



**South End Landmark District Commission
Public Hearing Minutes**

Boston City Hall, Piemonte Room
Boston, MA, 02201

NOVEMBER 5, 2019

Commissioners Present: John Freeman, Catherine Hunt, Diana Parcon, Peter Sanborn

Staff Present: Mary Cirbus, Preservation Planner; Gabriela Amore, Preservation Assistant

5:35 PM D. Parcon called the public hearing to order.

I. DESIGN REVIEW

APP # 20.440 SE 24 HOLYOKE STREET

Applicant: Marcus Springer, Springer Architects LLC

Proposed Work: At the roof level, extend a roof deck and install railings visible from a public way.

Marcus Springer, Springer Architects LLC, was the project representative. Mr. Springer walked the Commissioners through the work, which includes window replacement (which is Administrative Review) and extending the roof deck towards the front façade. He also explained the interior alterations, which are not in SELDC purview.

He noted that he viewed the mockup very recently (after the leaves had fallen) and the railing placement was not visible. The Commissioners looked at various views from oblique angles along the SW Corridor and Columbus Avenue and the photographs presented showed that the new installation is not visible.

J. Freeman noted that the Commissioners can approve it based on Mr. Springer's claims that the railings are not visible, but it will be the applicant's responsibility to ensure that.

The Commissioners arrived at the following proviso:

- That the railings will be placed so that they will not be visible from any public way.

There was no public comment.

J. Freeman motioned to approve the application with provisos, C. Hunt seconded the motion. The vote was 3-0 (JF, CH, DP).



APP # 20.406 SE 44 DARTMOUTH STREET

Applicant: Wellington Oliveria

Proposed Work: At the roof level, rebuild an existing visible deck with HVAC equipment

Wellington Oliveria, contractor for the applicant, was the project representative.

Mr. Oliveria walked the Commissioners through the project, which includes rebuilding the roof deck in the existing footprint.

SELDC staff located a previous approval from 1999, which stipulated that the roof deck had to be set back 11 feet from the front façade and 6 feet from the rear façade, but does not have confirmation that the deck was built to that footprint.

After some discussion, the Commissioners noted that it was best to continue this item until staff could confirm if the existing deck was built to the correct measurements.

The Commissioners arrived at the conclusion to continue the application for more information because of unresolved questions as to whether the existing roof deck, which is visible at the front and rear from public ways, was built to conform to the provisos approved by the Commission at the February 1999 Public Hearing.

J. Freeman made the motion to continue the application for more information because there are questions as to whether the deck, which is visible, was built to conform to the provisos approved by the Commission in 1999. C. Hunt seconded the motion.

There was no public comment.

J. Freeman motioned to continue the application, C. Hunt seconded the motion. The vote was 3-0 (JF, CH, DP).

APP # 20.431 SE 189 WEST BROOKLINE STREET

Applicant: Dartagnan Brown, Embarc Studio LLC

Proposed Work: At the roof level, construct a new deck.

Mark Van Brocklin, Embarc Studio LLC, was the project architect. He walked the Commissioners through the proposed work, which includes building a roof deck at the roof, where there is an existing roof deck. The footprint will be slightly different, but not any closer to the front façade. The proposed railing will be 36" which is 6" shorter than the existing railings.



Staff noted that the railings are not visible over the front façade but it is visible from a limited area at a gap in the street wall along West Canton Street. The Commissioners noted that there is some flexibility if visible from limited areas over the rear façade. C. Hunt commented that the applicant should investigate moving the railings further back to decrease visibility if possible.

The Commissioners arrived at the following stipulation:

- That the deck is approved in concept but the placement of the railings is remanded to staff with the proviso that the alley view be improved but the Commission understands that minimal visibility of the railings is permitted due to the limited nature of visibility from West Canton Street.

There was no public comment.

J. Freeman motioned to approve the application with provisos, C. Hunt seconded the motion. The vote was 3-0 (JF, CH, DP).

APP # 20.414 SE 519 ALBANY STREET

Applicant: New Cingular Wireless PCS, LLC (“AT&T”); Edward D. Pare, Jr.; Brown Rudnick LLP

Proposed Work: At the roof, modify existing telecommunications equipment

Ed Pare was the project representative. He explained the proposed scope of work, which includes altering the existing AT&T installation at the roof of 519 Albany Street. Some radio units will be removed and some will be pivoted.

There was some question as to whether or not the existing installation was approved by the Commissioners and staff was unable to verify, however it may have been approved administratively since the building is located in the South End Protection Area and the installation may have been approved because it is not have been visible from the district. The Commissioners looked through photographs and a site plan and further investigated views on Google Street View. Mr. Pare explained that some of the units will be pivoted slightly and that nothing will be closer to the roof edge.

The Commissioners asked if AT&T is part of the DAS network which is being installed on street poles. Mr. Pare noted that AT&T currently does not have an agreement with the city. J. Freeman expressed concern about abandoned telecommunications equipment and Mr. Pare explained that this location is considered a macro site and is therefore going to remain long term.

After some discussion the Commissioners ultimately decided that the views of the building would be improved by reducing the amount of units visible from a public way,



and moved to accept it as submitted.

There was no public comment.

C. Hunt motioned to approve the application as submitted, J. Freeman seconded the motion. The vote was 3-0 (JF, CH, DP).

APP # 20.271 SE 103 WEST SPRINGFIELD STREET

Applicant: Brian Roberts, Roberts Design and Construction

Proposed Work: Replace eleven (11) original windows at the front elevation.

Rob Hagan, homeowner, was the project representative. He showed the Commissioners photographs of the house and explained that windows at the dormer, third, and basement levels are replacement windows but the windows at the parlor and second levels are original. He explained that he is seeking to replace the windows for a consistent look across the façade.

The Commissioners explained that the Guidelines do not give any consideration to consistency, but rather to preserving historic fabric. It is permissible to replace the replacement windows, but the applicant must submit shop drawings showing dimensions and muntins. Replacement of original windows is permissible only when two window restoration specialists certify that the windows cannot be repaired.

The applicant asked if he can restore the existing windows and the Commissioners and staff explained that this work can be approved administratively. After some discussion with the applicant, the Commissioners moved to approve the replacement of the replacement windows and the restoration of the original windows. The applicant asked if he could replace the window panes with insulated glazing. J. Freeman noted that it is allowed but that the front piece of glass has to be placed in the original position (cannot be any less recessed).

The Commissioners concluded to approve the application, with the proviso that the original windows are restored, rather than replaced.

There was no public comment.

J. Freeman motioned to approve the application with provisos. C. Hunt seconded the motion. The vote was 3-0 (JF, CH, DP).



APP # 20.492 SE 312-314 SHAWMUT AVENUE

Applicant: David Hoogasian, Extenet Systems, Inc.

Proposed Work: Replace existing acorn globe light pole and add small cell node antennae and associates equipment, maintain double acorn configuration

David Hoogasian was the project representative. He explained the proposed project scope, which includes replacing the existing double-acorn style light pole and adding the side-mounted telecommunications equipment and antennae. The equipment box is 35.4”.

The Commissioners agreed that the changes were minimally intrusive and had no objections to the installation.

There was no public comment.

D. Parcon motioned to approved the application, J. Freeman seconded the motion. The vote was 3-0 (JF, CH, DP).

APP # 20.494 SE 57 Newland Street

Applicant: David Hoogasian, Extenet Systems, Inc

Proposed Work: Replace existing acorn globe light pole and add small cell node antennae and associates equipment, Single acorn to new double acorn configuration

David Hoogasian was the project representative. He explained the proposed project scope, which includes replacing the single acorn light pole with a double acorn light pole.

The Commissioners did not have a problem with the change in configuration, given that the light pole is located on a corner.

There was no public comment.

C. Hunt motioned to approve the application, J. Freeman seconded the motion. The vote was 3-0 (JF, CH, DP).

APP # 20.436 SE 85 West Newton Street

Applicant: Inquilinos Boricuas en Acción (IBA)

Proposed Work: Demolish the existing former church and parish house (Villa Victoria Center for the Arts/ IBA Preschool)

Vanessa Calderón-Rosado (IBA), Peter Muckenbeck (consultant) and Ned Goddell (architect) were the project representatives.



The applicants explained their proposal, which includes demolishing the existing former church and parish house and are seeking a Certificate of Exemption based on hardship. The organization appeared before the Commission in 2017 and received approval for selective demolition of the tower. After the work commenced additional structural deficiencies were discovered in the tower. They reappeared before the Commission in 2019 under Advisory Review to present possible alternatives for the building but later determined that the work is not feasible financially.

They explained several engineer reports that detail the structural instabilities of the tower and a portion of the north wall. They were also served a Notice of Violation from ISD on November 5, 2019. The applicants further explained that they contacted Landmarks at the end of September, after they were served an order from the Boston Fire Department. A meeting was held at Landmarks on October 2, 2019.

While the structural deficiencies are confined to the tower and a portion of the north wall, they cannot remove the tower and north wall without leaving the interior of the building completely exposed to the elements. The applicants claim that they cannot restore the building with their financial means.

J. Freeman noted that he recalled someone else in City Hall has to review the hardship application. Staff is unsure.

C. Hunt asked for a timeline of work on the building and J. Freeman followed up asking why this building is not being subject to demolition by neglect. The applicants explained that they had tried in good faith to fix the building, but that engineers did not discover the problems until a significant amount of money was already spent.

P. Sanborn asked if the applicants had explored selling the property and the applicants will not consider doing so. He also asked if any of their other properties have development potential, namely the plaza at W. Dedham Street. There are several city services underneath the parcel and they cannot build in that location. Open spaces are also not developable due to the Master Plan.

P. Sanborn asked if the other walls of the building are structurally sound. The applications responded that they are unsure of their structural stability.

The Commissioners and applicants also discussed the ISD Notice of Violation. According to the applicants, the tower and north wall have to be demolished. They cannot follow through with demolishing these portions of the building and shoring up the rest.

J. Freeman asked for public comment. Greg Galer spoke on behalf of the Boston Preservation Alliance. The BPA is concerned about this Hardship application setting precedence. He reiterated that the ISD Notice is not an order to demolish the building, but rather an order to respond regarding remedying the situation.



The Commission also inquired if the applicants have the funds in hand to pursue demolishing the building and constructing a new building on the parcel. The applicants responded that they would need to commence a capital campaign, but a great deal of money is already in hand. They anticipate that the lot will be vacant for approximately 3 years. Meanwhile the building is secured, but it does not alleviate public safety issues. It is not a permanent structural solution.

C. Hunt inquired if any other engineers had examined the property. She expressed that there must be an intermediate intervention between restoring the full tower and tearing the whole building down.

J. Freeman noted that this demolition would be the largest ever for the SELDC and that the Commission needs to be involved. The Commissioners also discussed possibilities for the best course of action.

After additional discussion, the Commission decided to continue the application, citing that:

- The Commission understands the applicant must respond to the violation notice issued by ISD on November 5, 2019 but there should be no misinterpretation that the Commission is authorizing or approving demolition;
- As of the November 5, 2019 public hearing the Commission understands that any demolition will not happen before January 6, 2020;
- Commission staff be included in any meetings with ISD and/or the Boston Preservation Alliance (BPA)
- That IBA accepts BPA's involvement moving forward in whatever way BPA offers assistance; and
- IBA provides SELDC with a letter addressing the question of demolition by neglect and, specifically, how the structural issues developed over time without awareness by professionals or facilities staff.

J. Freeman motioned to continue the application to the 12/03/2019 SELDC Public Hearing, P. Sanborn seconded the motion. The vote was 4-0 (JF, CH, DP, PS).

II. ADVISORY REVIEW

40 EAST BERKELEY STREET

Applicant:

Proposed Work: Construct a roof deck.

The applicant did not show.

III. ADMINISTRATIVE REVIEW/ APPROVAL



C. Hunt motioned to approve the applications as submitted. J. Freeman seconded the motion. The vote was 4-0 (JF, CH, DP, PS).

IV. RATIFICATION OF 10/01/2019 PUBLIC HEARING MINUTES

J. Freeman motioned to approve the minutes. C. Hunt seconded the motion. The vote was 4-0 (JF, CH, DP, PS).

V. STAFF UPDATES

VI. ADJOURN – 8:16 PM

J. Freeman motioned to adjourn. C. Hunt seconded the motion. The vote was 4-0 (JF, CH, DP, PS).