

SALEM HISTORICAL COMMISSION  
REGULAR MEETING MINUTES  
May 18, 2022

A regular meeting of the Salem Historical Commission was held on Wednesday, May 18, 2022, at 6:00 pm.

**VIRTUAL ZOOM MEETING.** Present were: Rebecca English, Milo Martinez, Mark Meche, Vijay Joyce, Larry Spang. Not present: Reed Cutting, Jamie Graham, Mark Pattison.

137 Fort Avenue

Jessica and Michael Blomerth submitted a request to Waive the Demolition Delay to remove more than 50% of roof

Documents & Exhibits

- Application: 4/29/22
- Photographs
- Elevation plans

Ms. Kelleher reported that this application was not advertised with the required 14-day online notification requirement under the new demolition delay ordinance and will be continued to the June 1, 2022 Historical Commission meeting.

427 Essex Street

City of Salem submitted a request for comment on Certificate of Appropriateness to relocate Choate statue

Documents & Exhibits

- Application: 5/11/22
- Photographs
- Plans by VHB

Ms. Kelleher reported that the City requested to continue the discussion to the June 1, 2022 meeting.

**VOTE: Ms. English made a motion to continue to June 1, 2022 meeting. Mr. Joyce seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

9 Hathorne Street- continuation

Davis Properties LLC submitted a Certificate of Appropriateness to replace windows and paint colors

Documents & Exhibits

- Application: 3/30/22
- Photographs

Gregory Davis was present to discuss the project.

Mr. Davis proposed to replace the existing windows with Harvey Majesty using a photo from the 1960's as the look he wanted to replicate. The proposed windows have exterior muntins and a simulated divided lite (SDL) make-up, and at the previous meeting the Commission was going to review that window that was approved and installed elsewhere. He added that they decided to remove the vinyl siding and repair the existing clapboard using 1x6 trim and would replicate the larger historic sill.

Ms. Kelleher stated that a diagram of an installed window with front elevation was provided, as well as the Harvey Majesty window brochure. The SDL could be exterior applied, the window would be aluminum clad, the jamb

could be white or almond, and the muntins could be 5/8" or 1" wide to more closely match the existing wide muntins. Mr. Davis noted that he has no issue using the wider muntins and when they removed some of the vinyl siding at the rear, they found the trim to be in good condition but some of the windowsills were rotted. Ms. Kelleher noted that the removal of vinyl siding will be heard at the June 1<sup>st</sup> meeting because there was not enough notification time to include it in tonight's review.

Chair Spang noted that the flanges behind the window trim will help provide a more authentic look, but they need to determine how to make the existing trim work and asked if the decorative window head in the 1967 photo would be replicated. Mr. Davis replied likely not, but he would speak to his GC, and noted his preference for all black windows, trim, and shutters. He added that the corbels under roofline are missing and won't be replaced. Chair Spang suggested adding trim pieces around the edge rather than leaving a flat casing. Mr. Davis noted seeing 1x6 trim boards at the rear windows and agreed that other windows might be more decorative. Joyce agreed with installing trim around the black windows to make it look less flat since Victorian style homes would have had a lot of those details and the materials are still widely available and can be easily replicated.

Mr. Martinez requested the window material. Mr. Davis replied wood interior and aluminum exterior. Mr. Martinez noted that the same window was approved at 42 Broad Street and the Commission requested a hand painted finish over the factory finish, but it was never done, and the windows don't look great, and that is why he has reservation about continuing to approve this type of window if that detail isn't followed through. Mr. Davis noted his willingness to comply with the hand painting of the window sashes. Ms. English stated that at 42 Broad Street it was newer building (1920s) and the Commission wanted to see how it would look. Mr. Martinez replied that he will continue to have reservations.

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

Chair Spang noted the applicant's interest in a general approval to place the window order and to work out any remaining details at the next Commission meeting. Mr. Joyce stated that the thicker mullion is best, and painting is crucial to make it successful. Chair Spang noted the need for a consensus on the color preferred by the applicant and added that a black sash with white trim is more common. Mr. Joyce raised concerns about the look being too modern and suggested it be tested at the rear façade first to see if the black would be too overwhelming.

Mr. Meche noted that while the replacement window looks good in the photographs the color selection is important in relation to style and context for the house. He was willing to support the window specification but would want more detail on treatment and paint color. He suggested black not be ordered and to order the one that would be easiest to paint. Chair agreed with the concerns about what is most period appropriate but noted that the color change to black would take the look of fabrication away. Mr. Joyce suggested an off-white or cream not a stark white against a deep black and agreed with the concerns raised by Mr. Meche.

**VOTE:** Mr. Joyce made a motion to approve the Harvey Majesty 2 x 2 windows, except for 1/1 windows in bays, with a 1-inch mullion, in a middle tone stock color to be painted later and trim details to be determined. Mr. Meche seconded the motion. Roll Call: Joyce, English, Meche, Martinez – against, Spang were in favor and the motion so carried.

Ms. Kelleher noted that although the Commission has no jurisdiction over storm windows and screens, the Commission would appreciate the more appropriate half screen be installed.

186 Federal Street- continuation

Denise M. Carria submitted a Certificate of Appropriateness for retaining wall and foundation modifications (after the fact)

## Documents &amp; Exhibits

- Application: 3/28/22
- Photographs

Jim Carria was present to discuss the project.

Ms. Kelleher stated that at the previous meeting there was discussion about appropriateness of retaining wall and not having a building permit pulled. An application was given to the Building Inspector, and the wall meets the building code requirements, except the need for the railing at the rear of the retaining wall and at the stair. The appropriateness of it in the Historic District is still a concern. Chair Spang added that the Commission made a site visit just over 2 weeks ago and there are two parts to consider, the altering of the brick foundation and the foundation wall using modular CMU blocks that are modern and not historic. Mr. Martinez stated that the applicant said it needed to be built to keep the ell wall in place, but the Commission cannot determine that without a structural report stating that this was the fix to ensure the house would be stabilized. The Commission can only base their opinions on aesthetics. Ms. Kelleher agreed with Mr. Martinez and noted that the Building Inspector reviewed the retaining wall as constructed only, he did not consider it as a remedy for foundation issues at the house. Mr. Meche suggested that this could be considered a change in topography rather than a structural remediation. Mr. Martinez noted that the wall needs to look as if it fits within the time period.

Chair Spang noted that the retaining wall is on or near the property line and adding to it could put the edge over the property line. He suggested a board fence to cover the face of the retaining wall that is high enough to be considered handrail height that would require an agreement with the neighbor that it would be okay to do that. Mr. Carria suggested a parge coat be applied to the wall. Mr. Joyce replied that parging is a quick fix to solve a crumbling foundation; it shouldn't be a new condition given the age of the home. The Board agreed that a parge coat would be worse. Mr. Carria suggested New England Brickface where score lines create faux brick joints. Mr. Meche disagreed with using a fake material. Chair Spang suggested working within the dimension of the cap on the wall which is inline with the property line and suggested a thin brick which has been approved on masonry chimneys. The fence may need to be anchored but that would need to be determined. Mr. Carria noted that he received two quotes from Reliable Fence and Northeast Fence, one suggested the fence be on the cap and the other suggested inside the wall. Mr. Meche suggesting bolting the fence to the reinforced wall below.

Mr. Meche asked about the purpose of the black rectangle in the driveway. Mr. Carria replied that it is the drain he was required to install. Mr. Meche asked about the use of back area. Mr. Carria replied that it could be paved, and he received pricing for asphalt and is considering colored concrete. Mr. Meche suggested it become a planted terrace. Chair Spang stated that the Commission has no jurisdiction over horizontal surfaces. Mr. Joyce noted that the Design Guidelines includes recommendations for parking surfaces. Mr. Meche noted that covering a brick foundation wall can't be done without approval and the Commission needs to agree on how to treat the plaza or they can request to remove it. Chair Spang suggested covering the wall with a fence like what is at the rear. Mr. Carria noted that both quotes suggested installing aluminum railings painted black. Chair Spang replied that it would be too modern. Ms. English stated that any idea will look like a covered wall to try to fix the problem. Mr. Meche suggested negotiating a solution that is more pleasant and has some transparency with plantings. The property needs a sense of style to pull it all together which should coordinated be a landscape architect not a fence contractor. Chair Spang asked if the drain leads to a pipe at the rear of the retaining wall. Ms. Kelleher replied that the applicant worked with Engineering Department to ensure proper drainage on site.

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

Ms. Kelleher stated that she received comments and one concern was that there is more wall on the other side of the property that wasn't discussed during the Commission's site visit. It should be handled separately. Mr. Martinez replied that the site slopes down away from Federal Street and some retaining wall was added to level off the rear yard, and that is visible from the street. Mr. Carria noted that that side of the wall isn't visible from the street.

Chair Spang stated that a board fence sitting on top of a wall was installed on Federal Street that can maintain the historic look of the neighborhood. Mr. Joyce agreed and stated that he would prefer the face of the retaining wall be covered with water struck brick or stone as an alternative to make it more provide historical because the fence continuing below the cap would not be appropriate. Mr. Carria raised concerns that the veneer would crack. Mr. Meche preferred the wall be taken down and the foundation wall be properly repaired. Mr. Martinez agreed with Meche and added that the Commission shouldn't have to approve what they would never have approved in the first place. The fence should only be on the top of the cap and the wall shouldn't be kept as is, but the rear courtyard would look nice. Chair Spang suggested applying a thin material over the face or add something more substantial with an easement from the neighbor, or to moving the wall back 4-5-inches for a full brick face with drainage. Mr. Meche stated that he wouldn't vote for face brick but suggested a continuation so the applicant can investigate creating a courtyard. Mr. Carria appreciated the compromise. Chair Spang questioned whether keeping the wall was an option. Mr. Meche and Ms. English agreed that adding a top fence is something they would approve. Mr. Joyce stated that the wall would need a new face and that means pushing it back but leaving it as is and creating a terrace sets a bad precedent. Mr. Martinez agreed with Mr. Joyce.

**VOTE: Mr. Meche made a motion to continue. Mr. Martinez seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

Mr. Carria suggested removing it entirely and returning it back to the way it was. Mr. Meche replied that the energy has been spent and they need to find someone who will help make it charming, but it shouldn't be thrown away.

#### 186 Federal Street

Denise M. Carria submitted a Certificate of Appropriateness for storm windows and storm door color, parge foundation, modify windows on garage

#### Documents & Exhibits

- Application: 4/28/22
- Photographs

Jim Carria was present to discuss the project.

Ms. Kelleher stated that the house has storm windows and applicant is seeking to provide new black storm windows and a full glazed storm door in black, which the Commission has approved in the past. The storm windows aren't reviewable, but the Commission has jurisdiction over color. She noted that the request for black storms has increased over the past few years.

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

Mr. Meche, Mr. Joyce, and Ms. English had no issue with the use of black storms. Mr. Carria noted that the shutters are aluminum to match the house. Ms. English noted that the attic storm window is already a contrasting color. The Commission discussed shutter color options. Ms. Kelleher noted that the shutters are nailed in place. Mr. Martinez suggested that all moving parts, including the shutters, should be black. Mr. Carria suggested replacing them with new vinyl black shutters. Mr. Joyce suggested removing the shutters. Mr. Carria noted that the façade color has faded and the area behind the shutters is not faded and would need to be painted to match the faded color. He requested to only paint the existing shutters.

**VOTE: Ms. English made a motion to approve black storm windows and a black storm door. Mr. Meche seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

#### Garage Windows

Mr. Carria stated that he would like to install a new wood window for visibility into the garage and can purchase a reclaimed wood windows from another house to install. Mr. Meche suggested repairing the existing window. Mr. Carria replied that the bottom sash is missing and is boarded up with plywood. The rear window has been smashed. Ms. Kelleher noted that the rear window is not visible from a public way named in the district, but the side window is and information on the door and window as well as existing condition photos would need to be submitted to the

Commission to ensure that they will fit. would need information on the door and window to be submitted to ensure it will fit.

#### Parging foundation

Mr. Carria received quotes to parge portions of the foundation at the side and rear of the building. Ms. Kelleher reiterated that the rear foundation is also not visible but there was concern at the site visit for causing more damage. Mr. Meche noted that parging will only cover the problem and a mason should repair it because the stucco will break off.

#### Garage

Ms. Kelleher stated that a more modern CMU block addition at the front of the garage is starting to separate away from the original garage blocks and owner is seeking to fill joints with concrete. Chair Spang suggested removing it and replacing it with the original garage, and the applicant should return with a proposed plan.

**VOTE: Mr. Martinez made a motion to continue the garage windows, parge coat, and refacing the garage walls. Mr. Meche seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

#### 40 Flint Street

Christopher Copelas submitted a Certificate of Appropriateness for paint colors for door and shutters.

#### Documents & Exhibits

- Application: 5/4/22
- Photographs

Christopher Copelas was present to discuss the project.

Mr. Copelas proposed to paint the vinyl shutters and metal front door HC-190.

#### Public Comment:

Tyna Hall, 155 Derby Street. The current shutter color is not good and should be repainted.

No one else in the assembly wished to speak.

**VOTE: Mr. Meche made a motion to approve the proposal as presented. Mr. Joyce seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

#### 55 Warren Street

Kelly Ran submitted a Certificate of Appropriateness for paint colors

#### Documents & Exhibits

- Application: 4/27/22
- Photographs
- Paint chips

Kelly Ran and Ryan Meador were present to discuss the project.

Ms. Ran requested to repaint the house pink and touch-up the trim. The current body color is Century Beige with White trim. Most neighboring houses are blue and beige or brick. The proposed colors are by Benjamin Moore –

Body Color: "Setting Plaster", Trim: "Gropius White", Door: "Enamel Blue", Storm door: to remain gray.

Mr. Joyce stated that the proposed colors are appropriate, but the Commission would want to review sample paint on the home. He offered to review the colors on site. He was okay with providing a conditional approval and a Certificate of Non-Applicability for using the same trim and storm door color.

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

**VOTE: Mr. Meche made a motion to approve paint concept with final selection to be by Mr. Joyce. Mr. Joyce seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

### Salem Common

City of Salem/SCNA submitted a Certificate of Appropriateness to replicate carvings on Washington Arch

#### Documents & Exhibits

- Application: 4/29/22
- Photographs
- Proposal from Skylight Studios

Gabriel Ciociola and Robert Shore President of Skylight Studios were present to discuss the project.

*Mr. Martinez recused himself as a member of the Salem Common Neighborhood Association.*

Mr. Ciociola stated that the previously proposed work was approved but it was not completed in time, so they have returned with a new proposal. They attempted to execute the carving with digital machines, but Covid shut down the maker space, so they are now using Robert Shore of Skylight Studios to make replicas of the carvings scaled to fit the arch. They will focus on the Washington portrait to face the North and the eagle to be mounted to the top of the arch, with other installations to come later. The arch has been painted and landscaped, brick and stone pathways are also complete. The new application would be to reproduce original McIntire carvings using wood or medium-density foam created with clay and made using molds.

Mr. Meche raised concerns about which arch would be replicated, the original McIntire arch or the 1976 arch that paid homage to McIntire but didn't have an eagle on top. He noted the importance of scale, not casting from the arch itself, as well as the replicated portrait and entablature that were not as good as the original. He expressed concern that the design be studied to make sure the proportions are correct since the original arch was 1/3 bigger than the 1976 replication. He noted recent concerns with the use of Native American depictions and the continued use of a Native American on the state seal on the arch. He added that the original location was closer to the Hawthorne Hotel. Chair Spang requested a clear determination of which version would be replicated because the elements mean different things to different people, such as the seal on the rear of the arch, and the end result. Mr. Ciociola replied that the studio has recreated artwork at many noticeable campuses and museums, including the eagles at Hamilton Hall and the Customs House. Mr. Shore added that he's completed many jobs for the National Parks Service.

Mr. Ciociola stated that their vision is about the artistry of the McIntire carvings and the arch is a medium to display the art but not their focus, their focus is only the decorative elements. The eagle was on the original but was omitted from the 1976 replica and they want it to be on display. Chair Spang asked if the elements would be at a 2/3 scale to fit the current arch. Mr. Ciociola replied that the work will be phased and when it comes time to address the seal, they hope to have a better idea of how it will be handled. He suggested including explanatory

signage like what already exists on site. The first phase of work will include the oval Washington portrait and the eagle that will face Winter Street. Mr. Shore added that the model would be clay, negative molds would be created, and castings would be made in a reinforced polyester resin like what was used on the other two eagles in Salem. It is strong, hollow, will hold up to the weather and will be fastened to the surface with a marine quality topcoat of paint.

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

Ms. Kelleher stated that she received two public comments letters. One from Peter LaChapelle who hopes to see the arch completed and another from Councillor Ty Hapworth who is in support of the restored McIntire Arch.

Ms. Kelleher stated that preservation restriction on all aspects of the Salem Common is held by MHC so this application will need to go to MHC for comment.

Mr. Meche raised concerns with Councillor Hapworth's statement of replacing the replica since the other eagles mentioned in Salem are exact replicas in the place where they belong, but this eagle would be different. There should be some gesture to those who installed the original arch, and he would rather see both the portrait and festoons added so that one façade is completed at a time. One goal of the arch is to use it in the muster ceremony, but they would use the other side of the arch. The Commission noted the various elements of the 1976 arch are in their possession. Mr. Martinez added that original McIntire carvings are on display at two different PEM galleries. As a SCNA member, he flagged the cartouche which may be problematic but may not be replicated. Mr. Ciociola noted that some elements of the 1976 arch were removed because they were failing due to weather exposure and can't be restored. Some pieces of the 1976 swags can be used for artistic reference but there are no remaining pieces of the McIntire swags. He was aware that some pieces are at PEM and the 1976 swags would be the best reference point. Mr. Meche replied that those are the replicated swags, he personally took down the elements on the arch, and there is still value in the pieces that remain because they weren't crumbling so they would be useful as a reference, and the carvings are significant.

Chair Spang noted that McIntire's George Washington medallion is facing right in the original arch and facing left in the 1976 version, and they need to determine which will be restored.

Ms. Kelleher stated that there has been interest in making replicas of the elements and their organization has been working on this project for 3-4 years. She suggested a continuance so more thought can be given, and the applicant can provide answer to any questions. Mr. Ciociola requested specifics for the Commission to review because he feels they have complete documentation in their submission. Chair Spang questioned where the 1976 version fits in to the proposed design. Mr. Joyce replied by incorporating the 1976 swag design which pays homage to both versions. Mr. Shore agreed to review them and refer to other elements to identify how close they were to the originals. Mr. Meche noted that other elements were changed. Chair Spang suggested looking for other swags/festoons elsewhere that could be referenced. Mr. Gabriel noted that the work is being paid for by them so the progress will be in intervals.

Mr. Meche noted that with Mr. Martinez recusing himself there is a bare quorum and asked if he should abstain from voting. Ms. Kelleher replied that 4 votes would be needed for a continuance. Mr. Meche reiterated his preference for a complete façade, expressed his misgivings with the restoration plans for the arch and wanting the project to move forward but clarifications are needed. Chair Spang added that the medallions and swags would hold a higher value than the eagle as would recreating the 1976 revision than trying to return to the original McIntire version. Mr. Meche agreed and noted being uncomfortable to erasing the 1976 work.

**VOTE: Ms. English made a motion to continue. Mr. Joyce seconded the motion. Roll Call: Joyce, English, Meche, Spang were in favor, (Martinez recused), and the motion so carried.**

*Mr. Martinez rejoined the meeting at this time.*

140 Derby Street

140 Derby Street LLC submitted a Certificate of Appropriateness for a new sign

Documents & Exhibits

- Application: 5/2/22
- Photographs
- Design by Concept Signs

Ken McTague of Concept Signs was present to discuss the project.

Ms. Kelleher stated that the new chocolate shop has opened in the recently restore building and the proposed signage meets the City's zoning guidelines. Mr. McTague noted that the bracket is existing, the sign would be 1-inch-thick PVC with ¼" raised acrylic letters. The beige letters would be flat, and the chocolate-colored lettering would be raised. The overall sign dimensions would be 35-inches-wide x 39.5-inches-high. Mr. Martinez requested the PVC sign be painted so it's not as white and manufactured and has more texture. Mr. Joyce agreed. Mr. Meche asked about the window signage. Mr. McTague replied that it is temporary signage that may need to be reduced in size about 20% to fit the current signage regulations. Chair Spang asked if window decals are under SHC jurisdiction. Ms. Kelleher replied that the Commission hasn't reviewed window decal signage in the past but other boards. She suggested that window signage go through the Commission too. Chair Spang suggested the window signage be a historic looking vinyl decal. Mr. McTague replied that he could paint it on the glass.

Ms. Kelleher stated that an approval of all elements is important to allow the application to move forward but the final details could change if the window decals are reduced.

Public Comment:

Tyna Hull, 155 Derby Street. The logo looks good and should be approved.

No one else in the assembly wished to speak.

**VOTE: Mr. Meche made a motion to approve the application as presented with the condition that blade sign be handpainted. Ms. English seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

4 Hamilton Street

Alexis Dwyer submitted Certificate of Appropriateness to enclose window and remove sash

Documents & Exhibits

- Application: 5/3/22
- Photographs

Alexis Dwyer was present to discuss the project.

Ms. Kelleher stated that the applicant received previous approval to cover the side window with shutters but due to interior construction she wants to remove the window sashes entirely and then clapboard over the opening and cover it with the existing shutters.

Chair Spang asked if someone can see through the slats. Ms. Dwyer replied no, they look flush from the street. Chair Spang asked if the shutters would close over the entire opening. Ms. Dwyer replied yes. Chair Spang asked if the clapboard would be painted to match the house. Ms. Dwyer replied yes, and the removed sashes will be stored in the basement.



Mr. Meche asked why the window is being removed. Ms. Dwyer replied that the kitchen is on the other side, the sill is low and with the kitchen rearrangement the refrigerator is in this location.

Ms. Kelleher noted that in 2019 the Commission approved keeping the sash in place and covering it with the shutters but that certificate has expired, and the proposal has changed.

Mr. Joyce asked about the interior condition. Ms. Dwyer replied that there is framing on the inside, and the interior sill and trim she can't work around to enclose the opening from the inside. The opening would be covered with cabinets from the inside anyway. Mr. Meche suggested removing the sash stop and sill, and to install plywood to make it flush on the inside. He is not in favor of removing the entire window. Ms. Dwyer replied that she would rather remove the sash to keep it safe. Mr. Joyce requested the applicant maintain as much interior details as possible and carefully remove the interior casing. Mr. Dwyer agreed.

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

**VOTE: Mr. Joyce made a motion to approve removing sash but storing the sashes and trim, closing shutters, painting clapboard the body color. Mr. Martinez seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

#### 155 Derby Street

Wharfside Condominium Association submitted a Certificate of Appropriateness to relocate roof drains to new daylight drains at foundation

#### Documents & Exhibits

- Application: 4/29/22
- Photographs
- Plans by Bobrek Engineering

Tyna Hull was present to discuss the project.

Ms. Hull stated that the building has 2 flat roofs and two roof drains that are non-compliant. They are unable to make them complaint due to the building footprint having no setbacks, which precludes adding French drains or a drywell. The existing drain on Kosciusko Street side goes into the sanitary sewer system and the 4<sup>th</sup> floor roof drain was routed it into the alley along Derby Street. Engineers have been reviewing the possible options to make the condition complaint and they want to route them to the city storm drain on the exterior of the building at the corner of Derby and Kosciusko Streets. The lower roof drain would exit the side of the building at the foundation level and the downspout would enter an opening in the sidewalk and into the storm drain. The 4<sup>th</sup> floor drain would be similar and would go into the sidewalk near a bench and to the same storm drain. Ms. Kelleher added that these are daylight drains and only the downspout section would be visible. Ms. Hull noted that while it's not ideal or standard, if the storm drain system in its current configuration were to back-up it would back-up into their basement and the city would be liable for that damage. The proposed configuration would back-up on the sidewalk. They would also need to provide a letter of indemnification and include the City on their master insurance policy. After an 8-month review, this new plan is the best the engineers can come up with and the situation needs to be made appropriate.

Ms. Kelleher stated that she spoke to the engineer and the exposed pipe could be cast iron or PVC, but cast iron was the best option. It can be painted. There are flooding concerns in this area and the current condition is damaging the building. All options were considered but didn't work because of the basement framing.

Chair Spang requested the height of opening above the Derby Street sidewalk. Ms. Hull replied less than 3-feet-high and it can only come through the 18-inch-high marble tile beneath the display window at the front of the building. The drainpipe will travel down a utility chase inside the building. It would be routed towards the middle

of the first floor and exit below the first-floor. Mr. Joyce asked if the storefront glass sits on the floor. Ms. Hull replied no. Mr. Meche noted that the air gap is important to keep the system from overflowing and they need to determine how far it sticks out towards the sidewalk and if it will be a tripping hazard. Chair Spang requested a section drawing that indicated at what height the drain will exit the building.

Public Comment:

Peter and Mary Sholds, 155 Derby Street. Stated that the first-floor storefront is approximately 12-inches above the sidewalk.

Chair Spang asked why the work cannot be done in the alleyway and then extended to the drain at the corner with the air gap in the alley. Ms. Hull replied that there is a shared ownership of the alley, but it is not an event split, so they'd prefer to not involve the neighbors.

No one else in the assembly wished to speak.

Mr. Meche suggested an approval of the concept and submission of drain locations to see the condition. Chair Spang reiterated his concern with the height of the pipe exiting the front of the building. Ms. Hull suggested the bench placed in front of the store each summer be permanently bolted in place.

**VOTE: Ms. English made a motion to continue. Mr. Joyce seconded the motion. Roll Call: Joyce, English, Meche, Martinez, Spang were in favor and the motion so carried.**

Other Business:

Meeting Minutes:

The minutes of the March 2, 2022 regular meeting were reviewed.

**VOTE: Mr. Joyce made a motion to approve the minutes of the March 2, 2022 regular meeting. Ms. English seconded the motion. Roll Call: Joyce, English, Martinez, Meche, Spang in favor and the motion so carried.**

The minutes of the March 16, 2022 regular meeting were reviewed.

**VOTE: Mr. Joyce made a motion to approve the minutes of the March 16, 2022 regular meeting. Ms. English seconded the motion. Roll Call: Joyce, English, Martinez, Meche, Spang in favor and the motion so carried.**

Choate Statue

Chair Spang asked if the city held public meetings to discuss the project with the neighborhood. Ms. Kelleher replied yes, the city has been reaching out to the two Ward Councillors but their public meeting going back as far as 2017.

Mr. Martinez suggested a supplementary meeting be held on June 29, 2022 if there are so many applications to be heard in June. Ms. Kelleher replied that she would need who would be available by the next meeting.

Ms. Kelleher stated that the Demolition Delay Ordinance (DDO) has language that a notice must be posted on city website 2-weeks in advance which is not currently done for a Certificate of Appropriateness and it is out of the norm.

Adjournment

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

The meeting adjourned at 10:15PM

Respectfully submitted,

Patti Kelleher  
Preservation Planner