

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

July 12, 2007

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

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

Staff Present: Joel Fontane, Division of Planning and Regulatory Services
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 Thomas Constantine and seconded by Michael Theerman, the Commission voted 5-0 to approve the minutes of the June 28, 2007 meeting.

UNFINISHED BUSINESS

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

NEW BUSINESS

- 1. 24 Westland Street (HC-07-15):** Brian Antanavica, representative for the petitioners, presented the petition. Mr. Antanavica stated that the petitioners were seeking a Building Demolition Delay Waiver to repair the front wall of the front porch, utilizing the same type of materials as the materials in place. Mr. Antanavica also stated that the repair of the porch would include the following: (a) take apart the entire porch in order to reinforce its interior supports, (b) remove and replace damaged shingles in the roof, (c) remove and repair damaged sections of the floor, (d) clean, repair and reinstall the 14 original wooden columns, (e) clean, repair and reinstall the wooden balustrades, and (f) rebuild the porch to its original design. Upon reviewing the petition submitted, and the evidence provided, the Worcester Historical Commission found that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester. Therefore, on motion by

Commissioner Constantine and seconded by Commissioner Conroy, it was voted 5-0 to grant the Building Demolition Delay Waiver.

- 2. 10 Massachusetts Avenue (HC-07-16):** James Welu, petitioner, presented the petition. Mr. Welu stated that he was seeking a Certificate of Appropriateness to adjust the placement of the windows on the north side to achieve a vertical alignment. Mr. Welu also stated that after the proposed alignment has been completed, the removed windows will be reinstalled. Upon reviewing the petition submitted, and the evidence provided, the Worcester Historical Commission found that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester. *Therefore, upon a motion by Commissioner Conroy and seconded by Commissioner Theerman, the Commission determined that the proposed exterior work was appropriate for the historic and architectural value and significance of the site, building, and structure and voted 5-0 to approve the Certificate of Appropriateness for the proposed adjustment of windows on the north side to achieve a vertical alignment.* The Certificate of Appropriateness was granted.
- 3. 5-7 Ashland Street (HC-07-17):** Steven Aiken, representative for the petitioner presented the petition. Mr. Aiken stated that the petitioner was seeking a Building Demolition Delay Waiver to clean, re-point and repair all masonry on the façade of the building, utilizing the same materials as the original materials in place. In addition, Mr. Aiken stated that while the current petition was sought to address masonry repairs to the façade only, the petitioner is planning to implement additional repairs to the building in the future. Commissioner Conroy reminded Mr. Aiken that any additional repairs to the building's exterior would require a new Building Demolition Delay Waiver petition. Upon reviewing the petition submitted, and the evidence provided, the Worcester Historical Commission found that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester. Therefore, on motion by Commissioner Theerman and seconded by Commissioner Constantine, it was voted 5-0 to grant the Building Demolition Delay Waiver.
- 4. 651 Park Avenue (HC-07-18):** Christian Klein and Carl Wall, representatives for the petitioner, presented the petition. Mr. Klein stated that the petitioner was seeking a Building Demolition Delay Waiver to implement the following repairs to this historic structure:

 - Remove all storm windows.
 - Remove and replace all windows. The proposed replacements will be twelve-pane over twelve-pane simulated divided-light windows similar in style to the windows currently in place, double-hung, and made of solid wood. The proposed windows will include safety characteristics necessary for its use as a bank.
 - Remove and replace all doors. The proposed replacements will be solid wood doors, similar in style to the doors currently in place, and will include thumb-latches where appropriate. The

proposed doors will include safety characteristics necessary for its use as a bank.

- Repair all siding and trim throughout the structure, utilizing wooden siding for the repairs where necessary.
- Paint the building utilizing a blue-gray color paint that is appropriate to the period of the structure.
- Remove and replace the wooden fence with a wooden fence of similar style and color.

In addition, Mr. Klein stated that the light sconces on the northerly and easterly sides will be removed and replaced with metal sconces of a style appropriate to the period of the structure, to enhance its appearance and provide additional safety to patrons. Upon reviewing the petition submitted, and the evidence provided, the Worcester Historical Commission found that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester. Therefore, on motion by Commissioner Theerman and seconded by Commissioner Constantine, it was voted 5-0 to grant the Building Demolition Delay Waiver.

OTHER BUSINESS

5. 1 Montvale Road: Mr. Fontane informed the Commission that the Montvale Historic District bisects the parcel at 1 Montvale Road. Commissioner Crowley requested that the City Administration research the parcel's ownership to determine if both parcels were in common ownership at the time the Montvale Historic District was created. Upon a motion by Commissioner Crowley and seconded by Commissioner Conroy, the Commission voted 5-0 to request a legal opinion from the Law Department regarding 1 Montvale Road.

6. 23 Oxford Street (HC-06-35): Mr. Fontane informed the Commission that the City's Law Department had concluded their review of the amended Preservation Restriction for 23 Oxford Street. He also stated that following its review of the document, the Law Department recommended making some changes to the document to clarify and improve its intent. In addition, Mr. Fontane stated the most significant changes proposed included the following:

- **New Preservation Restriction Agreement:** The amended Preservation Restriction is intended to replace the original 1972 document; therefore, the appropriate language was changed to clarify such intent.
- **Paragraph 1:** The proposed change requires the Grantor to maintain and rehabilitate the premises in compliance with the U.S. Secretary of Interior's **Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings**. It appears that the Massachusetts Historical

Commission has adopted these Standards. As the Preservation Restriction is drafted, the Secretary's Standards would apply when the Grantees are determining whether the Grantor is in compliance with the Preservation Restriction. Therefore, it is recommended that the appeals procedures set forth in the Secretary's Standards not be adopted, since they establish a federal procedure that would be inappropriate in this instance.

- **Paragraph 8:** The proposed change is for the Commission to consider extending the time required to make determinations requiring its approval. The Planning Division recommends that the time period be extended to 60 days, which is the time required for Certificates of Appropriateness, Hardship, and Non Applicability, applicable to the Local Historic Districts.
- **Paragraphs 11 and 12:** The proposed change is to require arbitration in one instance and mediation generally. While alternative dispute resolutions may be appropriate to resolve some disputes, it may be less appropriate (at least in the Grantee perspective) to resolve others. If the Commission deems appropriate, both requirements could be deleted. In the future, the Parties may agree on a case basis to address a particular dispute by an alternative dispute resolution.
- **Exhibit G:** The proposed change is to list the guidelines to assist in determining minor or major alterations. This change is proposed because it appears that these guidelines are the same or substantially similar to those advanced by the Massachusetts Historical Commission. Since the amended Preservation Restriction is intended to exist in perpetuity, the Commission may consider adopting the Massachusetts Historical Commission Guidelines, as they may be amended from time to time. This adoption would guarantee that the guidelines may retain relevancy over time.

Upon a motion by Commissioner Crowley and seconded by Commissioner Constantine, the Commission voted 5-0 to approve the Revised Preservation Restriction agreement between Preservation Worcester, the City of Worcester, and Ian A. Gow, as recommended by the City of Worcester Law Department, and allow the Division of Planning and Regulatory Services to work with the applicant to make recommended changes.

Chair Schneider adjourned the meeting at 8:00 pm.