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*Brookline Preservation Commission*  
**MINUTES OF THE March 15<sup>th</sup> 2023 Subcommittee meeting**  
**17 High Street, Certificate of Hardship**  
**Held Virtually using Zoom Online Software**

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**Commissioners Present:**

Peter Kleiner  
Ric Panciera, Vice Chair  
Elton Elperin

**Staff:** Tina McCarthy

**Applicants:** Eric Nadeau, Emily Oliveira

**Public:** Perry Grossman, Wendy Machmuller

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Ms. McCarthy called the meeting to order at 4:00. She asked the applicant to present their materials, as no case materials were submitted in advance of the meeting.

Eric Nadeau presented the materials for the case. The purpose of discussion was to establish possible locations for the mini split unit. The owner, Emily Oliveira needed heating and cooling for her business. The roof and side alley locations were to be explored.

The side alley location left only ½” on either side to let a person in a wheelchair pass if left on the ground. There were also issues with setback, as the condo association does not own the whole alleyway.

To address the problems with the current location, he reviewed a proposal to hang a sign to screen the unit. The unit can be moved up 9 inches, but the applicants were not sure if this would make a difference. The move would impact the lighting in the doorway, which would need to be reconfigured.

Mr. Nadeau presented a letter from a structural engineer and indicated that he had sent the letter by email to Ms. McCarthy. She checked her email and confirmed that she had not received the letter; she asked him to resend it. Mr. Nadeau pointed out the portion of the letter which explained that the roof location did not meet code, so it is not possible. The setback, neighbors and structural concerns prohibit the alley location.

Mr. Elperin asked for details on the reason the unit could not be mounted on the side wall. Mr. Nadeau thought the next step would be to get an estimate for the work, and quantify the cost of the work. Mr. Panciera was willing to take the word of the engineer, that it could not be done. Mr. Kleiner confirmed this was a hearing for hardship and agreed with Mr. Panciera.

45 Mr. Nadeau returned to the screening proposal. Mr. Panciera asked that the pipes be painted  
46 black as well as the unit drip pan. Mr. Elperin was not happy with the information provided  
47 regarding mounting the unit on the wall. Commissioners discussed the arrangement of the unit,  
48 sign and lights.

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50 Mr. Kleiner did not think this set precedent for inappropriate work in the LHD because it was  
51 being approved under a hardship application. He noted that the letter represented the review of  
52 an expert, and though there may be questions unanswered, he was willing to take the  
53 recommendation. He felt this was adequate to support evidence of hardship. Mr. Elperin did  
54 not agree; he felt evidence had not been presented for hardship on the alley location.

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56 Ms. McCarthy read a comment left by a member of the public, Wendy Machmuller. As a  
57 resident of the neighborhood, Ms. Machmuller had expressed her support for the sign screening  
58 option presented by the applicant.

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60 Ms. McCarthy discussed the next steps, that the application would need to go back to a hearing  
61 for a decision. She asked the group if they wanted another subcommittee meeting. All favored  
62 meeting again to review the revised details of the screening sign.

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64 Meeting adjourned at 4:54

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