

**Newburyport Historical Commission**  
City Council Chambers  
March 21, 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 and Bill Todd.

**3. Demolition Applications**

**Yard Arm Construction**

47 Bromfield Street

Roof Line Change

The applicant said a room in the structure has a ceiling low enough to prevent standing. He wishes to add knee walls and change the roofline in order to make the room usable. He said the new roofline would not exceed the height of the roof in the main part of the structure. The trim is to remain the same and the new windows will match the existing.

Tom Kolterjahn moved that the structure is historically significant. Linda Smiley seconded the motion. The motion was unanimously approved.

Linda Smiley moved to accept the raising of the roofline as shown on the submitted documents. Ned McGrath seconded the motion. The motion was unanimously approved.

**4. General Business**

**Clipper City Rail Trail**

Linda Smiley recused herself from the discussion. Tom Kolterjahn said a communication was received from Stantec, the firm designing the second phase of the Rail Trail, requesting the Commission provide a written statement indicating the trail will have no negative impact on historic resources.

Bill Harris, 56 Lime Street, spoke on behalf of Custom House Maritime Museum. He said that while overall the project is a good one, he is concerned about the way in which the proposed trail would cross the Custom House lawn. The lawn is used for events at the museum and the bisecting of the lawn by the trail could have a negative impact on the museum's financial viability. It could also prevent the Custom House from being made handicapped accessible. He said the City has not consulted the Maritime Society about the pathway or explored alternatives for its location.

The Commission members have not yet had the opportunity to review the plans and determine how the trail might impact the Custom House. The discussion was tabled until a future meeting. Geordie Vining will be asked to consult with the board of the Maritime Society.

## **5. Public Hearings**

### **12 Oak Street Realty Trust**

12 Oak Street

Full Building Demolition

Lisa Mead appeared for the applicant, George Haseltine, and distributed letters from neighbors in support of the project. She said the applicant is proposing to demolish the Greek Revival structure and replace it with one of a similar size situated on the lot in much the same way as the existing building. The existing ridgeline is at 30.5 feet and the proposed one would be at 31.0 feet. A letter submitted in support of the application by Malcom Carnworth stated the structure is a pedestrian one, made from lumberyard material of the 1920s or 30s, with no open stairway, newel or bannister and with conventionally milled joists. Attorney Mead submitted photographs of the interior of the structure. She said the structure has asbestos siding and no ridge beam. She asked the Commission to determine the structure should not be preferably preserved.

Linda Smiley open the hearing to those members of the public wishing to speak in favor of the demolition. There were no comments from the audience.

Linda Smiley open the hearing to those members of the public wishing to speak in opposition to the demolition. Jerry Mullins, 7 Parsons Street, said that according of the archival files in the library, the structure is considered to be a contributing member to the National Register District and is of an earlier date than the applicant indicates. He said there is room on the site for an addition to be constructed and the demolition of the structure would adversely impact the streetscape. He added that the former owner, Bud Flaherty, was a significant member of the community.

Bill Harris said he believes the incorrect ages of structures are given in more than half of the demolition applications. He said the members of the staff of the Assessor's Office have no special skills in determining the age of structures and the application should be amended to better guide the process.

Stephanie Niketic, 98 High Street, said she is interested in preserving the authenticity of the City's neighborhoods. She questioned the applicant's presentation of interior details over which the Commission has no jurisdiction. She added she is concerned that the submitted rendering of the new structure would not be binding. Lisa Mead responded that the rendering becomes a part of the record and will be sent to the ZBA.

Linda Smiley closed the public hearing. Margaret Welch clarified that the Commission members did not request information on interior details. She said the members at times look to the interior to determine a building's age. She said she thinks this building was constructed later than is indicated on the survey and was made to fit in with its Italianate neighbors.

Tom Kolterjahn said his opinion about the structure changed after the site visit. The form and massing of the building fit in well on the street, creating a nice flow. He said it appears to be a solid building that is straight and has a good foundation. It appears to be a turn-of-the-century building and its type is one that has been around for a long time. He said he would not be able to approve the demolition of a solid, historic building.

Bill Todd said the streetscape is an important factor for him and this building fits in nicely with its context.

Ned McGrath said the house is a simple one that was occupied by working people. In Ipswich a whole neighborhood of structures such as this are on the National Register because they were built for mill workers and represent a piece of the history that should be preserved. He

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said the building could be saved and improved a way that would be advantageous to both the developer and community.

Margaret Welch said in her opinion the building has minimal historic value. She said that because Commission rarely imposes the demolition delay, it should be reserved for more compelling situations.

Linda Smiley said she at first thought the Commission would not be able to find the structure to be historically significant but she changed her opinion after seeing how it contributes to the streetscape and neighborhood. She said the building has enough features that speak loudly to its neighborhood context. The trim on the roofline is almost the same that of the neighboring structures. She said the house is a simple one that is a contextual contributor to the neighborhood and while it might not be as old as others in the city, she does not wish to live in community of new reproductions. She said the lot is a large one and the Commission would support an application to the ZBA for an addition to the structure.

Linda Smiley moved to impose a one-year demolition delay. Tom Kolterjahn seconded the motion. The motion passed with Margaret Welch voting in opposition.

### **6. Approval of Minutes**

Tom Kolterjahn moved to approve the minutes of the February 21, 2013 meeting as submitted. Ned McGrath seconded the motion. The motion was unanimously approved.

### **7. Other Business**

Robert Finneran said he is concerned about the plans for 40 Merrimac Street. He said he owns the building at 42 Merrimac Street and did not receive a notice of a public hearing. He also said he read a determination by the Commission that the building is not historically significant. Linda Smiley explained that a small cinderblock addition to the structure is to be demolished. The Commission determined this addition is not historically significant and therefore a public hearing was not held. She said that while the main portion of the structure is historically significant, the proposed plans are outside of the jurisdiction of the Commission. She added that while the Commission made recommendations on the dormers planned for the historic structure, the comments were made in an advisory capacity only, as dormers are excluded in the demolition delay process.

Bill Harris said a Section 106 review would be required for the structure under the Chapter 91 process. He said there is a connection in the antique basement of the structure to a tunnel system. He added that while the State will not require a full-scope environmental review, the public will have the opportunity to comment during the Chapter 91 process and conditions to protect the historic resources might be placed at that time.

### **8. Adjournment**

The meeting was adjourned at 8:47 p.m.