affect property values or rents.

- An analysis of Assessing District Six shows no significant difference in values over time inside and outside the Avon Hill Neighborhood Conservation District.
- In Assessing District Eleven, property values in the Half Crown-Marsh NCD have risen more slowly than those elsewhere in the Assessing District.
- Median rents in Cambridge NCDs are lower than elsewhere in the city (excluding Alewife, Cambridge Crossing, and Kendall Square).

D. Results of Temporary Jurisdiction in the Study Area

When the Historical Commission initiated the East Cambridge NCD Study on October 3, 2019 it adopted interim guidelines for review of building permit applications. For the next two years CHC staff reviewed all permit applications in the study area, signing off on those where the Commission had no jurisdiction and referring others to the Commission where necessary.

The following interim guidelines for residential areas were based on those of the Half Crown-Marsh NCD and for the commercial district along Cambridge Street on those of the Harvard Square Conservation District. The Half Crown-Marsh neighborhood, the majority of which is characterized by densely-packed worker's cottages built by Irish immigrants in the 1850s, was thought to be the closest analogue to the residential streets of East Cambridge, while the primary goal of the Harvard Square District is to promote the commercial vitality of the area. These guidelines remained in effect until CHC jurisdiction ended in September 2021.

The following objectives and principles are to be applied in considering applications for certificates of appropriateness or hardship [in the East Cambridge NCD Study Area]. The Commission shall endeavor to:

1. *Conserve the historic architectural character of the neighborhood, including the modest character that typifies the mid to late 19th-century workers' and suburban housing of the neighborhood and the overall simplicity of its traditional wood-frame vernacular architecture, as well as the early 20thcentury apartment houses where they exist.*
2. *Conserve the historic development patterns of the neighborhood, including its dense network of short, through-block streets, courts, back streets, and ways.*
3. *Conserve the historic development patterns of the neighborhood, including its dense network of short, through-block streets, courts, back streets, and ways.*

[29] At least one member of the Committee disagreed with this characterization of the results of the rental study and believes that more analysis is needed before drawing conclusions.

4. *Allow for architectural diversity and individualized alterations while respecting the traditional small scale of the housing stock.*
5. *Encourage the planting of trees and greenery to enhance the landscape amenities of the neighborhood.*
6. *Encourage low fences to define the street edge while protecting views of houses and through yards, while permitting flexibility to minimize the adverse visual effect of trash containers, air compressors, transformers and other fixtures whose location may not otherwise be practically screened from public view.*
7. *Consider traffic impacts of proposed development as they may affect traditional street patterns and pedestrian activity.*
8. *Discourage the construction of parking lots as a principal use.*

Interior renovations, work not visible from a public way, and paint colors are not subject to review in neighborhood conservation districts. As permitted by Ch. 2.78.090, the staff recommends that the Commission adopt the following additional exclusions from review during the term of its interim jurisdiction.

- *The application of exterior wall material in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, window or door casing, or any other protruding decorative element.*
- *Alternations to the exterior of existing structures that do not increase or diminish the size and location of windows and doors, cause the removal of any bay, porch, hood, window or door casing or any other protruding decorative element, or alter the appearance of a roof.*
- *Signs, temporary structures, lawn statuary, or recreational equipment.*
- *Terraces, walks, driveways, sidewalks and similar structures substantially at grade level.*
- *Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork and similar appurtenances.*
- *Restoration of historic features consistent with building history.*
- *New walls and fences 4' or less in front of a building, or 6' or less behind for front wall plane.*

The Commission's interim review should also accommodate the distinct commercial character of Cambridge Street. The Commission's treatment of properties in the Business A zoning district along Cambridge and Third streets should reflect the goals and guidelines of the Harvard Square Conservation District, which among other things support the commercial vitality of the area, exempt signs that conform to zoning, and exempt store- front alterations that preserve or restore significant original features of the structure.

In the two years that CHC had jurisdiction in the study area (from October 3, 2019 through September 10, 2021), 205 permits were reviewed. 100% of these applications were approved, although sometimes with conditions that enabled conformance with the guidelines. No projects were denied, and no housing units were lost because of Commission review.

a. Certificates of Non-Applicability granted with administrative approval

Certificates of Non-Applicability (CNAs) accounted for 192 of the 205 projects reviewed, representing 93.7% of permits approved. Certificates of Non-Applicability were granted for projects not under the purview of the Commission (interior work or exterior work not visible from a public way), restoration work, and replacement of features in kind. Some larger projects that included a full renovation were issued a CNA after discussions with staff that led to restoration of existing architectural features and accurately detailed replacement materials. Once complete, CNA applications were typically approved within 1-3 business days.

During the study period, staff routinely met with applicants, who included long-term residents, new homeowners, and developers, to explain the design review process and interim design standards for the study area. During these discussions, staff was able to understand the projects proposed and in certain circumstances suggest updates to the designs or restoration of existing fabric to expedite administrative review.

Examples of projects that were approved following staff review include 90 Thorndike Street, which entailed a full renovation of an 1867 rowhouse. The project originally called for the replacement of the front door and wood paneling at the entry, a new storm door at the street, and 1+1 windows. Staff met with the applicant on site to review the significance and condition of the entry detailing and door. After a discussion of the NCD guidelines, the applicants decided to restore the front door and paneling, restore the recessed entry by removing the later storm door at the street, and install period-appropriate 2+2 replacement windows. The masonry was repointed and the brownstone was restored. At the rear, which was not visible from a public way, the developer enlarged openings to modernize the space. The project was given a Cambridge Preservation Award for the renovation.

Case 4215: 90 Thorndike Street façade before and after administrative permit review.

Another project, at 70 Gore Street, involved a developer gut-renovating an 1870s tenement. At the time of purchase, the building retained little architectural integrity beyond the historic window and door configuration and the brackets at the cornice and door. After discussions with staff, the development team retained the brackets and door hood, replaced the later synthetic siding with a fiber cement siding, and restored the foundation. Now in compliance with the guidelines, the project was approved at the staff level and granted a Certificate of Non-Applicability.

Case 4211: 70 Gore Street (1870) before and after administrative permit review.

b. Certificates of Appropriateness granted after a public hearing

The remaining 13 permits (representing about 6.3% of permits reviewed) were given Certificates of Appropriateness (COAs) following a hearing and approval by the Cambridge Historical Commission. The cases that required a hearing included larger projects that involved full-scale renovation, removal of historic features, altering openings, visible additions, or raising of a roof. These applicants presented before the Cambridge Historical Commission at a monthly meeting, which extended review time to just over 4 weeks. Of the 13 cases that required a hearing, four required a continuance (meaning the applicant needed to present before the CHC at two hearings), but these ultimately gained approval after some modifications to the plans.

Projects that went before the Cambridge Historical Commission for a Certificate of Appropriateness often involved altering window and door openings on visible façades, additions, and one demolition/new construction. At 118 Spring Street, a four-unit Italianate building constructed in 1870, a developer sought to renovate the structure for new occupants. The project involved an exterior renovation including windows, siding, trim, and new rear decks and stairs. As the project included new window openings on visible facades, the case was reviewed and approved by the Historical Commission.

At 66 Hurley Street, a developer purchased a 1907 triple-decker on a prominent corner lot. The project entailed an exterior rehabilitation which involved altering windows and doors, new siding and trim, construction of a stair headhouse and decks. The building was clad in perma-stone and asbestos siding and retained little original detailing. The developer stripped the building down to the sheathing, installed new siding, appropriate windows, and re-designed the enclosed rear decks with large windows. It was discovered that the original wood brackets at the cornice had been covered during a mid-20th century renovation. The final project is a modernized building, still retaining the restored brackets and fenestration, but completely updated inside.

At 271 Cambridge Street, the new owners of the former Hastings-Tapley Insurance building, a rare example of Post-Modern architecture, sought to modernize the exterior, adding new windows to increase natural light inside. Staff communicated the history of the building and original

design intent. Inspired by the history of this unique building, the owners hired an architect devised a façade scheme that would enhance the 1980s design while providing new windows and more usable office space (see photo, p. 17). At a public hearing, the applicant showcased plans for a glass panel which would replace the original solid panel on the façade, new windows to mimic existing, accessible entries, and masonry restoration. The project was approved as submitted with glowing praise by the Cambridge Historical Commission as the applicants went above-and-beyond to preserve the historical context with their project.

Case 4280, 66 Hurley Street (1907), before and after a renovation project that was granted a Certificate of Appropriateness in 2019. CHC photos, 2019 and 2021

c. Demolition

During the East Cambridge NCD Study period, just one demolition application was submitted. This project involved the removal of a modern one-story addition at 613-629 Cambridge Street (best known as the Mayflower Poultry building), replacing it with a new, slightly recessed, one-story structure. Though zoning would allow for more density on the site, the applicant chose to maintain existing building heights.

d. Permitting Challenges

While the city's permitting software gives CHC staff an overview of the cases reviewed in the study period, a couple of projects slipped through either by the nature of the permit or due to software errors. The project at 271 Cambridge Street received a Certificate of Appropriateness in December 2020 for façade alterations and restoration of the 1984 Post-Modern building. The applicant subsequently found a tenant that required larger mechanicals on the roof, but since the permitting system did not allow CHC review of mechanical permits the permit was granted by ISD. The large mechanicals have an adverse effect on the appearance of the building, but the owners will attempt to mitigate the visual clutter by erecting a screen on the roof.

An application to construct a new single-family home on a vacant lot at the corner of Thorndike and Sixth streets was filed on April 8, 2021. ISD granted the permit in July 2021, and work

commenced in August. For reasons that cannot be determined the electronic system did not require Cambridge Historical Commission sign-off, and thus CHC staff were unaware of the project until construction started shortly before the expiration of the study period.

III. Deliberations of the East Cambridge NCD Study Committee

Concern for the preservation of architectural resources in East Cambridge appeared soon after the founding of the Cambridge Historical Commission in 1963. An historic district was considered in 1975 but failed to receive community support. Current efforts to initiate a neighborhood conservation district commenced in 2018.

A. Origins and Conduct of the Study

East Cambridge has long been identified as one of the city's oldest and most historic neighborhoods. It was the subject of the Commission's initial survey of Cambridge architecture conducted in 1964. In 1965 the Commission published *Report One: East Cambridge* of the Survey of Architectural History in Cambridge, and in 1975 it initiated a study of a potential local historic district under M.G.L. Ch. 40C. Working with a committee of East Cambridge residents, the Commission identified a study area that included properties on Winter, Gore, Otis and Thorndike Streets, connected by properties on Sciarappa Street. However, historic districts established under state law are relatively strict and the scope of their jurisdiction quite inflexible. The study committee's proposal generated stiff resistance, and the Commission abandoned the project.

A city-wide historic preservation planning effort that began in the late 1970s under the auspices of the National Register of Historic Places identified concentrations of significant buildings on Winter, Gore, Otis and Thorndike streets, and in 1983 the Winter Street, East Cambridge, and Sacred Heart districts were listed on the National Register.[30] In 1988 the Commission published a new book, *East Cambridge*, which expanded the 1965 publication and brought it up to date.

By 2018, development trends in the proposed study area seemed to indicate a rapidly increasing level of activity. Relatively few projects involving demolition were brought to the Commission from East Cambridge until 2016, when the number began to rise.[31] Of the 37 demolition permit applications received from the proposed study area since 1996, 22 were less than fifty years old or were found not significant by staff. The majority of the eight significant cases heard since 2000 have occurred in the past few years: three in 2016 and two before the study started in 2019.

In this same period, there was an apparent increase in the frequency with which properties were being purchased by investors and hastily renovated with little regard for exterior architectural appearance. The renovation of the 1846 Greek Revival house at 66-68 Otis Street that began in 2015 was a triggering event. Although some exterior detail had been lost in the 1940s, the exterior remained relatively untouched (though much of it was covered by artificial siding) until the property was acquired by a real estate development investment company that undertook a full gut renovation without regard for surviving exterior architectural details. After the renovation was underway, a group of Cambridge voters petitioned the Historical Commission to study the building for landmark designation, which was enacted by the City Council in 2017.

A group of concerned East Cambridge residents contacted CHC staff in the fall of 2018 about the possibility of establishing a neighborhood conservation district. In December 2018 CHC staff made an informational presentation to the East Cambridge Planning Team (ECPT), the

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[30] Listing on the National Register is primarily a planning tool and carries no restrictions on privately-funded projects

[31] The City Council enacted a city-wide demolition delay ordinance in 1979. Under this measure applications to demolish buildings more than fifty years old that the staff considers significant are brought before the Historical Commission to determine whether the public interest warrants delaying the project to explore the possibilities of preservation

designated community organization representing the area, explaining the preservation tools available to the community. After the presentation, residents asked CHC staff to meet with a working group to explore options to conserve the neighborhood's character. CHC staff and the working group met numerous times to discuss potential boundaries and jurisdiction of a neighborhood conservation district. The working group presented to the East Cambridge Planning Team on June 12, 2019 and received a vote of support to move forward with a petition requesting the appointment of a neighborhood conservation district study committee.

On June 17, 2019 CHC staff received a citizens' petition requesting the Commission to initiate the process of designating a portion of East Cambridge as a neighborhood conservation district under Ch. 2.78, Article III of the City Code. The Cambridge Election Commission verified that the petition contained ten or more names of registered voters, as required by the ordinance. CHC staff then advertised a public hearing for July 11, 2019 so the Commission could consider whether to accept the petition and initiate a study.

CHC staff recommended that the Commission evaluate the petition for its appropriateness in terms of the significance of the proposed district, the urgency and relevance of the conditions the petitioners seek to address, the relevance of the proposed remedies, and the suitability of the proposed boundaries. Staff urged that the boundaries of the proposed study area should be reduced to exclude the Lechmere MBTA station and the former Middlesex County Courthouse properties and made the following observations.

- "The staff believes that the proposed East Cambridge district may be suitable for study on the grounds that it is a geographically and architecturally coherent neighborhood with strong associations with the broad cultural, economic, and social history of the city. The proposed district contains many individually significant structures that stand in a remarkably consistent context of vernacular buildings.
- "Staff has observed that threats to the architectural integrity of this urban environment seem to be more frequent. At the same time, many if not still a majority of owner-occupants have modest means and sometimes more pressing concerns than historic preservation. Regulatory measures should be limited to major construction issues that threaten the conservation of the neighborhood as a whole. Whenever possible, residents should be supported in their aspirations for unfettered homeownership.
- "While the volume of demolition permit applications in East Cambridge has been very low overall, the trend is distinctly increasing. Information on trends in property values and building permit applications is not readily available, but anecdotal evidence and direct observation indicates a steadily rising level of activity in recent years. Recent projects in the neighborhood have been of a larger scale than the original houses in the area, raising concerns with some property owners over the height and footprint of renovated or newly constructed houses. Some residents are concerned with the rapid redevelopment and quick renovations done by outside investors."[32]

At the July 11, 2019 Cambridge Historical Commission hearing, the East Cambridge resident group explained their justification of the boundaries and discussed their concerns over unsympathetic development in the area, which seemed to be driven mainly by proximity to large-scale developments at the perimeter of the neighborhood. Members of the Commission responded that

[32] CHC staff memo to the CHC, July 10, 2019

the group reach out to not only property owners, but also renters, new property owners, and the business community along Cambridge Street. The Commission declined to accept the petition and urged the proponents to conduct further outreach to demonstrate community support for a study.

The East Cambridge resident group presented to the East Cambridge Business Association (ECBA) on September 10, 2019. Staff attended the meeting to answer questions. After the presentation, on September 30, 2019, and again on September 8, 2020, the ECBA responded to the CHC with its concerns and outlined its reasons for not supporting the ECNCD as proposed by the petitioners. The resident group also printed roughly 600 flyers and canvassed the neighborhood to publicize a meeting to be held at the Sacred Heart Parish Hall on September 18, 2019. CHC staff scheduled a new public hearing for October 3, 2019 and included the flyer on the reverse side of 1,300 notices mailed to property owners in the study area for the event. Additional notice of the September 18th neighborhood meeting was posted in commercial properties throughout the neighborhood and online via the East Cambridge Planning Team.

The East Cambridge neighborhood meeting on September 18th was well attended and over 32 individuals signed a sign-in sheet at the event. The study proponents described the boundaries as well as the intent of the proposed conservation district. Staff attended the meeting to answer questions.

At the October 3 hearing CHC staff advised that the East Cambridge resident group had done everything within reason to inform the neighborhood about the proposed NCD district and recommended that both the Middlesex County Courthouse and Lechmere Station be removed from the study area because the sites were adequately governed by existing public processes. The Commission voted to accept the petition with the staff recommendation on boundaries and to adopt interim guidelines for review based on those in effect in the Half Crown-Marsh NCD (for residential areas) and the Harvard Square Conservation District (for the business district).[33]

The Historical Commission's jurisdiction over issuance of building permits went into effect immediately. The staff canvassed the community to generate interest in appointments to the study committee, which would consist of four neighborhood residents or property owners and three members of the Historical Commission.[34] Fourteen candidates presented themselves for consideration and were interviewed by CHC staff and a representative of the City Manager's office to select four individuals with roots in the community who would represent a range of views on different aspects of the conservation district question.

City Manager Louis DePasquale appointed the members in December 2019 and the East Cambridge Neighborhood Conservation District Study Committee began meeting in person at the East End House in January 2020.

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[33] See Part II for a description of the initial guidelines.

[34] The City Code describes the requirements for membership of an NCD study committee: "three members or alternates of the Historical Commission and four persons appointed by the City Manager, including at least one person who resides in the district under consideration, at least one person who owns property in the district under consideration, and one person who owns property or resides elsewhere in the City and has demonstrated knowledge and concern for conservation and enhancement of those exterior features of the City which are important to its distinctive character" (Ch. 2.78.190.C)

The initial meetings in the winter of 2020 were held in person at the East End Union and largely consisted of staff presentations on the history of the neighborhood and the nature of historic preservation regulations; attendees at these meetings were primarily neighborhood residents

The third in-person ECNCD public meeting included the largest number of attendees to that point, with over 40 signed in and others also in attendance; the sign-in sheet included a dozen attendees who lived outside the study area. The meeting began with a staff presentation highlighting projects which had undergone interim design review procedures under the ECNCD study thus far and outlining a potential goal statement for the neighborhood. When public comment was solicited the meeting become disorderly, with some members of the public speaking over each other and making personal attacks on study committee members and other members of the public. Tempers flared on both sides and city staff were unable to regain control of the meeting, which was concluded ten minutes early.

After the three monthly meetings and a walking tour, the emergency suspension of public meetings in March 2020 during the COVID-19 pandemic led to a suspension of all activities and meetings for the rest of the year.

On September 10, 2020 the Historical Commission voted to renew the study for an additional year, thus extending its jurisdiction over issuance of building permits until September 9, 2021. However, the moratorium on public meetings was still in place, and the City Manager decided that virtual meetings of the study committee should not resume until arrangements could be made for live broadcast over the city's cable-TV channel. While this was being arranged CHC staff arranged for delivery of notices to all 1,200 property owners by first class mail and to about 5,000 households in the eastern part of Cambridge with a mass mailing.

Deliberations of the study committee resumed in January 2021. Monthly meetings were conducted remotely on the Zoom platform and were broadcast live on CityView 22. Due to the long hiatus and because many viewers may not have attended the 2020 meetings, the initial discussions covered much of the same ground. Votes were taken on the question of whether to resume or terminate the study; whether to exclude the Business B zoning district from the study; and whether to confine the study to areas and buildings listed on the National Register of Historic Places. In each case the committee voted to continue with the study boundaries and jurisdiction as originally adopted. While meetings during the second phase of the study had to be concluded within the two-hour broadcast window afforded by CCTV, public comments were truncated on only a few occasions.

Discussions of conservation and development goals and secondary goals for the proposed district occupied a number of meetings. The committee kept returning to the topic in order to refine the language that would be the basis for all NCD commission decisions. The overall goal statement and most of the secondary goals were rewritten several times as committee members deepened their understanding of the issues facing the community.

Substantial time was also given to discussing matters of jurisdiction. The goal in this case was to craft a scope of jurisdiction that would address the matters of primary concern for conservation, such as demolition, new construction, and certain irreversible alterations, while allowing property owners freedom to maintain and upgrade their properties in ways that do not detract from

neighborhood conservation goals. The committee also discussed whether properties on the National Register should be treated differently than those that have not been so designated, whether certain determinations could be non-binding (advisory), and to what extent staff should be authorized to approve alterations without a public hearing. The committee's recommendations on these topics are contained in Part V.

The study committee continued to meet after the interim jurisdiction of the Historical Commission ended on September 10, 2021. Drafts of the preliminary report were presented and discussed on October 20, 2021 and at each subsequent meeting. On April 20, 2022, the committee voted to adopt this Preliminary Report by a vote of 4-0, with one abstention and two members absent.

East Cambridge History and Architecture walking tour, June 4, 2022

During June and July 2022, the Commission staff conducted in-person outreach in the form of seven walking tours and public availability sessions.

CHC staff also mailed postcards soliciting views on the proposed NCD to 1,324 property owners and 1,732 active voters. These mailings had a 16.9% and 19.0% return rate, respectively.

The results of the postcard polls were mixed. While owners throughout the entire study area voted 53% to 42% against the proposal, owners of properties listed on the National Register of Historic Places were 51% to 44% in favor. Among active voters throughout the entire study area, 49% were in favor and 43% were opposed, while active voters living in National Register properties were 57% in favor and 39% opposed.[35]

East Cambridge NCD Postcard Poll

1) Your name:_____

2) Check all that apply:
- □ I'm a property owner in the study area.
- □ I live in the study area.

3) Your address in the study area:_____

4) Do you support the creation of a neighborhood conservation district in East Cambridge?

□ **Yes** □ **No** □ **Not sure**

Please enter comments or suggestions

_____

Sample card sent to all owners on the Assessors' property list. A similar card was sent to active voters on a list obtained from the Election Commission

The Study Committee met on September 21, 2022 to review the results from the public outreach activities and discuss the next steps in the study. Three motions were made. A motion to shrink the boundaries to include only

[35] The two polls measured opinions in different ways. While each active voter was allowed one vote, owners of multiple properties in the study area were able to vote once for each property they owned. Owners of multiple properties would get more representation in the results of this poll.

properties on the National Register failed for lack of a second. A motion to terminate the study due to a lack of consensus also failed for lack of a second. A motion to approve the report with amendments submitted by CHC staff and reflecting discussion from the meeting was approved by a vote 4-1-1. At its final meeting on October 19, 2022 the Committee reviewed the updated Preliminary report and voted 5-1 to submit the amended Preliminary Report to the Cambridge Historical Commission and the Cambridge Planning Board.

The roles of the Commission and the Planning Board in this regard are set forth in Chapter 2.78.180 of the City Code, the enabling ordinance for neighborhood conservation districts and landmarks, which contains the following guidance:

> *A. The Historical Commission by majority vote … may recommend for designation as a neighborhood conservation district any area within the City containing places and structures which it determines are of importance to the architectural, aesthetic, cultural, political, economic or social history of the City, and which considered together cause such area to constitute a distinctive neighborhood or to have a distinctive character in terms of its exterior features; and may recommend amendments to any designation of landmark or neighborhood conservation district theretofore made.*
>
> *B. Prior to the recommendation of designation or amendment of designation of any … neighborhood conservation district an investigation and report on the historical, architectural and other relevant significance thereof shall be made. The report shall recommend the boundaries of any proposed … neighborhood conservation district and shall recommend for incorporation in the order of the City Council designating each … neighborhood conservation district general and/or specific standards and appropriate criteria consistent with the purposes of this article and the provisions of Section 2.78.190 of this article that are to be applied in making any determination of the type referred to in Sections 2.78.170, 2.78.210 and 2.78.220 of this article … within the designated neighborhood conservation district.*
>
> *D. … No later than forty-five days after the transmittal of a report to the [Historical] Commission pertaining to a proposed designation, the Commission shall hold a public hearing. …*
>
> *E. Prior to the public hearing, the Commission shall transmit copies of the report to the Planning Board for its consideration and recommendations.*
>
> *F. The recommendation of the Historical Commission with regard to any designation, amendment or rescission shall be transmitted to the City Manager and to the City Clerk with a copy of the approved designation report. Designation of … a neighborhood conservation district or amendment or rescission of designation shall be by order of the City Council. In the case of a designation, the order shall include a statement of the reasons for such designation and a statement of standards which the Historical Commission or neighborhood conservation district commission is to apply under Sections 2.78.170 and 2.78.190 through 2.78.220 of this article.*

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The Cambridge Planning Board met on November 22nd, 2022 to consider the Preliminary Report. With seven members present the Board voted unanimously to transmit the following suggestions in support of the proposed district:

A) That projects proposed under the Affordable Housing Overlay (AHO) provisions of the Zoning Code should be subject to non-binding review by the proposed NCD commission;

B) That the southern boundary of the proposed district could be adjusted to eliminate the properties facing Bent Street; and

C) That specific guidelines be adopted for the regulation of properties on Cambridge Street.

At the December 1, 2022 hearing the Commission reviewed the motivation, goals, and history of the study in the context of Ch. 2.78 Article III, heard from members of the study committee, and entertained questions of fact and comments from Commissioners and members of the public. The Commission also discussed the following staff analysis of the Planning Board recommendations:[36]

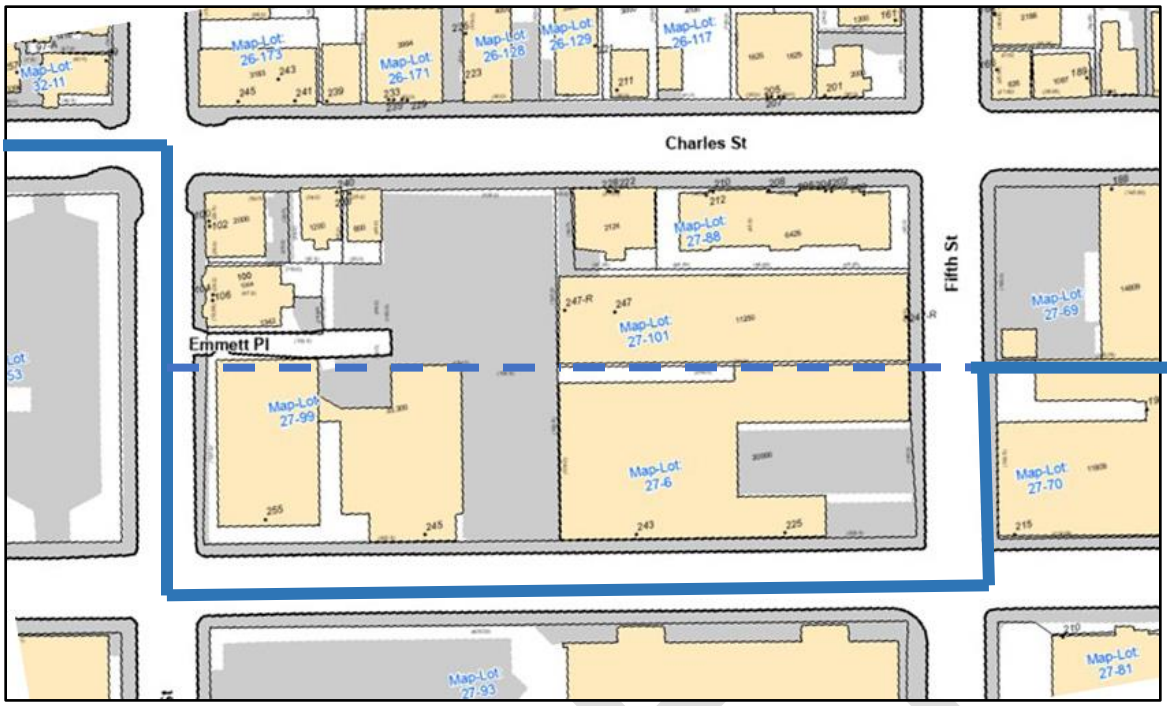
A) Affordable Housing Overlay. The purpose of the Affordable Housing Overlay (AHO) is to facilitate construction of permanently-affordable housing developments by allowing greater density and eliminating discretionary zoning approvals that can be subject to appeal. Guidelines for AHO projects published by the Community Development Department address site considerations, building design, and sustainability.[37] The Planning Board must hold a public design consultation and make a report to the developer and Cambridge Affordable Housing Trust regarding AHO projects, but its recommendations are not binding on the applicant.

The jurisdiction of the Historical Commission with regard to historic districts and landmarks, and the jurisdiction of NCD commissions with regard to their districts, was not affected by the adoption of the AHO amendments in 2020. The effect of the proposed recommendation would be to place the proposed East Cambridge NCD Commission on the same level as the Planning Board with regard to AHO projects. The adoption of this recommendation with regard to East Cambridge might also set a precedent for amending the jurisdiction of other commissions.

B) Boundary adjustment. This suggested adjustment affected two properties, neither of which contain historic resources:

- *Parcel 27-6. 225 Bent Street (1917), originally a service garage, currently contains ten residential condominiums.*
- *Parcel 27-99. 245 Bent Street (1944) and 255 Bent Street (1981), both occupied by the Community Charter School of Cambridge. This parcel would be split, with a portion remaining in the proposed district*

[36] Text in italics quoted from a staff memo to the Commission dated November 39, 2022.
[37] Cambridge Community Development Department, Design Guidelines For Affordable Housing Overlay, 28 July 2020 (https://www.cambridgema.gov/-/media/Files/CDD/Housing/Overlay/zngamend_aho_designguidelines_20200728v2.pdf)



Study Area Boundary Planning Board Recommendation

225-255 Bent Street NearMap, 2022

C) *Cambridge Street Guidelines. The Board recommended additional guidelines for consideration of alterations and development on Cambridge Street.*

CHC staff consider that secondary goals 6 and 7 (pp. 51-52), the proposed review guidelines for storefronts and signs (pp. 67-68), and the review procedures delegated to the Executive Director (pp. 80-81) are adequate for the review of alterations to existing

buildings. These are similar to guidelines and procedures that have been in effect in the Harvard Square Conservation District since 2000.

Cambridge Street has a wide variety of mostly mixed-use buildings, including some significant brick and frame structures built in the late 19th century, many frame houses adapted with storefronts, and even some Greek Revival houses with grassy lawns. Most retain evidence of their original residential character. Staff considers that the goals and guidelines proposed for the district as a whole are adequate for the regulation of Cambridge Street as well.

Upon the recommendation of staff, the Commission voted unanimously to adopt suggestions A and B of the Planning Board, to accept the report as modified, and to transmit a Final Report to the City Manager and City Clerk with a recommendation for City Council designation by adoption of the proposed Order.[38]

B. Options for Neighborhood Conservation

The options for neighborhood conservation in East Cambridge are outlined in Section II of this report. Excluding establishment of a neighborhood conservation district, the remaining proactive approach to preservation would involve individual landmark designations under Ch. 2.78, Article III of the City Code. In the absence of designations, the status quo is represented by the city's demolition delay ordinance.

Cambridge currently has 42 individually-designated landmarks. In East Cambridge these include the former Lechmere National Bank at 225 Cambridge Street; St. Francis of Assisi Church at 325 Cambridge Street; the Jones-Hall houses at 66-68 Otis Street; and the former Third Congregational Church at 101 Third Street. Immediate candidate for landmark designation might include the seven structures individually listed on the National Register of Historic Places, as well as many of the approximately 125 contributing buildings in National Register districts.

While landmark designations are an essential preservation tool, they are not effective on a neighborhood scale. Designating large numbers of buildings one by one is administratively burdensome. The significance of a neighborhood is greater than the sum of its individual structures, and conservation of neighborhoods requires designation of structures within a defined boundary.

Reliance on the status quo would leave demolition permit reviews under Ch. 2.78, Article II as the only protection for buildings in the neighborhood. Development trends in the proposed study area seem to indicate a rapidly increasing level of activity. While the volume of demolition permit applications in East Cambridge has been low overall, the trend is distinctly increasing. Demolition permit reviews are important tools for protecting individual buildings, but like individual landmark designations they are not effective for neighborhood conservation.

C. Conservation and Development Goals

The goal statement and secondary goals of a neighborhood conservation district describe the aims of the NCD commission and provide a basis for decisions regarding applications for

[38] See cover and p. xx for the final recommended boundary of the East Cambridge NCD District.

certificates of appropriateness, non-applicability, or hardship. They are incorporated into the Order establishing the district and are meant to be referenced in the findings that will be made by the NCD commission in each case that comes before it.

The complexity of the urban environment and the broad range of issue that come before an NCD commission require a general goal statement that is broad and all-encompassing. The goal statement is aspirational, not prescriptive; it is meant as guidance, and is not intended to foreclose decisions that the NCD commission, in its collective judgement, might find appropriate in a particular situation.

The Study Committee reviewed the goals of other NCD commissions in Cambridge and after extensive discussion over several meetings agreed that the following statement best expressed their aspirations for the future development of the neighborhood:

> **The East Cambridge Neighborhood Conservation District is an instrument of cohesiveness that aims to protect not only the historically significant architecture but also the dynamic social fabric of a diverse community. As a collective voice of the neighborhood, the goal of the District is to conserve the character, variety and scale of the district's streetscapes and architecture and to enhance the livability, vitality, and socio-economic diversity of the district for its residents and the public at large. The East Cambridge Neighborhood Conservation District Commission will seek to conserve significant structures and features where they exist while encouraging architectural diversity and individualized alterations that respect the vibrant and eclectic character of the neighborhood. The Commission will seek to maintain the present diversity of development and open space patterns (including green canopies where possible) and building scales. It will acknowledge the growing demand for housing in the community at large by accommodating greater density where appropriate and by preserving the existing housing stock of the neighborhood where possible.**

Secondary goals are intended to provide general guidance to the NCD commission in a wide variety of situations. They are not intended to be applied to every project; they are statements of policy, not prescriptive measures that must be applied equally in each situation. In making decisions, commissioners may debate how a project meets or violates individual goals, and which should be cited in approving or denying applications for Certificates of Appropriateness.

1) **Conserve the diverse architectural character of the district by retaining historic structures, including 19th century workers' houses and buildings that reflect the diverse social fabric characteristic of the neighborhood. Protect significant civic and institutional buildings.**
2) **Allow for architectural diversity and individualized alterations while respecting the traditional housing stock of the neighborhood.**
3) **Retain significant architectural features, including but not limited to roof pitches, historical architectural elements, and traditional solid vs void configurations.**

4) **Support additional housing construction and density when appropriate, based on the nature and size of the lot and its surroundings.**
5) **Encourage contemporary design that respects surrounding context yet differentiates itself as belonging to the present day.**
6) **Revitalize the commercial environment of Cambridge Street by preserving or restoring architecturally significant building fabric. Where such fabric no longer exists, support creative, appropriately-scaled contemporary designs for remodeled storefronts and in new construction. Maintain consistent height of storefronts to match existing average heights and proportions.**
7) **Protect significant buildings on Cambridge Street while supporting construction on open lots and underdeveloped sites as allowed by zoning.**
8) **Encourage trees and greenery (especially vines and pergolas, typical of the history of the neighborhood) to enhance landscape amenities and limit new impervious paving to mitigate negative climate impacts on the neighborhood. Encourage preservation of stone retaining walls as well as historic lighting fixtures. Encourage provision of public amenities such as accessible brick pavers on reconstructed sidewalks as well as benches and street trees.**
9) **Encourage low fences to protect public views of houses and through yards, while permitting flexibility to enhance privacy and minimize the adverse visual effect of trash containers and mechanical equipment.**
10) **Consider applicable goals adopted by the City Council, including but not limited to the need to increase access to affordable housing for all income groups, support the sustainable use of energy, and strengthen the city's capacity for climate resilience.**

There was significant debate among committee members about the conflicting nature of the goals and their potential to confuse applicants and commissioners. However, each neighborhood conservation district in Cambridge operates with a similar goals statement, and this approach has proven effective in enabling commissions to construct legally defensible findings to support their decisions.

D. Alternative Models for Jurisdiction

One of the primary tasks of an NCD study committee is to craft an approach to regulation that imposes the least burden on applicants while accomplishing the goals of the district. Except for regulation of exterior color, the jurisdiction of a neighborhood conservation district commission under the Ordinance is potentially every bit as strict as an historic district commission under state law. The study committee must calibrate the extent of jurisdiction and level of authority that a future NCD commission will be allowed to exercise to best meet local conditions.

The East Cambridge NCD Study Committee's debate about jurisdiction in residential areas took place on three levels: a) the types of activities that should be regulated to conserve the character of the neighborhood, including activities that could be exempted from review; b) whether properties not on the National Register should be allowed a less comprehensive level of review, and c)

whether certain reviews should not be binding on the applicant.

1. Jurisdiction

Neighborhood conservation district commissions potentially have the authority to regulate all publicly visible alterations (except color) as well as demolitions and new construction. However, the enabling ordinance specifically excludes certain activities from NCD jurisdiction:

- *Ordinary maintenance, repair or replacement of any exterior architectural feature … which does not involve a change in design or material or the outward appearance thereof;*
- *Landscaping with plants, trees or shrubs;*
- *Meeting … requirements certified by duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition (2.78.200).*

The Ordinance also allows certain features to be excluded from review:

The order designating or amending a landmark or neighborhood conservation district may provide that the authority of the Historical Commission or neighborhood conservation district commission having jurisdiction shall not extend to the review of one or more of the following categories of structures or exterior architectural features of the landmark or within the neighborhood conservation district in which event the structures or exterior architectural features so excluded may be constructed or altered without review by the Commission:

1. *The application of exterior wall material in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, window or door casing, or any other protruding decorative element;*
2. *Alternations to the exterior of existing structures that do not increase or diminish the size and location of windows and doors, cause the removal of any bay, porch, hood, window or door casing or any other protruding decorative element, or alter the appearance of a roof;*
3. *The exterior appearance of a new structure that does not require a variance or special permit under the zoning ordinance then in effect;*
4. *Signs, temporary structures, lawn statuary, or recreational equipment, subject to such conditions as to duration of use, dimension, location, lighting, removal and similar matters as the Commission may reasonably specify;*
5. *Terraces, walks, driveways, sidewalks and similar structures substantially at grade level;*
6. *Walls and fences;*
7. *Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork and similar appurtenances* (2.78.090.B)*;*

The Ordinance further allows that

a neighborhood conservation district commission may determine from time to time after a public hearing that certain categories of exterior architectural features or structures, including, without limitation, any of those enumerated in this section, if the provisions of the applicable order do

not limit the authority of such commission with respect thereto, may be constructed or altered without review by such commission without causing substantial derogation from the intent and purposes of this article (2.78.090.C).

2. National Register Status

National Register status is a convenient but imperfect tool for sorting buildings by their architectural and historical significance. Properties were last assessed and listed in the early 1980s.

Boundaries of National Register districts are somewhat arbitrary, and selection criteria tended to favor buildings that were built for upper-middle class families and that survived with their architectural features more or less intact until the time of designation. Buildings that were less ornamented, more utilitarian, or heavily altered tended to be excluded from National Register designation even though as a group they contributed to neighborhood character. Nevertheless, most National Register buildings are valuable to the character of the district. The question then becomes whether non-National Register buildings should be regulated as extensively or in the same way.

3. Non-Binding Review

Non-binding review is a jurisdictional tool used in the Mid Cambridge and Avon Hill neighborhood conservation districts. In both cases it allows the NCD commissions or CHC staff to engage with owners of non-National Register buildings or those applying for significant but less-important changes to their properties without ultimately forcing compliance with the Commission's decisions.

In the Mid Cambridge NCD, the following rules apply:

Binding review by the Commission:

- New construction.
- Additions more than 750sf or enlarging floor area more than 33%.
- Demolition of more than 33% of a structure.
- Any alterations to National Register or publicly-owned buildings

Non-binding review by the Commission:

- New construction and additions between 150 and 750sf.
- Alterations involving removal of historic decorative elements, changes in size or location of doors or windows.
- Changes in the configuration of a roof

Exemptions from review:

- Additions less than 150sf; demolition of garages; fences; paving; solar panels; skylights; alterations not involving historic features or openings.
- Ordinary maintenance, repairs, interiors, exterior features not publicly visible

The Avon Hill NCD has a slightly different approach in that non-binding reviews are conducted by the staff:

Binding review by the Commission:

- Exterior alterations to National Register Properties.
- New construction.
- Additions more than 300sf or enlarging lot coverage to more than 35%.

- Demolition of any structure larger than 150sf.
- Vinyl or aluminum siding or windows.
- Alterations to bay windows, porches, and roofs, including dormers.

Non-binding review by the staff:

- Alterations for buildings not on the National Register, such as window reconfiguration, gutters, skylights, solar panels, and qualifying additions.

Exempt from review:

- Alterations not affecting historic features or roof shape.
- Driveways and terraces outside the NR District
- Walls and fences less than 4' high in front, less than 6' high elsewhere
- Temporary structures, play equipment, statuary
- Ordinary maintenance, repairs, interiors, exterior features not publicly visible.

While non-binding review by the commission (as in Mid Cambridge) can be an exercise in frustration for commissioners, applicants, and staff, in many cases it has been a productive process that exposes the parties to the technical expertise offered by the commission and allows abutters to ask questions and offer input. Non-binding review by staff (as in Avon Hill), combined with staff outreach and counseling of applicants, can enhance outcomes while minimizing delays and expense to property owners.

E. Pros and Cons of a Neighborhood Conservation District for East Cambridge

Public comments were repeatedly solicited and matters of concern were discussed at each meeting.

Pros

Proponents made several distinct arguments in support of the proposed district. In their view, the district would have the following public benefits:

1. Conserve significant structures and architectural character of the historic core of East Cambridge.
2. Highlight the socio-cultural history of the neighborhood and associated building histories.
3. Protect generational ownership and 'naturally-occurring' affordable housing.
4. Support smart growth.[39]
5. Even the playing field with developers and provide a forum for public questions and comments on redevelopment projects.
6. Support environmental sustainability through renovation, adaptive re-use, and sustainably-designed additions to historic buildings.

[39] Applicable Smart Growth goals, as drafted by the U.S. Environmental Protection Agency, include:

- Foster distinctive, attractive communities with a strong sense of place
- Make development decisions predictable, fair, and cost effective
- Create a range of housing opportunities and choices
- Encourage community and stakeholder collaboration in development decisions

https://www.epa.gov/sites/default/files/2014-04/documents/this-is-smart-growth.pdf

7. Preserve existing public open spaces.
8. Encourage revitalization of retail storefronts and commercial design along Cambridge Street.

Many of these points were incorporated in the proposed goals of the district, as discussed in Section III.D above.

In addition, CHC staff observe that neighborhood conservation would be consistent with objectives of the City's Envision Cambridge plan.[40] The following numbered strategies and actions are drawn from in the Urban Form Plan, pp. 180ff:

1. Increase density near transit nodes while accommodating the unique character of our squares and areas along the corridors (page 187).

"Existing buildings that support the historic urban character of an area should be preserved and repurposed where practical, and new development should complement that character."

2. Preserve the historical integrity and diversity of Cambridge's neighborhoods, including buildings and the public realm (page 188).

"Cambridge has many historically significant places, including individual landmarks and districts that communicate our connections to the past. New development should not disrupt this historical continuity, while accommodating changes that meet our present and future needs."

5. Revise the development review process to be more transparent to developers and the public while striving for high-quality design (page 192).

"Continue to update area- and neighborhood-specific design guidelines to ensure that new developments' urban design outcomes complement their neighborhood context and the review process is more predictable to stakeholders and developers.."

Finally, related to the goal of preservation of existing open space in the proposed district:

8. Improve the public open space network by preserving, maintaining, and enhancing existing open spaces to serve a diverse population (page 199).

Cons

Some community residents expressed outright opposition to the establishment of an ECNCD. Others, while believing that East Cambridge could benefit from a moderate level of additional historic preservation efforts, believe that the proposed ECNCD goes too far.

1. Increased Financial Costs Borne by Home and Property Owners
    - In both historic districts and NCDs some applicants find the historic/conservation process to be intimidating. Interpreting the guidelines, completing applications, providing drawings or sketches and description of materials, and their correct submission takes time, money and effort.
    - Some applicants feel the need to pay lawyers and/architects for counsel and representation at hearings.
    - Specific styles and materials that are non-stock items at home improvement stores can lead to more expensive custom designs, special order materials or millwork, and

[40] http://envision.cambridgema.gov/wp-content/uploads/2019/06/201906_EnvisionCambridge-Final-Report.pdf

require expertise to install.

2. Negative Impact of Historic and NCDs on Housing Affordability and Diversity
    - Some believe the increased financial costs of projects in NCDs will inevitably lead to increased rents and housing prices and decreased density, which in turn could discourage demographic diversity,.
3. Negative Impact on the Local Business Community
    - The East Cambridge Business Association (ECBA) expressed concern that a potential ECNCD would place additional financial burden on small businesses, which already face a myriad of challenges as a result of Covid-19.
    - The ECBA also expressed concern that the adoption of an ECNCD would create an unnecessary bureaucratic and financial burden on tenants and discourage necessary work and required upkeep.
4. Delayed Use and Enjoyment
    - The application process could lead to long, unanticipated delays while planning and submitting alternative designs, awaiting approvals, securing the services of architects or designers, and waiting for custom or specialized material orders and contractor availability, all of which would delay owners' use and enjoyment of their property.
5. Stifling Creativity and Deferring Necessary Upkeep
    - Fearing rejection, delays and wasted expense, some applicants may scale back their designs in order to conform to what they believe will ensure swift historic/NCD approval of their application.
    - Some applicants may perceive the added bureaucratic and financial requirements of the historic/NCD approval process too burdensome, and therefore defer or indefinitely postpone desired and necessary improvements.
6. Unintended Consequences of Vague, Inconsistent and Conflicting NCD Goals and Guidelines
    - Some fear that over time vague, inconsistent and conflicting NCD Goals and Guidelines will lead to inconsistent interpretations by an ever-changing cast of future volunteer ECNCD commissioners.
7. Potential for Arbitrary and Capricious ECNCD Decisions
    - Some are concerned about the potential for arbitrary and capricious decisions that would impinge on the rights of community home and property owners.
8. Lack of Transparency, Legitimacy and Community Consensus for an ECNCD
    - Many feel that their concerns have been ignored and excluded from what they believe to be a closed study process. This, they believe, led to many of the unresolved frustrations that boiled over at the March 2020 meeting and continue to the present day. At best, they believe, the community is deeply divided.

The Study Committee discussed these objections on several occasions. The following observations can be made:

1. <u>Housing Affordability</u>

Housing affordability was a major concern, so much so that the City Council adopted a policy order addressing this issue:

*That the City Manager be and hereby is requested to confer with the Cambridge Historical Commission and other relevant City Departments to ensure that any report or recommendation for a new Neighborhood Conservation District in Cambridge presented to the City Council include an analysis of the potential effects on City housing affordability based on current research, as well as any mitigations that the Cambridge Historical Commission recommends, so that the City Council may holistically evaluate the matter (*Policy Order POR 2020 #218).

In response, CHC staff consulted with staff of Cambridge Community Development and Cambridge Assessing departments to analyze East Cambridge demographics and the impact that existing NCDs have had on property values and rental costs both inside and outside of their boundaries. The assessed property value study on the Avon Hill and Half Crown-Marsh NCDs showed that values in NCDs tend to stay constant to values within the assessing districts (Avon Hill) or rise more slowly than those outside the NCD (Half Crown-Marsh). The rental analysis used the best data available from a consortium led by the Metropolitan Area Planning Council (MAPC), which scrapes rent data from the web, primarily from Craigslist.com, with duplicates, scam listings, and room shares removed from the data set. While the sample lacked listings on some sites, the available data and findings concluded that generally rents outside of existing NCDs seem to be higher than rents within them.[41]

2. Cambridge Street Business District

The commercial district of East Cambridge runs along Cambridge Street from Lechmere Square to the railroad tracks. A point of discussion and opposition to the study has involved whether to include Cambridge Street within the jurisdiction of the ECNCD. Proponents explained that some of the most significant properties in the neighborhood are along Cambridge Street, with many early houses and character-defining buildings dispersed along the corridor. The East Cambridge Business Association contended that an additional layer of review could harm the local business community with delays in permitting and approval processes. The study committee addressed these concerns through a proposed administrative review process, meaning that for nearly all properties along Cambridge Street (those not listed on the National Register of Historic Places), typical applications ranging from new conforming signage, restoration of storefronts, painting, etc., would be reviewed at the staff level and the owners would be able to proceed without waiting for a public hearing process to conclude.

The study committee discussed adjusting the boundaries to eliminate properties within the Business-A district along Cambridge Street on at least two occasions. CHC staff observed that eliminating jurisdiction along Cambridge Street would simplify administration of the neighborhood conservation district and remove a source of opposition to the study. The majority of study committee members supported keeping the study area intact, understanding that Cambridge Street or other parts of the study area could be removed later by the committee, CHC, or City Council.

[41] For a more detailed description of the housing costs study, refer to Part II of the Preliminary Report, Section C: Effects of Historic Preservation Measures on Property Values and Rents.

The study committee and members of the public collectively agreed that an amendment to zoning rules on Cambridge Street to allow signage that does not meet the current sign code (Article 7.00 of the Cambridge Zoning Code) could be a benefit to the business community and neighborhood. Representatives of the East Cambridge Business Association and the study committee agreed that the City Council should amend the sign code to allow the NCD commission to approve non-conforming signage, similar to the provisions in the Harvard Square NCD.

3. Cost of Materials and Labor:

Aside from housing affordability, another concern was the potential increase in cost of materials. It is true that some historically appropriate products on the market today tend to cost more than the cheapest products sold and advertised by manufacturers. Windows, for example, can range in costs widely depending on the material, type, and quality of the product. The Cambridge Historical Commission's policy regarding the replacement of windows is to retain historic windows whenever possible. Historic wood windows and other wooden detailing on buildings, are from old-growth wood, which is much denser and resistant to rot and mold compared to wood today. Numerous studies have shown that, compared to historic windows protected by storm windows, energy savings from replacement windows will not recapture their cost before the new windows themselves fail and must be replaced – often in as little as 15 years.[42]

Many historic elements can be retained and restored at a cost less or similar to replacement in the same quality. The committee has recommended binding review for many alterations to the National Register properties in the study area. For properties not listed on the National Register, non-binding review of certain alterations would not require owners to replace with higher quality products unless desired by the owner.

4. Cost of Professional Representation by Applicants:

Some members of the public expressed concern that applicants would be required to bring professional representatives to public hearings for review of their project.

While applicants might need representation for larger projects (new construction, demolition, and gut-renovation) to effectively discuss the project and answer questions, for a vast majority of projects applied for in Cambridge NCDs such representation is neither recommended nor necessary. Applicants are never required to bring attorneys, architects, engineers, landscape architects, or other professionals to a hearing. For major projects the Historical Commission and NCD commissions generally need the same level of detail already required by the Inspectional Services Department for issuance of a building permit.

5. Possibility of Arbitrary or Capricious Commissions:

[42] Several studies reveal comparable energy savings between a restored single-glazed wood window/storm combination and a double-glazed replacement window. See Bill Mattinson, et. al., "What Should I Do About My Windows?" *Home Energy* 19/4 (2002); Noelle Lord, "Embracing Energy Efficiency," *Old House Journal* (September/October 2007); Andrew Shapiro and Brad James, "Creating Windows of Energy-Saving Opportunity," *Home Energy Magazine Online* (September/October 1997), http://homeenergy.org/archive/hem.dis.anl.gov/eehem/97/970908.html; Other studies project as much as a 40-year payback period to recoup the cost of new windows through energy savings. See Scott Sidler, "What to Do with Old Wood Windows," *Fine Homebuilding,* December 2020

The Study Committee discussed the possibility that a neighborhood conservation district commission might engage in arbitrary or capricious behavior.

While it is not common, such events can occur in any appointed or elected board or commission. City ordinances and procedures address these issues should they arise. First, an applicant denied approval of a project due to arbitrary findings or personal preference can appeal the NCD decision to the Cambridge Historical Commission. Secondly, members of the Cambridge Historical Commission and neighborhood commissions are required to undergo state-mandated training in conflict of interest and open meeting statutes and submit annual statements in response to Cambridge's ethics ordinance.

In Cambridge, NCD and historical commissioners are appointed by the City Manager to serve three-year terms and typically serve until replaced. Commissioners who have been observed engaging in arbitrary or capricious behavior have not been reappointed. CHC staff work directly with applicants and attend all Cambridge Historical and NCD Commission meetings. Staff advise commissioners on their jurisdiction, and their recommendations help commissioners shape their determinations to bring successful outcomes for the applicant and the community.

IV. Guidelines for Demolition, Construction, and Alterations

Chapter 2.78, Article III, Section 220 of the City Code describes the factors to be considered by Neighborhood Conservation District commissions:

> A. In passing upon matters before it, the [East Cambridge] Neighborhood Conservation District commission shall consider, among other things, the historic and architectural value and significance of the site or structure, the general design, arrangement, texture and material of the features involved, and the relation of such features to similar features of structures in the surrounding area. In the case of new construction or additions to existing structures a commission shall consider the appropriateness of the size and shape of the structure both in relation to the land area upon which the structure is situated and to structures in the vicinity, and a Commission may in appropriate cases impose dimensional and setback requirements in addition to those required by applicable provision of the zoning ordinance. A Commission shall not consider interior arrangements or architectural features not subject to public view.

In making its determinations, the East Cambridge NCD Commission will also operate under goals and guidelines designed by the Study Committee to protect historic resources while encouraging the architectural diversity that characterizes the neighborhood. Guidelines that are clear, detailed, and easy to apply will help maintain consistent interpretation of urban design and historic preservation priorities for East Cambridge.

All applications will be reviewed by Cambridge Historical Commission staff for compliance with the guidelines, and the staff will actively engage the applicant in discussions about the objectives and nature of the project. The staff will advise the applicant throughout the application process and will coordinate reviews by an East Cambridge NCD Commission.

The following guidelines for new construction, demolition, and alterations expand upon the language of the Ordinance to provide additional guidance for administration of an East Cambridge Neighborhood Conservation District.

A. General Standards

Applications shall be considered in terms of the main goal statement and the secondary goals of the District, and in addition with regard to the following factors:

- the architectural and historical significance of the structures on the site
- the physical characteristics of the site, including but not limited to existing vegetation and topography; and
- the potential adverse effects of the proposed construction, demolition, or alteration on the surrounding properties, and on the immediate streetscape.

B. Guidelines for New Construction, Additions, Demolition, Alterations and Accessibility

In addition to the General Criteria set forth above, and consistent with the Goals and Secondary Goals of the District, the Commission shall base its decisions on the following specific factors when considering applications for appropriateness or hardship.

1. New Construction and Additions

The East Cambridge NCD Commission will begin its review of a new construction project or addition with an analysis of the historic significance and architectural value of the premises and its immediate surroundings. New construction that accommodates older structures on or adjacent to the site will be encouraged. Construction that incorporates significant major portions of older structures may be acceptable; however, use of isolated historic architectural elements will be discouraged. Demolition involving retention of facades to allow replacement of historic structures with new construction ("facadectomies") will be discouraged unless the supporting historic fabric is found to be unsalvageable.

In reviewing new construction or additions to existing buildings, the Commission "shall consider the appropriateness of the size and shape of the structure both in relation to the land area upon which the structure is situated and to structures in the vicinity."[43] Review of new buildings will be guided by considerations such as the appropriateness of the structure's height, scale, mass, proportions, orientation, and lot coverage; the vertical and horizontal emphasis, rhythm of openings, transparency, texture, and materials of the publicly-visible facades; sunlight and shadow effects; relationship to public open space; and landscaping.

Neighborhood conservation district commissions "may in appropriate cases impose dimensional and setback requirements in addition to those required by the applicable provision of the zoning ordinance."[44] Implementing such a measure could result in a reduction of the Floor Area Ratio (FAR) allowed by zoning. The appropriate circumstances for imposing dimensional and set-back reductions could include a wide disparity of scale and density between the proposed project and its surroundings, or a situation in which the proposed project would destroy or diminish the historical resources of the site.

Review of the design of proposed infill construction or substantial additions to existing structures consider compatibility of the proposed construction with its surroundings, and the following elements of the proposal should be among those considered:

- site layout
- provisions for parking
- volume and dimensions of the structure
- visibility of the structure from a public way
- provision for open space and landscaping
- the scale and massing of the structure in relation to its surroundings

a. New Construction:

New construction in the East Cambridge Neighborhood Conservation District should seek to relate to the streetscape on which it is located, in building height, mass, scale, and siting. New construction should not replicate buildings of past eras and should be distinguished as the time of its design and construction. While new construction should appear more contemporary, it should also aim to take cues from historic characteristics of structures nearby including roof pitch and style, exterior materials or patterns, and solid-to-void ratio.

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43 Ch. 2.78.220.A.

44 Ch. 2.78.220.A.

b. Additions:

Additions should aim to be subordinate in height, massing, and design to the structure where they are attached. Depending on the circumstances, an addition can be designed to match the existing structure through a continuation of form, features, and materials; or an addition can be differentiated from, but complement, the existing building through the choice of materials, fenestration, or other design features.

2. Demolition

Although the City's demolition delay ordinance does not apply in neighborhood conservation districts, demolition will be similarly defined as "the act of pulling down, destroying, removing or razing a structure or commencing the work of total or substantial destruction with the intent of completing the same".[45] The Cambridge Inspectional Services Commissioner requires a demolition permit when more than 25% of a structure will be removed. Work of this sort will be reviewed under the following demolition guidelines, while the removal of building components will be reviewed as alterations.

The purpose of reviewing demolition within a neighborhood conservation district is to preserve significant buildings and the diversity of building ages, styles, and forms that help to define the historical character of the district. Other benefits include the opportunity to review the significance of individual buildings in the context of specific development proposals, to consider creative re-use possibilities, and to encourage the care and maintenance of the building stock.

The East Cambridge NCD Commission will issue a Certificate of Appropriateness to an applicant seeking to demolish a structure if the project, including both the demolished and the replacement buildings, is determined to be "appropriate for or compatible with the preservation or protection of the [East Cambridge NCD] district."[46] Approval of demolition will be dependent on a finding by the NCD Commission that a) the demolition of the structure will not adversely impact the district, subdistrict, or abutting properties in the sense described in secondary goal #1, and b) the replacement project meets the purposes of the neighborhood conservation district with respect to secondary goals #2, 4, 5, and 7, where these are applicable. Buildings that are individually listed on the National Register of Historic Places or that are contributing structures in National Register districts are strong candidates for preservation. However, all applications will be reviewed on a case-by-case basis, and the NCD Commission will not necessarily protect all such structures from demolition.

In evaluating an application to demolish a structure, the Commission should consider the following factors:

- the architectural and historical significance of the structure of which any portion is to be demolished
- the architectural integrity of the structure proposed for demolition
- the physical condition of the structure and its subsoil conditions and practical restoration or repair alternatives to demolition that might be available using modern

[45] City Code, section 2.78.080.F. Demolition is categorized in Chapter 40C as an "alteration;" moving a building categorized as "construction."

[46] Chapter 40C, Section 10a. This language is incorporated by reference in the Neighborhood Conservation District and Landmark Ordinance, Ch. 2.78.170.

techniques and materials
- the location of the structure in relation to adjacent uses and surrounding context
- the design of any proposed replacement structure
- the extent to which the proposed project advances the broad interests of the community, such as for provision of affordable housing or services to the public
- the financial costs of renovation compared with new construction; and
- if made, a claim of substantial or other hardship.

3. Alterations to Existing Buildings

The goals of the district favor retention and repair, rather than replacement, of original or significant exterior fabric. Review of proposed alterations to an existing structure (including alterations that may constitute or involve new construction or demolition, in which case factors described in the preceding paragraphs may also apply), and of all other features not exempted from review, should be made with regard to the following additional factors:

- the extent to which the integrity of the original design has been retained or previously diminished
- the consistency of the proposed alteration with the character, scale, massing, and detailing of surrounding properties; and
- the proximity of adjacent surrounding structures.

a. Roofs

Each period and style of architecture has distinctive roof forms, slope, and materials that are a primary feature of the buildings. The intent of the roof standards is to retain the original and later contributing roofs, in form and materials, in the District. Changes to the roof form or slope, or the raising of a roof shall be reviewed by the Commission.

- Original or later contributing roofing materials, elements, features, details, and ornamentation should be retained.
- Many properties in the District have lost their original roof materials and elements. Replacement of non-historic roofing materials or replacement with a more historically appropriate material can be approved by staff.

b. Windows and Entrances

The intent of the window and door standards is to conserve the District's original or later contributing windows, doors and entryways in configuration, material, and detail. Windows and doors are a primary focus for architectural ornament and are an essential element of the proportional relationship of building facades.

- Historic window configurations and solid-to-void ratios should be retained on visible facades.
- New openings on primary facades are discouraged and should be subject to the review and approval of the Commission.
- Unless restoring to historical conditions, changes to the size or location of openings is discouraged and should be subject to the review and approval of the Commission.
- Original or later contributing windows, elements, features (functional and decorative), details and ornamentation, including glass, sash, sills, lintels, trim, frames, and shutters, should be repaired, rather than replaced.

- Window repair is preferred to replacement on National Register properties.
- The Commission encourages the replacement of windows with those that match the original material and pattern. Clad windows and simulated divided lights may be permitted. Replacement windows for properties that have already lost their original windows should meet the standards for window replacement. Appropriate replacement windows can be approved by staff.
- Glass should not be inappropriately tinted or reflective-coated.
- Original or later contributing projecting windows such as oriels, bays and dormers should not be removed.

Changes in the size or location of doors and doorways, including transoms, sidelights, pilasters, entablatures etc. shall be subject to District Commission review and approval.

- Original entrance designs and arrangement of door openings should be retained.
- Original or later contributing entrance materials, elements, details, and features (functional and decorative) should be retained.
- Before the Commission will consider door and door surround or entrance replacement, the possibility of repair should be investigated by the staff.
- When replacement is necessary, it should be based on physical or documentary evidence. If using the same material is not technically or economically feasible, then compatible materials may be considered.
- When original doors, door surrounds, and/or entrances have been lost, the Commission encourages the replacement of these features with elements historically appropriate for the period and style of the property. If documentary evidence of the original condition of the doors, door surrounds and entrances for the property is unavailable, the design of the replacement elements should be based on similar properties in the District.
- Storm windows and doors are exempt from review. It is recommended that storm windows and doors are low-profile and provide a full view of the underlying features. Half screens rather than full screens are required.

c. Building Materials- Structural and Ornamental

1. Masonry (includes brick, stone, terra cotta, concrete, stucco, and mortar)

- Original or later contributing masonry materials, elements, features (functional and decorative), details and ornamentation, such as brick facades, cornices, pediments, chimneys, foundations, decorative detail, etc., should be retained.
- When replacement of materials or elements is necessary, they should be based on physical or documentary evidence. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
- Repointing mortar should duplicate the original in composition, color, texture, joint size, and profile. Mortar that is harder than the material it is binding will cause masonry to deteriorate. Masonry restoration of properties on the National Register shall be subject to review and approval of the staff.
- Masonry, with the possible exception of extant concrete masonry units and stucco, should not be painted unless there is documentary evidence that this treatment was used on the property historically. If approved, the proposed color

should approximate the original masonry or original paint color in appearance.

2. Wood (includes siding, columns, cornices, brackets, balustrades, etc.)

- Original or later contributing wood materials, elements, features (functional and decorative), details and ornamentation, such as clapboards, shingles, columns, cornices, brackets, balustrades, etc., should be retained.
- Replacement of materials or elements should be based on physical or documentary evidence. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered. New applications of vinyl siding that replace or obscure original materials should not be allowed.
- Many properties in the neighborhood have been clad in alternate materials, such as vinyl, aluminum, asphalt, or asbestos siding. When replacing siding, exploratory work should be undertaken to see if the underlying siding and trim can be restored. Replacement of siding in-kind or replacement with a more appropriate material or design can be approved by staff.
- It is recommended that paint colors be chosen with consideration of the architectural period and style of the house. The Commission has no jurisdiction over exterior paint but is available to advise on appropriate colors.

3. Metalwork (including iron fences, railings, balconies, and roof cresting)

- Original ironwork materials, elements, features (functional and decorative), details and ornamentation should be retained.
- Deteriorated or missing ironwork materials, elements, features (functional and decorative), details and ornamentation should be replaced if necessary with material and elements that match the original in material, color, texture, size, shape profile, configuration, and detail of installation.
- If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.
- New balconies should not be permitted on primary facades.
- The installation of security grilles may be allowed subject to the review and approval of the Commission.

d. Landscape and Mechanical Features

The NCD commission has no jurisdiction over plant materials but may consider landscape plans in the context of new construction projects.

- Adding or removing of plantings or other vegetation is not reviewed by the Commission. Removal of mature trees may fall under the jurisdiction of other city departments.
- New impervious paving in front yards should not be undertaken.
- Original stone walls reflecting historic changes in grade should be retained.
- New fences or walls should be no higher than 4’-0’ between the street and the front wall of the building and 6’-0” behind the front wall of the building.
- Mechanical equipment, such as compressor units, should not be installed in a front or corner side yard except under special circumstances, such as existing building locations or site conditions that make it necessary. Whenever practicable, such equipment should be located in a non-visible location at the rear or

on a roof. The Commission encourages vegetation or features such as a lattice to obscure unsightly mechanical systems.

e. Accessibility

Prompt approval of appropriate means of providing handicapped access to a property shall be a high priority for the District.

A three-step approach is recommended to identify and implement accessibility modifications that will protect the integrity and historic character of the property:

- Review the historical significance of the property and identify character defining features.
- Assess the property's existing and required level of accessibility.
- Evaluate accessibility options within a preservation context.

Because of the complex nature of accessibility, the Commission will review proposals on a case by case basis. The Commission recommends consulting with the following document, which is available from the Commission office: National Park Service, Preservation Brief 32: "Making Historic Properties Accessible" by Thomas C. Jester and Sharon C. Park, AIA.

f. Storefronts

Storefronts have a significant impact on the character of a commercial district. The following guidelines are intended to ensure that storefronts complement their context while allowing business owners to express their individuality and promote their goods and services.

Storefronts are a source commercial vitality, and creativity in this regard is to be encouraged (Goal 6) .[47] Most storefronts can be regarded as impermanent and the NCD commission should look favorably on creative alterations that meet the particular needs of the retailer or office tenant, as long as the original structure and finishes are maintained or recovered (where they still exist). Alterations to upper stories are regarded as having the potential for significant and permanent adverse effects and will be reviewed according to the remaining guidelines. Changes to storefronts that do not obscure or damage the structure or any original architectural features will be encouraged.

To facilitate review of storefront alterations certain procedures can be delegated to the staff. Applications for storefront alterations that do not meet these criteria are considered by the Commission at a public hearing. A Certificate of Nonapplicability will be issued by the staff for:

- Alterations that reveal or restore, and take place entirely within, the surround of a storefront. The storefront surround consists of such elements as piers, columns, cornerboards, quoins, cornices and similar structural or decorative features.
- Alterations that do not obscure, remove, relocate, or replace historic or original exterior architectural features. Exterior architectural features may include, but are not limited to, such features as brackets, window and door casings, fascia, hoods, bays, and window sash. Examples of such alterations that have been approved by staff include exterior lighting of signs, accessibility hardware, and

[47] "Revitalize the commercial environment of Cambridge Street by preserving or restoring architecturally significant building fabric. Where such fabric no longer exists, support creative, appropriately-scaled contemporary designs for remodeled storefronts and in new construction. Maintain consistent height of storefronts to match existing average heights and proportions."

fire suppression and safety appliances or hardware.

It cannot be presumed that the strong demand for storefront locations will continue. Retail enterprises face severe challenges nationwide, and it is possible that the retail sector on Cambridge Street will contract. Many buildings in the District were designed or adapted for ground floor retail, and for reasons of historic preservation and conservation of the resource that they represent, repurposed storefronts should be altered in a way that preserves their transparency and architectural fabric and that is reversible.

g. Signs

Signs on Cambridge Street should contribute to the commercial vitality of the area. However, signs should not obscure original architectural features of the structure on which they are located. Signs should be fastened to structures in the least destructive way possible.

Signs that conform to the provisions of Article 7.00 of the zoning code would be exempt from review in the neighborhood conservation district. This section allows one square foot of signage per linear foot of building frontage, limits projecting signs, and prohibits internally illuminated signs, neon signs, and signs above the second floor level. These limits, which were adopted in the 1970s in pursuit of tasteful design, are viewed in some quarters as unnecessarily restrictive.

In adopting the Harvard Square Conservation District in 2000 the City Council granted the Historical Commission authority to approve certain non-conforming signs and amended the zoning code to transfer some jurisdiction over signs away from the Planning Board. The Commission has since approved several non-conforming signs that were considered appropriate for their locations and supportive of the commercial vitality of the Square. For example, the Commission has approved a steaming bagel on J.F. Kennedy Street, retro neon signs at 15 Brattle Street and 52 Church Street, and internally illuminated projecting signs at 11-21 Dunster Street and several other locations.

C. Effect of Proposed NCD Jurisdiction on Some Recent Projects

The houses at 154, 156 and 158 Thorndike Street illustrate alterations and new construction that would be subject to review in the proposed district. This part of the study area is not listed

154 Thorndike Street (2020), 156 Thorndike Street (1848) and 158 Thorndike Street (1835). CHC staff photo, 2022

on the National Register of Historic Places, so under the proposed rules only the new construction at 154 Thorndike Street would be subject to binding review. The alterations at 156 and 158 Thorndike Streets would be subject to non-binding review

New Construction

New construction in all areas of the proposed district would be subject to binding review by the East Cambridge NCD Commission.

The house at 154 Thorndike Street was constructed in 2020 on the side yard of 156 Thorndike. By an administrative oversight a building permit was issued without review by the Historical Commission, which had jurisdiction at the time. The house as built consists of two connected gable-roofed structures covered in synthetic clapboard-like material. The roof forms are traditional, while the fenestration is unique to this structure. The building is zoning-compliant.

The proposed guidelines state:

In reviewing new construction or additions to existing buildings, the Commission "shall consider the appropriateness of the size and shape of the structure both in relation to the land area upon which the structure is situated and to structures in the vicinity."[48] *Review of new buildings will be guided by considerations such as the appropriateness of the structure's height, scale, mass, proportions, orientation, and lot coverage; the vertical and horizontal emphasis, rhythm of openings, transparency, texture, and materials of the publicly-visible facades; sunlight and shadow effects; relationship to public open space; and landscaping …*

New construction in the East Cambridge Neighborhood Conservation District should seek to relate to the particular streetscape on which it is located, in building height, mass, scale, and siting. New construction should not replicate buildings of past eras and should be distinguished as the time of its design and construction. While new construction should appear more contemporary, it should also aim to take cues from historic characteristics of structures nearby including roof pitch and style, exterior materials or patterns, and solid-to-void ratio (Preliminary Report, p. 61).

48 Ch. 2.78.220.A.

CHC staff are of the opinion that the design largely conforms to the proposed guidelines. Design review of the project by an NCD commission might generate suggestions for alterations to the design, but staff would likely recommend the project for a Certificate of Appropriateness.

Alterations – Case #1

The house at 156 Thorndike Street was built in 1848 in a transitional Greek Revival-Italianate Style. In the 1930s two windows on the east side were filled in and shingles were installed over the original clapboards. The side porch was removed by a prior owner in the 1990s.

156 Thorndike Street, 1968 CHC staff photo

156 Thorndike Street with side porch removed, 2014 Google Street View

The property was acquired by a developer in 2016. The chimneys, cornice brackets, siding, and front door hood were removed in 2017, before the initiation of the district study.

156 Thorndike Street with chimneys, porch and siding removed, showing the original window pattern and cornice brackets. CHC staff photo, June 2017.

156 Thorndike Street as completed, showing removal of cornice brackets and random placement and sizes of windows. CHC staff photo, July 2022

Two elements of the renovation conflict with the guidelines and would trigger a review by the East Cambridge NCD Commission. These include:

- Removal of significant original features (cornice brackets and door hood)
- Changed window locations and sizes (on the east and north facades)

If the property was on the National Register of Historic Places these alterations would trigger a binding review by the East Cambridge NCD Commission. Because this structure is not on the National Register, there would be a non-binding review of the project. CHC staff would not recommend granting a Certificate of Appropriateness for such a project unless the cornice brackets and door hood were retained and the window pattern made more regular on at least the main body of the house.

Alterations – Case #2

The house at 158 Thorndike Street originated as a classic workers 2½ story cottage constructed in 1835. In March 2021, during the period of interim jurisdiction, the Historical Commission received an application for a Certificate of Appropriateness to replace the windows, raise the roof, and add dormers on front and back slopes. The design was shaped by conversations between the applicants and CHC staff about an appropriate approach.

158 Thorndike Street before renovation. CHC staff photo, March 2021

The Historical Commission approved the Certificate of Appropriateness because the overall design respected the traditional character of the architectural form by replicating the roof slope and inserting new windows of traditional design.

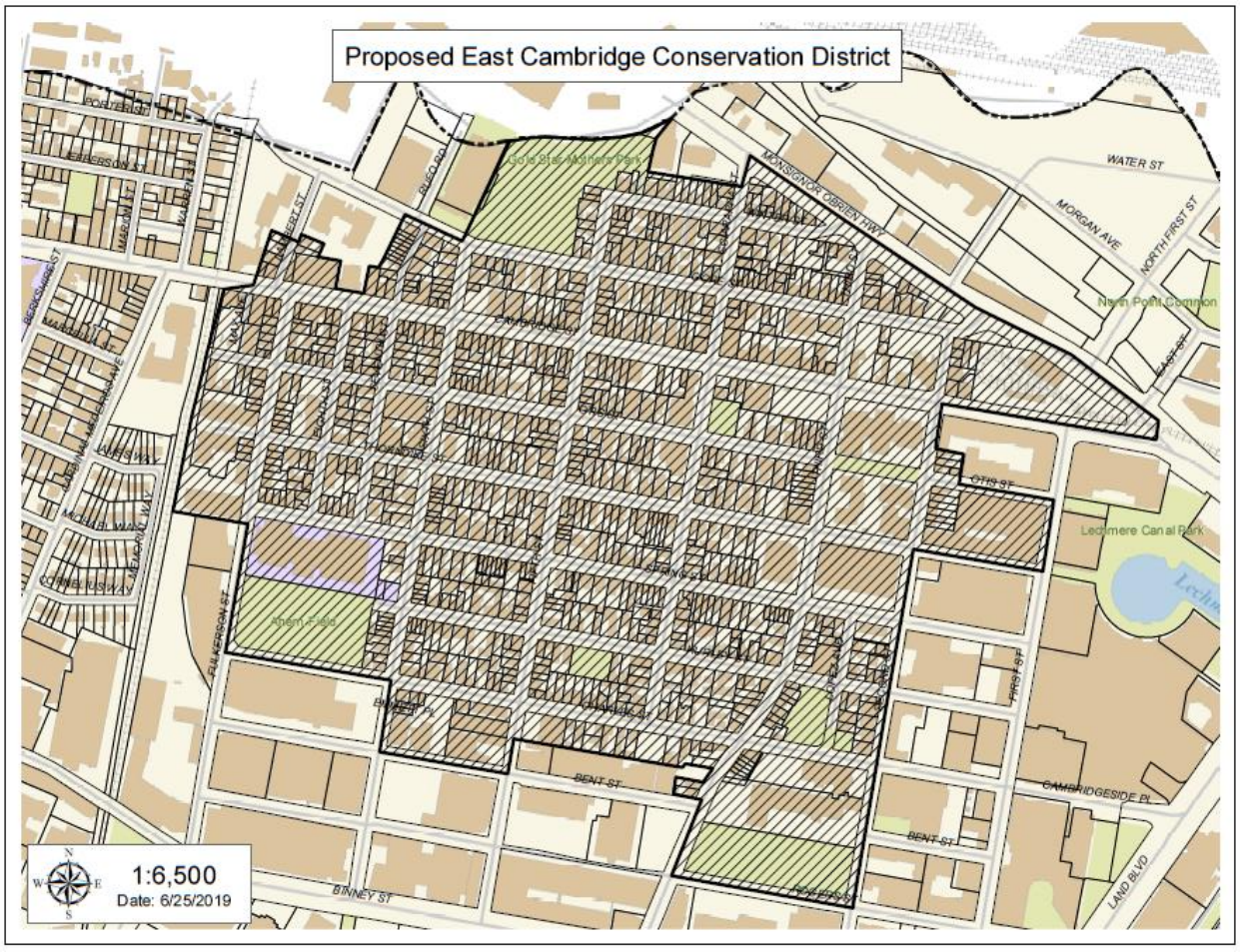
158 Thorndike Street, with renovation in process. CHC staff photo, Sept. 19, 2022

If this property was listed on the National Register the changes would be subject to binding review. Because it is not on the Register the changes would be subject to a non-binding review.

V. Proposed East Cambridge Neighborhood Conservation District Boundaries

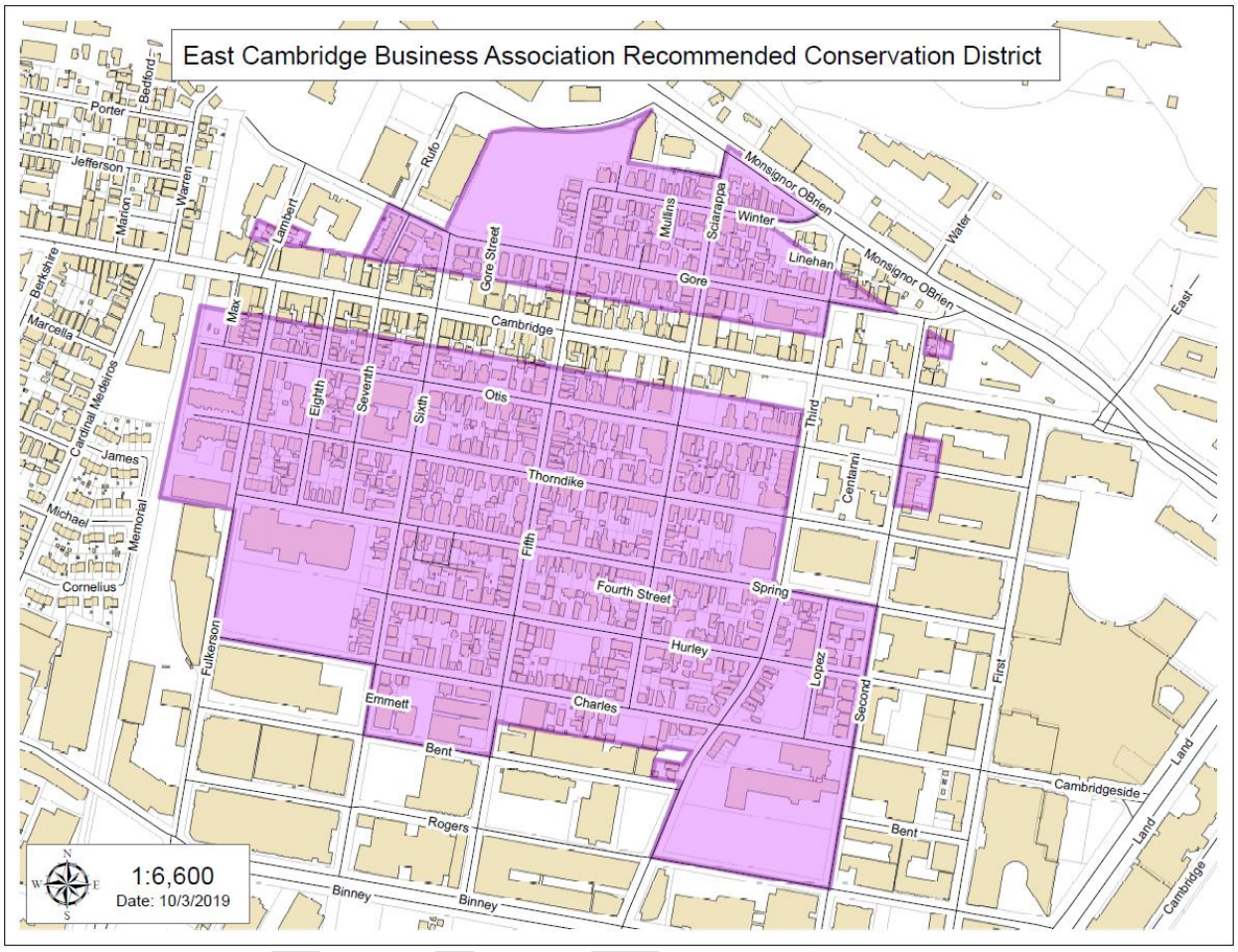
On June 17, 2019 Cambridge Historical Commission staff received a citizens' petition requesting that the Commission initiate the process of designating a portion of East Cambridge as a neighborhood conservation district. The petitioned area shown on the plan below included an area roughly bounded by the former Boston & Albany railroad tracks, the Somerville line, Monsignor O'Brien Highway, Second Street, Rogers Street, and Bent Street. In general, the boundary enclosed the core residential neighborhood, leaving out areas undergoing development on the north, east, and south. Two fully redeveloped properties on the periphery of the neighborhood, The Pavilion at 170 Gore Street and One First at Cambridge and First streets, were excluded. The area included 893 parcels with roughly 1,300 owners.

On the advice of CHC staff, the petitioners had drawn a wide ranging boundary because once accepted by the Commission the study area could not be expanded, but only reduced during the course of the study.



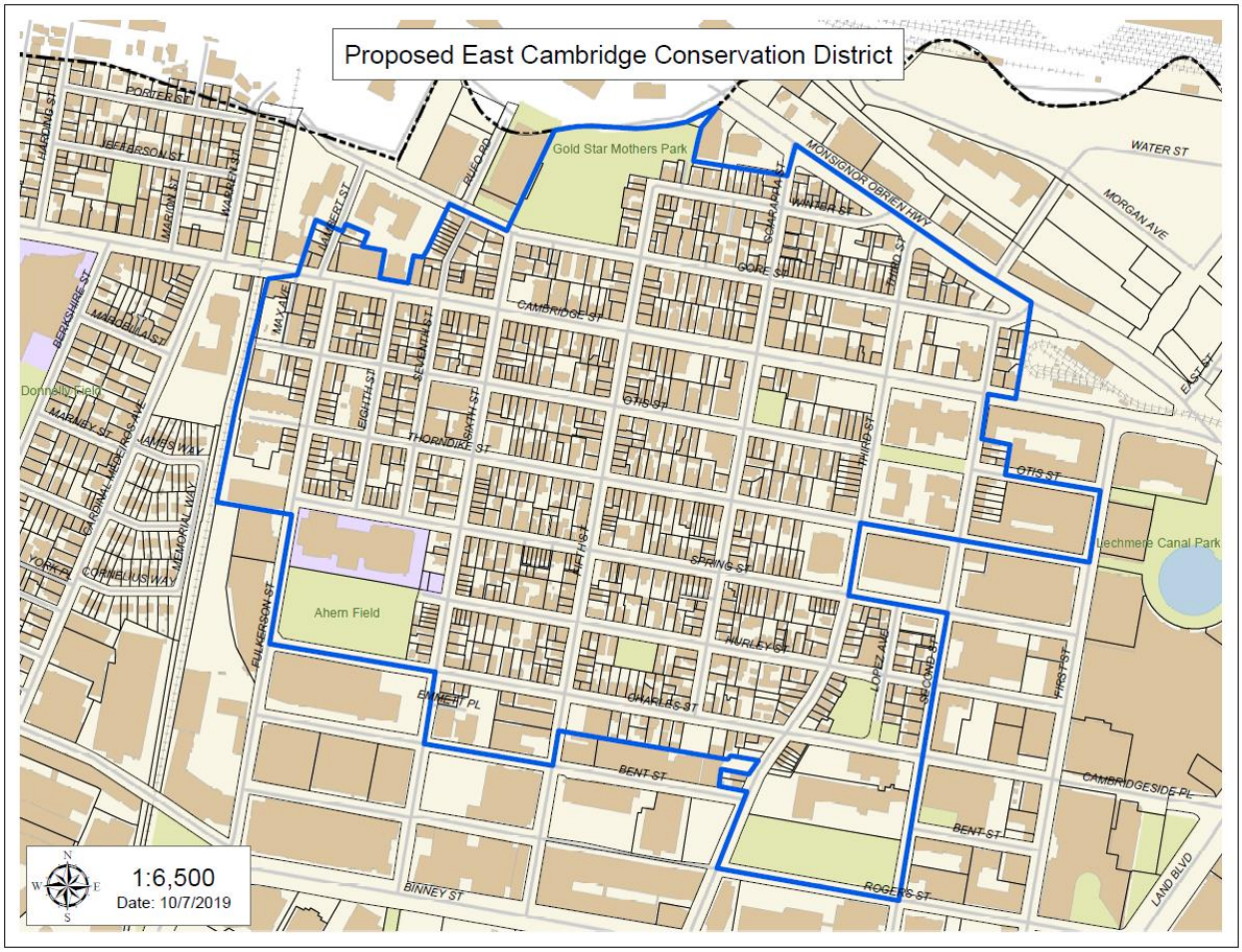
East Cambridge Neighborhood Conservation District boundaries as proposed by the petitioners

The East Cambridge Business Association requested that the business districts along Cambridge Street be eliminated from consideration on the grounds that an NCD would be an unwarranted burden on small business owners (see map below). The petitioners opposed the ECBA's request.



NCD boundaries as recommended by the East Cambridge Business Association

At the October 3, 2019 hearing the Historical Commission accepted the staff recommendation that both the former Middlesex County Courthouse (40 Thorndike Street) and the Lechmere MBTA station be removed from the proposed study area because developments on these sites were adequately governed by existing public processes. The Commission voted to accept the petition with the staff recommendation on boundaries, as shown on the map below.

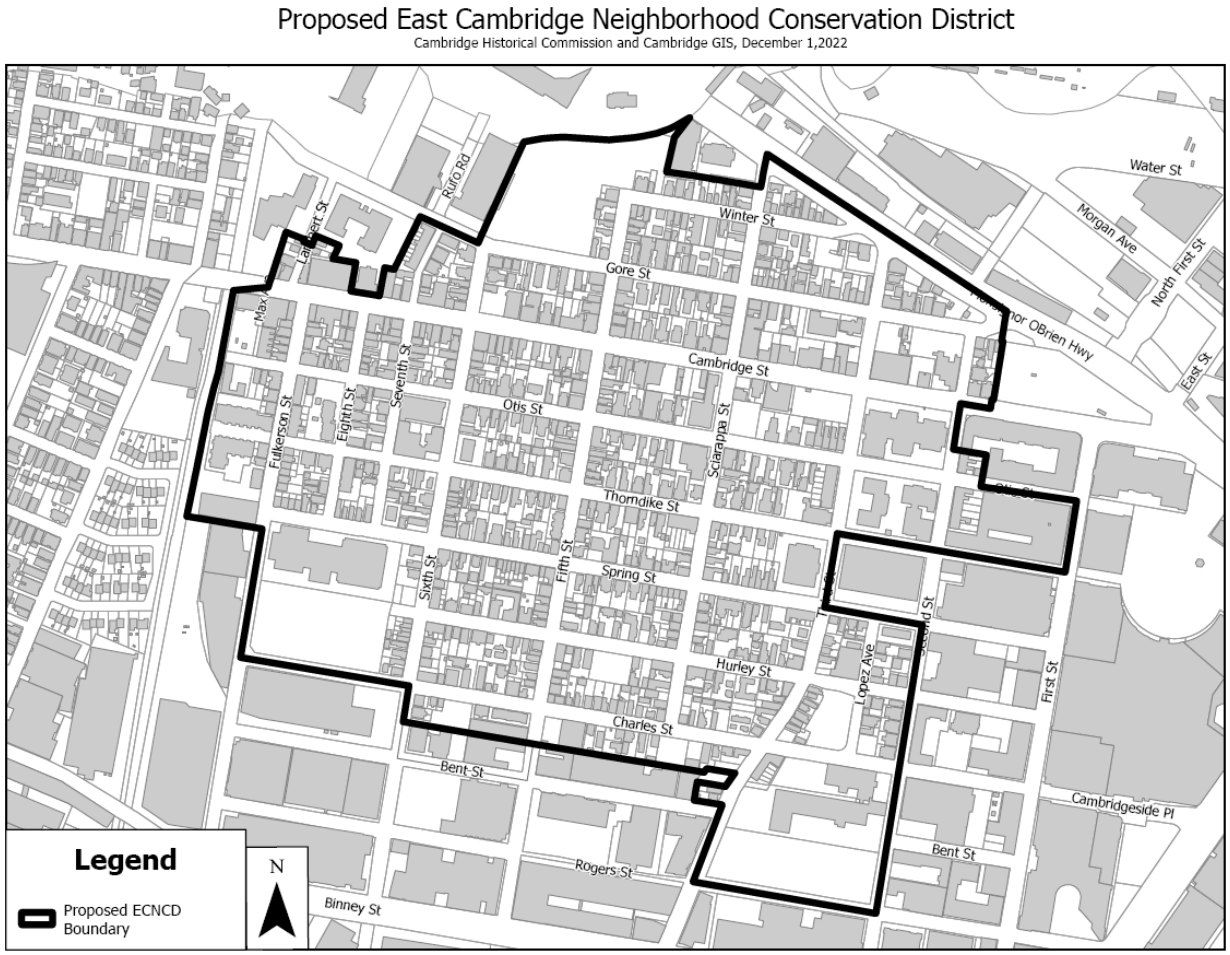


East Cambridge Neighborhood Conservation District Study Area boundaries as accepted by the CHC, October 2019

All parcels in the proposed study area are located within the following zoning districts: C-1, C-2B, BA, BB, I-1A, and Open Space, with the highest concentration being C-1 Residential zoning (see Part II, Fig. 3). The study area included three large open spaces, Gold Star Mothers Park, Ahern Field, and Rogers Street Park, along with other smaller parks and playgrounds, since the petitioners wished to protect these areas from possible future development.

The study committee discussed adjusting the boundaries to eliminate properties within the Business-A district along Cambridge Street on at least two occasions. CHC staff observed that eliminating jurisdiction along Cambridge Street would simplify administration of the neighborhood conservation district and remove a source of opposition to the study. The majority of the study committee supported keeping the study area intact.

On December 1, 2022 the Historical Commission adopted the recommendation of the Planning board to amend the southern boundary of the district by eliminating properties fronting on Bent Street. The recommended boundary is shown below.



Boundary of the proposed East Cambridge Neighborhood Conservation District, as recommended by the Cambridge Historical Commission on December 1, 2022

VI. Recommendations of the Study Committee

The potential authority of a neighborhood conservation district extends to regulation of all publicly-visible construction, demolition, and alterations, excluding color. This amount of protection is neither necessary nor desirable in most situations, and the enabling ordinance allows flexibility in crafting a level of jurisdiction that protects significant buildings and features while allowing property owners to maintain and improve their properties without unnecessary complications.

Study committee members, CHC staff, and members of the public engaged in extended discussions about necessary jurisdiction, National Register status with regard to regulation, and non-binding review (see Part III above). The following recommendations are still subject to further debate and change.

A. Exemptions from Review

The enabling ordinance, while enabling jurisdiction over all publicly visible exterior alterations, new construction, and demolition, categorically exempts the following from review:

1. Maintenance and ordinary repairs in kind.
2. Interior alterations.
3. Exterior alterations not visible from a public way.
4. Paint color.
5. Landscaping with plants, trees and shrubs.
6. Reconstruction or replication of the exterior design of a building, structure, or exterior architectural feature damaged or destroyed by fire, storm, or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence

The Study Committee envisions accepting the following additional exclusions from review as enabled by the ordinance:

7. The application of exterior wall material in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, window or door casing, or any other protruding decorative element.[49]
8. Alterations to the exterior of existing structures that do not increase or diminish the size and location of windows and doors, cause the removal of any bay, porch, hood, window or door casing or any other protruding decorative element, or alter the appearance of a roof;
9. Signs, temporary structures, lawn statuary, or recreational equipment, subject to such conditions as to duration of use, dimension, location, lighting, removal and similar matters as the Commission may reasonably specify;
10. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level;

[49] See below for an exception regarding application of coverings to masonry structures.

11. Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork and similar appurtenances.

The Study Committee also recommends that the East Cambridge NCD Order adopt further exclusions under the provision that a commission "may determine from time to time after a public hearing that certain categories of exterior architectural features or structures … may be constructed or altered without review" (2.78.090.C). Further exclusions should include the following:

12. Replacement windows pursuant to the Cambridge Historical Commission's *Guidelines for the Replacement of Wood Windows* (see appendix)

13. New openings in foundations (below the first floor) for windows and light wells.

14. Furnace vents not located on a principal facade.

15. HVAC equipment behind the principal front wall plane of a building.

16. Flat skylights and solar panels parallel to and in close contact with the plane of the roof.

17. Replacement roofing materials, except when replacing a slate roof.

18. Replacement of wood gutters and exterior features unprotected from the weather, such as fascia, porches, railings, steps, balustrades and fences, with synthetics in conformance with the Cambridge Historical Commission's *Practices in Reviewing Synthetic Trim and Gutters.*

19. Electric vehicle charging stations.

20. Raised beds for planting.

21. New walls and fences four feet high or less between the sidewalk and the principal wall plane of the building, and walls and fences six feet high or less behind the principal wall plane of the building.[50]

22. Alterations to commercial building facades that the Executive Director of the Historical Commission or designated staff person determines will reveal or restore the decorative or structural framework of the building originally intended to surround a storefront. Framework consists of such elements as piers, columns, corner boards, quoins, friezes, cornices, and similar structural or decorative features.

23. Storefront alterations that the Executive Director or designated staff person determines do not obscure, remove, relocate, or replace historic or original exterior architectural features. Such features include, but are not limited to, elements such as brackets, window and door casings, fascia, hoods, bays, and display windows.

24. Signs in the BA district conforming to Section 7.000, "Signs and Illumination" of

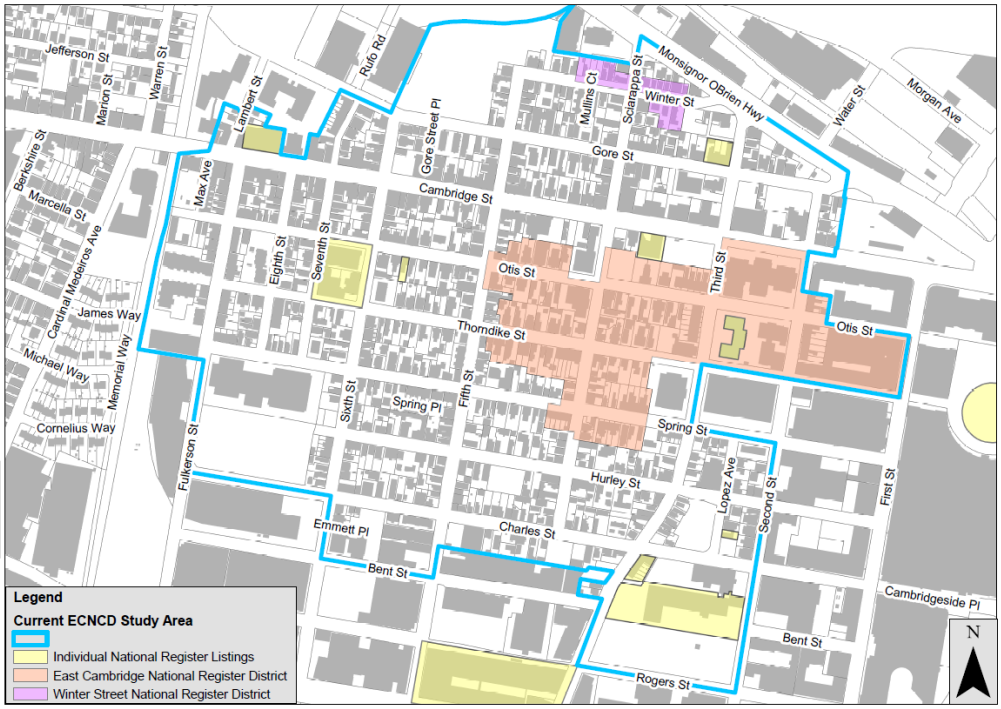
[50] As measured from the from the lowest immediately-adjacent grade..

the Cambridge Zoning Ordinance.

CHC staff will issue Certificates of Nonapplicability for projects involving the listed exceptions; no public hearings will be necessary in these instances. Applicants seeking approval for projects in these categories that do not qualify for a Certificate of Nonapplicability may apply to the NCD commission for a Certificate of Appropriateness or Hardship.

B. Jurisdiction over New Construction, Demolition, and Certain Alterations

Activities such as demolition and new construction are categorically irreversible and must be subject to NCD commission review in all parts of the district. Certain types of publicly-visible alterations may be less critical in their effect. National Register status is considered to be a useful tool to differentiate between levels of review. The study committee debated whether to treat National Register buildings more strictly, or non-National Register buildings less so. A consensus emerged that all buildings should be subject to the same jurisdiction, but that certain activities or alterations to non-National Register buildings should be subject to non-binding review.



East Cambridge properties on the National Register of Historic Places

1. Properties on the National Register of Historic Places

For properties on the National Register of Historic Places, all new construction and demolition, as well as publicly-visible alterations that do not qualify for an exemption (including the application of exterior wall coverings such as artificial siding, stucco, or paint to masonry structures), will be subject to binding review by the NCD Commission pursuant to the guidelines stated in Part IV.

2. Non-National Register properties – Binding and Non-binding Review

For properties that are not on the National Register, there will be <u>binding review</u> by the NCD

Commission for all new construction and demolition and non-binding review of the following categories of non-exempt alterations:

A. The application of exterior wall coverings such as artificial siding, stucco, or paint to masonry structures.

B. Removal of exterior materials down to the sheathing if the removal results in changes to the appearance of cornices, fascias, soffits, bays, porches, door or window hoods, corner boards, window or door casings, or any other protruding decorative element.

C. Changes to roof form, shape or height, including addition of dormers

D. Replacement of a slate roof with other material

E. Changes to door and window sizes and locations, except basement windows and exempted storefront alterations

Alterations not mentioned above or exempt from review would undergo non-binding review by Commission staff.

3. Non-conforming signs in the Business B District

Signs on Cambridge Street should contribute to the commercial vitality of the area. While signs that conform to the provisions of Article 7.00 of the zoning code would be exempt from review in the neighborhood conservation district, the East Cambridge NCD Commission should have the authority to approve certain non-conforming signs that might be considered appropriate for their locations and supportive of the commercial vitality of the street. Similar authority was granted to the Cambridge Historical Commission when the Harvard Square Conservation District was adopted in 2000.

4. Affordable Housing Review

Pursuant to a decision of the Cambridge Historical Commission, described above on pp. xx-xx, projects proposed under the Affordable Housing Overlay (AHO), Section 11.207 of the Cambridge Zoning Ordinance, shall be subject to non-binding review. In conducting such reviews the East Cambridge NCD Commission shall apply the procedures and guidelines for demolition, new construction, and alterations applicable to properties listed on the National Register of Historic Places (or not listed, as the case may be) in all respects as the Commission would for non-AHO projects, except that the findings of the Commission shall be advisory only and not binding upon the applicant.

Table of Jurisdiction: East Cambridge Neighborhood Conservation District

Binding Review, Non-Binding Review, and Exempt Activities
(see pp. 73-76 for full description)

	Hearing Required	**National Register**	**Non-National Register**
	Demolition	Binding Review	Binding Review
	New Construction	Binding Review	Binding Review
	Affordable Housing Overlay (AHO) projects	Non-Binding Review	Non-Binding Review
	Alterations including:		
A	New siding or paint on exterior masonry	Binding Review	Non-Binding Review
B	Removal of significant original features	Binding Review	Non-Binding Review
C	Change roof form, shape or height; new dormers	Binding Review	Non-Binding Review
D	Replacement of slate roof with other material	Binding Review	Non-Binding Review
E	Change door or window locations or sizes	Binding Review	Non-Binding Review
F	Fences >4' in front or >6' high behind front plane	Binding Review	Non-Binding Review
	Exempt or CHC Staff Review		
1	Maintenance	Exempt from review	Exempt from review
2	Interior alterations	Exempt from review	Exempt from review
3	Exterior alterations not publicly visible	Exempt from review	Exempt from review
4	Exterior color	Exempt from review	Exempt from review
5	Landscaping with plant materials and raised beds	Exempt from review	Exempt from review
6	Reconstruction after fire or natural disaster	Exempt from review	Exempt from review
7	New siding that preserves significant features	Exempt from review	Exempt from review
8	Exterior alterations that preserve significant features	Exempt from review	Exempt from review
9	Signs, temporary structures, rec equipment, etc.	Exempt from review	Exempt from review
10	Terraces, walks, driveways, sidewalks at grade	Exempt from review	Exempt from review
11	Storm windows, window air conditioners, light fixtures, antennae, trellises, etc.	Exempt from review	Exempt from review
12	Replacement windows per guidelines	Exempt from review	Exempt from review
13	Foundation openings	Exempt from review	Exempt from review
14	Furnace vents not on a main façade	Exempt from review	Exempt from review
15	HVAC equipment behind the main façade	Exempt from review	Exempt from review
16	Solar panels and skylights flat to the roof	Exempt from review	Exempt from review
17	Replacement roofing material (except on old slate roofs)	Exempt from review	Exempt from review
18	Synthetic materials per guidelines	Exempt from review	Exempt from review
19	EV charging stations	Exempt from review	Exempt from review
20	Fences <4' in front and <6' behind front wall plane	Exempt from review	Exempt from review
21	Storefront alterations that reveal original features	CHC staff review	CHC staff review
22	Storefront alterations that preserve original features	CHC staff review	CHC staff review
23	Signs per code	Exempt from review	Exempt from review

December 19, 2022

C. Boundaries

The Study Committee recommends adoption of the boundaries as presently drawn.

The committee debated whether to exclude the properties at 229-231 and 235 Third Street, which are separated from other properties on the west side of the street by the vacant lot at 221 Third as part of an excluded industrial property on Bent Street. The properties in question contain houses built in 1903 and 1872 (the latter refaced with brick in the 1990s). The committee agreed that the corner functions as the southeastern gateway to the neighborhood and that the houses should be included in the district.

235 and 229-231 Third Street Google Streetview, 2016

As described on pp. xx-xx, the Historical Commission voted to amend the proposed boundary by eliminating two parcels containing three buildings on Bent Street. The amended boundary is depicted on the cover and page xx of this report.

Appendices

A Proposed Order Establishing the East Cambridge Neighborhood Conservation District

B. CHC *Practices in Reviewing Synthetic Trim and Gutters*

C. CHC *Guidelines for the Replacement of Wood Windows*

D. Communications from the East Cambridge Business Association

E. Communication from the East Cambridge Planning Team

F. Hidden Costs of Historic Districts in Belmont and Dennis, Mass., as experienced by Study Committee member Ronald Creamer

G. Additional Communications from Members of the Study Committee

Appendix A Proposed Order Establishing the East Cambridge Neighborhood Conservation District

An Order Establishing the East Cambridge Neighborhood Conservation District

There is hereby designated and established under the provisions of the Chapter 2.78, Article III of the City Code a neighborhood conservation district to be known as the East Cambridge Neighborhood Conservation District (the "District"), an area bounded as shown on the map entitled "Proposed East Cambridge Conservation District" dated December 1, 2022 attached to this Order and incorporated into this Order in full.

I. Reasons for Designation

East Cambridge is one of the oldest and most distinctive neighborhoods in the city. Founded in the earliest years of the 19th century, it contains Cambridge's only fully-planned grid of streets, densely settled with vernacular buildings that house the area's constantly evolving population. For many decades a largely working-class community of immigrants and their descendants, East Cambridge today is still a largely intact island of naturally-occurring affordable housing bordered by some of the most valuable real estate in the United States. Pressures for change threaten the District's diverse architectural character, which this measure seeks to conserve and protect from adverse environmental influences. The Order will accomplish this purpose by establishing a process for guiding changes to properties in the District while ensuring that new construction, additions and alterations to properties are compatible with the character of the District, by offering a forum for community dialogue about proposed changes to properties in the District, by providing technical assistance to District property owners on issues of architectural conservation, and by fostering wider public appreciation of the District, and will thereby promote the public welfare by making the District a more attractive and desirable place in which to live, work, and visit.

II. District Established

As authorized in Paragraph A, Section 2.78.160 of Article III of the City Code, the neighborhood conservation district hereby established shall be administered by an East Cambridge Neighborhood Conservation District Commission (the "Commission" or the "NCD Commission"). The District shall be known as the East Cambridge Neighborhood Conservation District. Administrative support shall be provided by the staff of the Cambridge Historical Commission

III. Membership of the Commission

The East Cambridge Neighborhood Conservation District Commission shall consist of five members and three alternates appointed by the City Manager. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; and one neighborhood property owner (who may or may not be a neighborhood homeowner). One member or alternate may be a member or alternate of the Cambridge Historical Commission. One member and/or one alternate may be a Cambridge resident who lives outside the district. The remaining alternates shall be neighborhood property owners or residents.

IV. Statement of Goals and Standards and Guidelines for Review

The East Cambridge Neighborhood Conservation District is an instrument of cohesiveness that aims to protect not only the historically significant architecture but also the dynamic social fabric of a diverse community. As a collective voice of the neighborhood, the goal of the District is to

conserve the character, variety and scale of the district's streetscapes and architecture and to enhance the livability, vitality, and socio-economic diversity of the district for its residents and the public at large. The East Cambridge Neighborhood Conservation District Commission will seek to conserve significant structures and features where they exist while encouraging architectural diversity and individualized alterations that respect the vibrant and eclectic character of the neighborhood. The Commission will seek to maintain the present diversity of development and open space patterns (including green canopies where possible) and building scales. It will acknowledge the growing demand for housing in the community at large by accommodating greater density where appropriate and by preserving the existing housing stock of the neighborhood where possible.

The following secondary goals are intended to provide general guidance to the NCD commission in a wide variety of situations. They are not intended to be applied to every project; they are statements of policy, not prescriptive measures that must be applied equally in each situation. In making decisions, commissioners may debate how a project meets or violates individual goals, and which should be cited in approving or denying applications for Certificates of Appropriateness.

1) Conserve the diverse architectural character of the district by retaining historic structures, including 19th century workers' houses and buildings that reflect the diverse social fabric characteristic of the neighborhood. Protect significant civic and institutional buildings.
2) Allow for architectural diversity and individualized alterations while respecting the traditional housing stock of the neighborhood.
3) Retain significant architectural features, including but not limited to roof pitches, historical architectural elements, and traditional solid vs void configurations.
4) Support additional housing construction and density when appropriate, based on the nature and size of the lot and its surroundings.
5) Encourage contemporary design that respects surrounding context yet differentiates itself as belonging to the present day.
6) Revitalize the commercial environment of Cambridge Street by preserving or restoring architecturally significant building fabric. Where such fabric no longer exists, support creative, appropriately-scaled contemporary designs for remodeled storefronts and in new construction. Maintain consistent height of storefronts to match existing average heights and proportions.
7) Protect significant buildings on Cambridge Street while supporting construction on open lots and underdeveloped sites as allowed by zoning.
8) Encourage trees and greenery (especially vines and pergolas, typical of the history of the neighborhood) to enhance landscape amenities and limit new impervious paving to mitigate negative climate impacts on the neighborhood. Encourage preservation of stone retaining walls as well as historic lighting fixtures. Encourage provision of public amenities such as accessible brick pavers on reconstructed sidewalks as well as benches and street trees.
9) Encourage low fences to protect public views of houses and through yards, while permitting flexibility to enhance privacy and minimize the adverse visual effect of

trash containers and mechanical equipment.

10) Consider applicable goals adopted by the City Council, including but not limited to the need to increase access to affordable housing for all income groups, support the sustainable use of energy, and strengthen the city's capacity for climate resilience.

The foregoing goals also recite the standards for preservation and change within the District. In addition to the factors specified in Section 2.78.220, and subject to any specific provisions of this Order, in exercising its authority with respect to the District and in considering applications for certificates of appropriateness, hardship, or non-applicability, the Neighborhood Conservation District Commission shall be guided by the preceding general goal for the District as a whole and by such of the preceding secondary goals as it determines to be applicable to the project or situation before it. The Neighborhood Conservation District Commission shall also be guided by the standards and guidelines described in the "Final Report of the East Cambridge Neighborhood Conservation District Study Committee," dated XXXXXXX XX, 2022, which after public hearing the Neighborhood Conservation District Commission may adopt as regulations and thereafter amend from time to time.

As permitted by Chapter 2.78.190.B, the Neighborhood Conservation District Commission may determine from time to time after public hearing that certain categories of exterior architectural features, structures, or signs may be altered without review by the Commission; provided, however, that every such alteration shall be determined by the Executive Director of the Cambridge Historical Commission to conform to the regulations adopted by the Commission for the administration of the District.

V. Review Procedures

The authority of the Neighborhood Conservation District Commission shall extend to the review of all construction, demolition, or alteration that affects exterior architectural features, other than color, within the District. Except as otherwise provided in this Order, the determinations of the Commission shall be binding with respect to new construction, demolition, and alterations affecting structures and properties on the National Register of Historic Places, binding with respect to new construction and demolition affecting structures and properties elsewhere in the District, and non-binding with respect to alterations of structures not on the National Register.

A. Exclusions from Review – Certificates of Non-Applicability

As permitted by Ch. 2.78.190.B, the authority of the Neighborhood Conservation District Commission shall not extend to the following categories of structures or exterior architectural features and such structures or features may be constructed or altered without review by the Neighborhood Conservation District Commission. Cambridge Historical Commission staff shall issue Certificates of Non-Applicability for such activities provided they conform to the applicable standards and guidelines of the District:

1. Maintenance and ordinary repairs in kind.
2. Interior alterations.
3. Exterior alterations not visible from a public way.
4. Paint color.
5. Landscaping with plants, trees and shrubs.
6. Reconstruction or replication of the exterior design of a building, structure, or exterior

architectural feature damaged or destroyed by fire, storm, or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence

7. The application of exterior wall material in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, window or door casing, or any other protruding decorative element.
8. Alterations to the exterior of existing structures that do not increase or diminish the size and location of windows and doors, cause the removal of any bay, porch, hood, window or door casing or any other protruding decorative element, or alter the appearance of a roof;
9. Signs, temporary structures, lawn statuary, or recreational equipment, subject to such conditions as to duration of use, dimension, location, lighting, removal and similar matters as the Commission may reasonably specify;
10. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level;
11. Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork and similar appurtenances.
12. Replacement windows pursuant to the Cambridge Historical Commission's *Guidelines for the Replacement of Wood Windows* (see appendix)
13. New openings in foundations (below the first floor) for windows and light wells.
14. Furnace vents not located on a principal facade.
15. HVAC equipment behind the principal front wall plane of a building.
16. Flat skylights and solar panels parallel to and in close contact with the plane of the roof.
17. Replacement roofing materials, except when replacing a slate roof.
18. Replacement of wood gutters and exterior features unprotected from the weather, such as fascia, porches, railings, steps, balustrades and fences, with synthetics in conformance with the Cambridge Historical Commission's *Practices in Reviewing Synthetic Trim and Gutters*.
19. Electric vehicle charging stations.
20. Raised beds for planting.
21. New walls and fences four feet high or less between the sidewalk and the principal wall plane of the building, and walls and fences six feet high or less behind the principal wall plane of the building (as measured from the from the lowest immediately-adjacent grade).Alterations to commercial building facades that the Executive Director of the Historical Commission or designated staff person determines will reveal or restore the decorative or structural framework of the building originally intended to surround a storefront. Framework consists of such elements as piers, columns, corner boards, quoins, friezes, cornices, and similar structural or decorative features.
22. Storefront alterations that the Executive Director or designated staff person determines do not obscure, remove, relocate, or replace historic or original exterior architectural features. Such features include, but are not limited to, elements such as brackets, window and door casings, fascia, hoods, bays, and display windows.
23. Signs in the BA district conforming to Section 7.000, "Signs and Illumination" of the Cambridge Zoning Ordinance.

CHC staff will issue Certificates of Non-Applicability for projects involving the listed exceptions; no public hearings will be necessary in these instances. Applicants seeking approval for projects in these categories that do not qualify for a Certificate of Non-Applicability may apply to the NCD commission for a Certificate of Appropriateness or Hardship.

B. Jurisdiction over New Construction, Demolition, and Certain Alterations

The East Cambridge Neighborhood Conservation District Commission shall have the following jurisdiction over properties in the District:

1. Properties on the National Register of Historic Places

For properties on the National Register of Historic Places, all new construction and demolition, as well as publicly-visible alterations that do not qualify for an exemption (including the application of exterior wall coverings such as artificial siding, stucco, or paint to masonry structures), shall be subject to binding review by the NCD Commission pursuant to the Standards and Guidelines stated in Part C below.

2. Non-National Register properties – Binding and Non-binding Review

For properties that are not on the National Register, there shall be binding review by the NCD Commission for all new construction and demolition and non-binding review of the following categories of non-exempt alterations:

a. The application of exterior wall coverings such as artificial siding, stucco, or paint to masonry structures.

b. Removal of exterior materials down to the sheathing if the removal results in changes to the appearance of cornices, fascias, soffits, bays, porches, door or window hoods, corner boards, window or door casings, or any other protruding decorative element.

c. Changes to roof form, shape or height, including addition of dormers

d. Replacement of a slate roof with other material

e. Changes to door and window sizes and locations, except basement windows and exempted storefront alterations

Alterations not mentioned above or exempt from review shall undergo non-binding review by Commission staff.

3. Non-conforming signs in the Business B District

Should the provisions of Article 7.00 of the zoning code be so amended, the East Cambridge NCD Commission shall have the authority to approve certain non-conforming signs found to be appropriate for their locations and supportive of the commercial vitality of the street.

4. Affordable Housing Overlay Projects

Projects proposed under the Affordable Housing Overlay (AHO), Section 11.207 of the Cambridge Zoning Ordinance, shall be subject to non-binding review. In conducting such reviews the East Cambridge NCD Commission shall apply the procedures and guidelines for demolition, new construction, and alterations applicable to properties listed on the National Register of Historic Places (or not listed, as the case may be) in all respects as the Commission would for non-AHO projects, except that the findings of the Commission shall be advisory only and not binding upon the applicant.

VI. Coordination with Other Agencies and Boards

The Historical Commission, Board of Zoning Appeals, Inspectional Services Department, and other City boards, agencies, and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes within the District to the extent practicable, consistent with their respective responsibilities.

VII. Public Notice

In addition to the notice requirements in Ch. 2.78.230, applicants scheduled to appear before the Neighborhood Conservation District Commission in a public hearing shall place a public notification placard on the premises that are the subject of the application. Placards shall be posted not less than seven days prior to the meeting and shall be maintained in public view and legible condition until the Neighborhood Conservation District Commission's determination is filed with the City Clerk. Placards shall be obtained by the applicant from the Cambridge Historical Commission. Placards shall be securely mounted on the subject premises at the street line or within the property, but not more than 20 feet from the street line, so as to be legible to persons passing on the public street without the necessity of trespassing. Stolen, destroyed, or illegible placards shall be promptly replaced and placards shall be promptly removed after the filing of the Neighborhood Conservation District Commission's determination. Information to be placed by the applicant on the placard shall indicate the address of the property; the date, time, and place of the public hearing; the nature of the action requested; and the application case number.

VIII. Time Limit for Commission Action

When taking action under the provisions of this Order and Sections 2.78.190, 2.78.200, 2.78.210, and 2.78.220 of Article III of Chapter 2.78, the Neighborhood Conservation District Commission shall make its determinations within forty-five days after the filing of a complete application for a certificate of appropriateness, non-applicability, or hardship, or within such further time as the applicant may in writing allow or the Neighborhood Conservation District Commission may determine in accordance with regulations that the Commission may adopt consistent with Section 2.78.230 of said Article III. When taking actions regarding the exempt activities specified in paragraph V.A of this order, the Historical Commission staff shall make its determinations within five days after the filing of a complete application for a certificate of appropriateness, non-applicability or hardship, or such further time as the applicant may in writing allow.

IX. Appeals

Pursuant to Section 2.78.240 of Article III of Chapter 2.78, any person aggrieved by a determination of the Commission may appeal to the Cambridge Historical Commission within twenty (20) days after the filing of such determination with the City Clerk.

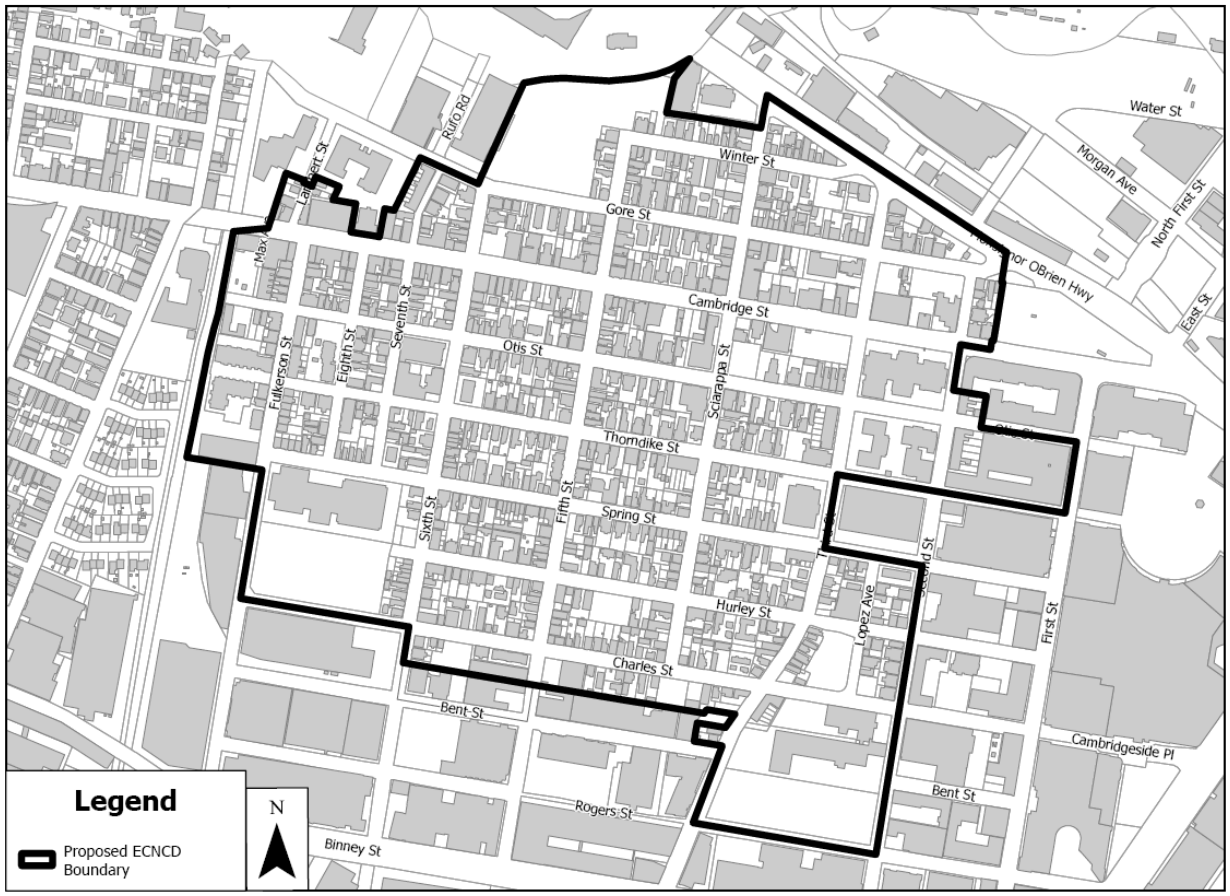
X. Recommendation to City Council

During the twelve-month period prior to the fifth anniversary of the effective date of this Order the Cambridge Historical Commission shall hold a public hearing to discuss the effectiveness of the East Cambridge Conservation District and to make a recommendation to the City Council, based upon its findings following such public hearing, as to whether this Order should continue in effect, continue in effect with amendments, or be repealed. In the event that the City Council repeals this Order, except as the repealing order otherwise directs, the East Cambridge

Conservation District shall cease to be in effect, but all valid certificates, permits, orders and determinations of any City board, commission or agency issued prior to such cessation shall continue in effect.

Proposed East Cambridge Neighborhood Conservation District

Cambridge Historical Commission and Cambridge GIS, December 1,2022



Appendix B. Cambridge Historical Commission Practices in Reviewing Synthetic Trim and Gutters

The Cambridge Historical Commission has adopted the practice of allowing synthetic replacements for trim details that are in ground contact (like porch skirt boards and step risers) or exposed to the weather (like rooftop balustrades or deck railings with no roof over them). We took this step after a property owner in the historic district was facing replacement of a balustrade in wood for the third time in 35 years.

Cellular PVC (as produced by Azek and other manufacturers) comes in many traditional profiles and common lumber sizes. It has a matte finish that can (and should) be painted, and when finished is indistinguishable from wood. Domestic lumber today bears no resemblance to the old-growth materials that were available until the 1940s and ’50s. Exotic hardwoods may be the answer for the time being, but they are getting more expensive to source and may not be environmentally (or ethically) sustainable in the long term.

The Commission has also allowed wood gutters to be replaced with copper or fiberglass as long as the profile matches the existing (or original) profile. We allow this because wood gutters are inherently undersized for all but the smallest roof surfaces. This mismatch of capacity vs. demand, combined with the propensity of narrow outlets to clog with the slightest obstruction, leads to destructive overflows and consequent deterioration of fascia, soffits, and siding. The same exterior dimension in a 4” x 5” (nominal) thin-walled metal or fiberglass gutter will have over three times the capacity of an equivalent wood gutter. High-end frame houses in the late 19th century were sometimes built with copper gutters formed to traditional profiles and painted to match the trim.

The Commission does not permit K-style gutters (the familiar flat-bottomed aluminum gutter profile) as replacements in historic districts unless they were original to the building, but copper or fiberglass gutters in an appropriate profile preserve or recapture the traditional appearance of a cornice while offering measurable benefits in efficient capture of rainwater. While not cheap, they offer homeowners greater longevity and lower demands for maintenance.

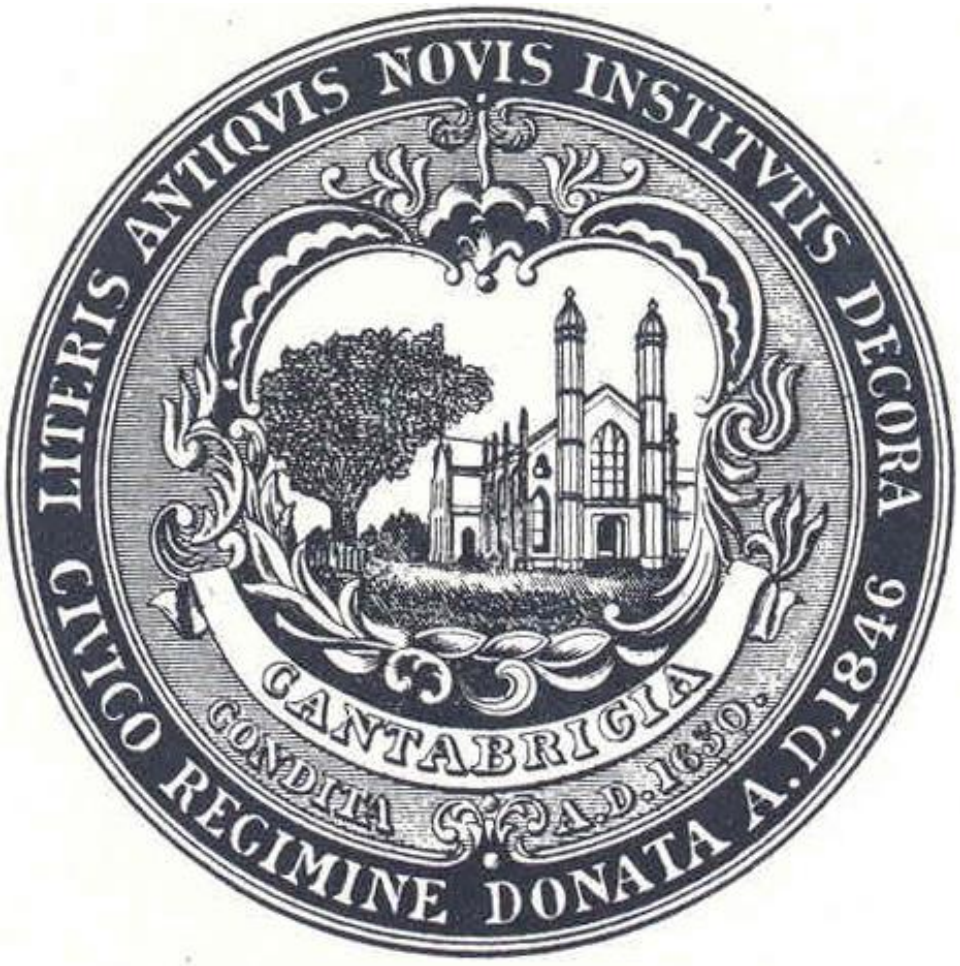
Owners of designated properties in Cambridge may utilize these materials with staff review to ensure that replacements match existing or original details; more complicated cases are referred to the full commission for a public hearing.

The Commission has also approved synthetics for fence replacements in the Old Cambridge Historic District. One corner property had almost 500’ of frontage; the previous wooden fence, lasted less than 15 years before the Commission allowed it to be replaced with painted PVC. The result is functionally and visually indistinguishable from wood. Shiny plastic fences would not be allowed under any circumstances.

June 6, 2018

Appendix C. Cambridge Historical Commission Guidelines for Replacement of Wood Windows

Guidelines for Preservation and Replacement of Historic Wood Windows in Cambridge



Prepared by Paul Trudeau
Cambridge Historical Commission
831 Massachusetts Avenue
Cambridge, Mass. 02139
www.cambridgema.gov/~Historic
May 2009; updated March 2022

Guidelines for Preservation and Replacement of Historic Wood Windows in Cambridge[51]

Introduction

A primary objective of the Cambridge Historical Commission is to ensure the preservation and protection of the distinct characteristics of historic buildings and places throughout the city. Historic wood windows are considered to be one of these distinct characteristics. The Historical Commission believes that the protection of historic wood windows not only preserves an irreplaceable resource but is also cost-effective to the homeowner and environmentally responsible. The following guidelines are intended to inform Cambridge property owners on the benefits of wood window restoration, and to guide property owners of locally-designated buildings and commission members in evaluating the appropriateness of window replacement.

The Cambridge Historical Commission and the city's neighborhood conservation district commissions have varying degrees of jurisdiction over window replacement within the boundaries of their designated districts (see http://www.cambridgema.gov/ Historic/ meetingsprocess.html for a description of the districts). In general, commissions have jurisdiction over all "exterior architectural features" of buildings, and no building permit may be issued for work in an historic or neighborhood conservation district until a commission has issued a Certificate of Appropriateness, Nonapplicability, or Hardship.[52] A Certificate of Appropriateness will be issued when the commission determines that the work is not incongruous to the character of the building or district; a Certificate of Hardship will be issued if the applicant demonstrates hardship, financial or otherwise, and the proposed work will not have an adverse effect on the district; and a Certificate of Nonapplicability will be issued if the work is judged to be not within the jurisdiction of the commission, or not visible from a public way.[53]

Why Preserve Historic Wood Windows?

Windows are an essential component of buildings, both as a means for light, ventilation, and visibility, and as an architectural feature. By providing scale, profile, and composition to a façade, windows are often one of the most important character-defining features of a structure. Federal preservation guidelines advise that "windows should be considered significant to a building if they: 1) are original, 2) reflect the original design intent for the building, 3) reflect period or regional styles or building practices, 4) reflect changes to the building resulting from major periods or events, or 5) are examples of exceptional craftsmanship or design."[54] Today's busy homeowner is often led to believe that old windows cannot be repaired, and that they are inconvenient, high maintenance, inefficient, and ultimately replaceable. Historic wood windows were built to last, however, and some are still in service after two centuries or more.

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[51] These guidelines primarily pertain to the one-, two- and three-family homes that characterize the city's residential districts. Different standards may apply for apartment houses and commercial and industrial buildings.

[52] The Massachusetts historic district statute defines "exterior architectural features" as "such portion of the exterior of a building or structure as is open to view from a public street, public way, public park or public body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, color and texture of exterior building materials, the color of paint or other materials applied to exterior surfaces and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures; (M.G.L. Ch. 40c, Sec. 5).

[53] The statute defines the scope of the commission's review: "In passing upon matters before it the commission shall consider, among other things, the historic and architectural value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area" (M.G.L. Ch. 40C, Sec. 7).

[54] Myers, John. "Preservation Brief 9: The Repair of Historic Wooden Windows." Technical Preservation Services, U.S. Department of the Interior (1981) (http://www.nps.gov/history/hps/tps/briefs/brief09.htm)

A Brief History

Moveable wood sash windows date back to the early 1700s. Early construction techniques evolved into an intricate combination of molded wooden members ("muntins") to hold panes of glass. Early wood sash windows were marked by thick muntins and small panes, or lights, due to the high price of glass. As glass technology improved and prices decreased, lights became larger and muntins became thinner.

By the late eighteenth century, dimensions of windows were standardized according to the sizes of glass imported from Britain.[55] The principal window type of this era was the double-hung sash, which is commonly found today in Cambridge's older buildings. Sash construction remained a complex process, and windows were milled from old-growth lumber that is denser than the wood available today – one reason for the longevity of these windows.

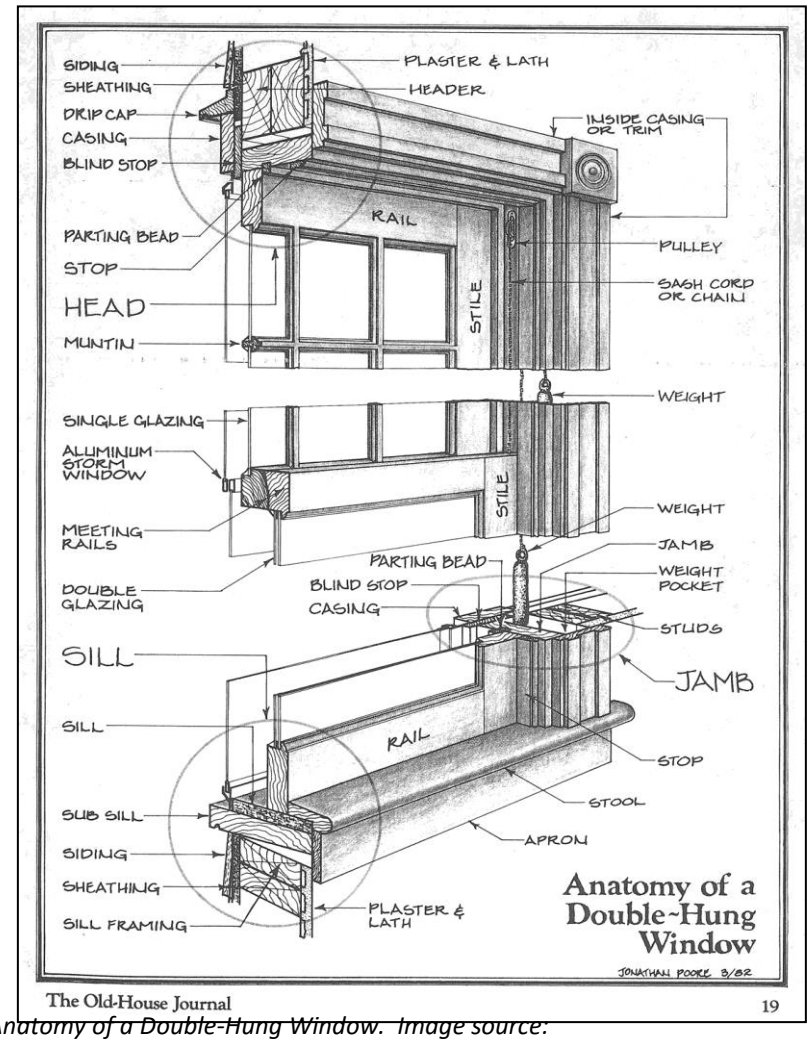

Figure 1: *The Anatomy of a Double-Hung Window. Image source: http://www.cityofalbany.net/comdev/historic/windowparts.jpg*

Historically, the character and configuration of window sash have been essential to the style of a building. Nineteenth century muntin profiles and sash designs changed with evolving architectural styles, demonstrating deliberate design choices and skilled craftsmanship. Window glass manufactured before the mid-1920s exhibits wavy patterns and defects that are an important characteristic of older buildings. Historic windows are detailed differently than modern windows, and their old glass provides a markedly different pattern of reflection from modern glass. Preserving the sometimes subtle distinctions between modern and historic sash is critical to maintaining the historic character of a building.

Consider Restoration before Replacement

The staff of the Cambridge Historical Commission receives proposals for and inquiries about window replacement on a regular basis, a reflection of the rapid growth of the window replacement industry. Property owners are sometimes reluctant to hear the case for restoring historic wood windows opposed to their

[55] There are local window companies that manufacture a "Boston Pattern" sash based on these eighteenth-century standards, which will fit nearly any window opening in Cambridge. "New York" pattern windows sold in western and southern New England are slightly different.

replacement. The benefits of window restoration can be summed up under three categories: Sustainability, Energy-Efficiency, and Historic Character.

Sustainability

An important facet of preserving historic buildings is the retention of original components. Like most structural elements of older, wood-framed buildings, historic wood windows were milled from old-growth lumber that can last centuries, even when not properly maintained. Their sustainability is complemented by the fact they were carefully constructed with mortise and tenon joinery to fit tight into the window openings of a house with extreme care and craftsmanship. Mass-produced wood replacement windows are typically constructed of new-growth lumber, often with glued-together finger joints and are highly susceptible to rot. The preservation of an old window maintains an irreplaceable, sustainable resource.

In addition to craftsmanship and the durability of the wood, historic wood windows are also sustainable in that they are easily repairable. With the abundance of allegedly "maintenance-free" replacement window options on the market today, it's not surprising that property owners are often inclined to do away with old wood windows. "Maintenance-free," however, is a misleading claim. Any product that is in constant operation and is susceptible to seasonal fluctuations and weathering will need maintenance. Replacement windows typically have plastic and metal parts that become outmoded over time, making them difficult (if not impossible) to repair. Vinyl windows are prone to denting, warping and fading in high temperatures.[56] In most cases, wood replacement sash have aluminum or vinyl exterior cladding meant to protect the wood as an alternative to storm windows. However, if moisture finds its way in, through weep holes or other infiltration sources, the new-growth lumber shielded beneath the cladding can quickly rot.[57]

***Figure 2**: Cross-section of insulating glass in a vinyl replacement window unit*

Another major claim of the window replacement industry is insulating glass. Insulating glass involves two panes of glass with an inert gas sealed in the space between them; these windows are called "double-glazed." Their design, however, does not lend to sustainability. Windows with insulating glass come with only a 15 to 20 year warranty; when the sealant fails, the window will lose its insulating quality, the glass will fog, and the entire window may have to be replaced.[58] Historic wood windows with a single pane of glass can be repaired with tools found at a local hardware store and will last up to 10 times longer than a replacement model. Homeowners should be aware that the payback period for restoring wood windows and installing quality storm windows is significantly less than installing replacement windows. In sum, the term "replacement window" means just what it says – it will have to be replaced again and again.

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[56] Paul Fisette, "Understanding Energy-Efficient Windows," *Fine Homebuilding* 114 (1998): 68-73

[57] See for example, class action suit brought against Pella Windows in February 2008 from homeowners who alleged that their Proline aluminum-clad wood replacement windows had design flaws that allowed water penetration beneath the exterior cladding, causing premature rotting in the sash. http://www.freedweiss.com/investigations_pella.htm

[58] Walter Sedovic and Jill H. Gotthelf, "What Replacement Windows Can't Replace: The Real Cost of Removing Historic Windows," *APT Bulletin: Journal of Preservation Technology* 36:4 (2005): 25-29

As global warming and related "green" issues are in the headlines, recycling and sustainability are important terms. Window restoration incorporates both of these concepts. Restoration of existing wood windows reduces both landfill waste and the production of the energy-consuming, synthetic materials found in many replacement windows. Hiring a local window restoration specialist to work on your windows also helps sustain local economies as *labor* intensive, opposed to *materials* intensive, concept.

Energy-Efficiency

Much like sustainability, energy efficiency is an important factor in the "green" discussion and is often the primary reason homeowners look to replace their windows. The generally erroneous notion is that older wood windows are not as energy efficient as today's double-glazed replacement models. However, window replacement companies will often compare their product to an unrestored wood window with little or no weather-stripping and a poor (or no) storm window. With proper repair and maintenance, coupled with weather stripping and a quality storm window, *a single-glazed historic wood window will have a comparable level of energy efficiency to that of a double-glazed replacement window*. Industry guidelines indicate that the addition of a storm window to an existing single-glazed window will reduce the energy loss through the window area by approximately 50%.[59] As replacement window manufacturers will attest, the best insulation on a small scale is dead air space. The extra dead air space created with a sealed storm window (typically 2") means more insulation and increased energy efficiency. Replacement window dead air space between the double-glazing is only 1/16 to 1/32 of an inch.

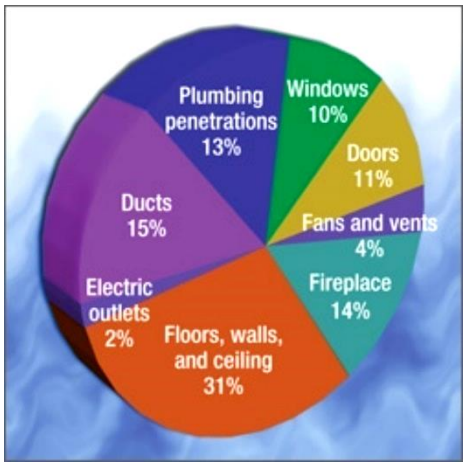

***Figure 3**: "Air Escape" chart from the U.S. Department of Energy*

It is important to note that infiltration of air, rather than heat loss through the glass, is the principal culprit affecting energy efficiency; it can account for as much as 50% of the total heat loss of a building.[60] Moreover, most of the heat loss in an old house occurs in areas other than windows. Insulation in walls, attics, and between floors, and weather stripping around doors will help prevent loss of heat.[61] Replacement window manufacturers also often misquote U-values as the value through the center of the glass (the location of the best U-value) and not for the entire unit.[62] A U-value is a rating of energy efficiency for all the *combined* components of a window or door – the lower the U-value, the greater the efficiency. An optional feature of replacement windows is "low-e" (low emissivity) glass, a microscopically thin, virtually invisible, metal or metallic oxide layer deposited directly on the surface of one or more of the panes of glass. The low-e coating reduces the infrared radiation from a warm pane of glass to a cooler pane, thereby lowering the U-factor of the window. The same effect can be achieved with low-e storm windows and/or energy-saving window film that can be applied directly to single-glazed windows.

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[59] Several studies reveal comparable energy savings between a restored single-glazed wood window/storm combination and a double-glazed replacement window. See Bill Mattinson, et. al., "What Should I Do About My Windows?" *Home Energy* 19/4 (2002); Noelle Lord, "Embracing Energy Efficiency," *Old House Journal* (September/October 2007); Andrew Shapiro and Brad James, "Creating Windows of Energy-Saving Opportunity," *Home Energy Magazine Online* (September/October 1997), http://homeenergy.org/archive/hem.dis.anl.gov/eehem/97/970908.html.

[60] Sedovic and Gotthelf, 27.

[61] The U.S. Department of Energy has detailed information on air infiltration and other energy-loss related issues at http://www1.eere.energy.gov/consumer/tips/air_leaks.html

[62] Sedovic and Gotthelf, 27.

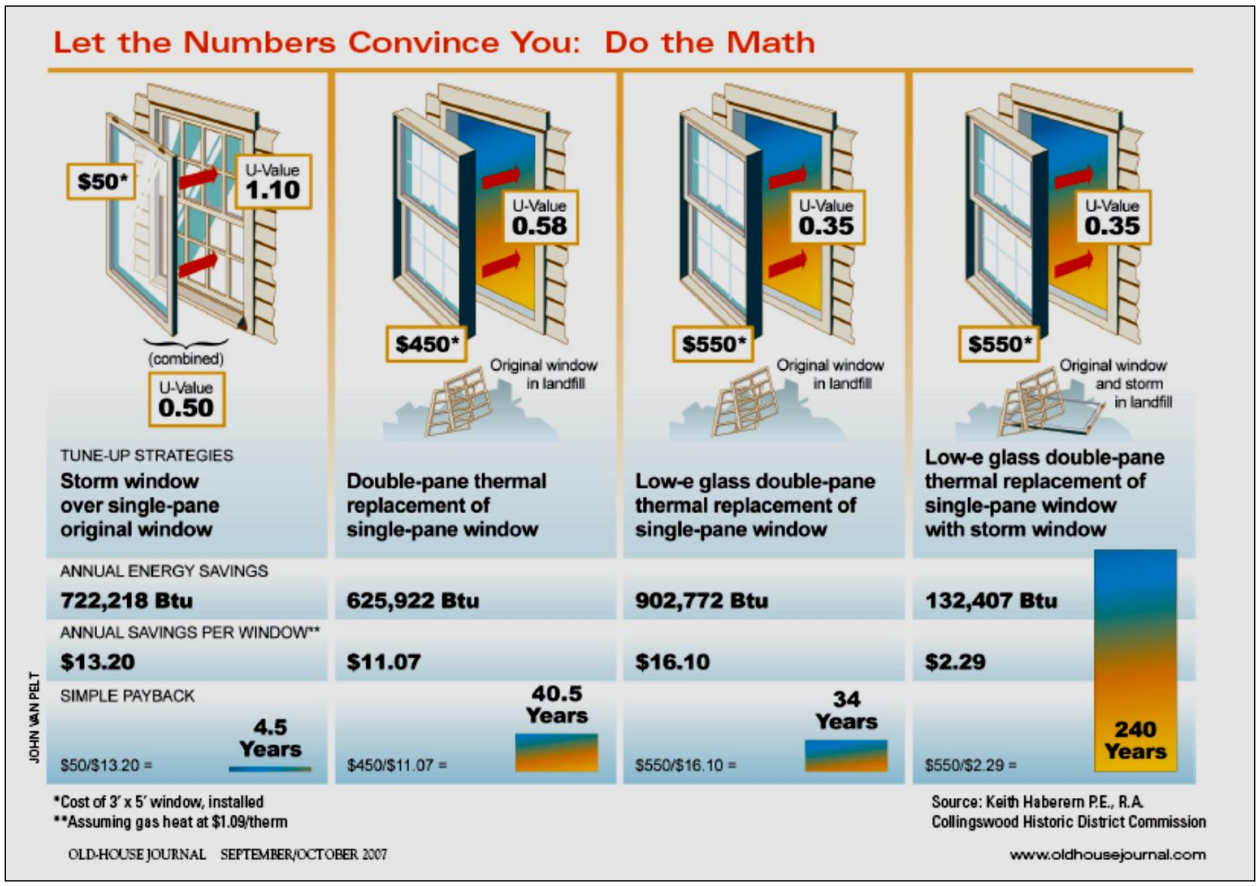

Figure 4: *Energy-savings comparison chart for original and replacement windows. Reprinted courtesy of Old-House Journal, 4125 Lafayette Center Drive, Ste. 100, Chantilly, VA, 20151, www.oldhousejournal.com*

Historic Character

A third reason to restore existing wood windows is the retention of character-defining features of historic wood windows that are nearly impossible to duplicate with double-glazed replacement windows. As mentioned earlier, the muntin profiles and old glass in wood windows are distinct characteristics of a historic façade. Replacement windows or sash rarely have the same details. The traditional ½" or 5/8" exterior muntin with a putty bead is difficult to reproduce in an insulated glass, true divided light window, and is extremely costly. Many wood replacement windows have a muntin at least 7/8" wide with an inappropriate moulded profile affixed to the glass and not actually holding individual panes of glass (referred to as a "simulated divided light" to simulate a true divided light profile). Cheaper models, typically vinyl or aluminum windows, feature removable grilles or grilles between the glass, providing no profile, depth, or shadow lines (see figure 2). Some replacement windows will decrease the glazed opening by as much as 3" in width, with a significant loss of light and alteration of the appearance.

Figure 5: *A restored double-hung wood window with a new storm window helps maintain the historic character of a building*

Replacement windows will also often require a change in a window's rough opening because these products are based on national standards and do not match "Boston Pattern" dimensions –window sash sizes that have been standard in the Boston area since the 18th century. This will involve an increase in vinyl or aluminum framing members to hold the replacement window properly, detracting from the historic character of a building. Custom sizing will add to the expense of replacement windows.

It is often argued that storm windows have a negative impact on the historic character of wood windows. An important point to consider is that storm windows have been used for over 100 years. Although aluminum storm windows do not replicate the appearance of wood storms, they are allowed without review in historic districts and neighborhood conservation districts and are always preferred to window replacement unless the windows themselves are judged not significant. Storm windows are a fully-reversible alteration that protect the original fabric of the building and can make the window assembly as energy-efficient as replacement windows. For optimal results, the storm windows meeting rails should correspond to the position of the existing meeting rails of the sash and match in color.[63] Contact the Historical Commission for information about appropriate models.

When is Replacement Acceptable?

In some cases, an old wood sash may be beyond repair and need to be replaced. In such a situation, replacing the historic, single-glazed wood sash with a single-glazed reproduction wood sash is the preferred option. It is important that the new sash have the same number of lights (unless the existing sash are themselves inappropriate replacements – contact the Historical Commission for advice). Coupled with a quality storm window, this solution satisfies much of the rationale for restoration listed above. The staff of the Historical Commission has compiled a list of window manufacturers that produce single-glazed, true divided light windows. Local manufacturers such as Brosco and Boston Sash & Millwork feature a line of Boston Pattern wood sash. Several other manufacturers produce custom wood sash that are authentic reproductions of historic sash.

[63] Interior storm windows or energy panels are a secondary option but can damage casings and sills and cause condensation on the interior face of the sash. Moreover, the exterior face of the sash is not protected from the elements.

If a double-glazed replacement window is the only option, Commissions will generally consider how the proposal will impact the historic character of a building; namely how closely the replacements match the originals in pattern, details, materials and finishes as closely as practicable. Dimensions and profiles of casings, sills, jambs, meeting rails and muntins are all subject to review. Some manufacturers have been able to produce double-glazed wood windows with muntin profiles that are a closer match to those found on single-glazed sash; contact the Historical Commission for recommended models. Although there have been advances in recreating the details of historic windows, the sustainability and energy efficiency issues are still highly debatable. However, there are replacement models of higher quality than others. Replacing a pre-existing replacement window with an in-kind replacement window is typically reviewed and approved at the staff level, as well as windows that are not visible from a public way.

Figure 6: *An example of a window insert replacement (note the reduction of the window's rough opening due to the additional framing required to hold the sash)*

It is essential to distinguish between "windows" and "sash," especially when discussing their potential replacement. "Replacing a window" means removing the entire window, including the sash, the jambs, the interior and exterior casings, and the sill, and installing an entirely new unit. This is often problematical because the casings will almost inevitably have different dimensions from the original, leaving gaps against both exterior and interior finishes. Unless specially ordered, modern windows will have a different configuration of casings, stops, and screens, dimensionally-thinner sills and casings, and will sometimes occupy a different plane in the wall.

"Replacing a sash" means replacing the moveable parts of a window, leaving the casings, jambs and sill intact. There are two approaches to replacing sash:

- Replacing the sash and balances only. Locally-made Boston Pattern sash fit window openings from all periods. Sash can be replaced with new spring balances that eliminate sash weights and allow weight pockets to be filled with insulation. This operation may have little or no effect on the exterior architectural character of the house.
- Replacing the sash with a new window, within the existing jambs. Most manufacturers offer insert windows containing both sash and jambs that are made to fit within the existing jambs. This may seem like an attractive alternative, but the additional width of the extra jambs and balances introduces new visual elements and can significantly reduce the size of the glazing.

What about Lead Paint?

Lead paint was banned by the federal government in 1978 to reduce the risk of lead poisoning in children. In older homes, windows, in particular, may contain lead paint. The repeated use and operation of the window sash may increase the likelihood of paint chipping and the creation of lead dust. Property owners are often concerned that the presence of lead paint on windows may require immediate

replacement of the windows. Although it is not uncommon to find lead paint on historic wood windows, lead abatement can be achieved without posing serious health hazards. A licensed risk assessor can confirm the presence and location of lead paint and a licensed lead abatement contractor should be able to stabilize and treat it appropriately. Homeowners need to be aware that certain methods of lead paint removal, including electric sanding without proper filter vacuums and the use of heat guns, are illegal. This is especially critical when hiring a paint contractor or window restoration specialist to work on site, as these methods can produce dust and are considered a potential health hazard for the worker(s), but more importantly, for children under the age of six. With proper precautions and safety measures, however, historic wood windows with lead paint can be remedied.

In legal terms, the Code of Massachusetts Regulations directs a property owner to fully comply with State lead abatement procedures when a child under six years old resides in a house or building where lead paint is identified by a certified lead inspector.[64] The regulations do not require the immediate removal of windows or window sash containing lead paint, but rather careful and thorough abatement. Special consideration is given to buildings on the State Register of Historic Places, recommending offsite stripping and reinstallation of any components containing lead paint and advising against permanent removal of "historic architectural features" such as wood sash.[65] The abatement method, either through stripping of the lead paint or replacing the sash, is ultimately at the discretion of the homeowner.

For More Information

For additional information on the Massachusetts Lead Law and lead paint removal please visit https://www.mass.gov/orgs/childhood-lead-poisoning-prevention-program or call 800 532-9571.

To learn about property owner responsibilities, see this summary: https://www.mass.gov/service-details/learn-about-massachusetts-lead-law.

This database will help you determine if a property has had lead hazards identified and/or has a letter of compliance: https://eohhs.ehs.state.ma.us/leadsafehomes/default.aspx.

Call the Cambridge Public Health Department at 617 665-3831 for information about childhood lead poisoning or lead exposure.

Contact the Historical Commission

All residents of Cambridge are encouraged to contact CHC staff for technical assistance with window restoration or replacement.

If you live in a historic or neighborhood conservation district or own an otherwise designated property you must obtain a Certificate of Appropriateness for window replacement

[64] See CMR 460.000, "Lead Poisoning Prevention and Control" from the Department of Public Health.
[65] Ibid.

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Appendix D. Communications from the East Cambridge Business Association

East Cambridge ~ Wellington-Harrington ~ Inman Square
One Kendall Square ~ Lechmere Square
www.EastCambridgeBA.com

September 9, 2020

Cambridge Historical Commission
831 Massachusetts Ave
Cambridge, MA 02139

Members of the Board,

As you consider extending the time frame for the East Cambridge Conservation District Study, please consider the East Cambridge Business Association's (ECBA's) continued opposition to this proposal. Attached, for your convenience, is the previous letter offered by the ECBA which is still consistent with our position.

The ECBA remains focused on reducing bureaucratic barriers for small businesses to operate. The uncertainty around what rules will emerge from this process prevent us from supporting this proposal. The added expenses that will be incurred and time lost to process also remains a concern.

Prior to, and since the impacts of COVID-19, ECBA has been advocating for reduction in fees and costs associated with doing business in the City of Cambridge. The small business community has especially felt the impacts of COVID, and we continue to worry about their viability. Creating a Conservation District encompassing Cambridge Street does not align with the ECBA or small business priorities at this time.

Finally, we want to note the lack of consensus in the room early on this study process about whether a conservation district was appropriate for the neighborhood. The questions of diversity and equity continues to rise to the top of concerns for many.

If the study is to be extended, we ask again for the removal of all business zones that are part of the current proposal.

Thank you for taking this into consideration. Please see previous communication attached.

Sincerely

Jason Alves
Executive Director

East Cambridge ~ Wellington-Harrington ~ Inman Square
One Kendall Square ~ Lechmere Square
www.EastCambridgeBA.com

September 30, 2019

Cambridge Historical Commission
831 Massachusetts Ave
Cambridge, MA 02139

Members of the Board,

Thank you for your consideration and extending the timeline for the East Cambridge Conservation District Petition study so that the ECBA could meet with the petitioners to better understand their goals and what a conservation district would mean for the businesses and property owners in our business districts. Since the last meeting we have had the petitioners join us at a monthly ECBA meeting so they could present their vision for creating a conservation district in East Cambridge. The petitioners have a thoughtful and genuine desire to preserve neighborhood character in East Cambridge and we are sympathetic to their desire to preserve the architectural detail that has, at times, fallen victim to less thoughtful redevelopment. The topic was further discussed at an ECBA Board meeting. While we take no issue with a district being established in residential areas if that is desired, we are not supportive of the Conservation District encompassing our business districts of East Cambridge.

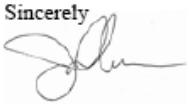
As a business organization, we often find ourselves advocating against policy that create additional layers of bureaucracy that only certain groups or companies may have the means or tolerance to address. Currently the business districts in East Cambridge need substantial reinvestment to bring buildings and commercial spaces up to date to ensure that Cambridge Street continues to be a place of commerce serving the community. Often additional approvals create a challenge for smaller owners and could be a deterrent to invest in necessary work. We want to ensure that East Cambridge remains a place that is diverse and accessible to small business owners. We fear that extra restrictions will create a financial burden that future tenants will bear and could also impact our diversity.

The Board also found it problematic that there is no way of knowing what rules could be put in place as a result of the study. Conservation Districts have a wide range of rules and the uncertainty of the final recommendations makes it difficult to endorse on behalf of the members, small businesses, and property owners.

It would be our recommendation to remove the BA, BB, and PUD4A zones from the study area thereby excluding the Cambridge Street corridor. We feel the Historical Commission itself has enough jurisdiction and tools to prevent detrimental changes from occurring in these areas. ECBA would be very interested in seeing an increase in grant funding available to small businesses and property owners to incentivize redevelopment and building upgrades that are aligned with the intentions of the Conservation District but are independent of said district.

Thank you for taking this into consideration.

Sincerely



Jason Alves
Executive Director

East Cambridge Business Association P.O.Box 410386 Cambridge, MA 02141
email: baecamb@gmail.com ~ Office Phone (857) 242-6651

Appendix E. Communication from the East Cambridge Planning Team

East Cambridge
ECPT
Planning Team
A Neighborhood Organization for the Betterment of East Cambridge

June 17, 2019

Cambridge Historical Commission
831 Mass Ave, 2nd Floor
Cambridge, MA 02139

RE: Support for an East Cambridge Conservation District

Dear Cambridge Historical Commission Chair Irving and Vice Chair Tobin; Executive Director Sullivan; Members Barry, Crocker, Ferrara, Harrington, and Solet; and Alternates Kleespies, Paris, and Sheffield:

With the unprecedented development pressures in East Cambridge, additional protections above and beyond landmarking and demolition delay are needed to help protect the historic fabric of the neighborhood. East Cambridge has some of the oldest homes in Cambridge. A great number of these are significant, such as worker cottages from the 1830s, but are not necessarily landmark quality and have no protections other than demolition delay. Too often developers remove asbestos or asphalt shingles from buildings constructed in the early 1800's that reveals Greek Revival, Second Empire, Federal, or other high style details in good condition and continue to remove them with no regard for historical significance. Occasionally, an alert neighbor see this and contacts the CHC to stop the removal, but many times it is too late. A proactive process is needed, such as one afforded by a Neighborhood Conservation District.

On June 12, 2019, East Cambridge residents William Dines, John Whisnant, and Fabrizio Gentili, presented a proposal for an East Cambridge Conservation District to the East Cambridge Planning Team (ECPT). The presentation included pros, cons, and a district map of the proposed Conservation District. Cambridge Historical Commission (CHC) Executive Director Charles Sullivan also attended to assist in answering questions.

After the presentation, the ECPT members present voted to support the initiation of the process of creating a Neighborhood Conservation District under Chapter 2.78, Article III of the Code of the City of Cambridge. We understand this process will take approximately a year and include public hearings, neighborhood input, neighborhood outreach, and approval by the CHC and the City Council.

In conclusion, we ask the Cambridge Historical Commission to approve a petition to initiate the process of designating an East Cambridge Neighborhood Conservation District.

Very truly yours,

Charles T. Hinds
President, ECPT

East End House 105 Spring Street, Cambridge MA 02141
ecplanningteam@gmail.com

Appendix F. Hidden Costs of Historic Districts in Belmont and Dennis, Mass., as experienced by Study Committee member Ronald Creamer Jr.

My name is Ron Creamer. I moved to Cambridge in the middle 80s and lived here for the next 27 years. I first came to know East Cambridge in 1992, when I purchased the commercial building at 501 Cambridge Street where I operated my printing company for the next 21 years. I sold the printing business 9 years ago, renovated the building, and now operate it as an office rental property.

Over my time here, I have developed a strong affection for East Cambridge's rich history and the wonderful and diverse group of people that live and work here. I was selected to serve as a Study Committee member on the ECNCD in my capacity as a commercial building owner.

Since the resumption of the ECNCD Study Committee proceedings in early 2021, I have been trying to get the opportunity to present my personal experiences with two Historic Committees in front of the ECNCD Study Committee. My belief was that by understanding the unintended consequences and true costs in play with NCDs and Historic Districts, we would be able to be mindful of the real world consequences of what we would eventually propose for East Cambridge. This knowledge, I believed, would serve to temper, not scuttle, our goals and to best balance practical neighborhood conservation with the rights, needs and interests of our community.

Since the resumption of the ECNCD Study Committee in January, some among the Study Committee and the CHC leadership have, to a large extent, marginalized my voice and demonstrated an overall intolerance and unwillingness to consider the input from others in the community with views they feared might conflict with those of their own. The Study has dragged on far longer than originally planned and the CHC led report is, but for a few minor details, already a foregone conclusion.

My biggest regret is that I did not fight harder to get the experiences outlined here in front of the committee and community sooner, when, in retrospect, it still could have made a difference.

Here, I finally outline my trials and tribulations with two different Historic Committees. I share these with the knowledge that many of the same dynamics at work in my experiences would most likely be present in future ECNCD proceedings. In truth, these dynamics are already in play.

I Belmont Historic District (2013 - 2019)

In 2012, my family and I fell in love with and purchased this 135 year-old modified Victorian near Belmont Center. It is situated in the middle of both a National Register District and the Town's Pleasant Street Historic District. The property was also notable for being the first of many projects of native Belmontonian architect E.B. Homer. Homer worked at the prestigious Hartwell and Richardson firm, was an MIT Professor of architecture, and in 1901 became the first Director of the Rhode Island School of Design.

The exterior needed a lot of work (see photos, above). Among other issues, the North-facing decks were rotting and the gravel driveway's drainage issues led to flooding and damage to the 100 year-old garage, which at one point was used to stable horses.

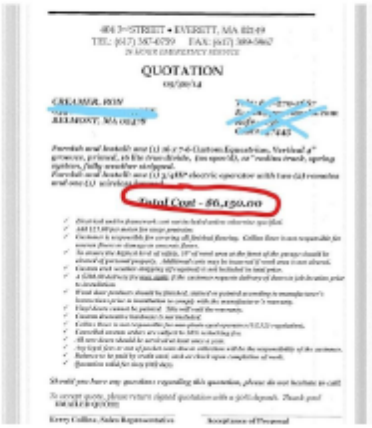
My wife and I loved the property and were excited to set about restoring and improving it but decided to simply live in it for a year or so to better understand what it might need.

In 2013, a year after we moved in, we approached the Belmont Historic for guidance. They were pleased with our interest in improving the property. They told us to start by betting a surveyor and an architect and prepare a detailed presentation to them at a future hearing.

Locating, hiring and obtaining a survey took some time. We then worked with our architect on our master plan. Finally, after 6 months of work, excited, we finished our 10 page presentation, printed and bound the 14 copies required by the Committee, and applied the 3 weeks in advance of the meeting, as was required. We attended the hearing with our architect and when we were called, our enthusiasm was short-lived. One of our new neighbors was in attendance and began to strenuously object to our project. As it turns out, this neighbor was a retired architect who also had served on the Belmont Historic District Committee himself. His objections seemed to carry a lot of weight with the committee. The head of the Historic Committee cut our presentation short and told us to "Make your neighbor happy". Our architect was stunned.

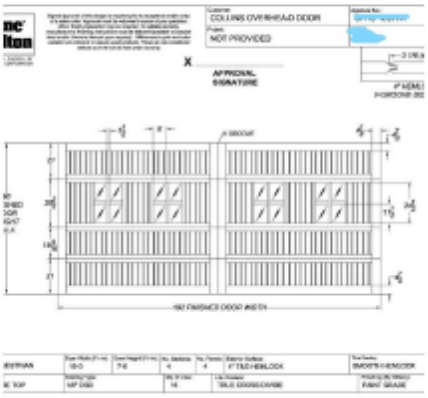
Not entirely understanding what had just happened, or what, if any recourse we would have, we left that hearing completely discouraged and felt we may have to give up on our renovation hopes entirely.

We have long since befriended the neighbor who objected to our project, and his wife. At a holiday party a few years ago, the wife apologized to us for the incident. She explained that her husband's motivation wasn't so much aimed at the merits of our project, but rather that he was still upset about an addition made to our house in the early 1990s (3 owners prior). "I never should have let her do it" he would repeatedly complain to his wife over the years.



QUOTATION

Total Cost - $6,150.00



Unsure at the time if or how we could make our neighbor happy, we decided to shelve our plans for the balance of the project and concentrate instead on getting the garage in workable shape as quickly as possible. The commission gave us helpful guidelines including the need to use copper ½ round gutters, historic shingles, paint scheme to be chosen from an approved palette from Historic New England's "Historic Colors of America", etc.

The sticking point regarded the replacement of the garage's original barn doors. Due to the drainage issue, the doors were rotted beyond repair. We sent a few proposed designs of standard prefabricated barn door style garage doors to Belmont Historic for consideration. The committee, then composed mostly of current and retired architects, had conflicting opinions and could not agree on an appropriate design. Instead they appointed a single committee member to work with us on a custom garage door in May of 2013. Our advisor, a retired architect himself, left for the Vineyard for the summer, did not use email, and wasn't able to begin working with us until September. Communications were sporadic over the next 9 months while we went through multiple iterations of design changes. Each iteration required a new shop drawing and quote from the vendor and then evaluation and feedback from our advisor. In May of 2014 we received approval from Belmont Historic and we immediately placed our order — a full year after we had started.

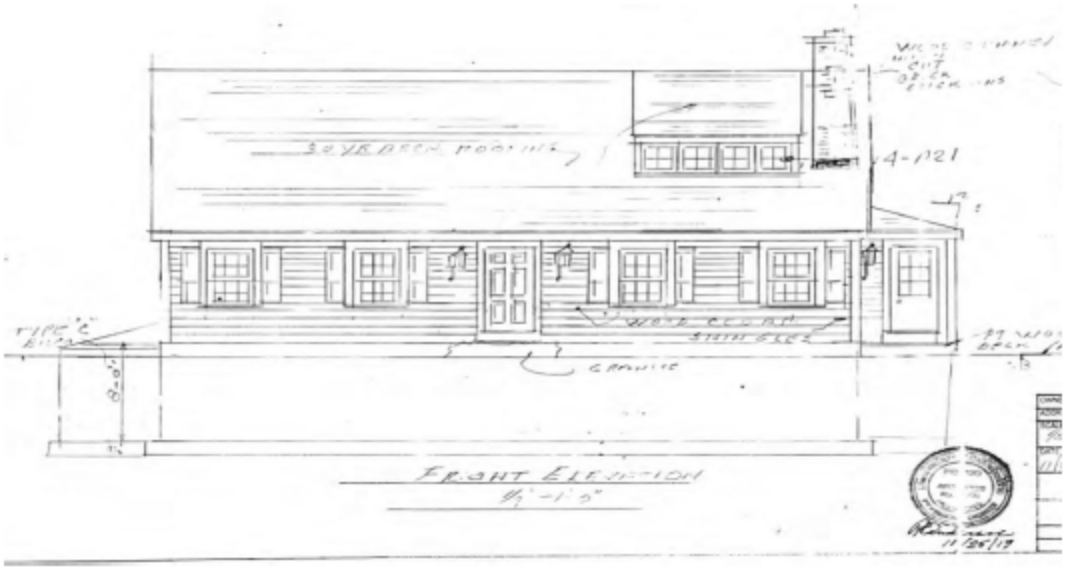
While we are happy with the end result, It did take another three months to manufacture and ship. The door was finally installed in September of 2014 at the end of a 16 month process. Seven years ago, the door cost $6,150 and did not include electrical, framing or paint. As a point of reference, the barn-style garage doors originally proposed to Belmont Historic had a maximum lead time of 30 days and were all priced around $1,000. We also dealt with the extreme inconvenience of having to juggle parking for an additional 16 months without the use of our garage and driveway, which we share with our neighbors.

It would be several more years before we mustered up enough money and courage in late 2017 to mount another attempt at improving the exterior of the property. We worked with our neighbor. In fact we obtained support from all of our neighbors. We scaled back our plans for our deck. We repaved the entire gravel driveway in historic red brick pavers. We researched, selected and integrated historic reclaimed granite, originally mined in Gloucester and installed in Union Square over 100 years ago. It was far from easy — we braved the various opinions of the HDC members, who would, at times, castigate even their fellow HDC members in an architectural jargon that only they understood over what they felt was appropriate for our project. At the end of this 2 year project however, we, our neighbors, and even Belmont Historic, were all pleased with the result. The process however, was several orders of magnitude more painful, frustrating, time consuming and expensive than we ever thought possible.

II Dennis Historic

In July of 2019, a very rare tornado touched down in Barnstable county and sent part of a maple tree through the roof of my family's 900 sf summer cottage on Cape Cod. We compiled the long list of repairs and consulted with the Town Planner about other improvements we might be able to make. He explained that because the structure was built before modern zoning laws, building and fire codes, it was deemed a "non conforming structure" in nearly every way. Therefore, essentially we wouldn't be able to change anything at all. His advice, and that of our architect, was to knock it down and build a new, conforming house in the middle of the lot.

Not at all keen on taking that unexpected and expensive route and losing our beloved cottage, we were eventually forced to do so when a subsequent structural inspection revealed that the old rubble foundation was unsafe even to effect repairs. Despite our deep affection for the old cottage, we succumbed finally and committed ourselves to a knockdown and rebuild.



While not an historic house, the property does lie in the Dennis Old Kings Highway Historic District and this required us to first obtain a "Demolition Permit" from the Dennis Historic Commission (per the Town's demolition delay by-law), a "Certificate for Demolition" from the Old King's Highway Historic District Commission, and a "Certificate of Appropriateness" for the new house from the OKH Historic District.

Frank, our charming, nearly 90 year-old architect, who did all his drawings by hand, and had himself served on the Old Kings Highway Historic District Commission, assured us that he could usher us through the tedious 3 step process. Frank "knew what the commission wanted" and his advice was to propose a simple, modest and traditional Cape Cod style home, nothing more. "Think boring" Frank advised. (front elevation shown above for the proposed new structure)

My wife and I wanted to add a small walk-out, 6x10, faux widow's walk-inspired balcony over the bump out/mudroom entrance on the far right, but Frank talked us out of it. While he liked the idea, he told us it was best to stick to the most simple and basic design, colors, door, window, roof, and other material selection that the commission was predisposed to approve. Frank's advice was prescient, as we would later learn.

The January 2020 hearing was intense and we nearly lost the ability to replace a virtually condemned structure that we could not safely repair or improve. While the original house was deemed "not historic" and therefore not subject to the demolition delay by-law, the Historic Committee Chair opposed both the demolition permit and the certificate of appropriateness for reasons he did not articulate. Another resident, who I respect, had both lived in the house as a boy and also served on the Historic Commission previously. He also came out against the demolition. It looked as though we would be denied. In the end, we did prevail in a split vote and we finally obtained our building permit on the day that the Town's offices closed for Covid-19 in March of 2020. Frank told me after the hearing that, during his tenure on the Historic Committee, he failed to get along with the Historic Chair. This, Frank believed, was the main reason behind the Chair's unarticulated opposition to our applications.

Mid construction, in the summer of 2020, I looked out of the empty 2nd floor window-frame from what was to become my daughter's bedroom at the beautiful sunlight emanating from the South. (pictured to the left, top) Despite Frank's sage advice, I felt this window was once again begging instead to be a door leading to a small, sunny balcony. I called the Historic office that day about my proposed change and was pleased to learn that they had a far simpler, streamlined procedure for small changes like this called an "Application to Amend". Without our architect Frank, who had sadly passed, my wife did the attached rendering of what the proposed change would look like (pictured to the left, bottom). We submitted the rendering, along with the main form and material details and we were put on the agenda for the upcoming August Historic hearing.

This meeting was held by Zoom and when our application to amend came up, a certain Historic District Committee member inexplicably started to strenuously object to the idea of the balcony. While no other members voiced any objections at all, this member went on to gesture forcibly on camera while describing how this huge balcony would loom over Main Street (property is not on Main Street, and the proposed balcony was only 6'x10' and 46' from our street), He went on to say there was no precedent, that it would not fit in with the neighborhood, and he objected to the materials chosen. No vote was ever taken — he alone insisted that our application to amend be denied. If we wanted to proceed, he decided, we would have to return at a later date and apply instead with a completely new, full application for an additional certificate of appropriateness, specific to the balcony.

My wife and I were once again stunned, disheartened and totally discouraged. That evening, we decided to give up on our idea for the balcony for our daughter's bedroom.

The following week, as I rode my bicycle to the beach I stopped to admire the real deal, a genuine historic widow's walk on an old sea captain's home (yellow house, above right). It's connection to history resonated with me. On my way back, I noticed several more second floor, walk-out, widow's walk inspired balconies. The next morning I set out by car to explore for more. Within 45 minutes, I had located and photographed dozens of them.

The inconsistencies and untruths shown toward our amendment application by the lone committee member really upset me. This motivated me to change course and submit to the lengthy process for a full application for a new certificate of appropriateness. This new application for the balcony was more detailed than our original application for the entire house. We submitted 14 bound copies of our 26 page application, replete with survey, existing photos, prior elevations, proposed elevations, material & color details, letters of support from neighbors and abutters, and over 20 photos of similar, 2nd story, widow's walk-inspired walk out balconies approved by the same Historic District employing the exact same materials we proposed, most of which were of much larger scale and far closer to the street than ours. It required a lot of work, but our application thoroughly disproved all of the objecting committee member's prior objections, one by one.

When the hearing date finally arrived, we quickly prevailed by a vote of 4-1. The lone dissenter was again the same committee member who had single-handedly denied our amendment application a month prior. While I could never quite figure out why he distorted the facts and precedents regarding our balcony, I heard through the grapevine that this member was close friends with an influential local resident known for her cranberry business who was quite vocal and upset upon hearing of the demolition of our old cottage. Coincidentally, the two of them did in fact serve prominently together in a separate, local historical society. While I still find this explanation quite hard to believe, it is the only account I have heard that comes close to explaining the vehemence and personal nature of his opposition to our balcony despite all the facts to the contrary.

We'll never know his true motivations, but that the balcony came at an enormous price. We spent countless hours preparing for the hearings. We were so discouraged, we very nearly gave up. We lost 2 months to the historic process and during that time, my builder, understandably, could not wait around for a resolution and moved on to another project. In all, there was a 5 month delay in construction time. When we returned, building material costs had since skyrocketed and scarcities compounded the delays. My family's eventual enjoyment and use of the property would be delayed by nearly half a year.

Lessons For a Possible ECNCD

What do my two journeys have to do with a possible future ECNCD? Everything, I think. Are my experiences simply outliers? Am I the unluckiest person in the world regarding engagements with Historic Districts? It would be reckless and irresponsible to assume so. Moreover, as hinted in my introduction, a lot of these dynamics are already in play here, and have been steadily increasing in intensity since the ECNCD was first conceived.

While I acknowledge we are proposing a Neighborhood Conservation District as opposed to an Historic District, Cambridge Historic has admitted in our study committee hearings that they are essentially the same animal and share most of the same dynamics. Let's please not kid ourselves otherwise.

The amount of time, effort and expense that goes into preparation for these historic/NCD hearings is often extensive. Surveyors, architects, and sometimes attorneys are often engaged and will accompany timid applicants to the proceedings. Preparations, deliberations & committee decisions and recommendations take time and considerable expense. Resulting custom construction work is by definition more expensive and can often lead to manufacturing and delivery delays. These delays are further compounded with installation delays waiting for busy contractors to return. This is the very nature of the beast. The delays compound and add up quickly. Regardless of the obvious financial cost, even in the best of cases, they all lead to deferred or lost enjoyment of the proposed improvements by the applicants — once again a broadening of the term "cost".

The process, from an applicant's perspective, while hopefully rewarding, is often daunting, intimidating, nerve-wracking and downright discouraging. Your neighbors, for example, may have the power to scuttle your plans based on their personal subjective tastes, or their own past experiences or prejudices. There may be history between commission members themselves (past or present), and or with you or your representatives, friends, and their personal opinions or attachment to your property, or experiences with previous owners of your property. Despite the "guidelines" for an NCD, one can't possibly know where all the possible permutations of landmines are buried. As we've learned in our proceedings here in East Cambridge, It's indeed a small world, after all.

Many take a look at the process and simply give up, sometimes even deferring needed repairs and upkeep. This represents another serious yet hidden cost to our community.

Others are asked to reduce, compromise, or at times completely sacrifice their project's creativity or vision — their dreams essentially for their own property — to limit unwanted delays and potential conflict in obtaining approval. This squelching of creativity is yet another significant cost, one never adequately understood, addressed or even considered by our committee. Both the owners and the community at large suffer this loss of creativity together.

Then there is the question of owner and property rights. This is the proverbial 3rd rail, or the elephant in the room that the ECNCD SC dare not touch. Do property owners have any? Or should they all simply submit their trust to the whims, wishes and moods of our unelected study committee and future commission members?

The guidelines we prepare are just that, guidelines. As I have painfully experienced, what happens in the trenches often strays far away from the published guidelines. While we'd all likely feel much more comfortable with an ECNCD staffed and operated by the likes of Charlie and Eric, that isn't how these things work. A future ECNCD would be staffed by volunteers from the community, just like Historic Districts are. Volunteerism is currently at an all-time low. You may have read or heard of Cambridge's recent difficulties in their push to fill the many vacancies in the Mid Cambridge, Avon Hill and Half Crown-Marsh NCDs.

Most of these positions will hopefully be filled by well intentioned people from our communities. People who will be generously volunteering their time and with sincere hopes and intentions to do well and to uphold the goals outlined for them. However, as we all know, and as Charlie has told us, committee members are human and even our own existing NCDs have gone astray and needed to be reigned back in by the CHC. We all have good days and bad ones. Sometimes we disagree with our peers and our own past experiences and prejudices can cloud our present judgements. We have already seen the seeds sown here during our two years of contentious deliberations. We come in, all of us, with our own histories with others and our opinions and preferences.This, unfortunately, can result in inconsistencies, over-reaches, misunderstandings, biases and may lead to severe unintended consequences which include stress, lost time, money, deferred/lost enjoyment, the suppression of creativity and yes, unnecessarily dashed dreams for what you want your own property to be like.

While I am no expert on the possible effects a NCD has on housing or rental prices, make no mistake about it, it clearly won't make housing cheaper, and the implementation of an NCD will result in serious hidden costs to both property owners and our community at large.

At a hearing a few months ago, Charlie brought up the thought of limiting and scaling back the scope of the ECNCD so as to not "unnecessarily burden" those in our community who don't own historic properties or who own properties not subject to the goals identified and targeted by the ECNCD. The study committee quickly dismissed the idea as being too complicated to tackle this at that late stage in the process. It was much easier, it was implied, to simply leave all that unnecessary burden in the plan.

Sadly, in hindsight, the study committee nailed it that evening. It is indeed far too late in the process to get this soon-to-be-approved ECNCD right.

Ron Creamer
East Cambridge Neighborhood Conservation District Study Commission Member

Appendix G. Additional Communications from Members of the Study Committee

4. Statement by Study Committee Member Francesca Gordinin

To the City Council Members and my fellow neighbors,

When I left Forli (Italy) in 2010, I brought a suitcase full of curiosity, a great desire to become a fluent English speaker, and a Master's Degree in Architecture and Urban Planning from the oldest university in the world. Little did I know about Cambridge, but I was welcomed by a much more vibrant atmosphere than I could've anticipated. I had the chance to expand my knowledge for vernacular residential architecture types, and also the luxury of having such a significant collection of 19th and early 20th century architecture at my disposal, much like an open-air museum of architecture. Living in Cambridge meant I could finally experience many of the buildings described by Kenneth Frampton and the other college bibles I studied for years. The location in which they're situated, a marvelous blend of historical and traditional shingle homes from various eras, makes them stand out even more. It's as if the MFA placed Picasso's art in the middle of a Renaissance collection. After all, the destruction of two World Wars, and a loss of identity, shifted the center of architecture from Europe to the United States.

Unfortunately, the recovery from "The Great Recession" is marked by increased economic disparity and a large amount of reckless development that is reminiscent of the worst aspects of brutalist constructivism mixed with the Soviet "avant garde" of Melnikov and Malevich. The pleasant urban background that managed to engage and be respectful of the human scale, even in the midst of industry, took new developments that seem to have forgotten they are to be looked at and used by people. Facades look so much alike to one another that none of them are particularly interesting. The cladding choices look outdated ten years after construction; twenty at best. One wonders how the cladding manufacturers remain in business and keep selling these products when the only "green" thing they have is a big label on the door. The stones of St. Peter's are green and have held up pretty well for a slightly longer span…

I don't get excited about contemporary architecture because it sells its soul to the greatest developer. Quality and permanence don't seem to matter any longer, and the results are spaces that suffer a terrible lack of beauty. In addition, they only exacerbate climate problems.

The economic disparity became most evident in the rental market where prices started quickly soaring; a dynamic that conveniently worsens every September in perfect accordance with the new academic year. Cambridge clearly chose to stop being inclusive back then. Back in 2015, after my landlord sold his property to retire in the suburbs after a lifetime in facility maintenance at MIT, I was left without a home. The rental market is so fast, and I was never quick enough to write a check for a place, and the days kept going by. A dear friend (and now neighbor) offered me a temporary roof till I could finally find a good accommodation. Being homeless wasn't fun. Affordable housing for me, an immigrant, was not an easily available option - especially since I wanted to apply for permanent resident status. You may not be aware of the crude reality (not the utopia often pushed by the press) but immigrants like myself promise to not become a burden on the social aid system. I even had to swear to this at my green card interview. To this day, I am not allowed to benefit from any financial aid of any form, even if the circumstances call for it.

Wellington-Harrington had become unaffordable and East Cambridge became the new home.

All the small shops made it so walkable it almost felt like walking along the “corso” (boulvard) of Forli, window shopping - except for the loggias. The combination of historic, local businesses, churches, homes, etc made it truly a city within the city, reminding me of the “rioni” I grew up in. No other neighborhood in Cambridge can say the same, and even during a time as hard as the one of the pandemic, this structure proved to be a blessing for it avoided trips to the corporate supermarkets. Isn’t the motto “shop local”? Sadly, this past year we lost one of the biggest pillars of this community: the Live Poultry, Fresh Killed store.

Now, I would like you to ponder, just for a moment about all the new large developments that occurred around here. Have any of them provided any affordable space for small businesses and sole proprietors to provide some new alternatives? Maybe offer a new home to the aforementioned case? I’m not talking about the Sweetgreens, Starbucks or Cava, but about those charming places where the owner knows your name, and even a quick exchange of words makes the day brighter, more interesting. Those warm interactions are too few and far between in corporate franchisees.

In this scenario, the lack of proper planning has led to the creation of a plethora of “mixed use” buildings, like they were the antibiotics for every urban disease. The pretty renderings in presentations makes these buildings irresistibly appealing in the eyes of commission reviewers. Yet the real users and residents’ dissatisfaction grow exponentially dissatisfied. Do you think that illegal immigrants would apply to the system? Aren't we supposed to be a "sanctuary city"? What’s affordable if the rental costs still force one to struggle to make ends meet? These are just a few of the questions that would be worth finding answers. [The percentage for affordable or subsidized housing is quite debatable and would deserve a separate dissertation.]

What has maintained East Cambridge's affordability when speaking of the rental market? Old, grandfathered homeownership! Did you know that this neighborhood still offers solutions similar to the old boarding rooms that are indeed more affordable than the ones offered by any subsidized program? Do you know how useful that is for the community? I can assure you that if it weren’t for it, I would’ve moved to the suburbs many years ago. Allowing landlords and owners to do any required maintenance is indeed necessary and needn’t be burdensome, hence the idea of establishing a conservation district as opposed to a historic one.

I would like you to focus your attention on a greater issue. Soil management and planning. I may sound like a broken record but the LEEDs certifications are truly meaningless if we keep spoiling the soil the way we have been over the past ten years.

Among the newer projects being presented at the edge of our neighborhood is one which will have eight underground levels. You’d think that would be an exception, but sadly, that is the new trend for all new high rise construction, whether the different levels of basements get used or not. Think of the recent developments in Kendall; all these buildings require really deep foundations, and most have at least two underground levels. However, all these sites pretty much sit on water (there used to be a canal through the area) and the soil requires them to work with slurry walls, not piles [funny enough the largest and best subcontractor for this type of work is a company that was founded in my hometown and uses proprietary high tech equipment]. Now, I think we could think of that area as an underground pond or simply a reservoir connected to the river. The more we fill this reservoir, the more we force water to find new paths which, I am afraid, is going to put a massive amount of

pressure on existing foundations. Specifically, what about the entire residential area in the lower part of East Cambridge? Many of those homes already faced major settlements because of the nature of the soil underneath.
We can't afford to be nearsighted and forget about these dynamics because they are destined to affect our own neighborhood.

We keep filling that underground basin. What happens when the Charles is full and its level rises? Are we going to see a disaster much like the one that happened in London a few years ago? All those double basements have caused major issues.
Also of consideration is the capacity of the sewage system. Is it sized to sustain such pressure? Not to mention, how many electrical substations will all this exponential "cementification" require?

Based on studies coming from some of the major architectural faculties, the future that is envisioned to curb the soaring costs is quite a scary nightmare:
Home ownership has become too costly, so the new brains plan for land to only be leased. Fast forward 10 years and all the land will be owned by big corporations/investors? Only few "lucky" ones will own simply the walls of a house or a condo, but no longer have a say nor a deed of the land and decisional power over its zoning. Scary, isn't it? The underpinning concept of private property is at stake. What part does the City want to play? Surely not the one that cares about the human scale or residents.

Clearly this demonstrates, once more, how the final user is completely disregarded and how much the shouted "high density" is incapable of resolving any issue: not at the human level, nor at the urban level and would only perpetrate urban nihilism, of the kind that already destroyed 66/68 Otis Street and many other examples.

To counteract this incessant destruction, I strongly believe a conservation district can be a step forward in the right direction, for homeowners, renters, and business owners, too.

2. Statement by Study Committee Member Ron Creamer

Nearly 3 years ago on December 13th, 2019, we study committee members received notice of our appointment to work on this project. We were tasked with considering the scope, details, appropriateness and feasibility of implementing a Neighborhood Conservation District in East Cambridge.

The “Feasibility” of a potential NCD, by definition, must address the suitability of a potential NCD to the community onto which it is imposed. Many in the community, including this study committee member, felt that the study committee’s deliberations proceeded undeterred and with a deaf ear to community concerns.

When this point was raised, we were repeatedly assured by our moderator and leader, Charlie Sullivan, that we would not recommend any NCD for adoption without a clear consensus from our community to do so. In early 2020, when asked what a consensus would look like, Charlie humorously responded by borrowing a 1964 quote from Supreme Court Justice Potter Stewart. Regarding consensus, Charlie said, “it is difficult to define, but I’ll know it when I see it”.

A few months ago, lacking any signs of community appetite or consensus for the proposed NCD after two plus years of deliberations, Charlie proposed a series of walking tours and community outreach program, followed up with a postcard poll, the results of which clearly showed a lack of anything resembling a community consensus..

Contrary to Charlie’s promise, and without any indication of consensus, our committee spent some time trying to pick and choose ways to implement the ECNCD anyway. In another shift, Charlie then contradicted his earlier promises and told us that it wasn’t up to us to decide if there was consensus or not, that it was a political decision best left up to the City Council.

This last minute shift again brings the integrity of this 3 year process into question. I ask my fellow study committee members to look inside and be courageous enough to admit out loud what you already know. The study isn’t about what we want, rather, it is about what would fit our community. There is no consensus, we have no mandate, no charter, and no business foisting this program on an unwilling community.

Thank you

-Ron Creamer, ECNCD Study Committee Member