

Minutes
Watertown Historical Commission
Thursday, June 8, 2017
Philip Pane Lower Hearing Room
7:00 p.m.

Historical Commission Members Present: Thomas Melone, Susan Steele, Joseph Panto, Marilynn K. Roach, David Russo, Donald Berg, Elise Loukas

Member(s) Absent: N/A

Staff Present: Christopher J. Hayward, Susan C. Jenness

David J. Russo opened the meeting. Russo explained the jurisdiction of the Historical Commission and the process that would be followed to make a finding if the building at 76 Emerson Rd. was historically significant. He elaborated that normally after a finding is made, we may discuss whether or not to impose a delay on a project, but we will stop this process once we determine whether or not the building is significant, because this house has been taken down.

1) Public Hearing Continuation –76 Emerson Rd. – to review the historic merits of a formerly existing one family cape style home built around 1934 that was demolished without a permit. Proposed is a single family house. Connor Maguire and Krista Muzzioli, Applicants/Owner

Bill York appeared as counsel of record for Connor Maguire and Krista Muzzioli. He explained that it was sad that this young couple was here before the HC for this meeting. York explained it was not their intention, or an act that was caused by them, but the negligence of others that destroyed their dream of renovating this house.

York explained that Krista is a 25 year old woman holding a Master's Degree in Special Education from Salem State College, and is employed as an early intervention into special needs teacher in Arlington. Connor was introduced by York as a 26 year old United States Veteran, who is a recipient of the high honor of the Purple Heart, as a result of two serious injuries in combat. He has attended Middlesex Community College and Northeastern University, and is now employed as a Landscape Supervisor in the business owned by Krista's father.

In December of 2016 they found the home they wanted and hired Krista's father as the contractor. A professional architect was hired to draft plans to propose their substantial renovations to the Building Department for permitting.

The scope of the project was to renovate the 1st floor, remove the 2nd floor and then reframe it as a dormer. The new owners of the home did not intend to build a brand new structure, nor did they possess the necessary funding to do so.

York explained that in February of 2017 building permits were issued by the town to permit the work described above.

The general contractor hired a subcontractor for the demolition of the second floor. A framing company received the plans for a partial demolition and the work was scheduled to be done on February 16th. The couple had observed the project on February 15th at night after work and expected to come back the next night and see the framing going up.

When Connor returned to the site on the afternoon of the 16th, Connor saw that the building had been taken down to the ground by the framers.

On February 17th, the town of Watertown shut down the job.

York explained that neither of the owners had been present when the demolition took place and that they had acted responsibly in every way. York further stated that the owners have been halted from doing any further work on the home until further notice and said that they are sad and they have suffered financially and emotionally through no fault of their own.

York explained that this hearing is in accordance with Section 4.2 of the Demolition Delay Ordinance which is not meant to penalize home owners in such instances as this one. He said this Ordinance is strictly to determine whether or not the building was historically or architecturally significant.

York said that this is a cape style home, with no known historical significance and with stonework in the façade of the building which was scheduled to come down in the partial demolition and renovation proposal made by Krista and Connor, which had been permitted by the town. To his knowledge, there was no historical or architectural significance of this building.

York said that the owners were present if any of the members of the commission had questions for them.

Russo explained that he would be reading the written submissions of abutters unable to attend the public hearing into the record, between the abutters who were here to give oral comment in person.

Berg asked if they had any comments about how this actually took place and if there is litigation pending in the matter.

York explained that there were statements taken at the time of the incident but he was not involved in that part of the issue on the 17th of February.

York said that the subcontractor explained that he had left the site of the building while the work was being done, and when he returned, the building had been completely taken down. He said he was unsure if the litigation is against the general contractor or the subcontractor as he is not involved in that.

Public Comments

Dan Mazzola- 77 Longfellow Rd. Mazzola appeared as an abutter and spoke about his concern with the height of the rear of the proposed new structure at the third level. He offered photographs of how the house used to appear from the back and went on to share his photos with the HC at the request of the chair. Mazzola's described his house as the small unassuming ranch behind 76 Emerson and has been living there since 1973.

Linda Lefever- 62 Emerson Rd. - Lefever commented on a neighbor who was not able to make it to this meeting who said that when he turns onto Emerson Rd. he feels that he has arrived home. She appreciates that Connor and Krista want their house to fit in with the neighborhood and she said that the house at 76 Emerson that had been demolished did fit the character and the context of the neighborhood very well. She said that what has occurred has jeopardized the texture of the neighborhood and Watertown as a whole. Lefever said she has great respect for the Historical Commission and their role protecting the character of the neighborhoods and she said that an action like this should not go without any type of consequence.

James Linehan-57 Emerson Rd. - Linehan spoke up to confirm that Tom Cola and Judy Cola's comments would be read into the record. Russo confirmed that the comments were there and would be read shortly.

Chris Gentile- 77 Emerson Rd.-Gentile, who lives in a Tudor style home across the street, spoke about his relationship with the Leblancs, the former owners of the house who sold the home to Connor and Krista. Gentile owns the Tudor house across the street. Gentile said he was asked by the Leblancs to find the right kind of buyer for the property. He felt Connor and Krista were perfect.

Gentile assured the HC and the attendees of the meeting that Connor and Krista never spoke about anything other than the renovations on the first floor, removal of the second and the building of the dormer. Mr. LeBlanc insisted on knowing what they were going to do to the house when it was purchased and there were financial concerns that prohibited them from rebuilding from the foundation up.

Gentile said that there was no fraudulence involved at all here and that this has created an eye sore for the whole neighborhood. He also offered to answer any questions that anyone had.

Gerard McCormick-62 Emerson Rd.-McCormack spoke about wondering what could be done to penalize the contractor to make sure that this does not happen again and to investigate what actually happened.

Russo explained that the commission's decision will be whether or not the building was historically, architecturally significant and nothing more. He invited Mr. McCormick to speak to the owners for more information on issues about the contractors in this instance.

Michelle Gascan- 67 Emerson Rd. - Gascan spoke about the current proposed plans and said they are not in keeping with the existing structures in the neighborhood.

Gascan said her home was built in 1925 and is significantly smaller than the proposed building being considered. She elaborated that most of the other buildings are similar to hers in scope. She explained that this proposal is something you would see in a sub-division in Framingham, and a third floor facing window and is not something you see on any other house in the neighborhood.

Gascan would like to see them move forward as quickly as possible but with something that proposes a structure that fits in with what was proposed in the first place.

She closed by stating she did not want to see any precedent set that would change the character of the neighborhood any further.

Laura Flaherty- 47 Emerson Rd.-Ms. Flaherty communicated by writing as she was not able to attend the public hearing. She wrote that the owners had reached out to the neighborhood before the last HC meeting by a letter explaining that they were blameless in the demolition, and had nothing to do with it.

Before the letter that went out, Flaherty explained that she had seen a crew on site with sledgehammers and she watched them take down the beautiful stone front, which she found upsetting.

Flaherty said that when she tells people she lives on Emerson Rd. most responded by saying it is one of the prettiest streets in Watertown. She said it now it has this as an eye sore.

All of her other neighbors that have renovated and remodeled kept in mind the character of the entire neighborhood and asked one another for their opinions before making changes.

She closed by asking that the HC help Emerson St. to make this situation right.

Judith Cola- 61 Emerson Rd.-Mrs. Cola communicated in writing as she was unable to attend due to scheduling difficulties.

Cola referred to 76 Emerson as an irritating eyesore and asked if the HC could impose a moratorium on the project. She was greatly concerned that since no permit was issued to demolish the building, that there was a potential that dangerous materials had been released into the environment without them knowing about it, and without any precautionary measures taken.

Cola explained that Watertown had just gone through the long process of creating a Comprehensive Plan to make Watertown a more beautiful and desirable place to live. She spoke about the element of the plan that was adopted to protect the character of the neighborhoods and said it makes no sense to create a plan if it is not going to be enforced it when it is warranted.

She said she regrets what happened to the owners and believes the contractors to be at fault. She closed by saying she hopes that the HC can help resolve this issue and that it will not set a precedent for the future that this is acceptable as a practice.

Thomas Cola- 61 Emerson Rd. - Communicated in writing as he was unable to attend. He wrote about the current tremendous development pressure here in Watertown. Then, without the proper authority obtained, this house has been demolished and the whole neighborhood is altered, and no longer the same.

Mr. Cola said it is a resident's duty to obtain necessary permits when developing here in Watertown. He said this house was a charming home to look at, and he was shocked to come home one night to find it completely demolished.

Cola is concerned if not handled properly, this could end up giving the impression that law does not matter. He said that waiving any sanctions in this circumstance, implies my wife and I were silly to go to the trouble of taking out the necessary permits when we renovated our house and kept all of our neighbors informed of what we planned to do all along the way.

He closed by stating that what you decide here will quickly spread and become known to owners and developer as the precedent for future developments here in Watertown. He thanked the town officials and HC members for protecting the town.

Kathy Sheehan-9 Broadway- Ms. Sheehan introduced herself as a resident of 11 years and a dear friend of Krista for 21 years. She described Krista as a wonderful caring and giving person with a history of being someone who goes out of her way to assist her friends.

She met Connor through Kristen 7 years ago and said that Connor is a good person she would call on if she ever needed help.

She assured the HC what wonderful people both Krista and Connor are and how unfortunate this whole situation is and that they had nothing to do with the demolition of the building.

She spoke of their intention of buying their own home and she hoped that after the meeting they could get back to planning their future.

Carl Paula- 75 Partridge St. - Mr. Paula said that he hoped that the town would not penalize the couple who he felt had done nothing wrong. He said this appeared to be an unfortunate situation and one that stood to penalize Watertown as well as the couple.

HC Discussion

Loukas called on Russo to clarify that the HC should all be looking at the historical and architectural significance, the period and style of the house, and that those would be the only facts to work with in this case. Loukas clarified that she felt it was not the obligation of the HC to determine what happened and how it happened.

She felt strongly that the ordinance called for them to determine, regardless of intent, whether or not the house was architecturally and historically significant as to the period, style method of

building, construction or associated with a famous architect or event. Berg said the HC has the ability to find the house significant or not, but other than that, it is out of our hands.

Steele asked whether the HC should consider being concerned with setting a similar precedent for other such situations in the future.

Russo explained that the focus in this case was on the historical and architectural significance of this home. He stated that the house was a colonial revival with a craftsman front and side porches. He pointed out the nice fusion, the architectural integrity, the stone front and the original windows and front door.

Berg talked about noticing the colonial roof and stone front which showed a lot of unique character, and it was indicative of the period before the cape style trend took hold.

Melone pondered about what a nice street Emerson Rd. is and that there is some kind of harmony within the neighborhood with the architecture, although there are various styles of houses.

Panto was looking at the pictures of the house in stages of the process of demolition.

York asked the commission to consider some points about the term voluntary for the person who had the agency and caused this to happen.

Berg and Loukas said that this was not something they should be talking about in this hearing. They said that they ordinance calls for us to evaluate whether or not the house as it was had significance.

Melone wondered if they had come to the HC with the entire house, if they would have found the home significant.

Berg stated that this house was very unique house.

Loukas said the area is referred to as "Poets Corner."

Russo reminded everyone that the Comprehensive Plan which was adopted by the town calls for guarding of the neighborhoods, and this situation has been very impactful to the whole neighborhood which is an intact one.

Roach said that she would like to find out if they could really do something about the subcontractors so that they cannot do this again to another home, although that does not have an impact on what the HC is supposed to do tonight.

Berg said he was looking at this discussion as just about whether or not this house is preferably preserved, and nothing more.

Roache agreed and said that this is all that we can do here.

Motion: Berg made a motion that the house that formerly existed at 76 Emerson was historically and architecturally significant, and preferably preserved. Russo seconded the motion.

Russo called for HC discussion.

Steele stated that we could pave the way for more of this to occur in the future.

Russo reminded the HC that this discussion was to be solely focused on the historical and architectural significance of this house, and not anything more. The Comprehensive Plan suggests that preserving the neighborhoods is a priority as mandated by town council.

Vote: A six to one vote was reached that the house that formerly existed at 76 Emerson was historically and architecturally significant. Panto abstained from the vote.

2) Meeting Minutes Review – May 11, 2017

Motion: Melone made a motion to approve the minutes. Russo seconded the motion.

Vote: A unanimous vote was reached approving the minutes.

3) Public Hearing - 10 Winter St. - Proposed is the demolition of a 3 unit structure built in approximately 1900. Proposed use of the site is as part of a multimodal community path, and open space. Kenneth Thompson, Building Inspector, Applicant/Town of Watertown, Owner

Gideon Schreiber, a Senior Planner for the town appeared for the owner of the building.

Schreiber said that the house was built in around 1900 on a 3700 sq. lot. that the town has planned to be part of the Tufts Students community path. The plan is a concept to make a connection from School St. to Arsenal St. and throughout the old rail corridor and go through this lot of this building as well. The town council ruled that this would add green space to the community and connect to the Charles River. The town chose to purchase this house in order to enhance the Regional Multi Use Path Connectivity.

Schreiber referred to the documents prepared and submitted by Ken Thompson. He reviewed the documents and answered questions for the HC.

He reviewed the conceptual terms for the proposed project for the HC and said a more developed plan will become available over time as the town makes determinations about adjacent lots.

Melone pointed out that the two doors look like 1850 a semi Greek revival.

Loukas said she was concerned that there was a meth lab in the house for a period of time. Schrieber assured her that the inside was cleaned by proper process before it was rented out again.

Public Comments

Andrew Campagna a member of the Bike Path in Watertown commented he is in favor of what Scheiber is proposing.

Aaron Dushku member of the Town Council submitted an email that was read into the record stating that this is important step forward in the process of the community path between Watertown and Cambridge Greenway. He said it is the responsibility of the town to seize this opportunity and thanked the HC for considering his correspondence.

Russo said that there is architectural integrity in this house, just like the last house. It has the original doors are still there, and it was built at the beginning of the Civil War. The original house is still there with very little changes. Otis Wheeler built this house. In 1863 he sold the building to William Pierce. Abbey Gardner also owned 9 Winter St. for rental properties. The Pallotta family has owned the house over recent years and it has been well used as a rental property.

Russo said he thinks it is important to stand up for the resources of the town and we should not just let the town do whatever it wants without going through the process.

Loukas said the ordinance encourages us to work with owners of these significant houses to find new owners who would be willing to work with the houses and save them. She wanted to know if the town would be willing to sell the house for minimal and then have the new owner move the house. Schreiber said that he would need to ask that as he did not have the answer. Loukas explained that she wanted to see the inside of the house in any event.

Motion: Loukas made a motion to continue the hearing until the July 13th meeting so that the HC could see the inside of the house. Steele seconded the motion to continue the hearing so that the HC could take a site visit.

Vote: A unanimous vote was reached to continue the public hearing to the July 13, 2017 so that the HC could have a site visit.

4) Informational - Letter dated May 12, 2017 written by David Russo, Chairperson of Watertown Historical Commission to Clarence Richardson, Jr. Chairperson of Waltham Historical Commission regarding information about renowned architects, Charles Brigham and Alberto Haynes.

The letter which was written by Russo was to send historical information along to the Waltham Historical Commission, and copies were shared with the HC members for their own records.

Informational - Letter dated May 30, 2017 written by David Russo, Chairperson of Watertown Historical Commission to Katy H. Homes, Senior Planner for the City of Newton regarding information about renowned architects, Charles Brigham and Alberto Haynes.

The letter was written by Russo to send historical information that was unknown to the Newton Historical Commission.

As a result of this process, Russo has been asked to work with Newton to assist them in preparing some form B's on other buildings that had also been constructed by Charles Brigham. Copies of the letter were shared with the HC for their own records.

5) New Business

The Office of Historical Preservation will make arrangements for the HC to make a site visit to the Commanders Mansion to review the historical contents in the basement.

Meeting was adjourned at 9:10 PM