

HISTORIC DISTRICT COMMISSION
Judge Welsh Meeting Room – Town Hall
March 15, 2017

Members Present: Thomas Biggert, Marcene Marcoux, Martin Risteen, Laurie Delmolino, Hersh Schwartz

Others Present: David Gardner, Kathy Barrett

The meeting was called to order at 3:35 p.m.

1. WORK SESSION:

a) **Vote to recommend or not recommend Town Meeting article on solar policy:**

No change since the last meeting – vote to not recommend 4-0-0

b) **Update on potential violations reported to the Building Commissioner:**
469 Commercial Street for modified fence sections

Thomas Biggert recused himself. Anne Howard provided photos and the fence has been moved without a review. Laurie Delmolino stated the need for a request for a full review as there is a fence policy.

Marcene Marcoux made a motion for a full review which was seconded by Laurie Delmolino and passed 4-0-0

c) **Discussion: Building Commissioner's report regarding 600 Commercial Street**
Tom Tannarello, owner, discussed that this was approved for new plan on 10/31/16 and permission for a permit. Tom Tannarello stated this became an issue triggered by the fire safety code of no glazing, and no doors less than 3' from property line. He also stated than an easement was incorporated to add 2 skylights on a shed roof or mullions to capture north light, that he had followed all guidelines, and that he had been issued a permit so that this is now a hardship.

Thomas Biggert stated that safety trumps historic so the project cannot go forward. Martin Risteen suggested he talk with MA Historical regarding the issue. Marcene Marcoux stated she had reviewed other properties in town with doors less than 3' from the property line which is a concern for the town. This means that any property that is closer than three feet from a property line cannot have windows or doors on that elevation. This appears problematic for many applicants and the laws need to be researched. Tom Tonnerillo asked the members to approve what was proposed. Laurie Delmolino suggested pushing the windows back and possibly adding a deck which would lose some floor space but gain a deck. Mr. Tonnerillo again asked the members to accept the hardship. Marcene Marcoux stated that is dealing with issues of fire and safety, the Board has to go along with safety. Thomas Biggert made a motion to accept modifications as presented which was seconded by Marcene Marcoux and passed 5-0-0

- d) Determinations as to whether the applications below involve any Exterior Architectural Features within the jurisdiction of the Commission; with Full Reviews to be placed on the April 19th agenda and Administrative Reviews to be acted on by a subcommittee appointed by the Commission
- i. 160 Bradford Street – To replace siding in kind
Pavel Fiodarau presented. Thomas Biggert made a motion for an Administrative Review which was seconded by Marcene Marcoux and passed 5-0-0. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 5-0-0
 - ii. 509 Commercial Street – To alter a previously approved plan and no longer enclose under a second floor deck and change in window size and location on the east and west elevations

Thomas Biggert made a motion for a Full Review which was seconded by Marcene Marcoux and passed 5-0-0

- iii. **436 Commercial Street** – To replace a single door with a double door on west elevation

Joel Harms presented package with floor plans. Marcene Marcoux asked if wood was being replaced with wood and it is. Thomas Biggert made a motion for an Administrative Review which was seconded by Marcene Marcoux and passed 5-0-0. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 5-0-0

- iv. **39 Pearl Street** – To add an atrium space in the rear of structure, reconstruct the main roof line, replace existing windows, add a small storage shed in the rear and add a new spiral staircase to replace a deteriorating wood stair

Thomas Biggert made a motion for a Full Review which was seconded by Marcene Marcoux and passed 5-0-0

- v. **552 Commercial Street** – To fill in below an existing overhang and remove an existing door and replace with 2 double-hung windows

Tom Thompson addressed the Board and stated this project is not visible from public view and should be exempt from review. Marcene Marcoux stated that a site visit would be needed to determine visibility. Thomas Biggert made a motion that there would be a site visit by the Board by the end of the week to determine visibility which was seconded by Marcene Marcoux and passed 5-0-0

- vi. **14 Center Street** – To replace 3 casement windows in kind

Rich Mills presented and discussed windows along back of driveway on Center Street being replaced with vinyl. Thomas Biggert made a motion for an Administrative Review which was

seconded by Marcene Marcoux and passed 5-0-0. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 5-0-0

- vii. 31 Commercial Street – To remove and replace doors on an east elevation and windows on the south and west elevations in kind
Thomas Biggert made a motion for an Administrative Review which was seconded by Marcene Marcoux and passed 5-0-0. Thomas Biggert made a motion to accept as presented which the condition to keep historic sill which was seconded by Marcene Marcoux and passed 5-0-0

- viii. 328 Commercial Street – To remove and replace a window on the west elevation
Thomas Biggert made a motion for an Administrative Review which was seconded by Marcene Marcoux and passed 5-0-0. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 5-0-0

- ix. 382 Commercial Street – To remove and replace a window in kind
William Phillips presented and stated that Anderson windows would be used and would duplicate as much as possible with wood and painted white with wood molding. Thomas Biggert made a motion for an Administrative Review which was seconded by Marcene Marcoux and passed 5-0-0. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 5-0-0

- x. 333R Commercial Street – To install 6' high mahogany security gates on two stair landings
Laurie Ferrari presented and stated that there is a small gate on the front with people trying to get into the apartment which is the reason to request a 6' high gate. Marcene Marcoux stated that it is inappropriate for a 6' gate at this location and staircase.

Thomas Biggert agreed and recommended a 4' gate. Thomas Biggert made a motion for an Administrative Review which was seconded by Marcene Marcoux and passed 5-0-0. Thomas Biggert made a motion to approve a 4' high security gate which was seconded by Marcene Marcoux and passed 5-0-0

- xi. 136 Commercial Street, UC – To rebuild an existing deck
Thomas Biggert made a motion to continue to the meeting of 4/19/17 at Town Hall which was seconded by Marcene Marcoux and passed 5-0-0

e) Review and approval of Minutes:

Thomas Biggert made a motion to accept the minutes of 2/22/17 and 3/1/17

2. PUBLIC HEARINGS:

Public Hearings called to order at 4:36 p.m. with the same members in attendance

a) Case #FY17-124 (*continued from the meeting of March 1st*)

Application by Todd Westrick, on behalf of John C Roettger, requesting to modify and add to an existing picket fence and replace two side elevation portions of it with a solid board privacy fence at the property located at 82 Commercial Street
Todd Westrick presented. Thomas Biggert read Anne Howard's review of fence heights and will be included with the Board's decision. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 4-0-0 (Laurie Delmolino recused)

b) Case #FY17-164 (*continued from the meeting of March 1st*)

Application by Peter McDonald, on behalf of Jay Anderson, requesting to raise a building, to up-grade stairs and re-locate to the north elevation, to re-locate an existing entry door on the north elevation to the east elevation, to remove glass block

and basement cellar sash window and replace with new windows on the east elevation, to add and replace windows on the west elevation, to re-configure windows and doors on the south elevation, to remove two skylights and a rear hip roof, to add shed and gable dormers on the east and west elevations and to remove a chimney on the structure located at 137 Commercial Street

Peter McDonald presented and also discussed the problem of being less than 3' from the property line. Thomas Biggert stated that the plan incorporates changes suggested by the Board. There were no public comments and one letter read opposing the plan. Marcene Marcoux discussed the need to come back regarding the 3' rule since this seems to be a new interpretation of state law. Thomas Biggert made a motion to accept as presented which was seconded by Laurie Delmolino and passed 5-0-0

c) **Case #FY17-165 (continued from the meeting of March 1st)**

Application by Papetsas Building Co., Inc, on behalf of Tom Penque, requesting to remove a rear deck and rebuild in the same footprint with a new post-and-rail-style system and to replace the roof under the deck with a rubber membrane and to remove and replace a block chimney with a red brick chimney on the structure located at 18 Franklin Street, #2

Demetrius Papetsas presented and brought a sample of the proposed Hampton rails. Laurie Delmolino discussed that this being a private residence, wood would be the first preference and the Board members agreed and will require wood for post and rail. Thomas Biggert made a motion to accept as presented with the condition that the railing be wood which was seconded by Laurie Delmolino and passed 5-0-0

Thomas Biggert discussed 147 Commercial Street. Kevin Bazarian stated the windows received were the wrong windows and would be corrected. Grills were installed and made the windows look worse. The representative from the windows stated the need for bars to be approved for exterior of the windows. Thomas Biggert stated that the Board wants the windows to look like the original windows. The representative stated that 1 ¼" bars are probably more historically correct and the Board

agreed. The window over the door appears smaller than what it was. The Board will approve 1 ¼" mullion and Kevin will review the window over the door. The representative stated that said repairs will be completed in approximately 4 weeks. Thomas Biggert made a motion to accept 1 ¼" mullions which was seconded by Laurie Delmolino and passed 5-0-0

d) HDC 17-174

Application by MEILI, LLC, on behalf of Edward M Roach, requesting to renovate and raise an existing multi-family structure and cottage pursuant to FEMA regulations and to re-configure an exterior rear stairway, and to re-configure windows and doors on all elevations of the principal structure on the property located at 58-60 Bradford Street

David Ha, Edward Roach, and Rafael Hernandez presented and stated that there are nine units, units are in a flood zone, and they want to add a concrete wall to raise out of the flood zone, add parking, new windows and doors for a total gut and rehab. For public comments, Tammy Caulkins questioned the addition of another unit, whether the building was in a flood zone, additional parking, and the question of height. Five letters were read: 1) concerns – not a flood zone per FEMA maps, opposed to increase in size or height, parking, traffic and noise, oppose added exterior doors and exterior lighting, and concerns about cottages; 2) concerns about height; 3) concerned about the number of condos; 4) concerns – scale and height of renovation, parking, and synthetic materials proposed to be used; and 5) concerns – changing elevation of property, 9 one bedroom privately owned units, additional traffic, and wood products should be required. Marcene Marcoux questioned if this is a flood zone and asked for clarification. David Gardner stated that the main house is not in a flood zone but the cottage is. Edward Roach stated that there is a new map and both are in a flood zone, and David Gardner stated the map is current but would need clarification. Thomas Biggert stated the discussion will need to continue due to the flood zone question, but they could discuss the plan. Edward Roach stated that Coastal Engineering is working on drawings per FEMA. South elevation

on the main building was discussed, and Martin Risteen stated that the original windows are 2 over 2, and he would like to see that on all windows, and the original door is in basement area and would like to see them throughout. Thomas Biggert discussed the gable on top of the building (Bradford Street side) and that the new detail is inappropriate and should be a shed dormer with 2 over 2 windows. Martin Risteen asked if two small windows fit on the west elevation, and Rafael Hernandez stated they would fit. Thomas Biggert suggested doing away with the dormer and using wood windows and doors. Laurie Delmolino commented on the west elevation near decks showing 7'9" width of stairs. Marcene Marcoux discussed columns and railings and questioned materials stating that wood should be used. Thomas Biggert commented on the west elevation and that shingles and the original design need to be duplicated on the east, west, and south side. Laurie Delmolino discussed windows on the south elevation. Also questioned the number of doors on the back elevation and if they are solid doors. David Gardner will review the flood zone map. Thomas Biggert made a motion to accept a time waiver which was seconded by Marcene Marcoux and passed 5-0-0. Thomas Biggert made a motion to continue to the meeting of 4/19/17 at Town Hall at 3:30 p.m. and to return with a revised plan which was seconded by Marcene Marcoux and passed 5-0-0

e) HDC 17-177

Application by ARC Designs, LLC, on behalf of Lopes Square Properties, LLC, requesting to re-configure doors and windows on first floor shops on the property located at 309 Commercial Street

Alan Cabral presented the plan. There were no public comments or letters. Thomas Biggert commented on all openings being replaced, and Alan Cabral stated everything except two windows and doors being proposed are wood. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 5-0-0

f) HDC 17-178

Application by John Culver and Peter Warnock requesting to remove a door on the east elevation and install a skylight on the south-facing roof of the structure on the property located at 288C Commercial Street

John Culver and Peter Warnock presented the project stating that it is not visible from the public way. There were no public comments and one letter that did not oppose the project. Thomas Biggert made a motion to accept as presented which was seconded by Laurie Delmolino and passed 5-0-0

g) HDC 17-181

Application by Over the Bridge Construction, on behalf of Center Brook, LLC, requesting to build a second and third floor egress on the east and west elevations of the structure located on the property at 192-194 Commercial Street

Scott Powell presented stating there had been prior approval for the deck but it needs to be 8" wider to meet code. Scott Powell stated submission for the west side is being engineered by Billy Roger's Office, and that Over the Bridge Construction is no longer involved. There were no public comments and one letter of support. Marcene Marcoux asked about doors, and Scott Powell stated they want to use wood instead of steel but will follow code and that it needs a sprinkler system which might indicate a need for steel doors. Thomas Biggert made a motion to accept as presented which was seconded by Laurie Delmolino and passed 5-0-0

h) HDC 17-182

Application by Eric Martin, on behalf of Oliver Davis, requesting to replace 2 windows on the east elevation, replace a door with a window on the north elevation and add a bathroom window on the west elevation of the structure on the property located at 306 Commercial Street, Unit B

Eric Martin presented the project. There were no public comments or letters. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 5-0-0

i) HDC 17-185

Application by Thomas R Huth, Architect, on behalf of John Roettger, requesting to amend a previously approved project by replacing an existing triple-gang double-hung kitchen window with 2 existing double-hung windows, replacing French doors with a triple-gang double-hung window unit and retaining an existing entrance door in its current location all on the north elevation of the structure on the property located at 82 Commercial Street

Thomas Huth and Paul Bend (builder) presented. There were no public comments or letters. Thomas Biggert commented that he liked the replacement of doors with windows. Thomas Biggert made a motion to accept as presented which was seconded by Marcene Marcoux and passed 5-0-0

j) HDC 17-186

Application by Deb Vanderveen & Chris Norcross requesting to put a second story addition over 16' of the existing first floor and to add a 7' rear deck with a stairway for a second means of egress from the structure on the property located at 9 Atlantic Avenue

Chris Norcross and Bruce Pollard presented. There were no public comments or letters. Thomas Biggert made a motion to accept as presented which was seconded by Laurie Delmolino and passed 5-0-0

3. Any other business that shall properly come before the Commission

a) The proposal by Ginny Binder will be discussed at the next meeting.

b) Comment from Anne Howard that the Portuguese Bakery has new cooking ventilation system at 299 Commercial Street, and application should come before the HDC.

VOTES MAY BE TAKEN ON ANY OF THE ABOVE AGENDA ITEMS

The meeting was adjourned by Thomas Biggert at 6:50 p.m. 5-0-0

Respectfully submitted:

Katherine Barrett