

HISTORIC DISTRICT COMMISSION
14 September 2010
3rd floor Conference Room, City Hall

Members present: R. Burke, R. D. Porper, N. Goodick, R. Pino, P. Shea

Chairman Porper called the meeting to order at 7:00 o'clock P.M.

The first item on the agenda was the Application of 80 Middle Street Partners LLC, Map 14, Lot 67, for modifications to a previously approved Certificate of Appropriateness for the same property. Appearing for the applicant were Messers Russo and Gataneri.

The Commission had one of the two approved original documents which were signed, as stipulated in the prior Certificate of Appropriateness, by each member of the Commission, and which were filed, in accordance with a request by the Building Inspector, with the Community Development Department and the Building Inspector. Those documents were at a scale of ¼" equals 1'0". The documents presented to the Commission for perusal, by the applicant were not of the same scale as the original approved documents and contained a number of differences from the original approved documents.

As a result of the differences in the documents, both with respect to scale and physical discrepancies, it was stated by vice chairman Shea, that the applicants return at a later date with elevations, plans and sections of the building that would allow the Commission to more objectively compare what had been approved and what the proposed modifications were. Pursuant to that suggestion, the Commission voted to continue the meeting until 28 September. Pursuant to a request by a member of the Commission who wished to attend, that meeting was subsequently rescheduled to 5 October.

The meeting then graciously was turned over to vice chairmen Shea.

Mr. Shea opened his portion of the meeting referring to several communications received by the Community Development Department asking for a reconsideration of the Commission's vote on 25 May 2010 approving the demolition of the Pierce House and the construction of a park and parking lot on the site. Mr. Shea, noting that Mr. Stefan Golden, the author of one of those communications was in attendance, cited Rule 36 of Robert's Rules of Order, and indicated no such reconsideration would be entertained.

The next item on the Agenda dealt with the approval of the 25 May 2010 minutes regarding the proposal of the Cape Ann Historical Association to demolish the 1800's Pierce House on the corner of Warren and Pleasant Street.

Prior to the meeting Mr. Pino submitted, for the Commission's consideration, a 7 page red lined set of minutes containing his additions to, deletions from, and corrections to the Secretary's original 6 page set of minutes. The Secretary asked that the minutes as submitted by him be reviewed word-by-word and line-by-line by the Commission in

order to add any omissions, and correct or amend his submitted minutes. The vice chairman did not wish to do so, and told the Secretary to review the red lined version with Mr. Pino outside of the meeting.

The next item to be dealt with was with regard to the property located at 19 Dale Avenue and the removal of the original double center doors without the approval of the Commission and replaced with an historically inappropriate contemporary door. The Secretary, after speaking with the City Solicitor, asked that the Commission authorize a letter to the Building Inspector requesting him to take such necessary steps enforce the Certificate of Appropriateness as voted on by the Commission. Vice Chairman Shea, who owns property directly abutting 19 Dale Avenue, said that he had previously filed a suit regarding encroachment on his property, against the owners of 19 Dale Avenue using Mr. Pino, who is member of the Commission as his attorney. Messrs Shea and Pino then questioned the rationale behind the letter given the fact the property owners did not really need a possible other law suit, and that the Building Inspector would probably not act upon the request. After some further discussion it was agreed that the letter should be sent.

The vice chair adjourned the meeting at 8:45 P.M. o'clock.

Respectfully submitted,

Robert H. Burke
Secretary