Statement Re: 90 Edison

Historic District Commission

March 12, 2008

Lady and Gentlemen of the Commission:

I am James Hamilton

I am here to point out the numerous ways in which the proposed fence fails to conform to either the letter or the spirit of the Commission’s fence policy.

* Since the fence already has been constructed, the exact ways in which it fails to conform are readily apparent.

I want to emphasize the potential threat that this fence has for the Boston-Edison Historic District.

Approval of the application for a permit for this fence would set a precedent for all future applications for front yard fences.

* This is an extremely dramatic fence, being tall, heavy, and ornate.
* If this fence is allowed, then all manner, sizes and styles of lesser front yard fences would have to be allowed as well.
* Consequently, such fences very likely would be erected at numerous properties throughout Boston-Edison. Such fences would change the historic character of Boston-Edison and the visual impact of the streetscape, for the worse.

For these reasons, please

* deny the permit for the illegal, non-conforming fence,
* order the illegal, non-conforming fence removed, and
* take all subsequent legal action necessary to enforce the Commission’s order to remove the illegal, non-conforming fence.

There do not seem to be any mitigating circumstances in this case.

* By May 29, 2007, the owner had installed eight, but only 8, fence poles.
* The Commission staff and the Department of Building and Safety Engineering were alerted about the fence going up illegally.
* Work halted until June 8. Sometime prior to that date, the owner went to the Commission and applied for a permit.
* This application demonstrates clearly that the owner was aware that a permit was required from you, the Commission.
* Rather than mitigating the financial risk by stopping installation when only a few poles were up, the owner has completed the installation of the fence without permits
* This clear defiance of City ordinances negates any possible financial reason for not ordering the fence removed.

Thank you for your time and for allowing the Association an opportunity to come before you.