

**MINUTES OF THE PROCEEDINGS OF THE
HISTORICAL COMMISSION OF THE CITY OF WORCESTER
September 22, 2011**

LEVI LINCOLN CHAMBER – CITY HALL

Commission Members Present: Thomas Constantine, Chair
Janice Merrill
Peter Schneider
Kevin Provencher

Staff Present: Edgar Luna, Division of Planning & Regulatory Services
Jacqueline Vachon-Jackson, Office of Economic Development
Miguel Rivera, Housing Division
Kaleena Harrington, Housing Division
Timothy Hansen, Housing Division
Larry Escobar, Housing Division

REGULAR MEETING (5:30 PM)

CALL TO ORDER:

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

MINUTES:

The Commission accepted the September 8, 2011 and March 24, 2011 minutes.

UNFINISHED BUSINESS:

- 1. 8 Lagrange Street (HC-2011-059) – Building Demolition Delay Waiver:** Timothy Hansen, representative for Wesley Zabek, petitioner, presented the petition. Mr. Hansen stated that Mr. Zabek was seeking Building Demolition Delay approval to remove and replace eighteen (18) windows with double-hung vinyl windows due to lead-paint contamination. He also indicated that the hearing for this petition had been continued from the September 8, 2011 Historic Commission meeting to allow sufficient time to submit the following: (a) exact location of the windows to be removed, and (b), cost estimates of window restoration versus replacement. He indicated that as requested by the Commission, he inspected the existing windows and determined that all windows in place were original wooden windows. He further stated that, as requested by the Commission, he contacted several window vendors in the area to accurately identify the estimated cost differences between window restoration, wooden-window replacements, and vinyl-window-replacement. He indicated that through his research, he obtained the following estimates: (a) the cost estimated to restore 18 windows was \$16,900¹ with an added cost

¹ \$938 per window

of \$160 for the 4 windows located on the third floor, (b) the estimated cost to replace the 18 windows with wooden windows was \$14,400² with an added cost of \$120 for the 4 windows located on the third floor, and (c), the estimated cost to replace the 18 windows with vinyl windows was \$10,000³. Finally, Mr. Hansen stated that based on the fact that the proposed project was necessary to abate lead-paint contamination on such windows, and that it would be financed with limited funding from the City of Worcester Lead Abatement Program, the preferred and proposed choice was to replace the 18 windows with vinyl windows. Commissioner Provencher asked Mr. Hansen if the profile of the Mansard roof windows with their distinctive triangular capping would be retained and/or replicated and Mr. Hansen responded that the proposal was to replace such windows with square windows; however, he stressed that the triangular section would be retained but closed, as it had been done previously to other windows located in the Mansard roof. Commissioner Provencher expressed concern with the proposal because, in his opinion, the triangular shaped windows constituted a distinctive and original architectural feature of the house. Mr. Hansen stated that window restoration would add significant cost to the project; therefore, the only alternative was window replacement utilizing vinyl windows. Commissioner Schneider stated that although he supported retaining the windows in the Mansard roof, the bay windows in the first floor were more significant in design and location; therefore, he asked Mr. Hansen if the eight (8) windows located in the bay window areas could be restored and retained due to their architectural significance. Mr. Hansen responded that the proposed restoration would add cost to the project and indicated that he was authorized to commit to such proposal. Ms. Vachon-Jackson stated that restoring the eight (8) windows on the bay window areas appeared to be a reasonable request and indicated that she would authorize the additional cost to ensure that such windows would be restored and retained. Upon a motion by Commissioner Schneider and seconded by Commissioner Provencher, the Commission voted 4-0 that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester, therefore, the Building Demolition Delay Waiver was approved.

Exhibit A: Application submitted by Wesley Zabek, dated August 10, 2011 and received August 11, 2011.

Exhibit B: Letter from Timothy Hansen addressing the following: (a) proposed cost estimates, and (b). photographs showing location of windows to be removed and replaced, dated September 14, 2011 and received September 16, 2011.

NEW BUSINESS:

- 2. 53 Elm Street (HC-2011-063) – Building Demolition Delay Waiver:** Marcello Micozzi, Joseph Dennehy, Gregory Eaton and John Dinito, representatives for 53 Elm Street Limited Partnership, petitioner, presented the petition. Mr. Micozzi stated that the petitioner was seeking Building Demolition Delay approval to remove three-hundred and sixty-four (364) original wood windows, and replace them with Harvey Majesty double-hung wood windows. He stated that the proposed windows would

² \$803 per window

³ \$558 per window

match the profile and style of the existing windows and indicated that the quality of the proposed windows was one of the best available in the market. Mr. Micozzi indicated that the windows in place had deteriorated beyond repair and consequently, they were no longer energy efficient; therefore, the energy bills had become a burden for the petitioner and pointed out that a recent survey demonstrated that during the last seven (7) months, \$66,720.96 was spent in fuel consumption alone. In addition, he stated that independent inspectors hired by the management company to identify the reason for severe heat loss had determined that the reason was the advanced state of disrepair and deterioration of the windows in place and that such condition was irreparable.

Commissioner Provencher asked Mr. Micozzi to confirm the number of windows to be removed and replaced and Mr. Micozzi indicated that the total number of windows to be replaced was three-hundred and sixty-four (364). Commissioner Schneider asked how many windows were located on the front façade, and Mr. Micozzi responded that sixty-five (65) windows were located in the front façade. Mr. Dennehy indicated that the petitioner was proposing to replace the existing windows with solid-wood, double-hung windows with simulated dividers that would match accurately the design and profile of the existing windows. He also indicated that the quality of the proposed windows was the best available in the market. In addition, he indicated that the windows in place were so deteriorated that in some cases the glass panes could be easily removed, and in other cases the windows were completely non-functioning.

Commissioner Schneider asked Mr. Micozzi to inform the Commission if the petitioner had considered restoring the windows instead of replacing them. Mr. Micozzi acknowledged that the applicant had initially researched and considered restoring the windows; however, the research concluded that due to the advanced state of disrepair, the window restoration cost estimate was 34% higher than the cost for replacing the windows, and indicated that as such, the cost difference would constitute a significant hardship for the petitioner. In addition, he indicated that he had contacted several vendors in the area to accurately determine what the cost difference was regarding window restoration and window replacement. He indicated that, based on his research, the estimated cost to restore all 364 windows was \$517,357.55, and the estimated cost to replace the windows with solid-wood windows was \$177,542.65. Mr. Eaton indicated that most of the windows were inoperable. Commissioner Provencher stated that the Commission could not demand what type of windows it preferred, and stressed that the proposed windows would preserve and accurately maintain the exterior appearance of the building.

Commissioner Merrill expressed concern and disappointment that the petitioner had not considered repairing and retaining the windows in the front façade, and indicated that although the proposed windows would fit the profile and style of the existing windows, the building was losing original and important architectural features. Mr. Micozzi indicated that the ten (10) dwelling units located in the front façade of the building were occupied by senior citizens, and stressed that most of these windows

were inoperable and allowed the cold air to seep through severely during winter months.

Upon a motion by Commissioner Provencher and seconded by Commissioner Schneider, the Commission voted 2-2 (Commissioners Merrill and Schneider voted no) that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester. The motion failed and the Historical Commission then considered the Building Demolition Delay Waiver based on economic hardship. Upon a motion by Commissioner Provencher and seconded by Commissioner Schneider, the Commission voted 3-1 (Commissioners Merrill voted no) that the proposed demolition would constitute undue economic hardship for the petitioner; therefore, the Building Demolition Delay Waiver was approved based on economic hardship.

Exhibit A: Application submitted by 53 Elm Street Limited Partnership dated August 18, 2011 and received August 24, 2011.

- 3. 4 Crown Street (HC-2011-064) – Building Demolition Delay Waiver:** Jacqueline Vachon-Jacson from Executive Office of Economic Development, and Miguel Rivera director of the Housing Division, representative for Nettie Dejarnett, petitioner, presented the petition. Ms. Vachon-Jackson stated that Ms. Dejarnette was seeking Building Demolition Delay approval to make the following changes: (a) Remove and replace 4 windows on the façade with 4 double-hung 6 by 6 grid pattern to match, (b) remove and replace 15 windows on sides and rear of the building with vinyl double-hung windows, (c) remove and replace roof with synthetic shingles, and (d), repair and re-point 2 existing chimneys.

Ms. Vachon-Jackson indicated that the proposed work was needed to address lead-contamination in the house and indicated that the proposed project would be financed by the City of Worcester Lead Abatement Program. She also indicated that regrettably, some of proposed work had already been implemented without approval from the Commission; however, she indicated that the City had allocated the appropriate resources to correct the error. She also stated that the proposed project included removing the windows that had been installed in the front façade without the Commission's approval and replacing them with six over six solid-wood windows.

Commissioner Schneider indicated that installing six over six solid-wood windows to replace the front façade windows would certainly preserve and maintain the original characteristics of the house. He also asked if the house was owner occupied and Ms. Vachon-Jackson acknowledged that it was, and stressed that the occupants included a young child; therefore, she stated that the City was required to abate the lead-contaminated windows. In addition, she indicated that the Lead Abatement Program had reconsidered the original petition to replace the slate roof tiles with asphalt tiles, and indicated that the revised proposal was to repair the damaged slate instead, in order to preserve and enhance the originality and historical significance of the house.

Mr. Rivera stated that the revised proposal was limited to removing the missing or damaged slate tiles on the last three (3) rows of the edge of the roof and replacing it with flashing to cover such area. Commissioner Merrill expressed concern and disappointment that the petitioner's representative had not followed proper procedures regarding the proposed project. Mr. Rivera also indicated that the two (2) chimneys would be repaired as needed. He also indicated that while inspecting that area, he had noticed that the roof of the adjacent house included a combination of slate tiles and flashing, and indicated that the overall effect was pleasant and seemed to fit properly in the Crown Hill Historic District; therefore, the revised project was modified accordingly.

Commissioner Provencher indicated that, based on his experience as an architect, the blending of slate tiles and flashing created difficulties during the winter months due to the fact that the area of the flashing would freeze. He also expressed concern that the proposed roof restoration project did not seem to address the basic need to ventilate the roof. Mr. Rivera indicated that efforts would be made to provide ventilation for the roof, but acknowledged that the funding for the proposed project was limited.

Commissioner Schneider indicated that although the proposed restoration project was comprehensive and complex, he indicated that the photographs provided appear to indicate that only a small amount of slate tiles were damaged. Mr. Rivera indicated that the rafters were damaged beyond repair as well. Commissioner Schneider stated the roof structure could be repaired, the rubber membrane replaced and the slate tiles repaired and/or replaced. He also indicated that, in his opinion, the slate roof could be repaired in its entirety. Mr. Rivera indicated that restoring the slate roof to its original condition would be costly and indicated that the funding for the project was limited.

Deborah Packard, Preservation Worcester Director, expressed concern that the proposed roof restoration project would not preserve the original style and profile of the roof. She also stated that she had become aware that the site had a Preservation Restriction established on March 13, 1975, which was signed by Worcester Heritage Society (the former name of Preservation Worcester), Massachusetts Historical Commission and John Sharpe, a Notary Public. Ms. Packard stated that due to the fact that the Preservation Restriction involved Preservation Worcester, any changes to the house would need to be approved by Preservation Worcester as well; therefore, she suggested continuing the hearing to the October 6, 2011 meeting to allow sufficient time to consult Preservation Worcester Executive Committee. In addition, she indicated that she had discussed the proposed project with Mr. Rivera and expressed her opinion and concerns regarding the proposed project.

Ms. Vachon-Jackson indicated that the site was currently in violation of state regulations due to the lead-paint contamination, and indicated that the Worcester Lead Abatement Program was eager to commence remediation of such contamination. She also stated that the Lead Abatement Program funds assigned to the proposed project would need to be spent by October 30, 2011. Commissioner

Schneider suggested that the Commission could consider rendering a decision on the proposed window replacements at this meeting, and continue the hearing for the proposed roof replacement to the October 6, 2011 meeting. Ms. Vachon-Jackson indicated the proposed project needed to be considered jointly.

Chair Constantine stated that the Commission would need additional information regarding the proposed roof replacement prior to rendering a vote, and asked Ms. Vachon-Jackson to consider such request. Ms. Vachon-Jackson requested continuation of the hearing to the October 6, 2011 meeting to allow sufficient time to provide additional information regarding the proposed removal and replacement of the slate roof. Upon a motion by Commissioner Provencher and seconded by Commissioner Schneider, the Commission vote 4-0 to continue the hearing for the requested Building Demolition Delay waiver to the October 6, 2011 meeting.

Exhibit A: Building Demolition Delay Waiver Application submitted by Nettie Dejarnette dated September 2, 2011 and received September 2, 2011.

Exhibit B: Memorandum from Edgar Luna to Joel Fontane regarding 4 Crown Street dated September 14, 2011.

4. **40 Monadnock Road (HC-2011-065) – Certificate of Appropriateness and Building Demolition Delay Waiver:** J.R. Courtman, owner and petitioner, presented the petition. Ms. Courtman indicated that she was seeking Certificate of Appropriateness and Building Demolition Delay approval to remove and replace the existing asphalt shingles with 30-year architectural shingles on the house. She indicated that the existing asphalt shingles were damaged and were causing severe internal leakage which in turn was damaging the walls. In addition, Ms. Courtman stated that the asphalt roof shingles currently in place were not original to the house. Upon a motion by Commissioner Schneider and seconded by Commissioner Provencher, the Historical Commission voted 4-0 that the proposed changes were appropriate and compatible with the preservation and protection of the Montvale Local Historic District as it relates to the historic and architectural value and significance of the site and structure; therefore, the Certificate of Appropriateness for this project was approved. Upon a motion by Commissioner Provencher and seconded by Commissioner Schneider, the Historical Commission voted 4-0 that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester, therefore, the Building Demolition Delay Waiver for this project was approved.

Exhibit A: Certificate of Appropriateness and Building Demolition Delay Waiver Application submitted by R.J. Courtman dated August 24, 2011 and received September 2, 2011.

Exhibit B: Project Review Memorandum from Edgar Luna to the Worcester Historical Commission, dated September 14, 2011.

OTHER BUSINESS:

5. **Certified Local Government Report:** Mr. Luna indicated that the Certified Local Government Report would be sent to the Commission after the October 6, 2011 meeting after the Commission had a chance to review the minutes that are required to be publicly posted prior to signing the CLG report

MEETING ADJOURNMENT:

Meeting adjourned at 7:22 PM.