

5



## Cambridge Historical Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139  
Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112  
E-mail: [histcomm@ci.cambridge.ma.us](mailto:histcomm@ci.cambridge.ma.us) URL: <http://www.ci.cambridge.ma.us/~Historic>



William B. King, *Chair*, Allison M. Crump, *Vice Chair*, Charles M. Sullivan, *Executive Director*  
M. Wyllis Bibbins, Suzanne R. Green, Helen F. Moulton, Frank Shirley, Jo M. Solet, *Members*  
Jacob D. Albert, Bruce A. Irving, Jennifer Jones, *Alternates*

To: the Honorable, the City Council  
Robert W. Healy, City Manager  
Larissa Brown, Chair, Planning Board  
William King, Chair, Historical Commission

From: Charles Sullivan, Historical Commission

Re: Two Year Report on Avon Hill Neighborhood Conservation District  
1998-2000

Date: February 28, 2002

Enclosed please find the Report on the First Two Years' Activities of the Avon Hill  
Neighborhood Conservation District Commission. This report is submitted in  
compliance with the terms of Section XI of the Avon Hill Neighborhood Conservation  
District order.

REPORT  
ON THE FIRST TWO YEARS' ACTIVITIES OF THE  
AVON HILL NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION

JUNE, 1998 – NOVEMBER, 2000

*Allen Razdow, Chair*  
*James Freeman, Vice Chair*

Members

*Bruce Irving*  
*Howard Medwed*  
*Barbara Norfleet*

Alternates

*Jacqueline Olds*  
*Louise Sullivan*  
*Karin Weller*

*Sally Zimmerman, Secretary*  
*Preservation Planner, Cambridge Historical Commission*

January, 2002

Executive Summary

During the first two years, 121 applications for alteration, demolition or new construction were reviewed in the Avon Hill Neighborhood Conservation District: 63% of the applications were reviewed administratively and immediately approved, 37% required a public hearing. Two applications have been denied, one application has been withdrawn and the remaining 118 applications have been approved. There has been one appeal of an Avon Hill NCD Commission determination; it was withdrawn prior to being heard.

The Avon Hill NCD Commission recommends four minor administrative amendments to its order; no substantive amendments are recommended. The amendments include: changing the required quorum size from four of the members to a majority of the members, or three; modifying the decision-making standard to conform with the smaller quorum; making the notice procedures for non-binding and binding cases the same; and eliminating a redundant section. The Avon Hill NCD Commission voted unanimously to adopt this report on February 6, 2002.

## Two Year Report on the Activities of the Avon Hill NCD Commission 1998-2000

### Introduction

Section XI. of the Avon Hill NCD order, states that a report shall be submitted to the City Manager and the City Council summarizing the activities of the Commission during its first two years and making any recommendations with respect to amending the powers, responsibilities, or procedures of the Commission. This report summarizes the activities of the Avon Hill NCD Commission from its establishment on June 15, 1998 through November 30, 2000 (two years from the Commission's appointment). It also identifies recommendations the Commission wishes to consider, based on its experiences with the operation of the district.

### I. Establishment of the NCD and Appointment of the Avon Hill NCD Commission

On June 15, 1998, the Cambridge City Council voted unanimously to designate the Avon Hill Neighborhood Conservation District (NCD). Pending the appointment of an NCD commission, the Cambridge Historical Commission reviewed applications from the district from June through December, 1998; in that interim, the Historical Commission reviewed 27 cases, nine of which required review at a public hearing.

The Avon Hill NCD Commission was appointed on November 30, 1998 and held its first meeting on December 17, 1998 and its first hearing on January 6, 1999. Since then, the Commission has conducted a total of 36 public hearings on applications for Certificate of Appropriateness or Hardship. The staff have issued 58 additional Certificates of Non-Applicability for work which did not require a public hearing. A total of 94 certificates have been issued by the Avon Hill NCD Commission for work that took place in the district between 1999 and January, 2002.

Between June, 1998 and November, 2000, a total of 121 applications were reviewed. Seventy-six of those applications (63%) were for work subject only to administrative review (interiors, ordinary maintenance, or work not visible from a public way); the remaining 45 applications (37%) were reviewed either by the Cambridge Historical or the Avon Hill NCD Commission at public hearings.

<u>Number of Applications Reviewed (6/98-11/00)</u>		121
<i>(includes CHC, staff level, and AHNCDC reviews)</i>		
Certificates of Appropriateness Issued (Binding/Non-binding combined)		45
Certificates of Non-Applicability Issued		76
<u>Number of Applications Subject to Commission Review</u>		
Binding Certificates (22%)	Approved	26
	Denied	1
Non-binding Certificates (15%)	Approved	16
	Denied	2

## II. Case Log

### *A. Cases Reviewed by Cambridge Historical Commission 6/15/98-12/31/98*

- 25 Hillside Avenue  
construct 2<sup>nd</sup>/3<sup>rd</sup> floor addition
- 3 Walnut Avenue  
construct access ramp, add window
- 80 Upland Road/11 Walnut Avenue  
convert rooming house to 4 condominium units; alter entrances;  
construct below grade parking
- 13 Humboldt Street  
construct rear addition
- 14 Upland Road  
add window
- 11 Arlington Street  
construct shed
- 47 Avon Hill Street  
alter windows, roof
- 63 Mount Vernon Street  
replace windows
- 9 Lancaster Street  
alter windows
- 5 Walnut Avenue  
alter rear entrance, deck.
- 19 Lancaster Street  
alter windows, construct deck

### *B. Cases Reviewed by Avon Hill NCD Commission 1/1/99-11/30/00*

- 95 Raymond Street  
change windows
- 19 Bellevue Avenue  
alter window
- 30 Arlington Street  
alter sunroom
- 21 Washington Avenue  
enclose existing side porch; add rear porch
- 37 Mount Vernon Street, Delaporte Development  
convert 6 rental units to 3 condominium units; restore mansard  
house; demolish garage; construct carriage house-style freestanding unit
- 60 Raymond Street  
construct one-story addition; enlarge driveway
- 19 Lancaster Street  
renovate garage
- 12 Humboldt Street  
add detailing to existing stairtower
- 98 Raymond Street  
restore dormer, enclose mechanical space, add deck

- 71 Washington Avenue  
enclose entry porch
- 29 Raymond Street  
replace window sash (*denied*)
- 60 Raymond Street  
construct one-story addition; enlarge driveway (*denied*)
- 25 Hillside Avenue  
replace railing systems
- 5 West Bellevue Avenue  
add skylights, recessed deck
- 79 Raymond Street  
construct enclosed porch
- 114 Upland Road  
relocate entrance
- 19 Arlington Street  
construct porches
- 12 Arlington Street  
construct dormer
- 71 Washington Avenue  
enclose porch, construct bays at side and rear, rebuild ell and garage
- 95 Avon Hill Street  
construct stair tower
- 78 Washington Avenue  
replace railing system
- 15 Raymond Street  
construct garage (*withdrawn*)
- 3 Wyman Street  
construct side addition

### C. Conclusions

The majority of the applications received in the district during the first two years were for work which was reviewed and approved administratively: 63% of the applications received were immediately issued Certificates of Non-applicability by the Commission staff because the work proposed did not require Commission review at a public hearing. Such work includes interior renovations, ordinary repairs and maintenance replicating existing materials and design, or work that is not visible from the public way.

The remaining 37% of the applications received by the Commission required a public hearing and Commission review. Of these applications, most have been subject to the Commission's binding review. This reflects the fact that many of the properties where alterations have been proposed are located in the Avon Hill National Register district, where all alterations are monitored with binding review to ensure the continued integrity of this federally-recognized district. Outside the National Register district, the criterion for binding review is less strict, and alterations that involve modest architectural changes or square footage additions below certain size limits are subject only to the Commission's advisory, or non-binding, review.

The Commission has denied approval for only two proposals, both non-binding; one binding proposal was withdrawn prior to likely denial (see illustration 1). In the binding case, AH-60, 15 Raymond Street, the Commission indicated that a proposal to construct a two-car garage in the front setback area of the house would not meet the conservation guidelines of the order to conserve open space, discourage front yard parking, and maintain vistas into sites. The Commission took into consideration the fact that the zoning ordinance requires a variance for such construction.

In the non-binding cases, the Commission found that the proposals did not meet the conservation guidelines of the order or were inappropriate modifications of original architectural features. The purpose of the non-binding review is to provide a forum for dialogue on preservation options and to allow public comment on changes that may affect abutting property owners. In both instances, the Commission heard from abutters concerned about the impact of these proposals.

In the first case (AH-41, 29 Raymond Street), the Commission denied as inappropriate the installation of one-over-one vinyl replacement sash and the removal of the original wooden windows, which included a variety of sash patterns and contributed significantly to the character of the 1905 Tudor Revival rowhouse. A primary concern, both for the Commission and the other unit owners in the three-unit row, was the visual inconsistency of the replacements with the remaining original windows in the row.

In the second case, the proposal (AH-43, 60 Raymond Street) involved modification of an earlier-approved proposal (AH-17) to enlarge an original two-car garage. The earlier proposal was to remove a stockade fence from the property and create an enlarged paving and garage area using the existing curb cut and screened behind a retaining wall. This had been approved on the basis that it opened views of the property to the public and screened the additional parking, as the order intended. The second proposal eliminated several desirable features of the first proposal while enlarging the curb cut and leaving an expanse of parking open to view.

Denial of a non-binding application does not prevent applicants from pursuing their desired proposal. The owners at 29 Raymond Street have not undertaken the proposed window replacement. At 60 Raymond Street, the owner has constructed the garage, parking and fencing according the second plan he proposed, which the Commission denied. (See Appendix D)

In September, 1999, a group of ten registered voters living in the vicinity of 37 Mount Vernon Street initiated an appeal of the Avon Hill NCD Commission's determination in AH-15 according to the procedures outlined in Article III, Chapter 2.78.240. The appellants sought to have the Historical Commission review their grievance that the Avon Hill NCD Commission had improperly approved the redevelopment of the property at 37 Mount Vernon Street, including the restoration of the existing house on the property and the construction of a townhouse unit behind the house, with below-grade parking for a three-unit condominium project. The appellants withdrew their appeal following the

applicants' determination not to pursue the proposal approved in AH-15. A subsequent proposal to redevelop the 37 Mount Vernon Street property was approved in AH-25.

In the years following the appointment of the Avon Hill NCD Commission, the Commission has sought to establish procedures and a demeanor of fairness and predictability in its reviews. The Commission has worked to develop an institutional character and to increase the professionalism of its interactions with its applicants and the public. The initial implementation period for the district required some difficult adjustments from the public, the Commission, and the staff to reconcile the sometimes-discrepant ideals of all that a given NCD might be able to achieve with the practical limits of what the Avon Hill NCD order had authorized.

### III. Recommendations

#### A. General Recommendations

The Avon Hill NCD Commission seeks to increase its outreach efforts to the neighborhood to increase awareness of the Commission's work and to encourage voluntary compliance with the district's purposes. Among the general recommendations are:

- to publish an occasional newsletter for homeowners on recent case histories, policy concerns of the Commission, and preservation tips for old houses;
- through the newsletter, to increase awareness of the Commission's guidelines on fencing and parking, although this construction does not require issuance of a building permit and thus may occur without the Commission's non-binding oversight;
- through the newsletter, to encourage participation on the Commission by publicizing membership openings; and
- to seek new candidates for appointment as membership slots become open to encourage a broad base of participation from the neighborhood.

#### B. Amendments to Order

The Avon Hill NCD Commission recommends retaining all substantive elements of the existing NCD order as it currently stands, but recommends four minor amendments.

##### *1. Retain Sections I, II, III, IV, VI, VII, IX, and X. as currently written*

It is the Commission's recommendation that Sections I. through IV., VI, VII, IX. and X. remain as written. The Commission is unaware of any aspects of these sections that have not functioned as intended.

In particular, as the Commission has worked with the order, elements of the order have become ingrained in its decision-making and should be maintained. Sections that are particularly important to the Commission's decision-making framework are Section I. (Preamble and Purpose), Section II. (Definitions), and Section VI. (Statement of Principles, Standards and Guidelines for Review). From the Commission's perspective, these sections have worked well and have guided and advised the Commission's interpretation of its mandate.

*2. Amend language in Section V. to conform with amended Section VIII.*

Section V. (Determinations of the Commission) of the Avon Hill NCD order contains the core provisions of the order's powers and authorities. It is not recommended that any changes be made to the substance of these provisions, which seem to be working well and to adequately cover the circumstances presented by the applications heard to date. One procedural aspect of the section will need to be modified, however, if changes on the number required for a quorum of the Commission are pursued in a later section (VIII., D.).

Section V., paragraph A. on Binding Determinations now states: "In imposing binding conditions on the issuance of a certificate, or in denying a certificate, a concurring vote of at least four (4) of the members of the Commission shall be required." It is proposed that the numerical standard, which is intended to direct the Commission toward consensus decisions, be dropped to avoid conflict with the recommended reduction in the size of the quorum. Specific language to reinforce the goal of consensus decision-making should be added. The following substitution is recommended:

In imposing conditions on the issuance of a certificate, or in denying a certificate, a concurring vote of at least three (3) members of the Commission shall be required. It is the Commission's goal to achieve a consensus decision."

*3. Amend Section VIII for consistency with current practice, ease of administration, and increased flexibility in convening meetings.*

It is the staff's recommendation that paragraph A. of Section VIII. (Procedure) be deleted to be made consistent with current practice and to streamline administrative effort. Paragraph D. (quorum size) should be amended for greater flexibility in convening meetings.

The provisions for non-binding reviews contained in paragraph A. of Section VIII set out an unnecessarily complex notification procedure. At the time the order was adopted, the City of Cambridge's Geographic Information System was not available to individual departments in a user-friendly application. Assessor's Department data was available only in a hard copy format and was not interactive. Legal notices for public hearings were generated by hand from the Commitment Lists of the Assessor's Department. The placard system laid out in the order was felt to be a simpler alternative to generating notices for abutters.

Since 1998, the city's notification software allows all legal notices to be electronically generated easily and consistently. The city's "EZ Parcel" notification software generates maps, lists and mailing labels taken from the assessor's data base of property ownership. The "EZ Parcel" system has brought to the notification process a level of consistency and thoroughness which was not possible in the past. The major shortcoming of the "EZ Parcel" system is its reliance on the assessor's data base, which is still updated only annually and thus contains time lags for ownership changes. Nonetheless, notices are mailed in sufficient time for almost all returned mail to be resent ahead of a hearing. All legal notices are also posted at the City Clerk's office and published in the Cambridge Chronicle in advance of a meeting as required by statute.

Currently, all notifications are issued according to the higher standard of first class mail to all owners, abutters and abutters within 300'; there is no distinction in the notification process for binding and non-binding reviews. In view of the increased ease of generating reliable notifications, and in the interest of streamlining administrative responsibilities, which now include five conservation districts city-wide, the Commission recommends that paragraph A. be deleted in its entirety.

It is the further recommendation that consideration be given to amending paragraph D. to reduce the number of members required for a quorum from four to a majority, or three. Experience has demonstrated that it is occasionally difficult to obtain a quorum of four, either due to scheduling conflicts, or sometimes to abutter conflicts-of-interest. Amending this paragraph would also require substituting language for a component of Section V., paragraph A. as indicated above. The recommended amendments to Section VIII. are as follows:

#### Section VIII.

In addition to the provisions of Section 2.78.220 and 2.78.230 of Article III of Chapter 2.78, the Commission shall observe the following procedural requirements:

A. ~~For any non-binding reviews conducted by the Commission, the Commission, or the standing committee or subcommittee designated by the Commission for the purpose of conducting non-binding reviews, shall review the application at a public meeting, notice of which shall be given not less than seven days prior to the meeting by publicly posting such notice in the office of the City Clerk and by requiring the applicant to post on the premises that are the subject of the meeting, notice(s) of any meeting upon the application, in the manner provided below.~~

~~Applicants shall be required to place one or more public notification panels on the premises that are the subject of the meeting. The panels shall be posted not less than seven days prior to the meeting and shall be maintained in public view and legible condition until the Commission's decision is filed with the City Clerk. The panels shall be secured by the applicant from the Cambridge Historical Commission and shall be located as indicated on a plan provided by the Historical Commission. Panels shall be securely mounted on the subject premises at the street line or within the property, but not more than 20 feet from the street line, so as to be legible to persons passing on the public street without the necessity of trespass onto private property. Stolen, destroyed, or illegible panels shall be promptly replaced and panels shall be promptly removed after the filing of the Commission's decision.~~

~~The text of the panel shall identify the street address of the application; the date, time, and place of the public meeting; the nature of the action requested; the place where the application may be inspected; the application case number; and the~~

~~address and phone number of the Historical Commission, where further information may be obtained. Panels shall be not less than 18 inches by 24 inches in dimension, with text no smaller than 12 point type. Panels shall be made of materials adequately weather resistant and sufficiently durable to be maintained for the required period of notice.~~

~~When taking action under the non-binding provisions of Section III of this order, the Commission or its designee shall make its determinations within fourteen days after the filing of a complete application for a certificate of appropriateness, non-applicability or hardship, or such further time as the applicant may in writing allow.~~

~~B. A. When taking action under the binding provisions of Section V of this order and Sections 2.78.190, 2.78.200, 2.78.210, and 2.78.220 of Article III of Chapter 2.78, the Commission shall make its determinations within forty-five days after the filing of a complete application for a certificate of appropriateness, non-applicability, or hardship, or such further time as the applicant may in writing allow.~~

~~C. B. In addition to any appeal allowed pursuant to Section 2.78.240 of Article III of Chapter 2.78, the Commission may agree to the appointment of an arbitrator acceptable to both the Commission and the applicant who would make recommendations to both parties where disagreement between the Commission and the applicant persists.~~

~~D. C. Four members A majority of the members of the Commission shall constitute a quorum of the Commission.~~

4. *Delete Section XI as no longer relevant.*

Section XI. (Reports to City Council) can be deleted once the required report is submitted.

***~~XI. Reports to City Council~~***

~~The Avon Hill 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 City Council summarizing the activities of the Commission during the two years following the date of the order. In preparing this report, the 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 respect to amending the powers, responsibilities and/or procedures of the Commission or of any other city board, commission or agency with respect to the Avon Hill Neighborhood Conservation District.~~

#### IV. Conclusion

The Avon Hill NCD Commission voted unanimously to recommend the above amendments at its March 6, 2002 meeting (Ms. Norfleet, Mr. Freeman, Ms. Weller, Ms. Olds, and Mr. Medwed in the affirmative).

Appendices

## A. Public Hearing

Minutes of the January 9, 2002 meeting (attached)

## B. List of applicants from whom comments were solicited (attached)

## C. Comments received from applicants (attached)

January 6, 2002 letter from Nelson Gore, 5 Gray Gardens East (formerly 60 Raymond Street)

9 December 2002 faxed letter from Julia C. Bagalay, 15 Raymond Street

## D. Correspondence and Plans related to AH-17, AH-41, AH-43, and AH-60



## Avon Hill Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139  
617 349 4683, Fax 617 349 6165, E-mail histcomm@ci.cambridge.ma.us

Allen Razdow, *Chair*, James Freeman, *Vice Chair*, Sally Zimmerman, *Secretary*  
Howard Medwed, Barbara Norfleet, Jo Solet, *Members*  
Jacqueline Olds, Louise Sullivan, Karin Weller, *Alternates*

### Public Comment Report on the Activities of the Avon Hill NCD Commission 1998-2000

8:00 PM, Wednesday, January 09, 2002

#### AGENDA

1. Welcome  
Allen Razdow, Chair
2. Summary of Cases  
Sally Zimmerman, Preservation Planner
3. Public Comment

Minutes of the Avon Hill Neighborhood Conservation District Commission

January 9, 2002 Porter Exchange Building, Lesley Univ. 7:00 PM

Members present: Mr. Razdow, Mr. Irving, Ms. Norfleet, Mr. Medwed, Ms. Weller

Staff present: Ms. Zimmerman

Members of the Public: see attached list

-----  
Mr. Razdow called the meeting to order at 7:05. He welcomed the public and explained the procedure for the meeting. He said the Commission has seen the proposal before them tonight twice before and there has been a great deal of public comment already. He explained the order of the presentations and said he particularly wished the public to understand the Commission's role to determine the appropriateness of a proposal to the district; he asked abutters to consider that their perspective as abutters is special and not the same as the Commission's.

Ms. Zimmerman said while the application is not substantially different from the approved project (AH-86), a new application clarified the modification of the earlier proposal. The Commission introduced themselves.

Kenneth Weiss said he would be brief but that it was his understanding the prior approved application met three mandates of the district for appropriateness to the historic character of the neighborhood, views from the public way, and impacts on open space. He said, notwithstanding the Commission's approval, the neighbors were still unhappy with the proposal and this application is meant to address the concerns remaining. He said the lot coverage was reduced from 27% to 22%, the green space was increased, a tree noted as worth trying to save was being saved, less volume would be presented. He said they had met twice with neighbors and some are happier with this proposal. He said he hoped the Commission found the proposal lessened impacts on the neighborhood.

Bill Bibbins, the project architect, showed four models of the ell addition as it has evolved. He said this proposal is much the same as the earlier approved proposal but removes the terrace. He said the garage is set deeper into the grade and ceiling heights inside have been reduced to keep the garage within the footprint of the addition; he said the top of the roof had also been flattened. He showed the site plan; he said the garage

6

properties. He said he had voted against the October proposal but the changes made have diminished the impact on the neighbors. He said the issue is not whether the Commission "likes" or doesn't like a proposal but whether it is consistent with the neighborhood and this is.

Ms. Weller said she is sympathetic to the O'Connor's concerns, that their garden is beautiful, but she also sees the need for the Weisses to add on to the house.

Mr. O'Connor said the Commission's finding that the south side was different than that north side of Bates Street was flawed. Mr. Medwed said the October decision had not been made out of consideration that the BZA might turn it down, but on the merits of the proposal. Ms. Jen said the tendency on the block has been to reduce density. She said the 1920s development pattern is not the present aspiration. Mr. Razdow said it was not up to the Commission to determine how much space any one resident should have; he said the Commission has responded to the neighborhood concern that density on the site be reduced.

Mr. Medwed moved to issue a Certificate of Appropriateness subject to oversight of the final construction details by the staff and with reference to the concerns of the Commission regarding clapboard siding and brick chimneys. Ms. Norfleet seconded the motion, which passed 5-0.

**Public Comment: Report on the Activities of the Avon Hill NCD Commission 1998-2000:**

Ms. Zimmerman showed slides of all the projects the Commission reviewed between 1998 and 2000. She distributed a list of the projects.

John Bagalay, 15 Raymond Street, complimented the Commission on the commendable conduct of the last hearing. He said that it was consistent with the approach the Commission should take. There were no other public comments.

**New Business:**

The Commission expressed some concern that the deck at 49 Washington Avenue does not appear to have been constructed in the manner approved. It is not clear if the deck construction is complete or was halted for the season. Ms. Zimmerman will contact the owners to determine the status of the work.

There being no further business, the meeting adjourned at 9:05.

Members of the Public

- Gish Jen 18 Bates
- David O'Connor 18 Bates
- Lee Campbell
- Eleanor Campbell 17 Bates
- Judy and John Bagalay 15 Raymond
- Melvin Chalfen 31 Bates
- Betsy Chalfen "
- Allen Parker 43 Linnaean #27
- Tom Hout 32 Bates
- Marcia and Kenneth Weiss 24 Bates
- Bill Bibbins 314 Harvard

# APPENDIX B

COATS/CNAs 98-00

Ann Austin  
47 Avon Hill Street  
CAMBRIDGE, MA 02140

JAMES AND ANN FREEMAN  
25 HILLSIDE AVENUE  
CAMBRIDGE MA 02140

LINDA COUGHLIN  
7 LANCASTER ST  
CAMBRIDGE MA 02140

KATHLEEN AND JOHN BORN  
3 WALNUT AVENUE  
CAMBRIDGE MA 02140

DR. KENNETH DAWSON  
87 RAYMOND ST  
CAMBRIDGE MA 02140

WERNER SOLORS  
48 LINNAEAN ST  
CAMBRIDGE MA 02140

JILL RUGE  
80 UPLAND ROAD  
CAMBRIDGE MA 02140

DAVID ERLANDSON  
LESLEY UNIVERSITY  
1850 MASSACHUSETTS AVENUE  
CAMBRIDGE MA 02140

JARVIS KELLOGG & ELIZ. MUNNELL  
13 HUMBOLDT STREET  
CAMBRIDGE MA 02140

DR. KENNETH SIEMEN  
14 UPLAND ROAD  
CAMBRIDGE MA 02140

BENJ. GRAEME FINCKE  
11 ARLINGTON STREET  
CAMBRIDGE MA 02140

RICHARD WULSIN  
63 MT. VERNON ST.  
CAMBRIDGE MA 02140

FREDERIC LEVY & JUDITH  
PERLSTEIN  
182 UPLAND ROAD  
CAMBRIDGE MA 02140

ROGER AND SUSAN TRAVIS  
9 LANCASTER ST  
CAMBRIDGE MA 02140

KEITH AND CATHY HUGHES  
15 BELLEVUE AVENUE  
CAMBRIDGE MA 02140

MICHAEL MAZUR  
5 WALNUT AVENUE  
CAMBRIDGE MA 02140

ROBIN WELLS  
117 AVON HILL ST  
CAMBRIDGE MA 02140

ROB DEMILLO/KATHERINE  
WILLRICH  
19 LANCASTER ST  
CAMBRIDGE MA 02140

SARAH KRIEGER  
71 AVON HILL ST  
CAMBRIDGE MA 02140

ALAN FEIN AND ELLEN KOLTON  
30 ARLINGTON ST  
CAMBRIDGE MA 02140

JAMES MALONEY AND ANNE  
GREENWOOD  
21 WASHINGTON AVE  
CAMBRIDGE MA 02140

DOROTHY AND HOLBROOK  
ROBINSON  
11 HUMBOLDT ST  
CAMBRIDGE MA 02140

MR/MRS ROBERT CROCKER  
120 AVON HILL ST  
CAMBRIDGE MA 02140

LUCIAN LEAPE  
104 AVON HILL ST  
CAMBRIDGE MA 02140

ELLEN KENISTON  
63 WASHINGTON AVENUE  
CAMBRIDGE MA 02140

STEVE HARRIS  
22 AGASSIZ STREET  
CAMBRIDGE MA 02140

NANCY SMITH  
112 AVON HILL ST  
CAMBRIDGE MA 02140

DONALD WEXLER  
24 ARLINGTON STREET  
CAMBRIDGE MA 02140

ANSON WRIGHT  
19 BELLEVUE AVENUE  
CAMBRIDGE MA 02140

KEITH AND CATHY HUGHES  
15 BELLEVUE AVE  
CAMBRIDGE MA 02140

CARL AND MARJORIE WUNSCH  
78 WASHINGTON AVENUE  
CAMBRIDGE MA 02140

UPLAND PROPERTIES CORP.  
30 UPLAND ROAD  
CAMBRIDGE MA 02140

PALM REALTY CORP.  
19 AGASSIZ ST  
CAMBRIDGE MA 02140

ART AND BETTY BARDIGE  
98 RAYMOND STREET  
CAMBRIDGE MA 02140

LISA CAMPOLI AND ROBERT  
EMSLIE  
98 AVON HILL ST  
CAMBRIDGE MA 02140

ELIZA FELD  
42 ARLINGTON ST  
CAMBRIDGE MA 02140

ANURADHA GHEMAWAT  
27 AGASSIZ ST  
CAMBRIDGE MA 02140

GEORGE PERERA  
38 MOUNT VERNON ST  
CAMBRIDGE MA 02140

CHIP AND JOY PHINNEY  
63 MOUNT VERNON ST  
CAMBRIDGE MA 02140

DARYL AND ALLEN RAZDOW  
26 WASHINGTON AVENUE  
CAMBRIDGE MA 02140

JESSILA STERN  
10 HUMBOLDT ST  
CAMBRIDGE MA 02140

MORTON KELLER  
29 UPLAND ROAD  
CAMBRIDGE MA 02140

GWEN AND MARSHALL SIMPKINS  
DELAPORTE DEVELOPMENT  
100 WESTCHESTER ROAD  
NEWTON MA 02154

NELSON GORE  
60 RAYMOND STREET  
CAMBRIDGE MA 02140

KARIN WELLER  
12 HUMBOLDT ST  
CAMBRIDGE MA 02140

MARGO AND NEIL GOODWIN  
71 WASHINGTON AVENUE  
CAMBRIDGE MA 02140

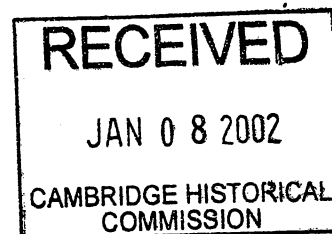
BARBARA RIFKIND AND ADAM  
BRANDENBURGER  
25 HILLSIDE AVENUE  
CAMBRIDGE MA 02140

BARBARA NORFLEET  
79 RAYMOND ST  
CAMBRIDGE MA 02140

EDWARD AND KATHERINE  
KRAVITZ  
5 WEST BELLEVUE AVE  
CAMBRIDGE MA 02140

APPENDIX C

Nelson Gore  
5 Gray Gardens East  
Cambridge, MA 02138



January 6, 2002

Allen Razdow  
Chairman  
Avon Hill Neighborhood Conservation District Commission  
831 Massachusetts Avenue  
Cambridge, MA 02139

Dear Mr. Razdow:

In 2000, I applied to the Historical Commissions arm in Avon Hill for approval for an addition to my house at 60 Raymond St. My treatment by the Avon Hill District Conservation Commission was arbitrary, hostile and abusive. At first, I was approved by this Commission. However, three months later, because of a minor mistake in the drawing by the architect, I reapplied and was refused. Ostensibly the reason given was the loss of "greenspace" due to the building extension. At the time I bought my home, there were almost no plantings or grass on the East side of the house. I submitted extensive landscaping plans for the entire property which showed I was adding 35 trees and over 150 bushes and shrubs to the property. Loss of "greenspace" to the city was an absurd reason for my denial given the fact that I have virtually turned this property into an arboretum. I later met my primary detractor from the Commission at a local store. When I asked him to be honest with me and tell me why he so vehemently opposed my project, he said simply that it reminded him of a house on Huron Ave which he hated. No mention of "greenspace" or architectural considerations. It simply offended his personal sense of aesthetics. When I showed up at the second hearing, I was informed that this would no longer be considered as non-binding hearing based on some fairly thin excuse. This was done without any prior notice from the Historical Commission or the Avon Hill Neighborhood District Commission. However, thanks to the fairness of the Chairman, it was heard as a non-binding hearing. It struck me at the time as an attempt, by some, to gain absolute control over my project with complete disregard for the legal parameters by which this board is supposed to abide.

Prior to my application, I owned a home on a different street in Cambridge. I was sued by a neighbor because I tried to reclaim several feet of my property that I had agreed to allow this neighbor to use temporarily. These same neighbors tried to use the Commission to further harass me when I erected a legal fence on my property line (the head of the building department had approved the new fence). Years later, when I was involved with the Commission on my current home, I learned an employee of the Commission had told my current architect that I was "litigious" and that I had sued my

neighbor rather than being sued. This old, malicious and inaccurate gossip convinced my architect to quit working for me. When I questioned this staff person about this, her response was that 'I never responded to her inquiries (years ago) regarding the fence I had built.' This response was shocking and strongly suggested I was being paid back for some previous indiscretion.

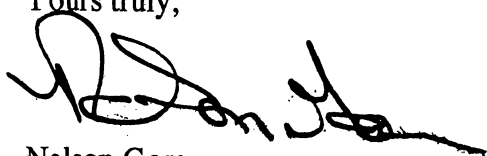
Recently an abutter applied to the Commission to build a large sun room. This was a beautiful old Victorian. The submitted plans for this large addition did not fit architecturally or historically with the existing structure. I wrote a long letter of disapproval citing specific recommendations to make minor changes that would help this addition have some relevance to the existing structure. I attended the meeting. None of my suggestions were approved and the project was voted for unanimously as I recall and with almost no changes. The fact that this project was being submitted by a member of the Commission seemed to weigh heavily in the outcome.

Conversely, neighbors of mine, the Bagalays, who live at 15 Raymond St., have applied for permission to build a garage. They would need a variance, but the neighbor who would be most affected by this addition has given their full support to the project, as have many of the immediate abutters. I have seen their plans. The small garage proposed is a beautiful design and a perfect miniature of the existing house. My understanding is that they have been told they will be denied. The reason: the Commission simply does not want to approve any garages to be built. It seems entirely unreasonable to deny a middle-aged couple a garage in this climate. I have kept a car outside when I was younger and could handle the cleaning and shoveling. However, I would find it an extreme hardship at this point in my life to have to deal with the physical exertion it would take simply to use my car after a snowstorm. They are being denied a structure which is necessary for health reasons, and would be aesthetically pleasing. Again, this seems an arbitrary decision on the part of the Commission, one which does not adversely affect the neighborhood and is a necessity for the property owner.

I would like to make the council aware that my home is a Brick house built in the 1920's, and it is a part of the group of homes known as Gray Gardens East. The line for the district extends up Raymond St. It excludes all of the homes on the West Side of the street but, for some reason, the line jogs behind my neighbors home, at #2 Gray Gardens East, and my own, at 60 Raymond St. The reason for this deviation is a mystery to me. I would assume that Gray Gardens homes were eliminated for the simple reason that, like my own and my neighbors, it was built in the 1920's. After my experiences with the Commission, I have considered doing whatever it will take to have my house removed from the district. In fact, many of my neighbors feel the same way, and we have discussed making this a joint effort.

In my opinion and the opinion of most of my neighbors, this Commission has been endowed with far too much power. It needs to serve the property owners of Cambridge in a more fair and less discriminatory manner.

Yours truly,

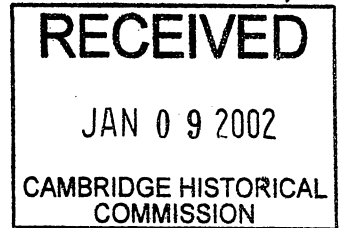
A handwritten signature in black ink, appearing to read 'Nelson Gore', written in a cursive style.

Nelson Gore

Cc: Sally Zimmerman

Charles Sullivan, *Historical Commission of Cambridge*

JULIA C. BAGALAY  
15 Raymond Street  
Cambridge, MA 02140



9 December 2002

Mr. Allen Razdow, Chairman  
Avon Hill Neighborhood Conservation District  
831 Massachusetts Avenue  
Cambridge, MA 02139

Dear Mr. Razdow:

This letter is furnished in response to the invitation of the Avon Hill Neighborhood Conservation District Commission to submit comments on the activities of the Commission. Because we have been directly affected by the conduct of the Commission, we believe that it is appropriate to submit comments both to the Commission and to the City Council of Cambridge.

In 1997 I attended several meetings organized by Angelica Sawyer and Ann Austin to discuss the creation of a Neighborhood Conservation District for Avon Hill. I was enthusiastic about the idea and spoke in favor of the plan to neighbors on Raymond Street where we live. I liked the idea of keeping architectural integrity by having remodeling, additions and tear-down plans reviewed by a committee of aesthetically sensitive homeowner neighbors who would make helpful, *non-binding* suggestions with respect to the appropriateness of a proposed addition or modification in relation to the existing architectural style. This, I then believed, would keep the neighborhood's attractive look and add value to the homeowner's property.

But when the Commission began to function I discovered that it acted quite differently in practice than what was presented in concept to those of us who originally and actively supported the proposed new conservation district. Once in place the Commission abandoned the precept that had won acceptance for the District. In October 1999, Laura Gill, one of our architects from Mills Whitaker Architects, and I presented a plan to build a two car garage on the northwest corner of our lot. We presented a plan that was in complete harmony with our gray clapboard house designed by Lois Lilly Howe in 1922. To demonstrate the consistency of our proposal both with respect to the architectural tradition of Ms. Howe and the history of garage placements on Raymond Street we showed photographs of garages designed by Lois Lilly Howe and the other garages facing Raymond Street. This photographic information Ms. Gill and I presented clearly demonstrated both the architectural consistency and the precedent for our proposed construction.

When we appeared at the Commission for the discussion of our proposal, we learned for the first time that the Commission's decision, contrary to everything that had been presented to me at the inception of the Avon Hill Neighborhood Conversation District formation, would be binding, not just an advisory opinion as to the appropriateness of our proposal. The committee members were not interested in or sympathetic to our desire to have our cars covered and secure by the side of our house nearest the street. Two of the members had surprisingly come on our property and walked around our back yard and garden. This inspection was conducted without notice and without even ringing our doorbell to ask if they might look around. After looking at our perennial beds, fish pond and stonework, these two members suggested we could remove that landscaping and put an addition to the old one-car garage that had long before we bought the property ceased to be a garage and had been converted to a tool shed and plant room. Access to this garden shed is restricted by the fact that there is only a 10 foot wide driveway between our house and our neighbor's fence. Moreover this garden shed is 150 feet from the street, too tight for maneuverability of any modern car and too far from the street for daily use in winter snow. Another suggestion offered was to build a pergola on the side of our property that faces the street. That construction would not provide the security we need. My husband's car has twice been vandalized while parked on the street; we have had three bicycles stolen from our driveway notwithstanding the fact that these bicycles were locked to a chain link fence that abuts our driveway. These acts of vandalism would not have been possible if we had owned a secure garage.

With respect to the Avon Hill meeting at which we made our presentation, that experience can only be described as very unpleasant and discouraging. In our opinion, the Commission was:

1. Uninterested in the needs and desires of the property owner;
2. Not able to discern or appreciate architectural compatibility;
3. Not open to precedent of other garages on the street; and
4. More concerned with pacifying objections of neighbors than in helping the property owner make his property more aesthetically attractive as well as more livable and secure.

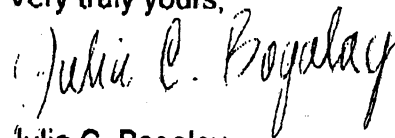
For example, with respect to point number four above, one resident of the Peabody Court Condominium east of our property line said he did not think we should have a garage because he did not want to view a roof out of his window. If the garage we propose were built it would certainly be an improvement over the cracked sidewalk and loose gravel now seen where our proposed garage would be.

It was and is our opinion that the members of the Commission seemed to have their own agendas and enjoyed asserting their power over tax-paying property owners. Accommodation and rational discourse are not among the Commission's most distinctive characteristics.

We were told after our presentation that the members of the Commission would all vote against our plan, implying that nothing we could say would make the least difference in the outcome, and invited us to withdraw it to make changes and later present a new plan. Nothing in the conduct of the Commission leads to any conclusion that any more time or money spent by us would make the slightest difference in its decision. If that conclusion is faulty, we would have appreciated even a modest indication by the Commission of open and objective future consideration.

We recognize the inherent difficulty in the creation of a public body charged with the responsibility to review the modifications property owners wish to make on their land. The task would be daunting even if the body were made up of the most aesthetically sensitive architects and landscapers endowed with the Wisdom of Solomon. Unfortunately, the Avon Hill Neighborhood Conservation District Commission is not such a body. We have instead a body that places primary emphasis on what remotely situated residents want to compel their neighbors to do to with the property those neighbors own. This has nothing to do with reasonable property restrictions properly the concern of us all. It has everything to do with the right of a property owner to use his property to provide convenience and security consistent with good taste and architectural integrity. In these circumstances, we no longer wish to be a part of the Avon Hill Neighborhood Conservation District that has failed to deliver the promises made to those of us who supported it at inception. Unless the District returns to its fundamental premise, we would prefer to remove our property from its ambit.

Very truly yours,



Julia C. Bagalay

cc: City Council of Cambridge



**Avon Hill Neighborhood  
Conservation District Commission**

831 Massachusetts Avenue, Cambridge, Massachusetts 02139  
617 349 4683, Fax 617 349 6165, E-mail histcomm@ci.cambridge.ma.us

Allen Razdow, *Chair*, James Freeman, *Vice Chair*, Sally Zimmerman, *Secretary*  
Howard Medwed, Barbara Norfleet, Jo Solet, *Members*  
Jacqueline Olds, Louise Sullivan, Karin Weller, *Alternates*

Morton and Phyllis Keller  
29 Raymond Street  
Cambridge, MA 02140

re: Determination of Avon Hill NCD Commission in AH-41 (review of non-binding Certificate of Appropriateness to replace eight second-story windows with vinyl replacement windows)

Dear Mr. and Mrs. Keller:

I am writing to convey the decision of the Avon Hill Neighborhood Conservation District Commission with regard to your application to replace your wood, eight-over-eight second-story windows with vinyl insulated sash with a sandwiched grille in an eight-over-eight pattern. It was the determination of the Commission that the vinyl replacement sash would be inappropriate to the character of the building, a 1905 Tudor Revival block of three houses, designed by Sturgis & Bartow.

Changing the sash to vinyl sash would create an anomaly in the window treatments of the three houses in the complex; the vinyl sash would appear to be a single sheet of glazing from the street, not the divided character that the multi-paned wood sash has now; and the vinyl sash would have a somewhat smaller opening than the wood sash has now. For these reasons, the Commission strongly urged you to consider repairing the existing sash or replacing the sash with wood, divided light sash and installing a good quality storm window.

As you know, the Commission's determination in this case is non-binding, or advisory, only. This means that regardless of what you ultimately determine to do with the windows, you may obtain a building permit for the windows without any further review. Please do not hesitate to contact me if I can be of assistance.

Sincerely,

Sally Zimmerman  
Preservation Planner

cc: City Clerk





# Avon Hill Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139  
617 349 4683, Fax 617 349 6165, E-mail histcomm@ci.cambridge.ma.us

Allen Razdow, *Chair*, James Freeman, *Vice Chair*, Sally Zimmerman, *Secretary*  
Howard Medwed, Barbara Norfleet, Jo Solet, *Members*  
Jacqueline Olds, Louise Sullivan, Karin Weller, *Alternates*

AH-43  
(denied)

March 2, 2000.

Nelson Gore  
60 Raymond Street  
Cambridge, Massachusetts 02140

re: AH-43 (denial of non-binding Certificate of Appropriateness)

Dear Mr. Gore:

I am writing to convey the findings of the Avon Hill Neighborhood Conservation District Commission in AH-43, an application to construct a brick veneer, single-story addition at the first floor of the existing house, to decrease the length of the sidewalk retaining wall in front of the addition and increase the paved area for off-street parking, and to consider enlargement of the existing curb cut from 12' to 20'. As you know, the Commission's determination in this application is non-binding, meaning it is advisory only and does not bind you to the terms of the decision.

While the Commission did not comment on the addition independent of the project as a whole, the Commission did find that the effect of the new construction was to increase the amount of frontage devoted to the garage elevation to 37 feet, or approximately 40% of the lot frontage; that the paved area would be significantly increased; and that visual access to the site would be reduced by the addition of a brick wall (approximately 13' long by 8' high) with an arch at the south side of the property. The order establishing the Avon Hill NCD cites as Conservation Guidelines that vistas into and through a site be conserved, that paved parking areas be minimal, that parking be screened if possible, and that enclosure of private spaces be balanced against the historically-open character of the district. The Commission found that the application did not meet these guidelines and voted at its March 1 meeting not to issue a Certificate of Appropriateness for the application.

The Commission further noted that their concerns about the application could be alleviated by screening or breaking up the parking area with plantings and by increasing visual access to the property in a number of possible ways: by moving the replacement, solid board fence at the north end of the property further into the planting bed; by using a more open style of fence; and by removing, relocating, or otherwise revising the brick arch wall to be more open and transparent. Any of these possibilities could be pursued without further recourse to the Commission.

Though not part of its decision, the Commission also noted that use of the paved area for off-street parking or parking by more than three cars would require zoning relief and would trigger a new, binding, review by the Commission.

As I indicated above, the Commission's determination will not affect your capacity to obtain a building permit for this project as you have planned it. If you wish to discuss any modifications to the project, I would be happy to speak with you at any time.

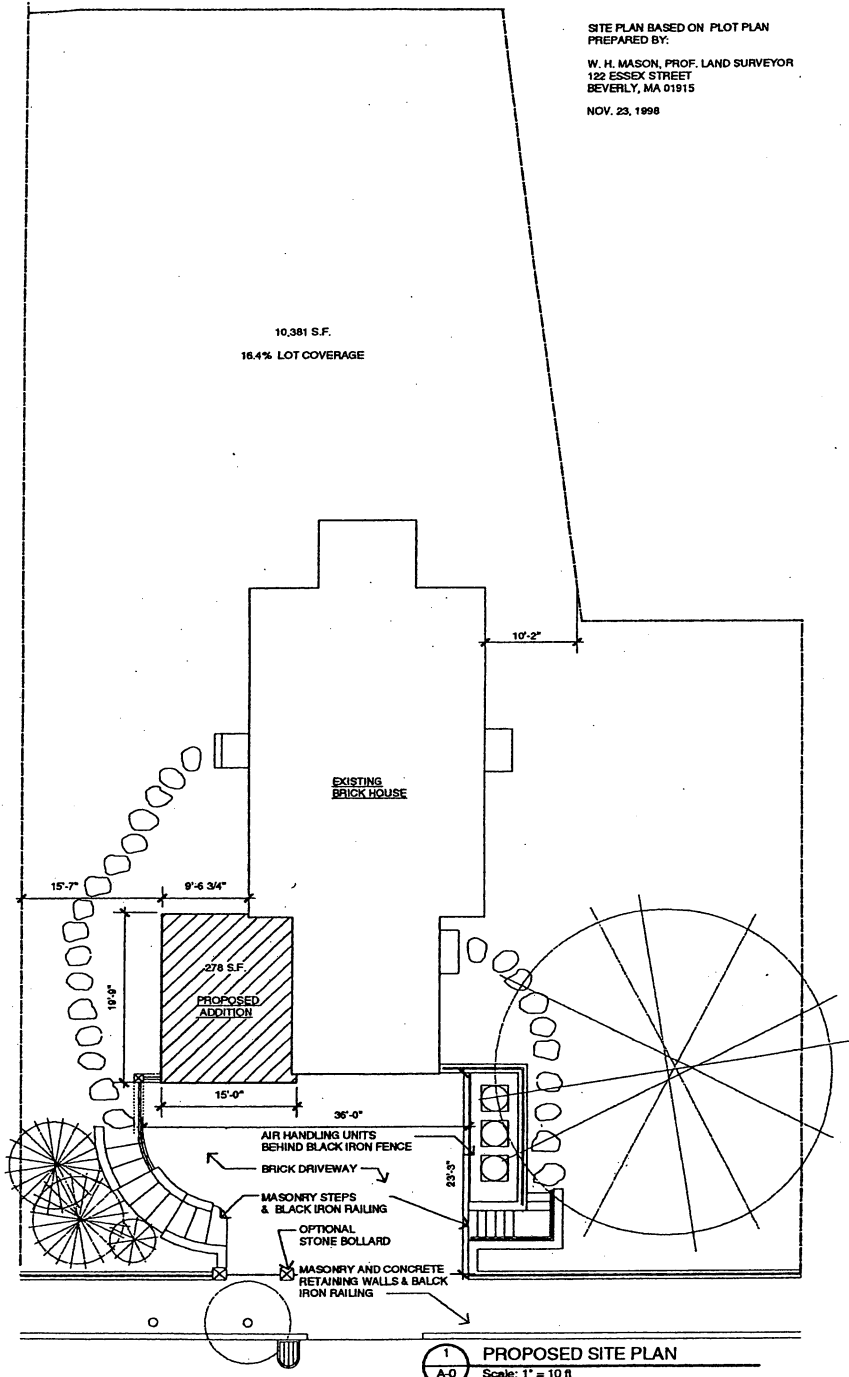
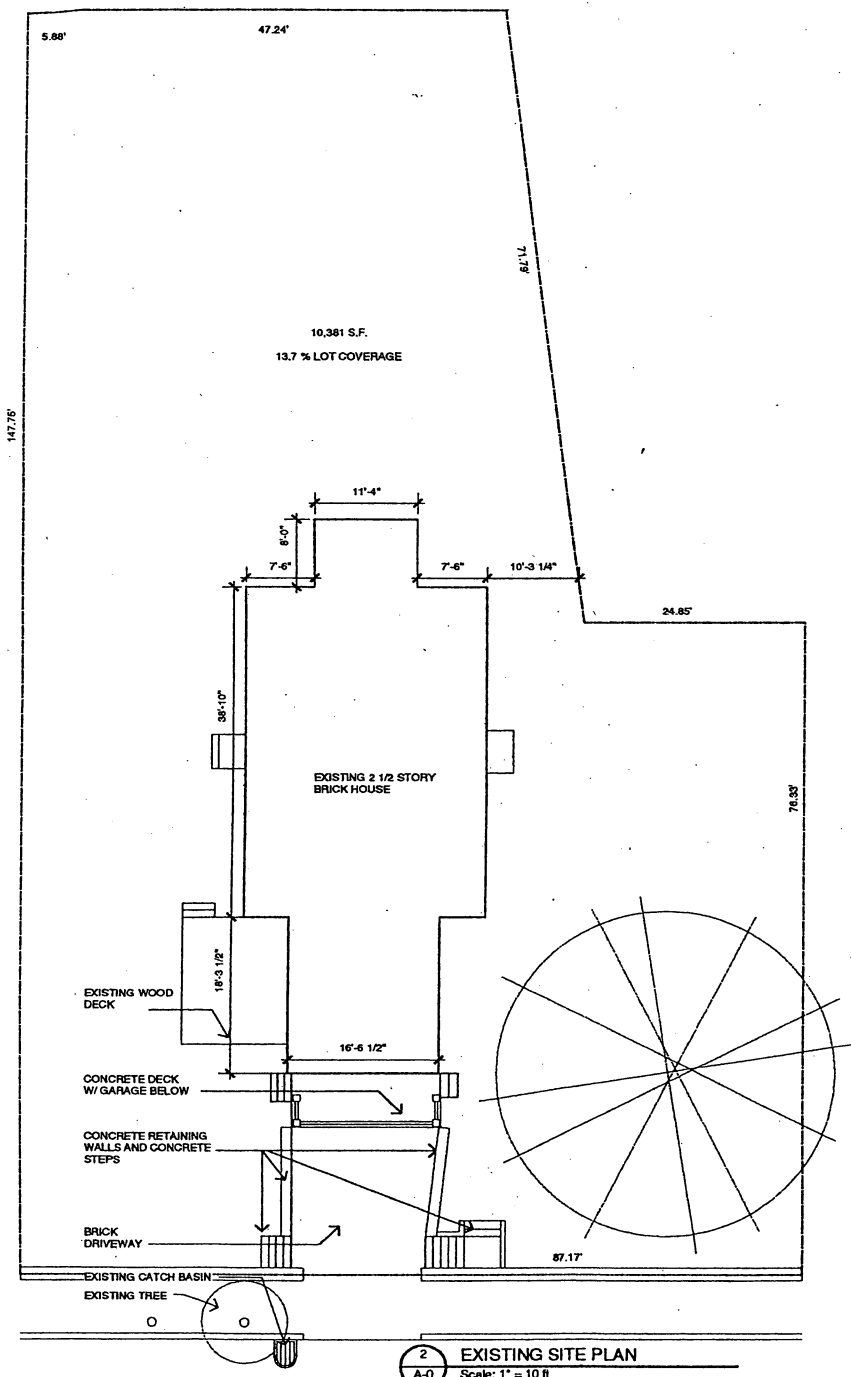
Sincerely,

A handwritten signature in cursive script that reads "Sally Zimmerman".

Sally Zimmerman  
Preservation Planner

cc: Margaret Drury, City Clerk  
Ranjit Singanayagam, ISD

As approved in AH-17



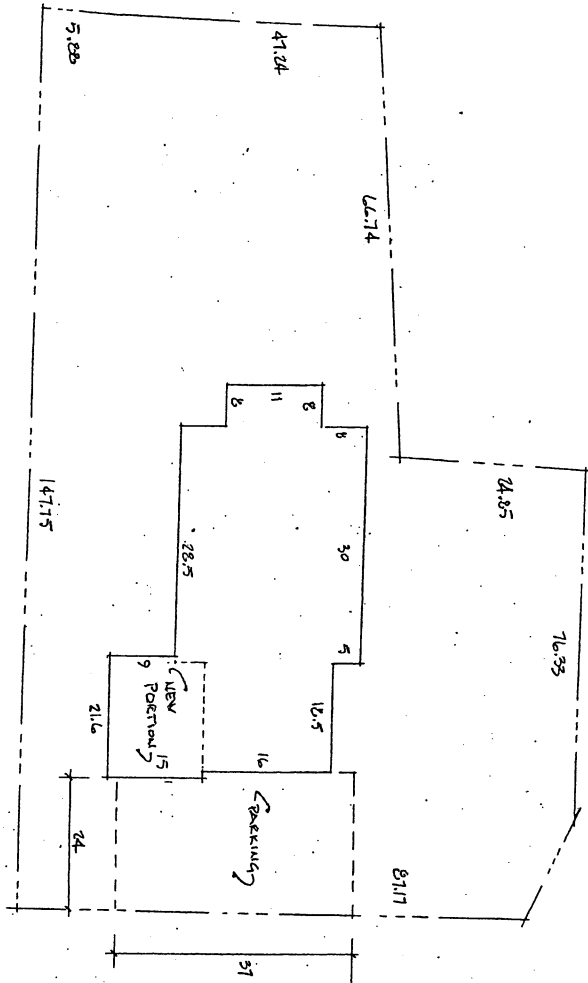
SITE PLAN BASED ON PLOT PLAN  
PREPARED BY:  
W. H. MASON, PROF. LAND SURVEYOR  
122 ESSEX STREET  
BEVERLY, MA 01915  
NOV. 23, 1998

MILLS WHITAKER ARCHITECTS LLC  
649 Massachusetts Avenue  
Cambridge MA 02139  
tel: 617-476-1011 fax: 617-476-6403

GORE RESIDENCE  
60 RAYMOND STREET  
CAMBRIDGE, MASSACHUSETTS  
EXISTING & PROPOSED SITE PLANS

PROJECT NAME:  
PROJECT ADDRESS:  
REV:  
DATE: 18 JUNE 1999  
AVON HILL, NCD  
SHEET 1:  
**A-0**

PROPOSED SITE PLAN SHOWING DRIVEWAYS & PARKING 1:75  
 GORE RESIDENCE 60 RAYMOND STREET CAMBRIDGE, MA



EAST ELEVATION 1/8" = 1'-0"  
 GORE RESIDENCE 60 RAYMOND STREET CAMBRIDGE, MA

as denied in AH-43



Class Index This

with meeting of

March 18, 2002

S-78

S-78