

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

FEBRUARY 25, 2016

LEVI LINCOLN CHAMBER – CITY HALL

Commission Members Present: Andrew Shveda, Chair
Timothy McCann, Vice-Chair
Randolph Bloom, Clerk
Robyn Conroy
Devon Kurtz
Karl Bjork

Commission Members Absent: Cheryll Holley

Staff Members Present: Stephen Rolle, Division of Planning & Regulatory Services
Deborah Steele, Division of Planning & Regulatory Services

Approval of the Minutes: January 28, 2016

Upon a motion the Commission voted 6-0 to approve the minutes of January 28, 2016 with no edits.

NEW BUSINESS

1. 31 Elizabeth Street (HC-2016-006)

Petition: Building Demolition Delay Waiver
Petitioner: Kendra Marien
Present Use: Residential Condos
Year Built: 1893
Historic Status: MACRIS-listed, NRID (National Register Individual Property),
NRMRA (National Register Multiple Resource Area) (fka) the
Elizabeth Street Grammar School
Petition Purpose: Remove and replace windows

Todd Pasqualino, along with Debra Cottis and Kendra Marien, appeared on behalf of the application.

Mr. Pasqualino stated that they are seeking permission to install new windows at 31 Elizabeth Street. He stated that the current windows are unusually large and the taller

units are approximately 8 feet tall. The shorter, round top, units are 4 ½ feet tall with a grid pattern and are a single pane glass with large uninsulated weight pockets. Several windows are inoperable and have broken sash cords. The current windows are a dark bronze and due to the size, age and condition of the windows the home is very difficult to heat and cool. The owner has been applying plastic covers to the interior.

Mr. Pasqualino stated that they want to recreate the aesthetic of the windows while being sensitive to the reality of the heating/cooling problem. His company would do vinyl frames with custom painted exteriors and custom designed grids applied between the glass to match the current configuration and when they remove the windows they can seal up any cracks that is causing heat loss.

Chair Shveda asked if the vinyl window was painted. Mr. Pasqualino stated that it was.

Vice-Chair Shveda asked where the windows would be located. Mr. Pasqualino stated that it would be on the front of the building, Unit #104.

Vice-Chair Shveda asked if this proposal was one unit or entire building. Mr. Pasqualino stated that it was just the one unit.

Vice-Chair McCann asked if the condo association was doing the work or was it the individual unit owner. Mr. Pasqualino stated it was the unit owner.

Mr. Pasqualino stated that the windows in the unit are lacking and the windows they will install will match and be energy efficient.

Commissioner Bloom asked if the material in the windows is original. Mr. Pasqualino stated that it was.

Commissioner Bjork asked if the condo association has approved the changes to the windows.

Debra Cottis from the condo association stated that they would like the windows replaced by the individual homeowners as long as the Commission approves.

Commissioner Bjork asked if any other windows had been changed. Ms. Cottis stated that several years ago an owner did change windows without getting permission from the Commission and the condo association.

Ms. Cottis stated that she would expect owners to get permission from the Commission first and then to the condo association.

Vice-Chair McCann stated that then the condo association would have the final say on what installed but what is going to happen if another unit owner comes before the Commission and wants to replace their windows but it is not the same as the window being presented tonight.

Mr. Pasqualino stated that he could give the specs of the window to the Commission and the window is competitively priced.

Ms. Cottis stated that not all owners would be changing windows only the ones that could afford it and they would have to come before the Historical Commission and then go before the condo association.

Commissioner Bjork stated that the window might not be available six months from now and they are looking at the continuity of the building.

Chair Shveda stated that he has the same concern and what happens if someone wants a wood window and if you have different types of windows it could lower the value of the building.

Ms. Cottis stated that the condo association would then have to set a standard but they have to do something as the units are heated by electric heat and one unit owner is paying \$10,000 a month, another is paying between \$600 to \$800 a month. Ms. Cottis stated that she has plastic on her windows and the heat just goes out the window.

Commissioner Bjork asked if the condo association should agree to the continuity of the windows.

Chair Shveda stated that is something the Commission should consider.

Ms. Cottis stated that a unit replaced their windows already.

Chair Shveda asked about the storms on the windows. Ms. Marien stated that those are metal.

Commissioner Bloom asked if any research had been done into better storm windows.

Ms. Cottis stated that they are horrible and chipped and been there since 1890.

Chair Shveda asked if the brick mold stays in place. Mr. Pasqualino stated that nothing will be removed.

Chair Shveda asked if the storms would be removed. Mr. Pasqualino stated that they could remove them.

Commissioner Bloom stated that removing the storms would change the look of the building.

Ms. Marien stated that she had moved out of the unit and was renting but didn't think it fair to tenant to pay the exorbitant heating bills and she went with this product as it high quality and it maintains the look of what currently is there and for anyone to sell or rent these units the windows have to be replaced.

Commissioner Bloom stated that issue isn't the replacing of the windows it is the fact that as windows replaced would be hodgepodge of windows.

Ms. Cottis stated that that the association would have to set a standard.

Vice-Chair McCann stated that this building does not lie in an historic district and this application is for a building demolition delay waiver so if application is denied in a year the owner could replace the windows but if the Commission does allow these windows to happen they would assume that the condo association would work with the Commission to make sure that those standards are met.

Ms. Cottis stated that they would and they want to keep up the standard of the buildings and they would be more than willing to do that.

Chair Shveda asked if there were any windows in the building that they couldn't manufacture. Mr. Pasqualino stated no.

Vice-Chair McCann stated that the Commission has to consider whether the loss of the windows would be detrimental and also review the economics presented tonight and he does believe the windows would be a loss but he would be willing to entertain an economic hardship case.

Chair Shveda stated this is a unique situation as this only one unit and be much easier if all of the windows were being placed instead of one unit.

Commissioner Bjork stated that he has a sense that all the windows need to be replaced.

Ms. Cottis stated that they don't have the money to do the replacements.

Commissioner Bjork stated that he would like some assurance from condo association that they could maintain the quality of the windows as they are replaced and stated that he emphasized with the situation they are in.

Chair Shveda asked if there would be a cost savings if all the windows were to be replaced. Mr. Pasqualino stated most likely but couldn't say tonight.

Chair Shveda asked if the condo association could look at way to find money to do all of the windows.

Ms. Cottis stated that the association does not have the kind of money and they have put a lot of money into the buildings such as fixing the roof and repairs but the price to do all the windows would be astronomical.

Ms. Marien stated that many units are in foreclosure so it would not be realistic to see all the windows replaced as less people are paying condo fees and it very challenging.

Commissioner Conroy stated that she doesn't have problem with the economic hardship but she agrees with Commissioner Bjork about the continuity of the windows.

Vice-Chair McCann stated he understands the concerns but this is Building Demolition Delay but there is nothing in the waiver that affords them the ability of having any assurance regarding the continuity of the windows but in good faith they could expect that the condo association would want to do the right thing and as each application comes in they would need to review each one individually and based it on the precedent set tonight.

Mr. Pasquelino stated that he could email specs for the window to planning staff and provide to the condo association as well.

Vijay Singhal a condo owner a 31 Elizabeth Street expressed concern that the windows are so large that he do not believe vinyl window will work and does not believe the vinyl can be painted and concern that in the future that the paint will be faded out and windows will all look different.

Jo Hart, Worcester resident stated that she thinks the condo association should partner with a large bank and obtain a loan to replace all the windows.

Upon a motion by Vice-Chair McCann and seconded by Commissioner Conroy the Worcester Historical Commission voted 0-6 that the proposed demolition would be detrimental to the architectural or historical resources of the City of Worcester and the Building Demolition Delay Waiver for this project was denied.

The motion failed and the Historical Commission considered the Building Demolition Delay Waiver with respect to the petitioner's evidence related to undue economic hardship.

Upon a motion by Vice-Chair McCann the seconded by Commissioner Bloom the Worcester Historical Commission voted 6-0 that the petitioner had demonstrated undue economic hardship and approved the Building Demolition Delay Waiver for this project based on the economic hardship.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver received February 1, 2016 and dated February 1, 2016.

2. 15 Kingsbury Street (HC-2016-005)

Petition: Building Demolition Delay Waiver
Petitioner: Lakhveer Sahota
Present Use: Three Family Residence
Year Built: 1912
Historic Status: MACRIS-listed (fka) Simon G. Friedman-Mary Stott Three Decker

Petition Purpose:

- Install 4" siding to body of building
- Cap window & casing trim
- Fascia work

Lakhveer Sahota and Eugene Supernor appeared on behalf of the application.

Mr. Supernor stated that they would like to vinyl side the home and presented photos of work proposed.

Chair Shveda stated that on front porch it looks some new siding and asked if that was an existing condition. Mr. Supernor stated that was new and was done when he came before Commission about year ago to replace the porches.

Chair Shveda stated application requests siding to the building, capping window and trim. Mr. Supernor stated that they will paint the top with green and match the window and keep it historical and for the siding he will come down with trim board.

Vice-Chair McCann asked where would it be vinyl. Mr. Supernor stated the body and front above the porch.

Chair Shveda asked about the soffit above. Mr. Supenor stated that will remain and get painted.

Vice-Chair McCann stated that considering how nice porch looks it would be shame to vinyl the bay as the vinyl takes away so much shape.

Upon a motion by Vice-Chair McCann and seconded by Commissioner Bjork the Worcester Historical Commission voted 6-0 that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester and the Building Demolition Delay Waiver for this project was approved with the condition that the addition of new vinyl siding on the left, right and rear façades does not cover over the bottom rim joist or the fascia.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver received January 21, 2016 and dated January 20, 2016.

Exhibit B: Photos presented at February 25, 2016 Historical Commission meeting.

3. 32 Providence Street (HC-2016-007)

Petition: Building Demolition Delay Waiver

Petitioner: Red Oak Condominium Association

Present Use: Condos

Year Built: 1905

Historic Status: MACRIS-listed, NRID (National Register Individual Property), NRMRA (National Register Multiple Resource Area) (fka) Sharaai Torah Synagogue

Petition Purpose:

- Repoint brick
- Attachment of railings to brick

Michael Tudrick. Steve Cooms and Jay (last name not identified) appeared on behalf the application.

Mr. Tudrick stated that they need to do some repointing due to water in between the bricks and showed on photos the work needing to be done and stated that they need to attach proper railings that of are of proper height.

Chair Shveda stated that the majority of the work seems to be repointing of brick.

Mr. Turdick stated that the entire building is in need of repointing.

Chair Shveda stated that no historical elements are being removed and this is more of a maintenance issue and his only concern is area where not repointing that they be careful to match the mortar color.

Vice-Chair McCann stated that as the applicant does the work they will probably find they need to do additional work and at that time they will need to come back before the Commission.

Upon a motion by Commissioner Conroy and seconded by Commissioner Bloom the Worcester Historical Commission voted 6-0 that the proposed demolition would not be detrimental to the architectural or historical resources of the City of Worcester and the Building Demolition Delay Waiver for this project was approved.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver received February 3, 2016 and dated February 25, 2016.

RECESS

The Commission called a five minute recess.

4. Preservation Plan Presentation Update

Mr. Rolle stated that staff along with Ms. Rairigh have been working on the Preservation Plan for the past three months and it is broken up into four phases. First phase is observing and collecting information and learning about the process of the Commission and looking at programs elsewhere and they are at end of Phase I, which Ms. Rairigh will present.

Elizabeth Rairigh stated that during the first phase she looked at:

- Policies, practices and procedures with regard to the Building Demolition Delay Application.
- The Administration of the Building Demolition Delay Waiver.
- Public Preservation and looking at opportunities for historical downtown building.

She stated that she has attended several meetings and met with Commission members, staff, Preservation Worcester and Inspectional Services. She stated that with regard to the Demolition Delay and she has identified two major issues. One is the definition of what the Commission uses for demolition the second is the trigger the Commission uses to determine if a building falls under the demolition delay ordinance.

Ms. Rairigh stated that the Massachusetts Historical Commission has a sample building demolition by-law which defines demolition as “Any act of pulling down, destroying, removing, dismantling or razing a building or commencing work or substantial destruction with the intent of completing the same.” She stated that she reviewed 106 ordinances across the state and 19 use this version and others use a modification. In Worcester, the by-law (aka ordinance) does not include the word dismantling and has included the phrase “any designation historic portion thereof” which has allowed the Commission to review more than just tearing down a building and has allowed the Commission the purview over roofs, windows and siding. She stated that a few other communities use this phrase and six use specific demolition percentages. What the demolition definition has meant for this Commission is that in 2015 the Commission reviewed 95 properties over 25 meetings and 5 concerned complete demolition of building.

The second major issue is the trigger. The ways to determine if the ordinance applies:

- Age based
- List based or a Categorical Based system and that means anything in a historic district, anything listed on the National Register of Historic Places, the State Register of Historic Places.
- The subject of a pending application for listing on the Registers.
- Listed on the National Register Eligible List established by the Commission pursuant to its designation as a certified local government by the Massachusetts Historical Commission.

She stated that the MACRIS list is not a list of National Eligible list of properties in Worcester. It simply a list of properties that has been surveyed in Worcester and from her conversations at some point the Commission determined MACRIS would be the list used but no one remembers when that happened.

Mr. Rolle stated that the majority of properties on MACRIS would fall into that last category but not all of them.

Chair Shveda asked if there was a National Register Eligible List. Mr. Rolle stated that there was not but eligibility is not something that is pre-determined but they are looking to fix the ordinance to determine a better trigger.

Ms. Rairigh reviewed maps with houses that were 50, 75 and 100 years old in Worcester and stated that she obtained that information from the Worcester Assessing Office.

Commissioner Bjork asked if age was one of the more significant ways of looking at buildings. Ms. Rairigh stated that it was easier way to determine whether a building should come before the Commission.

Commissioner Bjork stated that age is one way but significance is another and that could be a building that is 20 years old and one that should be on top of the list.

Ms. Rairigh stated that the minimum age for the National Register is 50 years old or extraordinarily significant.

Ms. Rairigh stated that some of the issues they will be looking at are:

- How to deal with violations of the demolition delay.
- Design guidelines
- Education and awareness

Commissioner Bjork asked what other way should the Commission look at properties.

Ms. Rairigh stated aged base or list base. Commissioner Bjork asked what about significance.

Ms. Rairigh stated that the Commission should look at two step process. First person would go try to obtain a building permit and if building over 50 years old the person would be sent to the Historical Commission and the Commission would then determine whether or not it is a preferably preserved building. If it is preferably preserved there is a hearing held or if not preferably preserved the person can be issued a building permit.

Mr. Rolle stated they are reviewing options and some aspects could be handled by staff and other process is a pre-screening by the Historical Commission.

Commissioner Bjork asked if other communities are doing that. Ms. Rairigh stated yes and cited several examples.

Commissioner Bjork stated that they don't if those communities are successful.

Ms. Rairigh stated that the Massachusetts Historical Commission recommends an aged based system.

Vice-Chair McCann asked if there was a hybrid system being used anywhere of age National Register. Ms. Rairigh stated yes and there are different ways to do it.

Commissioner Bjork asked what would be the recommendation for more historic districts and asked if they should be more aggressive in doing that.

Ms. Rairigh stated that historic districts are beneficial to the City.

Commissioner Conroy stated that the Assessing database can be off in age.

Mr. Rolle stated that was an issue.

Ms. Rairigh stated that in some ordinances it states that if no year is known for a building then it has to come before the Commission for review.

Ms. Rairigh stated that design guidelines and outreach are also going to be worked on in the next several months.

Ms. Rairigh stated that with regard to the historic districts that when she did research she discovered that the local rules and regulations for the historic districts have not been updated since 1975 and the guidelines need to be updated as there was only one district at that time and something that is going to be worked on going forward.

Ms. Rairigh stated that Phase II is beginning which will include two public forums. One for the City as a whole and one targeted at the historic districts.

Mr. Rolle stated at the next meeting staff will update the Commission on dates for the public forums, where they will be held and who to invite.

5. Communications

- Communication from VHB re: CLG Opinion Eligibility for National Register, Main and Franklin Street area dated February 2, 2016 and received February 3, 2016.

Mr. Rolle stated that the Commission received the information regarding whether they wish to offer opinion of the Eligibility of this project for the National Register and can provide comments to Massachusetts Historical Commission who will review the proposal.

Chair Shveda stated that this is long overdue and this is first step to some intelligent preservation minded development in city and could revitalize the downtown area.

Upon a motion by Chair Shveda and seconded by Vice-Chair McCann the Commission voted 6-0 to support the Certified Local Opinion.

- Communication from EBI Consulting re: 111 Park Avenue dated January 18, 2016 and received January 18, 2016.

Commissioner Bjork recused himself from this item.

No comment.

Commissioner Bjork returned to the meeting.

- Communication from Environmental Resources Management, re: 2 Foster Street dated February 12, 2016 and received February 17, 2016.

The Commission discussed whether the 50 foot Non-Tower Collocation, Roof-Top Small Cell Build would affect historic properties that face it.

Mr. Rolle asked the Commission comment to which properties they think are affected. Vice-Chair McCann stated that there are three on the corner.

Upon a motion by Vice-Chair McCann and seconded by Commissioner Bloom the Commission voted 6-0 that the Non-Tower Collocation Roof-Top in the area has the potential to effect historic properties on the corner of Main and Maple and Main and Foster and buildings to be identified by staff.

ADJOURNMENT

Chair Shveda adjourned the meeting at 8:15 p.m.