



Historic District Commission

Meeting Minutes

2023-05-16

7:00 PM

Online, Town Hall, 472 Main St, Acton, MA 01720

Present: David Honn (DH), Art Leavens (AL), Zach Taillefer (ZT), Anita Rogers (AR), Barbara Rhines (BR) (Acton Cultural Resources Coordinator), Fran Arsenault (FA) (Select Board Liaison)

Absent: David Shoemaker

Opening:

Chair David Honn opened the meeting at 7:04 pm and read the “remote meeting notice” due to COVID-19.

1. Regular Business

A. Citizen's Concerns – Gabby Bretton, 39 School Street. Sought advice re: building a wood deck on the River Street side of house. DH advised that for purposes of this project, River Street would be the governing way. Explained the application process and what information is necessary to include in the application for HDC review. John Haberle (JH), 37 Windsor Avenue. Sought advice on behalf of his in-laws, the owners of the property, on two issues. First, the replacement of a fence that came down, using same materials. DH advised if same materials and design, it would constitute a repair for which no approval is required. Second, wants to replace some windows, including storm windows and rotted sills. DH explained that the HDC’s ordinary practice for window replacement is for members to visit the house, inspecting the windows both inside and outside, providing advice concerning the best approach. JH said would submit an application.

B. Approval of Meeting Minutes – April 11, 2023 minutes and April 25, 2023 minutes approved, each by 4-0 votes.

C. Review Project Tracking Spreadsheet / Chair Updates:

1. Outstanding COAs/CNAs/Denials – 53 Windsor Ave. – Garage Doors: No Application. 582 Mass. Ave, App 2307 (window replacement) Applicant requests change in approved windows; given “go ahead”. 95 Main Street (historic marker) referral from HC; no application. 542 Mass Ave – Roofing started without a CoA. Under HDC R&R, Sec. 3.2.3, Categorical approval, it will be a CNA.



Project acceptable except for drip edge. CNA will issue with admonition to follow HDC procedures when making changes to house.

2. Asa Parlin Designer Update. DH: Nothing new to report.
3. 3-13 School Street RFP Update. John Perkins, owner of 9 School Street is reviving his approved project. Has a request calendared for later in this meeting.
4. Historical Commission Chair Bill Dickinson will attend the May 23 HDC meeting to discuss possible Concord Road Historic District.
5. Temporary Pop-up Structures in West Acton HD: DH issued a CNA. The proposal is for a kiosk to be erected under a Town grant to encourage business in the area. Will be up for 10 weeks, no lighting, no signage. It constitutes a temporary structure outside HDC jurisdiction.
6. 481 Main Street. DH and ZT visited and inspected windows to be replaced. These are circa 1960s eight-over-eight windows. Owners will submit an application.
7. 267 Central Street Public Hearing, App. 2218. Applicant Marc Foster asked for continuance of public hearing to May 23, 2023. Granted. BR to prepare necessary form for signatures.

2. New/Special Business

A. 7:15. Public Hearing (Continued): 446 Main Street Application # 2306 Slate Roof Replacement. DH reads the announcement of the Public Hearing.

Sarah McBride (SM) Owner/Applicant, joins. DH asks AL to briefly review the history, setting the stage for this point in the hearing. AL recalled that following hearings on March 28 and April 11, the HDC voted 4-0 to disapprove the application for a CoA to replace the slate roof with asphalt shingles, that at the hearing on April 25, the HDC began its consideration of a possible Hardship Certificate under BylawP, Sec. 7.6.1, that at that hearing SM sought a continuance of the hearing in order to submit more documentary evidence that she had sought but had not yet been able to collect, a request that the HDC granted, and that this evening both SM and the HDC were prepared to consider the four criteria for a Hardship Certificate, which AL summarized.

(a) The first hardship criterion is whether the condition causing the hardship, here the slate roof and its effect on the house, is one that “especially” affects this building but does not generally affect other buildings in the District. SM began by presenting photographs of the master bedroom with the cathedral ceiling, pointing out that the tie rod was tied into the cornice area where the ceiling met the wall at a point where it appeared that there was once a joist, presumably of an attic. DH: It is important to establish if the house is under-structured to support the slate roof, especially with a snow load. AR: There is no ridge beam. It seems apparent from what we can see and the engineer’s report of undersized, missing and misaligned components that the house was not originally built to be as it is today. It is not surprising that there are structural issues. DH: The house is severely under-structured for a slate roof. SM pointed out that the slate being laid over cedar shingles, according to the roofing contractors, is problematic because the wood shingles are rotting, requiring replacement and thus removal of the slate.



One contractor reported that the slate-over-shingle approach is quite unusual, appearing in perhaps five out of 100 slate roofs on which he has worked or inspected over the years.

- (b) The second criterion is whether the failure to approve the Hardship Certificate would involve substantial hardship for the Applicant. SM presented three estimates from three experienced roofing contractors for slate replacement of the roof: Apex Roofing (\$100,940), Olde Mowhawk Historic Preservation (\$96,000), and Historic Slate Roofing (\$89,000), the average of which is \$95,313. SM produced a quote for a cedar-shingle roof from Olde Mowhawk (\$78,000). In contrast, Apex Roofing proposal would replace the slate roof with architectural shingles for \$14,988. DH: The tight cluster of bids on the slate tells us that these are competitively priced. I'm surprised by how high they are. I expected the slate to be twice, maybe three times as expensive as the asphalt, and cedar to be twice as expensive as asphalt, but the slate is over 6 times as expensive, and the cedar is over 5 times as expensive. That's got to be the post-Covid effect. The asphalt estimate is a very good price, but even so the difference between it and the slate and cedar is remarkable, almost beyond reason. AL: This question of hardship is an individualized issue. What may be substantial hardship for one applicant may not be for another, but here the price difference in the context of this homeowner in these circumstances does seem to create a substantial hardship. DH: If we were talking about, for example, an income-producing enterprise it could be different.
- (c) The third criterion is whether the application can be approved without substantial detriment to the public welfare. AL: It has come to the attention of HDC members that fairly recently two other houses in the vicinity of this house had slate roofs replaced by asphalt. One, the former stone barn right behind 446 Main, had a slate roof replaced some five years ago, and the other, a mid-19th century house quite similar to 446 Main, which is now located at 74 Nagog Hill Road, had a slate roof replaced a few years ago. The Nagog Hill house used to be located near 446 Main, at 486 Main Street, where the Memorial Library now stands, but it was moved to permit the library to be built. In both cases, it appears that a CoA was not issued for the slate replacement but that the permits were nevertheless issued due to mistakes in the permitting process. Given the circumstances in this case, it would seem that notions of equity suggest that the public welfare would not be offended if a Hardship Certificate were issued in this case. ZT: I agree that prior slip-ups by the Town is a factor that can be considered when considering the impact on the public welfare, but that doesn't mean that we would or should approve all Hardship Certificates on that ground. Cases should be individually considered, and here I agree that in the circumstances of this case it would not be detrimental to the public welfare to approve this Hardship Certificate.
- (d) The final criterion is whether a Hardship Certificate can be approved without substantial derogation from the intent and purposes of Bylaw P. AL: While Bylaw P is meant to advance preservation, it nevertheless provides for a



Certificate of Hardship in very narrow circumstances. In a case such as this, in which the existence of such circumstances has been clearly demonstrated, approval of such a Certificate is not in substantial derogation from the intent and purposes of Bylaw P. AR: I agree but see a different basis for determining that this Certificate would not be in derogation from the intent and purposes of Bylaw P. The primary intent and purpose of Bylaw P is the preservation of Acton's historic buildings and structures. Here, given the substantial and unique structural problems of the house in question, saving the slate roof could very well result in the loss of, or at least serious damage to, the house, a trade off that would not well serve the goal of preservation. ZT: I agree with AR. DH: I agree with AR. Our overall goal under the Bylaw is to preserve the historical integrity of the District. If you look at the District as a whole in light of this hardship decision, overall the Central District remains in good shape.

AL: Moves that a Certificate of Hardship based on this application be approved conditioned on the following: 1. The replacement shingles must be either three-tab asphalt shingles or standard architectural asphalt shingles (e.g., GAF Timberline, Certainteed Landmark, or other similar product), owner's choice of color; 2. The drip edges must be finished to blend with architectural trim, or, alternatively, a starter course of shingles; 3. Any shingle-covered roof-ridge vents must be low in profile and extend all the way to the gable ends; 4. Any chimney step-flashing must be copper, lead, or lead-coated copper, not mill-finish aluminum; and 5. Any vent-pipe must be flashed with copper, lead, lead-covered copper or a black neoprene boot, not mill-finish aluminum. DH seconds. AL, AR, ZT, and DH vote to approve. AL to draft and circulate the Certificate with a goal of finalization and filing by May 22nd. DH to issue.

B. 8:15 Application #2124 53 River Street Historic Park. David Martin (DM), Select Board Member present. DM: This is a verbal update and a request to renew the CoA authorizing the dam removal. The CoA authorizing the dam demolition was issued on June 2, 2022. The project has been held up due to delays in Federal permitting, but we hope to break ground this summer. Project out to bid, but can't break ground until the Army Corps of Engineers issues the necessary permit. The dam demolition CoA expires on June 2, 2023. DH: Need to extend the dam CoA until June 2, 2024. DH moves to do so. AL seconds. AL, AR, ZT and DH vote to approve. DH will issue. DM: Does the park project require a CoA? It's landscaping and pathways. DH: It will require a CoA. Anything over one foot other than plants requires approval. But based on what we know, we don't expect problems. DM: Will work on a request. Shows a plan so that HDC can give him an idea of what is covered. Part 1: Wall less than 1 foot outlines position of an old building that no longer exists. Part 5: Amphitheater structure the steps of which are likely a foot high. DH: The governing way is River Street, so those are not a problem. DM: Overlook built of granite from the dam and brick from wheelhouse on original structure with a handrail above the dam granite. And there will be informational kiosks. DH: Those will need a CoA. The parking area may or may not be exempted. There is a provision in the Bylaw which needs to be checked.



C. 8:28 Public Hearing (Continued) Application #2313 615 Massachusetts Avenue Addition and Renovation. Daphne Schneider (DH), Applicant; Lisa Adamiale (LA), Architect, present. AR recuses herself due to professional affiliation with LA. DH: This is a continuation of earlier public hearing on Application #2313. LA: Starts with screen shot of 1920s photo of house, which was built in 1861. Original owner: George C. Wright; it appears on West Acton 1875 map. Shows display of footprint and recaps intended renovation. Current condition of the building – neglected; hoping to bring back to what it was in previous life. Currently has vinyl siding. Structural report: rear el not original. Building's main and connector roofs undersized; foundation not as stable as should be. Connector roof requires reinforcement to accommodate snow loads and greater general stability. Rather than restructuring, proposing removing the roof of connector, but reinforcing and repairing main house roof. There has been a loss of detail; on connector roof, so propose removing and extending the connector roof as part of extending the connector. The connector's sun room is not on a solid foundation (it is sliding off), so the plan calls for removing the current connector, replacing it with a longer connector to the planned barn with an enlarged sun room extending from the barn side of the connector. Plan to rebuild the belvedere on the main roof, rebuild the front porch using salvaged materials and in-kind replacements with shutters on the front facade as shown in the front elevation. The front windows on the first floor would not be original; the originals along with their shutters extended to bottom of the front wall. Plan to demolish the non-original el, a part of which is visible from Massachusetts Avenue. The shutters on the first floor of the main house front facade will be shorter on the front porch than in the original; there will be no shutters on the third-floor gabled dormers. Not intending to construct faux chimneys. The chimneys shown in the 1920s photo are quite tall and would require extensive interior support. The belvedere will need extensive support and intend to focus on that. DH: Comments? AL: Appreciate the plans, which not I have had time to carefully examine. As noted at an earlier hearing, for me, the weak point is the connector. It seems too plain, without the detail of its predecessor or of either the renovated house or new barn. ZT: Appreciate the reasons for demolishing the el and the structural problems of the current connector. Disappointed that faux chimneys are not feasible. House of this vintage seems strange with no chimneys, but understand your position. DH: What's happening in the barn? LA: Will be a caretaker residence. DH: Reason for asking is maybe you could consider a diamond-shaped window in the upper gable at the ridge-line frieze boards for light in the room. Agree with AL on the connector. Original connector had verticality to it. It's lost its 1860s' vertical feel. On the front facade of house, we lost the floor-length first-floor shutters and the shudders on the gabled dormers. Looking forward, would you mind coming in every two weeks, allowing us to go to the other facades, get down to the details? LA: When could we expect a vote? DH: Typically, it is pretty far along in the process before we vote. David Shoemaker, who is necessary for a quorum, will be back May 28. DS: We'll come back to your next meeting and can bring you up to date. AL: Would help if we got updated plans/presentations prior to the meeting. DH moves, seconded by AL, that the public hearing be continued to the next meeting, on May 23. Vote: AL, ZT, DH vote to approve.



- D. 9:25 Review CoA #2109, 9 School Street, new 6-family building. John Perkins (JP), Applicant, present. JP: Have decided to go forward with this project after the broader, 3-to-13-School-Street proposal that included this site has fallen through. Seeks permission to change approved windows to Anderson 400 A Series Woodwright windows, made of wood-based Fibrex material. DH: We have loosened our window requirements a little, approving aluminum-clad sash in a wood frame. In that regard, we have looked at windows with clad sash by Windsor that mimic joinery in classic windows. Samples are available from a rep. AR: Marvin and Windsor will set up clad sash in a wood frame. Worth going to the Windsor showroom in Readin to get a sense of what's available. We will next meet on May 23, June 13 and 27. JP: Would prefer June 13 if possible.
- E. 9:40 Terra Fredricks called to ask if any decision had been made re: 615 Massachusetts.

3. Consent Items

None

1. Adjournment

At 9:42 pm AL moves to adjourn the meeting, AR seconds. DH takes a roll call vote: AL, AR, DH, ZT all approve.

Documents and Exhibits Used During this Meeting.

- All relevant Applications, in Docushare