

SALEM HISTORICAL COMMISSION  
MINUTES  
July 5, 2017

A meeting of the Salem Historical Commission was held on Wednesday, July 5, 2017 at 7:00 pm at 120 Washington Street, Salem, MA. Present were Jessica Herbert (Chair), Laurie Bellin, Kathryn Harper, David Hart Joanne McCrea and Larry Spang.

Discussion on proposed changes to Zoning designation for 204, 206, 214 and 222 Derby Street

Attorney William Quinn and property owner Julianna Tache were present to discuss the proposal to change the Zoning designation for properties at the entrance to the Derby Street Historic District.

Mr. Quinn presented photographs of the subject buildings. He discussed the history of the buildings and the rezoning of the nearby area as B5 district. The edge of that zone did not include the subject buildings.

Ms. Herbert questioned why the proposal did not remain as a B1 district as originally proposed.

Ms. Tache replied that the existing residential uses in the buildings would still be non-conforming under B1.

Mr. Quinn noted that the properties do not abut a B1 district, they abut a B5 district. Also, they do not have on site parking and require parking variances under the current zoning. The B5 district allows greater options for commercial uses and forgiveness for parking requirements. He stated that he is working with the Planning Staff for the rezoning. Planning Staff recommended the rezoning to B5 instead of B1.

Ms. Herbert noted concerns about potential impacts to the Derby Street Historic District by the redevelopment of the lots under a B5 zoning district.

Mr. Quinn presented an analysis of the properties under the various zoning districts.

Ms. Herbert asked if a change in use in the B5 district would require review by the Zoning Board of Appeals.

Mr. Quinn replied that no review would be required if the uses were allowed. He stated that most redevelopment would require variances. He noted that B5 zoning would allow a 70 foot height maximum or 6 stories.

Ms. Tache stated that the properties are divided by a public street and could therefore not be combined into a single parcel.

Mr. Spang asked for the current uses in the buildings.

Ms. Tache identified which buildings are commercial and which are mixed use (commercial/office and residential).

Mr. Spang asked when changes of uses occur do they require special permits.

Mr. Quinn replied that if the non-conforming uses change then a special permit is required.

Ms. Tache noted that the non-conforming uses and the residential zoning curtails ability to refinance. She stated that she has undertaken significant restoration of her building.

Mr. Quinn explained that the discussion will continue at a joint hearing between the City Council and the Planning Board on July 20<sup>th</sup>. After the hearing is closed, then the Planning Board will hold an additional meeting to deliberate on their recommendation to the Council.

Ms. Herbert expressed appreciation to both Ms. Tache and Mr. Quinn for attending the meeting to discuss the proposal.

Mr. Hart asked for clarification on the Commission's purview of the proposed zoning change.

Ms. Herbert stated that the only purview would be through the Waiver of the Demolition Delay Ordinance.

Ms. Herbert asked for public comment.

Ms. Jennifer Firth from Historic Salem noted that the B1 zoning is in need of revisions. She noted that if rezoned to B5 the buildings would be restrictive to what could be utilized. She noted that rear parking lots could be incorporated into the parcel which would allow a great redevelopment risk. She expressed concern that rezoning efforts could continue further down Derby Street which would significantly impact the character of the historic district.

Mr. Quinn noted that the next parcels begin the historic district.

Mr. Tim Jenkins expressed his concerns about overall zoning efforts in the city, noting that many proposals are for overdevelopment of the lots. He expressed concern about the deficiencies in public notification for rezoning proposals based on State law.

Mr. Spang asked if the owners would consider a preservation easement on the buildings.

Ms. Tache replied that she was only one of four owners. She has no intention to change her building.

Ms. Kelleher noted that owners could agree to expansion of the historic district, which would be more flexible than a preservation easement

#### Salem Common Bandstand

The City of Salem submitted a request to withdraw an application to install a cover over the stairwell at the Common Bandstand.

**VOTE: Ms. Bellin made a motion to approve the City's request to withdraw. Ms. McCrea seconded the motion. All were in favor and the motion so carried.**

#### 21 Flint Street

David Kaytes and Janna Koretz submitted an application for a Certificate of Appropriateness to install architectural roof shingles.

#### Documents & Exhibits

- Application: 5/22/17
- Photographs

Ms. Kelleher reported that the applicants have requested a continuation of their application to the July 19<sup>th</sup> meeting.

**VOTE: Ms. Bellin made a motion to approve the request to continue. Ms. McCrea seconded the motion. All were in favor and the motion so carried.**

31 Juniper Avenue - continuation

In a continuation of previous meetings, the Commission discussed Jasper Property Services LLC application to Waive the Demolition Delay Ordinance to demolish a single family house.

Documents & Exhibits

- Application: 3/22/17
- Photographs

The applicant Dale Manson was present.

Mr. Manson stated that he has not progressed further in the design of his property.

Ms. Herbert noted that the proposed design of the new building includes the incorporation of a double garage in the basement level.

Mr. Manson asked if there was opposition to the garage.

Ms. Kelleher noted that the property is located in the flood zone and will require review and approval by the Conservation Commission.

Mr. Hart asked if the applicant had considered renovating the existing building.

Mr. Manson replied that he had considered reusing the building but determined that it would not be economical. He stated that he would also like to raise the height of the building to capture water views.

Ms. Herbert stated that she and Mr. Hart had visited the property and agreed that the building is in deteriorated condition and the interior has been altered significantly. (Mr. Cutting and Ms. Kelleher arrived later to the site visit.) She noted that the 6 month delay would expire in September.

Ms. Herbert asked for public comment.

Kelly Barrett of 35 Juniper Avenue expressed her support for the improvements to the site, although she stated that she is not aware of what the new development would be. She noted that when she renovated her property, she was required to consider neighborhood opposition to height impacts. She asked Mr. Manson on his proposed height.

Mr. Manson replied that he is proposing some exterior decks and a slight increase in height.

Ms. Herbert stated that the project will likely require 3 variances.

Mr. Hart suggested that Commission consider requesting that the applicant complete a review on whether the existing building could be rehabilitated.

Mr. Manson replied that the study would require significant financial investment. He hopes to have plans finished this month.

Ms. Herbert stated that she could be supportive of the redevelopment if satisfactory plans are presented.

Mr. Spang stated his concern that the building will be demolished and then variances will not be approved and the lot will remain empty. He recommended that the Commission not approve the request to waive demolition. He stated the he felt the rough sketch of the design as shown may not be historically appropriate, specifically the proposed roof angle.

Mr. Manson suggested that the roof could be redesigned to allow a greater pitch with dormers.

Mr. Spang stated his opinion that the existing building has little historic integrity.

Ms. McCrea agreed that the need to preserve the character of the neighborhood is very important.

Ms. Barrett asked for clarification on the process.

Ms. Herbert noted that the six-month delay period expires in September and the owner could demolition at will with zoning review. She recommended that the Commission continue its deliberation if the applicant agreed to request a continuation.

Mr. Manson requested a continuation of the hearing.

**VOTE:** Ms. Bellin made a motion to continue the hearing upon the applicant's request. Mr. Hart made motion to second with the proviso that the applicant provide plans as soon as possible. All were in favor and the motion so carried.

#### 4 Andover Street

John and Michele Burrington submitted an application for a Certificate of Appropriateness to replace a rear window with a smaller window.

#### Documents & Exhibits

- Application: 5/30/17
- Photographs

The applicant John Burrington was present.

The Commission discussed the proposal to shorten the rear window.

Mr. Spang asked for confirmation that the window will be shortened by raising the window sill.

Ms. Herbert asked for confirmation that new windows will be casement style.

Mr. Spang asked for clarification on the side windows.

There was no public comment.

Mr. Hart noted that the new window will be proportionally different but will only be minimally visible from River Street.

Mr. Spang asked if the three windows could be made all the same size.

Mr. Burrington replied that if the windows were all the same size, then the window design would be different than the current configuration.

Mr. Spang suggested that the proposed smaller window proportions will result in a center window with square panes. He suggested that mullion trim be added between three 18" wide windows instead of two 18" windows surrounding a 21" wide window.

Mr. Burrington replied that he believed it would change the aesthetic of the original window.

Ms. Harper asked if the window is original to the house.

Mr. Spang stated that center window could be original with the side windows added later.

Ms. Herbert asked Mr. Burrington if he was opposed to the change in dimensions.

Mr. Burrington stated that he was not opposed but wanted to understand why the change was requested.

Mr. Hart recommended that the Commission allow the applicant the option to choose either design.

Ms. Bellin suggested that allowing the option would defeat Mr. Spang's concern.

Mr. Burrington agreed with the recommended design as long as it was not significantly more expensive.

VOTE: Mr. Spang made a motion to accept the request as submitted with the revision that all windows be the same width of 18" with mullion trim dividing the windows which will be painted to match house trim. Mr. Hart seconded the motion. All were in favor and the motion so carried.

#### Request for Comment – Comprehensive Permit application for 47 Leavitt Street – continuation

In a continuation from a previous meeting, the Commission heard the request from the Zoning Board of Appeals on the Comprehensive Permit application for the redevelopment of 47 Leavitt Street for new housing.

Ms. Kelleher presented the request from the ZBA asking for comment on the applicant's request to demolish a building under a comprehensive permit.

The Commission discussed the significance of the building and whether the plans for the property's redevelopment could include reuse of the building.

VOTE: Mr. Hart made a motion to send a recommendation to ZBA recommending 6 month delay to allow consideration.

Mr. Spang amended that NSCDC donate house to be reused elsewhere.

Ms. Bellin seconded motion. All were in favor and the motion so carried.

#### Correspondence

##### MassDOT Highland Avenue/Route 107

Ms. Kelleher presented a letter from Massachusetts Department of Transportation on proposed changes to Highland Avenue/Route 107. The Commission agreed that changes would not impact historic resources but asked that comment letter include a statement of appreciation from the Commission for the opportunity to review project.

Ms. Kelleher reported that the former Puleo's business will be redeveloped for a Town Faire Tire business.

Ms. Bellin asked if the demolition will trigger demolition delay.

The Commission agreed that the building is older than 50 years of age and would therefore trigger demolition delay review.

#### Approval of Meeting Minutes

The Commission agreed to continue discussion of minutes to next meeting for consideration.

Other Business

Ms. Kelleher reported that the Mayor has asked her to research MBTA plans to install cellular equipment along the rail lines.

Salem Railroad Signal Tower

Ms. Kelleher reported that she has not received any information on the status of the Salem Railroad Signal Tower from the MBTA. She has reached out to the MBTA several times but has not received any response. She reported that the Mayor has also asked about the status of the building.

Mr. Hart suggested that the City reach out to Representative Tucker for his assistance.

O'Shea Mansion in Peabody MA

Ms. Herbert discussed the threat to an historic building in the city of Peabody. She recommended that the Commission send a letter to the Mayor of Peabody expressing support for the City's efforts to protect the building.

**VOTE: Mr. Spang made a motion for the Commission to send letter of support to the City of Peabody for the preservation of the historic house at 2 Washington Street, which is an important part of the heritage of Peabody and the North Shore. Ms. McCrea seconded the motion. All were in favor and the motion so carried.**

278 Lafayette Street

Ms. Herbert discussed the current condition at the property and the work that has been undertaken by the owner without Commission approval.

The Commission discussed the approved work and the additional work that has not received approval.

**VOTE: Ms. McCrea made a motion to approve issuance of a violation notice. Ms. Bellin seconded motion. All were in favor and the motion so carried.**

268 Lafayette Street

The Commission discussed the current condition at the double house and the paint color change.

The Commission asked Ms. Kelleher to research whether any existing violations exist at the property.

Richdale Storefront on Lafayette Street

Ms. Herbert asked if the Commission has jurisdiction over the signage present at the new store on Lafayette Street.

Ms. Kelleher responded that the property is not in an historic district and did not receive city funding.

Ms. Bellin asked for clarification on when the Historical Commission reviews signage.

Ms. Kelleher responded that the Commission has jurisdiction only when a business receives funding through the City's storefront improvement program.

The Commission asked Ms. Kelleher to research zoning ordinance regulations regarding signage in storefront windows.

St. Joseph's Complex Memorandum of Agreement (MOA)

Ms. Herbert discussed the MOA between the City and the Planning Office of Urban Affairs (POUA) regarding funding donation for interpretation and reuse of complex buildings.

Ms. Kelleher stated that she is reaching out to POUA to determine whether POUA would be willing to donate funding despite the expiration of the MOA.

Demolition Delay Ordinance

Ms. Kelleher and Ms. Herbert discussed opportunities to revise the City's demolition delay ordinance. Ms. Kelleher will develop a memo to Commission on proposed language revisions and outreach recommendations. The City will be proposing zoning ordinance changes and this may be a good opportunity to combine efforts.

The Commission discussed adding a requirement in the ordinance that abutters be notified for demolition delay waiver requests.

Ms. Herbert also suggested reviewing potential changes to historic district jurisdiction, including adding jurisdiction over light fixtures, landscaping, at-grade changes/hardscape.

Ms. Bellin also recommended adding jurisdiction over view of designated buildings from non-listed streets.

Mr. Spang cautioned adding a general review over landscaping, such as review of an individual shrub, and try to tie it to a project. He also suggested extending demolition delay to a one year period and including prohibition of new development until all reviews are completed.

Ms. Herbert suggested that the Commission extend invitations to other city staff and boards to ask them to provide brief presentations on current projects at a Commission meeting, such as proposed changes to Forest River seawall.

**VOTE: Mr. Hart made a motion to adjourn. Ms. Bellin seconded the motion. All were in favor and the motion so carried.**

Respectfully submitted,

Patti Kelleher  
Community Development Planner