



**Town of Arlington, Massachusetts**  
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## Historic Districts Commission Minutes 09/23/2004

*September 23, 2004*

### MINUTES

Commissioners Present: S. Makowka, L. Kuhn, A. Alberg, M. Penzenik, J. Worden

Commissioners Not Present: B. Cohen, M. Hope Berkowitz, M. Logan, Y. Logan, M. Potter

Guests Present: Louise Ivers, Alex Frisch, Jane Becker, Rick Wells, Jane Becker

1. **Meeting called to order** 8:00 pm by S. Makowka.

Appointment of Alternate Commissioners: S. Makowka to Mt. Gilboa/Crescent Hill and Pleasant Street Historic District Commissions.

Approval of August 26 Minutes. All voted in favor.

2. **New Business**

a. **Jane Becker updated Academy/Maple Street Addition to Pleasant Street Historic District.** She has been working with Richard Duffy for historical descriptions and overview. The group plans to have neighborhood meeting, possibly 10/17. Property index has been assigned to neighbor, expected to be completed by mid-October. Hoping draft done by 10/15 with a final draft out by mid-Nov. Hoping Town Meeting to approve in spring. John Worden advised Ms. Becker about checklist in Mass. Historical Commission book. Thus, need to have preliminary draft by November 1 to Mass. Historic Commission, then 60 days pass, then public hearing with AHDC, then Town Meeting. Discussion on what should be included in addition and how can they expedite the process to have draft by November 1. Town Engineer needs to draw up historic district as has been done in the past. Must be signed by Town Engineer. He will also provide the legal description.

b. **8:20 pm Informal Hearing re: 82 Westminster (Ivers).** Ms. Ivers presented an application for the removal of the existing chimney at 82 Westminster and requested that the Commission consider granting approval subject to a 10-day notice period, an option provided for under the relevant laws. Ms. Ivers said the interior portions of the chimney need to be removed to allow for desired interior remodeling (new bath with a tub and shower). Ms. Ivers stated that the house was built is about 1875 and was originally a carriage house that was subsequently converted to a residence. J. Worden asked the applicant to explain how the removal of the chimney could be consistent with the architectural and historical aesthetic of the historic district. Ms. Ivers responded that elements such as the windows, the façade, and the roofline were being maintained and that these are significant to the character of the house, not the chimney. L. Kuhn stated that chimneys are an important architectural element on houses of this vintage, and further that every time you eliminate an element of the house, you are changing the character of the house. He explained that the chimney was part of how they heated the house. However, in the past applicants have been allowed to remove interior portions of chimneys (beyond Commission review) while supporting exterior portions of existing chimney or to rebuild a false chimney on the roof to the original specifications. He feels that this chimney is an extremely important part of the house that could be rebuilt in this case. A. Alberg agreed that no problem to remove chimney inside, but thinks building of this vintage needs to have exterior chimney present. She would like them to keep appearance of a chimney and suggested removal of chimney with replacement with a false chimney with exact same dimensions and color (absent cap).

**Public Comment:** a neighbor on Elder Terrace (not an abutter) had 2 questions – 1<sup>st</sup> questioned why there was no notification of this hearing to abutters, 2<sup>nd</sup> questioned amount of clearing behind the house which concerns residents that Elder Terrace entry may be down the road. S. Makowka advised that this is an informal hearing because there was not enough time following the application submittal date to hold a formal

hearing which requires legal notice advertised in the papers and sent out to abutters two weeks before the hearing. However, if the Commission determines that the application as conditioned meets the criteria for a "10 day permit", that certificate cannot be issued until the abutters are notified of the pending approval and are given a chance to raise any objections that they may have within 10 days of the notice going out. In response to the second question, S. Makowka detailed what changes have been approved by the Commission for this house -- removal of side doorway, deck on rear of house, but no change in the footprint of the original structure. Also, the Commission has granted Certificate for Non-Applicability for the installation of a driveway constructed at grade.

He also clarified that most landscaping changes, such as the removal of trees, were beyond the Commission's jurisdiction. The neighbor followed up with a question about the amount of clearing going on and who would have jurisdiction given concern about erosion, etc. Ms. Ivers stated that the back area of the lot was cleared to create a meadow with trees to remain around the perimeter.

J. Worden moved that the Mt. Gilboa/Crescent Hill Historic District, having full reviewed the application before it, finds that the project under consideration for the removal of the existing chimney with the condition that it be replaced with a new brick veneer chimney of exact same dimensions and color, if constructed according to the plans submitted therewith, will be in harmony and not incongruous with the historical and architectural values of the district. Since the effect of the change will be insubstantial to the building and the district, it is determined that a public hearing can be dispensed with, and a certificate issued after abutters have been notified and a ten day period for the comments has passed. Motioned was seconded by L. Kuhn. All Commissioners voted in favor.

Notice will go out to abutters and the certificate will be issued following the 10-day response period provide no objections are received by the Commission.

Martha Penzenic arrived at 8:45 pm.

c. Rick Wells, currently in the process of buying the John Trowbridge house at 152 Pleasant Street, wanted to have an informal discussion with the Commission about some potential plans for that property. Currently the house has 6 units despite the R4 zoning. His plan is to convert the property to 2 units. Originally built in the 1840s, a major addition to the left was added about 25 years later and the interior layout works pretty well for 2 units. Mr. Wells stated that he is not thinking about a lot of exterior changes, although he would like to upgrade garage doors and deal with defining a main entrance for the residence in the addition. He noted that the existing garage is located below the main massing of the house and was added sometime after the construction of the addition. He may want to change the existing doors to carriage style doors. He is also working with an architect because the doorway to the addition area doesn't work very well. He would like to be able to somehow adjust that front entry, but he can't move it very much because of the interior layout. Discussion about various exterior features such as clapboard siding and shingles, as well as existing plastic shutters (which applicant would like to remove and replace with more appropriate versions). The only other possible major exterior changes are on the front porch that wraps around the side of the building. There are 2 windows on the side facade and he would possibly like to turn them into French doors with access to the porch (would use simulated divided lights wood doors). Also considering steps down to a patio in the backyard. S. Makowka reminded him that this was just an informational meeting, nothing said should give him the impression of any promise to approve or disapprove any future application. The Commission simply cannot act without a detailed application before it.

d. Guest – Alex Frish, former member of Sudbury Historic District Commission. Lives on Hillcrest Street, behind Bracket School. Advised a couple of vacancies on Commission and he might be interested in applying. Even though he's not in a district we can ask Selectmen to appoint someone not in a district if there is no representative.

e. Preservation Fund – John Worden reported that a loan had been given for repairs to the Benjamin Locke House, 21 Appleton Street.

A. Alberg departs meeting at 9:15 pm.

### 3. Communications

- a. Request for Certificate of Appropriateness re: 82 Westminster (Ivers) – regarding Chimney Removal received by S. Makowka
- b. Certificate of Non-Applicability re: 82 Westminster (Ivers) regarding driveway at grade – Issued by S. Makowka
- c. Certificate of Non-Applicability re: 278 Broadway (Jennings) detailed parameters for replacement of side yard fence with a similar solid wood board fence and hedges. The fence shall not extend forward of the front façade of the house at any point. Also, hedge removal and/or replacement is not subject to Commission's jurisdiction. Issued by S. Makowka

- d. **Certificate of Non-Applicability re: 10 Montague (Jirak) for replacement of existing storm windows and screens with Harvey storm windows. Issued by S. Makowka**
- e. **Certificate of Non-Applicability re: 135 Pleasant Street (Plumley) for replacement of four garage doors in freestanding garage building, not visible from the street. Issued by S. Makowka**
- f. **E-mail from Sharon Stafford about clearing at 82 Westminster**
- g. **Letter received from Mr. Scarano, counsel for J&K Construction re: 187 Lowell Street stating that his client was pursuing alternative plans and planned to request an informal hearing with the Commission to discuss.**

#### 4. **Other Business**

- a. **Missing signs – C. Greeley to call town yard and see if any Historic District signs are being stored there and, if so, can they be rehung at Pleasant Street and Jason Street. Discussion about post construction, concern that 4 x 4 wooden posts are not durable enough – maybe metal post in concrete or something else needs to be done.**

#### 5. **Old Business**

- a. **Review of guidelines – S. Makowka will get finalized and distributed.**
- b. **Letter and Survey to District Property Owners – Brochures depleted, John Worden noted that there are some edits that should be made to the brochure so we should redo the brochure anyhow before sending out. S. Makowka will work with C. Greeley**
- c. **Notification to new owners – get current list from Yvonne Logan.**
- d. **Add Rick Vallarelli, assistant building inspector, to the final agenda/minutes distribution list.**
- e. **M. Penzenik asked whether the take down of an existing fence with no replacement would need a permit. Homeowner wants to replace fence at later date, not immediately. Commissioners said they would indeed need to come in here before they take down a fence in a District and get a Certificate.**
- f. **Certificate of Appropriateness re: 239 Pleasant Street (Galal)--denied. Mr. Galal has not contacted the Commission since his original hearing in July, nor has he provided the additional information requested by the Commission at that time. Given the fact that the application is still incomplete and the hearing extension originally requested by the applicant is about to expire, the Commission felt it was not in a position to determine whether the project under consideration is consistent with the general harmony and historic and architectural values of the District. J. Worden moved to deny the application for replacement of clapboards and trim at 239 Pleasant Street. Under the law, the Commission must make a decision on an application within 60 days, unless that time is extended by mutual agreement of the applicant and the Commission. Since the Commission did not have the requested information and the applicant did not appear to request an extension, the Commission had no choice but to deny the application. The applicant may, however, submit a new application for a Certificate of Appropriateness to be reviewed by the Commission at a future hearing. This denial does not in any way reflect a determination by the Commission on the substantive merits of any proposed changes that may be presented at such a hearing. Seconded by M. Penzenik. Roll Call taken of Commissioners: S. Makowka (Yes), M. Penzenik (Yes), J. Worden (Yes), L.Kuhn (Yes). Original Application dated 7/13/04 denied unanimously.**

#### 6. **Review of Projects**

1. 80 Westminster Avenue (Reitzel 00-09M) – Berkowitz (No Change)
2. 267 Broadway (Kapsalis) - 1/2001 - Penzenik (No Change)
3. 14-16 Russell Street (Alex 00-28R), 10/01 (certificate modified 11/01) – Makowka (No Change)
4. 35 Jason Street (Lynch 00-33J) 12/01; 01-08J) 05/02 – Makowka (No Change)
5. 11 Westmoreland Avenue (Caruso 01-12M) 6/02 - Cohen (No Report)
6. 7 Jason Street (Smith Museum 02-10J) - Worden. (No Change)
7. 161 Westminster Ave. (Batitte 03-3M) 3/04 – Cohen (No Report)
8. 207 Pleasant Street (Konig 03-1P) 12/04 – M. Logan (No Change)
9. 19-21 Avon Place (Logan 03-4A) 3/04- Penzenik (Project Started)
10. 24 Westmoreland (Roger/Levelle 03-2M) 3/04 – Alberg (No Report)
11. 11 Wellington (Herold 03-7P) 4/04 – Alberg (No Report)
12. 11 Wellington (Herold 03-5P) 4/04 – Alberg (No Report)
13. 11 Wellington (Herold 03-9P) 5/04 – Alberg (No Report)
14. 239 Pleasant Street (work w/o permit) (No Change)
15. 105 Pleasant Street (work w/o permit) – Penzenik (No Report)
16. 139-141 Westminster (Entov 03-18M) – Berkowitz (No Change)
17. 14 Jason Street (window change w/o permit) - Makowka (No Change)
18. 144 Pleasant Street (Cole, 04-1P) – Potter (Windows & doors Started)
19. 25 Elder Terrace (Cantlon, 04-3G) – Cohen (No Report)
20. 22 Montague (Sparks, 04-8G) – Cohen (No Report)
21. 393-395 Mass. Ave. (Barkan, 04-4B) – Cohen (No Report)
22. 79 Crescent Hill (Moore, 04-5G) – Cohen (No Report)
23. 72 Westminster Ave. (Colman, 04-6G) – Y. Logan (Started, Not Done Yet)
24. 75 Westminster Ave. (Dressler, 04-7G) – Kuhn (No Change)
25. 82 Westminster Ave. (Ivers, 04-9G) – Penzenik (No Change)
26. 74 Pleasant Street (St John's Episcopal Church, 04-10P) – Makowka (No Change)
27. 24 Jason Street (Smith & Toner, 04-11J) - Makowka (In Process, may be done)
28. 210 Pleasant Street (Hart, 04-14P) – Penzenik (No Change)
29. 33 Russell Street (Littlewood, 04-13R) – Makowka (No Change)
30. 56 Jason Street (Tanner, 04-15J) – Kuhn (No Change)

31. 156 Pleasant Street (Seitz, 04-16P) – Cohen (No Report)
32. 82 Westminster (Ivers, 04-12M) - Penzenik (No Change)
33. 15 Russell Street (Lagow, 04-17R) – Penzenik (Change of Monitor from Kuhn)
34. 88 Westminster (Leverone, 04-18M) – Makowka (No Change)
35. 239 Pleasant (Galal, 04-19P) – Kuhn (No Change)
36. 159 Pleasant (Krepelka, 04-20P) – Cohen (No Report)

9:42pm Motion to Adjourn made by J. Worden, seconded by M. Penzenik, unanimous vote