

Newburyport Historical Commission

January 28, 2021

Online Meeting

Minutes

1. Call to Order

Chair Glenn Richards called an online meeting of the Newburyport Historical Commission to order at 7:00 p.m.

2. Roll Call

In attendance were members Glenn Richards, Patricia Peknik, Peter McNamee, Joe Morgan, Christopher Fay and Malcolm Carnwath. Also in attendance were Planner Katelyn Sullivan and note taker Gretchen Joy.

3. General Business

a) 93 State Street – Review of Draft Historical Report

Peter McNamee recused himself from the discussion. Glenn Richards reviewed the DOD Supplemental Report he drafted and posted on the City website. He read the changes he made to the concluding section. The report summarized that applicant had reduced the size and mass of the structure by removing some program space and changing the style of the roof. The eave height has not been changed and remains problematic. The mass and footprint of the proposed structure would be larger than that of the historic building. The return to the commercial appearance of brick would make the addition more harmonious with the historic building but would increase the contrast with its neighborhood context. The report concluded that while the changes to the proposal have brought it closer to compliance with the Secretary of the Interior's Standards, it still falls short of meeting them and the Commission could not recommend that a Special Permit be granted. Chair Richards asked Commission members if a reduction in eave height would remove their objections to the proposal.

Joe Morgan said he is more concerned with the proposed materials than the scale of the addition. He said the trim, siding and roof pitch should be compatible with those of the neighboring wood-framed structures. He said the proposal does not comply with the intent of contextual requirements of the Standards.

Peter McNamee pointed out that Prospect Street had been incorrectly labeled. Christopher Fay recommended a change to the language of one sentence in the conclusion. He agreed the proposal would not adhere to the Standards with regards to compatibility with the neighborhood. He said a reduction in the massing would not change his opinion about the lack of compatibility.

Patricia Peknik said the issue for her is the height and massing. She said these should be reduced before the materials are considered. The applicant has argued that the addition would be removed from the historic building, which would only make its compatibility with the neighborhood more important.

Glenn Richards moved to approve the draft report as amended. Christopher Fay seconded the motion. The motion was approved by a 4-0 vote (Glenn Richards, yes; Patricia Peknik, yes; Peter McNamee, abstain; Joe Morgan, yes; Christopher Fay, yes; Malcolm Carnwath, abstain).

b) 2 Jackson Street

The Demolition Delay was imposed at the November 12, 2020, meeting. The dormer proposed at that time did not conform to the guidelines because it extended to the roofline and was on the same plane as the wall. Lisa Mead represented the applicant and presented the changes that have been made to the proposal. She said the dormer is necessary to provide safer access to the third floor. The amount of living area on the third floor would not be increased. The top of the dormer would be one foot below the roof ridge. It would be set back 5'-6" from the front elevation. The pitch of the roof has been changed to minimize its impact. It would be necessary for it to remain on the same plane as the wall due to the location of the stairway.

Joe Morgan moved to lift the Demolition Delay and allow the applicant to proceed with the plans as submitted. Malcolm Carnwath seconded the motion. The motion was approved by a 6-0 vote (Glenn Richards, yes; Patricia Peknik, yes; Peter McNamee, yes; Joe Morgan, yes; Christopher Fay, yes; Malcolm Carnwath, yes).

c) 10 Auburn Street

MHC is currently reviewing a perpetual preservation restriction that was proposed for the Essex County Gaol buildings, walls and landscaping that was proposed in exchange for a ZBA variance to modify the lot lines. Charles Griffin said he is proposing to add a trellis with vines to provide privacy in front of the keeper's house. The iron posts of the trellis would be mounted to large granite blocks have been placed approximately ten feet from the house.

Patricia Peknik said she would strongly oppose a violation of the terms of the preservation restriction. The public benefit that was a requirement of the variance was the preservation of the open landscape. She said Mr. Griffin conferred an important benefit to the city but also assumed limitations on alterations to the building and the landscape. The zoning variance was granted with the condition the landscape would be protected in perpetuity. She said the baseline photographs that show the open landscape in front of the structure were presented at the July 24, 2019, meeting. The Commission members at that time stressed the importance of the open landscape and said the view of the building should not be obscured with walls or plant materials. Ms. Peknik said the open lawn is an important part of the early 19th century civic landscape. The location of the gaol was changed from Federal Street to Auburn Street after the construction of the Bulfinch courthouse. Its proximity to the courthouse and the open landscape was designed to act as a deterrent and reinforce the isolation of the gaol. She said a change to the front lawn would alter the landscape of the Mall.

Christopher Fay said the language of the preservation restriction is very clear. The existing open landscape is covered by the restriction and the owner must obtain approval for any changes. There would be no meaning attached to a preservation restriction if changes could be made without approval.

Mr. Griffin said he thinks the language of the preservation restriction is imprecise. He said he believes he is able to install garden structures without approval from the Commission. Glenn Richards said his understanding of the restriction is that parking and

landscape features must be approved. He said the language regarding the landscape features is a standard part of preservation restrictions. The Commission has been responsible for approving proposed changes to the landscape of other properties upon which preservation restrictions have been placed.

Glenn Richards moved to continue the discussion to the February 11 meeting. Christopher Fay seconded the motion. The motion was approved by a 6-0 vote (Glenn Richards, yes; Patricia Peknik, yes; Peter McNamee, yes; Joe Morgan, yes; Christopher Fay, yes; Malcolm Carnwath, yes).

d) Museum of Old Newbury

Susan Edwards is seeking a letter of support for a CPA applicant for the final phase of landscape work at the Museum. The work would make the grounds contiguously ADA accessible. In the Carriage Drive, the cobblestones, granite edging and granite curbing would be removed. The drive would be re-graded and the drainage would be corrected. The cobblestones and granite would be reset on a gravel base to create an even surface. The bulkhead adjacent to the carriage barn would be removed and the ramp would be replaced. In the Orchard Garden, the brick edging, cobblestones, and granite would be removed, salvaged and cleaned. The pathway would be graded to accommodate the slope and improve drainage. The brick, cobblestones and granite would be reset in a gravel base. A board fence would be constructed along the property line that would match the existing fence. The gardens are open to the public from dawn to dusk. Glenn Richards drafted a letter of support that was posted for review on the City website.

Patricia Peknik moved to approve the draft letter of support for the CPA application as written. Malcolm Carnwath seconded the motion. The motion was approved by a 6-0 vote (Glenn Richards, yes; Patricia Peknik, yes; Peter McNamee, yes; Joe Morgan, yes; Christopher Fay, yes; Malcolm Carnwath, yes).

e) Memo from KP Law

The discussion of a memo from KP Law regarding building codes was postponed to the February 11 meeting to allow Andy Port to be in attendance.

f) MHC FY21 Survey and Planning Grant

Peter McNamee moved to approve a letter support for the City's application for an MHC grant to update the list of contributing properties. Christopher Fay seconded the motion. The motion was approved by a 6-0 vote (Glenn Richards, yes; Patricia Peknik, yes; Peter McNamee, yes; Joe Morgan, yes; Christopher Fay, yes; Malcolm Carnwath, yes).

g) Election of Officers

Christopher Fay moved to nominate Glenn Richards to the position of Chair and Patricia Peknik to the position of Vice Chair. Joe Morgan seconded the motion. The motion was approved by a 6-0 vote (Glenn Richards, yes; Patricia Peknik, yes; Peter McNamee, yes; Joe Morgan, yes; Christopher Fay, yes; Malcolm Carnwath, yes).

4. Correspondence

a) Letter from MHC

A letter was received from MHC regarding the property at 19-23 Pleasant Street. No action from the Commission was required.

5. Approval of Minutes

Patricia Peknik moved to approve the minutes of the January 14, 2021, meeting. Peter McNamee seconded the motion. The motion was approved by a 6-0 vote (Glenn Richards, yes; Patricia Peknik, yes; Peter McNamee, yes; Joe Morgan, yes; Christopher Fay, yes; Malcolm Carnwath, yes).

6. Adjournment

Joe Morgan moved to adjourn the meeting at 8:56 p.m. Peter McNamee seconded the motion. The motion was unanimously approved.