

APPROVED

DATE: 1/15/19

SIGNED:

Old and Historic Marblehead Districts Commission

c/o Engineering Dept., 7 Widger Road
 Marblehead, Massachusetts 01945
 (781) 631-1529

Charles D. Hibbard

Charles Hibbard-Chairman, Gary Amberik-Secretary, Sally Sands-Member,
 John Kelley-Member, Cheryl Boots-Member, Robert Bragdon - Alternate

Minutes for January 2, 2019

Present constituting a quorum: Charles Hibbard, Gary Amberik, John Kelley, Cheryl Boots,
 Sally Sands

1. 16 South Street
 Liane D. Davis

This is a continued application for:

- Approval of an air conditioning Condenser unit and related piping.

Issues discussed include:

- Applicant referred their violation to legal counsel who, in turn, submitted a letter describing the reasons the unauthorized central air conditioning condenser and related piping should be allowed to remain visible from the Public Way as well as objecting to alleged OHDC statements considered offensive by the Applicant. Only legal counsel appeared at this hearing.
- OHDC does not support the current location and installation.
- OHDC rebutted the letter's assertion that the violation is "alleged" and noted that the applicant violated Town Bylaws by installing the condenser and piping without a building permit or OHDC approval.
- OHDC rebutted the letter's allegation that the Commission has a "zero tolerance" policy towards air conditioning or condensers by citing examples of condensers in the Historic Districts that, when appropriately concealed, have been approved. (1 Glover Square, 133 Front Street)
- Legal counsel testified to a number of condensers in the District that are visible from the Public Way. OHDC stated that condensers matching such criteria have either been installed without OHDC permission or modified subsequent to OHDC approval. OHDC has recorded these instances and will issue citations.
- OHDC noted that while each application is evaluated for significantly similar attributes elsewhere in the Districts, each property, and therefore each application, is unique. Consequently, great consideration is given to the specific and unique combination of attributes of each application. Approval of a feature for one property does not convey a right-to-approval of a similar feature for another property.

- Legal counsel testified that the existing system would require changes to work in a new location. Consequently, the Applicant is unwilling to consider a new location.
- OHDC noted that due to the proximity of the condenser to the Public Way, there is no construction or landscaping screen, that can effectively conceal the condenser from public view. For this reason, OHDC has never approved a condenser without any means for concealment that would otherwise be visible from the Public Way.
- OHDC asked if the applicant has solicited opinions from other contractors on the viability of relocating the existing condenser. Legal counsel testified that the Applicant has not reached out to any other HVAC contractors.
- OHDC asked legal counsel to convey an apology to the Applicant for any previous OHDC statements considered offensive by the Applicant. The Commission values a positive working relationship with all applicants as a crucial component to protecting the Historic Districts.

It was moved, seconded, and voted (5-0) to deny the application for the following reasons: Locating a condenser and its associated surface-applied piping between the primary façade of a house facing a Public Way significantly degrades the historic appearance of the property and diminishes the character of the Historic District at large. Due to the extremely close proximity of this condenser and piping to the Public Way, 5ft. +/-, there is no construction or landscaping screen that can effectively conceal the condenser or piping from public view.

2. 42 Washington Street
Katherine Walters

This is a continued application for:

- Condenser unit

Issues discussed include:

- Applicant proposes to install one (1) condenser unit on right side of house 31'-6" from Washington Street, behind a new solid, vertical board fence panel.
- Applicant proposes to run 2 pipes exposed on the right side of the house. OHDC objected to piping or plastic covering exposed on the house exterior.
- Applicant noted that the piping is small, and requested additional time to investigate concealment of both pipes behind a new wood corner board and a new wood enclosure.

It was moved, seconded, and voted (5-0) to continue the hearing to 1/15/19.

3. 92 Washington Street
Julius Sokol

This is a new application for:

- Roof, siding, windows, gutters, deck

Issues discussed include:

- Applicant proposes to replace roofing, replace cedar shingles with concrete board light grey siding. Replace windows with Brosco windows and new wood trim.
- Applicant also proposes to weather proof the building with gutters and a new valley between buildings.
- At the front elevation, applicant proposes to shift one window at the 2nd floor to align with the 3rd floor window above, most likely to its original location.
- Applicant proposes to use cementitious siding material. OHDC noted that this may be appropriate at the side and rear elevations due to the close proximity to an adjacent structure, as well as due to the limited view from Washington Street. OHDC would prefer wood siding at the front elevation.

It was moved, seconded, and voted (5-0) to deny the application for the following reasons:
The applicant, Julius Sokol, is not the current legal owner.

Other Matters:

It was moved, seconded, and voted (5-0) to approve the meeting minutes of December 18, 2018 as amended.

End of Minutes