



**SOUTH END LANDMARK DISTRICT COMMISSION  
PUBLIC MEETING MINUTES**

Boston City Hall, 1 City Hall Plaza  
Environment Department Room 709

**DECEMBER 17, 2019  
5:30 PM**

**COMMISSIONERS PRESENT:** John Amodeo, John Freeman, Catherine Hunt, Peter Sanborn  
**STAFF PRESENT:** Mary Cirbus, Preservation Planner; Joseph Cornish, Director of Design Review

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**I. DESIGN REVIEW**

**APP # 20.436 SE**

**85 WEST NEWTON STREET**

Previously heard at the 11/05/2019 and 12/03/2019 Public Hearings and 12/12/2019 Public Meeting

Applicant: *Inquilios Boricuas en Acción*

Proposed Work: Demolish the existing former church and parish house (Villa Victoria Center for the Arts/ IBA Preschool)

Vanessa Calderón-Rosado, Amanda Pelcher, and Peter Mukenbeck were the project representatives.

J. Amodeo gave a brief overview of the Commission's understanding of the application and its assessment of the application so far. He reiterated that the only work they can review is the application received – the application for a Certificate of Exemption based on Hardship.

Vanessa Calderón-Rosado gave a statement. She explained that the building continues to deteriorate and becomes harder to maintain. She also explained that as of the afternoon of the special hearing date ISD issued a second Violation Notice.

Peter Mukenbeck gave an overview of the most recent Violation Notice. He reiterated that IBA cannot afford to shore up the building and needs to demolish it. Saving the building is prohibitively expensive for the organization.

The Commissioner asked additional questions. P. Sanborn asked for clarification regarding the additional deterioration (specifically leaks mentioned in the prepared statement). The new leak is on the north wall, but on the opposite side. The cracks



are on the interior. The ISD inspector has point of reference. J. Freeman asked for clarification regarding the difference between a Violation Notice and a Certification from the Building Commissioner. Staff explained that a Violation Notice is not the same thing as a Certification, and SELDC legally requires a certification to issue a Certificate of Exemption.

The applicants explained that they have asked for a Certification and ISD responded that they do not issue such documentation.

The Commissioners offered comment. J. Amodeo commented on the Commission's appreciation for IBA, their good work in the community, and their good stewardship of several historic properties in the South End. He reiterated that it is a difficult situation for everyone, but especially difficult for the Commission because demolition is permanent and cannot be taken lightly. He also noted that the violation includes language that there are two options, and demolition is only one of the two choices. He also noted that a Certificate of Exemption is not an approval of demolition, but rather the Commission waiving its review of the demolition.

The applicants responded by pointing to the language in the legislation which includes the same and/or language that is noted in the Violation Notice.

P. Sanborn responded that the Commission is very unlikely to make a motion based on the action of another agency. The Commission does not want to voluntarily grant a Certificate of Exemption, although he understands the Commission may be forced to.

C. Hunt reiterated that the situation is very difficult but the Commission is bound by the guidelines. She expressed that the removal of a church, which is noted in the Study Report, would very much materially impair the district. She concluded that the application does not meet the criteria for a Certificate of Exemption based on that alone.

The applicants asked if the application could be continued, citing that they would like the opportunity to return to ISD to get the appropriate documentation that is needed.

J. Freeman asked if the Commission could proceed with allowing a partial demolition. J. Amodeo further explained that the applicants would have to submit an additional application to partially demolish the tower and north wall. J. Freeman asked if ISD can overrule the Commission. Staff responded that they can. J. Freeman



also noted the lack of action on the part of ISD, and commented that the current application does not meet the criteria as laid out in the legislation.

The applicants further explained why they believe that the Violation Notice is the same thing as a Certification from the Building Commissioner.

J. Freeman commented that he does not object to a continuation.

Staff asked additional questions regarding the proposed January 6, 2020 commencement of demolition. The Commissioners further discussed the question of the type of application in front of them. Staff explained that the only application is to get a Certificate of Exemption based on Hardship to demolish the building.

Alison Frazee (Boston Preservation Alliance) asked for clarification regarding the nature of the continuance. The Commissioners responded that they are granting a continuance based on the applicants' request. J. Amodio noted that a continuance allowed for an application to remain active while more information is gathered that may lead to a conclusion.

Nicola Truman (?), a direct abutter, asked if the Commission would send another engineer to examine the building. The Commissioners responded that they would not.

Staff noted that there were 23 letters of support for IBA and the demolition and 25 letters in opposition of the demolition.

Pedro Cruz offered public comment in support of IBA.

J. Amodio added that the Commission would be open to working with IBA to create a win-win scenario in which the shell of the building is saved and the core transformed to better fit IBA's mission and needs.

Jacinda Opjio offered additional public comment in support of the demolition.

Maureen Cavanaugh asked an additional question regarding requiring a new application for demolition if the applicant is unable to get the Certification from ISD. This is the only way to move forward with the Commission.

The Commissioners and applicants engaged in further discussion about exactly what constitutes a Certification. The applicants reiterated that they plan to see the Certification from ISD or to submit an application for demolition of the building.



There was no additional public comment.

**J. Freeman motioned to continue the application, as requested by the applicant. C. Hunt seconded the motion. The vote was 4-0 (JA, JF, CH, PS).**

**P. Sanborn motioned to adjourn the meeting. C. Hunt seconded the motion. The vote was 3-0 (JA, CH, PS).**