

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

**SEPTEMBER 27, 2007
CHASE BUILDING, 44 FRONT STREET, WORCESTER
SUITE 300 – CONFERENCE ROOM**

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

Staff Present: Joel Fontane, Planning and Regulatory Services
Judy Stolberg, Planning and Regulatory Services
Lara Bold, Planning and Regulatory Services

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Schneider called the meeting to order at 5:30 pm.

APPROVAL OF THE MINUTES

Janet Merrill was not present.

Upon a motion by Michael Theerman and seconded by Thomas Constantine, the Commission voted 5-0 to approve the minutes from the July 26, 2007 meeting. Upon a motion by Michael Theerman and seconded by Thomas Constantine, the Commission voted 5-0 to approve the minutes from the August 9, 2007 meeting.

Janet Merrill arrived.

Upon a motion by Michael Theerman and seconded by Thomas Constantine, the Commission voted 6-0 to approve the minutes from the August 23, 2007 meeting as amended. Upon a motion by Michael Theerman and seconded by Thomas Constantine, the Commission voted 6-0 to approve the minutes from the September 13, 2007 meeting as amended.

UNFINISHED BUSINESS

- 1. 28 Adams Street (HC-07-34) – Building Demolition Delay Waiver:** The portion of the hearing relative to the window replacement was continued from the September 13, 2007 meeting. Christina Crawford stated that they were seeking a Building Demolition Delay Waiver to do the following work on the school building located on site: (a) remove all existing wood-windows, and replace them with aluminum-windows to match the existing mullion patterns. She stated that, as a result of feedback from the Commission on September 13, 2007 and additional historic research, they are proposing a 9 over 1 window configuration for the majority of the windows. She said this configuration is appropriate for the style and period of the building and the pattern is appropriately scaled and proportional to the large institutional size and shape of the existing openings. Chair Schneider asked since the windows are double-pane insulated, how the muntins would work. Ms. Crawford responded that the muntins would be affixed to the exterior but would not be true divided lights. She informed the Commission that the windows would be single-hung and will open from the bottom. Commissioners Theerman and Constantine said the proposed windows looked appropriate. Chair Schneider reiterated the Commission's desire that the main door at the west elevation on Adams Street be retained and made inoperable and the steps and walkway to the City sidewalk be removed and grass planted in the area. Ms. Crawford assured the Commission that would be the case. Upon reviewing the petition submitted for the removal of all existing wood-windows and replacement with aluminum windows to match the existing mullion patterns, and all evidence provided and upon a motion by Commissioner Crowley and seconded by Commissioner Theerman, the Commission voted 6-0 that the proposed demolition would not be detrimental to the historical or architectural resources of the City of Worcester and approved the Building Demolition Delay Waiver for the proposed demolition as shown in the site plan dated August 20, 2007, prepared by Hayes Engineering, Inc., and the elevations dated September 19, 2007, prepared by Utile, Inc., and submitted on file with the City of Worcester.

OTHER BUSINESS

- 2. Local Historic District Study Committee Discussion/Update:** Mr. Fontane outlined the process to expand the Montvale Local Historic District. He said the first step would be for the study committee to set the parameters for expansion. One option is to consider expansion only to include the portion of 1 Montvale Road that is not currently included. He said he was aware there had also been some discussion relative to including the following parcels: 72, 78, 80, 84, 88, and 90 Park Avenue; 1 and 3 Waconah Road; 1, 4, 5, 7, 8, 9, 11, and 15 Otsego Road; 2, 6, and 10 Forest Street; and 4, 6, and 8 Fenimore Road. However, he told the Commission that the City does not have Form B's for the parcels and a consultant would have to be retained to do the work. He continued that, at the present time, the City does not have the funds necessary to undertake this effort. Mr. Fontane said he would not recommend going forward with the broader expansion at this time without the Form B's, although it is possible to do so. Chair Schneider said the first step should be to

meet with those residents affected by the proposed expansion and reminded Mr. Fontane that the Commission had voted on August 23, 2007 to hold a public meeting on September 20, 2007 for that purpose and that the meeting date had then been changed to October 18, 2007 at the September 13, 2007 meeting. Commissioner Crowley said those votes were taken on the idea of a more general or broader expansion and that the Commission needs to reconsider the parameters to only include 1 Montvale Road. He also said that he would not want to proceed without Form B's for all the parcels to be considered for inclusion in the expansion. Upon a motion by Commissioner Crowley and seconded by Commissioner Constantine, the Commission voted 4-1-1 (Commissioner Conroy abstained) to rescind the vote from the September 13, 2007 meeting to hold a public meeting on Thursday, October 18, 2007 to discuss the possible expansion of the Montvale Local Historic District. Commissioner Theerman expressed his opinion that all the residents within the Montvale Local Historic District should be invited to any meeting to gauge resident perspectives and the Commission agreed that they would be invited as well as abutters to 1 Montvale Road. Upon a motion by Commissioner Crowley and seconded by Thomas Constantine, the Commission vote 6-0 to hold a public meeting on October 11, 2007, as part of its regularly scheduled meeting, to discuss the possible expansion of the Montvale Local Historic District to include the portion of 1 Montvale Road that is not currently included. Bruce Bunke asserted that the lack of inclusion of the tennis court at the parcel known as 1 Montvale Road within the perimeter of the Montvale Local Historic District was done in error. At this point, a letter dated September 24, 2007 from Ellen S. Dunlap, President, American Antiquarian Society, that referred to staff notes in the Society's archives from meetings on November 14, 1991 and September 16, 1992 relative to the "scope, purview and purpose for which the local historic district was created" was referenced. Upon a motion by Commissioner Crowley and seconded by Thomas Constantine, the Commission voted 6-0 to ask the Society to provide the Commission with any documentation it has relating to the creation of the Montvale Local Historic District.

- 3. 22 Watt Road Discussion:** Mr. Fontane informed the Commission that the Code Director had levied a fine to the owners of the property for working without a Building Permit. He also stated that staff is seeking input from the Commission as to what a possible remedy for the situation is so that the owners can have closure. Commissioner Theerman said there needs to be some kind of mitigation because the owners knowingly proceeded without a Demolition Delay Waiver after being informed that a waiver was required. He said since putting the roof back on is not a solution, the owners need to offer some sort of sufficient mitigation such as planting flowers in the median and maintaining the plantings. Mr. Fontane said the Commission cannot set a condition for off-site improvements. Chair Schneider said the work done resulted in an irretrievable loss and the owners can ask the Commission to shorten the delay period because of the irretrievable loss. Commissioner Theerman disagreed with that option because he felt it would send the wrong message to the community. Mr. Crowley said the Commission should not be involved in setting fines and suggested it is not the Commission's role to suggest mitigation. He said the Commission should let the City handle it. Commissioner

Constantine said the Law Department and Code Enforcement Division should set the monetary fine and once it is paid, the Commission can shorten the demolition delay period. Mr. Fontane stated he would further discuss the issue with the Law Department. Commissioner Conroy opined that perhaps the fine should be equal to what it would cost to replace the slate roof. Upon a motion by Commissioner Conroy and seconded by Commissioner Theerman, the Commission voted 6-0 to have Mr. Fontane request a legal opinion from the Law Department relative to shortening the demolition delay period and setting a fine equal to the maximum cost for replacing the roof with original materials.

Chair Schneider adjourned the meeting at 7:00 P.M.