

Newburyport Historical Commission
City Council Chambers
January 16, 2014
Minutes

1. Call to Order

A regular meeting of the Newburyport Historical Commission was called to order by Chair Linda Smiley at 7:30 p.m.

2. Roll Call

In attendance were members Linda Smiley, Stephen Dodge, Margaret Welch, Malcom Carnwath, Sarah White and Ned McGrath. Assistant Building Inspector Peter Binette was also in attendance.

3. Demolition Applications

Lime Street Realty Trust

81 Lime Street

Total Building Demolition

Lisa Mead appeared for George Haseltine, who is proposing to demolish a 1787 house. She said not much remains of the original structure and requested that a public hearing be scheduled.

Linda Smiley moved the structure is historically significant. She commented that the goal of the Commission is to preserve the streetscape and the front part of the structure whenever possible.

Sarah White seconded the motion. The motion was unanimously approved. A site visit will take place on Saturday, January 25 or Saturday, February 1 at 9:00 a.m. The public hearing will be scheduled for the February 6 meeting.

4. Minutes

Linda Smiley moved to approve the minutes of the December 19, 2013 meeting as amended. Ned McGrath seconded the motion. The motion was unanimously approved.

5. Public Hearing

BullDawg USA Realty I, LLC c/o Law Offices of Robert L. Brennan, Jr., PC

37 Middle Street

Roofline change

Linda Smiley opened the public hearing. Robert Brennan appeared for the applicant and said the building has fallen into disrepair. He said the applicant wishes to add head height to the top floor in order that the structure might house three units. He would like to do this in a way that is not visible from the street and in a manner that is both fiscally feasible and historically appropriate.

Mr. Brennan said the applicant has attempted to respond to all of the comments made by the Commission and arrive at an acceptable solution. He presented alternatives that included a change to a gambrel roof, with and without the addition of brick courses and gabled dormers.

Linda Smiley opened the hearing to comments from those speaking in favor of the proposal.

Kathy Scanlon, 39 Middle Street, said the neighbors are happy with the planned improvements and she thinks the drawings are respectful of the existing structure. Susan Foreman, 39 Middle

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Street, said the proposed changes to the roofline would not be visible from the street. Joe Kasprzak, 28 Liberty Street, described how he has mowed the lawn because the previous owner did not maintain the property.

Linda Smiley opened the hearing to comments from those speaking in opposition to the proposal. Tom Kolterjahn, 64 Federal Street, said the structure is an integral part of the downtown. He said the proposed changes do not meet the guidelines of the Secretary of the Interior and rooftop additions are appropriate only for taller buildings and should be minimally visible. He urged the Commission members to impose the delay, saying the change would denigrate the building. He added that the sistering of beams could strengthen the roof and he asked the applicant to be sure to use lime mortar. Kevin Bannigan, 43 Middle Street, Unit 1, read from a letter he prepared that said the brick row houses are contiguous and have a distinct flavor. A change to the roof would impact the character of the abutting addresses. He also said the proposal is overly ambitious for a congested neighborhood. He said the alternatives that have been proposed are confusing to the neighbors and he asked the Commission to impose the delay so the abutters might have more time to understand how the project might impact the historic adjoining properties and their valuations. Linda Smiley interjected that the Commission had requested the applicant to provide alternative scenarios. Mr. Bannigan read a second letter he submitted as the Trustee of Spinnaker Realty Trust and owner of 45 and 45½ Middle Street that reiterated his opinion that the project would be detrimental to the neighboring properties. He also submitted eight letters in opposition to the proposal from property owners on Middle and Liberty Streets. Stephanie Niketic, 93 High Street, said any changes to the façade or roofline would impact the historic integrity and value of the entire block. She said the purchase price of the property should not place a burden on the public. She said she has observed many instances where, in the absence of any legal hardship, permits are granted for the one-time benefit of the buyer and seller at a permanent cost to the public that results from the loss of the authenticity of the historic streetscapes. She asked the Commission impose the delay to give the applicant the opportunity to explore alternatives that do not involve a change to the highly visible façade and roofline. Linda Miller, 20 Ship Street, said the building was not meant for three units. She said raising the ridge line would benefit the owner but not the community. Jerry Mullins, 7 Parsons Street, said he believes the applicant might obtain the required head height by adding a dormer on the rear, as was done at the neighboring property, without changing the front roof. Herb Schilling said the applicant should leave the roof unchanged. Bill Harris, 56 Lime Street, spoke about the significance of the 1811 downtown, saying it is one of the best preserved in the country. He said the row houses have integrity and the change would impact the character of the neighborhood. He said he would speak with the applicant about the tax credits that would only be available if the roof were not changed.

Mr. Brennan said he found the comments helpful and he would like to continue the public hearing in order that there might be time to amend the plan further in response. Linda Smiley said the purpose of the delay is to provide the applicant with time to explore alternatives and it would be possible for the Commission to reverse it any time if an agreement is reached. She said the number of people attending the hearing and writing letters is indicative of the importance of the structure to the community. She added the Commission was clear from the beginning of the process that the addition of a rear dormer only would be acceptable. She also acknowledged that although the Commission members had suggested the applicant might explore raising the

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ridgeline, they decided it was not a viable alternative after seeing from the drawings how it might look. Margaret Welch said the Commission members had never suggested a gambrel roof would be acceptable.

Ned McGrath moved to grant a 30-day continuance. Sarah White seconded the motion. The motion was unanimously approved. Linda Smiley closed the public hearing.

6. Adjournment

Linda Smiley moved to adjourn the meeting at 8:45 p.m. Margaret Welch seconded the motion. The motion was unanimously approved.