

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

**November 21, 2019**

**LEVI LINCOLN CHAMBER, ROOM 309 – CITY HALL**

**Commission Members Present:** Mark Wamback, Chair  
Randolph Bloom, Vice-Chair  
Robyn Conroy, Clerk  
Devon Kurtz  
Diane Long  
Janet Theerman  
Tomi Stefani

**Commission Members Absent:** Cathryn E. Jerome-Mezynski, Alternate

**APPROVAL OF MINUTES – OCTOBER 3, 2019 & OCTOBER 17, 2019 –**

Upon a motion by Commissioner Conroy and seconded by Commissioner Bloom the Commission voted 5-0 to approve the minutes of October 3, 2019.

Upon a motion by Commissioner Long and seconded by Commissioner Conroy the Commission voted 5-0 to approve the minutes of November 7, 2019.

**OLD BUSINESS**

**BUILDING DEMOLITION DELAY WAIVER**

**1. 5 Richards Street – HC-2019-072 (MBL 07-009-00005)**

Petitioner: Tony Nguyen  
Year Built: ca. 1829  
Historic Status: MACRIS listed, fka Deacon David Richards House

Petition Purpose:

- Demolish House

*BDDW Constructive Grant Deadline: December 22, 2019*

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Tony Nguyen, owner, and Donald O’Neil, attorney, appeared upon behalf of the application. Mr. O’Neil stated that he only recently got involved in the project. He helped Mr. Nguyen to prepare condemnation reports from the city and delivered them along with the requested structural engineer’s report to City Hall of the day of the meeting. He stated that Mr. Nguyen only recently purchased the property and that the fire in the attic, which happened in 2017, has left the house open to the elements. He went on to say that the structural engineer’s report described the building as not safe for habitation, and said Mr. Nguyen’s intent is to demolish the building. He expressed concerns about the school across the street. He also mentioned that Mr. Nguyen’s intent going forward is to build a residential property on the lot. When the house was first burned, there was an estimated loss of \$200,000, but the two-and-one-half years’ worth of rain and damage from the elements has exacerbated the issues and likely made repairs more expensive.

Commissioner Conroy expressed that she was happy that the applicant supplied the report as it gives more documentation to support demolition.

Commissioner Wamback questioned whether the structural engineer that prepared the report was employed by the applicant's own business, to which the applicant replied that it was a separate company. He asked whether there was a relation between the applicant and the structural engineer, and therefore a conflict of interest, to which the applicant replied that there was not.

Commissioner Bloom expressed concern at the wording in the report that states that the property is not habitable. He made the argument that there are many houses that aren't habitable that can be saved. He asked the applicant if he plans on building new construction on the same footprint, to which the applicant replied he did not have an answer. He also stated his concern with tearing down such an early Worcester property.

Commissioner Stefani also requested a more thorough report. He also asked whether the applicant might be able to save the façade of the building. He also reminded the applicant of the request made to the applicant at the last meeting for a sample of the underlying siding beneath the aluminum siding. Mr. O'Neil asked for clarification on what the Commission means when they reference "saving the façade." Commissioner Wamback explained that it would depend on the condition of the underlying materials.

Commissioner Bloom referenced a house in his neighborhood that stood without a roof for twenty years that was saved and reiterated that the age of the property and the quality of the materials used lead him to believe that the house may be saved.

Commissioner Kurtz requested a cost analysis that would compare the cost of repairs and the cost of building a new house in its place.

Mr. O'Neil asked if the Commission ever conditions demolition approvals based on the promise of reconstruction in-kind. The Commission responded that since the property is not in a historic district, that is out of their purview. Mr. Nguyen said if they did rebuild that would rebuild in exactly the same style.

Mr. O'Neil asked for a continuance to the next meeting.

*Public Comment.*

Deborah Packard of Preservation Worcester stated Preservation Worcester has concerns. She has been by the property and believes it is well situated in the neighborhood. She encouraged the owner to do all he can to save the façade of the building. Preservation Worcester has had the property on their endangered structures list for two years, and they believe that every possible effort should be made to save the property.

Upon a motion by Commissioner Theerman and seconded by Commissioner Long, the Commission voted 5-0 to close the public hearing.

Upon a motion by Commissioner Theerman and seconded by Commissioner Long, the Commission voted 5-0 to continue the Building Demolition Delay Waiver application to the December 12, 2019 meeting and set the Constructive Grant Deadline to January 13, 2020.

*List of Exhibits:*

Exhibit A: Building Demolition Delay Waiver application dated September 13, 2019, received September 13, 2019.

Exhibit B: Request for Continuance/Constructive Approval Date Extension, received November 7, 2019.

**2. 145 Providence Street – HC-2019-076 (MBL 35-023-00049)**

Petitioner: Tai M. Dinh  
Year Built: c1926  
Historic Status: MACRIS listed, National Register District (NRD), National Register MRA, fka Sacks Three-Decker

Petition Purpose:

- Install vinyl siding
- Install new windows and doors
- Install gutters and downspouts

*BDDW Constructive Grant Deadline: December 22, 2019*

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Tai Dinh, owner, appeared on behalf of the application. He restated his intentions to replace install vinyl siding on the sides of the building and keep wood shakes on the front of the building in order to maintain as much of its original look as possible. He stated that the cost for residing the entirety of the building in original materials would be too expensive.

Commissioner Bloom mentioned that he went by the property and the sides of the building didn't look to be in bad shape. Mr. Dinh responded that structurally, the building is in bad shape. Commissioner Bloom mentioned that he had hoped to see a replication of textures and color gradient. Mr. Dinh said that he could try to accommodate the color difference.

Mr. Dinh corrected his earlier statement that the front of the building would be sided in wood shakes to explain that that it would be actually be sided in vinyl shakes that would look like wood. Commissioner Bloom asked why he could not do vinyl shakes over the existing vinyl shakes on the third story of the sides. Mr. Dinh responded saying that vinyl shakes are much three times more expensive than traditional vinyl clapboards and it would drive up the cost of the project. He said he would do the best he could to keep as much of the original aesthetic as possible.

Commissioner Bloom and Commissioner Wambach estimated that the installation of vinyl shakes on the third story of the building would work out to be about \$2,000. Commissioner Bloom said he felt that was a manageable sum for keeping the look of the building. Commissioner Conroy also regarded that Worcester is losing many of its triple-deckers and they have to be careful with making a decision.

The Commissioners agreed that they would like to see more information regarding a cost estimate of vinyl shakes around the third story, as Mr. Dinh only brought cost estimates doing the front of the building in vinyl shakes or siding the building in wood. Mr. Dinh mentioned that he brought what the Commission had requested at the last hearing he attended, and also that he would be willing to maintain the color gradient between the second and third stories.

Mr. Dinh explained that the windows would be replaced like-in-kind with aluminum casings and that the door he plans on replacing is the storm door visible on the front of the house with a solid door.

*No Public Comment.*

Upon a motion by Commissioner Theerman and seconded by Commissioner Bloom, the Commission voted 4-0 to close the public hearing.

Upon a motion by Commissioner Long and seconded by Commissioner Theerman, the Commission voted 4-0 to approve the Building Demolition Delay Waiver application on the conditions that the façade be sided in cedar-like shakes and the two sides would be sided in vinyl clapboard with the color gradient to be maintained.

Upon a second motion by Commissioner Long and seconded by Commissioner Theerman, the Commission voted 4-0 to approve the Building Demolition Delay Waiver for the windows, gutters, downspouts, and door.

*List of Exhibits:*

Exhibit A: Building Demolition Delay Waiver application dated July 20, 2019, received September 17, 2019.

Exhibit B: Request for Continuance/Constructive Approval Date Extension, received October 17, 2019.

### 3. 63 Wellington Street – HC-2019-077 (MBL 06-17A-00005)

Petitioner: Bishop Robert Webbs Sr.  
Year Built: c1888  
Historic Status: MACRIS listed, National Register District (NRD), National Register MRA, fka First Freewill Baptist Church

Petition Purpose:

- Replace slate roof

*BDDW Constructive Grant Deadline: December 17, 2019*

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Valerie White & Floyd Ball appeared upon behalf of the application. Ms. White reiterated the church's intent to remove and replace the slate roof. The roof slates flying off when it rains and damage is being done to the sanctuary.

Ms. White brought estimates for asphalt, slate, and synthetic slate shingles. She stated that they would like to install asphalt shingle because the other two options are out of their price range. The synthetic slate was estimated at \$175,895; the slate was estimated at \$125,895; and the asphalt shingle was estimated at \$50,000. She stated that each time it rains, more damage happens to the sanctuary.

Commissioner Conroy stated that although replacing the slate roof with asphalt shingle is detrimental to the building, the church has well documented reasoning for why they cannot afford to replace it with slate.

Commissioner Bloom stated that he was confused why the true slate was more expensive than the synthetic slate. Ms. White was unsure of that as well.

*Public Comment.*

Deborah Packard from Preservation Worcester stated that she met with folks from the church about ten years ago and they were having that problem then. Preservation Worcester and the church engaged a restoration company that was confident that the replacement of the roof with slate would be extremely expensive. She believes at this point the church is in jeopardy if the roof does not get replaced, and supported the issuance of an approval.

Upon a motion by Commissioner Theerman and seconded by Commissioner Long, the Commission voted 4-0 to close the public hearing.

Upon a motion by Commissioner Long and seconded by Commissioner Theerman the Commission voted 4-0 to deny the Building Demolition Delay Waiver.

Upon a motion by Commissioner Long and seconded by Commissioner Bloom the Commission voted 4-0 to approve a Certificate of Economic Hardship.

Exhibit A: Building Demolition Delay Waiver application dated September 18, 2019, received September 26, 2019.

Exhibit B: Request for Continuance/Constructive Approval Date Extension, received October 17, 2019.

Exhibit C: Request for Continuance/Constructive Approval Date Extension, received October 25, 2019.

Exhibit D: Cost estimates requested by the Commission on October 17, 2019, and received by the Planning Department on October 25, 2019.

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## **NEW BUSINESS**

### **CERTIFICATE OF APPROPRIATENESS & BUILDING DEMOLITION DELAY WAIVER**

#### **4. 9 Oxford Street – HC-2019-071 (MBL 03-025-00004)**

Petitioner: Helen & Dom Pham

Year Built: 1891

Historic Status: MACRIS listed; State Register (SR); fka Salem Griggs House

Petition Purpose:

- Replace windows (retroactive)

*BDDW Constructive Grant Deadline: December 16, 2019*

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Commissioner Bloom recused himself.

John Richard Kubert, construction supervisor, and Don Pham, owner, appeared on behalf of the application.

Mr. Pham stated that when he purchased the house he didn't know anything about it being historic. He stated that the contractor he hired to do work on the house (not Mr. Kubert) asked him if he wanted new windows, because some were allegedly broken or in bad shape, and he agreed. He stated that fourteen original windows were replaced with vinyl replacement windows. The contractor and owner both attested that the original sash arrangement was matched.

Commissioner Wamback asked whether any original windows remained. Mr. Pham said no exterior windows remain.

Commissioner Conroy asked whether anyone tried to pull a permit for the windows. The original contractor only pulled permits for electrical and plumbing, but not for the windows. Mr. Pham stated he had never heard that he needed to pull permits for windows.

Mr. Rolle stated that the options of the Commission include reviewing the work, which has been done, and either issuing or not issuing a Certificate of Applicability or a Certificate of Hardship. If a Certificate of Applicability or Certificate of Hardship are not issued, the house would still be considered to be in non-compliance with the regulations. If the work is not approved, the Building and Law Departments would prescribe subsequent actions which could include taking the case to court or remedying the work in some other fashion.

Mr. Kubert also mentioned that it is important to keep in mind that there also the element of lead paint to consider. The Commission stated that there were many different variables that could have been taken into consideration had the work been reviewed before it was done.

Commissioner Stefani asked how many windows that were replaced were located on the front of the house and thus visible from the street. The applicants stated that there were four windows on the front of the house, but you cannot see the house from the street. Commissioner Wamback stated that you can see it from the street. The applicants reiterated that the house is not visible from the street. The Commission showed a Google Street View image to the applicants, which shows that the house is visible from the street. Commissioner Stefani asked if the applicant would be willing to install in-kind windows to what were removed on the front of the house. The applicants agreed that they would do that, but Mr. Kubert asked if composite, energy efficient windows would be acceptable.

The applicant was advised to do some research on possible replacement windows that would be more historically appropriate and present them to the Commission for review.

*Public Comment.*

John Carnegie, a resident of 2 Oxford Place, owned by Karen Nugent, spoke on the matter. He stated that Ms. Nugent was there when the windows were being replaced and contacted the gentleman on site, who contacted the owner and explained that there were guidelines regarding the replacement of windows in historic properties. At that point, approximately 75% of the work had already been completed.

On a different note, Mr. Carnegie mentioned that in the 1990s he was a Board Member of the Worcester Community Housing Resources non-profit organization, which did work on 7 Crown Street, a property in the Crown Hill district with capital available at that time. He realizes that those funds are not available today.

He was also concerned with the view of 9 Oxford Street from Oxford Place, from which the side elevations of the house are visible.

Mr. Carnegie also wanted to inquire what information about being located in a local historic district is made available to new homeowners within the district.

He also hopes that the Commission reaches out to the Secretary of State for the 2020 Census Enumeration period to identify funding that could be made available for preservation efforts.

Randy Bloom, a resident of 2 Congress Street, was extremely frustrated with the excuse of the applicant that he did not know that it was a Local Historic District when there are signs throughout the neighborhood that say it is a local historic district. He also stated that it is the responsibility of a real estate agent to make buyers aware of that fact, and that it is the responsibility of the owner to know the regulations to homes within a local historic district.

Commissioner Conroy inquired whether the Commission had an answer of how many windows were visible from Oxford Place. Steve Rolle remarked that staff will go and take photos of the house from Oxford Place to determine how many windows are visible from Oxford Place.

Upon a motion by Commissioner Conroy and seconded by Commissioner Theerman, the Commission voted 7-0 to continue the Certificate of Appropriateness and Building Demolition Delay Waiver to the January 9, 2020 meeting and extend the constructive grant deadline to January 25, 2020.

*List of Exhibits:*

Exhibit A: Building Demolition Delay Waiver application dated September 11, 2019, received September 12, 2019.

Exhibit B: Request for Continuance/Constructive Approval Date Extension, received October 17, 2019.

Exhibit C: Request for Continuance/Constructive Approval Date Extension, received November 4, 2019.

Exhibit D: Request for Continuance/Constructive Approval Date Extension, received November 21, 2019.

**5. 27 John Street – HC-2019-088 (MBL 02-033-00005)**

Petitioner: Wendy Wang

Year Built: ca. 1894

Historic Status: MACRIS listed; National Register Individual Property (NRIND); National Register MRA; State Register (SR); Thomas F. Doran Three-Decker

**Petition Purpose:**

- Install neutral-color vinyl siding to the side and rear elevations
- Prepare, prime, and repaint the façade in its original color

***BDDW Constructive Grant Deadline: December 15, 2019***

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Huanchen Li, husband of the owner; Wendy Wang, owner; Segundo Campoverde, installer; and Charles Lee, contractor, appeared on behalf of the application. Mr. Campoverde explained that on the front of the building, they just want to fix any issues and paint, but on the sides and back of the building they want to install vinyl siding. They will keep neutral colors.

Commissioners Conroy and Bloom inquired about the decorative lintels and band of trim. The applicants stated they planned on maintaining the lintels and decorative features. There was some concern, however, about how the band of trim could be maintained.

Commissioner Bloom inquired as to what exactly the “front” of the building was because there is more than one plane on the façade elevation. Mr. Li illustrated at the podium his preference for which planes retain the existing wood siding and which have vinyl installed due to the extreme damage to the existing wood.

After discussion about which planes would retain wood siding and which planes would have vinyl siding installed, it was determined that the applicants should retain, maintain, and paint the existing wood siding on the front of the building (“front” is defined as the western-most, north facing elevation; the west-facing elevation perpendicular to the elevation just described; the primary, north-facing façade elevation at center; the east-facing elevation perpendicular to the elevation just described; and the two north-facing elevations to the east of the elevation just described), and remove the wood siding on the side and rear elevations and surfacing with vinyl siding. It was also determined that the band of trim can, in fact, be mimicked by using a strip of different color vinyl siding around the house. Such work will ensure the brackets and lintels will be maintained and the banding detail will be replicated.

*No Public Comment.*

Upon a motion by Commissioner Theerman and seconded by Commissioner Kurtz, the Commission voted 7-0 to close the public hearing.

Upon a motion by Commissioner Conroy and seconded by Commissioner Long, the Commission voted 7-0 to approve the Building Demolition Delay Waiver with the conditions that the banding, brackets under the eaves, and lintels be maintained, and that “front” be defined as the western-most, north facing elevation; the west-facing elevation perpendicular to the elevation just described; the primary, north-facing façade elevation at center; the east-facing elevation perpendicular to the elevation just described; and the two north-facing elevations to the east of the elevation just described.

*List of Exhibits:*

Exhibit A: Building Demolition Delay Waiver application dated October 11, 2019, received October 31, 2019.

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## **COMMUNICATIONS**

- a. Request for letter of support from Epsilon Associates, Inc. re: Walker Shoe Factory, 28 Water Street

*No Comment*

- b. Request for letter of support from Epsilon Associates, Inc. re: Matheson Apartments, 37, 45, and 49 Wellington Street, 720 Main Street, and 87 and 91 Murray Avenue

*No Comment*

- c. Request for variance letter of support from Code Red Consultants, re: Worcester YWCA, 1 Salem Square

*No Comment*

**ADJOURNMENT**

Upon a motion by Commissioner by Theerman and seconded by Commissioner Kurtz the Commission voted 7-0 to adjourn the meeting at 7:20 p.m.