HALF CROWN NEIGHBORHOOD CONSERVATION DISTRICT

KEY

▪▪▪▪▪ NEIGHBORHOOD CONSERVATION DISTRICT BOUNDARY (BOUNDARY FOLLOWS PROPERTY LINES UNLESS OTHERWISE INDICATED)

CITY OF CAMBRIDGE
~~PRELIMINARY~~ OCTOBER-1976
DIMENSIONS FROM DEED, LAND COURT, OR LAYOUT PLANS ARE IN BRACKETS ( ) LAND COURT-MARKED L.C.-ALL OTHER DIMENSIONS ARE MEASURED

CAMBRIDGE HISTORICAL COMMISSION
APRIL 9, 1984

CCM-101

City of Cambridge

Communication # 23

IN CITY COUNCIL

April 9, 1984

WHEREAS: The procedures set forth in paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge appear to have been satisfied with respect to the designation of a neighborhood conservation district to be known as the "Half Crown Neighborhood Conservation District" having the boundaries set forth on the map hereto attached entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council on April 9, 1984", and a report of a study committee and the recommendation of the Historical Commission has been received with regard to the designation of such a district, now therefore be it

ORDERED: By the City Council of the City of Cambridge as follows:

1. Designation of Half Crown Neighborhood Conservation District.

Pursuant to paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge, there is hereby designated as a neighborhood conservation district the Half Crown Neighborhood Conservation District having the boundaries set forth on the map entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council April 9, 1984" which District shall be administered by a commission to be known as the "Half Crown Neighborhood Conservation District Commission" appointed by the City Manager pursuant to paragraph (3) of said Section 2.147(k). The reasons for the designation of the District are those set forth in the designation Report of the Study Committee dated June 10, 1983 accepted by the Historical Commission on June 14, 1983, with respect to said District, which reasons shall guide the Commission in its administration of the District.

2. Membership.

Pursuant to paragraph (3) of Section 2.147(k), the Half Crown Neighborhood Conservation District Commission shall consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be property owners, and not less than two shall be neighborhood residents. At least two of the members or alternates shall have professional qualifications related to real estate or architecture or historic preservation. The members of the Commission shall be appointed by the City Manager with regard to the diverse viewpoints expressed in the creation of the District. No member shall serve more than two consecutive terms. Notices of vacancies on the Commission shall be advertised in the Cambridge Chronicle for at least two weeks prior to appointments.

3. Review Authority.

The authority of the Commission shall extend to the review of construction, demolition, or alteration of exterior features visible from a public way, other than color, within the District. Pursuant to paragraph (5) of Section 2.147(k), however, the authority of the Commission in administering the District shall not extend to the following categories of structures or exterior architectural features, and such structures or features may be constructed or altered without review by the Commission.

A. Alterations.

The alteration of the exterior of an existing

building in a manner that does not increase or diminish the existing building envelope and that does not require the removal of any cornice, fascia, soffit, bay, porch, hood, cornerboard, or window or door casing, or any other decorative element, and that does not alter the shape of a roof.

B. Siding.

The application of vinyl, aluminium or other imitation clapboard siding in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, cornerboard or window or door casing, or any other decorative element. The application of such siding over existing wall surfaces, or the removal of previously applied siding and subsequent restoration of original wall surfaces and trim, shall not be subject to review.

C. Roofs.

The installation of flat skylights or solar collectors parallel to and in close contact with the plane of the roof and not larger than one-third the area of the roof plane in which they are installed.

D. Signs and ancillary structures.

Permanent signs of a professional nature in residential zones, temporary signs or structures, lawn statuary and recreational equipment, and other such features as may be specified by the Commission, subject to such conditions as to dimension, location, lighting, or similar matters as the Commission may specify.

E. Miscellaneous features.

Storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and other such features as may be specified by the Commission.

F. Landscape structures.

Terraces, walks, driveways, sidewalks and similar structures substantially at grade level which are not to be used for parking between the principal front wall plane of a building and the street.

G. Walls and fences.

Walls and fences less than four feet high and located between the principal front wall plane of a building and the street. Walls and fences less than six feet high elsewhere on a property shall not be subject to review.

4. Factors To Be Considered By The Commission.

The Commission shall apply certain criteria in addition to those contained in paragraph (8) of Section 2.147(k) in considering applications for certificates of appropriateness, nonapplicability, and hardship.

A. General criteria.

All applications shall be considered in terms of the impact of the proposed new construction, demolition, or alternation of an existing building on the District as a whole, and in addition with regard to the following factors:

1. the architectural and historical significance of the structures on the site, if any;
2. the physical characteristics of the site, including but not limited to existing vegetation and topography; and
3. the potential adverse effects of the proposed construction, demolition, or alteration on the surrounding properties and on the immediate streetscape.

B. Construction of a new building.

Review of the design of a proposed new building shall be made with regard to the compatibility of the building with its surroundings, and the following elements of the project shall be among those considered:

1. site layout;
2. provisions for parking;

3. volume and dimensions of the building;
4. provisions for open space and landscaping; and
5. the scale of the building in relation to its surroundings.

C. Demolition of an existing building.

The Commission shall consider the following factors when evaluating an application to demolish a building or a portion thereof;

1. architectural and historical significance of the building to be demolished, giving recognition to the eligibility or listing of the building on the National Register of Historic Places;
2. the physical condition of the building;
3. a claim of substantial hardship, financial or otherwise; and
4. the design of the proposed replacement structure, if any.

D. Alternations to existing buildings.

Review of proposed alterations to an existing building, and of all other features not exempted from review under paragraph (3) above, shall be made with regard to the following factors:

1. the architectural and historical significance of the building to be altered;
2. the extent to which the integrity of the orignal design has been retained or previously diminished; and
3. the potential adverse effect of the proposed feature or action on the existing structure, surrounding properties, and on the District as a whole.

5. Determinations By The Commission

The determinations of the Commission shall be binding only with regard to applications to construct a new building; to demolish anexisting structure if a demolition permit is required; to construct a parking lot as a principal use; and to construct an addition to an existing structure which would increase its gross floor area. In all other cases the determinations of the Commission shall be advisory in nature and shall not be binding

on the applicant. In no case shall a building permit be issued until the Commission has made a determination under the provisions of said Section 2.147(k).

6. Coordination With Other Agencies and Boards.

The Board of Zoning Appeals, Building Commissioner, Half Crown Neighborhood Conservation District Commission, and other City boards, agencies and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes within the District to the extent practicable, consistent with their respective responsibilities.

7. Reports To City Council.

The Half Crown Neighborhood Conservation District Commission, the Historical Commission, and the Planning Board shall submit a report, not later than the third anniversary of the date of this Order, to the City Manager and Council summarizing the activities of said Neighborhood Conservation District Commission during the two years following the date of this order. In preparing this Report, the Historical Commission shall hold a public hearing to determine the opinion of neighborhood residents. The Report shall also submit any recommendation which any of the signatories thereto may have with respects to amending the powers, responsibilities and/or procedures of said Neighborhood Conservation District Commission or of any other City Board, agency or official with respect to the Half Crown Neighborhood Conservation District.

In City Council April 9, 1984.
Adopted by a yea and nay vote:-
Yeas 8; Nays 0; Absent 1.
Attest:- Paul E. Healy, City Clerk.

A true copy:

ATTEST:- Paul E. Healy

Paul E. Healy, City Clerk.

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

April 6, 1984

Mr. Charles Sullivan
Conservation Commission
57 Inman Street
Cambridge, MA

Dear Mr. Sullivan:

Enclosed you will find a copy of Ordinance Number 953 regarding the Establishment of Neighborhood Conservation Districts.

The Ordinance Committee held a public hearing on Thursday, April 5, 1984 on the Half Crown Neighborhood Conservation District which is anticipated to be passed to a second reading at the City Council meeting held on April 9, 1984.

When this proposed amendment comes up for ordination we must have a final draft of the Half Crown Neighborhood Conservation District which will be incorporated in Ordinance Number 953. Therefore, I am requesting your cooperation in preparing this final draft as soon as possible as this will be ready for ordination on or after April 23, 1984.

If you have any problem on this matter, please contact me.

Your cooperation in this matter will be greatly appreciated by this office.

Very truly yours,

_____

Paul E. Healy, City Clerk.

PEH/dl

Enc. Ordinance No. 953

ORDINANCE NO. 953.

Final publication No. 2085. First publication in the Chronicle on March 12, 1981.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-One

AN ORDINANCE

In amendment to an ordinance entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter Two entitled "Administration", Article XVI entitled "Cambridge Historical Commission", is hereby amended by adding at the end thereof of section 2-147 entitled "Powers and Duties of the Commission" the following new subsection entitled "Establishment of Neighborhood Conservation Districts and Protected Landmarks", which reads as follows:

(k) Establishment of Neighborhood Conservation Districts and Protected Landmarks.

(1) Purposes. The City Council finds it necessary to enact this subsection under section 6 of the Home Rule Amendment in order to preserve, conserve and protect the beauty and heritage of the City of Cambridge and to improve the quality of its environment through identification, conservation, and maintenance of neighborhoods, areas, sites and structures which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the City; to resist and restrain environmental influences adverse to this purpose; to foster appropriate use and wider public knowledge and appreciation of such neighborhoods, areas or structures; and by furthering these purposes to promote the public welfare by making the City a more attractive and desirable place in which to live and work. To achieve these purposes, the City

may designate neighborhood conservation districts and landmarks to be administered as herein set forth.

(2) Definitions. In addition to terms defined in subsection (j)(2), the following terms, when used whether or not capitalized in this subsection, shall have the meanings set forth below, unless the context otherwise requires:

(i) "Demolition" - the act of pulling down, destroying, removing, or razing structures, or commencing the work of total or substantial destruction with the intent of completing the same.

(ii) "Exterior architectural features" - such portion of the exterior of a structure as is open to view from a public street, way, park, or body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, material and texture of exterior building materials, and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.

(iii) "Historic District" - an area so established under the authority of Chapter 40C of the General Laws.

(iv) "Landmark" - any property within the City so designated in accordance with paragraph (4).

(v) "Neighborhood Conservation District" - any area within the City so designated in accordance with paragraph (4).

(vi) "Neighborhood Conservation District Commission" or "District Commission" - a commission provided for by paragraph (3).

(vii) "Structure" - a combination of materials including a building, sign, fence, wall, terrace, walk, driveway, street, bridge, statue, monument, or other man-made feature.

(3) Neighborhood Conservation District Commission.

Upon designation as provided in paragraph (4) of any neighborhood conservation district, and unless the designation provides that the Historical Commission itself shall exercise authority with respect thereto, the City Manager shall appoint a neighborhood conservation district commission to consist of five members and three alternates. At least three of the members shall reside in the district and at least one of the members shall own property in the district. One member and one alternative shall be chosen from the Historical Commission. The neighborhood conservation district commission shall act solely in the exercise of those functions described in this subsection which are applicable to the district under its administration.

Any member or alternate of the Historical Commission may be appointed to a neighborhood conservation district commission for a term coterminous with such person's term as a member or alternate of the Historical Commission. Members and alternates of a neighborhood conservation district commission who are not members of the Historical Commission shall by reason of experience or education have demonstrable knowledge and concern for conservation and enhancement of the district. Such members shall serve for a term of three years, except that the initial appointments shall be for one member to serve one year and one member to serve two years, and vacancies shall be filled for the unexpired term of office. Each member and alternate shall continue in office after expiration of his or her term until a successor is duly appointed and qualified.

The neighborhood conservation district commission shall elect annually a chairman and vice-chairman from its own number. In the case of absence, inability to act, or unwillingness to act because of self-interest on the part of a member, his or her place shall be taken by an alternate member designated by the chairman, if available, otherwise by the vice-chairman if available, otherwise by a majority vote of the members and alternate members of the Commission present. The person exercising the function of Executive Director of the Historical Commission shall serve as secretary of each neighborhood conservation district commission. Persons serving as members or alternate members of a neighborhood conservation district commission shall, as a result of such service, be considered as "special municipal employees" for purposes of chapter 268A of the General Laws.

(4) Designations. The Historical Commission by majority vote may recommend for designation as a landmark any property within the City being or containing a place, structure, feature or object which it determines to be either (a) importantly associated with one or more historic persons or events, or with the broad architectural, aesthetic, cultural, political, economic or social history of the City or the Commonwealth or (b) historically or architecturally significant (in terms of period, style, method of construction, or association with a famous architect or builder) either by itself or in the context of a group of structures; may recommend for designation as a neighborhood conservation district any area within the City containing places and structures which it determines are of

importance to the architectural, aesthetic, cultural, political, economic or social history of the City, and which considered together cause such area to constitute a distinctive neighborhood or to have a distinctive character in terms of its exterior features; and may recommend amendments to any designation of landmark or neighborhood conservation district theretofore made.

Prior to the recommendation of designation or amendment of designation of any landmark or neighborhood conservation district an investigation and report on the historical, architectural and other relevant significance thereof shall be made. The report shall recommend the boundaries of any proposed landmark or neighborhood conservation district and shall recommend for incorporation in the order of the City Council designating each landmark or neighborhood conservation district general and/or specific standards and appropriate criteria consistent with the purposes of this subsection and the provisions of paragraph (5) that are to be applied in making any determination of the type referred to in paragraphs (7), (8), and (9) with respect to the designated landmark or within the designated neighborhood conservation district.

In the case of a landmark, the report shall be prepared by the Historical Commission. In the case of a neighborhood conservation district, the report shall be prepared by a study committee consisting of three members or alternates of the Historical Commission and four persons appointed by the City Manager, including at least one person who resides in the district under consideration, at least one person who owns property in the district under consideration, and one person who owns property or resides elsewhere in the City and has demonstrated knowledge and concern for conservation and enhancement of those exterior features of the City which are important to its distinctive character.

Any ten registered voters of the City may petition that the Historical Commission initiate, or the Historical Commission on its own may intitiate, the process of designating a landmark or neighborhood conservation district or amending or rescinding any such designation theretofore made. The Commission shall within forty-five days following the filing of such request or petition hold a preliminary hearing and arrange for the preparation of a report and, if required, request the appointment of a study committee. The Historical Commission shall not reconsider a proposed designation, amendment or rescission of designation within one year of its previous hearing thereon, unless two-thirds of all its members vote to do so. No less than forty-five nor more than sixty days after the transmittal of a report to the Commission pertaining to a proposed designation, the Commission shall hold a public hearing. The Commission shall give not less than fourteen days notice of such public hearing by publication in the Cambridge Chronicle and by mailing notice thereof to the owner of the proposed landmark and to every owner abutting the proposed landmark or within the proposed neighborhood conservation district (each such owner to be determined from the then current records of the Assessing Department), and to the City Manager, the Planning Board, and the City Clerk.

Prior to the public hearing, the Commission shall transmit copies of the report to the Planning Board for its consideration and recommendations.

The recommendation of the Historical Commission with regard to any designation, amendment or rescission shall be

transmitted to the City Manager and to the City Clerk with a copy of the approved designation report. Designation of a landmark or a neighborhood conservation district or amendment or rescission of designation shall be by order of the City Council. In the case of a designation, the order shall include a statement of the reasons for such designation and a statement of standards which the Historical Commission or neighborhood conservation district commission is to apply under Sections [5] - [9] of this subsection.

No designation, amendment or rescission of designation shall become effective until a map setting forth the boundaries of the landmark or neighborhood conservation district or change in the boundaries thereof, has been filed with the City Council and has been recorded with the Registry of Deeds for the South District of Middlesex County.

(5) Review Authority. Except as the order designating or amending a landmark or neighborhood conservation district may otherwise provide in accordance with this paragraph, the Historical Commission or neighborhood conservation district commission having jurisdiction shall review all construction, demolition or alteration that affects the exterior architectural features, other than color, of any landmark or within any neighborhood conservation district.

The order designating or amending a landmark or neighborhood conservation district may provide that the authority of the Historical Commission or neighborhood conservation district commission having jurisdiction shall not extend to the review of one or more of the following categories of structures or exterior architectural features of the landmark or within the neighborhood conservation district in which event the structures or exterior architectural features so excluded may be constructed or altered without review by the commission.

(a) The application of exterior wall material in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, window or door casing, or any other protruding decorative element.

(b) Alterations to the exterior of existing structures that do not increase or diminish the size and location of windows and doors, cause the removal of any bay, porch, hood, window or door casing or any other protruding decorative element, or alter the appearance of a roof.

(c) The exterior appearance of a new structure that does not require a variance or special permit under the zoning ordinance then in effect.

(d) Signs, temporary structures, lawn statuary, or recreational equipment, subject to such conditions as to duration of use, dimension, location, lighting, removal and similar matters as the commission may reasonably specify.

(e) Terraces, walks, driveways, sidewalks and similar structures substantially at grade level.

(f) Walls and fences.

(g) Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and similar appurtenances.

The Historical Commission or a neighborhood conservation district commission may determine from time to time after a public hearing that certain categories of exterior architectural features or structures, including, without limitation, any of those enumerated in this paragraph, if the provisions of the

applicable order do not limit the authority of such commission with respect thereto, may be constructed or altered without review by such commission without causing substantial derogation from the intent and purposes of this subsection.

(6) Maintenance, repair and reconstruction.

Nothing in this subsection shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature of a landmark or within a neighborhood conservation district which does not involve a change in design or material or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, not construed to prevent any construction or alteration under a permit duly issued prior to the effective date of the order which designates that landmark or district, nor construed to prevent the reconstruction, substantially similar in exterior design, of a structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

(7) Certificates of appropriateness, non-applicability or hardship.

Except as the order establishing or amending a landmark or neighborhood conservation district may otherwise provide, no structure designated a landmark or within a neighborhood conservation district shall be constructed or altered in any way that affects exterior architectural features unless the Historical Commission or neighborhood conservation district

commission having jurisdiction shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration.

Any person who desires to obtain a certificate from the Historical Commission or neighborhood conservation district commission shall file with the commission an application for a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship, as the case may be, in such form as the commission may reasonably determine, together with such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application.

No building permit for alteration of an exterior architectural feature of a landmark or construction of a structure or for alteration of an exterior architectural feature within a neighborhood conservation district and no demolition permit for demolition or removal of a landmark or of a structure within a neighborhood conservation district shall be issued by the City or any department thereof until the certificate required by this subsection has been issued by the Historical Commission or neighborhood conservation district commission having jurisdiction.

(8) Factors to be considered by commissions. In passing upon matters before it, the Historical Commission or neighborhood conservation district commission shall consider, among other things, the historic and architectural value and significance

of the site or structure, the general design, arrangement, texture and material of the features involved, and the relation of such features to similar features of structures in the surrounding area. In the case of new construction or additions to existing structures a commission shall consider the appropriateness of the size and shape of the structure both in relation to the land area upon which the structure is situated and to structures in the vicinity, and a commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable provision of the zoning ordinance. A commission shall not consider interior arrangements or architectural features not subject to public view.

A commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects, architectural significance or the distinctive character of the landmark or neighborhood conservation district.

(9) Powers, functions and duties of commissions. The Historical Commission and each neighborhood conservation district commission shall have like powers, functions and duties with respect to each landmark and neighborhood conservation district over which it has jurisdiction as is provided historic district commissions under clauses (a) - (g) under section 10 of Chapter 40C of the General Laws with respect to historic districts, including without limitation with respect to the approval and disapproval of certificates of appropriateness, nonapplicability and hardship, the dating and signing of such certificates, the keeping of records and adoption of rules and regulations, the filing with

the City Clerk and Building Department of certificates and determinations of disapproval by it, and the determination of designs of appurtenances (excluding colors) which will meet the requirements of the landmark or neighborhood conservation district.

(10) Procedures for public meetings and hearings.

The Historical Commission and each neighborhood conservation district commission shall adopt rules for the reasonable conduct of its meetings and public hearings, which rules shall not be inconsistent with the procedures provided for meetings of and hearings by historic district commissions under section 11 of Chapter 40C of the General Laws: and in the absence of the adoption of any such rules, meetings and public hearings of the Historical Commission and of each neighborhood conservation district commission shall be in conformity with the provisions of section 11 of Chapter 40C applicable to historic district commissions.

(11) Appeals.

Any person aggrieved by a designation of a landmark or district may appeal to the Superior Court within thirty days after such designation. Any applicant aggrieved by a determination of a neighborhood conservation district commission or ten registered voters of the City opposing a determination under this subsection may appeal to the Historical Commission within twenty days after the filing of the notice of such determination with the City Clerk. The Historical Commission may overrule the determination and return it for reconsideration consistent with that finding. If the applicant is aggrieved by the determination of the Historical Commission, or if action is not taken by the Historical Commission within thirty days of filing for review, the applicant may appeal to the Superior Court. Appeal from a Historical Commission determination shall be taken within thirty days of the formal decision; appeal from a failure to act shall be

taken within sixty days after the filing for review. The Superior Court may reverse a determination if it is not supported by substantial evidence in the record. In all other respects, the appeal shall be made in the same manner as provided under Section 12A of Chapter 40C of the General Laws.

(12) Enforcement and remedies.

The Historical Commission and any neighborhood conservation district commission are each specifically authorized to institute any and all actions, proceedings in law and in equity, as they deem necessary and appropriate to obtain compliance with the requirements of this subsection or to prevent a threatened violation thereof. Any violation of any provision of this subsection may be punished to the like extent provided in section 13 of Chapter 40C of the General Laws for a violation of said chapter. In addition to the foregoing, no building permit shall be issued, with respect to any premises upon which a landmark or a structure within any neighborhood conservation district has been voluntarily demolished otherwise than pursuant to a certificate granted after compliance with the provisions of this subsection, for a period of two years after the date of the completion of such demolition (the word "premises" for the purposes of this sentence referring to the parcel of land upon which the demolished structure was located and all adjoining parcels of land under common ownership or control.)

(13) Historical Commission authority not limited.

No provisions of this subsection shall alter or diminish the duties and functions of the Historical Commission under the authority of chapter 40, section 8D, and chapter 40C of the General Laws, or apply to any historic district currently administered by said commission, or restrict the establishment of any future historic district under said chapter 40C.

(14) Limitation on applicability of demolition ordinance.

The provisions of subsection (j) of the General Ordinances of the City of Cambridge (relative to procedures for demolition permits for significant buildings) shall not be applicable with respect to the demolition of any structure within a neighborhood conservation district if the appropriate neighborhood conservation district commission has issued a certificate of appropriateness or a certificate of hardship permitting the demolition of such structure.

(15) Severability.

The provisions of this subsection are severable. If any of its provisions shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

In City Council March 23, 1981.

Passed to be ordained as amended by a yea and nay vote: Yeas 7; Nays 2; Absent 0.

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.

DRAFT
March 11, 1983
May 2, 1983

9 #123

PROPOSED ORDER ESTABLISHING THE HALF CROWN NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION

WHEREAS, the procedures set forth in paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge appear to have been satisfied with respect to the designation of a neighborhood conservation district to be known as the "Half Crown Neighborhood Conservation District" having the boundaries set forth on the map hereto attached entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)", and a report of a study committee and the recommendation of the Historical Commission has been received with regard to the designation of such a district.

NOW, THEREFORE, be it ordered by the City Council of the City of Cambridge as follows:

1. Designation of Half Crown Neighborhood Conservation District

Pursuant to paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge, there is hereby designated as a neighborhood

conservation district the Half Crown Neighborhood Conservation District having the boundaries set forth on the map entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)" (for purposes of this Order, the "District"), which District shall be administered by a commission to be known as the "Half Crown Neighborhood Conservation District Commission" (for purposes of this Order, the "Commission"), appointed by the City Manager pursuant to paragraph (3) of said Section 2.147(k). The reasons for the designation of the District are those set forth in the designation report of the study committee (for the purposes of this Order, the "Report"), dated June 10, 1983, accepted by the Historical Commission on June 14, 1983, with respect to said District, which reasons shall guide the Commission in its administration of the District.

2. Membership

Pursuant to paragraph (3) of Section 2.147(k), the Half Crown Neighborhood Conservation District Commission shall consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be property owners, and not less than two shall be neighborhood residents. At least two of the

members or alternates shall have professional qualifications related to real estate or architecture or historic preservation. The members of the Commission shall be appointed by the City Manager with regard to the diverse viewpoints expressed in the creation of the District. No member shall serve more than two consecutive terms. Notices of vacancies on the Commission shall be advertised in the Cambridge Chronicle for at least two weeks prior to appointments.

3. Review Authority

The authority of the Commission shall extend to the review of construction, demolition, or alteration of exterior features visible from a public way, other than color, within the District. Pursuant to paragraph (5) of Section 2.147(k), however, the authority of the Commission in administering the District shall not extend to the following categories of structures or exterior architectural features, and such structures or features may be constructed or altered without review by the Commission:

A. Alterations. The alteration of the exterior of an existing building in a manner that does not increase or diminish the existing building envelope and that does not require the removal of any cornice, fascia, soffit, bay, porch, hood, cornerboard, or window or door casing, or any

other decorative element, and that does not alter the shape of a roof.

B. Siding. The application of vinyl, aluminum or other imitation clapboard siding in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, corner-board or window or door casing, or any other decorative element. The application of such siding over existing wall surfaces, or the removal of previously applied siding and subsequent restoration of original wall surfaces and trim, shall not be subject to review.

C. Roofs. The installation of flat skylights or solar collectors parallel to and in close contact with the plane of the roof and not larger than one-third the area of the roof plane in which they are installed.

D. Signs and ancillary structures. Permanent signs of a professional nature in residential zones, temporary signs or structures, lawn statuary and recreational equipment, and other such features as may be specified by the Commission, subject to such conditions as to dimension, location, lighting, or similar matters as the Commission may specify.

E. Miscellaneous features. Storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and other such features as may be specified by the Commission.

F. Landscape structures. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level which are not to be used for parking between the principal front wall plane of a building and the street.

G. Walls and fences. Walls and fences less than four feet high and located between the principal front wall plane of a building and the street. Walls and fences less than six feet high elsewhere on a property shall not be subject to review.

4. Factors To Be Considered By The Commission

The Commission shall apply certain criteria in addition to those contained in paragraph (8) of Section 2.147(k) in considering applications for certificates of appropriateness, nonapplicability, and hardship.

A. General criteria. All applications shall be considered in terms of the impact of the proposed new construction, demolition, or alteration of an

existing building on the District as a whole, and in addition with regard to the following factors:

1. the architectural and historical significance of the structures on the site, if any;
2. the physical characteristics of the site, including but not limited to existing vegetation and topography; and
3. the potential adverse effects of the proposed construction, demolition, or alteration on the surrounding properties and on the immediate streetscape.

B. Construction of a new building. Review of the design of a proposed new building shall be made with regard to the compatibility of the building with its surroundings, and the following elements of the project shall be among those considered:

1. site layout;
2. provisions for parking;
3. volume and dimensions of the building;
4. provisions for open space and landscaping; and
5. the scale of the building in relation to its surroundings.

C. Demolition of an existing building. The Commission shall consider the following factors when evaluating

an application to demolish a building or a portion thereof:

1. the architectural and historical significance of the building to be demolished, giving recognition to the eligibility or listing of the building on the National Register of Historic Places;
2. the physical condition of the building;
3. a claim of substantial hardship, financial or otherwise; and
4. the design of the proposed replacement structure, if any.

D. Alterations to existing buildings. Review of proposed alterations to an existing building, and of all other features not exempted from review under paragraph (3) above, shall be made with regard to the following factors:

1. the architectural and historical significance of the building to be altered;
2. the extent to which the integrity of the original design has been retained or previously diminished; and
3. the potential adverse effect of the proposed feature or action on the existing structure,

surrounding properties, and on the District as a whole.

5. Determinations By The Commission

The determinations of the Commission shall be binding only with regard to applications to construct a new building; to demolish an existing structure if a demolition permit is required; to construct a parking lot as a principal use; and to construct an addition to an existing structure which would increase its gross floor area. In all other cases the determinations of the Commission shall be advisory in nature and shall not be binding on the applicant. In no case shall a building permit be issued until the Commission has made a determination under the provisions of said Section 2.147(k).

6. Coordination With Other Agencies And Boards

The Board of Zoning Appeals, Building Commissioner, Half Crown Neighborhood Conservation District Commission, and other City boards, agencies and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes within the District to the extent practicable, consistent with their respective responsibilities.

7. Reports To City Council

The Half Crown Neighborhood Conservation District Commission, the Historical Commission, and the Planning Board shall submit a report, not later than the third anniversary of the date of this Order, to the City Manager and Council summarizing the activities of said Neighborhood Conservation District Commission during the two years following the date of this Order. In preparing this Report, the Historical Commission shall hold a public hearing to determine the opinion of neighborhood residents. The Report shall also submit any recommendation which any of the signatories thereto may have with respects to amending the powers, responsibilities and/or procedures of said Neighborhood Conservation District Commission or of any other City board, agency or official with respect to the Half Crown Neighborhood Conservation District.

8-0-1

1)

2 Hearing April 9, 1984

The Committee on Ordinances composed of the entire membership of the City Council to which was referred a proposed order for adoption by the City Council under the provisions of Ordinance #953 as amended by action of the City Council on March 23, 1981 met on Thursday April 5, 1984 in the City Council Chamber at 810PM The proposed order establishing the

Half Crown Neighborhood Conservation

Commission was before the committee

for discussion.

Councilman David Sullivan, Chairman, presided and called for the proponents to appear.

In response to the 15 Berry Street Case of the Chair Mr William Stone appeared and registered his appearance and stated that Boone Schrimer of 17 Berry Street would serve as spokesman for the neighborhood who stressed the quality of neighborhood ~~Mr Schrimer~~ life in the area and the " for preserve the four.

2/ atmosphere by this democratic process and further stated that the order would insure stability in the area. He stated that the majority of the people favored this order

In response to the Chair twenty three persons in the Chamber registered their approval by a show of hands

The hearing for the proponents was closed at 8:23 pm and the Chair called for the opposition to be heard

A representative of the Hadley Trust the owners of property at 5 ~~Bore Street~~ 5 Bore Street, a six family dwelling house protested any additional restrictions to the property which she stated was now under Rent Control and stated that the proposed order could create a permanent slum and is ~~[illegible]~~ adequately protected by existing laws; and that the proposed order does not serve the entire community, Thus in view of the escalating taxes in the State, the property restrictions would

3/ have a negative effect on improvements that the property was not possessed of a unique character contemplated by the ordinance providing for the establishment of Neighborhood Conservation Districts

Councillor Duehay stated that the neighborhood, a low rise area, should be preserved and that the area had lost too much of its residential character by economic expansion in the surrounding streets. He recorded his support for the order and urged the Committee to support the proposal

Councillor Wolfe stated she would support the order

No one else having appeared in opposition at the call of the Chair who closed the hearing for the opposition at 835 PM.

4/ The Chairman requested that all persons assembled who favor the proposed order raise themselves by writing or paper provided for that purpose

In response to the request of the Clerk twenty five persons signed a petition favoring the enactment of the order

This petition is appended to the record and designated as Appendix A.

Attached to the record is Ordinance # 953 as amended and designated as Appendix B.

The proposed order establishing the Ship Creek Neighborhood District is attached to the record and designated as Appendix C

5/

Councilor Dineley then moved that the proposed order be reported favorably to the City Council and in accordance with the motion carried ~~unanimously~~ and the hearing was adjourned at 7:30pm

For the Committee

Councilor David DeHaas

Chairman

City of Cambridge

In City Council April 9, 1984

The Ordinance *Committee*
comprised of the entire membership of the City Council
to which was referred a proposed order for adoption by the City Council under the provisions of ordinance #953 as amended by action of the City Council on March 23, 1981 met on Thursday, April 5, 1984 in the City Council Chamber at eight o'clock and ten minutes p. m. The proposed order establishing the HALF CROWN NEIGHBORHOOD CONSERVATION COMMISSION was before the Committee for discussion.

Councillor David Sullivan, Chairman, presided and called for the proponents to appear.

In response to the call of the Chair, Mr. William Stoner, 15 Gerry Street, appeared and registered his approval and stated that Boone Schrimer of 17 Gerry Street would serve as a spokesman for the neighborhood who stressed the quality of neighborhood life in the area and the necessity for preserving the friendly atmosphere by this democratic process and further stated that the order would insure stability in the area. He stated that the majority of the people favored the order.

In response to the Chair twenty-three persons in the Chamber registered their approval by a show of hands.

The hearing for the proponents was closed at eight o'clock and twenty-three minutes p. m. and the Chair called for the opposition to be heard.

A representative of the Hadley Trust, the owners of property at 5 Gore Street, a six family dwelling house, protested any additional restrictions to this property which she stated was now under Rent Control and stated that the proposed order could create a permanent slum and is adequately protected by existing laws, and that the proposed order does not serve the entire community, that in view of the escalating taxes in the state, the property restrictions would have a negative effect on improvements that the property was not possessed of a unique character contemplated by the ordinance providing for the establishment of Neighborhood Conservation Districts.

Councillor Duehay stated that the neighborhood, a low rise area, should be preserved and that the area had lost too much of its residential character by economics expansion in the surrounding streets. He recorded his support for the order and urged the committee to support the proposal.

Councillor Wolf stated that she would support the order.

No one else having appeared in opposition at the call of the Chair who closed the hearing for the opposition at eight o'clock and thirty-five minutes p. m.

The Chairman requested that all persons assembled who favored the proposed order record themselves in writing on paper provided for that purpose.

In response to the request of the Chair twenty-five persons signed a petition favoring the enactment of the order. This petition is appended to the record and designated as Appendix A. Attached to the record is Ordinance Number 953 as amended and designated as Appendix B.

The proposed order establishing the Half Crown Neighborhood District is attached to the record and designated as Appendix C.

Councillor Duehay then moved that the proposed order be reported favorably to the City Council and on a voice vote the motion carried.

The hearing was adjourned at eight o'clock and thirty-seven minutes p. m.

For the Committee,

Councillor David Sullivan,
Chairman.

City of Cambridge

In City Council April 9, 1984

The Ordinance *Committee*
comprised of the entire membership of the City Council
to which was referred a proposed order for adoption by the City Council under the provisions of ordinance #953 as amended by action of the City Council on March 23, 1981 met on Thursday, April 5, 1984 in the City Council Chamber at eight o'clock and ten minutes p. m. The proposed order establishing the HALF CROWN NEIGHBORHOOD CONSERVATION COMMISSION was before the Committee for discussion.

Councillor David Sullivan, Chairman, presided and called for the proponents to appear.

In response to the call of the Chair, Mr. William Stoner, 15 Gerry Street, appeared and registered his approval and stated that Boone Schrimer of 17 Gerry Street would serve as a spokesman for the neighborhood who stressed the quality of neighborhood life in the area and the necessity for preserving the friendly atmosphere by this democratic process and further stated that the order would insure stability in the area. He stated that the majority of the people favored the order.

In response to the Chair twenty-three persons in the Chamber registered their approval by a show of hands.

The hearing for the proponents was closed at eight o'clock and twenty-three minutes p. m. and the Chair called for the opposition to be heard.

A representative of the Hadley Trust, the owners of property at 5 Gore Street, a six family dwelling house, protested any additional restrictions to this property which she stated was now under Rent Control and stated that the proposed order could create a permanent slum and is adequately protected by existing laws, and that the proposed order does not serve the entire community, that in view of the escalating taxes in the state, the property restrictions would have a negative effect on improvements that the property was not possessed of a unique character contemplated by the ordinance providing for the establishment of Neighborhood Conservation Districts.

REPORT

Committee on

Councillor Duehay stated that the neighborhood, a low rise area, should be preserved and that the area had lost too much of its residential character by economics expansion in the surrounding streets. He recorded his support for the order and urged the committee to support the proposal.

Councillor Wolf stated that she would support the order.

No one else having appeared in opposition at the call of the Chair who closed the hearing for the opposition at eight o'clock and thirty-five minutes p. m.

The Chairman requested that all persons assembled who favored the proposed order record themselves in writing on paper provided for that purpose.

In response to the request of the Chair twenty-five persons signed a petition favoring the enactment of the order. This petition is appended to the record and designated as Appendix A. Attached to the record is Ordinance Number 953 as amended and designated as Appendix B.

The proposed order establishing the Half Crown Neighborhood District is attached to the record and designated as Appendix C.

Councillor Duehay then moved that the proposed order be reported favorably to the City Council and on a voice vote the motion carried.

The hearing was adjourned at eight o'clock and thirty-seven minutes p. m.

For the Committee,

David E. Sullivan

Councillor David Sullivan,
Chairman.

Appendix B.

ORDINANCE NO. 953.

Final publication No. 2085. First publication in the Chronicle on March 12, 1981.

4/5/1984

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-One

AN ORDINANCE

In amendment to an ordinance entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter Two entitled "Administration", Article XVI entitled "Cambridge Historical Commission", is hereby amended by adding at the end thereof of section 2-147 entitled "Powers and Duties of the Commission" the following new subsection entitled "Establishment of Neighborhood Conservation Districts and Protected Landmarks", which reads as follows:

(k) Establishment of Neighborhood Conservation Districts and Protected Landmarks.

(1) Purposes. The City Council finds it necessary to enact this subsection under section 6 of the Home Rule Amendment in order to preserve, conserve and protect the beauty and heritage of the City of Cambridge and to improve the quality of its environment through identification, conservation, and maintenance of neighborhoods, areas, sites and structures which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the City; to resist and restrain environmental influences adverse to this purpose; to foster appropriate use and wider public knowledge and appreciation of such neighborhoods, areas or structures; and by furthering these purposes to promote the public welfare by making the City a more attractive and desirable place in which to live and work. To achieve these purposes, the City

may designate neighborhood conservation districts and landmarks to be administered as herein set forth.

(2) Definitions. In addition to terms defined in subsection (j)(2), the following terms, when used whether or not capitalized in this subsection, shall have the meanings set forth below, unless the context otherwise requires:

(i) "Demolition" - the act of pulling down, destroying, removing, or razing structures, or commencing the work of total or substantial destruction with the intent of completing the same.

(ii) "Exterior architectural features" - such portion of the exterior of a structure as is open to view from a public street, way, park, or body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, material and texture of exterior building materials, and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.

(iii) "Historic District" - an area so established under the authority of Chapter 40C of the General Laws.

(iv) "Landmark" - any property within the City so designated in accordance with paragraph (4).

(v) "Neighborhood Conservation District" - any area within the City so designated in accordance with paragraph (4).

(vi) "Neighborhood Conservation District Commission" or "District Commission" - a commission provided for by paragraph (3).

(vii) "Structure" - a combination of materials including a building, sign, fence, wall, terrace, walk, driveway, street, bridge, statue, monument, or other man-made feature.

(3) Neighborhood Conservation District Commission.

Upon designation as provided in paragraph (4) of any neighborhood conservation district, and unless the designation provides that the Historical Commission itself shall exercise authority with respect thereto, the City Manager shall appoint a neighborhood conservation district commission to consist of five members and three alternates. At least three of the members shall reside in the district and at least one of the members shall own property in the district. One member and one alternative shall be chosen from the Historical Commission. The neighborhood conservation district commission shall act solely in the exercise of those functions described in this subsection which are applicable to the district under its administration.

Any member or alternate of the Historical Commission may be appointed to a neighborhood conservation district commission for a term coterminous with such person's term as a member or alternate of the Historical Commission. Members and alternates of a neighborhood conservation district commission who are not members of the Historical Commission shall by reason of experience or education have demonstrable knowledge and concern for conservation and enhancement of the district. Such members shall serve for a term of three years, except that the initial appointments shall be for one member to serve one year and one member to serve two years, and vacancies shall be filled for the unexpired term of office. Each member and alternate shall continue in office after expiration of his or her term until a successor is duly appointed and qualified.

The neighborhood conservation district commission shall elect annually a chairman and vice-chairman from its own number. In the case of absence, inability to act, or unwillingness to act because of self-interest on the part of a member, his or her place shall be taken by an alternate member designated by the chairman, if available, otherwise by the vice-chairman if available, otherwise by a majority vote of the members and alternate members of the Commission present. The person exercising the function of Executive Director of the Historical Commission shall serve as secretary of each neighborhood conservation district commission. Persons serving as members or alternate members of a neighborhood conservation district commission shall, as a result of such service, be considered as "special municipal employees" for purposes of chapter 268A of the General Laws.

(4) Designations. The Historical Commission by majority vote may recommend for designation as a landmark any property within the City being or containing a place, structure, feature or object which it determines to be either (a) importantly associated with one or more historic persons or events, or with the broad architectural, aesthetic, cultural, political, economic or social history of the City or the Commonwealth or (b) historically or architecturally significant (in terms of period, style, method of construction, or association with a famous architect or builder) either by itself or in the context of a group of structures; may recommend for designation as a neighborhood conservation district any area within the City containing places and structures which it determines are of

importance to the architectural, aesthetic, cultural, political, economic or social history of the City, and which considered together cause such area to constitute a distinctive neighborhood or to have a distinctive character in terms of its exterior features; and may recommend amendments to any designation of landmark or neighborhood conservation district theretofore made.

Prior to the recommendation of designation or amendment of designation of any landmark or neighborhood conservation district an investigation and report on the historical, architectural and other relevant significance thereof shall be made. The report shall recommend the boundaries of any proposed landmark or neighborhood conservation district and shall recommend for incorporation in the order of the City Council designating each landmark or neighborhood conservation district general and/or specific standards and appropriate criteria consistent with the purposes of this subsection and the provisions of paragraph (5) that are to be applied in making any determination of the type referred to in paragraphs (7), (8), and (9) with respect to the designated landmark or within the designated neighborhood conservation district.

In the case of a landmark, the report shall be prepared by the Historical Commission. In the case of a neighborhood conservation district, the report shall be prepared by a study committee consisting of three members or alternates of the Historical Commission and four persons appointed by the City Manager, including at least one person who resides in the district under consideration, at least one person who owns property in the district under consideration, and one person who owns property or resides elsewhere in the City and has demonstrated knowledge and concern for conservation and enhancement of those exterior features of the City which are important to its distinctive character.

Any ten registered voters of the City may petition that the Historical Commission initiate, or the Historical Commission on its own may intitiate, the process of designating a landmark or neighborhood conservation district or amending or rescinding any such designation theretofore made. The Commission shall within forty-five days following the filing of such request or petition hold a preliminary hearing and arrange for the preparation of a report and, if required, request the appointment of a study committee. The Historical Commission shall not reconsider a proposed designation, amendment or rescission of designation within one year of its previous hearing thereon, unless two-thirds of all its members vote to do so. No less than forty-five nor more than sixty days after the transmittal of a report to the Commission pertaining to a proposed designation, the Commission shall hold a public hearing. The Commission shall give not less than fourteen days notice of such public hearing by publication in the Cambridge Chronicle and by mailing notice thereof to the owner of the proposed landmark and to every owner abutting the proposed landmark or within the proposed neighborhood conservation district (each such owner to be determined from the then current records of the Assessing Department), and to the City Manager, the Planning Board, and the City Clerk.

Prior to the public hearing, the Commission shall transmit copies of the report to the Planning Board for its consideration and recommendations.

The recommendation of the Historical Commission with regard to any designation, amendment or rescission shall be

transmitted to the City Manager and to the City Clerk with a copy of the approved designation report. Designation of a landmark or a neighborhood conservation district or amendment or rescission of designation shall be by order of the City Council. In the case of a designation, the order shall include a statement of the reasons for such designation and a statement of standards which the Historical Commission or neighborhood conservation district commission is to apply under Sections [5] - [9] of this subsection.

No designation, amendment or rescission of designation shall become effective until a map setting forth the boundaries of the landmark or neighborhood conservation district or change in the boundaries thereof, has been filed with the City Council and has been recorded with the Registry of Deeds for the South District of Middlesex County.

(5) Review Authority. Except as the order designating or amending a landmark or neighborhood conservation district may otherwise provide in accordance with this paragraph, the Historical Commission or neighborhood conservation district commission having jurisdiction shall review all construction, demolition or alteration that affects the exterior architectural features, other than color, of any landmark or within any neighborhood conservation district.

The order designating or amending a landmark or neighborhood conservation district may provide that the authority of the Historical Commission or neighborhood conservation district commission having jurisdiction shall not extend to the review of one or more of the following categories of structures or exterior architectural features of the landmark or within the neighborhood conservation district in which event the structures or exterior architectural features so excluded may be constructed or altered without review by the commission.

(a) The application of exterior wall material in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, window or door casing, or any other protruding decorative element.

(b) Alterations to the exterior of existing structures that do not increase or diminish the size and location of windows and doors, cause the removal of any bay, porch, hood, window or door casing or any other protruding decorative element, or alter the appearance of a roof.

(c) The exterior appearance of a new structure that does not require a variance or special permit under the zoning ordinance then in effect.

(d) Signs, temporary structures, lawn statuary, or recreational equipment, subject to such conditions as to duration of use, dimension, location, lighting, removal and similar matters as the commission may reasonably specify.

(e) Terraces, walks, driveways, sidewalks and similar structures substantially at grade level.

(f) Walls and fences.

(g) Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and similar appurtenances.

The Historical Commission or a neighborhood conservation district commission may determine from time to time after a public hearing that certain categories of exterior architectural features or structures, including, without limitation, any of those enumerated in this paragraph, if the provisions of the

applicable order do not limit the authority of such commission with respect thereto, may be constructed or altered without review by such commission without causing substantial derogation from the intent and purposes of this subsection.

(6) Maintenance, repair and reconstruction.

Nothing in this subsection shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature of a landmark or within a neighborhood conservation district which does not involve a change in design or material or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, not construed to prevent any construction or alteration under a permit duly issued prior to the effective date of the order which designates that landmark or district, nor construed to prevent the reconstruction, substantially similar in exterior design, of a structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

(7) Certificates of appropriateness, non-applicability or hardship.

Except as the order establishing or amending a landmark or neighborhood conservation district may otherwise provide, no structure designated a landmark or within a neighborhood conservation district shall be constructed or altered in any way that affects exterior architectural features unless the Historical Commission or neighborhood conservation district

commission having jurisdiction shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration.

Any person who desires to obtain a certificate from the Historical Commission or neighborhood conservation district commission shall file with the commission an application for a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship, as the case may be, in such form as the commission may reasonably determine, together with such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application.

No building permit for alteration of an exterior architectural feature of a landmark or construction of a structure or for alteration of an exterior architectural feature within a neighborhood conservation district and no demolition permit for demolition or removal of a landmark or of a structure within a neighborhood conservation district shall be issued by the City or any department thereof until the certificate required by this subsection has been issued by the Historical Commission or neighborhood conservation district commission having jurisdiction.

(8) Factors to be considered by commissions. In passing upon matters before it, the Historical Commission or neighborhood conservation district commission shall consider, among other things, the historic and architectural value and significance

of the site or structure, the general design, arrangement, texture and material of the features involved, and the relation of such features to similar features of structures in the surrounding area. In the case of new construction or additions to existing structures a commission shall consider the appropriateness of the size and shape of the structure both in relation to the land area upon which the structure is situated and to structures in the vicinity, and a commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable provision of the zoning ordinance. A commission shall not consider interior arrangements or architectural features not subject to public view.

A commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects, architectural significance or the distinctive character of the landmark or neighborhood conservation district.

(9) Powers, functions and duties of commissions. The Historical Commission and each neighborhood conservation district commission shall have like powers, functions and duties with respect to each landmark and neighborhood conservation district over which it has jurisdiction as is provided historic district commissions under clauses (a) - (g) under section 10 of Chapter 40C of the General Laws with respect to historic districts, including without limitation with respect to the approval and disapproval of certificates of appropriateness, nonapplicability and hardship, the dating and signing of such certificates, the keeping of records and adoption of rules and regulations, the filing with

the City Clerk and Building Department of certificates and determinations of disapproval by it, and the determination of designs of appurtenances (excluding colors) which will meet the requirements of the landmark or neighborhood conservation district.

(10) Procedures for public meetings and hearings.

The Historical Commission and each neighborhood conservation district commission shall adopt rules for the reasonable conduct of its meetings and public hearings, which rules shall not be inconsistent with the procedures provided for meetings of and hearings by historic district commissions under section 11 of Chapter 40C of the General Laws: and in the absence of the adoption of any such rules, meetings and public hearings of the Historical Commission and of each neighborhood conservation district commission shall be in conformity with the provisions of section 11 of Chapter 40C applicable to historic district commissions.

(11) Appeals.

Any person aggrieved by a designation of a landmark or district may appeal to the Superior Court within thirty days after such designation. Any applicant aggrieved by a determination of a neighborhood conservation district commission or ten registered voters of the City opposing a determination under this subsection may appeal to the Historical Commission within twenty days after the filing of the notice of such determination with the City Clerk. The Historical Commission may overrule the determination and return it for reconsideration consistent with that finding. If the applicant is aggrieved by the determination of the Historical Commission, or if action is not taken by the Historical Commission within thirty days of filing for review, the applicant may appeal to the Superior Court. Appeal from a Historical Commission determination shall be taken within thirty days of the formal decision; appeal from a failure to act shall be

taken within sixty days after the filing for review. The Superior Court may reverse a determination if it is not supported by substantial evidence in the record. In all other respects, the appeal shall be made in the same manner as provided under Section 12A of Chapter 40C of the General Laws.

(12) Enforcement and remedies.

The Historical Commission and any neighborhood conservation district commission are each specifically authorized to institute any and all actions, proceedings in law and in equity, as they deem necessary and appropriate to obtain compliance with the requirements of this subsection or to prevent a threatened violation thereof. Any violation of any provision of this subsection may be punished to the like extent provided in section 13 of Chapter 40C of the General Laws for a violation of said chapter. In addition to the foregoing, no building permit shall be issued, with respect to any premises upon which a landmark or a structure within any neighborhood conservation district has been voluntarily demolished otherwise than pursuant to a certificate granted after compliance with the provisions of this subsection, for a period of two years after the date of the completion of such demolition (the word "premises" for the purposes of this sentence referring to the parcel of land upon which the demolished structure was located and all adjoining parcels of land under common ownership or control.)

(13) Historical Commission authority not limited.

No provisions of this subsection shall alter or diminish the duties and functions of the Historical Commission under the authority of chapter 40, section 8D, and chapter 40C of the General Laws, or apply to any historic district currently administered by said commission, or restrict the establishment of any future historic district under said chapter 40C.

(14) Limitation on applicability of demolition ordinance.

The provisions of subsection (j) of the General Ordinances of the City of Cambridge (relative to procedures for demolition permits for significant buildings) shall not be applicable with respect to the demolition of any structure within a neighborhood conservation district if the appropriate neighborhood conservation district commission has issued a certificate of appropriateness or a certificate of hardship permitting the demolition of such structure.

(15) Severability.

The provisions of this subsection are severable. If any of its provisions shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

In City Council March 23, 1981.

Passed to be ordained as amended by a yea and nay vote: Yeas 7; Nays 2; Absent 0.

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.

Appendix C
4/5/1984

DRAFT
March 11, 1983
May 2, 1983

PROPOSED ORDER ESTABLISHING THE HALF CROWN NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION

WHEREAS, the procedures set forth in paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge appear to have been satisfied with respect to the designation of a neighborhood conservation district to be known as the "Half Crown Neighborhood Conservation District" having the boundaries set forth on the map hereto attached entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)", and a report of a study committee and the recommendation of the Historical Commission has been received with regard to the designation of such a district.

NOW, THEREFORE, be it ordered by the City Council of the City of Cambridge as follows:

1. Designation of Half Crown Neighborhood Conservation District

Pursuant to paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge, there is hereby designated as a neighborhood

conservation district the Half Crown Neighborhood Conservation District having the boundaries set forth on the map entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)" (for purposes of this Order, the "District"), which District shall be administered by a commission to be known as the "Half Crown Neighborhood Conservation District Commission" (for purposes of this Order, the "Commission"), appointed by the City Manager pursuant to paragraph (3) of said Section 2.147(k). The reasons for the designation of the District are those set forth in the designation report of the study committee (for the purposes of this Order, the "Report"), dated June 10, 1983, accepted by the Historical Commission on June 14, 1983, with respect to said District, which reasons shall guide the Commission in its administration of the District.

2. Membership

Pursuant to paragraph (3) of Section 2.147(k), the Half Crown Neighborhood Conservation District Commission shall consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be property owners, and not less than two shall be neighborhood residents. At least two of the

members or alternates shall have professional qualifications related to real estate or architecture or historic preservation. The members of the Commission shall be appointed by the City Manager with regard to the diverse viewpoints expressed in the creation of the District. No member shall serve more than two consecutive terms. Notices of vacancies on the Commission shall be advertised in the Cambridge Chronicle for at least two weeks prior to appointments.

3. Review Authority

The authority of the Commission shall extend to the review of construction, demolition, or alteration of exterior features visible from a public way, other than color, within the District. Pursuant to paragraph (5) of Section 2.147(k), however, the authority of the Commission in administering the District shall not extend to the following categories of structures or exterior architectural features, and such structures or features may be constructed or altered without review by the Commission:

A. Alterations. The alteration of the exterior of an existing building in a manner that does not increase or diminish the existing building envelope and that does not require the removal of any cornice, fascia, soffit, bay, porch, hood, cornerboard, or window or door casing, or any

other decorative element, and that does not alter the shape of a roof.

B. Siding. The application of vinyl, aluminum or other imitation clapboard siding in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, corner-board or window or door casing, or any other decorative element. The application of such siding over existing wall surfaces, or the removal of previously applied siding and subsequent restoration of original wall surfaces and trim, shall not be subject to review.

C. Roofs. The installation of flat skylights or solar collectors parallel to and in close contact with the plane of the roof and not larger than one-third the area of the roof plane in which they are installed.

D. Signs and ancillary structures. Permanent signs of a professional nature in residential zones, temporary signs or structures, lawn statuary and recreational equipment, and other such features as may be specified by the Commission, subject to such conditions as to dimension, location, lighting, or similar matters as the Commission may specify.

E. Miscellaneous features. Storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and other such features as may be specified by the Commission.

F. Landscape structures. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level which are not to be used for parking between the principal front wall plane of a building and the street.

G. Walls and fences. Walls and fences less than four feet high and located between the principal front wall plane of a building and the street. Walls and fences less than six feet high elsewhere on a property shall not be subject to review.

4. Factors To Be Considered By The Commission

The Commission shall apply certain criteria in addition to those contained in paragraph (8) of Section 2.147(k) in considering applications for certificates of appropriateness, nonapplicability, and hardship.

A. General criteria. All applications shall be considered in terms of the impact of the proposed new construction, demolition, or alteration of an

existing building on the District as a whole, and in addition with regard to the following factors:

1. the architectural and historical significance of the structures on the site, if any;
2. the physical characteristics of the site, including but not limited to existing vegetation and topography; and
3. the potential adverse effects of the proposed construction, demolition, or alteration on the surrounding properties and on the immediate streetscape.

B. Construction of a new building. Review of the design of a proposed new building shall be made with regard to the compatibility of the building with its surroundings, and the following elements of the project shall be among those considered:

1. site layout;
2. provisions for parking;
3. volume and dimensions of the building;
4. provisions for open space and landscaping; and
5. the scale of the building in relation to its surroundings.

C. Demolition of an existing building. The Commission shall consider the following factors when evaluating

an application to demolish a building or a portion thereof:

1. the architectural and historical significance of the building to be demolished, giving recognition to the eligibility or listing of the building on the National Register of Historic Places;
2. the physical condition of the building;
3. a claim of substantial hardship, financial or otherwise; and
4. the design of the proposed replacement structure, if any.

D. Alterations to existing buildings. Review of proposed alterations to an existing building, and of all other features not exempted from review under paragraph (3) above, shall be made with regard to the following factors:

1. the architectural and historical significance of the building to be altered;
2. the extent to which the integrity of the original design has been retained or previously diminished; and
3. the potential adverse effect of the proposed feature or action on the existing structure,

surrounding properties, and on the District as a whole.

5. Determinations By The Commission

The determinations of the Commission shall be binding only with regard to applications to construct a new building; to demolish an existing structure if a demolition permit is required; to construct a parking lot as a principal use; and to construct an addition to an existing structure which would increase its gross floor area. In all other cases the determinations of the Commission shall be advisory in nature and shall not be binding on the applicant. In no case shall a building permit be issued until the Commission has made a determination under the provisions of said Section 2.147(k).

6. Coordination With Other Agencies And Boards

The Board of Zoning Appeals, Building Commissioner, Half Crown Neighborhood Conservation District Commission, and other City boards, agencies and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes within the District to the extent practicable, consistent with their respective responsibilities.

7. Reports To City Council

The Half Crown Neighborhood Conservation District Commission, the Historical Commission, and the Planning Board shall submit a report, not later than the third anniversary of the date of this Order, to the City Manager and Council summarizing the activities of said Neighborhood Conservation District Commission during the two years following the date of this Order. In preparing this Report, the Historical Commission shall hold a public hearing to determine the opinion of neighborhood residents. The Report shall also submit any recommendation which any of the signatories thereto may have with respects to amending the powers, responsibilities and/or procedures of said Neighborhood Conservation District Commission or of any other City board, agency or official with respect to the Half Crown Neighborhood Conservation District.

#2 — IN FAVOR HALF CROWN — Appendix A

4/5/1984

1	ITEN N. FALES	11 Hilliard St. —	Yes
2	De Courcy Fales Jr.	11 Hilliard St.	"
3	[illegible]	221 Mt Auburn St	"
4	Avis M. DeVoto	987 Memorial Dr. 02138	
5	William C. Stone	15 Gerry St 02138	
6	Evelyn N Rexford	145 Mt Auburn 02138	
7	Lucy Rava	988 Memorial Dr	"
8	Bernd Schmuck	17 Gerry St 02138	"
9	Elmer M. Cleary	16 Gerry St 02138	"
10	Kenneth J Cleary	16 Gerry St. 02138	"
11	D. Curtis Pollard	24 Ash St 02138	Yes
12	Joan P. Michaels	157 Mt. Auburn St.	
13	ROBERT LA TRÉMOUILLE	348 FRANKLIN ST. 02139	Yes
14	William S. Noble	38 Green St 02139	yes
15	TUDOR G. INGERSOLL	146 MT. AUBURN 02138	YES
16	Paul Bockelman	Cam. Historical Com	YES
17	Ursula Engel	17 Hilliard St. Cam 02138	Yes
18	Brenda S. Engel	17 Hilliard St, C. 02138	YES
19	Esther Pullman	10 Ash Street Place	yes.
20	Roger Boothe	Community Devmt Dept	YES
21	Allison Crump	9 Kinnaird 02139	Yes
22	Kathy A. Spiegelman	Community Develpt.	YES
23	Lester Barber	" " —	Yes
24	Gladys P. Gillard	85 Sparks ST	Yes
25	Peggy Kapisovsky	276 Harvard St —	Yes

CITY OF CAMBRIDGE
PUBLIC NOTICE

The Committee on Ordinances, comprised of the entire membership of the City Council, will conduct a public hearing on Thursday, March 29, 1984 in the City Council Chamber as follows:

5:30 p.m. A proposed amendment to the General Ordinances relative to a non-smoking ordinance.

6:00 p.m. A proposed amendment to the General Ordinances on the establishment of a Half Crown Neighborhood Conservation District.

All interested persons are requested to appear at this time and be heard.

For the Committee,
Councillor David E. Sullivan
Chairman

(C)Mar.2

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C. C. 108

City of Cambridge

MASSACHUSETTS

Establishment of the Half Crown Neighborhood Conservation District.

In City Council 1/23/ 1984

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton				
Mr. Thomas W. Danehy				
Mr. Francis H. Duehay				
Ms. Saundra Graham				
Mr. Leonard J. Russell				
Mr. David E. Sullivan				
Mr. Walter J. Sullivan				
Mr. Alfred Vellucci				
Ms. Alice K. Wolf				

DRAFT
March 11, 1983
May 2, 1983

PROPOSED ORDER ESTABLISHING THE HALF CROWN NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION

WHEREAS, the procedures set forth in paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge appear to have been satisfied with respect to the designation of a neighborhood conservation district to be known as the "Half Crown Neighborhood Conservation District" having the boundaries set forth on the map hereto attached entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)", and a report of a study committee and the recommendation of the Historical Commission has been received with regard to the designation of such a district.

NOW, THEREFORE, be it ordered by the City Council of the City of Cambridge as follows:

1. Designation of Half Crown Neighborhood Conservation District

Pursuant to paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge, there is hereby designated as a neighborhood

conservation district the Half Crown Neighborhood Conservation District having the boundaries set forth on the map entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)" (for purposes of this Order, the "District"), which District shall be administered by a commission to be known as the "Half Crown Neighborhood Conservation District Commission" (for purposes of this Order, the "Commission"), appointed by the City Manager pursuant to paragraph (3) of said Section 2.147(k). The reasons for the designation of the District are those set forth in the designation report of the study committee (for the purposes of this Order, the "Report"), dated June 10, 1983, accepted by the Historical Commission on June 14, 1983, with respect to said District, which reasons shall guide the Commission in its administration of the District.

2. Membership

Pursuant to paragraph (3) of Section 2.147(k), the Half Crown Neighborhood Conservation District Commission shall consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be property owners, and not less than two shall be neighborhood residents. At least two of the

members or alternates shall have professional qualifications related to real estate or architecture or historic preservation. The members of the Commission shall be appointed by the City Manager with regard to the diverse viewpoints expressed in the creation of the District. No member shall serve more than two consecutive terms. Notices of vacancies on the Commission shall be advertised in the Cambridge Chronicle for at least two weeks prior to appointments.

3. Review Authority

The authority of the Commission shall extend to the review of construction, demolition, or alteration of exterior features visible from a public way, other than color, within the District. Pursuant to paragraph (5) of Section 2.147(k), however, the authority of the Commission in administering the District shall not extend to the following categories of structures or exterior architectural features, and such structures or features may be constructed or altered without review by the Commission:

A. Alterations. The alteration of the exterior of an existing building in a manner that does not increase or diminish the existing building envelope and that does not require the removal of any cornice, fascia, soffit, bay, porch, hood, cornerboard, or window or door casing, or any

other decorative element, and that does not alter the shape of a roof.

B. Siding. The application of vinyl, aluminum or other imitation clapboard siding in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, corner-board or window or door casing, or any other decorative element. The application of such siding over existing wall surfaces, or the removal of previously applied siding and subsequent restoration of original wall surfaces and trim, shall not be subject to review.

C. Roofs. The installation of flat skylights or solar collectors parallel to and in close contact with the plane of the roof and not larger than one-third the area of the roof plane in which they are installed.

D. Signs and ancillary structures. Permanent signs of a professional nature in residential zones, temporary signs or structures, lawn statuary and recreational equipment, and other such features as may be specified by the Commission, subject to such conditions as to dimension, location, lighting, or similar matters as the Commission may specify.

E. Miscellaneous features. Storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and other such features as may be specified by the Commission.

F. Landscape structures. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level which are not to be used for parking between the principal front wall plane of a building and the street.

G. Walls and fences. Walls and fences less than four feet high and located between the principal front wall plane of a building and the street. Walls and fences less than six feet high elsewhere on a property shall not be subject to review.

4. Factors To Be Considered By The Commission

The Commission shall apply certain criteria in addition to those contained in paragraph (8) of Section 2.147(k) in considering applications for certificates of appropriateness, nonapplicability, and hardship.

A. General criteria. All applications shall be considered in terms of the impact of the proposed new construction, demolition, or alteration of an

existing building on the District as a whole, and in addition with regard to the following factors:

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1. site layout;
2. provisions for parking;
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5. the scale of the building in relation to its surroundings.

C. Demolition of an existing building. The Commission shall consider the following factors when evaluating

an application to demolish a building or a portion thereof:

1. the architectural and historical significance of the building to be demolished, giving recognition to the eligibility or listing of the building on the National Register of Historic Places;
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3. a claim of substantial hardship, financial or otherwise; and
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D. Alterations to existing buildings. Review of proposed alterations to an existing building, and of all other features not exempted from review under paragraph (3) above, shall be made with regard to the following factors:

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surrounding properties, and on the District as a whole.

5. Determinations By The Commission

The determinations of the Commission shall be binding only with regard to applications to construct a new building; to demolish an existing structure if a demolition permit is required; to construct a parking lot as a principal use; and to construct an addition to an existing structure which would increase its gross floor area. In all other cases the determinations of the Commission shall be advisory in nature and shall not be binding on the applicant. In no case shall a building permit be issued until the Commission has made a determination under the provisions of said Section 2.147(k).

6. Coordination With Other Agencies And Boards

The Board of Zoning Appeals, Building Commissioner, Half Crown Neighborhood Conservation District Commission, and other City boards, agencies and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes within the District to the extent practicable, consistent with their respective responsibilities.

7. Reports To City Council

The Half Crown Neighborhood Conservation District Commission, the Historical Commission, and the Planning Board shall submit a report, not later than the third anniversary of the date of this Order, to the City Manager and Council summarizing the activities of said Neighborhood Conservation District Commission during the two years following the date of this Order. In preparing this Report, the Historical Commission shall hold a public hearing to determine the opinion of neighborhood residents. The Report shall also submit any recommendation which any of the signatories thereto may have with respects to amending the powers, responsibilities and/or procedures of said Neighborhood Conservation District Commission or of any other City board, agency or official with respect to the Half Crown Neighborhood Conservation District.

DRAFT
March 11, 1983
May 2, 1983

PROPOSED ORDER ESTABLISHING THE HALF CROWN NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION

WHEREAS, the procedures set forth in paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge appear to have been satisfied with respect to the designation of a neighborhood conservation district to be known as the "Half Crown Neighborhood Conservation District" having the boundaries set forth on the map hereto attached entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)", and a report of a study committee and the recommendation of the Historical Commission has been received with regard to the designation of such a district.

NOW, THEREFORE, be it ordered by the City Council of the City of Cambridge as follows:

1. Designation of Half Crown Neighborhood Conservation District

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conservation district the Half Crown Neighborhood Conservation District having the boundaries set forth on the map entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)" (for purposes of this Order, the "District"), which District shall be administered by a commission to be known as the "Half Crown Neighborhood Conservation District Commission" (for purposes of this Order, the "Commission"), appointed by the City Manager pursuant to paragraph (3) of said Section 2.147(k). The reasons for the designation of the District are those set forth in the designation report of the study committee (for the purposes of this Order, the "Report"), dated June 10, 1983, accepted by the Historical Commission on June 14, 1983, with respect to said District, which reasons shall guide the Commission in its administration of the District.

2. Membership

Pursuant to paragraph (3) of Section 2.147(k), the Half Crown Neighborhood Conservation District Commission shall consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be property owners, and not less than two shall be neighborhood residents. At least two of the

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3. Review Authority

The authority of the Commission shall extend to the review of construction, demolition, or alteration of exterior features visible from a public way, other than color, within the District. Pursuant to paragraph (5) of Section 2.147(k), however, the authority of the Commission in administering the District shall not extend to the following categories of structures or exterior architectural features, and such structures or features may be constructed or altered without review by the Commission:

A. Alterations. The alteration of the exterior of an existing building in a manner that does not increase or diminish the existing building envelope and that does not require the removal of any cornice, fascia, soffit, bay, porch, hood, cornerboard, or window or door casing, or any

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F. Landscape structures. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level which are not to be used for parking between the principal front wall plane of a building and the street.

G. Walls and fences. Walls and fences less than four feet high and located between the principal front wall plane of a building and the street. Walls and fences less than six feet high elsewhere on a property shall not be subject to review.

4. Factors To Be Considered By The Commission

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existing building on the District as a whole, and in addition with regard to the following factors:

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B. Construction of a new building. Review of the design of a proposed new building shall be made with regard to the compatibility of the building with its surroundings, and the following elements of the project shall be among those considered:

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C. Demolition of an existing building. The Commission shall consider the following factors when evaluating

an application to demolish a building or a portion thereof:

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2. the physical condition of the building;
3. a claim of substantial hardship, financial or otherwise; and
4. the design of the proposed replacement structure, if any.

D. Alterations to existing buildings. Review of proposed alterations to an existing building, and of all other features not exempted from review under paragraph (3) above, shall be made with regard to the following factors:

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DRAFT
March 11, 1983
May 2, 1983

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DRAFT
March 11, 1983
May 2, 1983

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1. Designation of Half Crown Neighborhood Conservation District

Pursuant to paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge, there is hereby designated as a neighborhood

conservation district the Half Crown Neighborhood Conservation District having the boundaries set forth on the map entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)" (for purposes of this Order, the "District"), which District shall be administered by a commission to be known as the "Half Crown Neighborhood Conservation District Commission" (for purposes of this Order, the "Commission"), appointed by the City Manager pursuant to paragraph (3) of said Section 2.147(k). The reasons for the designation of the District are those set forth in the designation report of the study committee (for the purposes of this Order, the "Report"), dated June 10, 1983, accepted by the Historical Commission on June 14, 1983, with respect to said District, which reasons shall guide the Commission in its administration of the District.

2. Membership

Pursuant to paragraph (3) of Section 2.147(k), the Half Crown Neighborhood Conservation District Commission shall consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be property owners, and not less than two shall be neighborhood residents. At least two of the

other decorative element, and that does not alter the shape of a roof.

B. Siding. The application of vinyl, aluminum or other imitation clapboard siding in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, corner-board or window or door casing, or any other decorative element. The application of such siding over existing wall surfaces, or the removal of previously applied siding and subsequent restoration of original wall surfaces and trim, shall not be subject to review.

C. Roofs. The installation of flat skylights or solar collectors parallel to and in close contact with the plane of the roof and not larger than one-third the area of the roof plane in which they are installed.

D. Signs and ancillary structures. Permanent signs of a professional nature in residential zones, temporary signs or structures, lawn statuary and recreational equipment, and other such features as may be specified by the Commission, subject to such conditions as to dimension, location, lighting, or similar matters as the Commission may specify.

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B. Siding. The application of vinyl, aluminum or other imitation clapboard siding in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, corner-board or window or door casing, or any other decorative element. The application of such siding over existing wall surfaces, or the removal of previously applied siding and subsequent restoration of original wall surfaces and trim, shall not be subject to review.

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E. Miscellaneous features. Storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and other such features as may be specified by the Commission.

F. Landscape structures. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level which are not to be used for parking between the principal front wall plane of a building and the street.

G. Walls and fences. Walls and fences less than four feet high and located between the principal front wall plane of a building and the street. Walls and fences less than six feet high elsewhere on a property shall not be subject to review.

4. Factors To Be Considered By The Commission

The Commission shall apply certain criteria in addition to those contained in paragraph (8) of Section 2.147(k) in considering applications for certificates of appropriateness, nonapplicability, and hardship.

A. General criteria. All applications shall be considered in terms of the impact of the proposed new construction, demolition, or alteration of an

existing building on the District as a whole, and in addition with regard to the following factors:

1. the architectural and historical significance of the structures on the site, if any;
2. the physical characteristics of the site, including but not limited to existing vegetation and topography; and
3. the potential adverse effects of the proposed construction, demolition, or alteration on the surrounding properties and on the immediate streetscape.

B. Construction of a new building. Review of the design of a proposed new building shall be made with regard to the compatibility of the building with its surroundings, and the following elements of the project shall be among those considered:

1. site layout;
2. provisions for parking;
3. volume and dimensions of the building;
4. provisions for open space and landscaping; and
5. the scale of the building in relation to its surroundings.

C. Demolition of an existing building. The Commission shall consider the following factors when evaluating

an application to demolish a building or a portion thereof:

1. the architectural and historical significance of the building to be demolished, giving recognition to the eligibility or listing of the building on the National Register of Historic Places;
2. the physical condition of the building;
3. a claim of substantial hardship, financial or otherwise; and
4. the design of the proposed replacement structure, if any.

D. Alterations to existing buildings. Review of proposed alterations to an existing building, and of all other features not exempted from review under paragraph (3) above, shall be made with regard to the following factors:

1. the architectural and historical significance of the building to be altered;
2. the extent to which the integrity of the original design has been retained or previously diminished; and
3. the potential adverse effect of the proposed feature or action on the existing structure,

surrounding properties, and on the District as a whole.

5. Determinations By The Commission

The determinations of the Commission shall be binding only with regard to applications to construct a new building; to demolish an existing structure if a demolition permit is required; to construct a parking lot as a principal use; and to construct an addition to an existing structure which would increase its gross floor area. In all other cases the determinations of the Commission shall be advisory in nature and shall not be binding on the applicant. In no case shall a building permit be issued until the Commission has made a determination under the provisions of said Section 2.147(k).

6. Coordination With Other Agencies And Boards

The Board of Zoning Appeals, Building Commissioner, Half Crown Neighborhood Conservation District Commission, and other City boards, agencies and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes within the District to the extent practicable, consistent with their respective responsibilities.

7. Reports To City Council

The Half Crown Neighborhood Conservation District Commission, the Historical Commission, and the Planning Board shall submit a report, not later than the third anniversary of the date of this Order, to the City Manager and Council summarizing the activities of said Neighborhood Conservation District Commission during the two years following the date of this Order. In preparing this Report, the Historical Commission shall hold a public hearing to determine the opinion of neighborhood residents. The Report shall also submit any recommendation which any of the signatories thereto may have with respects to amending the powers, responsibilities and/or procedures of said Neighborhood Conservation District Commission or of any other City board, agency or official with respect to the Half Crown Neighborhood Conservation District.

DRAFT
March 11, 1983
May 2, 1983

PROPOSED ORDER ESTABLISHING THE HALF CROWN NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION

WHEREAS, the procedures set forth in paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge appear to have been satisfied with respect to the designation of a neighborhood conservation district to be known as the "Half Crown Neighborhood Conservation District" having the boundaries set forth on the map hereto attached entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)", and a report of a study committee and the recommendation of the Historical Commission has been received with regard to the designation of such a district.

NOW, THEREFORE, be it ordered by the City Council of the City of Cambridge as follows:

1. Designation of Half Crown Neighborhood Conservation District

Pursuant to paragraph (4) of Section 2.147(k) of Article XVI of Chapter Two of the General Ordinances of the City of Cambridge, there is hereby designated as a neighborhood

conservation district the Half Crown Neighborhood Conservation District having the boundaries set forth on the map entitled "Half Crown Neighborhood Conservation District, as designated by the Cambridge City Council (date of this order)" (for purposes of this Order, the "District"), which District shall be administered by a commission to be known as the "Half Crown Neighborhood Conservation District Commission" (for purposes of this Order, the "Commission"), appointed by the City Manager pursuant to paragraph (3) of said Section 2.147(k). The reasons for the designation of the District are those set forth in the designation report of the study committee (for the purposes of this Order, the "Report"), dated June 10, 1983, accepted by the Historical Commission on June 14, 1983, with respect to said District, which reasons shall guide the Commission in its administration of the District.

2. Membership

Pursuant to paragraph (3) of Section 2.147(k), the Half Crown Neighborhood Conservation District Commission shall consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be property owners, and not less than two shall be neighborhood residents. At least two of the

members or alternates shall have professional qualifications related to real estate or architecture or historic preservation. The members of the Commission shall be appointed by the City Manager with regard to the diverse viewpoints expressed in the creation of the District. No member shall serve more than two consecutive terms. Notices of vacancies on the Commission shall be advertised in the Cambridge Chronicle for at least two weeks prior to appointments.

3. Review Authority

The authority of the Commission shall extend to the review of construction, demolition, or alteration of exterior features visible from a public way, other than color, within the District. Pursuant to paragraph (5) of Section 2.147(k), however, the authority of the Commission in administering the District shall not extend to the following categories of structures or exterior architectural features, and such structures or features may be constructed or altered without review by the Commission:

A. Alterations. The alteration of the exterior of an existing building in a manner that does not increase or diminish the existing building envelope and that does not require the removal of any cornice, fascia, soffit, bay, porch, hood, cornerboard, or window or door casing, or any

other decorative element, and that does not alter the shape of a roof.

B. Siding. The application of vinyl, aluminum or other imitation clapboard siding in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, corner-board or window or door casing, or any other decorative element. The application of such siding over existing wall surfaces, or the removal of previously applied siding and subsequent restoration of original wall surfaces and trim, shall not be subject to review.

C. Roofs. The installation of flat skylights or solar collectors parallel to and in close contact with the plane of the roof and not larger than one-third the area of the roof plane in which they are installed.

D. Signs and ancillary structures. Permanent signs of a professional nature in residential zones, temporary signs or structures, lawn statuary and recreational equipment, and other such features as may be specified by the Commission, subject to such conditions as to dimension, location, lighting, or similar matters as the Commission may specify.

E. Miscellaneous features. Storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and other such features as may be specified by the Commission.

F. Landscape structures. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level which are not to be used for parking between the principal front wall plane of a building and the street.

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4. Factors To Be Considered By The Commission

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A. General criteria. All applications shall be considered in terms of the impact of the proposed new construction, demolition, or alteration of an

existing building on the District as a whole, and in addition with regard to the following factors:

1. the architectural and historical significance of the structures on the site, if any;
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3. the potential adverse effects of the proposed construction, demolition, or alteration on the surrounding properties and on the immediate streetscape.

B. Construction of a new building. Review of the design of a proposed new building shall be made with regard to the compatibility of the building with its surroundings, and the following elements of the project shall be among those considered:

1. site layout;
2. provisions for parking;
3. volume and dimensions of the building;
4. provisions for open space and landscaping; and
5. the scale of the building in relation to its surroundings.

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an application to demolish a building or a portion thereof:

1. the architectural and historical significance of the building to be demolished, giving recognition to the eligibility or listing of the building on the National Register of Historic Places;
2. the physical condition of the building;
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4. the design of the proposed replacement structure, if any.

D. Alterations to existing buildings. Review of proposed alterations to an existing building, and of all other features not exempted from review under paragraph (3) above, shall be made with regard to the following factors:

1. the architectural and historical significance of the building to be altered;
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surrounding properties, and on the District as a whole.

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6. Coordination With Other Agencies And Boards

The Board of Zoning Appeals, Building Commissioner, Half Crown Neighborhood Conservation District Commission, and other City boards, agencies and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes within the District to the extent practicable, consistent with their respective responsibilities.

7. Reports To City Council

The Half Crown Neighborhood Conservation District Commission, the Historical Commission, and the Planning Board shall submit a report, not later than the third anniversary of the date of this Order, to the City Manager and Council summarizing the activities of said Neighborhood Conservation District Commission during the two years following the date of this Order. In preparing this Report, the Historical Commission shall hold a public hearing to determine the opinion of neighborhood residents. The Report shall also submit any recommendation which any of the signatories thereto may have with respects to amending the powers, responsibilities and/or procedures of said Neighborhood Conservation District Commission or of any other City board, agency or official with respect to the Half Crown Neighborhood Conservation District.

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

January 23, 1984

To the Honorable, the City Council:

Enclosed please find copy of the Final Report of the Half Crown Neighborhood Conservation District Study Committee and a draft order establishing such a district. The proposed district would take effect immediately on passage by the City Council.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Encs. 2

Agenda Item # 11 O-10

Establishment of the Half Crown Neighborhood Conservation District.

4/9/84 Order adopted establishing district
8-0-1

1/23/84
- L Dockay motion. to refer to Ordinance Committee for Hearing Carried.

In City Council,

January 23, 1984

1/23/1984

Referred to Ordinance Comm for Hearing -

Copy made & put aside with other Ordinance Committee referrals to be sent to the Committee when constituted