

Newburyport Historical Commission
City Council Chambers
January 17, 2013
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, Ned McGrath, Tom Kolterjahn, Margaret Welch, Bill Todd and Stephen Dodge.

3. Demolition Applications

40 Merrimac Street, LLC

40 Merrimac Street

Partial Building Demolition and Roofline Change

Joe Leone described the plans for the reuse of the Davis Electric building as a restaurant. He said three sides of the building would remain almost intact, while the cinderblock portion would be removed and replaced with a glass structure. He is offering a \$40,000 stipend for landscaping and the creation of a public walkway on the adjacent Waterfront Trust land.

Tom Kolterjahn said that according to the Standards of the Secretary of the Interior, the removal of paint from brick is not recommended. He said the brick should not be sandblasted and he encouraged the applicant to use lime mortar rather than Portland cement. He also said he does not like the shape of the proposed dormers, while Margaret Welch said she would prefer skylights because they would allow the simple shape of the roof to be visible.

Tom Kolterjahn suggested that the transition to the proposed rear addition to the building be improved by a change in material and roofline. Andy Port said there is an ambiguity in the ordinance that should be addressed and in his opinion the removal of the cinderblock portion of the building would not be subject to review by the Commission. Linda Smiley said that while the proposed addition is beyond the Commission's purview, the members would like to offer their advice. She moved that the structure is historically significant. Ned McGrath seconded the motion. The motion was unanimously approved.

Linda Smiley moved to allow the demolition of the existing block building. Ned McGrath amended the motion to include the condition that, to the greatest degree of care possible, the removal of the steel beams not cause damage to the historic structure. Tom Kolterjahn seconded the motion. The motion was unanimously approved.

4. Public Hearings

Caswell Development Ashland, LLC

39-41 Ashland Street

Full Building Demolition

The applicants said they had originally intended to remodel the structure and construct an addition to it. They found the walls are rotten and it is not worth salvaging. They would like to demolish the structure and construct a new one that would be in keeping with the character of Ashland Street. They do not yet have plans for the replacement structure.

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Linda Smiley opened the public hearing and asked for comments from those wishing to speak in favor of the demolition. Rob Germinara said he has lived on Ashland Street for 46 years and the demolition would be an improvement to the neighborhood. He added that the Caswell brothers do good work. No members of the public spoke in opposition to the demolition.

Linda Smiley closed the public hearing and asked for comments from Commission members. Tom Kolterjahn said the building has slumped and in his opinion it is not worth saving. He said that while it appears to be in relatively good condition from the exterior, from the interior it is clear that there are many structural problems.

Tom Kolterjahn moved to release the structure for demolition. Bill Todd seconded the motion. The motion was unanimously approved.

Kathi Rodrigues and Patricia Kurkul

17 Ship Street

Full Building Demolition

Christopher Crump appeared for applicants and said the house sits on the street, making it a safety hazard. He said the Building Commissioner would like the structure to be moved further back into the lot. He said the building has structural deficiencies and two foundation walls are decaying. Two brick columns in the basement are on the verge of collapsing and the chimney flue is beyond repair. Rainwater from the street flows into a cellar window. If the sloping floors were to be leveled, the ceilings would be too low and would not meet code requirements for habitable space. He said while some structures in the attic might be worth saving, the exterior would have to be stripped and resided and he thinks nearly 75% of the house would have to be replaced.

Linda Smiley opened the public hearing and asked for comments from those wishing to speak in favor of the demolition. Robert Depasqua, 16 Smiths Street, said the house has been open to the weather for over four years and is sliding into the street. He said there is garbage in the yard and a plywood shed attached to the rear of the house is deteriorating. He said he is concerned about the dangers of an abandoned structure and the demolition of the house would be an improvement to the neighborhood. He said he would be in favor of the demolition delay if the house were to be saved, but he believes salvaging it is beyond economic benefit.

Linda Smiley asked for comments from those opposed to the demolition. Ray Dodge, 20 Ship Street, said the structural integrity of the building is salvageable and it should qualify for a demolition delay. He said the form of the house has not changed since it was built in the mid 1700s.

Linda Miller, 22 Ship Street, said she studied the building for several hours and in her professional opinion, it could and should be salvaged. While there are a few areas of deterioration, overall the structure is solid. She said the foundation is in good condition and the roof structure is in fantastic shape for a building of this age. She said the house has not received the best care, but it would be a shame to lose another small, mid-century eighteenth structure. Not many still exist in the city because they are being replaced by larger structures. She said the lot is a small one and it would not be possible to rebuild the structure while meeting zoning requirements.

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Sarah White, 339 High Street, said it is not unusual for houses in the city to have dirt basements and posts that hold up beams or to leak and have insect damage. She said the low purchase price of the house leaves room for work on its improvement. She would like the property owners to work with the Commission to arrive at an alternative solution to the demolition of the structure. The city cannot afford to continue to lose houses that are a part of its heritage because the owners wish to have a larger structure. She said this house has the integrity to be saved.

Linda Smiley closed the public hearing. Tom Kolterjahn said the loss of this excellent house from the 1750s would be tragedy. He said it has massive framing and wonderful gunstock corners. It does have structural problems but nothing that is beyond repair. It would require sill work, as do many of the houses in the south end, and the foundation must be re-pointed. The original chimney has been removed, which is the probable cause of the sloping floors. He said the house has structural integrity, it could be restored and its demolition would be a mistake.

Ned McGrath said the house is an architectural asset and the owners should work with the Commission to find a solution to preserve it.

Mr. Crump asked if the building would have to be brought up to code. Tom Kolterjahn said this would be the case if the structure were gutted, but not if the work was done carefully, one section at a time. There should be more flexibility if the structure were restored rather than gutted, but this would have to be worked out with the Building Commissioner.

Linda Smiley said there is leeway in the strict application of the building code provided the structure is being improved. She said while the clapboards and windows would obviously have to be replaced, the preservation of the shape and geometry of the structure are important to the streetscape. It would be difficult for the replacement structure to mimic the original because a total replacement would have to meet current building codes. She said houses of this age are rare and it would be a tragedy to lose it, as it is a part of the precious original fabric of the city. She said an up-to-date kitchen and bathrooms could be located in an addition to the rear of the structure. She said the Commission would welcome the opportunity to work with the owners and would help them through the process with the Zoning Board of Appeals in exchange for the building being saved.

Linda Smiley moved to impose a one-year delay. Tom Kolterjahn seconded the motion. The motion was unanimously approved.

5. Demolition Applications Continued

Chart House Development, LLC

2 Mechanics Court

Building Relocation

Architect Scott Brown said a 6-C application is to be presented to the Planning Board on February 6 for the construction of two residential structures on same lot. In order for the proposal to be approved the project must include a public benefit. The applicant is proposing that the c.1790 carriage house be moved and a preservation restriction placed on it. The structure would be rotated 180 degrees and would be used for office space. Mr. Brown requested that the Commission approve the relocation of the structure and send a letter of support for the project to the Planning Board.

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Tom Kolterjahn said Commission members had previously visited the site and had been in favor of the relocation at that time. He moved that the structure is historically significant. Ned McGrath seconded the motion. The motion was unanimously approved.

Linda Smiley moved that the relocation of the building as shown on the submitted plans be allowed. Tom Kolterjahn seconded the motion. The motion was unanimously approved. The Commission will work with the applicant to craft the preservation restriction.

6. Minutes

Tom Kolterjahn moved to approve the minutes of the December 6 and January 3 meetings. Ned McGrath seconded the motion. The motion was unanimously approved.

7. General Business

Continued Discussion on 40 Merrimac Street

Margaret Welch said she would like the Commission to send a letter to the Planning Board in an advisory capacity. She said this would be within the purview of the Commission, as the project is under the jurisdiction of Chapter 91. The letter would indicate that the applicant should keep the geometry of the addition the same as the existing but create a break between the old and the new by changing the materials, so that the original building is apparent. The applicant would be urged to use either gable dormers or skylights. The gable dormers would be more historically consistent with the time period of the building but would have been more likely used on residential structures.

8. Adjournment

The meeting was adjourned at 9:12 p.m.