

SALEM HISTORICAL COMMISSION  
MINUTES  
November 1, 2017

A meeting of the Salem Historical Commission was held on Wednesday, November 2017 at 7:00 pm at 120 Washington Street, Salem, MA. Present were Jessica Herbert (Chair), David Hart, Laurie Bellin, Reed Cutting, Joanne McCrea, and Lawrence Spang.

175 Federal Street - continuation

Adam Krauth and Nicole Bergman submitted an application for a Certificate of Hardship to alter an attic window on rear elevation.

Documents & Exhibits

- Application: 8/29/17
- Photographs

Ms. Kelleher reported that the applicants have asked for a continuation to the next meeting.

**VOTE: Mr. Hart made a motion to continue to the next meeting on November 15<sup>th</sup>. Ms. Bellin seconded the motion. All were in favor and the motion so carried.**

162 Federal Street - continuation

Cougar Capital submitted an application for a Certificate of Appropriateness to remove three chimneys (after the fact) and replace with faux chimneys.

Documents & Exhibits

- Application: 9/20/17
- Photographs
- Drawings by Seger Architects dated 9/18/17

The applicant Dan Botwinik, developer for Cougar Capital, and Dan Ricciarelli of Seger Architects were present.

Ms. Kelleher noted that the engineer's report was included in the packet.

Ms. Herbert noted that the rear chimney is not under their purview, the right chimney will remain, but the left is within their purview. She reported that she conducted a site visit and observed the bowing of the left chimney and the significant structural issues on the 4<sup>th</sup> floor. An engineer and tax credit consultant have also reviewed the project. She expressed her opinion that it would be cost prohibitive to rebuild it and faux chimneys approved in the past look good.

Mr. Ricciarelli stated that the brick sample will be available on Friday.

Mr. Hart asked Mr. Botwinik if he knew that he should have applied to the Historical Commission before conducting the work. Mr. Botwinik replied that it was his mistake to not file first but the chimneys removal was needed for building safety concerns. Mr. Hart suggested to the Board that claims of work being done for safety concerns could be used by other applicants to demolish items without going through the COMMISSION application process first.

Mr. Spang stated that there have been public complaints with the developer asking for forgiveness after the fact when neighbors are not being granted the same leniency and it seems to be a pattern. Future changes must be

presented prior to making them. Ms. Herbert noted that this project is unlike Griffin Place in that many others noted the chimneys needed to come down. Mr. Spang asked if there is a process in place for an applicant to move quicker than the Historical Commission process allows if there is a safety hazard. Ms. Kelleher replied yes if the Building Inspector finds that something is a threat to public safety although it hasn't happened until now. Ms. Herbert noted that repairs to roofs have been approved on emergency basis but changes cannot be done. Mr. Spang noted that the Commission should be cautious about emergencies being used as a loophole.

There was no public comment.

**VOTE: Mr. Hart made a motion to approve the construction of a faux chimney. Mr. Cutting seconded the motion. All were in favor and the motion so carried.**

#### 266-268 Lafayette Street

P. Frederick deNapoli and Jamuna Reppert of 268 Lafayette Street submitted an application for a Certificate of Appropriateness for paint colors.

#### Documents & Exhibits

- Application: 10/13/17
- Photographs

Tyna Hull of 266 Lafayette Street was present.

Ms. Hull stated that both halves of the house have been painted. She purchased her half of the house in February and the other couple closed in July. The previous owner painted the building and matched the new paint color and all current owners want approval for the existing paint color. Ms. Kelleher noted that a violation notice was sent to the owners of 266 of the un-approved paint colors who responded that they purchased the building after the fact and the new owners of 268 wanted to match their paint color. She noted that the center dormer is painted a different color than the scheme. Ms. Hull replied that they are in the process of matching all of the trim colors.

Ms. Hull stated that the previous owner of 266 painted their half of the building but the trim now needs to be redone to match the trim color of #268. The new owners of 268 painted their house the same grey color that was on 266. Ms. Hull noted that they are also repairing vestibule that had half of its windows blown out.

Ms. Herbert clarified that the applicant is seeking approval for the house color painted by the previous owner, and approval for a lighter trim color.

Ms. Herbert asked if the balustrade at 268 will be replaced. Ms. Hull replied no; however, a similar baluster has been selected. Ms. Kelleher noted that both owners need to apply for approval of the balustrade. The neighbors at 268 submitted this application but did not wait for approval prior to painting. Ms. Herbert noted that she will notify the owners of 268 of the approvals needed for the work being done.

Ms. Hull noted that the body of the house will be "Grey" and the trim "Ecu" by C2.

Mr. Spang asked if samples were provided. Ms. Kelleher replied no, photos only.

Ms. Bellin noted that applications must be approved prior to the work being done.

Ms. Herbert recommended that the Commission continue the hearing to the next meeting to see paint color samples and meet with the other owner. Ms. Hull noted that the owners of #268 have completed their painting and her side (#266) still needs the trim painted. Also her vestibule is still being worked on and she'd like the work to be seal prior to winter so it has been recently painted with the lighter trim color.

Ms. Herbert stated that the 3<sup>rd</sup> floor window have been changed to vinyl without approval. Ms. Kelleher noted that all of the 3<sup>rd</sup> floor dormer windows on the 266 side were replaced with vinyl prior to the sale - 5 total (3 on the side and 2 on the front). Ms. Herbert asked if they retained the sashes. Ms. Hull replied no. Ms. McCrea noted that there also was no approval for that window replacement. Ms. Herbert noted that if this was caught earlier a reserve account could have been set up so that the seller would have to replace what was removed before it is sold.

Ms. Bellin noted that even though the current trim is mismatched, as a policy, all work needs to be on hold. Ms. Hull asked if the work being done on the vestibule can be completed. Ms. Herbert replied that they will continue the discussion at the November 15<sup>th</sup> meeting to review paint colors only.

Ms. Hart noted that the Board should review details of the previously installed dormer window prior to their approval. Ms. McCrea asked if those windows have a warranty. Ms. Hull replied that she doesn't know. Ms. Herbert noted that she will make a site visit to review window and paint concerns.

There was no public comment.

**VOTE: Mr. Cutting made a motion to continue until the next meeting on November 15<sup>th</sup>. McCrea seconded the motion. All were in favor and the motion so carried. Mr. Hart made a motion to amend motion to include the applicant providing paint color samples, dormer window details, and that both owners be present at the next meeting. All in favor of amended motion.**

#### 4 Federal Court

Shelly Young submitted an application for a Certificate of Appropriateness to install vent pipe.

#### Documents & Exhibits

- Application: 10/5/17
- Photographs

Christian Bleidt, representative for the applicant, was present.

Mr. Bleidt stated that the work was completed by the contractor two week ago after the hearing date was pushed back. The central AC unit was switched from a steam system to forced air, and the system could only be installed on the street side of the attic, which is finished, at spot #2 in the picture provided.

Ms. Herbert suggested that the Commission make a site visit prior to making a decision to see just how visible this location is. Mr. Bleidt noted that going through roof would mean additional roof work.

Ms. Herbert requested the contractor's information.

Mr. Spang noted that the street façade has been altered and that affects the neighborhood. Ms. Herbert noted that a fine can be applied for a violation of up to \$500 per day. Ms. Bellin stated her opinion that centering the pipe over the window would have been a better option.

Ms. Herbert asked for public comment.

Jane Arlander, 93 Federal Street, stated that she agrees that a site visit would be best and noted that the prior owner installed a central A/C 6-7 years ago with a mushroom vent. After the Commission conducted a site visit, the vent was painted and now looks better. She asked why the owner could not use a similar vent rather than ruin the façade.

Ms. McCrea suggested that the Commission create a list of approved contractors.

**VOTE: Mr. Cutting made a motion to continue until the next meeting on November 15<sup>th</sup>. Ms. Bellin seconded the motion. All were in favor and the motion so carried.**

A Saturday visit was been scheduled for 9AM.

3 Lynn Street

Saed Hussain and James Moran submitted an application for a Certificate of Appropriateness to install roof vents.

Documents & Exhibits

- Application: 10/5/17
- Photographs
- Roof vent specifications

The applicants Saed Hussain and Jim Moran were present.

Mr. Moran stated that Mass Save did an energy audit of their home and recommended a roof vents for the attic. The insulation was installed but they were told that structurally a ridge vent couldn't be installed, and 3 mushroom vents were recommended. They were then given a list of vendors to choose from. They stated that the mushroom vents could be painted to match the roof color.

Ms. Herbert asked why there is a structural issue precluding a ridge vent and why three mushroom vents are needed. Mr. Moran replied that the contractors simply stated that a ridge vent wouldn't work.

Mr. Spang asked if the attic space was unfinished and noted that with the age of the house the timber framing at the ridge beam shouldn't be an issue for adding a ridge vent. Mr. Moran replied yes, it could be that the cost for Mass Save to install one is more than what the program will allow since they pay a portion of it.

Ms. Herbert asked for the name of the contractor. Mr. Moran replied Jones construction. Ms. Herbert stated that these types of installations are approved on a case by case basis and she will speak to contractor.

Mr. Moran submitted a photograph of a neighboring vent. Mr. Spang noted that the vent in the photo is a last resort option and the owner could pay the difference for a different venting system.

Ms. McCrea asked if Mass Save was a state program and if they must approve the installation method. Mr. Hussain replied yes.

There was no public comment

**VOTE: Mr. Cutting made a motion to continue to the next meeting on November 15<sup>th</sup>. Ms. McCrea seconded the motion. All were in favor and the motion so carried. Mr. Hart made a motion to amend the previous motion to include language as to why a ridge vent couldn't be installed. Ms. Bellin seconded the motion. All were in favor and the motion carried.**

A Saturday site visit was scheduled for 10AM

5 Carpenter Street

Kimberley A. Russell submitted an application for a Certificate of Appropriateness to install fence section.

Documents & Exhibits

- Application: 10/12/17
- Photographs
- Dimensional sketch of proposed fence

The applicant Kimberley A. Russell was not present.

Ms. Kelleher stated that the applicant is out of town. She reported that Ms. Russell is seeking to add a small 2 foot wide section of fence that would be a slightly smaller version of an original fence previously in this location as seen in an historical photograph.

Ms. Herbert questioned whether the new fence section would match part of what was there historically.

Ms. Kelleher noted that one of the previous owners moved the old fence to the back of the new driveway.

Ms. Bellin noted that the previous fence changes were approved in early 1990's.

There was no public comment

**VOTE: Ms. Bellin made a motion to approve the application as presented. Mr. Cutting seconded the motion. All were in favor and the motion so carried.**

#### 92 Federal Street

Steven Sass and Ellen Golub submitted an application for a Certificate of Appropriateness to restore front and side entries.

#### Documents & Exhibits

- Application: 10/10/17
- Photographs

The applicant Steven Sass and his property manager Ephrum Asburry Schwartz-Laubhann were present.

Ms. Schwartz-Laubhann stated that the building's side entrances need repairs, particularly the right side steps, and the trim around doorway. She stated the desire to redesign the right entry surround to match the surround on the left entry so that both entrances fit the age of the house which was constructed in 1788.

Ms. Herbert stated that the Greek Revival corner blocks on the right side entry seem to be an add-on and the left side is more modern. Ms. Schwartz-Laubhann replied that the right side looks Victorian. Ms. Kelleher added that it's an early molding and noted that the Commission could decide to preserve the changes that have happened to the building over the years or restore the building back to what it may have looked like when it was originally constructed.

Mr. Sass stated that the front entry overhang was removed based on feedback from the Historical Commission and he is open to what would be an appropriate molding to use for the side entries. Ms. Schwartz-Laubhann noted that maps from the early 1800's indicate that the side entry ells were already in place and in the mid to late 1800's the structure was converted from a single family into a 2-family.

Ms. Herbert noted that in the photographs rectangular molding seem to have also been added that don't match the squares on the left. Mr. Hart questioned whether if the additional trim was added to a Georgian house, in terms of preservation, would it be okay to keep the newer trim and make the entire house uniform. Ms. Bellin asked which entrance is more consistent with the front door entry details. Ms. Schwartz-Laubhann replied the left side with the simplified moldings but the right entry needs work and should be replaced. Ms. Schwartz-Laubhann also noted that an application was submitted to replace all four doors to keep them consistent. Ms. Herbert expressed her opinion that the plain trim would be best.

Ms. Herbert stated that when the porch railings are redone they should be thickened. Ms. Schwartz-Laubhann replied that the railings will match the existing but will be straight and the pieces will be more substantial with a 4x4 post and

pyramid cap painted to match. Mr. Spang asked if there is a proposed plan or photograph of what is proposed. Ms. Schwart-Laubhann replied no, they are just matching it the existing. Mr. Spang stated that the new post should have a newel base to give it more height and no trim applied directly to the deck. Ms. Herbert agreed.

Ms. Bellin stated that there could be an issue with how far the hand rail extends. Ms. Schwartz-Laubhann replied that she is in favor of that change. Ms. Herbert noted that moving the railing on the left might make it run into the corner board. Ms. Schwartz-Laubhann agreed and noted that it would depend on how bad of shape it is in.

Ms. Bellin questioned whether the handrail would need an extension. Ms. Herbert replied that the railing could end at the bottom step. Mr. Hart noted that the new railing would be subject to the building inspector's interpretation. Mr. Sass stated that review by the Building Inspector could lead to other issues so he'd rather replace the railings in kind. Ms. Schwart-Laubhann noted that they'd like to get this work completed by winter. Ms. Herbert stated that she will work with Ms. Schwartz-Laubhann to get the drawings approved by the inspector. Mr. Hart suggested the applicant could work with an historic architect such as Frank Detwiller to create the railing plans.

Ms. Herbert stated that they have no jurisdiction over mail slots or door knockers, although the building numbers must be metal. Ms. Schwartz-Laubhann stated that there is a knox box at front door that they she wants relocate to the side of the entrance. Ms. Kelleher noted that another Federal Street applicant was able to work with the fire department to move their box.

Ms. Schwartz-Laubhann stated that she has also provided several six-panel wood door options, one with plain glass and one with beveled glass. The material is fir, and they would be painted. Commission members agreed that the door with beveled glass would be appropriate.

There was no public comment on the front doors.

**VOTE: Mr. Cutting made a motion to approve four wood 6-panel doors with beveled glass lites. Ms. McCrea seconded the motion. All were in favor and the motion so carried.**

Ms. Schwartz-Laubhann asked whether the Board was opposed to the use of composite thresholds and Azek trim. Ms. Herbert replied that the Commission has approved composite materials for houses near the water.

Ms. Herbert asked about the proposed work at the brick foundation: Ms. Schwartz-Laubhann replied that there had been some bad patch work and they are proposing to pressure wash the brick and stain both the brick and mortar. The Board reviewed photographs of the patched stained brick. Ms. Herbert noted that hiding the brickwork with a brick colored masonry paint would be preferred due to all the patchwork at the mortar.

**VOTE: Mr. Cutting made a motion to approve the foundation paint color. Ms. McCrea seconded the motion. All were in favor and the motion so carried.**

Ms. Herbert noted that the applicant is proposing to stain the concrete steps to look like granite. Ms. Schwartz-Laubhann submitted a proposed photo.

**VOTE: Mr. Cutting made a motion to approve painting the steps to look like granite. Ms. McCrea seconded the motion. All were in favor and the motion so carried.**

There was no public comment on anything discussed so far.

Ms. Herbert stated that the existing handrails are pipes and the applicant wants to change them to wrought iron. Ms. Schwartz-Laubhann submitted photos of the existing railing, the proposed wrought iron rail, and an alternative wooden rail. She stated that she would prefer the wood painted to match the trim color to add some ornate details to the simple house. Mr. Spang suggests that there be no return of a wooden rail at front and a natural wood stain and a finished end. Ms. Schwartz-Laubhann replied that she likes the return on one end.

There was no public comment on railings.

Ms. Herbert suggested they give the applicant the option to do wrought iron or wood with or without a return.

**VOTE: Mr. Cutting made a motion to approve wrought iron or wood railings with options on how to finish it. Ms. Bellin seconded the motion. All were in favor and the motion so carried.**

Ms. Herbert noted that the proposed doors would be painted a semi-gloss black. The Commission agreed that they had no concerns with the proposed door color.

**VOTE: Mr. Cutting made a motion to approve the request to paint the doors black in a semi-gloss finish. Mr. Hart made a motion to amend the motion with an option to use either semi-gloss or high gloss paint. Ms. Herbert seconded the amended motion. All were in favor and the motion so carried.**

Ms. Herbert stated that the applicant will need to return to the Commission to discuss the porches and decking materials. Ms. Schwartz-Laubhann suggested mahogany in a picture frame style pattern. Ms. Herbert asked if Azek would be acceptable at the risers. Ms. Kelleher replied that the Board could consider that at the next meeting

There was no public comment

**VOTE: Mr. Hart made a motion to continue the request to rebuild entry porches to the next meeting on November 15<sup>th</sup>. Ms. Herbert seconded the motion. All were in favor and the motion so carried.**

#### 161 Federal Street

161 Federal Street LLC submitted an application for a Certificate of Appropriateness for alterations to rear building elevation and installation of rear fence, lighting, and HVAC condenser units after the fact.

#### Documents & Exhibits

- Application: 10/13/17
- Photographs

The developer Dan Botwinik, Juan Heredia, the project manager, and John Seger of Seger Architects were present.

Ms. Herbert stated that she, Mr. Hart and Ms. Kelleher conducted a site visit. She noted that the ZBA required the installation of a 4 foot high wood fence at back of property as a condition of the special permit. She recommended that this fence be designed with 4x4 posts, flat boards and capped and extend the length of backyard with a 10 foot return to an existing tree per the ZBA requirement. The existing 6 foot high chain-link fence is believed to belong to the City because it continues down the length of Kelleher Way. The bamboo that was applied to the chain-link has been removed. A small piece of diagonal lattice, which the Commission did not approve, was applied to the rear entry porch. She noted that the porch now has a railing similar to the original porch at 40 Derby Street with overlaid balusters. She noted that the Commission could request that the balusters be cut down to fit in to the openings or be covered with boards similar to the changes made at 40 Derby.

Ms. Kelleher noted that this porch is visible from both Kelleher Way and Fowler Street. The rear 4 foot high fence would cover some view of the changes but not all. Ms. Herbert stated that with additional trim work the diagonal lattice will become even less noticeable, but the Commission had approved the work at the back porch to be done in kind and a more modern design was installed. It is possible to install a taller fence at the rear property line, which would hide more of the porch. Ms. Kelleher added that a neighbor requested a lower fence on Kelleher Way to ensure a sense of safety along the private way.

Ms. Bellin asked if there are two chain link fences. Mr. Seger replied that the rear fence is being removed.

Mr. Heredia stated that the fence will be 4 feet high but the overall height will be slightly taller due to a grade difference of 4-6.” Ms. Bellin asked if the Building Inspector had approved the new railing. Mr. Heredia replied yes and they have received a Certificate of Occupancy.

There was no public comment.

**VOTE: Mr. Cutting made a motion to approve the modification of the railing as discussed. Ms. McCrea seconded the motion. Five were in favor and one (Mr. Spang) was opposed. The motion carried.**

Ms. Herbert asked if the rear window removal came before them in the 2015 application. Ms. Kelleher replied no.

Mr. Heredia stated that a staircase was installed in front of the stairway. Mr. Botwinik added that the added stair is a second egress and was approved by their tax credit consultant.

Mr. Spang noted that there were three changes on plan and the drawing doesn’t show what was built. The window trim was to remain but it has been removed. Mr. Seger noted that the historic consultant decided that a window frame should not be kept due to the proximity of the addition and they were following their direction because they approved it. Ms. Kelleher stated that the frame was cut off and butted right up against the addition. Mr. Spang suggested that the window trim should have remained or can be reinstalled to be as it was intended to be. Ms. Herbert and Ms. Bellin agreed.

Ms. Herbert noted that the right side trim will be cut thin and it won’t enhance anything. Mr. Spang replied that this is the same developer, the same situation with neighbors complaining, and the Board should be asking for what makes sense.

Ms. Bellin asked what would be visible through the window if it had remained and noted that keeping the trim would maintain the historic memory of what was there. Mr. Seger replied that the view would have been of the stringer showing the risers and treads heading upstairs.

Mr. Hart suggested that a mock-up be installed for the Commission to review.

Ms. Herbert asked for public comment

Joyce Wallace, 172 Federal Street, stated that she was not in favor of the trim being removed without Commission approval.

There was no additional public comment.

**VOTE: Mr. Cutting made a motion to continue the discussion to the next meeting and to have a site visit to view a mock-up of the window trim. Ms. McCrea seconded the motion. All were in favor and the motion so carried.**

Ms. Herbert stated that the applicant wanted to install planting to screen the HVAC equipment.

Mr. Heredia replied that due to soil issues in that area, they wanted to install the same type of fencing instead. There is asphalt at the back and plantings on the side and additional plantings would cause them to lose a parking space.

Mr. Spang asked if there would be clearance issues for air flow at the equipment. Mr. Heredia replied that they have a couple feet of space and noted that the new fence would be straight.

Ms. Herbert noted that it will be more of a screen and less of a fence since it will be visible from Kelleher Way. The gate would remain operable. Ms. Kelleher noted that it will only be visible as you pass it next to the chain-link.



The Commission discussed various orientations and gates for the second proposed fence. Ms. Herbert stated that a fence can also be discussed during a site visit. Ms. Botwinik replied that he would also create a 4 foot high mock-up of the fence.

Ms. Herbert noted that in regards to the light poles, Mr. Heredia has applied sheathing to the back of glass so that it doesn't shine into rear bedroom windows. A representative from Deland Lighting made a site visit with her and they suggested a simple black metal downlight in lieu of the light posts. This would be minimal visibility.

Mr. Hart noted that he is in favor of the new light as long as the shielding of the light to neighbor is maintained.

There was no public comment.

**VOTE: Mr. Spang made a motion to continue the discussion to the next meeting with a site visit to see a mock-up of the fence and proposed light fixtures. Mr. Cutting seconded the motion. All were in favor and the motion so carried.**

A site visit was scheduled for Saturday at 11AM. Ms. Kelleher noted that the Commission could also discuss the curb at the site visit. Ms. Herbert stated that the neighbor's engineer suggested that a concrete curb would keep the weight of the cars from impacting her foundation.

#### 48 Derby Street

William Dearstyne submitted an application for a Certificate of Appropriateness to install architectural shingles.

#### Documents & Exhibits

- Application: 10/16/17
- Photographs
- Product specifications for IKO and Owens Corning roofing shingles

The applicant William Dearstyne and his contractor Peter Ryan were present.

Ms. Herbert noted that the Commission had approved IKO singles in the past but the applicant wanted them to consider the "Teak Brown" color by Owens Corning, which the Commission has never approved.

Mr. Ryan noted that with the house located on the ocean, the shingles would need hurricane nailing to combat the high winds. The existing shingles are a light color the owner would like to match it.

Ms. Kelleher noted that a photo of a lighter colors IKO shingle approved in 2010 at 127 Derby house was included in the packet. It has a straight cut but alternating shingle sizes.

Ms. Bellin asked if the house at 127 Derby Street was oriented the same way with the roof slope facing the street. Mr. Ryan replied that houses at 40, 102, and 174 all have architectural shingles in light color but he was unsure of their orientation.

Mr. Hart asked what shingle would be used if the proposed architectural shingle was not approved. Mr. Ryan replied a three-tab architectural shingle; however, the existing one-tab shingles are disintegrating and cannot be repaired. He expressed concern that 3-tab shingles would also be discontinued in the near future making existing 3-tab roofs non-repairable. He also noted that only 5 or 6 three-tab shingle colors are available to match the three-tab shingle. The owners proposed color is 'Teak' by IKO; however, Mr. Dearstyne would prefer Owens Corning. The IKO laminate is the only shingle with a straight cut and the Owens Corning shingle has a slight taper. Mr. Ryan stated that Mr. Dearstyne would prefer the IKO 'Dual Brown' color; however, he liked the Owens Corning nailing system because when nailed the shingles will still lay flat unlike with other shingles.

Ms. Herbert noted that the slightly angled shingle has been an issue before but it will look flatter and the Onyx is the

only color that would make the nail humps disappear. Mr. Hart noted that he prefers the IKO for the straight cut and the angled cut shingles have no historical precedence.

There was no public comment.

Mr. Spang state that he is in favor of the heavier Owens Corning shingle due to the building's proximity to the water. Mr. Ryan noted that the angle is slight. Ms. Bellin stated that she hasn't been in favor of angled shingle in the past although special locations require special attention towards the shingles, and suggested that the shingle be a neutral color that will match any future siding changes. Ms. Herbert noted that the current façade is aluminum siding. Mr. Dearstyne stated that there is a current roof leak so the roof needs immediate repair.

**VOTE: Mr. Hart made a motion to approve the IKO architectural shingles in weather. No one seconded the motion and the motion did not pass.**

**Ms. Bellin made a motion to approve the Owens Corning in Black. Mr. Cutting seconded the motion. Three were in favor with Ms. McCrea abstaining. The motion did not pass.**

**Mr. Spang made a motion to approve the Owens Corning shingle in either Teak or Black. Mr. Cutting seconded the motion. All were in favor and the motion so carried.**

#### 41 Washington Square

Jane May submitted an application for a Certificate of Appropriateness to replace sunroom windows.

#### Documents & Exhibits

- Application:10/17/17
- Photographs

The applicants Jane May and her contractor Bob Marshall were present.

Ms. Herbert stated that she and Ms. Kelleher had made a site visit to the property.

Mr. Marshall reported that Ms. May originally wanted to replace the windows but it was cost prohibitive. The windows are old, have swelled and no longer fit within the frame. She is now seeking to modify the windows to fit the frame and put them back in but centered and have the middle windows operate properly. He noted that the frames aren't in bad condition but windows no longer fit.

Ms. Kelleher noted that this room may once have been an open porch that was enclosed.

Mr. Spang asked how the windows will be fixed. Mr. Marshall replied that the bottoms will be shaved. A trim piece will be added with weather-stripping on the inside for a tight seal. There will be no visible change from the outside.

Ms. Herbert stated that the windows are single pane glass with no storms although an interior storm could be installed. The end windows are fixed and the middle windows operate with a crank but the design is flimsy.

Ms. Bellin asked if the window operation would change. Mr. Marshall replied no.

Ms. Hart thanked the applicant for researching options to retain the original windows and make modifications that would not make any exterior changes to the building.

There was no public comment

**VOTE: Mr. Cutting made a motion to approve the modifications to the windows as presented at the meeting. Ms. McCrea seconded the motion. All were in favor and the motion so carried.**

135 Federal Street

Brenton and Elizabeth Dickson submitted an application for a Certificate of Appropriateness to install rear fence.

Documents & Exhibits

- Application: 10/17/17
- Photographs
- Fence proposal dated 10/14/17
- Plot plan

The applicants Brenton and Elizabeth Dickson were present.

Ms. Kelleher noted that the new fence will have a straight edge and no slant. Ms. Herbert added that the fence will have 4x4 posts with caps.

Ms. Herbert asked for the proposed fence material. Ms. Dickson replied cedar.

Ms. Bellin asked what the two other pieces of fences shown on the plot plan are connected to. Ms. Dickson replied that the new fence will begin after a row of arborvitaes.

Mrs. Dickson noted that the fence will be painted in a year. The cedar posts need 1 year to dry out and the proposed color will be either white or dark green. Mr. Dickson added that the fence along the library is dark green.

Ms. Bellin suggested that one fence be white and the other be painted either green or white.

There was no public comment

**VOTE: Ms. Bellin made a motion to approve the application as submitted with the side fence to be painted white and the rear fence to be either dark green or white. Mr. Cutting seconded the motion. All were in favor and the motion so carried.**

95-97 Federal Street – Discussion on Certificate of Appropriateness Violation

The Commission discussed the existing violation regarding a Certificate of Appropriateness issued to Robert and Janet Kendall for a HVAC installation.

*Ms. Bellin and Mr. Hart recused themselves and left to sit in the audience.*

Robert and Janet Kendall and Justin Tremblay (Residential Sales Representative for Dry Air Systems who was present at the first meeting but was not the installer) were present.

Ms. Herbert asked why the mechanical unit could not go through the wall. Mr. Tremblay replied that the cross-bracing in the wall made it not possible. As an Engineer, he stated that he didn't want to alter framing in an old house.

Mr. Tremblay stated that the refrigeration piping was drawn crudely on a photo at the first meeting and he was unaware that he would be held accountable for maintaining that design. He stated that once in the field, he determined that the slimduct pipes could not be installed so close to the main power lines at the house.

Ms. Herbert noted that the electrical inspector didn't approve it. Mr. Tremblay replied that a permit conversation needs to be had with his sub-contractor.

Ms. Herbert stated that not discussing changes to an approved design with the Commission is a problem. This is an

important and visible house and they may only approve future units if installed in the rear since there has been an issue with the piping being installed along the house. She noted that the owner of 183 Federal Street has agreed to one single pipe that would be placed close to the eave line. Site visits could have been done to review the issues that came up. Mr. Tremblay replied that due to his concerns about his employees' safety, he did not install the new pipes close to the existing electrical lines.

Mr. Tremblay stated that he didn't want his installer working that close to the electrical leads. Ms. Herbert stated that Mr. Tremblay should have told the Commission that what they decided at the first meeting couldn't be done for employee safety reasons. All items that were approved by the Commission were changed in the field.

Mr. Tremblay noted that in regards to the condensers, he believed the evergreens hid the middle unit fairly well. He noted that the second fan unit that faces the driveway is the most aesthetically unpleasing because it is partially visible from the end of the driveway. He stated that it was placed there to maintain access to the building's exterior water spigot and to keep the unit's warm air from blowing on the existing tree.

Mrs. Kendall noted that she wants a Historical Commission member present before any future work is installed. Ms. Herbert replied that she would be present.

Ms. Herbert asked if the owners would be billed for the reconfiguration being requested by the Commission. Mr. Tremblay replied no, it will be covered by the 1 year warranty. The small unit would be rotated 90 degrees so that both units face the same way, although a three foot clearance is needed at the electrical disconnect switches so the unit cannot be flush to foundation.

Mr. Spang asked if disconnects were added at the existing in-filled basement window. Mr. Kendall replied yes.

Mr. Tremblay noted that he is open to suggestions for any piping modifications. Mr. Spang suggested that the power be shut off by the electric company so the piping could be relocated closer to the electrical leads. Mr. Tremblay agreed, although he noted that this would necessitate a 90 degree turn.

Ms. Herbert asked if there was enough space to place both units close to the house. Mr. Tremblay replied no due to pad sizes and clearances for existing equipment attached to the house. Ms. Kelleher added that the unit is larger than what was originally considered. Mr. Tremblay replied that one large double-fan unit, where two units are stacked on top of one another, was proposed but it would have stood 4-5 feet off the ground and visible from inside the house, so it was changed to two smaller units. Ms. Herbert noted that a taller unit would have been impossible to hide and the Commission was not aware that both heat and A/C was proposed meaning two smaller units or the size of the smaller units.

Mr. Tremblay stated that the units can't go against the foundation because there is not enough room due to the width of the units. He could turn one other unit 90 degrees so both units face the same way and the smaller unit is concealed behind the larger unit. However, this would allow the unit to blow hot air onto the tree.

Mr. Spang asked what clearances are needed for the equipment. Mr. Tremblay replied 12" away from the structure and added that moving the second unit closer to the house would blow the heat from one unit onto the other that utilizes outside air, so turning the second unit would be the best solution. Ms. Herbert noted that ornamental tree is expensive and shouldn't be impacted.

Mr. Tremblay noted that all items on the approval certificate have been met except for one and the 3'x3' required pad size made it difficult to place them next to each other. He also noted that Mitsubishi would void the warranty if the units are not on a snow stand. Ms. Herbert stated that the Mitsubishi Regional Manager informed her that a pad is not a requirement if the units can be regularly cleared of snow and other debris.

The Commission and Mr. Tremblay discussed various orientations of the second unit and agreed that the second unit could be turned 90 degrees and tucked into the corner and hidden by the trees.

Ms. Herbert discussed moving the refrigerant piping closer to the electrical lines. Mr. Tremblay agreed to move them closer to the power lines if the power is shut off.

Ms. Kelleher asked if the refrigerant lines would still need to go below the window. Mr. Tremblay replied that they could only be slightly lowered.

The Commission and Mr. Tremblay discussed various orientations for moving the refrigerant piping leading to the wall mounted interior unit. Mr. Spang asked if the lines could be moved to the opposite side of the window. Mr. Tremblay replied that they would have to bill the owner to deconstruct and reconstruct the unit at a new location since that was never brought up by the Commission at the first meeting.

Mr. Kendall presented estimates for the work at the transom, noting that it would cost approximately \$800 of carpentry work. Ms. Herbert informed Mr. Tremblay that the interior cross bracing in the wall can be removed. Mr. Spang noted that the transom is now a piece of plywood. Mr. Kendall suggested that the knuckle and pipe be painted a smoke grey to match the glass so it disappears. Mr. Tremblay noted that the line could go in through the back but holes would need to be cored into the siding from the outside and a separate line would be needed for a pitched condensate drain.

Mr. Spang asked if they could enter above the kitchen cabinet and have a side connection in the kitchen. Mr. Tremblay replied yes; however, the drain is lower than the top of the cabinet. The void left by the removed window would need to be filled flush for mounting the unit and the condensate drain would be setback. Mr. Spang suggested that the condensate drain could exit onto the rubber roof deck. He expressed his opinion that the appearance of the existing piping knuckle is a problem.

Ms. Herbert summarized the discussion: 1) the pipe at the front of the house will be relocated; 2) the electricity will be shut off for the day by utility company to allow the pipe to be moved closer to house's electrical line; 3) the smaller condenser unit will be turned and relocated behind the larger unit and into the corner by the bay window; and 4) the transom will be painted to match and kept as is.

There was no public comment

**VOTE: Mr. Spang made a motion to allow the following changes to the approved certificate: relocate smaller condenser unit behind larger unit and paint the boarded transom to match. Contractor to install a mock-up of pipe relocation to be reviewed by the Commission prior to final installation. Mr. Cutting seconded the motion. All were in favor and the motion so carried.**

#### Other Business

There was no other business to review.

#### Correspondence

Ms. Kelleher reported that there was no correspondence.

Respectfully submitted,

Patti Kelleher  
Community Development Planner