

1 *Brookline Preservation Commission*
2 **MINUTES OF THE JUNE 11, 2019 MEETING**
3 **Brookline Town Hall, 5th Floor Hearing Room, 333 Washington Street**
4
5

6 **Commissioners Present**

7 Elton Elperin, Vice Chair

8 Elizabeth Armstrong

9 Jim Batchelor

10 Wendy Ecker

11 David Jack

12 Richard Panciera

13

14 **Staff:** Lara Kritzer and Tina McCarthy

15 **Members of the Public:** See list
16

Commissioners Absent:

David King, Chair

Peter Kleiner

17

18 Mr. Elperin acted as Chair for this meeting and called the meeting to order at 6:30 PM.
19

20

Approval of Minutes

21

22 Commission Members reviewed the draft meeting minutes for the December 11, 2018 Preservation
23 Commission meeting and made revisions at this time. Mr. Elperin moved to approve the draft
24 minutes as revised. Mr. Jack seconded the motion and all voted in favor.
25

26

27 Members next reviewed the March 12, 2019 draft minutes and submitted revisions as well. Mr.
28 Panciera moved to approve the minutes as revised. Mr. Elperin seconded the motion and all voted
in favor.
29

30

31 Members then reviewed and revised the April 8, 2019 draft meeting minutes. Mr. Elperin moved
32 to accept the draft minutes with the two revisions requested. Mr. Jack seconded the motion and all
voted in favor.
33

34

35 Commission Members agreed to continue discussion of the draft subcommittee meeting minutes to
a future meeting.
36

37

Public Comment (for items not on the agenda)

38

39 There was no public comment at this time.
40

41

PUBLIC HEARINGS – LOCAL HISTORIC DISTRICTS

42

43 **17 Hawthorn Road (Pill Hill LHD – continued hearing) – Application for a Certificate of**
44 **Appropriateness to install new fencing and gates, new retaining walls, new stairs with**
45 **surrounding walls, new a/c condensers with screening, a pergola, and a bench. (M. Nucci**
46 **and B. Moody, applicants)**
47

47

48 Ms. Kritzer presented the case report. Property owner's Marissa Nucci and Branch Moody
49 were present with their Architect, Tim Burke. The Applicants explained that they did
50 understand that their first choice for the new location of the a/c condensers against the left wall
51 of the house would require a variance. They were showing the second location next to the front
52 entrance as an alternative because it could be done as of right. It was also noted that the amount
53 of pavement proposed in the project had been reduced from the previous plan.

54

55 Mr. Elperin opened the discussion to public comment.

56

57 Eric Schwartz, 21 Hawthorn Road, thought that there had been a lot of progress made on the
58 plans since April. Mr. Schwartz thought that this process had been rough on all parties and that
59 they had been unfairly attacked as part of it. He stated that he struggled with how to give his
60 views on the project and had wanted to develop a dialogue with his neighbors. He thought that
61 this dialogue may have started over the last few days and asked that the Commission consider
62 providing more time before making any decisions about the project or at least about the lawn
63 side of the project.

64

65 Mr. Elperin noted that questions had been raised as to whether the reasons behind the project
66 were significant to the application. He stated that he was not sure whether a discussion of the
67 motives for the process would lead to a different decision from the Commission. He noted that
68 the Commission sometimes heard them, and sometimes did not.

69

70 Maureen Coffey, 21 Hawthorn Road, stated that they had only been made aware of the four
71 page letter submitted to the Commission from the property owners a few days before the
72 meeting. She was surprised to learn that the Applicants had spoken to an attorney about
73 trespassing concerns eight years ago. She stated that there had been no incremental steps to
74 address these concerns and no improved signage on the site. She thought that the existing front
75 lawns were historically significant and felt that they should be addressing their concerns with
76 other options.

77

78 Mr. Elperin stated that this was not the place to discuss the history of the reasons for the
79 proposed changes.

80

81 Diane Post, 76 High Street, thought that a lot of thought had gone into the plans and that the
82 changes made since the initial application improved the project. She supported the application
83 and thought that the owners were making a good faith effort to preserve the house and historic
84 district.

85

86 Lisel Mittelholzer, 41 Allerton Road, stated that Tim Burke was their architect as well and that
87 they endorsed the proposed plan.

88

89 John Carpenter, 68 High Street, noted that the original proposed location for the air conditioner
90 was eighty feet from Hawthorn Road and felt that it would have been appropriate. He
91 supported the project and passed around a photo of 60 Allerton Road, which had its air
92 conditioning units located at the front of their house. He stated that a lot of changes in the
93 Historic Districts bothered him but that this one did not.

94

95 Martha Huntley, 110 Davis Avenue, stated that Pill Hill has been an historic district for a long
96 time which had preserved the attractiveness and integrity of the neighborhood. She thought
97 that approving this project would be a disservice to the district and would give the impression
98 that if someone had enough money and support that they could make changes to their property.
99 She thought that the houses were built with the intent that they be sister properties and was
100 trying to wrap her head around the intent of the Preservation Commission. She supported the
101 District but did not sure that these types of changes should be allowed and was concerned with
102 the negative impact of the project on its neighbors and the inconvenience that it would pose to
103 area residents.

104
105 Mr. Elperin stated that the Commission had to balance between the strict preservation of the
106 District and the homeowner's needs to make changes over time. He noted that these properties
107 had never had driveways as they were built before cars but that this was now a common
108 necessity. He was sympathetic to addressing the steepness of the slope on the walkway and
109 thought that it was reasonable to add stairs. He shared the general, abstract idea that this was
110 one property but noted that in reality it was two separate parcels. Mr. Panciera stated that as a
111 Commissioner and an architect, he was asked to interpret what the original architect had been
112 thinking. Houses that were set up this way were generally done for families but his was not the
113 situation today, and he did not think that it was possible to leave the sites unaltered. He noted
114 that people lived differently today and that the Commission had worked with the applicants
115 and design guidelines to make the best possible decisions for the site. The existing paths were
116 not mirror images, were not made of the same materials, and the proposed changes did not
117 destroy the integrity of the sits. The Commission could not know the future, but tried to make
118 the best possible decisions for each site.

119
120 Ms. Armstrong stated that there are ways to preserve the uniformity of the two properties and
121 that the original owner could have added restrictive covenants to the sites but that this was not
122 what had happened here. She noted that each owner had property rights and that care had to be
123 taken to preserve the districts which also balanced with those private property rights.

124
125 Mr. Elperin noted that the subcommittee had asked the property owner to move the air
126 conditioning condenser and lower the planting bed wall and that the proposed fencing along
127 the property line had been replaced with a handrail as requested. Concerning the stone walls
128 proposed for around the lower end of the walkway, he thought that it would be better to have
129 metal posts supporting the gate rather than stone walls. He suggested that the stone walls be
130 reduced from 3'6" tall to 24" tall to match the height of the steps. Mr. Panciera thought that it
131 was an elegant design but might be overstated and that less stonework at the sidewalk might be
132 more successful. Mr. Burke explained that they would integrate the new walls into the
133 surrounding landscape. They could lower the walls to 30" if necessary but would prefer to keep
134 them at 42" if possible as he was concerned with taking them down too far.

135
136 Ms. Ecker asked about the type of stone to be used. Mr. Burke answered that they would use
137 granite to match the foundation of the house. Mr. Elperin asked about the proposed 8" risers at
138 the lower edge of the stairs. He suggested that the height of the stairs be lowered to 6" and a
139 fourth stair added. Mr. Elperin then asked about the elevation of the proposed railing and how
140 it would be ended. Mr. Burke stated that it would have a simple curve at the end. Commission
141 Members agreed that this detail could be reviewed by staff.

142

143 Mr. Batchelor asked about the location of the bottom step. Mr. Burke explained the grade at the
144 top and bottom of the steps and that there was a two foot rise from the sidewalk to the stop of
145 the stairs. He agreed that there should be four steps with 6” risers and noted that the
146 surrounding walls would be 3” tall and would stand 18” tall at the rear of the staircase. The
147 stair design had been revised since the subcommittee meeting and was reviewed at this time. A
148 question was raised about the grade of the walkway in comparison to the grade of the
149 surrounding grass area and driveway. Mr. Burke explained how this would be dealt with and
150 that there would be a planting area between the walkway and the driveway.

151
152 Concerning the air conditioning condensers, the applicants had responded to the
153 subcommittee’s concerns and removed them from the front façade. The proposed location
154 between the house and the north property line was reviewed and the alternative location on the
155 south façade noted. Maureen Coffey expressed concern that the alternative location was only a
156 few feet from her front door. Mr. Burke stated that they preferred the location at the rear of the
157 house as they thought it was the best screened and the farthest from the neighbors. Ms.
158 Armstrong agreed that if a variance was possible, the north façade was the best location for the
159 units. Mr. Elperin also agreed with the proposed location. All agreed that the alternate location
160 on the front façade was an unfortunate location for the units. The applicants noted that this had
161 only been chosen as a location which met zoning and was not visible from the street.

162
163 Mr. Elperin moved to accept the project as currently proposed with the provision that if the
164 applicants did not receive a variance to install the condensers on the north facade as proposed
165 that they find another alternative location, that the handrail design be submitted for staff
166 review, and that all of the stairs be accepted as drawn with the exception of the sidewalk stairs
167 which should be revised to have four steps with 6” risers. Members were asked if there were
168 any concerns with the proposed pergola. It was noted that this had not been questioned by the
169 subcommittee. Ms. Ecker seconded the motion and all voted in favor.

170
171 **6 Elba Street (Crowninshield LHD) –Application for a Certificate of Appropriateness to**
172 **install wood fence along right property line (Xiaoning Zhan and Wenjiang Yu,**
173 **applicants)**

174
175 Ms. Kritzer presented the case report. Owners Xiaoning Zhan and Wenjiang Yu were present
176 for the discussion. Mr. Yu apologized for installing the pergola without approval and explained
177 that his landscaper had told them that they did not need any approvals to install the structure.
178 Only the fence portion of the structure running along the property line was still in place. It was
179 noted to be made of pressure treated wood. Mr. Yu stated that his landscaper had suggested
180 using pressure treated wood over cedar. He stated that they had lived here for nineteen years
181 and that a previous cedar fence on the property had not lasted. He wanted the two sides of the
182 property to look similar.

183
184 Mr. Elperin opened the discussion to public comment. Yair Egozy, 12 Elba Street, stated that
185 the pergola structure as constructed was 8’ tall and looked terrible so they had installed the
186 adjacent fence along their property line to screen it from view. Mr. Yair stated that his concern
187 was that they be allowed to have a fence as tall as whatever is approved for 6 Elba Street. He
188 noted that the existing fence at 6 Elba Street was 6’7” tall and thought that it should be no more
189 than 6’ above the finished grade. Mr. Panciera noted that the design guidelines stated that

190 fences should be no higher than 6'. Mr. Elperin agreed that reducing the height could be a
191 condition for the approval of the fence.

192
193 Mr. Batchelor questioned the material of the fence as pressure treated wood was generally not
194 considered to be appropriate within the Districts. Mr. Elperin thought that the height of the
195 fence was more important and was moved by the fact that the Applicants had done work to
196 alter the installation already. Mr. Batchelor asked if the design of the fence was the same on
197 both sides and whether the nicer side faced out. It was believed that the nicer side does face out
198 based on the photos. Mr. Jack noted that the posts might be slightly higher than the 6'
199 requirement.

200
201 Mr. Egozy explained that there was a difference in height between the land at 6 Elba Street and
202 his property at 12 Elba Street and that the fence measured 79" tall from their property. Mr.
203 Panciera moved to accept the construction and material of the fence along the right property
204 line of 6 Elba Street with the requirement that the fence must be reduced in height to no more
205 than 6 feet tall as measured from the low side of the fence which in this case is the driveway at
206 12 Elba Street. He further noted that the pressure treated wood has been accepted in this case
207 because this is a retroactive approval for construction which has been reduced in height and
208 scale prior to the meeting and the material will mainly be visible only to the homeowner. Mr.
209 Elperin seconded the motion and all voted in favor.

210
211 **12 Elba Street (Crowninshield LHD) – Application for a Certificate of Appropriateness**
212 **to install new fencing up to 8' high along left property line (Yair and Anna Egozy,**
213 **applicant)**

214
215 Ms. Kritzer presented the case report. Owners Yair and Anna Egozy explained that they had
216 installed an 8' fence along their left property line to screen the 8' tall fence and pergola
217 installed by their neighbors at 6 Elba Street. They proposed several options for the fence
218 including keeping it at 8' high, reducing it to 7' high, and reducing it to 6' high. Mr. Egozy
219 explained that they were fine with reducing the height of the fence but asked to wait until after
220 6 Elba had reduced the height of their fence so that they could match its height. Commission
221 Members agreed that this was a reasonable request.

222
223 Mr. Elperin opened the discussion to public comment. Wenjiang Yu, 6 Elba Street, passed out
224 photos of the fence at 12 Elba Street and expressed concern that it blocked the windows on his
225 right façade. He asked to be advised if his neighbors were building any more structures and
226 explained that the fence had previously been 5'6" tall and was now 6' high in front of his
227 kitchen windows. Mr. Elperin noted that the design guidelines allowed property owners to have
228 6' fences along their side property lines. Mr. Yu expressed concern that the new 6' fence was
229 only 8' from his house. Mr. Batchelor thought that the fence looked lower and members
230 reviewed how the fence began below 6' and where it would rise in height. Mr. Egozy stated
231 that the fence was also intended to screen construction materials stored at 6 Elba Street.

232
233 Mr. Elperin moved to accept and issue a retroactive approval for Option 2 for the board fence
234 along the left side of the driveway which lowers it to no more than 6 feet in height with the
235 authorization given to the owners to wait to lower the fence until the fence at 6 Elba Street has
236 been reduced in height. It was also noted that the Applicants could lower the height of their

237 fence if the fence at 6 Elba Street was further lowered. Mr. Jack seconded the motion and all
238 voted in favor.

239

240 **141 Walnut Street (Pill Hill LHD) – Application for a Certificate of Appropriateness to**
241 **install 21 roof-mounted solar panels. (David Tester, applicant)**

242

243 Ms. McCarthy presented the case report. Owners David and Kerri Ann Tester explained their
244 concerns with climate change and how they had approached solar power installation. They
245 understood that this would have an impact on the historic preservation of their home and had
246 tried to balance the need to address climate change with the preservation of their home.

247

248 Mr. Elperin opened the discussion to public comment. Olivia Fisher Fox, 36 Upland Road,
249 noted that the existing roof was asphalt shingle and not original to the house. She was
250 supportive of the project and agreed that it might not be necessary in twenty years but that solar
251 panels were vitally needed now. Frank Osmond thought that the utility it created was beautiful
252 and made sense for the property. Tracy Burns, 100 Beal Street, stated that she was a Town
253 Meeting Member and that Town Meeting had consistently supported the greening of
254 Brookline. She embraced this action. Chris Fox, 36 Upland Road, also supported the project
255 and thought that it was an opportunity for the Commission to move forward. It was noted that
256 the Commission had also received three letters in support of the project.

257

258 Mr. Jack asked how the large surrounding trees would impact the function of the solar panels.
259 Mr. Tester stated that they had modeled the proposal with the trees in place but noted that they
260 would get more power by cutting some down. They planned to do some selective pruning but
261 would not remove more than absolutely necessary. He added that the trees were all deciduous.

262

263 Mr. Elperin noted that the Commission had a long history of supporting green technology. The
264 one negative letter received had asked why the owners had not signed on to the Town's green
265 energy program instead. Mr. Tester stated that they were already using that program and that
266 the proposed solar installation would allow them to feed into that program as well as covering
267 100% of their energy needs. Mr. Panciera also agreed with the argument that this was a short
268 term, reversible change to the building. Mr. Elperin agreed with staff's summary of the project
269 and noted that the panels would be installed parallel to the roof.

270

271 Mr. Batchelor moved to approve the application as submitted to install 21 solar panels mounted
272 2.3 inches above the surface of the roof to create a 6.93 kW electrical solar system on the roof
273 of the house. Mr. Elperin seconded the motion and all voted in favor.

274

275 **21 Mason Street (Cottage Farm LHD) – Application for a Certificate of Appropriateness**
276 **to remove security bars on the basement windows, rebuild the front entrance, and install**
277 **new railings around deck on left façade. (Peter and Nancy Saperstone, applicants)**

278

279 Ms. Kritzer presented the case report. Architect Catherine Truman was present on behalf of the
280 owners. She explained that they had forgotten to include the removal of the bars on the
281 basement windows at the last meeting and did not think that they would be visible. The
282 Commission had also suggested that the Applicants consider changing the balusters over the
283 sunroom at the last meeting. Ms. Truman had agreed and now proposed a beefier railing and
284 baluster that was taller to meet building code requirements. The existing balusters were

285 believed to be possible later additions to the house which were spindly in design and too short
286 to meet building code. Ms. Truman noted that a window on the second floor had been
287 converted into a door to provide access to the deck and that the railing may have been added at
288 that time. Ms. Truman thought that the revised design worked better with the style of the
289 house. The new railing would be 36” tall and stand a total of 40” above the roof deck with the
290 new posts following the line of the existing pilasters. Lastly, the existing front entrance was
291 inset into the existing door frame. To provide additional interior space, Ms. Truman proposed
292 to move the door forward on the façade. The door would still be slightly recessed within the
293 frame but would be approximately 12” forward of its existing location.

294
295 Mr. Elperin opened the discussion to public comment and there was none at this time.

296
297 Mr. Jack asked if the new balustrade would align with the sill. Ms. Truman stated that it had
298 not intentionally been designed that way but might line up. Mr. Elperin and Mr. Panciera
299 thought that the new railing was an improvement and was a better crown for the glassed in
300 façade below. Ms. Truman was asked if the railings would be custom turned. Ms. Truman
301 answered no, but that they would be solid wood. Regarding the front entrance, Mr. Elperin
302 thought that it would be hard to distinguish the change in door location from the street. Ms.
303 Truman reviewed the plans and explained how only the paneling to the side of the door would
304 be removed. Ms. Armstrong asked if removing the security bars on the basement windows was
305 a concern. Members agreed that this removal would only be a concern if the bars had been an
306 important original element of the building.

307
308 Mr. Elperin moved to approve as submitted the removal of security bars on the three basement
309 windows on the north and east elevations; the reconstruction of the front entry to relocate the
310 recessed entrance door closer to the outer edge of the front wall and entrance portico as shown
311 on the approved plan dated 5/15/19; and the installation of a new wood deck over the existing
312 sunporch on the left façade including replacing the existing balustrade with a new, code
313 compliant railings as shown on the approved plans dated 5/15/19. Mr. Batchelor seconded the
314 motion and all voted in favor.

315
316 **PUBLIC HEARINGS – DEMOLITION**

317
318 **28 Denny Road – Request to lift the stay of partial demolition of the house (Brian and**
319 **Julia Clay, applicants)**

320
321 Ms. McCarthy presented the case report. Architect Michael Kim was present on behalf of the
322 owners. Mr. Kim explained that there were two parts to the project. The first was to straighten
323 out the oddly mismatched left façade by filling in the front left corner and extending the roof
324 over the garage doors. The second change is on the rear façade where an unused 1970s
325 sunporch would be demolished and a two-story addition installed in its place with a master
326 bath over a new sunroom. The new addition was proposed to match the height of an existing
327 addition to the rear façade and would be extended slightly to the right to align with that
328 addition. The second floor of the addition would have a bathroom with a cathedral ceiling and
329 large decorative window on the rear façade. Mr. Kim noted the heavy exterior detailing of the
330 addition and explained that it had been over detailed to reflect an 1875 design aesthetic. He
331 planned to tone it down to match interior elements and would perfect the detailing on site. Mr.
332 Kim also noted that they were proying to install a metal roof on the addition which he thought

333 would be a close match to the existing slate roof. He explained that he did not want to try and
334 match the existing slate with new slate and that the gray metal would also be a replacement for
335 lead coated copper.

336
337 Mr. Elperin opened the discussion to public comment and there was none at this time. Mr.
338 Elperin asked if the wide wall of the addition was flush with the clapboard of the house. Mr.
339 Kim reviewed the elevations and stated that it would be set in a few inches from the corner.
340 Mr. Elperin asked if the extension of the garage was also set back or if it would be flush with
341 the front façade. Mr. Kim stated that it would be flush. It was noted that the front and side
342 facades did not agree and that one showed a flat roof and the other a hip roof. Mr. Elperin
343 stated that he would like to see more detail on the triangle on the front façade and how it would
344 be finished. Mr. Kim stated that he did not think that the area would be visible behind the trees
345 on the site and that he was not trying to improve the design of corner, but just to even it out.
346 Mr. Elperin thought that it would be better to set the extension in slightly from the corner and
347 to consider ending with a hip or gable-end design. He thought that it would change the
348 character of the house to bring the garage all the way to the front façade of the house.

349
350 Concerning the rear addition, Members discussed whether the proposed design was too rich for
351 the house with some members feeling that it belonged to another structure. It was agreed that
352 Members were comfortable with the massing and general design. Mr. Batchelor moved to lift
353 the stay of demolition subject to the satisfactory review and approval of revised designs for
354 both the rear addition and garage facade by staff and one Commission member. Mr. Jack
355 seconded the motion and all voted in favor. Mr. Batchelor was appointed to be the Committee
356 of one to review this project.

357
358 Mr. Batchelor left the meeting at this time.

359
360 **57 Toxteth Street – Application for the partial demolition of the house (Fredrick**
361 **Choumert, applicant)**

362
363 Ms. McCarthy presented the case report. Contractor Jeremiah Foster was present on behalf of
364 the new owners, Sabrina and Fredrick Choumert, and stated that he could not argue with the
365 findings. He explained that the Owners had gone to great lengths to preserve the house and
366 were only making minor changes. The property is located within the Greater Toxteth
367 Neighborhood Conservation District and the proposed work followed all of their requirements
368 so that it would not trigger NCD review. The proposed demolition would remove only a small
369 section at the rear of the house and the only proposed changes are to the rear. He introduced the
370 owners and explained that they would not be able to attend the next Commission meeting.

371
372 Mr. Elperin opened the discussion for public comment. Owner Fredrick Choumert stated that
373 they had lived in Brookline for 15 years and were working now to buy this house and update it
374 for their family. They planned to keep both the historic elements of both the interior and
375 exterior of the house.

376
377 Mr. Jack moved to uphold the staff determination of significance for 57 Toxteth Street and
378 issue an eighteen month stay of demolition through December 11, 2020. Mr. Elperin seconded
379 the motion and all voted in favor.

380

381 **NEW BUSINESS AND UPDATES**

382

383 **175 Walnut Street (Pill Hill LHD) – Advisory review of proposal to install new driveway,**
384 **fencing and walkways on the site (Kristen Jilek, Jeremy Wong and Ciara Murphy,**
385 **owners)**

386

387 Owners Kristen Jilek, Jeremy Wong, and Ciara Murphy had requested to meet with the
388 Commission before submitting an application to install a second driveway on their property.

389 They explained that they would reduce the width of the existing driveway from two to one car
390 wide. They were considering adding fencing up the middle of the site but would definitely
391 want to install some along the sidewalk. The work would require a variance for both driveways
392 as both would be located in the setback. Members asked whether the neighbors to the right had
393 been contacted about this change and the Owners stated that they were amenable to it.
394 Members also liked the idea of reducing the width of the current driveway. Mr. Elperin noted
395 how tight the new driveway would be to the neighboring property and expressed concern with
396 this location. He was also concerned with the safety of the driveway and discussed whether the
397 driveway should be bent at the street or straightened. Mr. Jack questioned how the throat of the
398 driveway would be designed. Mr. Panciera stated that he was open to the idea but would need
399 to review it in the context of other examples. Mr. Elperin was also sympathetic to the idea but
400 agreed with the concerns expressed about the design and location of the driveway.

401

402 The meeting adjourned at 9:26 PM.

403

404