



City of Medford

HISTORICAL COMMISSION HISTORIC DISTRICT COMMISSION

City Hall – Room 308
85 George P. Hassett Drive
Medford, Massachusetts 02155

June 30, 2020

Delivered via Email

Breanna Lungo-Koehn
Mayor – City of Medford
Room 202 – Medford City Hall
85 George P. Hassett Drive
Medford, Massachusetts 02155

RE: Notification of Dispute Concerning the Enforcement of the Demolition Delay Ordinance with the Building Department (22 West Street and Other Premises)

Dear Mayor Lungo-Koehn,

I am writing today to express the concern of the Medford Historical Commission regarding the continuing refusal of the Medford Building Department to issue or deny building permits in the manner contemplated by the language and spirit of the Medford Demolition Delay Ordinance (Chapter 48 of the Revised Ordinances of the City of Medford).

The gut “rehabilitation” of the pre-1875 structure at 22 West Street is just the most recent example of the Building Department’s issuance of building permits inconsistently with the provisions of the Demolition Delay Ordinance intended to preserve, to the maximum extent possible, the historic fabric of the City. In fact, the Building Department has rubber-stamped applications for building permits in a manner which has permitted property owners and developers to circumvent mandatory demolition review by the Historical Commission.

As you know, the Demolition Delay Ordinance requires the owners of any property in the City of Medford that is 75 years or older to present an application for action by the Historical Commission before building permits are issued for either the demolition or substantial renovations of a property. Under the Demolition Delay Ordinance, this permits the Commission may determine first, if the property is “significant” as defined in the ordinance, and then, after notice and public hearing, whether the existing premises should be “preferably preserved” If the Commission finds after the hearing that a property should be preferably preserved, a demolition delay is imposed for a period of a maximum of 18 months, during which period the Building Department is expressly forbidden to issue permits for demolition or renovation.

In August of 2018, the Building Department expressly requested the Commission to provide it with a definition of “substantial renovation” requiring action by the Historical Commission before building permits for such work could be issued. The Commission responded with a memorandum dated August 13, 2018 setting forth its views on what scope of renovation was so substantial as to require the owners or developers to present an application to the Historical Commission before going forward. (A copy of the memorandum is attached). The Commission advised the Building Department of its view that proposed permitted work would constitute “substantial renovations” when any of the following actions were proposed:

- The removal of more than 1/4 or 25% of an existing building
- Removal of a roof/raising the roof line/changing the existing roof pitch/adding a story
- Removal of one whole side (exterior façade, bay-window, rear ell, etc.) of a building

- Gutting of a building's interior where exterior features, such as existing windows, doors, or walls
- Removal of porches

The permitted and now ongoing work at 22 West Street involves *each* of the elements requiring Historical Commission review set forth in the advice the Commission provided to the Building Department. Nonetheless, the Building Department issued building permits for all such work without even consulting the Historical Commission, much less directing the owners to present an application for Historical Commission action, including the imposition of a demolition delay which would have barred the issuance of permits.



Figure 1 – 22 West Street before and after demolition. The removal of the front bay, roof, siding and interior finishes constitutes substantial demolition and is reviewable under the demolition delay ordinance.

Notwithstanding the fact that the Building Department was advised of the Historical Commission's views in 2018, it has facilitated the evasion of Medford Historical Commission review *required* by the Demolition Delay Ordinance by issuing building permits for a number of properties other than 22 West Street, since its receipt of the 2018 memo, including:

1. 44-46 Logan Avenue Carriage House



Figure 2 - 44-46 Logan Avenue before and after the demolition of the Carriage House. The building has since been replaced by a pool and shed. The Commission issued a two year stay of permits which was ignored.

The Medford Historical Commission was made aware of an unauthorized demolition which took place on March 10, 2018 for this well preserved outbuilding--whose owners fully and voluntarily removed the structure without any notification or application to the Historical Commission. As a result, the Commission was required to take action and enforce the provisions of Demolition Delay Ordinance section 48-81(b) for noncompliance. The building was included in the Inventory of Historical Assets of the Commonwealth (MDF.1225-1226) and was a rare and important reminder of the earliest construction along the Logan Avenue streetscape. The Commission voted 5-0 (1 Commissioner abstaining) that the building was significant. By letter dated April 13, 2020, the Commission advised the Building Department that no further building permits were to issue for the 44-46 Logan Avenue premises for the two year stay period set forth in the Demolition Delay Ordinance. The Building Department ignored the directions issued by the Historical Commission. The Commission was subsequently were informed the owners had presented false information to the Building Department, as part of their application for demolition, submitting a photo of a one story metal garage. The Building Department refused to hold themselves, the owners, or their contractor, accountable for the use of a false document to evade the Demolition Delay Ordinance's requirements.

2. 22 Prescott Street Workshop and Garages



Figure 3 - 22 Prescott Street before and after demolition. The wood section was removed after this photo was taken.

On April 11, 2019, the Historical Commission was contacted by Mr. George Lawrence, the owner of 22 Prescott Street, to find out more about the demolition delay process and how it might affect his plans for the premises. Mr. Lawrence was informed that proposals for the demolition or substantial renovation of the building were subject to Historical Commission review and that he needed to commence the process by submitting an application as early as the next scheduled meeting of the Commission on May 13. Neither the owner, nor any representative of the owner, came to the May 13 meeting, at which the Commission, acting within its authority, hired a consultant to document 22 Prescott Street to expedite review. The Commission was notified on June 8, 2019 that most of the structure had been demolished. Upon being advised of these events, the Commission was required to review the history of 22 Prescott Street in view of noncompliance with the Demolition Delay Ordinance. On June 20, 2019, the Commission, by a 6-0 vote, determined the premises as it existed before work commenced was significant, thus imposing a mandatory two year stay of any further permitted work. The Building Department was advised of the mandatory stay by memo dated July 1, 2019. The Building Department's response was an assertion that the owner never intended to take the whole building down but structural issues developed during "renovation" work which required the Building Department to order complete demolition. It is striking that while it is undisputed that the owner of 22 Prescott Street and the Building Department agreed initially that a portion of the building was to remain under the building permits as issued, no structural analysis had taken place prior to the start of demolition to determine feasibility of saving the building. In particular, the Building Department did not insist on shoring to ensure the building remained safe during "partial" demolition. No other conclusion is possible than that the owner's decision—

with the apparent acquiescence of the permitted authority—not to employ shoring precipitated the destruction of the entire building. After the owner had been advised to present his plans for “renovation” to the Historical Commission, the owner chose not only to go forward without such review, but to conduct permitted “partial” demolition work in a manner which led to the unnecessary loss of the entire structure. The Building Department’s acquiescence in such conduct as the permitting authority has set a dangerous city-wide precedent of how significant structures may be demolished for “safety” reasons during what was represented to be restoration work purported not to require Historical Commission review. .

3. 51 Fulton Street Shingle Style House



Figure 4 - 51 Fulton before and after demolition. The building at left was entirely demolished except for foundation and one left side wall. It is now unrecognizable.

An application Demolition Delay review was made for the demolition of a small wood frame garage at the rear of 51 Fulton Street, which was represented to be necessary for the new owners to add a rear addition and accommodate parking. The application as filed asserted no demolition was to take place to the front half of this shingle style house. The earlier and well preserved nineteenth century portion of this structure was of great interest to the Commission but the later twentieth century garage was not. The Board reviewed this application and approved the demolition of the garage *only* in a letter to the City Clerk’s office dated July 25, 2018 memorializing its decision, which was copied to the Building Department. In the weeks that followed approval, the Commission inspected the property—at which time it learned that all but one wall of the structure had been gutted and demolished, altering this significant building beyond recognition. Requests for information and review of the permits actually issued were ignored by the Building Department, hindering the Commission’s efforts to hold the owners accountable for failing to act in accordance with a proposal which represented no major demolition was contemplated.

4. 50 Pleasant Street – The Daniel Sampson House

The Nelson Group purchased 50 Pleasant Street, a pre-1855 building in the Old Ship Street Historic District and contacted the Commission in early 2019 in order to determine if review was necessary. The Commission informed the developer review for any demolition was required and that he should submit an application for review. No application was ever submitted. The Historical Commission review process was circumvented by the filing of applications for a building permit for ‘renovations’ to the structure including the erection of a new rear unit and altering the existing house to a full two and a half stories. In addition, a garage was demolished to allow for the construction of a residence adjoining the historic structure. This level of demolition should have been reviewed by the Commission before any permits were issued by the Building Department. The Building Department chose to do so notwithstanding its knowledge of the views of the Historical Commission that renovations of the scope permitted were subject to Demolition Delay Ordinance review.



Figure 5 - Renovations under way at 50 Pleasant Street in the Old Ship Street National Register Historic District. The adjoining structure is new construction.

5. 277 Park Street – The J. S. Pennell House



Figure 6 - 277 Park Street before and after demolition. Note the existing front porch was entirely demolished and architectural plans call for them to be open. The owner infilled as shown.

The Nelson Group currently has a second project under construction for the “renovation” of a late nineteenth century house (pre-1875) at 277 Park Street. The Building Department issued permits permitting the gutting of this structure to its studs and the removal of its front porch removed. The Nelson Group was aware from previous communications with the Commission that an application to the Historical Commission for review of renovations of such extent for structures older than 75 years is required. No such application was ever filed. Abutting property owners have also made several complaints to the Building Department regarding the renovations and the conduct of the developer.

6. 77 Court Street – The Calvin Turner House



Figure 7 - 77 Court Street under construction. The third level has been entirely removed although the massing has remained the same. A rear addition is under way.

Buildings constructed in the early nineteenth century are becoming rare. The three story Federal era house at 77 Court Street (relocated from its original site on Riverside Avenue in Medford Square between 1892 and 1897) was a good preserved example of its style given its age. It was built prior to 1803 and owned by Calvin Turner, Medford's second shipbuilder. It was recently purchased by a developer who has removed the historic fabric of the building and altered it beyond recognition. Evidence of its earlier iteration, including a rear ell, have come to light as the disassembly of the pre-renovation structure continues. A new rear addition is being constructed. This building is a good example of the benefits of the imposition of a demolition delay, even if a structure older than 75 years must eventually be demolished. Through the imposition of even temporary demolition delays, the city has have often been able to capture valuable information about the early history and subsequent changes of buildings over their long life prior to being reused. The Commission is *not* opposed to the reuse of buildings whose original purposes no longer work in the 21st Century. The Commission's only goal is to encourage owners and developers to renovate and/or reuse elements of historic buildings do it in a way that is well thought out and respectful to the neighborhoods in which such buildings have been a fixture for over a century. In most cases, renovations to such structures have conformed to the developer's philosophy and, in more cases than one, are rebuilt in a cookie cutter manner indistinguishable from contemporary buildings..

There are many examples of so-called renovation essentially destroying historically significant structures, reflecting a trend which began long before the demolition delay was extended to eighteen months. This is a recurring problem that continues will result in the loss of our historic landscape. Neil Larson, an architectural historian and consultant to the City of Medford, notes that historic resources are disappearing rapidly as development puts pressure on our built out neighborhoods. The Commission estimates there are only 3,000 pre-1900 buildings remaining in the City of Medford. The Demolition Delay Ordinance reflects the are priority which should be given to the preservation of these buildings to the maximum extent economically and structurally feasible. The members of the Commission are unified in the need to protect these structures by strict enforcement of the requirement that substantial renovation work as well as demolition be reviewed before permits for demolition or major alteration are issued by the Building Department..

The Historical Commission has sent letters to the Building Department demanding that the Building Department honor its obligation under the Demolition Delay Ordinance to revoke existing building permits for a covered premises and deny all building permits for a period of two years when no application for covered "substantial renovations" had been presented to the Historical Commission before permits were issued and illegal work

commenced. We regret to inform you the Building Department has consistently ignored our requests and not taken any action with respect to the permits under which work was commenced and continued.

In order to promote a constructive relationship with building owners and other applicants for building permits, the Historical Commission has prepared and printed a "Demolition Package" for the reference of property owners. The Historical Commission requested the Demolition Package be made available in the office of the Building Department at which permit applications are submitted. It appears the Building Department has ignored these requests.

The Historical Commission has requested the Building Commissioner and the Building Inspectors on his staff to join us at our monthly meetings to discuss how we can work together to achieve the goals of the Demolition Delay Ordinance, specifically that renovation work subject to the ordinance does not slip through the cracks. Our requests have been ignored.

We encourage any department or board to reach out to us regarding the demolition delay. In most instances, we can quickly determine if the building is seventy-five years older and subject to review. There is a process in place to sign off on inconsequential concrete block garages and sheds. We can use architectural plans and a written narrative to determine if gut-rehabs require oversight. In the case of 22 West Street, neither was available. A site plan is not sufficient to determine impact to any building and was the only document available for review. To aid our future efforts, we recommend requiring building permit applicants provide architectural drawings (floor plans and elevations) to all significant alterations to existing buildings. This will enhance the City's ability to review projects in a timely manner, be it renovations, additions, or demolitions.

The people of Medford, through enactment of the Demolition Delay Ordinance, have established a specific process for the preservation of the historic fabric of the city. Through its choice not to identify instances where proposed substantial renovation work cannot commence without Historical Commission review, the Building Department has frustrated the intent of an ordinance most recently amended and strengthened by action of the City Council in 2017. All of us deserve better. The Medford Historical Commission respectfully asks that you (with the assistance of the City Solicitor as required) take swift action to ensure the Building Department plays its role as a permit-issuing agency in the enforcement of the Demolition Delay Ordinance.

Thank you for your prompt consideration of these matters.

Respectfully submitted,

A handwritten signature in black ink, reading "Jennifer M. Keenan" with a stylized flourish at the end.

Jennifer M. Keenan
Chair, Medford Historical Commission

Together with:
Ryan D. Hayward, Vice Chair
Doug Carr, Secretary
Benjamin Johnson
Abigail Salerno
Edward Wiest
Peter Miller

Enc.: Demo Memo, Letters of Non-Compliance.



City of Medford

HISTORICAL COMMISSION

City Hall – Room 308
85 George P. Hassett Drive
Medford, Massachusetts 02155

August 13, 2018

Sent by Electronic Mail

John Bavuso
Code Enforcement Officer
City of Medford Building Department
85 George P. Hassett Drive
Medford, MA 02155

Re: Memorandum Regarding Demolition Delay Questions from 7/9/2018

Dear Sir,

The Medford Historical Commission is writing to acknowledge your July 9, 2018 request for clarification in regards to certain aspects of the Demolition Delay Ordinance. The Commission has reviewed your questions at our regular meeting. What follows is a brief memorandum which was prepared for the benefit of all City departments and boards. This is to ensure our response may be posted with the demolition applications and avoid confusion when it comes to applicability and scope. Our goal is to best serve the public in a manner that is clear and reasonable. This will help ensure the goals of the Demolition Delay ordinance are met in a successful manner.

Questions and answers are as follows:

1. Are accessory structures applicable for review?

Yes; accessory structures that meet the age requirement of 75 years or older are applicable for review under the demolition delay ordinance. The power for this review is granted to the Commission by the definitions section 48-77. Per the ordinance, a *“building means any combination of materials forming a shelter for persons, animals or property.”* An accessory structure fits within that definition. The Commission defines these buildings as incidental and subordinate to the principal building on the property. They come in various shapes, forms and sizes depending on use. Common local examples include, but are not limited to: barns, carriage houses, garages, workshops, sheds and gazebos. We understand a demolition permit might not be required by your department for these buildings. Regardless, signoff for the demolition by the Commission must be obtained prior to any applicant proceeding with a project. It is the owners, or their representatives, responsibility to be familiar with local ordinances and secure all necessary signoffs.

2. What percentage of demolition work is allowed before review is required?

This question will be answered in two parts. First, we will look to the ordinance for definition on what is reviewable. Then we will turn to how the Commission has been interpreting that definition. This defined precedent will set the benchmark for which projects we will review from here on.

Section 48-77 provides the definition of *“demolition”* as *“any act of destroying, eliminating, pulling down, razing or removing a building or any portion thereof, or starting the work of any such act with the intention of completing the same.”* As written, this may be interpreted as any act of change to a building is

reviewable by this body. Its broad scope, however, is further defined by the intent and purpose of the bylaw. Section 48-76 notes that this “*article is enacted for the purpose of protecting the city’s significant historical, cultural, and architectural buildings.*” The two work in unison to make the bylaw clear and concise. The scope is to maintain historic resources and their associated integrity. When both total and partial demolition compromise the historic fabric (and therefore the integrity), the projects are applicable to review.

In order to be clear as to the extent of our definition, we turn to the National Park Service for their definition on what constitutes integrity. There are seven aspects which should be maintained as part of the overall building. They include: location, design, setting, materials, workmanship, feeling, and association. Because these are important to the overall building, removal of any of these elements will trigger a review. Complete removal is understood. Partial demolition is defined as being substantial in nature. This would include the following:

- The removal of more than one quarter (25%) of the existing building.
- Removal of the roof (for example, raising the overall height of a roof, rebuilding the roof to a different pitch, or adding another story to a building)
- Removal of one side of a building.
- Gutting of a building’s interior to the point where exterior features (windows, doors, walls, etc.) are impacted.
- Removal (subtraction) of porches anywhere on the building.

For the purposes of this ordinance, the term *demolition* shall not include routine maintenance, interior only renovations, construction of new porches, decks, windows and other types of renovations for which Commission approval is generally not required.

In general, the goal of the bylaw is to pause and review the project in order to ensure we are maintaining or mitigating the loss of our historic structures. In order to do that quickly and efficiently, we are requesting any partial, but substantial, demolition have architectural drawings provided in order to be able to determine scope and applicability. These must include both plans and exterior elevations.

Administration by the Commission:

In order to administer this delay in an efficient manner, the Commission voted to establish a demolition delay subcommittee to prescreen applications. This action is to determine applicability, application completeness and if it needs to be voted on by the whole board. Applicants can request review by emailing HistoricalCommission@Medford-MA.gov. The committee will then review applications on a case by case basis and determine applicability and if it is necessary to be reviewed by the entire Commission. Per their vote, Commissioners elected to have the subcommittee review and approve demolitions on all garages and certain outbuildings. This expedited approval does not extend to barns and carriage houses. Determinations and signoffs will be made by the subcommittee members (Commissioners Hayward, Northrup and Johnson). A letter will be issued to the Clerk of our findings. Only then may the demolition permit be issued and work commence.

The Commission hopes that this response answers your questions. If further questions arise, I invite you to attend our next regularly scheduled meeting which will be on September 17 at 7PM in room 201 of Medford City Hall. We will be happy to address any outstanding issues at that time.

Thank you,

Ryan D. Hayward
Chairman, Medford Historical Commission

CC: Building Commissioner
Mayors Office
City Clerk for Record



City of Medford

HISTORICAL COMMISSION
HistoricalCommission@Medford-MA.gov

City Hall – Room 308
85 George P. Hassett Drive
Medford, Massachusetts 02155

Effective
2019

Demolition Delay Ordinance Summary Sheet

Applying for a Building or Demolition Permit?

What: Your Building or Demolition Project

*Owners, Developers, Contractors: Are you considering partial or total demolition of a building or structure that is seventy-five years or older, or of a building or structure listed or with a pending listing on the National or Massachusetts Register of Historic Places? If so, you will need to contact the **Medford Historical Commission** for review of the architectural and historical impacts of such a demolition project. Based on a thorough review of the proposed demolition project and on the historical and architectural significance of the building, the Commission has the power to impose an **eighteen (18) month Demolition Delay** to allow consideration of alternatives to demolition, as set forth in the Revised Ordinances of the City of Medford (see Part II, Chapter 48, Historical Preservation, Article IV Regulations, Sections 48-76 through 48-80, available in the City Clerk's office).*

Who: The Medford Historical Commission

The Medford Historical Commission is an official municipal body of Medford residents who are professionals in architecture, preservation, history, and related fields. The Commission will conduct a thorough review of a structure's architectural, historical, or cultural significance to the heritage of the City. Careful research, a consideration of significance, and a determination to preferably preserve these important and unique structures are made by the Commission in consultation with owners, developers, and contractors.

Why: Preserving Medford's Past

Review of historic or architecturally important structures in Medford is one way to preserve the unique character of our City. The Commission conducts a review of a structure's history and potential significance through review of a standardized Massachusetts Historical Commission "Form B" summary report *prepared by its consultants. The Commission does not consider current condition or safety issues as part of the review of significance.*

How and Where: Applications for Review

Owners, developers, and contractors must complete an **application for review**, available at the **Medford Building Department, Room 115A, Medford City Hall or online at our website**, to initiate the review process. Determinations take between 30 to 60 days depending on the property. **Applications must be filed in person at a Commission meeting. We do not accept applications via email. If you do not already own the property, you must have written permission from the owner to submit an application for review.** The Commission will determine at subsequent public meetings the significance and preferable preservation status of the structure and has the authority to impose an **eighteen (18) month Demolition Delay** to allow for consideration of alternatives to demolition. Owners and representatives are expected to work with the Commission on such alternatives.

To Contact the Medford Historical Commission:

In Person: The Commission meets on the second Monday of every month (except noted holidays) at 7PM, Room 201 in Medford City Hall.
Website: www.MedfordHistoricalCommission.com
Email: HistoricalCommission@Medford-MA.gov

Commonly Asked Questions

Are accessory structures applicable for review?

Yes; accessory structures that meet the age requirement of 75 years or older are subject to review under the demolition delay ordinance. The power for this review is granted to the Commission by section 48-77 of the ordinance, which states a *“building means any combination of materials forming a shelter for persons, animals or property.”* Accessory structures which are incidental and subordinate to the principal building on a property fit within that definition. They come in various shapes, forms and sizes depending on use. Common local examples include, but are not limited to: barns, carriage houses, garages, workshops, sheds and gazebos. We understand a demolition permit might not be required by the Building Department for these buildings. Regardless, signoff for demolition must be obtained from the Commission prior to any applicant proceeding with a project. It is the owners’ (or their representatives’), responsibility to be familiar with local ordinances and secure all necessary signoffs.

What percentage of demolition work is allowed before review is required?

This question can only be answered in two ways, first, by looking to the ordinance for its definition on what is reviewable. and then by considering how the Commission has been interpreting that definition.

Section 48-77 defines *“demolition”* as *“any act of destroying, eliminating, pulling down, razing or removing a building or any portion thereof, or starting the work of any such act with the intention of completing the same.”* As written, this permits the Commission to review any act of change to a building. Its broad scope, however, is limited by the intent and purpose of the ordinance. Section 48-76 notes that the demolition delay ordinance *[was] enacted for the purpose of protecting the city’s significant historical, cultural, and architectural buildings.”* The two work in unison to make the bylaw clear and concise. The scope of review contemplated under Section 48-76 is to maintain Medford’s historic resources and their associated integrity. When either total or partial demolition threatens to compromise the historic fabric (and therefore the integrity) of a structure, the projects are applicable to review.

In its deliberations, the Commission looks to National Park Service guidelines on the determination of historical integrity. NPS guidelines suggest that a building’s overall location, design, setting, materials, workmanship, feeling, and association bear on its integrity. Change or removal of any of these elements may trigger a Commission review. Complete removal is easily understood. Partial demolition is defined as being substantial in nature, and would include:

- The removal of more than one quarter (25%) of an existing building.
- Removal of a roof (for example, raising the overall height of a roof, rebuilding the roof to a different pitch, or adding another story to a building)
- Removal of one side of a building.
- The gutting of a building’s interior to the point where exterior features (windows, doors, walls, etc.) are impacted.

For the purposes of this ordinance, the term *demolition* does not include routine maintenance, renovations solely to a structure’s interior, the construction or installation of new porches, decks, and windows. These are renovations for which Commission approval is generally not required.

In general, the goal of Medford’s demolition delay bylaw is to pause and permit review of a project in order to ensure we are maintaining or mitigating the loss of historic structures. In order to do that quickly and efficiently, the Commission requires applicants proposing partial, but substantial, demolition to submit architectural drawings of the proposed work (including both plans and exterior elevations) so that it may review the applicability of the demolition delay ordinance.

Administration by the Commission:

In order to administer this delay in an efficient manner, the Commission has established a demolition delay subcommittee to prescreen application to preliminarily review the applicability of the demolition delay ordinance and the completeness of a , proposed application. Applicants can request **consultation (not submittal)** by emailing HistoricalCommission@Medford-MA.gov. The subcommittee will then review proposed applications on a case by case basis to determine whether the proposed work constitutes demolition which must be reviewed by the entire Commission. The Commissioners has delegated to this subcommittee the authority to review and approve demolitions on all garages and certain outbuildings. This expedited approval does not extend to barns and carriage houses. Determinations and signoffs will be made by the subcommittee

members (Commissioners Hayward, Wiest and Johnson). A letter will be issued to the Clerk of the subcommittee's findings. Only then may the demolition permit be issued and work commence.

What documentation is required for an application to be considered complete?

Applicants must provide the following minimum information in order for an application to be accepted by the Medford Historical Commission at their meeting:

- **Written permission** from the current owner (if not the applicant) to proceed with the demolition review process. The letter must be addressed to the applicant, signed and dated, providing the owner's contact info available.
- **Site plan** showing existing building. Clearly identified assessor's parcel maps are acceptable.
- **Photographs** including images of all four sides of the existing structure and any accessory structure(s). Photographs should be a minimum of 5X7 inches in size with one color set. Additional copies may be in black and white.
- **Plans/Scaled Drawings:** of proposed work including site plan(s), floor plans and all major elevations of construction may be submitted with the application. Providing such information and documentation supporting the plan narrative above will allow the commission to better assist you through the review process. We do not consider new construction project information until after our determinations have concluded.
- **Applicants should submit one hard copy of all the documents and one electronic set in PDF format.** Submittals will be reviewed and accepted at a regular monthly meeting of the Commission if they are complete. **Failure to have all the necessary documentation in hand will result in rejection of any application.** Re-submittals can be made the following month, in person.

What is the sign requirement for the public hearing?

Once a building has been determined "significant" by the Medford Historical Commission, applicants are **required** to post a sign following the guidelines included in this package. In general, the sign must be: posted **14 days before the public hearing, be located five feet or less from a public right of way, be sized 24" x 36"**, laminated for all weather, and include all applicable legal notice and history information. A photograph of the sign posted shall be submitted to the Commission. The sign must remain until the conclusion of the public hearing. **Failure to comply with this requirement will result in the delay of the public meeting until conditions are met.**

Is there any list I can consult to determine if a property is "historic" and applicable to review?

Unfortunately, no such list exists. The Medford Historical Commission reviews buildings under the Demolition Delay bylaw on a case by case basis. Some buildings may have inventoried in the past for documentation purposes on Massachusetts Historical Commission forms. Forms prepared for or on file with the Massachusetts Historical Commission do not necessarily constitute a determination by the Medford Commission, and should be seen as planning tools. Where information on a building does not exist, an inventory form is created as part of the review process. You may find previously created inventory forms online at the Massachusetts Cultural Resource Information System (MACRIS) located at: <http://mhc-macris.net/>. If you have a building and you are not clear of the age or if it will be applicable to review, it is recommended you contact the Commission, which will be happy to assist you with the review process.

What happens if I sell the property during the demolition delay?

Relief through the termination or expiration of a demolition delay is non-transferrable. Review is triggered by an application made from an individual for the removal of a structure. As a result, the delay is made on a specific application for demolition. If a property is sold during the demolition delay, the original applicant (no longer the owner of the property) no longer has the legal right to proceed. This changes the circumstances and the new owners will be required to submit a new application to the Commission.

How long do I have to complete work once signoff is received by the Commission?

Once approval to proceed has been granted by the Historical Commission, applicants have two years to complete demolition before their permit expires. Once this time elapses, applicants must re-submit their application to renew their approval.

Demolition Delay Review Process Summary & Timetable

The following outline explains the Demolition Delay procedure that provided for in the Revised Ordinances of the City of Medford (see Part II, Chapter 48, Historical Preservation, Article IV Regulations, Sections 48-76 through 48-80, available in the City Clerk's office). It describes how the Medford Historical Commission, the official municipal body responsible for evaluating and preserving Medford's architectural heritage, determines which buildings are subject to the demolition delay ordinance. The Commission strongly recommends that you speak contact the Commission or any of its members *before* planning or beginning any project. The Commission is available to assist you with any questions regarding this process.

Steps in the Review of Historically or Architecturally Significant Structures in Medford:

STEP 1: EVALUATE YOUR BUILDING PROJECT:

Are you planning to alter or demolish any part of your building?

Before spending thousands of dollars on plans and materials, think first about whether the project could possibly involve the demolition of all or part of a structure. If so, please contact the Medford Historical Commission to determine whether the building might be historically or architecturally significant *before* you incur any substantial expenses.

STEP 2: DETERMINE THE AGE OF YOUR STRUCTURE:

How old is the building? Is it listed in the National Register of Historic Places or the Massachusetts Register of Historic Places?

The Commission must review all requests for demolition of any building that:

- a. is seventy-five years or older; or
- b. is listed on the National Register of Historic Places or Massachusetts Register of Historic Places (or has its listing *pending* on either Register).

If either of these is true for your building, the Historical Commission must complete a detailed review process according to the City's Demolition Delay ordinance before you can proceed with total or partial demolition of your structure. If you have any questions about the building's age or status on any Register, *please contact the Medford Historical Commission*. The Commission is happy to help you determine the building's age and listing status.

STEP 3: PLANNING FOR DEMOLITION DELAY REVIEW:

Do you anticipate proceeding with partial or total demolition of a building that is seventy-five years or older or is on the National or Massachusetts Register?

If you wish to demolish such a building, building owners or their representatives must file a "**Notice of Intent to Demolish a Building**" with the City of Medford Historical Commission. Filing this form officially begins the Medford Historical Commission review process and its determination of *significance* for your structure. You must also

The Historical Commission meets the second Monday of every month, except holidays, in room 201 at 7 PM at Medford City Hall. The building is located at 85 George P. Hassett Drive. Applications must be submitted in person at the meeting. In the event of holidays, the meeting is ordinarily moved to the third Monday of that month. Please always check our website for the next meeting date.

Please note: Applications missing documentation and/or required attachments will be rejected. Applicants will be required to re-submit the following month. Applicants who do not already own the subject property are required to have written permission from the owner to proceed with review.

Once a “Notice of Intent to Demolish” is submitted to the Commission, it must make a determination whether the building is “significant” within 30 days. Determinations of significance are not made the same night applications are accepted.

A building is considered “significant” without need for further Commission action if it is currently listed or is being considered for listing on the National Register of Historic Places or Massachusetts Register of Historic Places.

In determining whether a non-listed building built seventy-five years from the present is significant, the Commission will obtain research on the building’s history by commissioning a Massachusetts Historical Commission “Form B” summary report setting research and findings for review by the Commission. Applicants are encouraged to provide the Historical Commission with any information that they may have regarding the history of the building with their application to in the review process and provide understanding on the history of the structure from the eyes of prior occupants. Scheduling a meeting or a visit to the property with members of the Commission may also be helpful to the review process.

STEP 4: DETERMINATION OF SIGNIFICANCE BY THE MEDFORD HISTORICAL COMMISSION:

How is a building’s significance determined by the Medford Historical Commission?

At a scheduled public meeting, the Commission will review the available architectural and historical research (including Massachusetts Historical Commission Form B) and review whether the building is significant. For a building constructed more than seventy-five years ago to be considered significant, it must possess the following qualities:

- a. It is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city or the commonwealth; or
- b. It is historically or architecturally important in terms of period, style, method of building construction, or association with an important architect or builder, either by itself or in the context of a group of buildings.

If the Medford Historical Commission determines that a building is significant, the Commission will promptly notify the City Clerk’s office of their decision and proceed to Step 5.

If the Commission determines that the building is *not* significant, then the Commission’s involvement in the process ends. The Commission will notify the City Clerk and Building Department that the building is not significant, and the Building Department may issue a demolition permit.

STEP 5: DETERMINATION OF PREFERENTIAL PRESERVATION BY THE MEDFORD HISTORICAL COMMISSION:

What happens if a building is determined to be significant?

If the Historical Commission determines that the building is “significant,” it must hold another public meeting within 30 days to determine if the building is “**preferably preserved**.” The designation “preferably preserved” means that the Commission has determined after a open public hearing that demolition of the building under review would be detrimental to the architectural or historical heritage of the City of Medford.

At least 14 days before the meeting at which the public hearing will take place, the Commission must publish a meeting notice in a local newspaper. At least 7 days before that meeting, the Commission must notify the applicant by mail of the meeting date. **The Commission also requires the applicant post a sign, visible from the public right of way, as a public notification of an upcoming hearing. Failure to comply will result in delay of determination.**

At the public meeting, all members of the public are welcome to speak on the building’s historical, cultural, and architectural importance with respect to (among other things) a building’s age, rarity, style and association with the community, as well as the value of the building to the historical or architectural heritage or resources of the City.

The Medford Historical Commission *does not and will not consider the building’s condition or any safety issues* when determining whether a building is to be “preferably preserved”. . The Building Commissioner properly addresses those concerns. See Revised Ordinances of the City of Medford, Sections 48-76 through 48-80 for more information.

After receiving and considering public comments, the Historical Commission will vote to determine if demolition of the building would be detrimental to the historical, cultural, or architectural heritage of the City. If the Commission determines a building is to be preferably preserved for the structure, then the Commission will file a Demolition Delay [order?] within 21 days stating that no demolition permit may be issued for eighteen months from the date of the vote with the office of the City Clerk's Office, with a copy to the Building Department. Applicants may proceed to Step 6.

If the Commission does not determine a status of preferential preservation for the structure, then the Commission's involvement ends. The Historical Commission will notify the City Clerk and Building Department that it has concluded its review, and the Building Department may issue a demolition permit.

STEP 6: ALTERNATIVES TO DEMOLITION:

What are the options if a building is determined to be preferably preserved?

If the Commission determines a structure to be preferably preserved and imposes a Demolition Delay, the applicant will begin to work with the Commission looking toward alternatives for demolition. The Commission ordinarily requests applicants to explore several options before considering lifting the Demolition Delay. Each building is different, and therefore the options for preservation vary, but may include:

- a. Keeping the structure on site for its current or alternative use (does not necessarily imply "restore").
- b. Offering the structure for sale (on preservation-based mailing lists) for removal, either by dismantling or transportation as a whole.
- c. Partial renovation and rehabilitation of the existing structure (including new additions).
- d. Documenting the structure architecturally through drawings (including plans, sections, and elevations) and/or photographs prior to demolition.
- e. A request for review of the architectural design of any new construction on the site.

The demolition delay may be lifted at any time if:

- a. The Historical Commission is satisfied that there is no reasonable likelihood that either the owner or some other person is willing to purchase, preserve, rehabilitate, or restore the building; or
- b. The Historical Commission is satisfied that for at least six months the owner has made continuing, bona fide, and reasonable efforts to locate a purchaser to preserve, rehabilitate, or restore the building, and that such efforts have been unsuccessful.

Further Information

For more information on the terms, concepts, and ordinances described in this Summary, please contact the Medford Historical Commission at:

Medford Historical Commission
c/o Office of Community Development
85 George P. Hassett Drive
Medford, MA 02155

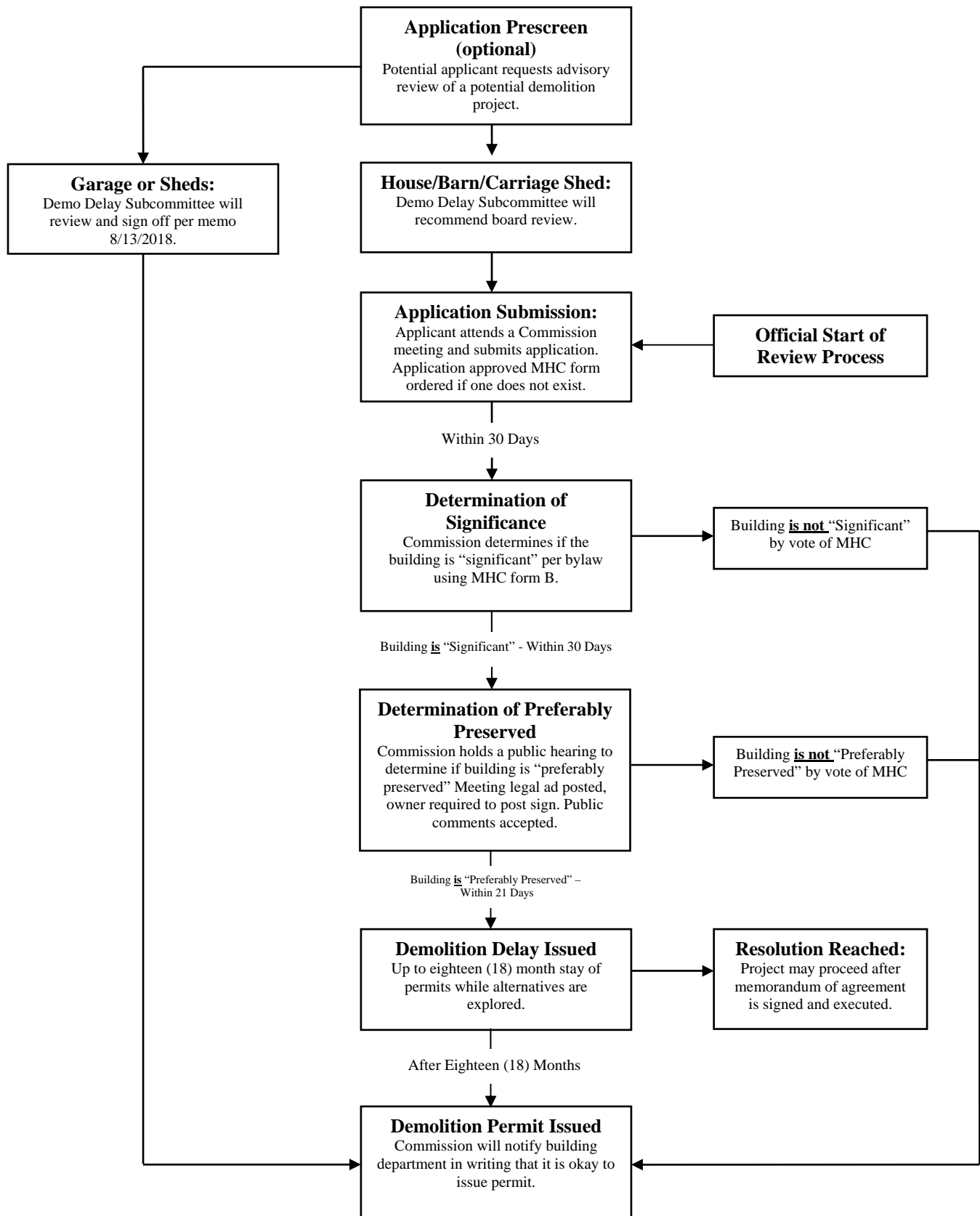
In Person: The Commission meets on the second Monday of every month (except noted holidays) at 7PM, Room 201 in Medford City Hall.

Website: www.MedfordHistoricalCommission.org

Email: HistoricalCommission@Medford-MA.gov.

See also the information available from the statewide Massachusetts Historical Commission at the commission's website www.sec.state.ma.us/mhc.

Flowchart of Demolition Delay Review



Sign Requirements

The Medford Historical Commission **requires** applicants to post a sign on the subject property once it has been determined “significant” per section 48-78 (e). This notice to the general public shall adhere to the following specifications:

- The sign must be located no more than five feet from a public right of way. A public right of way is defined as any municipal street, sidewalk, path or public easement that is accessible at all times to any persons. Signs shall be placed in a manner that allows for readability without entering the premises.
- The size for the sign is a minimum 24” x 36” paper, employing landscape orientation. The sign shall be laminated for all weather conditions and secured to a vertical plywood backer and staked securely to the ground in two locations to prevent movement. Sign shall be located at eye level.
- Color shall be printed as shown. A 1” red border shall be provided on the perimeter of the sign as shown.
- Sign shall be posted 14 days before the public hearing date. A photograph of the sign shall be sent to the Commission and included as part of the application. The sign must remain standing until after the conclusion of the public hearing.
- The following typed information shall be included:
 - Sign title as noted in diagram below (2” font).
 - Date of public hearing for subject property (1” font)
 - Legal advertisement as supplied by the Commission (1” title font, ½” text font)
 - Application Materials and Contact Statement (1” title font, ½” text font)
 - Subject Property heading (1” font)
 - Property Address (½” font)
 - Assessor’s Parcel Number (½” font)
 - Applicant of Record (½” font)
 - Owner of Record (½” font)
 - Readable Assessor’s Map or Site Plan (not to scale)

It is the applicant’s responsibility to create the sign following these specifications. **Failure to comply with this requirement will result in the delay of the public hearing until conditions are met.**

Notice of Demolition Review Public Hearing Day, Month, Date, Year

Subject Property:

Address: Project Location (street number, street name, city).

Assessor’s Number: Parcel Number

Applicant: Applicant Name (name of individual and business).

Owner of Record: Owner Name (name of individual and business).

Description of Work: Brief description of work as stated on application.

Assessor’s map or Site Plan: Include project property location.



Legal Advertisement

On Intent to Demolish a Significant Building
As Determined by the Medford Historical Commission

Notice is hereby given to the Public that a Notice of Intent to Demolish a Building has been submitted to the Medford Historical Commission for the building located at **XX (address)**. The Commission has determined that the building meets the criteria of a significant building as defined in Section 48-77 of the Medford City Ordinances. In accordance with Section 48-78, the Commission is holding a public hearing on **XX (date)** at **XX (time)** in **XX (location)** to determine if the demolition of the building at **XX (address)** would be detrimental to the historical, cultural, or architectural heritage or resources of the City of Medford. Comments may be submitted via email, regular mail or in person at the hearing.

Application Materials

Application materials are posted online at the Medford Historical Commission’s website: www.medfordhistoricalcommission.org

For further information, contact the Commission by emailing:
HistoricalCommission@Medford-MA.gov



City of Medford

HISTORICAL COMMISSION
HistoricalCommission@Medford-MA.gov

City Hall – Room 308
85 George P. Hassett Drive
Medford, Massachusetts 02155

**Effective
2019**

Notice of Intent to Demolish a Building **Application for Demolition Delay Review by the Historical Commission**

Property Information:

Property Address: _____

Assessors map parcel _____ Approx. Age (to be *verified by Commission*) _____

Purpose of structure (*residence, business, etc.*) _____

Type of construction (*wood, masonry, etc.*) _____ Aprox. Footprint _____ Stories _____

Demolition Plan:

Level of demolition (please circle one): Partial Total

Approximate time frame for completion after Demolition Permit has been issued _____

Briefly describe proposed work. If demolition is part of a building, provide a brief description of portion to be demolished, including nature and size of proposed demolition:

Reason for demolition: _____

Describe replacement or proposed reuse: _____

Contact Information:

Name of Owner: _____

Address of Owner: _____

Owner

Telephone Number: Days: _____ Evenings: _____ Fax: _____

Email: _____

Name of Applicant if not owner of record: _____

Relationship with owner: (contractor, architect, etc.) _____

Applicant address: _____

Applicant Telephone Number: Days: _____ Evenings: _____ Fax: _____
Email: _____

Applicants note: although it is not required to attend the meeting of your application, it is strongly recommended by the commission to do so to answer any questions or discuss any commentary that may arise out of your application.

Documentation Attached

Please check off documents attached. **Failure to provide adequate information will delay action on your application.**

- ☐ **Written Permission** from the current owner (if not the applicant) with approval to proceed with review process.
- ☐ **Site Plan** showing existing building. Clearly identified assessor's parcel maps are acceptable.
- ☐ **Photographs** including: All four sides of existing structure and any accessory structure(s). 5X7 minimum size with one color set. Additional copies may be in black and white.
- ☐ **Plans/Scaled Drawings:** (optional) of proposed buildings including site plan, floor plans and all major elevations and new construction. Although this is not a requirement, providing information supporting the plan narrative above will allow the commission to better assist you through the review process.
- ☐ **Other** please specify: _____
- ☐ **Digital Version** of all submittals on a CD or DVD. Documents shall be PDF format and images in JPEG format.

Signature

By signing this application, the applicant hereby certifies that they have read the instructions along with the bylaw applicable to the City of Medford Historical Commission Demolition Delay. Furthermore, I understand that the Historical Commission is empowered by the Revised Ordinances of the City of Medford, Part II, Chapter 48, Historical Preservation, Article IV Regulations, Sections 48-76 through 48-80 to govern this work. To the best of my knowledge, the information contained in this application is accurate and complete. I will comply with all measures necessary of the review process. I give permission to the Medford Historical Commission access to the above property for the sole purpose of reviewing this application and the work done after any Certificate issued to me.

Owner's / Applicant's Signature (s)

Date

For Commission Use Only

Date Received: _____

Receiver: _____

Application Review Date: _____

Vote: _____

Letter Filed with Clerk: _____

Emergency Demolition? Yes [] No [] If yes, date approved _____

Note: Demolition may not commence until successful commission signoff or expiration of delay.



City of Medford

HISTORICAL COMMISSION HISTORIC DISTRICT COMMISSION

City Hall – Room 308
85 George P. Hassett Drive
Medford, Massachusetts 02155

April 13, 2018

Edward P. Finn, City Clerk
Medford City Hall
85 George P. Hassett Drive
Medford, MA 02155

Re: **44-46 Logan Avenue – Carriage House Noncompliance Demolition**

Dear Sir,

This letter is to inform you that at our monthly meeting on March 19, 2018, the Medford Historical Commission was notified of a demolition that had taken place without review under the City of Medford's Demolition Delay Ordinance – Chapter 48, Article 4. The Carriage House, located at 44-46 Logan Avenue, was fully and voluntarily demolished without any notification/application for review by this Board. As a result, the Commission reviewed the demolition as an act of noncompliance as defined by Section 48-80 at our following monthly meeting on April 9, 2018, in Room 201 at Medford City Hall. What follows is a summary of our findings and determinations.

Developed in the latter half of the nineteenth century, East Medford is rich with various styles of domestic Victorian architecture. Large swaths of land formerly held by the legendary Hall Family were purchased and developed into gridded streets located centrally between Riverside Avenue and Salem Street. Logan Avenue is part of such development, having been laid out about 1890. Of the earlier homes on the street, the property located at 44-46 Logan Avenue was among a handful in the entire neighborhood that still maintained its carriage house. A reminder of the days of horse drawn transportation, the building was constructed between 1889 and 1898 contemporaneously with the adjacent duplex for Daniel and Amelia Caughlan. As a result, it was inventoried by Jennifer B. Doherty in April, 2016 as part of a Survey and Planning Grant awarded by the Massachusetts Historical Commission (hereafter 'MHC'). The MHC form B prepared (MDF.1225-1226) was filed and included as part of the Inventory of Historic Assets of the Commonwealth and made available through the Massachusetts Cultural Resource Information System (MACRIS). As stated on the inventory form, both buildings have been altered over the years but have maintained sufficient integrity to warrant documentation. Surviving architectural elements of interest include, but are not limited to: massing, apertures, roof lines, placement on property and style articulations. Both the demolished carriage house and the associated duplex had elements of the Tudor Style and original development intent was easily discernible from both the street, and Logan Park, which the property unusually faces. The Commission reviewed both the MHC form B and A History of the Development of the Glenwood Section of East Medford prepared by John D. Clemson in May, 2016, both of which note the carriage house and adjoining duplex were more than seventy-five years old. As a result, a proposed demolition of either building was reviewable by the Commission.

Under normal circumstances, review by the Commission constitutes a two step process prior to invoking any delay of permits. First, the Commission determines significance under 48-78 (d); if affirmative, then preferably preserved status under 48-78 (e). If also affirmative, the ordinance imposes an 18 month stay of demolition permits as allowed pursuant to 48-78 (h). In this case, no application for review was filed by the owner, or a representative (i.e. demolition contractor). The Commission did not learn of the voluntary demolition until it was taking place on Saturday, March 10, 2018. The removal of the

carriage house was not an emergency demolition as defined by 48-79. As a result, the Commission was required to review the case within 30 days to determine if the aforementioned property is *significant* and so as to trigger the noncompliance sanctions provided for in 48-80.

Per Section 48-78, a *significant* building is any building, or a portion thereof, which is not within a local historic district subject to regulation under the provisions of MGLA c. 40C, but which:

1. Has been listed in or is the subject of a pending application for listing in the National Register of Historic Places; or
2. Has been listed in the Massachusetts Register of Historic Places; or
3. Was built before 1900 and which is determined by the commission to be a significant building as provided by subsection 48-78(d) either because:
 - a. It is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city or the commonwealth; or
 - b. It is historically or architecturally important in terms of period, style, method of building construction, or association with an important architect or builder, either by itself or in the context of a group of buildings.

On April 9, 2018, the Commission voted **5-0 (1 Commissioner abstaining) that the building is significant** by definition based on the documents circulated to the Commission, including the MHC form B attached to this letter for reference.

Reasoning for the Commission's determination is as follows:

1. The carriage house and associated dwelling building possess architectural merit. The unique and well preserved details on the carriage house, particularly: its door placement, the surviving original copper roofed cupola and spire chimney and the fact that the carriage house survived in close association in ensemble with the associated duplex with a degree of original fabric, make it a resource worthy of consideration and retention.
2. The uncommon quantity of this particular resource within surviving late nineteenth century structures in Medford. Within the neighborhood, less than a dozen carriage houses exist, and less than fifty remain City wide. A query into Massachusetts State and National Register inventories resulted in few documented outbuildings and carriage houses across the Commonwealth, meaning their numbers are low and diminishing.
3. Lastly, the property is a contributing resource to the social and architectural history of the development of East Medford development. Constructed for a middle class family, both house and carriage barn were occupied by the working class Coughlin family and its tenants for more than four decades. Following the departure of the Coughlin family, the house, and its surrounding neighborhood continued to be occupied by various middle class families. The use of the house as a duplex meant it was one of the few multiple family dwellings in a largely single family neighborhood.

As a result of the Commission's determination, and in accordance with the provisions set forth in 40-80 (b) for noncompliance with the demolition delay ordinance, this letter shall serve as notice that 44-46 Logan Avenue is subject to the following provision:

"No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this article for a period of two years after the date of the completion of such demolition. As used herein, "premises" includes the parcel of land upon which the demolished significant building was located."

This mandatory penalty for the demolition begins immediately and will expire two years from the demolition on **March 10, 2020**. During such time, the Commission may not waive the penalty afforded to applicants under 48-78 (i), as normal process for demolition review defined by 48-78 was not followed by the owner.

If you, or any of the parties copied on this letter, have any questions in regard to this determination, please do not hesitate to contact me at once at HistoricalCommission@Medford-MA.gov.

Respectfully,



Jennifer M. Keenan

Vice-Chair, Medford Historical Commission

Copy to: Owner of Record 44-46 Logan Avenue

Building Commissioner: Building Department

Code Enforcement Officer: Building Department

City Solicitor: Law Department

Enc: MHC Form B.

FORM B – BUILDING

MASSACHUSETTS HISTORICAL COMMISSION
MASSACHUSETTS ARCHIVES BUILDING
220 MORRISSEY BOULEVARD
BOSTON, MASSACHUSETTS 02125

Assessor's Number USGS Quad Area(s) Form Number

M – 13 – 95

Boston
North

MDF.1225
MDF.1226

Town/City: Medford

Place: (neighborhood or village): East Medford

Photograph



Address: 44-46 Logan Avenue

Historic Name: Daniel and Amelia Caughlan Duplex and Carriage House

Uses: Present: Duplex Residential

Original: Duplex Residential

Date of Construction: 1889-1898

Source: Maps

Style/Form: Tudor/Complex Gable Block

Architect/Builder: Unknown

Exterior Material:

Foundation: Cut stone

Wall/Trim: Vinyl clapboard/wood

Roof: Asphalt shingle

Outbuildings/Secondary Structures: Two-bay carriage house

Major Alterations (with dates): Small shed-roofed bump-out, left rear; vinyl siding application and sash replacement, all from recent decades

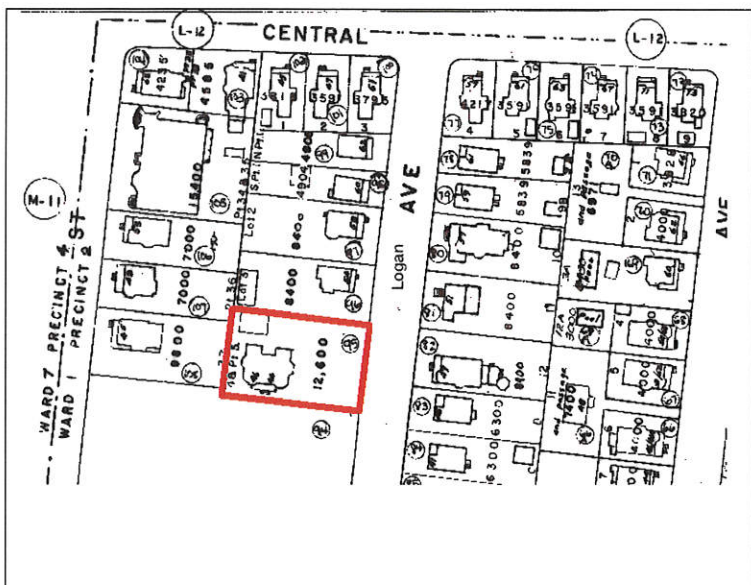
Condition: Fair

Moved: no ☒ yes ☐ Date:

Acreage: 0.29 acres

Setting: Densely-settled urban residential neighborhood of single- and two-family houses constructed around the turn of the 20th century, on lots smaller than a quarter of an acre.

Locus Map (North is Up)



Recorded by: Jennifer B. Doherty

Organization: Medford Historical Commission

Date (month / year): April, 2016

INVENTORY FORM B CONTINUATION SHEET

MEDFORD

44 LOGAN AVENUE

MASSACHUSETTS HISTORICAL COMMISSION

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

	MDF.1225
	MDF.1226

☐ Recommended for listing in the National Register of Historic Places.

If checked, you must attach a completed National Register Criteria Statement form.

ARCHITECTURAL DESCRIPTION:

Describe architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.

Facing south onto Logan Park rather than east onto the street, the Daniel and Amelia Caughlan Duplex is at a larger scale than many of its neighbors. It is massed in a four-bay-wide H-shape, with large gabled pavilions flanking the façade connected by a deep gable-block hyphen, all two-and-a-half stories tall and three piles deep. The pavilions are composed of cornice-height polygonal bays capped by deeply overhanging, or "jettied" gables. Between them are paired entrances sheltered by a deep half-width entrance porch centered on the façade. Additional cornice-height polygonal bays are symmetrically centered on each side elevation with similar gabled overhangs. The rear elevation mirrors the façade but here the projecting pavilions are rectangular and considerably deeper, forming full-height symmetrical rear ells at each end of this elevation. Small shed roofed bump-outs were added to the rear pile of each side elevation during recent decades. The building sits on a cut stone foundation, is covered in vinyl clapboard siding, and has an asphalt shingle roof.

Despite having been covered in vinyl, the house retains some of its rich Tudor-style articulation. This includes the large-scale curved brackets that support the overhanging gables at the façade and side elevations. Within the enclosed gables, which are undergirded by heavy, horizontal beams, is decorative vertical "fachwerk," or exposed structural timbers, all of which is purely decorative but highly characteristic of the Tudor style. Elsewhere trim has been obscured by the vinyl covering.

As noted above, the house faces south onto Logan Park, rather than east onto Logan Avenue. The lot is larger than others in the area, but is flat. Several mature trees are planted around the lot. Behind the house, facing onto Logan Avenue, is what appears to be a former carriage house converted to a two-car garage. The gable-front building is a story-and-a-half tall, with two garage bays on the first floor. A large opening in the gable end, covered by a pair of doors, likely provided access to a hayloft. A shingled octagonal cupola with a copper top is visible on top of the garage. An outbuilding is shown behind the Caughlan Duplex on an 1898 map, suggesting the carriage house/garage is original.

HISTORICAL NARRATIVE

Discuss the history of the building. Explain its associations with local (or state) history. Include uses of the building, and the role(s) the owners/occupants played within the community.

The Daniel and Amelia Caughlan Duplex was constructed on land that was part of the rapid subdivision and development of land once owned by Dudley C. Hall (1818-1899) and his brother Horace D. Hall (1831-1904). The Hall family had resided in Medford since the 17th century and were successful local industrialists and property owners for most of the 18th and 19th centuries. Much of the land east of Park Street, south of Salem Street, and running eastward to the Malden line belonged to the Halls throughout the 19th century but remained largely undeveloped until the early 1890s. Development in the Hall tract proceeded slowly but accelerated under subsequent owner/developers (see development history). The Caughlan Duplex was Lot 4 and part of Lot 5 on a subdivision plan that was filed with the Middlesex South Registry of Deeds in 1892 (see below). The plan covered sixteen lots on both sides of Logan Avenue, just before its intersection with Central Avenue.

In 1895, the group of men who subdivided the land sold Lot 4 and a portion of Lot 5 to Daniel F. Caughlan.¹ Daniel Fergus Caughlan (Oct. 16, 1851 – Aug. 15, 1934) was an English immigrant who worked as a steel engraver for a bank note company. Caughlan and his wife Amelia M. (1853 – Sep. 8, 1936) were listed as the owners of the Caughlan Duplex on an 1898 map of Medford. It appears that the couple lived at 44 Logan Avenue, and for the first few years of their ownership, did not have a tenant at 46 Logan Avenue. The 1900 census records only the Caughlans and their daughter, Elsie E. (b. 1884), at the address.

¹ This deed has not been digitized and thus was not checked, so it is not clear who the group of owners were.

INVENTORY FORM B CONTINUATION SHEET

MEDFORD

44 LOGAN AVENUE

MASSACHUSETTS HISTORICAL COMMISSION

220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

	MDF.1225
	MDF.1226

By 1910, Francis Neill and family were living at 46 Logan Avenue, with the Caughlans still at 44 Logan Avenue. The widower Neill (b. 1833) was living with his two daughters, Margaret (b. 1869) and Anna (b. 1879). Neill was a watchman for the railroad, while Margaret was a bookkeeper in a wool office. By 1920 the Neills had moved out, replaced by Leslie R. Cary (b. 1891), a teacher at the high school, and his wife Dorothy S. (b. 1896).

Although the Caughlans continued to own the house, they moved out by 1930, when they are listed in Yarmouth in the census. Their former apartment, 44 Logan Avenue, was occupied by the McGonagle family: Philip R. (b. 1899), a clerk with a steamship company, his wife Mildred (1896-1935), their daughters Phyllis (b. 1919) and Kathleen V. (b. 1926), and their sons Raymond (b. 1922) and Philip (b. 1925). Mildred O'Hara McGonagle was related to the O'Hara family that lived nearby, at 28 Farragut Avenue (MDF.1209). Two others were also living with the McGonagles, but their relationship to the family, and each other, is unclear: Francis Heffler (b. 1905), a painter, and Susanna Heffler (b. 1910).² Mildred O'Hara McGonagle died in the house in 1935, and while directories show her husband was still an occupant in 1938, two of her children went to live with family members at 28 Farragut Avenue by 1940. At the time the apartment at 46 Logan Avenue was occupied by Sarah F. Knight (b. 1882) and Anthony Machado (b. 1903) a chauffeur for a trucking company.

Shortly before her death in 1936, Amelia M. Caughlan sold the property to her daughter, Elsie E. Caughlan; the deed states that both women were living in Yarmouth. The 1940 census only records 46 Logan Avenue. Scottish immigrant and widower Charles McGinn (b.1877), a bricklayer, was living with his son John (b. 1914), a driver/salesman with a retail bakery, and his four daughters: Alice (b. 1916), a telephone operator, Margaret (b. 1920), Eunice (b. 1924), and Barbara (b. 1926).

Elsie E. Caughlan sold the house to new owners in 1943, and the Caughlan Duplex passed through a series of owners at the end of the twentieth century. The building is still owned by one owner, with two residential units, one of which appears to be owner-occupied per the Medford assessor's records.

BIBLIOGRAPHY and/or REFERENCES

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1898 Geo. W. Stadly & Co., *Atlas of the City of Medford, Middlesex County, Mass.*

1900 Geo. W. Stadly & Co., *Atlas of Middlesex County, Massachusetts, Volume 1*.

1887, 1892, 1897, 1903, 1910, 1936, 1936-1950 Sanborn Insurance Atlases

Medford City Directories: 1924 (first street index), 1930, 1938

United States Federal Census: 1900, 1910, 1920, 1930, 1940

Middlesex South Registry of Deeds 2342/485; 6048/67; 6711/135; 7728/374

Middlesex South Registry of Deeds Plan Book 75, Plan 25, Lot 4 and Lot 5

² On the census, the relationship of Francis to Philip R. McGonagle has been scribbled out, while Susanna Heffler is listed as Philip's sister-in-law. She was not related to Mildred O'Hara McGonagle, but could be married to a sibling of Philip.

INVENTORY FORM B CONTINUATION SHEET

MEDFORD

44 LOGAN AVENUE

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s) Form No.

	MDF.1225
	MDF.1226



The right side (east) and rear (north) elevations of the Caughlan Duplex.



The Caughlan Carriage House.

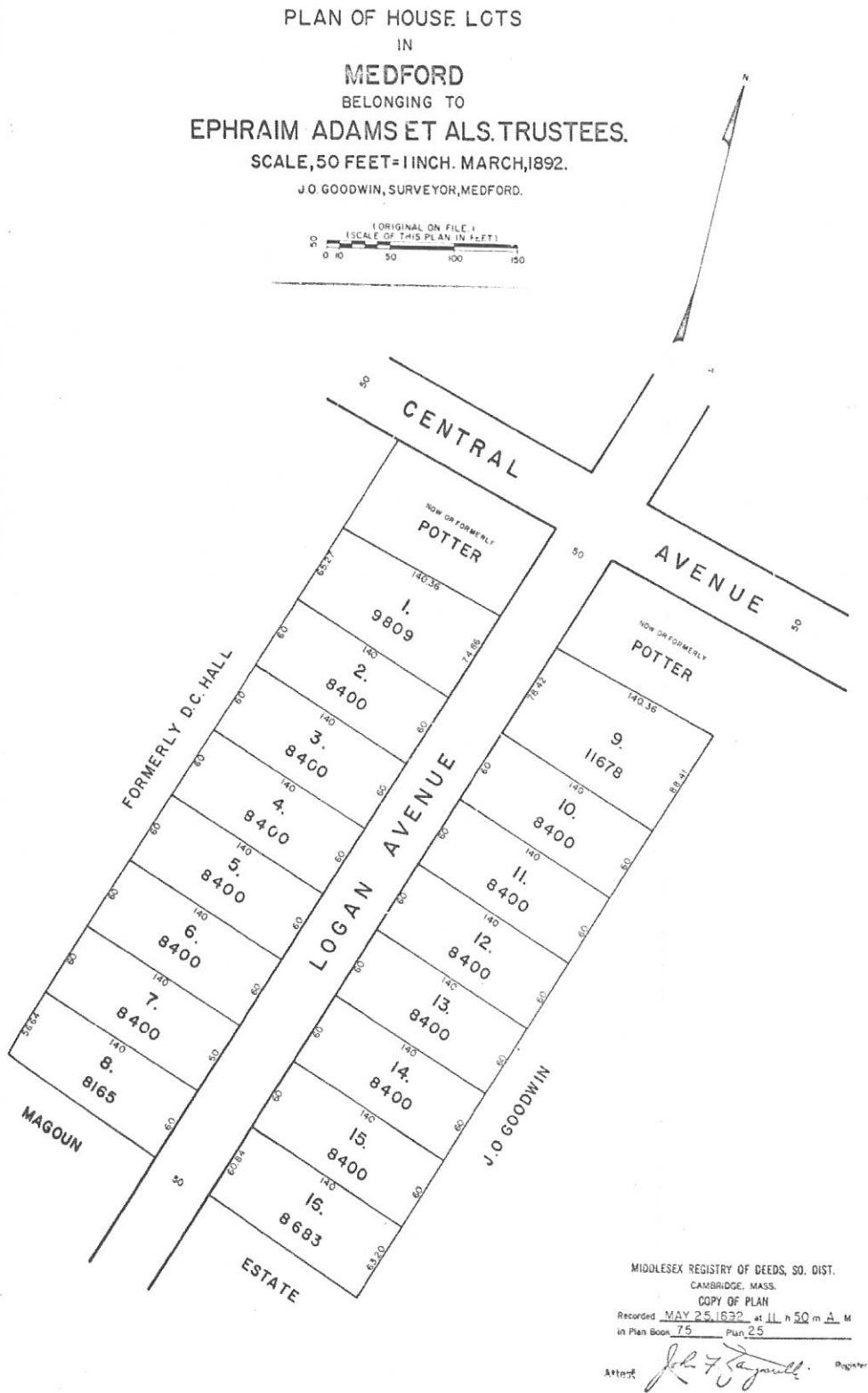
INVENTORY FORM B CONTINUATION SHEET

MEDFORD

44 LOGAN AVENUE

MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD, BOSTON, MASSACHUSETTS 02125

Area(s)	Form No.
	MDF.1225 MDF.1226



The Caughlan Duplex was constructed on Lot 4 and a portion of Lot 5 of this 1892 subdivision plan.



City of Medford

HISTORICAL COMMISSION &
HISTORIC DISTRICT COMMISSION

City Hall – Room 308
85 George P. Hassett Drive
Medford, Massachusetts 02155

VIA FAX: Clerk's Office (781-395-1895)

July 1, 2019

Adam Hurtubise, City Clerk
Medford City Hall, Room 103
85 George P. Hassett Drive
Medford, MA 02155

RE: 20 Prescott Street, Workshop Building, Noncompliance Demolition

Dear Sir,

This letter is to inform you that on June 8, 2019, the Medford Historical Commission was notified of a demolition that had taken place without review under the City of Medford's Demolition Delay Ordinance – Chapter 48, Article 4. The subject building, a workshop, and garage located at 20 Prescott Street, was fully and voluntarily demolished without any notification/application for review by this Board. As a result, the Commission reviewed the noncompliance action as defined by Section 48-80 at our following monthly meeting on June 20, 2019, in room 201 at Medford City Hall. What follows is a summary of our findings and determinations.

On April 11, 2019, an email was received from the property owner, Mr. George Lawrence, to the account for the Medford Historical Commission. At that time, the owner requested information on if the subject building is "historic" and to find out the process for demolition. He was advised, in a reply email on April 19 we did not have information available, but the building was older than 75 years and subject to review under the demolition delay and that he should plan to attend our next meeting on May 13th. Neither the owner nor anyone else representing that property attended the meeting. As a pre-emptive measure, the Commission voted to order a Massachusetts Historical Commission Form B prepared to help expedite a demolition review when an application was received. As a result, the property was inventoried by John Clemson for the Medford Historical Commission. The document is included as an attachment to this letter and will be included as part of the Inventory of Historic Assets of the Commonwealth and ultimately part of the record in the Massachusetts Cultural Resource Information System (MACRIS).

The Harrigan-Clark Workshop at 20 Prescott Street is closely associated with the adjacent residential house. Its name is derived from the earliest known owner, Dennis Harrigan, and subsequent owner John E. Clark. Both were working class individuals whose business fit neatly among others. Historically, this end of the streetscape was home to light industrial and commercial practices connected to the Boston and Lowell (later Boston and Maine) Railroad. The subject Workshop appears by 1910 when depicted on the Sanborn Insurance maps of Medford. It has always been a series of connected spaces under various gables and shed roofs. Architectural historian Clemson alludes to significance through a detailed analysis of pre-demolition conditions. The buildings, although plain, retain important character-defining features such as: massing, apertures, roof lines, placement on the property, materiality, and use. The building was originally constructed as a workspace, first for a plumber, then woodworker and subsequently an automotive enclave. The Commission reviewed the MHC Form B, along with contextual information for the West Medford Neighborhood prepared by Neil Larson in 2012. The workshop was more than seventy-five years old. As a result, a proposed demolition was reviewable by the Commission.

Under normal circumstances, review constitutes a potential two-step process prior to invoking any delay of permits. First, the board determines significance under 48-78 (d); if affirmative, then preferably preserved status under 48-78 (e). If also affirmative, the ordinance invokes an 18-month stay of demolition permits as allowed under 48-78 (h). In this case, no application for review was filed by the owner, or a representative (i.e. demolition contractor). The



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Commission was notified of the voluntary demolition, which took place on Saturday, June 8, 2019. This was not an emergency demolition as defined by 48-79. As a result, the Commission was required to review the case within 30 days to determine if the aforementioned property is significant and thereby triggering the noncompliance clause under 48-80.

Per Section 48-78, a significant building means that any building, or a portion thereof, which is not within a local historic district subject to regulation under the provisions of MGLA c. 40C, but which:

1. Has been listed in or is the subject of a pending application for listing in the National Register of Historic Places; or
2. Has been listed in the Massachusetts Register of Historic Places; or
3. Is older than 75 years and which is determined by the commission to be a significant building as provided by subsection 48-78(d) either because:
 - a. It is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the city or the commonwealth; or
 - b. It is historically or architecturally important in terms of period, style, method of building construction, or association with an important architect or builder, either by itself or in the context of a group of buildings.

Commissioners voted 6-0 that the building is significant by definition based on the documents circulated at the time of the meeting. The reasoning for such determination is as follows:

1. 20 Prescott Street possesses architectural merit. The unique and preserved details on this outbuilding, particularly the arrangement of spaces, rooflines, chimney, windows, doors and exterior materials, make it a resource worthy of consideration and retention. There are no other known examples designed with an organic look and feel such as this.
2. The quantity of this particular resource is uncommon within surviving buildings of its typology. There are less than fifty [50] outbuildings, such as carriage houses and former tradesman workshops, remain City-wide. A query into Massachusetts State and National Register programs resulted in only a few documented outbuildings and carriage houses across the Commonwealth meaning their numbers are low and diminishing.
3. 20 Prescott Street contributes to the knowledge of development history in the West Medford neighborhood. Developed by Samuel Teel and Edward T. Hastings, the land was laid out into generous lots to attract white collar individuals who commuted to Boston via the nearby Railroad. Like others in the nearby Smith Estate subdivision, they were marginally successful until scaling back their endeavor to more modest parcels. These lots attracted diverse working class individuals. The adjacent associated house was constructed between 1886 and 1889. The subject building was constructed by 1910 when development reached its conclusion.
4. The Harrigan-Clark Workshop contributes to the social history of the surrounding environs. A multitude of immigrant working class individuals made their way to the attractive suburban homes built largely between 1870 and 1920. The Smith Estate was among the first fully integrated communities, complete with a wealth of diversity. The owners of this workshop match the broad patterns of settlement within the landscape. Dennis Harrigan was an immigrant of Ireland. John E. Clark was a native of Canada.
5. Last, the Harrigan-Clark Workshop contributed to the well preserved commercial district located at the intersection of Prescott and Canal Streets. Two main businesses dominated the scene contemporary with the subject building: the J. E. Ober coal yards and the Tutten Brothers granite and marble works. Both were positioned for a



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direct link to the railroad. A number of smaller businesses rounded out the parcels. John Clark expanded the workshop several times as a woodworking mill. Up until this demolition, most of the Prescott streetscape remained intact.

As a result of such determinations, and in accordance with the regulation set forth in 40-80 (b) for noncompliance, this letter shall serve as notice that: “No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this article for a period of two years after the date of the completion of such demolition. As used herein, “premises” includes the parcel of land upon which the demolished significant building was located.” This mandatory penalty for the demolition begins immediately and will expire two years from the demolition on June 8, 2021. During such time, the Commission may not waive the penalty afforded to applicants under 48-78 (i) as normal review defined by 48-78 was not followed by the owner.

If you, or any of the parties copied on this letter, have any questions in regard to this determination, please do not hesitate to contact me at once at HistoricalCommission@Medford-MA.gov.

Respectfully,

Jennifer M. Keenan
Chair, Medford Historical Commission

Copy to: Owner of Record 20-22 Prescott Street
Building Commissioner: Building Department
Code Enforcement Officer: Building Department
City Solicitor: Law Department

Enc: MHC Form B.
Email Correspondence



City of Medford

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Historical Commission

Fri 4/19, 2:06 PM



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Download

Hello Mr. Lawrence,

Unfortunately we do not have an office at City Hall and we are an all-volunteer board. This email is the best way to reach us. Any property that is older than 75 years (pre 1944) would fall under our domain. I have attached our Demolition Application package. Our next meeting is May 13th.

Please let me know if you have any other questions.

Kindly,
Jennifer M. Keenan
Chair, Medford Historic Commission



george lawrence <gedlawrence@comcast.net>

Thu 4/11, 4:24 PM

Historical Commission



I would like to find out if my building is historic. It is a commercial garage at the corner of Prescott & Cottage. I would also like to submit the notice of intent to demolish paper work, but have found you have no phone number, no office i can find, and find it difficult to communicate with you. The instructions state "the commission Strongly recommends that you speak to a member of the Historic Commission " my question is How? Assessor's map parcel M-0458