

SALEM HISTORICAL COMMISSION  
MINUTES  
February 3, 2016

A meeting of the Salem Historical Commission was held on Wednesday, February 3, 2016 at 7:00 pm at 120 Washington Street, Salem, MA. Present were Jessica Herbert (Chair), Laurie Bellin, Reed Cutting, Kathryn Harper, David Hart, Susan Keenan, Joanne McCrea, Larry Spang (arrived late) and Jane Turiel. Staff present: Patti Kelleher.

31, 33 and 35 Warren Street (continued)

The Philips Warren Condominium Trust submitted an application for a Certificate of Appropriateness to add stainless steel chimney caps to six chimneys.

The applicants Mathew Murphy (#31) and Peter Flomp (#35) were present.

Documents & Exhibits

- Application: 1/4/16
- Photographs
- Specifications for Gelco Chimney caps: 1/4/16

The Commission asked when the deck at #35 was installed. Mr. Flomp stated that there was no record of when the deck was installed and it may have been installed prior to 1999.

Ms. Herbert asked for public comment.

Spiros Flomp of 50 Broad Street stated that he was in support of the present application to install the chimney caps but asked the Commission to pursue the issue of whether the rear deck at 33 Warren was built in violation.

Bruce McDonald of 5-7 Flint Street also spoke in support of the chimney caps and reiterated Mr. Flomp's request regarding the rear deck at 33 Warren Street

**VOTE : Mr Hart made a motion to approve the application as presented with caps to be painted in a dark charcoal color. Mr. Cutting seconded the motion; all were in favor and the motion so carried. (Mr. Spang was not present).**

The Commission began a discussion about the rear deck at 33 Warren Street. Members deliberated whether the deck is visible from a public way and whether it was a replacement or an extension.

Ms. Bellin asked Mr. Flomp and Mr. Murphy whether they knew about the deck at #33.

Mr. Murphy and Mr. Flomp stated that they were not involved in that project and were not asked to approve it.

The Commission reviewed the copy of the building permit issued for the deck, which stated "rebuild existing as it was before".

Ms. Bellin asked whether the design of the deck at #33 was similar to other decks at the property.

Mr. Flomp stated that the decks were similar in size.

Ms. Herbert asked for permission from the Commission to request information from former Building Inspector Peter Strout, who was present in the audience. Members stated their approval.

Ms. Herbert asked Mr. Strout for the building setback requirements from rear property lines.

Mr. Strout stated that the zoning ordinance requires 5' from the lot line for a deck.

Ms. Herbert asked Mr. Murphy and Mr. Flomp for their opinion on the design of the deck at #33.

Mr. Murphy and Mr. Flomp stated that they felt it was appropriate.

Ms. Herbert asked Mr. Spiros Flomp and Mr. McDonald whether their concern was about the design or the lack of a Certificate of Appropriateness.

Mr. Spiros Flomp and Mr. McDonald stated that their primary concern was that the deck did not receive the proper approvals. They also stated their concern about the use of a varnish finish for the decking and balusters.

Ms. Bellin expressed her concern that the building permit was not accurate since the dimensions were incorrect.

Mr. Hart noted that the application to the Commission was different than the building permit and questioned whether the project should have received a Certificate of Appropriateness or a Certificate of Non-Applicability from the Commission.

Ms. Kelleher explained the history of the project to the best of her knowledge.

Mr. Hart requested that the owner of 33 Warren Street be asked to appear before the Commission.

Ms. Herbert questioned whether the Commission should issue a violation notice to the owner.

*Mr. Spang arrived at this point in meeting.*

**VOTE: Ms. Bellin made a motion to issue a violation notice for the rear deck at 33 Warren Street, notify the Building Inspector, and request the owner to come before Commission. Mr. Cutting seconded the motion; all were in favor and the motion so carried. Mr. Spang abstained.**

#### 18 Washington Square West (continued)

The Hawthorne Hotel submitted an application for a Certificate of Appropriateness to replace 40 existing wood windows with Marvin Ultimate insulated/double pane wood window units.

Documents & Exhibits

- Application: 12/31/15
- Photographs
- Elevation photographs depicting windows to be replaced
- Site visit report by David Hart including photographs

The applicants James Gillis, Executive Officer of Hawthorne Hotel and Travis Strout, Michael Strout and Peter Strout of Strout Construction were present.

Mr. Hart presented his report from his site visit on February 1, 2016. He noted that the windows had different configuration, but all muntins were 1” in width. He noted that the Marvin window unit presented by the applicant also had a 1” wide muntin but had a different profile than the existing windows. He presented a photo of an existing window muntin bar profile.

Mr. Travis Strout presented elevation photographs that indicated windows to be replaced.

Mr. Spang asked if any of the Hotel’s windows have been replaced in the past.

Mr. Gillis stated that all windows are original from the Hotel’s construction.

Mr. Spang asked if all windows will be replaced in-kind to match existing configurations.

Mr. Gillis replied in the affirmative.

Mr. Spang noted that if all new windows match the configurations of the existing windows to be replaced, then the Hotel would still have variety of window configurations.

Mr. Hart stated his opinion that the proposed Marvin window does not replicate the existing muntin bar profile but does replicate the existing width.

Ms. Herbert asked why the windows are failing since they have been repaired and restored in the past.

Mr. Gillis replied that the existing windows are drafty and expressed the Hotel’s concern about guest comfort. He also noted that some of the proposed windows to be replaced are in the shower stall.

Ms. Keenan stated her opinion that draft windows are a concern for hotel customers.

Mr. Hart stated that studies have shown that a well-sealed wood window with a good storm window has a thermal efficiency as good as a double pane thermal window.

Mr. Strout replied that the Hotel is trying to eliminate the thermal break between the windows and the masonry wall.

Ms. Herbert asked if the existing window weight systems could be changed to be more efficient.

Mr. Strout replied that the windows are too heavy to change the weight system.

Ms. Herbert expressed her concern that the new windows would be visually different from the original windows that were not being replaced. She asked if the Hotel could fabricate one window unit to see if it was visually different from original. She also asked if windows in the interior window well are to be replaced.

Mr. Gillis replied that the Hotel is not proposing to replace windows in the interior well during this phase of the project due to budgeting constraints, but would replace them in the future as part of a 5 to 15 year capital plan.

There was no public comment.

Mr. Hart expressed his opinion that the existing windows could be restored and made energy efficient. He also expressed his opinion that the Marvin window unit is not historically correct.

Ms. Herbert questioned whether Marvin could manufacturer a window unit with muntins that have a more defined profile.

Ms. Keenan asked if the Commission has approved this brand and style of window in the past.

Ms. Herbert replied that the Commission has approved similar windows at the Bertram House on the Common due to the fact that the windows were located in the upper stories of the building, which limited their visibility from the public way. She noted that the commission has approved the windows in areas that are not highly visible. The Commission also approved similar windows for a property on Summer Street.

Mr. Cutting noted that he did not feel that the windows were appropriate for that house.

Mr. Spang stated his opinion that the storm windows on the Hotel were visually intrusive and stated that a replacement window without a storm window may be a more attractive alternative.

Mr. Peter Strout replied that if new windows were installed without storm windows, they would require a full screen to be installed.

Mr. Hart recommended that the applicant install a second floor mock-up window on Essex Street for the Commission's review.

Mr. Spang noted that this request would be a significant financial expenditure for the applicant and would not guarantee approval by the Commission.

Ms. Herbert recommended that as an alternative, the applicant replace a smaller bathroom window on Essex Street.

The Commission agreed that installing two sample windows (one without storm and one with a storm) on Hawthorne Boulevard (6/6 window) and Essex Street (2/2 window) would be the most beneficial for review.

Mr. Peter Strout reiterated his concern that the Commission has approved this Marvin window in the past.

Ms. Herbert replied that the Commission has approved the window in different situations where the visibility of the window is not as significant.

**VOTE:** Mr. Hart made a motion to accept the proponents offer to install temporary installation of two mock-up windows with storms for the Commission's review: one 6/6 window on the second story of the Hawthorn Boulevard elevation (Room #212) and one 2/2 window on the Essex Street elevation (Room #202) with exterior storm windows remaining in place. Mr. Cutting seconded the motion; Ms. Herbert, Ms. Bellin, Ms. Cutting, Ms. Harper, Mr. Hart, and Mr. Spang voted in favor. Ms. Keenan voted in opposition. The motion so carried.

Mr. Hart made a new motion to allow the applicant to explore other window manufacturers that may have a more historically-appropriate muntin profile similar to existing sash. Ms. Harper seconded the motion.

Mr. Spang expressed his concern about the high cost associated with the fabrication and installation of mock-up windows and asked about the cost of other window brands.

Ms. Kelleher stated that she would work with the applicant to explore other brands of windows with different muntin styles.

**VOTE:** Mr. Spang made a motion to continue the application to the next meeting while applicants work Commission to identify other window options. Mr. Hart seconded the motion; all were in favor and the motion so carried.

#### 188 Federal Street

Leslie and Kevin Levesque submitted an application for a Certificate of Appropriateness to remove two small sections of existing fencing at property line and to paint house with new color scheme.

#### Documents & Exhibits

- Application: 1/13/16
- Photographs
- Paint swatch – Damask Gold

The applicant Leslie Levesque was present.

Ms. Levesque presented photos of the existing fence and stated that she will reuse the sections of fence to be removed. She noted that the fence is currently 1.7 feet away from the adjacent property and needs to be 2 feet away, which requires the removal of 2 or 3 pickets.

There was no public comment.

**VOTE:** Mr. Hart made a motion to accept the application to remove two sections of fence. Mr. Cutting seconded the motion; all were in favor and the motion so carried.

Ms. Levesque presented the proposed paint color of Damask Gold for the body of her house; the trim color would not change. She stated that window sash would be painted black and new black storm windows would be installed.

There was no public comment.

**VOTE:** *Ms. Bellin made a motion to accept the application for a paint color scheme of Damask Gold for body and black for window sash and storm windows, trim color to remain as existing. Ms. Turiel seconded the motion. All were in favor and the motion so carried.*

#### Consultation for 100 Derby Street/28 Carlton Street

The applicants Philip and Martine Shea were present.

Mr. and Ms. Shea asked the Commission for advice regarding their application to replace 13 existing second and third story windows at their property and whether it qualified for a Certificate of Non-Applicability or Appropriateness.

The Commission members discussed whether the application qualified for a Certificate of Non-Applicability. To be considered an-kind replacement and qualify for a Certificate of Non-Applicability, the new windows must be an exact replacement in terms of design, materials, size, and color. The applicant could change the window design through a Certificate of Appropriateness.

Mr. Shea stated that he and his wife have talked with contractors but have not yet hired a contractor or decided on a window design. They stated that their existing windows are double paned vinyl windows with muntins sandwiched between the glass and asked if the Commission had approved Anderson windows in the past.

Mr. Hart requested that the applicants present documentation of the existing windows and specifications for the proposed replacement windows at the next meeting to determine whether new windows qualify as an in-kind replacement or submit an application for a Certificate of Appropriateness for different windows than what is currently existing.

#### Violation Notice – 352 Essex Street Rear

Ms. Kelleher notified the Commission that a violation notice will be sent to the property owner of 352 Essex Street Rear for the installation of a new roof (architectural shingles) without approval from the Commission. Ms. Kelleher noted that the owner did not receive a building permit for the work. A neighbor notified Ms. Kelleher that work was occurring and the Building Inspector issued a stop work order. However, the work was already completed by the time the Building Inspector visited the property.

#### Other Business

Ms. Herbert wondered if the Commission is allowed to add a condition to its approval of a project to require a property owner to make a change to their property in the future. She gave an example of 95 Federal Street. The Commission granted approval for the owners to remove a widow's walk due to the

condition of the walk and the lack of funds for restoration. Ms. Herbert questioned if the Commission could have added a condition that the element be replaced when the owner's financial situation changed.

FW Webb Proposal, 297-305 and 311 Bridge Street

Mr. Hart requested that Staff investigate whether the Historical Commission has any purview or obligation for the review of the project proposed by F. W. Webb project on Bridge Street that abuts the McIntire Historic District. Mr. Cutting concurred.

**VOTE: Ms. Bellin made a motion to adjourn. Mr. Cutting seconded the motion; and were all in favor and the motion so carried.**

Respectfully submitted,

Patti Kelleher  
Community Development Planner