

## **Historic District Commission Public Hearing Minutes – January 6, 2020**

**Time:** 7:32 p.m. – 8:24 p.m.

**Members Present:** Ben Franklin, Chair; Jer Jurma; Andrew Steingiser; Sylvia Belkin, alternate; Richard Smith

**Members Absent:** None

**Location:** Swampscott Police Station, 535 Humphrey Street

The public hearing was video recorded.

- 1) Approval of Minutes – tabled until next meeting as the minutes from December have not been completed.
- 2) **Certificate of Appropriateness for 121 Elmwood Road (19HDC-89)** – applicant requested by email to withdraw at this time. There were no objections or questions from the Commission. The withdrawal was approved.
- 3) **Certificate of Appropriateness for 3 Devens Road (19HDC-87)** – for replacement of six (6) windows to match the existing street (4 facing front, 2 in the rear), replace cedar shingle siding to match existing. This item was continued from the December 2019 meeting. (Note: rear windows and shingles have been separated and approved through CONA process). Mr. Zand was present to represent the application.

R. Smith conducted a site visit on 12/20 to view the windows. He reported that the windows on the front the house – 1 stand alone and 3 on a bay – have significant issues. The bay window has clearly sagged, making the two side windows out of square. Additionally, the window in the middle has a large split in the sill across the front. The stand alone window is not as deteriorated as the other three, however the work is proposed as a group, which will make sense visually. The proposed replacement is Anderson A-series, new construction rather than an insert as substantial reconstruction is required. He concluded that the deterioration is such that he is comfortable recommending the replacement.

Chair Franklin noted that the Commission did have photo documentation provided by the applicant which triggered the need for a site visit, as they take replacement of original windows seriously. The analysis would include first, the question of whether replacement itself is warranted; and second, whether the proposed replacement is appropriate.

R. Smith asked if the applicant would replicate the original trim? Mr. Zand replied yes.

**MOTION:** J. Jurma to approve the COA with the following conditions: Trim, Sill and casing to match the original; windows to be new construction installation to match original sizing and glass area. Seconded by S. Belkin. Unanimously approved.

- 4) **Certificate of Appropriateness for 41 Paradise Road (19HDC-100)** – request to replace existing 4-foot fence with 6-foot fence due to privacy concerns. Matt and Amy Mastrogiacomo were present to represent the application.

Ms. Mastrogiacomo gave a brief overview of the proposal. This is a corner lot located on a busy street and they have small children. They are looking to increase privacy and safety in the yard for the kids to run around. There is no fence on the left side of the house (as viewed from Paradise Road). The fence is on the right side (from Paradise onto Elmwood) and meets a side shared with their neighbor on Elmwood. That specific portion would remain shorter to be visually compatible with the neighbors existing fence.

B. Franklin noted the design guidelines differ between front, side and rear yards. He wonders if this yard would be considered a front or side yard and how that would affect the analysis.

J. Jurma noted that he has walked the site and neighborhood and noted other fences that are as high as the proposed fence. The Commission members debated the application of the guidelines, whether or not the yard would be considered a true side yard, and the potential impact of the new fence height on the house views.

J. Jurma asked whether or not the applicant measured where the new height of the fence would hit on the house, which itself is raised. Ms. Mastrogiacomo noted the fence will not be taller than the porch siding, and because the land dips on Elmwood you would still see the porch from the street.

A. Steingiser stated that the spirit of the language in the guidelines is meant to preserve an openness, not obstruct view of the building or create border walls. In this case, the fence does not overtake the house as it is on a raised foundation. If the Commission was talking about the front of the house, it might be a different conversation. He is more comfortable with the proposal, given the location of the fence.

Commission members discussed the possibility of a more open fencing design that still kept the need for privacy, and different design options for the top of the fence. The applicant ultimately agreed to cap the fence similar to the existing fence, and include exposed posts on the street facing side to ensure visual interest. B. Franklin noted that if the siting was different, he would push for a more open fence design.

MOTION: J. Jurma to approve COA with the following conditions: the fence will be 6 feet in height (or less) – not to exceed the height of the porch rail top; top of fence to be capped similar to existing fence; exposed posts will be used similar to existing fence; no dog ears. Seconded by R. Smith. Unanimously approved.

- 5) Other Business

The MBTA is doing work on the Train Depot. Jer reached out to Chris Skelly at the Mass Historical Commission and staff has reached out their contacts to find out more details. There is a question about whether the local historic district regulations apply.

Meeting adjourned: 8:24 p.m.

Molly O'Connell  
Senior Planner