

SALEM HISTORICAL COMMISSION  
MINUTES  
January 31, 2018

A special meeting of the Salem Historical Commission was held on Wednesday, January 31, 2018 at 7:00 pm at 120 Washington Street, Salem, MA. Present were Jessica Herbert (Chair), Laurie Bellin, Joanne McCrea, Larry Spang and Jane Turiel.

Also present: Councillor Christine Madore, Emily Udy and Tim Jenkin from Historic Salem, Inc., and Joyce Kenney, resident of Lafayette Street.

Discussion of the role of the Historical Commission

The Commission discussed its dual role as an historic district commission and an historical commission. The Commission also discussed its role as it relates to the Phillips Library buildings and collections. The Commission agreed that the Chair has the discretion to allow comments relating to the collections at the public hearing.

Ms. Herbert provided some background information on the Phillips Library collection and the PEM new Rowley facility, which she stated is very impressive. She discussed some ideas for mitigation to ensure accessibility of the collections, including funds for digitization and expanding public hours. She noted that the Preservation Partners working group will be meeting soon.

Discussion of SHC Administrative Procedures

Ms. Kelleher discussed opportunities for the Commission to streamline meetings.

Mr. Spang noted that the SHC deliberates more than other commissions, often trying to decipher drawings during the meeting. He noted that other boards direct applicants to return at a future meeting with more information. Others set up subcommittees to meet with applicants who can then come back to the larger board for approval. He also noted that some boards identify specific times that applications will be heard so that applicants have a better sense of the time to arrive.

Ms. Herbert related her recent discussion with the City Solicitor on restrictions to discussions outside of meetings.

Ms. Turiel recommended that it is important to make sure that applications are very complete when submitted for review and the Commission should consider creating a checklist of items that are required.

Ms. Kelleher noted that the ZBA is revising their application requirements.

Ms. Bellin discussed whether staff should not accept applications if information is missing, noting that in the past staff has been hesitant to turn away applicants. Some homeowners do not have architects to create drawings. She also noted that the Commission has had very lengthy agendas that have resulted in long meeting times.

Ms. McCrea asked if the Commission could require that drawings be submitted.

Ms. Herbert noted that the Commission allows homeowners to provide a sketch with measurements. She noted that the Commission has allowed a lot of designing at the table during meetings. She asked if the Commission should continue discussions to the next meeting and not design at the table. She asked if and how the Commission can help outside of the meeting.

Ms. Bellin suggested that the Commission help applicants but not at the meeting. If time extends too long at the meeting, then the Commission should assign a member to meet outside of meeting and continue the discussion to the next meeting.

Ms. Herbert asked how to limit involvement/help from a commission member to ensure that the member is not being taken advantage by the applicant.

Ms. Emily Udy of Historic Salem, Inc. asked if the Commission could establish a time for each application to let the audience have a general sense of timing. She also asked about the Commission's ability to fine owners for violations.

Ms. Herbert stated that is working with Ms. Kelleher and the City Solicitor to determine how to activate fines.

Ms. Udy stated that without fines, developers will continue to do work without approval.

Ms. Herbert noted the example of the HVAC unit installed incorrectly at 95 Federal Street, which the Commission is still in the process of trying to resolve the violation. She stated that the applicants have still not fixed the problem. She questioned whether the Commission should have imposed fines.

Mr. Spang noted that in some instances the language on the certificate is vague, which makes it challenging to cite a violation. He suggested that the Commission be more precise in language or attach a photograph/drawing to the certificate. Being more specific would allow the certificate to be more enforceable.

Ms. Bellin noted that the Federal Street violation is still an ongoing matter since the work as completed did not meet the specifics that were approved. She recommended that if not rectified, then Commission should be able to fine. The Commission needs to be consistent in the fine process.

Ms. Herbert discussed the escrow set up by the Building Inspector for 161 Federal Street to ensure work was completed. She questioned whether the Commission could set up similar system.

Mr. Spang noted that this escrow was tied to the occupancy permit and that the Building Inspector has stronger leverage to impose escrow.

The Commission agreed to prioritize the process for violations, ensuring due process, and to work with Building Inspector.

Ms. Bellin asked if the Commission should consider mitigation for work not possible to be corrected.

Mr. Tim Jenkins of Historic Salem, Inc. noted that due process is very important and that it is important to work with the City Solicitor. He stated that consistency helps the Commission's reputation and not hurts it.

Ms. Kelleher discussed working on improving the process for the Commission to review projects to ensure compliance with certificate before the Building Inspector signs off on building permit.

The Commission discussed the priority for improvements to SHC applications and for revising the Commission's Design Guidelines as it relates to violations.

Ms. Herbert recommended that the Commission work with HSI on revising design guidelines to address modern challenges in historic districts such as HVAC units and solar panels. She also recommended the Commission complete a thorough review of contracts to determine the work to be completed.

#### Historic District Outreach

Ms. Herbert suggested Walter Beebe-Center as a great resource for restoration work. She also noted that a recent lecture at the Pickering House on historic bricks would be a good opportunity to research mortar and add a new workshop program.

Mr. Jenkins stated that HSI would like to join the Commission on educational efforts. HIS is working with the Salem Athenaeum on an upcoming lecture on the design of port cities as part of a larger effort on "TAD" talks – talking about architecture and design.

Ms. Kelleher reported that the City's recently completed downtown survey could work in conjunction with a TAD talk.

Ms. Udy noted that HSI has its house histories online. She asked how to cross reference these resources with those at the PEM and DPCD. She also noted that the North Shore CDC has offered to do a sustainability workshop in June or July.

The Commission and members of the audience discussed opportunities to promote educational efforts, including accessing the mailing lists of the Assessors, neighborhood lists, and google groups. The group also discussed people to present material, including the Salem Historical Society, Bill Tinti, and possibly others.

The Commission discussed ideas for educational efforts, which included information on the responsibilities of owners in the historic districts, restoration techniques, and restoration materials.

Ms. Udy and Mr. Jenkins noted that the Salem Handbook has been scanned and is available on the HSI website, but it is not searchable.

The Commission discussed opportunities to inform new owners of district responsibilities when a transaction occur. Notifications were sent in the past but this process no longer occurs. They

asked if there are automated bulk mailings that could include information to owners. Members also discussed sending out email notices if the Commission could access an existing database.

Ms. Kelleher noted that she is planning to coordinate a realtor workshop soon that will include welcome packets for new owners. She also reported that she is working on a new website that will include information for historic district property owners.

Mr. Jenkins reported that HSI is working on a glossary of terms that relate to development review. This glossary will be available online and will be given to neighborhood groups. He suggested that it be added to the new website as well. Paper copies will also be available at the HSI office.

#### Preservation Month Activities

Ms. Kelleher asked for input on activities for Preservation Month in May, including suggestions for a kickoff event and workshops ideas.

Mr. Spang suggested hosting a workshop where homeowners could meet individually with an architect. He noted other communities host 15 minute time slots for owners to meet with an architect for advice on projects or to ask questions on building styles. He offered to provide examples of this type of workshop.

Councillor Madore suggested the Commission consider hosting regular “clinic” hours, possibly once a month in the office, where the staff planner would be available to meet with property owners to discuss projects. She thought there were examples in other communities that could be replicated in Salem. The Commission would need to set up a system to let people know about the open hours. She also suggested that Commission members or HSI could participate in the “clinics”. This type of open hours may be easier and less time consuming than hosting annual workshops.

Ms. Herbert asked Councillor Madore about recommendations for reaching out to the City Council to discuss SHC priorities, such as strengthening the demolition delay ordinance.

Ms. Madore offered to be a resource for mailing notifications. She also stated that as a city planner, she thought it would be important to strengthen the demo delay ordinance since she was surprised that the delay was only for six months.

Ms. Herbert questioned how far should the Commission should go on requiring good new design as part of the demolition delay review. Some Commissions have language in their ordinance requiring information on what will be built and whether it will be consistent with the character of the surrounding neighborhood.

Ms. Kelleher reported that she is working on researching past cases of demolition requests in Salem, including examples where the subject buildings were not demolished. She will present this information to the Commission.

Ms. Bellin asked if the SHC can be legally required to serve as an approval authority for new construction after the demolition.

Mr. Spang agreed that it would be good to have leverage for the SHC to have design review for new construction after demolition.

Ms. Herbert suggested that the SHC and HSI have members available to provide design input to other city boards.

Ms. Udy suggested utilizing the group that successfully advocated for the plastic bag ban to join in the argument that demolition is unsustainable.

Mr. Spang asked if the Commission can establish guidelines for new design and site conditions after demolition occurs. He noted that some ordinances have language that a demolition permit can't be issued until all local permits are in place, although wouldn't have stopped the demolition and resulting vacant lot from occurring at the Washington and Dodge Street project since permits were in place but the financing fell through.

Mr. Jenkins asked if language could be added that proof of financing is required for some permits to be issued.

Ms. Bellin asked if a requirement can be added that construction needs to occur within a certain time period.

Mr. Jenkins and Ms. Udy asked if the Commission was considering expanding districts. They noted that there may be interest from owners who are located just outside of the district on the edges.

Councillor Madore agreed.

Mr. Spang suggested that Derby Street may be a good district to consider for expansion since only the buildings fronting onto Derby Street are included in the district, not buildings on surrounding streets.

Ms. Kelleher suggested that the Commission attend neighborhood association meetings to present opportunities for new and expanded districts, including Bridge Street Neck, Mack Park, Northfields, Salem Common, Derby Street, etc.

Ms. Bellin expressed concern that the district ordinances include language that only elevations visible from streets named in the district are within the Commission's review jurisdiction. She recommended Commission considered revisions to existing district ordinances.

Ms. Udy noted that property values have changed inside and outside of the district over the past 30 years since the districts were established.

Ms. Herbert asked HSI to assist the Commission with efforts to ensure that historic buildings are not required to meet building code requirements for "new construction".

Mr. Spang noted that a historic property owner could apply for relief from the state for building code requirements and the SHC could support the request.

Ms. Kelleher stated that she will research other communities to see how they are addressing building code challenges for historic buildings.

The Commission discussed procedures for meetings.

Ms. Herbert suggested following the public hearing script for the next meeting and stated that she would send out the script to members in advance of the meeting.

Mr. Spang suggested that the public be allotted two minutes to speak on a project.

Ms. Herbert noted that Commission members are allowed to leave if a meeting goes too long.

Ms. Bellin suggested that there be a sign-up sheet for attendees who wish to speak.

Ms. McCrea recommended that the Commission consider nominating the new multilingual plaques installed by HSI and the NSCDC in the Point Neighborhood for a MHC Preservation Award.

Ms. McCrea made a motion to adjourn at 9:47pm. Ms. Bellin seconded the motion. All were in favor and the motion so passed.

Respectfully submitted by,

Patti Kelleher  
Preservation Planner