

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

February 20, 2020

LEVI LINCOLN ROOM, ROOM 309 – CITY HALL

Commission Members Present: Devon Kurtz, Vice-Chair
Robyn Conroy, Clerk
Diane Long
Tomi Stefani
Janet Theerman
Erika Helnarski, Alternate
Cathryn E. Jerome-Mezynski, Alternate

Commission Members Absent: Mark Wamback, Chair
Randolph Bloom

APPROVAL OF MINUTES –

JANUARY 30, 2020 –

Upon a motion by Commissioner Theerman and seconded by Commissioner Long, the Commission voted 5-0 to approve the January 30, 2020 Meeting Minutes, with Commissioner Jerome Mezynski not voting due to her absence at the January 30, 2020 meeting and Commissioner Helnarski not voting due to her not being a member of the Worcester Historical Commission at the time of the January 30, 2020 meeting.

FEBRUARY 6, 2020 –

Approval of minutes was held until the next meeting.

NEW BUSINESS

BUILDING DEMOLITION DELAY WAIVER

1. 1 Brattle Street – HC-2020-013 (MBL 49-010-00003)

- Petitioner: Fotini and Konstantinos Angelis
Year Built: 1875
Historic Status: MACRIS listed, FKA Lora B. Hoit House
Petition Purpose:
- Demolish the building.

BDDW Constructive Grant Deadline: March 14, 2020

Jonathan Finklestein, attorney; and Fotini and Konstantinos Angelis, owners, appeared on behalf of the application. He stated that they petition is to demolish the building, which currently houses a commercial enterprise with a liquor license as well as four residential units. The owners are contemplating tearing down the building and building a new commercial structure.

Commissioner Conroy asked Mr. Finklestein to elaborate on the costs associated with maintaining the existing building. Mr. Finklestein stated that the owners do not have those numbers, but they have owned the building since 1985 and they no longer want to put money into the building.

Mr. Rolle directed the attention of the Commission to a staff review memo, issued by staff on the petition as well as two other petitions to be heard at the meeting. As discussed at the February 6, 2020 Historical Commission meeting, it is recommended that members of the Commission take the extra step of determining whether any particular property is subject to the Demolition Delay Ordinance by virtue of being eligible for listing in the National Register. He went over the criteria for a property being subject to the City's Demolition Delay Ordinance, which are that a property is listed on the National Register; listed on the State Register; or is listed on a list known as the "Commission's List of National Register Eligible Properties." He stated that the Commission has long relied on MACRIS to serve that function, but many properties on MACRIS are not actually eligible for listing on the National Register of Historic Places. If there is question whether a property might lack integrity required for National Register listing, the Commission should engage in a discussion regarding that property's eligibility. If the Commission believes that a property is eligible, the Commission should go ahead with the demolition delay hearing. If the Commission does not believe that a property should fall under the purview of the Commission, the Commission could either grant the waiver, or ask the applicant if they want to withdraw their petition.

Mr. Finklestein stated that he thinks there needs to be a finding that a property is not eligible to the City's Demolition Delay Ordinance so that the applicant would have something to give to the building department showing that they do not need approval of the Historical Commission. Mr. Rolle stated that if a property was found to be no longer eligible for listing in the National Register, the Commission should take a vote on the matter and a Leave to Withdraw would be granted.

Commissioner Conroy stated that when other buildings are granted approval for demolition by the Commission, there is usually ample evidence of why the building should be torn down. She also stated that there doesn't seem to be evidence as to why the building is too costly to maintain. Mr. Finklestein stated that it was really very simple in that it was the owners' choice to take the building down. Commissioner Conroy stated that going by the way she votes, the Commission asks for more evidence. Mr. Finklestein stated that they have none of that evidence because the owners have made the decision that they no longer wish to maintain the building.

Commissioner Helnarski stated that she agreed with Commissioner Conroy that the Commission needs more evidence of financial hardship. She also stated that even given the altered state of the building, someone could want to restore the property with historically appropriate materials. Mr. Finklestein stated that the owners have no intention of selling the property.

Ms. Angelis stated that the property's foundation has started to fall from the inside. Mr. Angelis stated that it wasn't worth it to put more money into it.

Commissioner Stefani stated that even with its many alterations, he believes it still retains architectural integrity. He asked if the applicants had plans for the new proposed building. Mr. Finklestein stated that they did not.

Commissioner Kurtz stated that he drove by the building and saw that the building is heavily altered, but said that it still retains its original silhouette and some trim elements.

Mr. Finklestein reiterated that this petition reflects a business decision the owners have made in regards to their property.

Commissioner Conroy stated that the job of the Commission is to decide whether the demolition of the property would be detrimental to the historic or architectural resources of the city, and said that she couldn't vote for demolition. Commissioner Theerman agreed with Commissioner Conroy.

Public Comment

Julie Downen of Worcester Heritage Society stated that while she respect the property owners' rights, she hopes that the City recognizes the importance of the architecture and history of the building. She stated

that if the delay waiver is denied, she hopes that the owners look at other options including historic tax breaks to help them reach their goals while keeping the architectural history of Worcester intact.

Deborah Packard of Preservation Worcester stated that she agrees that there is integrity to the building and that it is significant and the way for the waiver to be granted would be financial hardship. Otherwise, she believes that the applicants should wait out the year to see if anyone else could buy the building or see if the owners could come up with a plan to keep it standing as it is.

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

Ms. Angelis stated that there was a fire in 1965. Mr. Angelis stated it was either 1963 or 1965. Ms. Angelis stated that they bought the building in 1985. Above the drop ceiling, you can see the damage from that fire.

Commissioner Conroy stated that if the applicants brought pictures that could show that damage, it could help, and explained that there is an option to continue the hearing to the next meeting.

Mr. Finklestein asked the Commissioner Kurtz (the acting chair) if the Commission would be making a determination on the building's eligibility. Commissioner Kurtz stated that they weren't going to, and that they were judging it on its own integrity.

Mr. Rolle stated that the Commission should go on record and state that they believe that the property retains significant integrity if they intend to go forward with the demolition delay waiver. He stated that it is the opinion of staff that it likely isn't eligible. He noted that the Commission does have a role in making that determination, and the discussion he has heard makes it sound like the Commission believes it does retain sufficient integrity, but he recommends that the Commission make a finding in that regard before proceeding with the demolition delay.

Commissioner Conroy stated that she thinks it's clear that the building is eligible and that the Commission should have some say in what happens to it.

Commissioner Jerome-Mezynski stated that she has a different opinion than Commissioner Conroy. She thinks that the brick structure at the bottom of the building in addition to other alterations has changed the appearance of the building. Commissioner Kurtz agreed with Commissioner Jerome-Mezynski. Commissioner Stefani stated that while some original elements remain, most are non-existent. He agreed that the brick addition has also altered the original appearance.

Commissioner Theerman stated that because the Commission is having such a hard time deciding whether or not it should be considered, it should be considered.

Commissioner Long stated that she thinks it is beautiful, but isn't sure that it retains enough integrity for listing.

Commissioner Helnarski stated that she thinks it should be considered because Worcester is a very eclectic city and the building fits the fabric of the city, even though it has been altered. She thinks it would be a tragic loss for it not to be considered.

Mr. Rolle explained the options that Commission has to consider.

Commissioner Kurtz stated that since it seems like the Commission is fairly evenly split, the first thing they should do is vote on whether or not the property is subject to the demolition delay ordinance.

Mr. Finklestein stated that since the issue has been raised by staff, it is incumbent upon the board to take that vote.

Commissioner Conroy stated that because the public came out to talk about the building, it is important enough to consider.

Upon a motion by Commissioner Theerman and seconded by Commissioner Long, the Commission voted 3-4, with Commissioners Kurtz, Long, and Jerome-Mezynski being the yeas and Commissioners Conroy, Stefani, Theerman, and Helnarski being the nays, that the proposed demolition of 1 Brattle Street is not subject to the Historic Buildings Demolition Delay Ordinance because the structure has been heavily altered and is no longer potentially eligible for listing on the National Register and therefore grants Leave to Withdraw without prejudice for the application. Therefore, the motion did not pass.

Upon a motion by Commissioner Conroy and seconded by Commissioner Theerman, the Commission voted 4-3, with Commissioners Kurtz, Long, Jerome-Mezynski and Stefani being the yeas and Commissioners Conroy, Theerman, and Helnarski being the nays, that the proposed demolition is not detrimental to the historical or architectural resources of the City. Therefore, the motion passed.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver application dated January 24, 2020, received January 29, 2020.

2. 12 Jackson Street – HC-2020-014 (MBL 03-002-00003)

Petitioner: Michael O'Rourke

Year Built: ca. 1880

Historic Status: MACRIS listed; FKA Benaiah Fitts House

Petition Purpose:

- Replace the front and side stairs
- Remove and replace rear stairs
- Replace the flooring, joists, and railing on front and side porches

BDDW Constructive Grant Deadline: March 14, 2020

Jonathan Finklestein, attorney, and Michael O'Rourke, owner, appeared on behalf of the petition.

Mr. O'Rourke stated that the intent of the petition is to do the front porches over with new floor boards and stairs and some new supports. The back deck will also need to be redone. The decks will be painted gray.

Commissioner Kurtz stated that it certainly looks like the porch needs to be redone.

Commissioner Theerman asked if the applicant planned on keeping the architectural elements on the porch. The applicant stated that he planned on keeping those elements, and hoped on either matching them or getting like-in-kind elements made.

The applicant also stated that the 2x2 square railings have been done away with and that he planned on putting all new railings in. He stated that the railings are not original.

Commissioner Theerman asked if the applicant would be keeping the front door. He stated that he was going to keep the front door but it needed to be de-leaded.

Mr. Rolle stated that similar to 1 Brattle Street, there is some question of whether or not the property retains sufficient integrity for listing and recommended that the Commission first consider whether the property is under their purview.

Commissioner Long asked whether or not they had to take the two votes, given the limited scope of work. Mr. Rolle stated that Mr. Finklestein could wave the determination vote.

Mr. Finklestein stated that whether or not the property is under the jurisdiction of the Historical Commission, the applicant still intends to do the proposed work.

Commissioner Conroy asked if by the Commission taking a vote to determine whether or not a property falls under the Commission's purview, it would mean that the discussion is closed and no public comment would be allowed. Mr. Rolle stated that although it does not require a public hearing to make that determination, he suggested opening up for public comment and stated that the chair is entitled to ask for public comment.

No public comment.

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

There was discussion among Commission members on whether or not it was necessary to take the vote on eligibility.

Mr. Finklestein indicated that he would like the Commission to take the first vote [on eligibility].

Upon a motion by Commissioner Theerman and seconded by Commissioner Conroy, the Commission voted 4-3, with Commissioners Kurtz, Jerome-Mezynski, Stefani, and Theerman being the yeas and Commissioners Conroy, Long, and Helnarski being the nays, that the proposed demolition of 12 Jackson Street is not subject to the Historic Buildings Demolition Delay Ordinance because the structure has been heavily altered and is no longer potentially eligible for listing on the National Register and therefore grants Leave to Withdraw without prejudice for the application. Therefore, the motion passed.

The applicant confirmed that a Leave to Withdraw was being requested.

Mr. Rolle stated that the Leave to Withdraw would come in the form of a Compliance Form to the building department.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver application dated January 24, 2020, received January 29, 2020.

3. 2 Ionic Avenue – HC-2020-015 (MBL 03-009-00020)

Petitioner: Joshua Daigle

Year Built: 1915

Historic Status: MACRIS listed, FKA Worcester Boys Club

Petition Purpose:

- Replace all windows and doors
- Demolish a localized section of a brick wall
- Move the existing metal fire escape to an alternate location
- Remove a portion of roof system
- Demolish one existing appendage previously used as a projection booth

BDDW Constructive Grant Deadline: March 15, 2020

Joshua Daigle appeared on behalf of the application representing the architectural team of the Arts and Business Council of Greater Boston.

Mr. Daigle stated that the property is iconic in Worcester and has been a boy's club since 1915. He stated that the intent of the petition of to replace all doors and windows in addition to adding a few new punched openings for additional means of egress to bring the building up to code. A small portion of the roof is to be removed to accommodate new heating and cooling systems. A metal fire escape is to be removed from the building. Mr. Daigle stated that the Commission's agenda, which states that the fire escape is to be relocated, is incorrect. Additionally, a non-historic appendage on the east side of the building that served

as a projection both will be removed. A matching window with matching architectural detailing will be added in its place.

Commissioner Long asked for clarification on the location of the projection booth. The Commission was shown, on the smartboard, the location of the appendage.

Commissioner Conroy asked if there were any original windows in the building. Mr. Daigle stated that there were not, but that they have found evidence of historical trim profiles which will be matched on the new windows.

Commissioner Kurtz asked where the new entrances would be going. Mr. Daigle stated that there would be one new entrance on the southwest elevation, and an accessible entrance would go on the non-historic addition on the Main Street (northwest) side of the building.

Commissioner Stefani asked if any brick restoration or repointing would take place. Mr. Daigle stated that they would be cleaning the bricks, and that the previous owner did a lot of repointing. No more than 5% of the exterior will need to be repointed, most of which will be around the projection booth.

Public Comment

Deborah Packard of Preservation Worcester spoke in favor of the application. She stated that Preservation Worcester is excited about the project and the fact that the applicant is going for Historic Tax Credits makes her confident that the building will be treated well.

Upon a motion by Commissioner Theerman and seconded by Commissioner Long, 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 that the proposed work is not detrimental to the historical and architectural resources of the City and voted to approve the Building Demolition Delay Waiver for 2 Ionic Avenue.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver application dated January 28, 2020, received January 30, 2020.

4. 126 Water Street – HC-2020-016 (MBL 04-022-00006)

Petitioner: Jean-Luc Wittner

Year Built: ca. 1910

Historic Status: MACRIS listed; National Register of Historic Places District (NRDIS); FKA Lewis Goldstein Apartment Building

Petition Purpose:

- Remove the neon sign
- Remove existing façade and replace with newly designed façade

BDDW Constructive Grant Deadline: March 15, 2020

No Public Comment.

Jean-Luc Wittner and Evelyn Darling, lessors of space at 126 Water Street and co-owners of Suzette's Creperie, spoke on behalf of the application.

Mr. Wittner stated that he wanted to assure the Commission that they are very respectful of history and preservation and during interior renovations they have tried to preserve whatever they could, including a tin ceiling.

Mr. Wittner stated that there are two separate things they are applying for: the neon sign and the façade. He stated that they had considered using the sign to make it a table with a glass top but they do not have the space for it. He stated that he is conscious of the historic value of the sign and assured the Commission that it would not be removed before finding a proper place for it to go. One option is the Historical Museum.

Mr. Wittner said that the metallic panels on the façade are in very bad shape. Some are missing and some are rusted. He stated that there is also a historical door behind a piece of plywood on the façade that they hope to restore. He said that the reasons that they want to remove the façade also include that the aesthetic of it does not give credit to the neighborhood that it is in in addition to for the financial survival of their business. He brought the Commission's attention to some proposals for what they intend to replace the façade with. The proposals were shown on the smartboard.

Commissioner Kurtz stated that he was happy that the applicants were going to find someone to take the neon sign before removing it.

Commissioner Conroy asked who the other two interested parties to receive the sign were, since the applicant only mentioned the Worcester Historical Museum. Mr. Wittner stated that he did not know, and at this point, the owner of the building was not willing to make that information public.

Mr. Rolle suggested that since the applicants are still searching for a new home for the sign, the Commission should continue the issue of a sign to a later meeting date if the applicant is amenable to it, and go ahead with the vote of the other item.

Public Comment

Julie Downen of the Worcester Heritage Society stated that she appreciates that the applicants are saving the sign and hopes that they really do consider the Worcester Historical Museum.

Commissioner Conroy read a letter submitted by Mark Borenstein. Mr. Borenstein wrote that as a trustee of the Worcester Historical Museum and a member of the Worcester Jewish Community, he requests that the Worcester Historical Commission make any approvals related to the application conditional on the delivery of detailed plans for the preservation and/or donation of the sign. He also stated that he supports the removal of the façade.

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

Upon a motion by Commissioner Conroy and Seconded by Commissioner Theerman, the item concerning the removal of the neon sign was continued to the March 5, 2020 Historical Commission meeting.

Upon a motion by Commissioner Conroy and seconded by Commissioner Theerman, the Commission voted 7-0 that the item concerning the removal and replacement of the façade is not detrimental to the historical or architectural resources of the City and voted to approve the Building Demolition Delay Waiver for that item.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver application dated January 29, 2019, received January 30, 2020.

5. 30 Hollis Street – HC-2020-017 (MBL 07-003-0002B)

Petitioner: Jim Chacharone

Year Built: between 1910 and 1937

Historic Status: MACRIS listed within the Crompton & Knowles Loom Works

Petition Purpose:

- Demolish the building

BDDW Constructive Grant Deadline: March 15, 2020

6. 50 Gardner Street – HC-2020-018 (MBL 07-003-0002A)

Petitioner: Jim Chacharone

Year Built: between 1910 and 1937

Historic Status: MACRIS listed within the Crompton & Knowles Loom Works

Petition Purpose:

- Demolish the building

BDDW Constructive Grant Deadline: March 15, 2020

7. 68 Gardner Street – HC-2020-017 (MBL 07-003-0003A)

Petitioner: Jim Chacharone

Year Built: between 1892 and 1910

Historic Status: MACRIS listed within the Crompton & Knowles Loom Works

Petition Purpose:

- Demolish the building

BDDW Constructive Grant Deadline: March 15, 2020

Mr. Rolle recommended that the Commission take items 5, 6, and 7 together. He stated that staff believes that it is pretty clear that these properties are no longer eligible for listing in the National Register, and said that the Massachusetts Historical Commission published such an opinion in 2012 due to the previous demolition of other properties within the complex. Because it is no longer eligible as a district, which is the only means by which they were eligible in the first place, the properties do not, in the opinion of staff, fall under the Demolition Delay Ordinance.

Commissioner Conroy stated that this whole process is very new and she isn't sure that the Commission understands the process, so she isn't going to vote to withdraw anything.

Mr. Rolle stated that staff believes that it is fairly clear that these properties are not subject to the Demolition Delay Ordinance. He stated that after the applications were already received, the City became aware of the aforementioned letter from the Massachusetts Historical Commission. He also stated that the MACRIS listing for the properties are not very detailed and does not specifically mention any of the specific buildings with pending petitions. Because the main buildings within the complex have been demolished, in 2012 the MHC issued the opinion that the properties were no longer eligible for listing within a historic district. He reiterated that the Demolition Delay Ordinance subjects only properties listed on the National Register or State Register individually or as part of a district, or properties on what is known as the Board's National Register Eligible List. The Commission has traditionally relied on MACRIS being that list, however that is problematic given that the MACRIS list both misses properties

that are eligible, and also includes properties that are not eligible for listing anymore and cannot reasonably be considered under the Commission's purview.

Public Comment (30 Hollis Street, 50 Gardner Street, 68 Gardner Street)

Julie Downen spoke out against the petition. She stated that the buildings have historical relevance although the City might say otherwise. She mentioned that the smokestack and cobblestone roads had not been discussed. She said that that area is a part of her heritage. She also mentioned that in 2016 the Commission voted to deny a building demolition delay waiver for the property. She also stated that she wanted to see traffic studies, and mentioned other alternative locations for the proposed complex.

Mr. Rolle stated that listing on the National Register is not the only determiner of what comes under the purview of the Commission – it is also whether it is eligible for listing. He also stated that the project would need to go through site plan review, and at that point any traffic concerns would be addressed. He also mentioned that the property was subject to a demolition delay hearing in 2016, which was prior to a preservation study that addressed many of the issues with MACRIS being over-inclusive in one regards, and missing things in other regards. He also stated that the Demolition Delay Ordinance does not apply to the cobblestone streets mentioned by Ms. Downen.

On a motion by Commissioner Theerman and seconded by Commissioner Long, the Commission voted 7-0 to close public comment.

James Chacharone of Chacharone Properties and Harry Kokkinis of Table Talk Pies appeared on behalf of the application. He stated that his company owns 30 Hollis Street, 50 Gardner Street, and 68 Gardner Street. They are in the process of purchasing 95 Grant Street from the City. Once that is finalized, they will have an 8 acre parcel on which to construct a 120,000 square-foot facility for Table Talk Pies. He stated that 68 Gardner has come before the Commission before and a demolition delay waiver was denied. Since then, it still has not been developed and is beyond repair.

Mr. Kokkinis and Mr. Chacharone showed a photograph of the current conditions of the complex. Mr. Kokkinis stated that the photograph shows the disrepair of the complex. He stated that the City demolished 95 Grand Street in 2012, which was the heart of the complex. He stated that 68 Gardner Street is collapsing and filled with asbestos.

The applicants showed a rendering for the proposed Table Talk Pies bakery. Mr. Kokkinis stated that unlike in 2016 when a building demolition delay waiver was brought before the Commission regarding the complex, there is currently a ready and willing developer and ready and willing tenant ready to redevelop the site. They hope that relocating from their current location in Kelley Square will help them get to a more stable position in the City.

Mr. Rolle requested that the chair reopen the public comment period.

Public Comment

Deborah Packard of Preservation Worcester spoke in favor of the issuance of the Demolition Delay Waiver. She stated that the tag line of Preservation Worcester is "Save the best for [to] last." She stated that you can't save every building and you have to pick and choose. She noted that it was determined that these buildings are not Worcester's best or Worcester's future.

Julie Downen of Worcester Heritage Society stated that the landscape of the area would change with the demolition of these buildings. She said if nothing else could be saved, there should be some consideration for 68 Gardner Street, which she contends is the cornerstone of the other side of the complex. She also stated that the Providence and Worcester Railroad would also be affected. She said that the demolition of the buildings would be detrimental to the architectural resources of the City. She urged the Commission to think about the heritage of the people in South Worcester and to not grant the waiver.

On a motion by Commissioner Theerman and seconded by Commissioner Long, the Commission voted 7-0 to close public comment.

Upon a motion by Commissioner Theerman and seconded by Commissioner Conroy, the Commission voted 6-1, with Commissioners Kurtz, Helnarski, Jerome-Mezynski, Long, Stefani, and Theerman being the yeas and Commissioner Conroy being the nay, that the proposed demolition of 30 Hollis Street is not subject to the Historic Buildings Demolition Delay Ordinance because the structure has been heavily altered and is no longer potentially eligible for listing on the National Register and therefore grants Leave to Withdraw without prejudice for the application. Therefore, the motion passed.

Upon a motion by Commissioner Theerman and seconded by Commissioner Conroy, the Commission voted 6-1, with Commissioners Kurtz, Helnarski, Jerome-Mezynski, Long, Stefani, and Theerman being the yeas and Commissioner Conroy being the nay, that the proposed demolition of 50 Gardner Street is not subject to the Historic Buildings Demolition Delay Ordinance because the structure has been heavily altered and is no longer potentially eligible for listing on the National Register and therefore grants Leave to Withdraw without prejudice for the application. Therefore, the motion passed.

Upon a motion by Commissioner Theerman and seconded by Commissioner Conroy, the Commission voted 4-3, with Commissioners Kurtz, Jerome-Mezynski, Stefani, and Theerman being the yeas and Commissioners Conroy, Helnarski, and Long being the nays, that the proposed demolition of 68 Gardner Street is not subject to the Historic Buildings Demolition Delay Ordinance because the structure has been heavily altered and is no longer potentially eligible for listing on the National Register and therefore grants Leave to Withdraw without prejudice for the application. Therefore, the motion passed.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver application dated January 30, 2020, received January 30, 2020.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver application for 30 Hollis Street dated January 30, 2020, received January 30, 2020.

Exhibit B: Building Demolition Delay Waiver application for 50 Gardner Street dated January 30, 2020, received January 30, 2020.

Exhibit A: Building Demolition Delay Waiver application for 68 Gardner Street dated January 30, 2020, received January 30, 2020.

8. 189 May Street – HC-2020-020 (MBL 07-003-0003A)

Petitioner: Scott Dzik

Year Built: 1893

Historic Status: MACRIS listed, State Register of Historic Places (SR); National Register Individual (NRIND); National Register District (NRDIS); and National Register Multiple Resource Area (MRA), FKA Fairlawn Estate

Petition Purpose:

- Remove two stone columns and porch
- Remove and replace retaining wall and railing
- Remove and replace existing wood ramp and railing system
- Remove and replace asphalt shingle porch roof and rotted structural elements
- Remove existing lighting and replace with period appropriate fixtures

BDDW Constructive Grant Deadline: March 15, 2020

Scott Dzik, an architect with Gregory J. O'Connor Associates, and Josiah Moyer, a representative of Fairlawn Hospital, appeared on behalf of the application.

Mr. Dzik stated that they are petitioning to remove some historic elements, and some non-historic elements. He stated that the existing retaining wall and railing has fallen into disrepair and is in desperate need of replacement. The existing handicap ramp is also being petitioned for removal. The existing asphalt roof and existing lighting are other non-historic elements that the applicants hope to replace.

The two historic elements to be removed are two sandstone columns that need to be removed to allow for better, more accessible egress from the interior cafeteria while still allowing for visual symmetry. Mr. Moyer will be saving the columns should any future owner of the building want to replace them.

Commissioner Stefani stated that the proposed demolition of the columns doesn't seem as though it will change the look of the building. He also asked when the retaining wall was installed. The applicants stated it was installed after 2000. Commissioner Stefani asked what the retaining wall would be replaced with. The applicants stated that it would be with like materials, but natural stone would be cost-prohibitive.

Commissioner Kurtz asked if the roof would be adequately supported if the two columns were removed. Mr. Dzik stated that a structural engineer has already looked at this, and it would be.

Commissioner Conroy asked for clarification on the lighting fixtures to be replaced. Mr. Dzik stated that the fixtures to be replaced are under the porch, and they would be replaced with fixtures more period-correct than what is currently in place.

Commissioner Conroy mentioned how important the building and their architects, the Norcross Brothers, were. She said if the pillars were not to be saved for possible later reinstallation, she likely couldn't vote to approve the waiver.

Mr. Moyer reiterated the need for the work to be done for ease of egress for patients at the hospital and their families.

Public Comment.

Deborah Packard of Preservation Worcester asked where and how the columns would be stored.

Mr. Dzik stated that they would be crated and put in the basement.

Ms. Packard stated that the City had an agreement regarding some gargoyles that got lost, and she would hate to see it happen again.

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

Upon a motion by Commissioner Conroy and seconded by Commissioner Theerman, the Commission voted 7-0 that the proposed demolition is not detrimental to the historical or architectural resources of the City and voted to approve the Building Demolition Delay Waiver as proposed on the condition that the porch columns will be crated and store in the basement.

List of Exhibits:

Exhibit A: Building Demolition Delay Waiver application dated January 29, 2020, received January 30, 2020.

COMMUNICATIONS

- a. Letter from MHC re: receipt of Project Notification Form (PNF) for the rehabilitation of 28 Crown Street
- b. Request for new letter of support for Historic Tax Credits for Whittall Mills, Mill Building #1 and #3, 5 Brussels Street, Worcester.

On a motion by Commissioner Kurtz and seconded by Commissioner Conroy, the Commission voted 7-0 to issue a letter of support for Whittall Mills, Mill Building #1 and #3.

- c. Receipt of 2019 State Register of Historic Places from the MHC
- d. Communication from the Massachusetts Historical Commission to the Massachusetts Architectural Access Board in support of relief for the Sigma Alpha Epsilon Fraternity House, 6 Humboldt Avenue, Worcester.

OTHER BUSINESS

- a. Discussion of Building Demolition Delay procedures

Mr. Rolle stated that the previous spring, the Commission started to discuss what a revised Demolition Delay Ordinance might look like. These discussions came out of the Preservation Study conducted in 2016 that identified some issues with the existing ordinance, including that not enough properties are being captured, and that certain properties that are being captured are not subject to it. He stated that an age-based system would remove that barrier in that it would capture all properties beyond a certain age. Other considerations, then, would need to be made to help sort through and identify the most important properties and are worth saving as a virtue of their historic significance.

Mr. Rolle went over a possible two-step process for the ordinance. He believes that an age-based system would be the best way to go, but the Commission needs to find a way to best pare-down the buildings that come before the Commission, which could be done by looking at how the Commission defines “demolition,” which would exempt minor or routine work. Another way to do it would be to have properties go through a multi-step process to decide whether or not a property comes before the Commission by way of an applicant requesting a finding on whether or not a property should be considered under the purview of the Commission. If the Commission casts a wider net, it would be necessary to be able to narrow the definition of demolition to create a more manageable workload.

Mr. Rolle suggested that maybe instead of trying to list what a demolition *is*; saying instead that any alteration is demolition *except* specific alterations. He stated that the Commission needs to work quickly to try to come up with a new ordinance to bring to the City Council.

Commissioner Conroy asked when it was decided that Leave to Withdraws would be issued [for properties that do not fall under the purview of the Commission], stating that she didn’t think it was talked about thoroughly enough and that the Commission never took a vote. Mr. Role stated that if a building is not eligible for listing on the National Register, it is not subject to the purview of the Commission. In the past, many properties were reviewed by the Commission that probably should not have. He stated that staff could authorize permits for properties by taking that responsibility on themselves (determining eligibility), but staff was of the opinion that that would

be an overstep. Determining that a property is not under the purview of the Worcester Historical Commission is, in effect, the same as if the Commission were to grant the waiver, but in a slightly different way.

Commissioner Conroy stated she thought that the process wasn't very transparent stating that they just lost how many buildings as a result of it. Mr. Rolle stated that the buildings to be lost were buildings he didn't believe were subject to the review of the Commission. He stated that the Commission should act quickly to create a new ordinance to more specifically define what comes before the Commission.

Commissioner Long said she agrees with the idea of going with an age based system and defining demolition as to what doesn't constitute demolition rather than what does. She stated that she thinks that a 50-year timeline would be too short of a period of time and thinks that 75 years would be more appropriate. Mr. Rolle stated that he thought a 75 year timeframe would be a good balance, but a 50 year timeframe would be more consistent with the National Register guidelines.

Commissioner Long stated that she thought the process that they used at the meeting was confusing and asked whether the same type of process would be used in an age-based system. Mr. Rolle stated that he understood the confusion and explained why memos were issued to try to best guide the Commission.

Commissioner Stefani agreed that it was confusing. He also asked if the motion to issue Leave to Withdraws was final or if it could be polished. He thought that there were loopholes in it. He asked how buildings that have been altered but still have some features intact or have historical significance would be addressed. Ms. Johnstone explained the criteria for listing in the National Register of Historic Places, and stated that if a building has lost integrity, it can no longer be considered eligible for listing. There was additional discussion of how a building is determined eligible for the National Register, which includes an Opinion of Eligibility from the Commission; a determination is made by the Massachusetts Historical Commission; and a determination is made by the National Register.

Commissioner Stefani expressed some confusion about the definition of integrity as it relates to the ordinance. Mr. Rolle stated that the way the ordinance is currently written only subjects properties eligible for listing in the National Register of Historic places to the purview of the Commission. However, he understands that the Commission would want to be able to capture more than just those properties, and said that the Commission should come up with a new ordinance to allow for that.

Commissioner Helnarski agreed that the way the ordinance is written, many buildings could fall through the cracks. Mr. Rolle agreed that there are buildings that don't meet the criteria that should be considered.

Mr. Rolle asked the Commission if everyone on board with an age based system, and nobody disagreed. He asked for input from the Commission regarding whether they would rather go with a 50- or 75-year timeframe.

Commissioner Kurtz stated that since 50 years is the standard, he would hesitate to go against that. Mr. Rolle stated the pros and cons of each timeframe, and said that the Commission would need to be diligent about defining what work would need to become before the Commission.

There was some discussion amongst Commission members about places that could be addressed that could pare down the number of properties that would come before the Commission under an age-based system.

Mr. Rolle talked a bit about ordinances used in other communities and recommended that Commissioners look into ordinances used in other communities, the majority of which in Massachusetts use an age-based system.

There was some further discussion regarding how a new ordinance would work, including that legal advertising requirements associated with it.

Commissioner Kurtz asked if some talking points could be sent out to Commissioners before the next meeting. Mr. Rolle stated that staff would try to do that.

Mr. Rolle asked what staff could do to make the process going forward, prior to a new ordinance taking effect, easier and less awkward.

Commissioner Kurtz said he would like to see more information and talking points.

Public Comment

Julie Downen of Worcester Heritage Society spoke. She stated that she hopes that the Commission takes the current ordinance into consideration when it is revamped. She said that if a property is denied a demolition delay waiver, the Commission is supposed to be helping the applicants find an alternate solution. She stated that she was very disappointed in the way that the meeting went, including the fact that some Commissioners seemed to be confused and that the Crompton & Knowles complex was taken together instead of individually. She hopes that the system gets shored up. She hopes that all proceedings of the Historical Commission remain public.

ADJOURNMENT

Upon a motion by Commissioner Kurtz and seconded by Commissioner Stefani the Commission voted 6-0 to adjourn the meeting at 7:44 p.m.