

**MINUTES OF THE PROCEEDINGS OF THE
HISTORICAL COMMISSION OF THE CITY OF WORCESTER**

**AUGUST 23, 2007
CHASE BUILDING, 44 FRONT STREET, WORCESTER
SUITE 300 – CONFERENCE ROOM**

Commission Members Present: Peter Schneider, Chair
Thomas Constantine
Thomas Conroy, Clerk
Michael Theerman
James Crowley
Janet Merrill

Staff Present: Edgar Luna, Division of Planning and Regulatory Services

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Schneider called the meeting to order at 5:30 pm.

APPROVAL OF THE MINUTES

Upon a motion by James Crowley and seconded by Michael Theerman, the Commission voted 6-0 to continue the approval the minutes from the August 9, 2007 meeting until September 13, 2007.

UNFINISHED BUSINESS

Mr. Luna informed the Commission that there were no updates regarding the Historic Commission procedures and guidelines.

- 1. 26 Institute Road (HC-07-23) – Building Demolition Delay Waiver:** Brent Heinzer, representative for the Aquinas Association Inc., presented the plan. Mr. Heinzer stated that the petitioner would not be able to afford any other option than the original petition since their budget was limited to \$100,000.00. Therefore, he asked the Commission to grant the Building Demolition Delay Waiver based on hardship. Upon a motion by Commissioner Constantine and seconded by Commissioner Theerman, the Commission voted 5-0 that the proposed work would be detrimental to the historical or architectural heritage or resources of the City of Worcester.

Upon a motion by Commissioner Theerman and seconded by Commissioner Conroy, the Commission found that there was no undue economic hardship to the property

owner and voted 0-5 to approve the Building Demolition Delay Waiver for the proposed demolition. The motion failed and the Building Demolition Delay Waiver was denied.

Thomas Constantine arrived.

NEW BUSINESS

- 2. 22 Watt Road (HC-07-25) – Building Demolition Delay Waiver:** Patricia Lafontaine and Timothy Lafontaine, owners and petitioners, presented the petition. Ms. Lafontaine stated that she was seeking a Building Demolition Delay Waiver retroactively, which was mandated by the Division of Code Enforcement, as a result of having removed the original slate roof of the house without receiving a Building Permit from the Division of Code Enforcement. She stated that on Saturday July 21 and Sunday, July 22, 2007, the original slate roof was removed and replaced with synthetic architectural shingles. Ms. Lafontaine also acknowledged that she had been informed by Mr. Luna verbally, by telephone and by email that the removal of the original slate roof required a Building Demolition Delay Waiver from the Worcester Historical Commission, and a Building Permit from the Code Enforcement Division. In addition, she stated that while their initial objective was to replace a few loose tiles, when a contractor inspected the roof, he determined that the roof was damaged beyond repair and therefore, she and her husband decided to replace the entire roof instead of only replacing loose tiles. Mr. Luna informed the Commission that on July 23, 2007, John Kelly, Deputy Director of Code Enforcement from the Department of Health and Human Services, issued and delivered a “Cease and Desist” order to the petitioners for having removed the roof without a permit, in violation of 780 CMR 110 and 118.1. In addition, Mr. Luna indicated that the order issued required the petitioners to submit a permit application within twenty-four (24) hours, in accordance to 780 CMR 110. Ms. Lafontaine stated that the roof had been removed out of concern for the safety of her children, as a few tiles had become loose and had fallen off into the yard in the past. Chair Schneider stated that the slate roof was an important architectural feature of the residential dwellings located within the Indian Hill – North Village National Historic District, and that its removal without following the proper procedures presented a serious problem for the Historical Commission because now the Commission was required to consider a petition to remove such an important architectural feature when in fact it had already been removed. He also indicated that slate roofs can be repaired, which is less costly than full replacements. In addition, Chair Schneider indicated that preserving original architectural features such as slate roofs increases the value of historic homes. Commissioner Crowley indicated that while the argument of removing and replacing the roof for safety reasons seemed reasonable, removing it without following proper procedures was not acceptable. He also indicated that the petitioners had failed to demonstrate that they had exhausted all possibilities to repair and preserve the original slate roof. Commissioner Theerman stated that the slate roof was an important architectural feature of the Indian Hill-North Village, and indicated that its removal without proper authorization was illegal and unwarranted. In addition, he stated that the removal also placed the Commission in a difficult position as approving the Building Demolition Delay Waiver would be contradictory to the

mission of the Commission to preserve structures with significant architectural characteristics. Upon a motion by Commissioner Crowley and seconded by Commissioner Theerman, the Commission voted 5-0-1 (Thomas Constantine abstained) that the proposed work would be detrimental to the historical or architectural heritage or resources of the City of Worcester. On a motion by Commissioner Crowley and seconded by Commissioner Theerman, it was voted 0-5-1 (Commissioner Constantine abstained) to grant the Building Demolition Delay Waiver based on hardship. Therefore, the motion failed and the Building Demolition Delay Waiver based on hardship was denied.

3. **16 Marconi Road (HC-07-26) – Building Demolition Delay Waiver:** Alex Sullivan, owner and petitioner, presented the petition. Mr. Sullivan stated that he was seeking a Building Demolition Delay Waiver to replace the front porch using design and materials to closely resemble original porches in the Indian Hill-North Village district. Mr. Sullivan indicated that the original porch had been seriously compromised aesthetically, structurally, and did not match other porches in the neighborhood. He also stated that three of the four load bearing walls had been replaced with large windows, which had been improperly installed and over time caused the roof to cave in on the porch. In addition, Mr. Sullivan indicated that the proposed roof would have the same pitch, and that the proposed design would include two (2) double-hung vinyl windows on the sides, and two (2) double-hung vinyl windows in the front in a style that is similar in appearance to original porches in the neighborhood. Upon a motion by Commissioner Theerman and seconded by Commissioner Constantine, the Commission voted 6-0 that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester and approved the Building Demolition Delay Waiver.
4. **54 Dorchester Street (HC-07-27) – Building Demolition Delay Waiver:** Zoila Gonzalez owner and petitioner stated that she was seeking a Building Demolition Delay waiver to remove and replace the roof of the building located on site due to its advanced state of deterioration. She also stated that the roof was not original to the period of the house, as it was made of synthetic materials. In addition, Ms. Gonzalez stated that while the proposed roof was synthetic architectural shingles, the color and texture selected closely resemble slate tiles, which would have been the appropriate roofing material the period of the house. Upon a motion by Commissioner Theerman and seconded by Commissioner Constantine, the Commission voted 6-0 that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester and approved the Building Demolition Delay Waiver.

OTHER BUSINESS

5. **Local Historic District Study Committee Discussion/Update:** Commissioner Crowley asked the Commission to consider requesting the Law Department to do a title search to determine whether the rear portion of the parcel now known as 1 Montvale Road, was held in common ownership with the parcel, 1 Montvale Road

that was within the District in April 1993. Upon a motion by Commissioner Crowley and seconded by Commissioner Theerman, the Commission voted 6-0 to request the Law Department to do the above requested title search. Bruce Bunkie, a resident of the Montvale Local Historic District, stated that he had been proactive in the creation of the Historic District. He also indicated that in his opinion, the rear portion of 1 Montvale Road was left out of the Historic District in error, and that he supported its incorporation into the Montvale Historic District. In addition, he stated that such portion of the parcel has a tennis court, which was built by the previous owner who reportedly was a famous tennis player and therefore, he believes that such parcel should have been included in the Historic District when it was first created. Commissioner Crowley requested the Commission consider expanding the Historic District to include the following addresses: 72, 78, 80, 84, 88, and 90 Park Avenue; 1 and 3 Waconah Road; 1, 4, 5, 7, 8, 9, 11, and 15 Otsego Road; 2, 6, and 10 Forest Street; and 4, 6, and 8 Fenimore Road. Chair Schneider stated that such an expansion would require hiring an architect/historian to research the architectural and historical significance of the proposed parcels, and that to his knowledge, the City did not have any funds to cover the expenses for such an endeavor. He also stated that the Commission should instead consider expanding the District to include the rear portion of 1 Montvale Road, which is currently not a part of the Historic District. Commissioner Theerman stated that the Commission should consider holding a public meeting on September 20, 2007, and invite all residents of the Montvale Local Historic District as well as the residents from the following addresses: 72, 78, 80, 84, 88, and 90 Park Avenue; 1 and 3 Waconah Road; 1, 4, 5, 7, 8, 9, 11, and 15 Otsego Road; 2, 6, and 10 Forest Street; and 4, 6, and 8 Fenimore Road. Commissioner Merrill stated that she supported the proposed meeting on this matter. Upon a motion by Commissioner Crowley and seconded by Commissioner Theerman, the Commission voted 4-1-1 (Commissioner Conroy abstained) to hold a public meeting on September 20, 2007 to consider expanding the Montvale Local Historic District to include the following addresses: 72, 78, 80, 84, 88, and 90 Park Avenue; 1 and 3 Waconah Road; 1, 4, 5, 7, 8, 9, 11, and 15 Otsego Road; 2, 6, and 10 Forest Street; and 4, 6, and 8 Fenimore Road, and invite said residents as well as all residents from the Montvale Local Historic District.

Chair Schneider adjourned the meeting at 8:00 pm.