



Arlington Historic District Commissions Final and Approved Minutes

Date: *September 26, 2019*

Time: *8:00 PM*

Location: *Whittemore Robbins House, 670R Mass. Ave., Arlington MA*

Commissioners Present: N. Aikenhead, M. Audin, D. Baldwin, M. Bush, S. Makowka, C. Tee, J. Worden

Commissioners Not Present: C. Barry, B. Cohen, C. Hamilton

Guests: S. Shaloo, K. Lubar, H. Barber, D. Green, D. Tee, J. Mille, H. Colquhoun, R. Murray, D. Bean, T. Taketomo, J. Leone, M. Penzenik

1. AHDC Meeting Opens 8:13pm
2. Appointment of alternate Commissioners – Pleasant Street and Jason/Gray – M. Bush and S. Makowka,
3. Approval of draft minutes from June 27, 2019 and August 22, 2019; D. Baldwin moved acceptance of minutes from 6/27/19, seconded by M. Bush. J. Worden abstained, approved by all others. J. Worden moved to table minutes of 8/22/19 until 10/24/19 meeting. Seconded M. Bush, unanimous approval to table August minutes.
4. COMMUNICATIONS

S. Makowka reported 253 Pleasant (Crewe) is now going forward with repairs on gutter/fascia and installation of fiberglass gutters and asked for extension of 2016 certificate with fascia behind gutters with artificial material (not visible behind gutters and fascia).

M. Bush said 199 Pleasant St. had approved stucco to go to clapboards and he has proposed to change to shingles. Carol to notice formal hearing for modifications to original approval.

5. OPEN FORUM

Ordinarily, any matter presented to the Commission under Open Forum will neither be acted upon nor a formal decision made, absent a previously noticed agenda item, but the Commission may make a decision if it deems it appropriate and necessary for the public good.

40 Irving Street – D. Green said new roof is necessary. At top and bottom of mansard section there is metal flashing about 10” and local roofer proposed taking off metal flashing and putting trim board perpendicular. Trim board rots and that’s why its metal – wants to use Azek trim board composite material instead of metal which currently look wavy. D. Green’s roofer said they can’t shingle all the way up. It was probably tern (lead coated tin) originally and in M. Bush’s opinion this is solvable with metal – doesn’t need to be expensive, but it needs to be substantial material that will hold its shape. If it was triple or quadruple the thickness it would probably be fine.

6. OTHER BUSINESS

- a. Central Street and Avon Place Historic District vacant commissioner seats
No discussion
- b. Report from Streetscape sub-committee *No discussion*
- c. Modification of Design Guidelines for Fiberglass Gutter eligibility for a CONA.
M. Bush said previously approved fiberglass gutters have wood grain and new company has a cheaper product, the second product is designed for the gutter to be painted and is not gel coated like the first approved product. M. Bush feels that we should allow the second company. M. Bush suggested updating the guidelines to reflect this and a few other Commission standards as shown in a redlined proposed updated Design Guidelines. S. Makowka made some suggestions and M. Audin had additional comments. M. Bush to incorporate suggestions and circulate for Commission review.
- d. Discussion on Document Accessibility for Commissioners *No discussion*

7. NEW BUSINESS

8:00pm

S. Makowka announced that *an absent commissioner may participate in subsequent portions of the hearing and vote, if he or she has listened to a recording of this part of the hearing.*

Started recording at 8:25pm for 0 Ravine Street

- a. Formal Hearing for 0 Ravine Street (Perlo) for new house construction
S. Makowka announced recording of formal hearing for absent commissioners. In light of the fact that there have been previous applications for this site, the Commission discussed how to proceed. S. Makowka stated that this is a different situation since we have been through the process a number of times with info – normally we review and come to an understanding of Step 1. C. Tee asked if all the seated Commissioners have seen all the info previously presented – M. Bush and M. Audin feel that the guidelines should be followed and since the application has been withdrawn and when an applicant comes back it starts from baseline at square 1. J. Leone disagreed and said they are guidelines and he suggests this is different – back for the 4th time for the same project. In past they allowed Step 1 to be pulled forward and he wants to know why they shouldn’t be allowed again to move forward to step 2 or Step 3. Abutter T. Taketomo said lots of testimony to determine whether it is appropriate to build something – he sympathizes with the Commission having to decide things. In his view the criteria related to view, history as a house has been discussed but there has been no conclusion on whether these are criteria and the consensus on that criteria. S. Shaloo said she asked for a ruling on initial application whether it was withdrawn or rejected. She questions some of

the materials submitted on Step 1 – M. Audin submitted that once an application has been withdrawn that it really is back to square 1 and Applicant makes case and adds and modifies what they proposed as well. Discussion about how we proceed. S. Makowka reminded everyone that moving from step 1 to step 2 is just expanding what is being discussed and not an approval. S. Makowka proposed we open hearing for step 1 – have an abbreviated presentation and hear any input. We then can have more context by moving forward and have Applicant presentation of size and massing issues and then suspend hearing so everyone has opportunity to react at next meeting. M. Bush adds that for sake of discussion that we incorporate by reference some of the documents previously discussed at prior hearings. There was discussion among audience that there are new audience member who were not privy to prior hearings.

Hearing called to order at 8:49pm – J. Leone w/ Martha Penzenik presented for new construction at 0 Ravine Street. Submitted a description of lot, done 100 year title search previously and gave run down of all deeds since lot subdivided. The lot in question has been there since 1915 – not a new lot, created out of another lot, side yard, etc. Providing a new house that would be congruous to the District as a whole and to the neighborhood. There were some deed restrictions in the 1890s and that ended some 20 years later in 1922, so no deed restrictions for well over 70 years. At the time the District was created there was no deed restriction in effect. There is an easement that runs between the lot, the Perlo's old house (40 Irving Street) and the house behind – common driveway with easement for other two homes. Questioned about distances between homes in the district – architect provided distances between each of the homes from the GIS database. Provided graphic demonstration with distance between homes in District. The Gray Street map shows the current proposal with a bit of white out line around it for the prior proposal (this was not distributed in the initial packet) it is intended to show the changes in size and massing since prior hearings. This is a buildable lot, has existed for over 100 years and the HDC should recognize this and get from stage 1 to stage 2. Commission is directed by Mass Law to not turn projects away but to tell them what they should be able to build on the property.

D. Baldwin asked who owns the property – 0 Ravine owns the property. Sheet #7 is a professionally engineered drawing. The house is well off the easement. M. Audin asked to discuss the legality of the applicant's counsel's comments about Mass Law – he asked what the guidelines were when the District was formed. M. Audin was ok with S. Makowka's answer. J. Worden said that to say that something could be built on the lot doesn't say the lot can be developed to near the maximum of what zoning would allow. It doesn't mean an overly large structure could be put there or a small one. S. Makowka said the 1898 map showing the Hardy compound had some restrictions and are no longer in effect. There has been evidence on the Sanborn maps which show ancillary buildings to the structure that existed at the turn of the century. Applicant is asking for thoughtful consideration towards the building being proposed.

H. Calhoun, 55 Academy St., questioned under what circumstances can an application be denied at step 1. She thinks preservation of a streetscape is a highly relevant reason to deny at step 1. What would prevent something from going forward to step 1. HDC put in place to preserve historic aesthetic and streetscape preservation is most important thing. Asking what other criteria –

M. Bush said for example front yard of Jason Russell House is a separate lot and if someone came to build we wouldn't let it happen – on another end there was a lot in the Mt Gilboa District that was rejected on grounds of unbuildability and in the end a house is being built. S. Makowka reminded everyone that the objective of phase 1 is if there's something that makes this totally unbuildable like a cemetery, etc. Consideration of streetscape require more info than just deeds. D. Green, 40 Irving Street said the applicant had prepared info previously submitted by him on medium spacing between structures. T. Taketomo, neighbor, if we take relevant testimony we need to be clear what criteria we are using to determine buildability. There is a concept of views – what is the appropriate notion of a view towards a historic structure. Help both sides to understand the consensus of the commission so they know where to go. Very subjective view of the basis of the HDC decisions. S. Makowka said it is hard to have hard and fast rules that apply rigidly in every situation. What we do have to do is make a decision about what's relevant and what's not and be clear about the decision. S. Shaloo, 8 Ravine Street submitted a legible copy of a deed contained in the Applicants packet. She stressed that we are talking about a neighborhood (Jason Gray Historic District) and a majority voted to form the district – we have a neighborhood not individual plots. She read from parts of the deed she felt to be relevant --3rd page – houses must cost \$4500 or more... dwelling houses...no use shall be made on any part that is offensive or detrimental to the value of the same for dwelling purposes...” She continued, we are talking about 1 persons maximizing investment at expense of others in the neighborhood. Relationship between the 3 abutters. That pictured document is only showing you the other side of Ravine Street so you're not seeing the whole neighborhood. K. Lubar, 33 Gray Street, entered info into the record. This was the best preserved streetscape in the Jason/Gray District. Goal is not to freeze in time but preserve historic characteristic of community and neighborhood. The proposed construction would violate the intent of a historic district. The applicant has never talked to him about working with the neighbors. Houses built in neighborhood around 1900 but not on this lot. Easement on lot in 1943, it expired still with nothing built on lot. 1995 Current owners purchased lot and for 2 years didn't build anything. Nothing built on lot – why? Open space is part of the streetscape in his opinion. Houses “historically important and no major structures added or removed from space since early 1900s”. Photos in documents from applicant shows the house in back that will no longer be seen. Protecting the streetscape is paramount in his opinion. M. Audin said there is a constant reference to house being visually blocked on Ravine Street – are we saying any house in a HD must be viewed from all public places in a District? M. Bush said there have been numerous instances on Pleasant Street where we talk about structural changes and we talk about points of view from structures in a District from streets not in a district and so his reading of it is – the fact that it crosses a line somewhere and whether viewing it in or out of the District doesn't matter. This is context specific and the visual blockage from Ravine Street is an issue to some.

J. Leone said it is unfair to say it is an unbuildable lot – it is buildable it is questionable whether it is congruous with the District and whether we should move forward. He stated that reference from 1870s deed refers to preventing industrial uses. Directly across the street (Mr. Taketomo built the garage – incorrectly referenced by counsel).

J. Leone asked to move to stage 2. D. Baldwin said 24 Irving Street's view – is the carriage house considered part of that parcel (S. Makowka said you can see it from a street). T. Taketomo said this is an extremely important issue – does the carriage house need the same view – this should be decided whether the idea that you can see open views around the house or if there's a corridor of a view that's acceptable – but set criteria so we don't have to keep repeating the argument. If a full view of the house and the carriage house remains critical then any structure would block the view.

S. Makowka entertained the opportunity to deny the application at the end of stage 1 by the Commissioners, reminding them that moving forward just broadened the scope of review but all the considerations were still on the table. No motion to deny at this point was heard. S. Makowka then asked the Applicant to make a presentation on size and massing.

M. Penzenik said she would like to speak to SF, heights and setbacks. On Pg 3 are pictures of the neighborhood, lot over 8000SF, property at 33 Gray is 9,417SF, 13 Ravine is 8,631SF, point is the lot is not small and is within the range of some of the other properties in the neighborhood. S. Makowka asked for clarification on the GSF listed. She stated that gross numbers were taken from assessor's records and includes everything but not garages. (This assertion was disputed by members of the audience based on the numbers for their personal properties which they feel does include garages.) M. Penzenik said some setbacks in District are quite large and that skews it to 47, however looking at everything there are 9 properties with setbacks in the 40s, 11 setbacks in the 50s, greatest number is 15 in the 30s. Least setback is 8'10" and greatest one is 98'. In the 30s is most common spacing between houses. She argues that this falls in the most common range of spacing between houses. N. Aikenhead clarified that this data was for the entire District – but that does not represent the most immediate neighborhood. M. Penzenik continued, the square footage of the footprint is now 1,365 without porches. The porches increases the footprint to 1,610. In terms of the position of the house on the lot they tried to be considerate of all of the neighbors – the parking was done to keep the cars within the property lines of this house, considerate with Shaloo house and setbacks. The body of house is 39, front of porch is 30 and there are other bump-out features on the house. M. Penzenik said in terms of the size – she argues that doing something inappropriately small would definitely look like an infill structure. The fabric of the neighborhood is served better by having a structure with the presence of the other houses on the street. Too small won't look right. In designing this she designed shingle style with low eaves so it has the appearance of being a big 1 ½ story house in its height so the scale is that it is larger than #40, but smaller than #8. That is the context that you see this with the other houses. 37' wide at widest and 40' long. That includes a 2' bump-out (body of house if 35' wide). 1 story dining room bump-out.

S. Makowka asked to continue hearing to next month for questions on the materials presented. J. Leone said the placement of the house preserves the view and agreed to continue to next month. Hearing continued to next month.

- b. Formal Hearing re: 12 Elder Terrace (Silverman) for reconstruction of garage -
Continued to October 24th meeting at applicant's request

- c. Formal Hearing re: 9 Ravine Street (Smurzynski) for a/c and conduit installation
– Continued to October 24th meeting at applicant's request

8. REVIEW OF PROJECTS

9. MEETING ADJOURNED 10:45pm

10. NEXT MEETING: 8:00pm Thursday, October 24, 2019; Whittemore Robbins House

Respectfully Submitted, Carol Greeley, AHDC Executive Secretary