



New Bedford Historical Commission

May 4, 2015 – 6:00 PM - **Minutes**

Ashley Room, City Hall, 133 William Street New Bedford, MA

Members Present:

Diana Henry, Chairman
Bill King, Vice Chairman
Bill Barr
Janine da Silva
James Lopes
Jill Maclean

Members Absent:

Corey Pacheco
Keri Cox

Secretary:

Anne Louro

1. Call to Order:

D. Henry called the meeting to order at 6:00 p.m., confirming a quorum. The Chair indicated that J. Lopes would serve in the primary Historical Organization position held by the absent K. Cox.

2. Approval of Minutes:

A motion to approve the minutes of the 04.06.15 meeting as written was moved by B. Barr and seconded by J. da Silva. All voted in favor and the motion passed. The reading of the minutes was waived.

3. PUBLIC HEARING: CERTIFICATE OF APPROPRIATENESS:

A motion to take the application for 37 Union Street out of order was moved by B. King and seconded by J. da Silva.

- **37 Union Street- outdoor café seating.** Applicants Jeremy Dias and Eddy Yedlin presented the application for outdoor seating. A. Louro provided supplemental information regarding the type of materials being proposed. Images and specifications of the furniture as well as a layout plan were discussed.

A motion to open the public hearing was moved by B. King and seconded by J. da Silva. All voted in favor and the motion passed unanimously.

Public comments in favor: William Whelan.

Public comments recorded in favor: None.

Public comments not in favor: None.

Public comments recorded not in favor: None

A motion to suspend the public hearing was moved by J. da Silva and seconded by B. King. All voted in favor and the motion passed.

Brief discussion took place amongst the members with D. Henry and B. Barr asking if the applicant would consider a black umbrella verses the proposed green. The applicant agreed. B. Barr commented that the Commission should seek consistency in the colors and materials of the

outdoor café seating within the District. J. Maclean noted that the Planning Division was in the midst of updating the Café Seating Ordinance and that one of the considerations for the District would be to pre-determine a selection of materials that would meet the NBHC standards for the applicant to choose from.

A motion to close the public hearing was moved by B. Barr and seconded by J. da Silva. All voted in favor and the motion passed.

A motion to approve the Certificate of Appropriateness for 37 Union Street as presented with the change of the umbrella color to black and with the condition that the plan required approval from the Planning Board was moved by J. Maclean and seconded by B. Barr.

A roll call was taken and the motion passed unanimously 5-0.

- **70 N. Second Street...*application of ball finials on fence posts.*** Applicant William Whelan presented the application. Mr. Whelan spoke briefly about his planned rehabilitation of 66 N. Water Street. Mr. Whelan stated that he felt the ball finials were an extension of the approved fence and were “in keeping” with the rest of the fence. Based upon his investment in 70 N Second Street and his planned investment at 66 N Water Street, he asked for the Commission’s “indulgence” in allowing him to retain the ball finials and his vision for the property. B. King asked the applicant to define how the ball finials were an extension of the fence. Mr. Whelan explained that the metal posts in the center of the fence had small ball finials and that is where the idea to place ball finials on the granite posts originated from. He stated that would consider reducing the size from the current nine inch to perhaps six inches. J. da Silva asked for the documentation for the selection of the ball finials. Mr. Whelan repeated that the choice was based upon the finials of the metal fence. J. da Silva explained that there needs to be evidence that something existed and not conjecture. Mr. Whelan stated that he understood this after meeting with the Chair, City Planner, and Commission Secretary. He stated that there were drill holes on the top and sides of the granite posts, suggesting that there may have been something on the posts at some point in time. J. da Silva and J. Lopes stated that there is no photographic evidence that there was anything on the top of the granite posts, either at the current location, or the previous Grinnell Street location.

A motion to open the public hearing was moved by J. Lopes and seconded by B. King. All voted in favor and the motion passed unanimously.

Public comments in favor: Marie Pepin and Philip Beauregard.

Public comments recorded in favor: None

Public comments not in favor: None.

Public comments recorded not in favor: None

A motion to suspend the public hearing was moved by J. da Silva and seconded by B. King. All voted in favor and the motion passed.

Discussion took place regarding the lack of precedent within the City for this type of fence treatment. J. Lopes referred to dozens of photographs of similar properties that he looked at and could find no precedent. J. Lopes asked the applicant if he knew of any other examples of similar fences. There was clarification that reference to the fence was specific to the ball finials and not

the previously approved metal fence between the granite posts. Mr. Whelan stated that without the finials, he felt that there was no termination of the fence in his opinion; however he was open to changing them, as he felt they were too large. Leaving the posts empty made them seem unfinished.

J. da Silva stated that following the Secretary of the Interior Standards; the reconstruction of the fence with the ball finial treatment is conjecture, without documentation and violates the premise of 40C Districts, making the fence incongruous with the District.

B. Barr stated that allowing conjecture sets precedent on allowing treatments that are based on individual property owners' opinions and not on historical reference.

J. Maclean asked if the pyramid treatment was appropriate. A. Louro stated that this type of treatment is appropriate to the style and time period of the house and there is sufficient documentation to support that type of treatment to the granite post. The applicant agreed that he would accept this type of treatment in replacement to the ball finial on the granite post.

Discussion took place regarding the difference between a hewn pyramid and an applied pyramid cap.

A motion to close the public hearing was moved by J. Lopes and seconded by J. da Silva. All voted in favor and the motion passed.

A motion to amend the application for 70 N Second Street to change the application of ball finials on the granite posts to the application a granite pyramidal cap, with permission from the applicant, was moved by J. da Silva and seconded by J. Maclean. All voted in favor and the motion passed.

A motion to approve the application and grant the Certificate of Appropriateness for the application of granite pyramidal caps at 70 N Second Street was moved by J. da Silva and seconded by B. King.

With the motion on the table, J. Lopes wished to discuss the need for better specifications regarding the pyramidal caps. J. da Silva noted that there was photographic and physical evidence to use as a guide for the design of the pyramidal caps; however J. Lopes was concerned how that would be reviewed after the approval of the Certificate. The applicant stated that he did not want to come back before the Commission and made suggestions to the size of the cap. Commission members suggested a cap; however the applicant wanted the pyramid to be flush on the sides. A. Louro stated the need for a small lip overhang for the masonry application. The applicant agreed. It was determined that two members of the Commission and the Secretary meet with the mason and the applicant in the field to review and approve a mock up.

A friendly amendment was made to the motion by J. Maclean stipulating that herself and staff meet with the applicant or his designee in the field to ensure that the pyramidal cap application is executed as discussed.

The Chair voiced concern that at least three commission representatives be present in the field. Discussion continued and the motion was not seconded.

A motion to approve the amended application for the application of pyramidal caps to the granite posts at 70 Second Street, provided that there is approval of a mock-up in the field prior to installation by J. Maclean, B. Barr and A. Louro was moved by B. Barr and seconded by J. Maclean.

With two motions on the table, the Chair asked that both be read by the Secretary and voted on.

A vote to approve and accept the first motion moved by J. da Silva was taken. All voted in the negative and the motion failed.

The Chair stated that she was concerned that specific commission members were identified to grant the approval in the field as part of the second motion and suggested that it could delay the approval if someone could not attend in a timely manner.

J. Maclean offered a friendly amendment to the second motion made by B. Barr, stating that two commissioners and staff approve the mock-up in the field. The motion was seconded by B. King. All voted in favor and the motion passed.

- **66 N Second Street... exterior rehabilitation.** The applicant presented and sought clarification regarding the Commission's authority to review in a public hearing rehabilitation of items that were being replaced "in-kind." The Chair and the Secretary explained that the roof and paint changes required review. The applicant, William Whalen, stated that he would replace the roof with whatever was acceptable to the Commission and use the colors that were chosen by his Secretary, Marie Pepin and the Commission Secretary, Anne Louro. He then stated that he would be changing the landscape, and retaining the sign posts, removing the solar panel, replacing wood gutters in kind, and repairing the skylight. Also remove wooden rail ties and replacing with granite curbing in the driveway. Replacing existing stockade fence with a new fence similar to 70 N Second Street, painted, replacing of deck railings in kind, and that the windows will be reglazed, but not replaced.

A motion to open the public hearing was moved by B. King and seconded by J. da Silva. All voted in favor and the motion passed unanimously.

Public comments in favor: Marie Pepin

Public comments recorded in favor: None

Public comments not in favor: None.

Public comments recorded not in favor: None

A motion to suspend the public hearing was moved by J. Lopes and seconded by B. King. All voted in favor and the motion passed.

There was no discussion amongst members.

A motion to close the public hearing was moved by J. Lopes and seconded by B. King. All voted in favor and the motion passed.

A motion to approve the application and grant the Certificate of Appropriateness for the exterior rehabilitation of 66 N Second Street to replace the roof with a three tab black shingle, paint colors as presented, replacement of wooden gutters and deck rails in kind, retention of existing sign posts, replacement of wood rail ties with granite curbing, and replacement of existing fence with new to match 70 N Second Street was moved by J. Maclean and seconded by B. King. All voted in favor and the motion passed unanimously.

- **24 N Water Street...new signage and exterior rehabilitation.** The applicants, Erik Bevans and Thomas Hughes presented. They explained that they wish to replace the signage by using the existing exterior brackets and the existing locations. A. Louro supplemented the information to the Commission, noting that the applicants wanted to paint the door and window trim black. J. da

Silva pointed out that the upper windows would remain cream in color in contrast to the first floor being painted black. B. Barr suggested that they either paint the entire façade windows black, or not paint the storefront windows in black. The applicants, due to the fact that they are only leasing the storefront, determined that they would refrain from painting the storefront windows in the color black, but paint them in the existing color.

B. Barr clarified that the other signs presented within the application were mock-ups and were not being considered, and suggested that the wall sign be centered over the business portion of the storefront, and not over the residential entrance.

J. da Silva suggested that the window boxes be painted black. The applicant asked if the door could be painted black.

B. King asked if the awning was being removed, which the applicant affirmed.

A motion to open the public hearing was moved by J. da Silva and seconded by J. Maclean. All voted in favor and the motion passed unanimously.

Public comments in favor: Marie Pepin

Public comments recorded in favor: None

Public comments not in favor: None.

Public comments recorded not in favor: None

A motion to suspend the public hearing was moved by J. da Silva and seconded by B. Barr. All voted in favor and the motion passed.

There was no discussion amongst members.

A motion to close the public hearing was moved by B. Barr and seconded by J. Maclean. All voted in favor and the motion passed.

A motion to amend the application, with the approval of the applicants, to reduce the length of the wall sign to fit over the business portion of the storefront and to repaint storefront windows and trim with current paint color and paint door and window boxes black was moved by J. Maclean and seconded by B. King. All voted in favor and the motion passed.

A motion to approve the application as amended was moved by J. Maclean and seconded by B. King. All voted in favor and the motion passed.

- **384 Acushnet Avenue...new signage.** The applicant, Natalie Bys presented with the Secretary supplementing the information which included the replacement of four existing banners and the addition of one blade sign on an existing bracket. Discussion regarding the size of the blade sign ensued and J. Maclean and B. Barr voiced concern over the starkness of the white sign. The applicant stated that they were open to changing the sign. B. Barr suggested using the City on a Hill logo as an identifier with a darker background. Ms. Bys liked that idea. B. King suggested that the blue logo color be used as the sign background and J. da Silva suggested a 30" X 30" sign versus a 36" X 36" sign with a small "ENTER" sign hung below the main sign. J. Maclean voiced concerns regarding the number of banners, and their being all the same. Ms. Bys stated that they use logo banners on their Boston buildings and that the handicap entrance is on Dover Street. Discussion regarding reducing the number of brackets took place and the suggestion that instead of four banners with the same logo, the banners have a variation with a

slogan. Ms. Bys stated that she would have to confer with the school's development team regarding a slogan theme for the banners and return with a new design. The Commission liked the idea of four inspirational themed banners.

The extra blade bracket on Acushnet Ave was determined to remain for future use rather than be removed.

A motion to open the public hearing was moved by J. Lopes and seconded by B. Barr. All voted in favor and the motion passed unanimously.

Public comments in favor: None

Public comments recorded in favor: None

Public comments not in favor: None.

Public comments recorded not in favor: None

A motion to close the public hearing was moved by J. da Silva and seconded by J. Maclean. All voted in favor and the motion passed.

A motion to amend the application for 384 Acushnet Avenue, with the applicant's permission, to remove the banners from the application and change the blade sign to be 30" X 30" with a small "ENTER" sign below, not to exceed a total height of 6"; and that the sign have the blue logo and meet the requirements of City Code for height requirements was moved by J. Maclean and seconded by B. King. All voted and the motion passed.

A motion to approve the amended application and grant the Certificate of Appropriateness for the blade sign for 384 Acushnet Avenue was moved by J. Maclean and seconded by B. Barr. All voted and the motion passed.

It was determined that the applicant would resubmit an application for the banners at a later date and that the fee would be waived.

4. Old Business:

- *Review of Commission By-Laws*
It was determined that there would be no discussion.

5. New Business:

- *NBHC Newsletter*
A. Louro provided members with information that the first newsletter would be a postcard informing the District property owners of the change in Commission staffing and in the future would be an electronic newsletter.
- *Violation Letters*
 1. Louro stated that several violation letters would be sent to District property owners.

6. Communications:

Historic Rehabilitative Tax Credits

A. Louro made the Commission aware that Tax Credit Support letters were sent to MHC on behalf of Manomet Mills and WHALE's project at 139 Union Street.

7. Date of Next Meeting: The next regular commission meeting was scheduled for 06.01.15.

There being no further business, a motion to adjourn was moved by B. King and seconded by J. Maclean. All voted in favor and the motion passed. The meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Anne Louro
Secretary to the commission

Approved June 1, 2015