

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

**April 30, 2009**

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

**Commission Members Present:** Peter Schneider, Chair  
Thomas Constantine, Vice Chair  
James Crowley  
Timothy McCann  
Janet Merrill  
Michael Theerman

**Staff Present:** Luba Zhaurova, Planning and Regulatory Services

**REGULAR MEETING (5:30 PM)**

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

Minutes from the April 9, 2009 meeting were accepted.

**UNFINISHED BUSINESS**

1. **100 Water Street (HC-2009-005) – Building Demolition Delay Waiver:** Andrew Feldman, petitioner, is seeking to power wash paint off the building using a paint stripper and restoration cleaner; repoint 1,000 square feet of masonry to match existing architectural features, color and finish; remove any damaged or deteriorated bricks; match bricks that are to be re-laid to existing structure; and apply two coats of waterproofing to all masonry. Chair Schneider asked if the colors of the mortar will match. The applicant responded that he will do his best to match it. He stated that he will take down the awnings during the renovations, and will replace them if they are damaged. Chair Schneider indicated that the awnings are not a historic portion of the building. Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner Crowley and seconded by Commissioner Theerman, the Commission voted 5-0 that the proposed demolition would not be detrimental to the historical or architectural resources of the City of Worcester and the Building Demolition Delay Waiver was approved.

## NEW BUSINESS

2. **908 Main Street (HC-2009-008) – Building Demolition Delay Waiver:** This item was taken out of order per request of the applicant. Russell Haims, petitioner, is seeking to remove and replace roofing with synthetic architectural shingles. Commissioner Theerman asked the applicant if he is planning to remove the asbestos siding. Mr. Haims responded that he will not remove it because it holds the paint well. Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner Theerman and seconded by Commissioner McCann, the Commission voted 5-0 that the proposed demolition would not be detrimental to the historical or architectural resources of the City of Worcester and the Building Demolition Delay Waiver was approved.

Commissioner Thomas Constantine joined the Commission.

3. **2 Regent Street (HC-2009-007) – Certificate of Appropriateness:** David J. Rushford, petitioner, is seeking to replace thirteen (13) wooden double-hung windows and storm windows on the second floor of the home with Marvin tilt-pac double-hung sash replacement window kits with full screens and brass hardware. He is also seeking to remove vinyl gutters and drain spouts on rear portion of the house, and to install one copper gutter along the eave of the front porch. Mr. Rushford distributed a Marvin tilt-pac window brochure and a window sample. He stated that he wanted to replace the windows for three main reasons – to improve energy efficiency, to prevent noise, and to prevent dirt from entering the house from vehicles idling at the intersection of Park Avenue and Salisbury Street. He stated that the original windows are 102 years old and that the proposed windows are of the highest quality (according to the Affordable Windows & Doors assessor), are made of wood and are a replica of the size of the original windows. He further indicated that the windows on the second floor of the house are in worse condition than the ones on the first floor, which he thinks is attributable to their close proximity to the eaves thus making them more prone to mold. Mr. Rushford indicated that the side of the house facing the side yard has arched windows the height of the room and that these will be kept as they are in a good condition.

Chair Schneider pointed to a National Trust for Historic Preservation article stating that repairing original windows might be cheaper than replacing them because life span of the original windows is longer than that of the replacement windows. He pointed out that air leaks can be addressed through weather-stripping and/or repairing the frame.

Commissioner Crowley indicated that in the past he advocated for not considering window replacement in the Local Historic Districts unless information is provided proving that windows can not be rehabilitated. Mr. Rushford stated that his vendor assessed the windows and advised him to replace the second story windows. Chair Schneider responded that the vendor would not be a disinterested party and then referred to a study in Vermont showing that most energy savings can be accomplished by weather-stripping existing windows, filling in weight boxes with foam insulation, and changing window weight systems. Mr. Rushford indicated that most of his storm

windows are cracked. Chair Schneider responded that storm windows are not historical features of the building.

Chair Schneider indicated that the purpose of the Historical Commission is to retain as much of the original fabric of historical buildings as possible. He then asked the petitioner to consider keeping the two windows in the front original, to take off aluminum storm windows, and to keep internal storm windows.

Chair Schneider gave the example of 3 Oxford Street, which is a property recently reviewed by the Historical Commission, where the petitioner agreed to rehabilitate windows on two sides of the house visible from a public street. Chair Schneider suggested that Mr. Rushford save the double-hung windows that are in a better shape and possibly move them to the house's façade. Commissioner Theerman stated that because the petitioner's house is located on a corner lot, almost all windows can be viewed from Regent Street, Park Avenue, Salisbury Street, or Massachusetts Avenue.

Mr. Rushford expressed doubt that his windows can be rehabilitated because they only have a single pane of glass. Mr. Schneider indicated that most of the heat loss occurs through the cracks of the frame, not the glass, and that this is a repairable damage.

Commissioner Crowley asked the petitioner if he would be willing to have a window rehabilitation assessor to look at his windows. Mr. Rushford reiterated his doubt that window rehabilitation can be as effective as window replacement and stated that a window rehabilitation assessor would also not be a disinterested party.

Commissioner Theerman stated that he could not vote for non-historical changes on a building in a Local Historic District. Commissioner Crowley recapped the Commission's determination saying that window replacement would only be approved if it can be demonstrated that the original windows can not be replaced. He added that he would consider allowing replacement of windows not viewable from a public way.

Mr. Rushford pointed out that the Historical Commission has no official standard by which it judges applicants. Chair Schneider said that while such changes as paint color are more discretionary in nature because they are not permanent, window change is considered to be a permanent change to a structure and therefore is judged with more scrutiny by the Commission. He further added that the Commission had tried in the past to include the standard into the Commission's Rules and Regulations. Mr. Rushford stated that he wanted to make sure future applicants would be treated the same. He inquired if the same standard would apply to a new construction at 190 Salisbury Street. Chair Schneider responded that since it would not be a historic structure, it would be under a different type of scrutiny.

Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner Crowley and seconded by Commissioner Theerman, the Commission voted 6-0 that the proposed removal of the vinyl gutters and drain spouts located on the rear portion of the residence, installation of one copper gutter along the eave of the front

porch, and permanent removal of the basketball pole and backboard located in the driveway are appropriate and compatible with the preservation and protection of the Massachusetts Avenue Historic District as it relates to the historic and architectural value and significance of the site and structure, and approved a Certificate of Appropriateness for the following exterior work:

- Permanently remove the vinyl gutters and drain spouts located on the rear portion of the residence.
- Install one copper gutter along the eave of the front porch.
- Permanently remove the basketball pole and backboard located in the driveway.

With respect to the window replacement, Chair Schneider proposed to vote on the southern and western sides of the house that abut other residential properties, and not a public way. Commissioner Theerman indicated that, in his opinion, all windows are visible from a public way. Mr. Rushford restated that the air leakage, noise and dirt infiltration are more severe on the northern and eastern sides of the residence fronting onto the streets, and, therefore, the Commission's vote on the southern and western sides would defeat the petition's goal.

Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner Crowley and seconded by Commissioner Constantine, the Commission voted 1-5 (with Thomas Constantine voting yes, and all others voting no) that the proposed replacement of thirteen double-hung wooden windows and aluminum storm windows located on the second floor are appropriate and compatible with the preservation and protection of the Massachusetts Avenue Historic District as it relates to the historic and architectural value and significance of the site and structure. The motion failed, therefore a Certificate of Appropriateness for the following exterior work was denied for the following:

- Remove and replace them with Marvin tilt-pack double-hung wooden windows that include sash replacement kits with full screens and brass hardware.

Chair Schneider reminded Mr. Rushford that he would not need a Certificate of Appropriateness from the Commission for window repair and maintenance.

4. **7 Albert Street (HC-2009-009) – Building Demolition Delay Waiver:** Nader Djafari, petitioner, is seeking to replace the siding on the façade with vinyl siding; to repair and repaint wood siding on the other three sides; and to replace front railings. Chair Schneider asked if the petitioner has started the work early. Mr. Djafari and his contractor explained that they started the interior work, had replaced the railing, and then went to get a building permit for the work on the siding, at which stage they found out that the structure is listed on the MACRIS list and that they need to come in front of the Historical Commission. Chair Schneider asked if the replacement windows were installed. Mr. Djafari responded that the windows were already there when he purchased the property. Chair Schneider and Commissioner Crowley expressed satisfaction with the fact that the applicant preserved the porch and the brackets.

Chair Schneider asked why the petitioner is seeking to replace the wood shingles on the façade, but would keep them on the side and the rear of the house. Mr. Djafari responded that the shingles on the front of the house are in a much worse shape than the ones on the side and that the clap board and corners are rotten. Commissioner Merrill asked how the petitioner proposes to blend vinyl siding on the front with the wooden siding on the sides. Commissioner Theerman suggested using aluminum edging and asked if the petitioner will use cedar siding. Mr. Djafari responded that cedar clap board is very expensive and that over three quarters of the siding would need to be replaced. He added that lead paint is also an issue, and that vinyl siding would help encapsulate lead. He said that when he bought the house, it has been abandoned for over one and a half years. The applicant stated that vinyl siding will fit in the context of the street. Commissioner Theerman suggested that the vinyl siding is matched in color to the wood siding on the rest of the house.

When asked, the petitioner's contractor stated that it would cost approximately \$3,000 to install vinyl siding on the façade, while it would be around \$7,000-\$8,000 to repair and repaint the existing siding.

Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner Crowley and seconded by Commissioner Theerman, the Commission voted 3-3 (with Commissioners Schneider, Theerman and Crowley voting no) that the proposed demolition would not be detrimental to the historical or architectural resources of the City of Worcester. The motion failed and the Building Demolition Delay Waiver was denied.

Commissioner Theerman opined that the total cost of buying and renovating the house for the applicant could be around \$100,000, therefore the price differential between the vinyl siding and repairing the existing siding is a small proportion of the total cost. Therefore, he did not consider this to be an economic hardship situation. Commissioner Constantine disagreed by stating that it is just as important to look at the total amount of additional money spent, not percentage of the total cost. Commissioner Crowley added that since the clapboard on the façade will not be removed for the vinyl siding installation, there will be an option of restoring it in the future.

Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner Crowley and seconded by Commissioner Theerman, the Commission voted 4-2 (with Commissioners Theerman and Merrill voting no) that the applicant had demonstrated undue economic hardship. Therefore, the motion passed and the Demolition Delay Waiver was granted based on hardship.

5. **3 and 5 Brussels Street (HC-2009-010) – Building Demolition Delay Waiver:** Herbert Rasnick, petitioner, and Lawrence Hardy, representative, are seeking to demolish the western two-story section of the 5 Brussels Street building (approximately 7,957 SF); to demolish the connector between 3 and 5 Brussels Street buildings; to replace windows and siding of the 3 Brussels Street (Building #4 of the Whittall Mills complex); and to

power-wash the brick and replace windows of the eastern three-story section of the 5 Brussels Street (Building #5 of the Whittall Mills complex). Mr. Hardy stated that his client proposes to replace the wooden shingles on the existing 3 Brussels Street building with aluminum metal siding, oriented vertically in the top half of the building, and horizontally in the lower half of the building. Commissioner Theerman noted that both buildings are in strong need of renovation. Chair Schneider asked if the buildings are damaged. Mr. Hardy responded that trucks occasionally hit the 5 Brussels Street building. When asked, Mr. Hardy responded that the window arches at 5 Brussels Street are made of metal and will be preserved and repainted. He stated that the windows will be replaced, but that masonry walls and arches will remain.

Chair Schneider asked if the petitioner plans to repoint the mortar between the bricks. Mr. Hardy responded that some repair will be necessary. Chair Schneider recommended that the new mortar is matched in color to the existing one.

Mr. Rasnick asked the Commission's permission to demolish the tower on the 5 Brussels Street building because it has caused numerous truck collisions with the building in the past. Chair Schneider suggested that a post be placed to warn trucks of danger and that around five feet can be cut off from the 3 Brussels Street building to make a larger turning radius for the trucks. Commissioner Crowley reminded that the tower demolition is not part of the applications and as such should not part of the Commission consideration.

When asked, Mr. Hardy responded that the replacement windows will be vinyl and will be green and beige in color. Mr. Hardy also added that there used to be a steam pipe connecting 5 and 3 Brussels Street, which has been removed but still shows up on GIS Assessor's records. He stated that he was advised by staff to include its removal in the petition. Commissioner Crowley stated that since the pipe is no longer on site, the Commission should not vote on it.

Upon reviewing the petition submitted to demolish the western two-story section of the 5 Brussels Street building (approximately 7,957 SF); to replace windows and siding of the 3 Brussels Street (Building #4 of the Whittall Mills complex); and to power-wash the brick and replace windows of the eastern three-story section of the 5 Brussels Street (Building #5 of the Whittall Mills complex), and all evidence provided, and upon a motion by Commissioner McCann and seconded by Commissioner Constantine, the Commission voted 6-0 that the proposed demolition would not be detrimental to the historical or architectural resources of the City of Worcester and the Building Demolition Delay Waiver was approved.

6. **165 Pleasant Street (HC-2009-011) – Building Demolition Delay Waiver:** Noel Williamson, petitioner, is seeking to replace plexi-glass windows covering stained glass on the western side of the building with like material; and replace an existing 8 by 17 feet overhang roof on the southern side of the building with like material. Chair Schneider noted that the roof is on the western, not southern side of the building. Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner

Crowley and seconded by Commissioner Constantine, the Commission voted 6-0 that the proposed replacement of plexi-glass windows covering stained glass on the western side of the building with like material, and replacement of an existing 8 by 17 feet overhang roof on the western side of the building with like material would not be detrimental to the historical or architectural resources of the City of Worcester and the Building Demolition Delay Waiver was approved. Commissioner Merrill reminded the applicant that the church windows can not be changed without consideration of the Historical Commission.

7. **10 Delaval Street (HC-2009-012) – Building Demolition Delay Waiver:** John Campbell, petitioner, and Scott Herzig, representative, are seeking to replace the existing deck with a mud room and to add a second story bedroom above the existing single story kitchen and deck area. Commissioner McCann recommended that the pitch of the new roof be similar to the pitch of the existing roof. Commissioner Schneider noted that the front entryway is a common characteristic of the neighborhood. Mr. Campbell said that he will preserve the entrance, but it will not be used as the main entrance to the house. Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner Constantine and seconded by Commissioner Theerman, the Commission voted 6-0 that the proposed demolition would not be detrimental to the historical or architectural resources of the City of Worcester and the Building Demolition Delay Waiver was approved.
8. **49 Kenwood Avenue (HC-2009-013) - Building Demolition Delay Waiver:** Matthew Morse, petitioner, is seeking to replace thirty two (32) double-hung windows with “six over one” sash vinyl windows. Chair Schneider stated that studies have shown that original windows’ lifespan are often much longer than replacement windows’ life spans and, therefore, the payback in terms of energy savings is longer. Mr. Morse responded that the primary issue for him is children safety, not just energy efficiency. Chair Schneider encouraged the petitioner to look into alternatives of window repair. Mr. Morse responded that he had saved \$12,000 to replace the windows, which is already a very high cost to him, and that he would not be able to afford to rehabilitate the windows. Commissioner Theerman stated that he thinks the petition is appropriate for the time period of 1930s when the house was built. He recommended that the petitioner does not use white vinyl windows, but rather off-white or matte finish vinyl windows. Upon reviewing the petition submitted and all evidence provided, and upon a motion by Commissioner Crowley and seconded by Commissioner McCann, the Commission voted 6-0 that the proposed demolition would not be detrimental to the historical or architectural resources of the City of Worcester and the Building Demolition Delay Waiver was approved.
9. **27 Haynes Street (HC-2009-014) - Building Demolition Delay Waiver** – Craig Orn, petitioner’s representative, stated that the petitioner is seeking to replace the roof, roof framing, roof shingles, upper level gutters, vinyl siding, two vents, and vinyl vented soffit which were damaged by fire. Mr. Orn conformed that prior to fire, the house had vinyl siding and asphalt shingles on the roof with no slate underneath. He stated that most of the damage happened on the second floor, while the third floor did not sustain much structural damage. Upon reviewing the petition submitted and all evidence provided, and

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 historical or architectural resources of the City of Worcester and the Building Demolition Delay Waiver was approved.

### **OTHER BUSINESS**

**Crown Hill Local Historic District Study Committee Update:** Ms. Zhaurova informed the Commission that the Massachusetts Historical Commission has informally informed staff that the Commonwealth's Survey and Planning Program grant has been awarded. Staff will share a copy of the official award letter once it is received. Chair Schneider stated that he has heard Massachusetts Historical Commission might be eliminated as a result of state budget cuts.

**Adjournment:** Chair Schneider adjourned the meeting at 7:40 P.M.