

**DRAFT**  
**SALEM HISTORICAL COMMISSION**  
**REGULAR MEETING MINUTES**  
February 15, 2023

A regular meeting of the Salem Historical Commission was held on Wednesday, February 15, 2023, at 6:00 pm. **VIRTUAL ZOOM MEETING.** Present were: Rebecca English, Vijay Joyce, Milo Martinez, Mark Meche, Jamie Graham, Kelly Tyler-Lewis, Larry Spang (Chair). Staff: Patti Kelleher. Not present: Reed Cutting, Mark Pattison.

275 Lafayette Street

MD Property Development LLC submitted a Certificate of Appropriateness to renovate building and new construction

Ms. Kelleher reported that the applicants requested a continuation to the March 1<sup>st</sup> meeting.

**VOTE: English made a motion to the March 1, 2023 meeting. Martinez seconded the motion.**  
**Roll Call: English, Martinez, Graham, Tyler-Lewis, Meche, and Joyce were in favor and the motion so carried.**

180 Derby Street

Brookhouse Home submitted an application for a Certificate of Hardship to replace brick boundary wall

Documents & Exhibits

- Application: 1/18/23
- Photographs

Martha Ryan (President of Brookhouse Board), Judy Kane (Brookhouse Administrator) and Chris Macfarlane (Landscape Architect from Landworks Studio) was present to discuss the project.

Ms. Ryan stated that on August 9, 2022 the 6-foot brick wall along their property's western border collapsed after heavy rains, caused by water and pressure against an exterior brick wall not designed to act as a retaining barrier with a difference in grade exceeding 4-feet. They consulted with two engineers and local contractors. Brookhouse Home is requesting a Certificate of Hardship for three reasons, 1) cost – which ranged from \$78,650 - \$180,319 for demolition, excavation and constructing a new wall, 2) the removal of retaining wall could compromise neighboring building foundations abutting the wall, and 3) a replacement brick wall could result in a future collapse due to similar conditions. They reached out to Landworks Studio in search of a more sustainable and affordable solution that would preserve as much of the landscape and garden as possible while creating a more natural boundary between the two properties.

Mr. Macfarlane stated that the wall dividing the two properties is approximately 150-feet long, over half of it has fallen completely and the other half is leaning and would have to be taken down. The wall stepped as it approaches the front, and at the end of the wall, it transitions to concrete that continues to Derby Street and aligns with the neighbor's wall at the front of the property and white picket fence. The rain came from neighboring roof leaders that saturated the ground along the brick wall. They want to save the tree next to the wall.

Mr. Macfarlane stated that the proposed plan includes removing all 150-feet of brick wall to eliminate the safety concerns, to replace a piece of wall at the existing tree with a different material, with the remaining area being an earth reinforced slope since the neighboring property is approximately 3-feet above the Brookhouse property. Planting would be added to the sloped area to provide more stability. The proposed material around the tree is an engineered block wall in a crescent shape that would extend approximately 35-feet from the front toward the rear

carriage house. The modular engineered wall would be placed on a gravel foundation and would allow frost and water to move through it.

Acting-Chair Joyce asked if there was a plan by the neighbor to place anything between the two properties. Mr. Macfarlane replied that the neighbor does have a fence on top of their own wall with hearty landscaping extending from Derby Street to their house, which transitions into a walkway along the side of the house and a rear patio. The brick wall from the neighbor's side was approximately 3-feet-high and that area would now become lush landscape.

Mr. Martinez stated that aside from the engineered block, most of what is proposed is appropriate and graceful solution to the problem and falls into a Certificate of Hardship category. He requested that options for the engineered block be explored. Acting-Chair Joyce agreed.

Ms. Tyler-Lewis asked how visible the wall would be from the sidewalks. Mr. Macfarlane replied at approx. 60-feet away, it will be visible but shaded by the tree and lower than the existing 30-inch-high wall, which will not require a guardrail. It will also be landscaped on either side. Ms. Tyler-Lewis requested the length. Mr. Macfarlane replied that the new wall would be slightly less than the length one of the existing steps in the brick wall. It's proposed placement will also help preserve the tree.

Ms. Graham requested their plans to terminate the wood fence and begin the landscaping. Mr. Macfarlane replied that the fence is owned by the neighbor and not part of their project. Acting-Chair Joyce asked if the existing bricks could be reused. Mr. Macfarlane replied that the engineered block has several finishes, comes in brick red and a ground finish which are smoother, and acts as a cohesive unit that is simple but has the strength to hold back the earth. Attaching a brick face would require a different system with a rigid footing. Having priced it locally, brick is twice the price, and the owner wants to minimize the amount of money spent. Acting-Chair Joyce noted that the Commission must balance historic preferences, especially as a Crowninshield property and a Federal style house. Despite the unknown age of the existing brick wall and other elements, engineered block would be visible and not be appropriate, despite the brick color option. He suggested that the 8x16 inch block material could be granite. Mr. Macfarlane noted that the prices received were for recreating the brick wall or reconstructing in engineered block and suggested a smaller section of face brick to reduce the price as a compromise. Ms. Ryan raised concern with a brick wall that wasn't original and was previously larger, when this option proposed is stronger and would last longer. She noted that visibility from Derby Street would be a sideview and diminish with the surrounding summer vegetation and she didn't see the functionality of a wall with such a high cost. Mr. Macfarlane suggested a brick veneered wall could cost \$25,000 more than an engineered wall.

Mr. Macfarlane noted that the footing design on the neighboring property is unknown and in order to build a brick wall they would need to create an area for the foundation with tree roots also a concern. He suggested a portion of the brick wall be removed in the area closest to the house so there could be minimal disturbance.

Acting-Chair Joyce stated that he is not in favor of engineered block being the face material and suggested investigating options. Ms. Graham suggested the neighbor may apply for a fence so half of the side yard is not left open and the details to close the gap could be determined.

*Mr. Meche joined the meeting at this time.*

Public Comment:

Judith Kane, Brookhouse Home. Stated that the next-door neighbor has already begun to replace the white picket with a newer version of the fence. Mr. Martinez noted that the neighbor hasn't applied for a Certificate of Non-Applicability to install the fence.

No one else in the assembly wished to speak.

Acting-Chair Joyce asked if the neighbors fence installation would compromise their plans. Mr. Macfarlane replied no.

Mr. Meche stated that he heard most of the discussion but had nothing to add.

Mr. Martinez requested specifications of the engineered block wall. Mr. Macfarlane noted that their idea was to continue the look of the neighbor's wall which has greenery on top. Acting-Chair Joyce replied that landscaping cannot be considered because it can change.

Mr. Meche asked what the failed brick wall sat on. Mr. Macfarlane replied large multiple layers of large cobblestone with multiple layers of brick and mortar, but no real footing.

Acting-Chair Joyce suggested a continuance to investigate material options that would be more appropriate. Ms. English made an additional request for proposed material specifications for their consideration. Ms. Kelleher noted that previous engineered block applications weren't approved, so there is precedence. She suggested a site visit and sample block or alternative facing material be provided. Ms. Ryan asked if there was opposition to the block or just the facing material. Acting-Chair Joyce replied the block, which they don't want visible. Mr. Macfarlane clarified that the proposed engineered block selected is called Fat Face.

**VOTE: English made a motion to continue to the next regular meeting on March 1, 2023. Graham seconded the motion. Roll Call: English, Martinez, Graham, Tyler-Lewis, Meche and Joyce were in favor and the motion so carried.**

Mr. Macfarlane asked if the continuation would be an in-person meeting. Ms. Kelleher replied that the special order ends in March and no date has been confirmed for when they will return to in-person meeting. She noted that material samples could be brought to the Planning Office or at the property to review on site. Acting-Chair Joyce requested veneer samples also be provided.

#### 284 Lafayette Street

Coach House Inn LLC submitted an application for a Certificate of Appropriateness to replace signs

#### Documents & Exhibits

- Application: 1/18/23
- Photographs

Marley Chase (Operations Manager) and Niko Giallousis (owner) were present to discuss the project.

Ms. Chase stated that their sign has metal finishes that are corroding, rotted wood, letters falling off, and the post is loose. Concept Signs will provide a new sign in the same location with a 2-inch-thick double-sided sign, 44-inches-high x 48-inches-wide, 23 karat gold leaf raised panel with the coachman logo. A custom steel scroll bracket will be used to attach the proposed sign to the new Azek sleeve post. Mr. Giallousis noted that the post would be black steel cylinder shaped and with a scroll to match the existing.

Mr. Meche noted that the quote provided indicated an Azek sleeve post. Mr. Giallousis replied that if the post is Azek, it would be painted black, the sign would have gold lettering, and scrolling to match the wrought iron fence.

Mr. Meche raised concern with eliminating the address from the sign. Mr. Giallousis replied that the address is on the awning and mailbox.

Acting-Chair Joyce asked if the black bracket would be custom or standard. Mr. Giallousis replied standard wrought iron.

Mr. Meche raised concerns with the replacement sign being installed too high and requiring a detectable warning below. Ms. Graham suggested adding plantings below it. Mr. Giallousis noted the sign is fenced in on all four sides, with no entry or gate to the grounds of the property, so people can't get up close the sign. Mr. Meche suggested the sign height may need to follow ADA standards for visibility.

Mr. Martinez asked if the bottom of the sign would be secured in place to prevent it from flipping up and hitting the bracket or breaking the top connection. Mr. Giallousis suggested a second bracket or single chain below to hold it in place, making three points of connection. Mr. Martinez suggested an alternative bracket. Ms. Marley replied yes, but they felt the proposed would match the historic look they wish to achieve and to match the black wrought iron curl below the existing sign. Mr. Martinez asked if the curled motif was used elsewhere. Ms. Marley replied at the railing ends.

Ms. Graham asked if the scrolls would be painted black. Ms. Marley replied yes.

Acting-Chair Joyce suggested the bottom sign bracket be smaller as to not overpower the top bracket. Mr. Meche agreed and suggested a second post, one on each side of the sign. Ms. English was in favor of either.

Acting-Chair Joyce requested the diameter of the post. Ms. Marley replied 3-inch circular post that is 11-feet-6-inches high. Acting-Chair was hesitant to approve a 3-inch diameter pole over 11-feet high. Mr. Giallousis noted that the post would be set in concrete as recommended. Acting-Chair Joyce raised concern with the proportion. Ms. Graham noted that the Athenaeum's recently replaced sign has a 4-inche post.

Mr. Meche asked if the bracket would be welded to the post. Mr. Giallousis replied a through bolt may possibly be used since it will need to be assembled. Mr. Meche suggested a curved bracket to fit the diameter rather than a flat edged bracket.

Public Comment:

Councillor Jeff Cohen, submitted a letter of support for the applicant.

No one else in the assembly wished to speak.

*Larry Spang joined the meeting at this time.*

Acting-Chair Joyce raised concerns with the unknowns. The Commission agreed to deputize a member to review the revised plan.

Ms. Graham stated that she was not in favor of a flat bracket secured to a round post. Mr. Martinez and Ms. Graham agreed to review the revised plans. Mr. Giallousis suggested clarifying the method of attachment with Concept Signs. The Commission had no preference regarding use of a square or round post and agreed to a 4-inch post.

**VOTE:** Martinez made a motion to approve a new sign and sign post, either round or square at 4" with Ms. Graham and Mr. Martinez to review the sign bracket. Graham seconded the motion. Roll Call: English, Martinez, Graham, Tyler-Lewis, Meche, and Joyce were in favor and the motion so carried. Spang abstained due to joining the meeting late.

#### 178 Federal Street

Daniel Gutierrez submitted an application for a Certificate of Appropriateness to replace roof and install new gutters

#### Documents & Exhibits

- Application: 1/18/23
- Photographs

Daniel Gutierrez was present to discuss the project.

Mr. Gutierrez stated that the roof replacement would be in kind and color matched using 3-tab shingles. New copper gutters are proposed to prevent basement water infiltration. The tar roof over the front door would also be replaced with copper roof. The work would be completed by roofer, J.B. Kidney.

Acting-Chair Joyce asked if the downspouts would be round and the gutters half round, and if the copper roof would be standing seam. Mr. Gutierrez replied yes and noted that there is no front gutter currently so water would be directed into the front and side flower beds, and into the rear yard.

Ms. Graham requested an installed image of the proposed manufactured copper seam roof. Acting-Chair Joyce noted that J.B. Kidney would fabricate and install the standing seam roof. Mr. Spang raised concern with the overhang turning the corner and creating a new drip edge at the eave. Acting-Chair Joyce noted that the proposed detail should be provided to the Commission.

Public Comment: No one in the assembly wished to speak.

Acting-Chair Joyce suggested deputizing a Commission member to review the scope of work. Mr. Martinez requested a diagram locating downspouts. Mr. Gutierrez noted that one was submitted.

Mr. Kelleher noted that the existing eave has no decorative detail. Acting-Chair Joyce noted that the new gutter would be attached to the roof. Mr. Spang noted the telephone wire is connected at a corner board where a downspout would be location. Mr. Gutierrez stated that the wiring will be relocated to place the downspout at the corner board.

**VOTE:** Spang made a motion to replace the roof replacement in kind, installation of copper gutter and downspouts, and the removal of the tar roof and installation of the copper standing seam roof, details of copper standing seam roof edge to be reviewed by Joyce. English seconded the motion. Roll Call: English, Martinez, Graham, Tyler-Lewis, Meche, Spang and Joyce were in favor and the motion so carried.

15 Cambridge Street

Jonathan Collins and Kristelle Lavalee submitted an application for a Certificate of Appropriateness for EV charging station (after the fact)

Documents & Exhibits

- Application: 1/30/23
- Photographs

The Applicants were not initially present to discuss the project. Megan Welch (neighbor) was present and offered to discuss the project.

Ms. Kelleher stated that she noticed a new electric vehicle charging station was installed and asked the owner to submit an application. This is the first in the district. She was not being notified about electrical permits including vehicle charging stations but after reaching out to the Electrical Department she is now notified. She shared the new guidelines for charging stations in the Design Guidelines. She noted that some properties have small driveways and limited areas to place a charging station.

Acting-Chair Joyce suggested the charger be moved further away from the street. Mr. Martinez asked if there was a height requirement. Mr. Meche noted that cord length is 20-feet. Mr. Spang suggested placing it behind the side corner board requiring the owner to back into their driveway and charge their vehicle. Ms. Welsh noted that that location would create a tripping hazard in front of the door at the bottom of the steps.

Ms. Meche noted that he has 2 electrical vehicles at his home and the manufacturers offer a 20-foot cable that can be plugged it and moved away. It's okay to be supportive of this new technology although some aren't subtle. He would have suggested alternatives to the current location and noted that theft is also a concern. An electrician is needed to adjust the location. Mr. Spang suggested alternative colors besides white. Mr. Meche replied that there are options, the charger selected is low profile and costs between \$500-\$1000.

Public Comment:

Megan Welch, 15 Cambridge Street. In support of the charger installed by her neighbors. Noted that the charger location is near the electrical panels in the basement.

No one else in the assembly wished to speak.

Mr. Martinez noted that the placement could have been better if discussed and the system not flagging the application isn't an excuse. Mr. Meche suggested finding ways to accommodate them. Ms. English raised concerns with setting a precedent.

Mr. Meche noted that chargers can be surface mounted or recessed, some can be painted, but there will still be a cable like a garden hose visible.

Applicants Kristelle Lavalee and Johnathan Collins joined the meeting at this time.

Acting-Chair Joyce asked why this location was chosen. Ms. Lavalee replied that it aligns with the driveway to charge the car. The height was recommended by their electrician because of snow drifts. Mr. Collins noted that the charger and cord are not in the way of pedestrians. Acting-Chair Joyce stated that the Commission has jurisdiction over items viewable from the public sidewalk and while they encourage it they would want it to be minimally visible as to not impact the history of the building. Ms. Lavalee replied that they didn't know it would be

considered for review as an external structure. Acting-Chair Joyce suggested shifting the charger away from the corner or around the corner. Ms. Lavalee noted that they were considerate its location and didn't place it on the front of the house. The location is ideal for the car and wiring of the house.

Mr. Meche stated that the Commission members must maintain the laws that guide them. This isn't a suggestion, they need to make a plan to move forward.

Ms. English asked if the Commission's Guidelines were shared with the notice. Ms. Kelleher replied no. Ms. Lavalee stated that they didn't purchase a historic home but they are aware that it is in a historic district, but healthy living should be above aesthetics. She noted that other neighbors have them. Mr. Meche noted that the Commission is not anti-EV but they have an obligation. Mr. Spang noted that like the installation of a mini-split system, a process is in place to minimize the impact of that on historic resources. Solar energy doesn't trump the regulations they must abide by.

Mr. Spang suggested placing the charger behind the side corner board. Mr. Spang reiterated that elements visible from the public way are within the Commission's purview. Mr. Collins suggested this was an abuse of power and requested to know if a complaint was made. Ms. Lavalee noted that they paid a lot of money for this install, the charger would still be visible from around the corner, while also create a tripping hazard, and placing more of the cord into the snow in the winter. This spot was chosen by their electrician, they were conscientious of their neighbors, and this seems to be an argument of aesthetic semantics. The humanity of the Commission should be considered if there wasn't a complaint because they are doing the best they can with the space they have.

Mr. Martinez noted that the Commission has asked applicants to undo work projects completed without approval. Without approval, homeowners would make changes without fear of repercussion. They live within a historic district and made an exterior change to their property without Commission approval. The Commission is seeking to determine a solution that works for everyone but their aggression is preventing them from reaching a compromise. They also didn't show up to this meeting. Mr. Collins replied that their neighbor requested that they attend the meeting. He sees no problem with the charger and does not plan to change it.

Mr. Meche stated that the applicant failed to apply for approval and its incumbent upon the applicant to do that. Ms. Lavalee didn't know a charger was considered an obstruction.

Ms. Kelleher stated that she saw this element and as Commission staff she notified the owners that approval is required. She suggested that she seek to work with the City Solicitor on next steps to address the violation if the Commission is unable to have a constructive dialog and collaboration with the applicant. Mr. Spang noted that he didn't think the Commission has the votes to approve what is currently installed and since the applicants don't intend to do anything, seeking input from the City Solicitor is best.

Acting-Chair Joyce stated that there needs to be a dialog and a civil conversation. Mr. Collins stated that he would be willing to do what the Commission wants. Ms. Lavalee stated that she's open to a dialog and is stating their case.

Mr. Spang suggested investigating moving it behind the side wall and what is involved with that for the Commission to consider.

**VOTE: Spang made a motion to continue to the next regular meeting for the applicant to investigate relocating the side of the house. Graham seconded the motion. Roll Call: English, Martinez, Graham, Tyler-Lewis, Meche, Spang and Joyce were in favor and the motion so carried.**

Other Business:

a. Meeting Minutes;

Continued to special meeting next week.

b. Violations;

c. Correspondence

Ms. Kelleher presented a draft document on improvements to the Commission's online application portal system. A couple extra elements were added by the consultant, including a recommendation to improve the on-line permitting portal and she will work with IT on what can be added. It will make applications easier to review and be a good guide for applicants.

One form was for window replacements, explaining what information is being requested, how to obtain dimensions, where to place a window in the opening, existing vs. proposed dimensions, materials, etc. It will be completed by Easton Architects, the same consultant that revised the Design Guidelines.

d. Other:

Ms. Kelleher stated that next week is a special meeting for update on Camp Naumkeag. Ms. English asked if the Commission will be asked to take action and vote at that special meeting. Ms. Kelleher responded that it's in the 18-month demo delay and she doesn't believe the City is seeking a release of that delay.

Mr. Spang asked if a vote on Pioneer Village will be required. Ms. Kelleher replied that no documentation has been received from MHC and the Commission would only vote after it has been received. She will ask if and when they plan to send it.

Mr. Spang stated that they received an e-mail earlier in the day regarding Pioneer Village. Ms. Kelleher noted that Salem is a Certified Local Government (CLG) giving them special standing for National Registry nominations and determining eligibility. MHC would come to the CLG for that determination. Mr. Spang asked what entity makes the final determination. Ms. Kelleher replied the National Park Service. Mr. Spang asked if MHC would participate. Ms. Kelleher replied that MHC would make a recommendation. Mr. Martinez asked Ms. Kelleher if she has prepared a National Register nomination. Ms. Kelleher replied yes, for the Point Neighborhood, before she began working for the City of Salem. She noted that there was an article in the Salem News on Monday about recent events regarding Pioneer Village.

Ms. Kelleher stated that a sample window for Captain Dusty's would be review on Thursday at 8AM by Acting-Chair Joyce and Mr. Pattison.

#### Adjournment

**VOTE: English made a motion to adjourn. Martinez seconded the motion. Roll Call: English, Martinez, Graham, Tyler-Lewis, Meche, Spang and Joyce were in favor and the motion so carried.**

**The meeting ended at 8:30PM**

Respectfully submitted,

Colleen Brewster  
Historical Commission Clerk