

**CHESHIRE HISTORIC DISTRICT COMMISSION  
MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING HELD ON  
MONDAY, MAY 1, 2017 AT 7:30 P.M.  
CHESHIRE TOWN HALL - 84 SOUTH MAIN STREET  
ROOM 210**

Commissioners Present:

Joseph Dattilo, James Vibert, Sr., Helen Wilson and John Torello

Commissioners Absent:

Chairman Elizabeth Pratt Fox, Jeanné Chesanow, Elizabeth Ryducha and Lisa Franco

Staff Present:

Jerry Sitko

Others Present:

John Weinstein (by telephone)

Tina Weinstein

Jerry Lodynsky

Paul Johnson

**I. CALL TO ORDER**

Mr. Dattilo called the meeting to order at 7:31 p.m.

**II. ROLL CALL**

The roll was taken for the meeting.

**III. SEATING OF ALTERNATES**

Mr. Dattilo seated Alternate member, Helen Wilson for voting tonight with the Historic District Commission.

**IV. DETERMINATION OF QUORUM**

It was determined that a quorum was present.

**V. PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

## **VI. PUBLIC HEARING**

- A. Certificate of Appropriateness #2017-005C  
John Weinstein  
15 South Main Street  
Air Conditioning Unit for Back of Building

Mr. Vibert read the Certificate of Appropriateness and the public notice for this Public Hearing and stated notarized, written proof that the abutting property owners were notified has been received by the Planning Department. Mr. Sitko stated no verbal or written communications were received with regard to these applications.

Mr. Weinstein participated by telephone and stated he would like to move the existing air conditioning condenser on the roof in the back of the building to a concrete slab on the ground. In addition, Mr. Weinstein stated he would like to add another air conditioning condenser to provide air conditioning for Kumon Learning Center. After discussion, it was determined the existing application does not cover the desired scope of work and must be withdrawn. A new application must be submitted.

- B. Certificate of Appropriateness #2017-004C  
Paul Johnson/Alison McWeeney  
152 Cornwall Avenue  
Installation of Photovoltaic System

Mr. Vibert read the Certificate of Appropriateness and the public notice for this Public Hearing into the record. Mr. Sitko stated that Mr. Johnson hand delivered written notice to the abutting property owners, which is not in compliance with the current Historic District Commission regulations. After discussion, it was determined this application could not heard because it is incomplete due to the procedural error.

- C. Proposed Amendment Changes
  - 1). Section 5.2.1c.  
Repair, Replacement, Use of Substitute Materials
  - 2). Section 5.2.5  
Solar energy systems and other renewable resources

Mr. Vibert read the Certificate of Appropriateness and the public notice for this Public Hearing into the record. Mr. Sitko stated no verbal or written communications were received with regard to these proposed changes.

Mr. Dattilo gave a brief description of the proposed changes and opened the Public Hearing for comment by the public. Paul Johnson of 152 Cornwall Avenue stated his interpretation of the proposed changes under section 5.2.5 is that the language used is commensurate with the State statute and reads as an aesthetic judgment, rather than an architectural judgment. Mr. Johnson stated some of the language could be more well defined for the homeowner and should not be too specific so as to appear that the Historic District Commission is endorsing a particular brand versus the best product. Mr. Dattilo stated that the Historic District Commission applies an intelligent interpretation of the State statute to preserve the integrity of the Historic District.

Jerry Lodynsky of 23 Williams Road read the following statement to the Historic District Commission:

“In your proposal to amend the HISTORIC DISTRICT COMMISSION REGULATIONS Section 5.2.1c., Repair, Replacement, Use of Substitute Materials, the Commission is proposing that the “if the Commission determines that repair is not possible regardless of cost then the features should be replaced with new features matching the old in size, color, etc.

When it came to the Paradox monument in the Veteran’s Memorial plaza did the Commission decide to allow it’s base to be altered or was it someone else who was not part of your Commission that allowed that to occur.

In the new amendment you have also added that “The inability to repair features and the replacement of missing features must be clearly substantiated by documentary, physical, pictorial evidence, or testimony by a qualified individual or individuals.”

I’m speaking before you because I approve your changes except for reference to “qualified”, who would be considered to be qualified?

Also, your reference to the fact that the “Commission determines that repair is not possible” how and who will the Commission be consulting to determine this?

I’m concerned because even though the structure I was responsible for during it’s construction in 1989 was altered even though my name was on the wall in this

building's front lobby as well as immediately under the structure itself not a single member of your Commission or Town Hall made an effort to contact me despite a contractual obligation to do so. I have with me copies of the Invoice that I submitted to the Town of Cheshire with specific stipulations regarding my rights to protect the intentions of those WWII, Korea, Viet Nam and Gulf War veterans who entrusted me with that responsibility. I stand before you today to speak in their behalf. The town has violated its obligations to those veterans who painstakingly raised the funds and dedicated at least 2 years of their lives to see their efforts come to fruition. And it was this Commission, this so-called HISTORIC DISTRICT COMMISSION that violated its own principles, doctrines and regulations. Almost one year has passed and the only response I have received came at 3:46 PM on June 14th, 2016 in a email statement from George Noewatne who justified the plantings of the boxwoods with ridiculous justifications such as "there is an improvement over the materials that were in place" and that the "(children) could easily pass through the plantings and access the base should they so desire, and the mulch will be a good cushion if they slip off the base." the fact that he CC'd several members of the Town Hall meant that they all were aware of this travesty.

So I must now end this with the statement - Will these new amendments give the your commission and Town government the right to decide what is best for the Town's interests or to preserve historically relevant structures. A year ago the actions of this Committee made history.

I also want to add that in 1988 the local Masons organization offered to maintain the bricks around the sculpture as well as the stone but Dick Miller and George Heston opposed the idea because he felt that the responsibilities should not be given to one group since at that time so many offered to do so."

Mr. Vibert acknowledged Mr. Lodynsky's statement and stated it had no relevance to the Public Hearing. Mr. Vibert stated the Historic District Commission would be glad to put Mr. Lodynsky on the agenda for next month's meeting to discuss his concerns. Mr. Dattilo stated the Historic District Commission was unaware of the information contained in Mr. Lodynsky's statement.

As to Mr. Lodynsky's concern about the language in Section 5.2.1c regarding "qualified individuals," Ms. Wilson stated the proposed change states that any applicant can provide documentary, physical, pictorial evidence **OR** testimony by a qualified individual or individuals. Mr. Vibert stated the addition of the language 'regardless of cost' is

consistent with the language used by the Secretary of the Interior to preserve what is by using repair as a prime directive with historic architecture.

After discussion, it was decided that this matter should be continued to the Public Hearing on June 5, 2017.

**MOTION** by Joseph Dattilo to close the Public Hearing at 8:30 p.m.

**SECONDED** by Helen Wilson

**VOTE:** In Favor – Dattilo, Wilson, Vibert  
Opposed - None

Motion passed 3-0.

## **VII. REGULAR MEETING**

### **1. APPROVAL OF MINUTES - Public Hearing and Regular Meeting – April 3, 2017**

**MOTION** by Helen Wilson to approve the minutes of the April 3, 2017 regular meeting as submitted.

**SECONDED** by James Vibert, Sr.

**VOTE:** In Favor - Wilson, Vibert, Dattilo  
Opposed - None

The motion passed 3-0.

### **2. COMMUNICATIONS**

There were no communications.

### **3. BUSINESS**

- A. Certificate of Appropriateness #2017-004C  
Paul Johnson/Alison McWeeney  
152 Cornwall Avenue  
Installation of Photovoltaic System

**MOTION** by Helen Wilson to send Certificate of Appropriateness #2017-004C to Public Hearing on June 5, 2017.

**SECONDED** by Joseph Dattilo

**VOTE:** In Favor - Wilson, Dattilo, Vibert  
Opposed - None

The motion passed 3-0.

Mr. Sitko noted that June 5, 2017 will mark 63 days since this application was filed and the Commissioners should be prepared to take action at the Public Hearing on June 5, 2017.

- B. Certificate of Appropriateness #2017-005C  
John Weinstein  
15 South Main Street  
Air Conditioning Unit for Back of Building

**MOTION** by James Vibert to accept the withdrawal of Certificate of Appropriateness #2017-005C.

**SECONDED** by Helen Wilson

**VOTE:** In Favor – Vibert, Wilson, Dattilo  
Opposed - None

Motion passed 3-0.

- C. Proposed Amendment Changes
  - 1). Section 5.2.1c.  
Repair, Replacement, Use of Substitute Materials
  - 2). Section 5.2.5  
Solar energy systems and other renewable resources

**MOTION** by Helen Wilson to continue the Proposed Amendment Changes to the Public Hearing on June 5, 2017.

**SECONDED** by James Vibert

**VOTE:** In Favor – Vibert, Wilson, Dattilo  
Opposed - None

Motion passed 3-0.

- D. Certificate of Appropriateness #2017-006C  
John Weinstein  
15 South Main Street  
Replace rebar supporting windows, repair brick wall, replace front door and replace damaged windows

**MOTION** by James Vibert to send Certificate of Appropriateness #2017-006C to Public Hearing on June 5, 2017.

**SECONDED** by Helen Wilson

**VOTE:** In Favor - Vibert, Wilson, Dattilo  
Opposed - None

The motion passed 3-0.

- E. Committees
  - 1. Education/Community Outreach

There was no report on Education/Community Outreach.

- 2. Regulations/Rules
  - a. Design Guidelines
  - b. Handbook

A meeting was scheduled for June 5, 2017 at 6:30 p.m. to discuss design guidelines and the handbook.

F. Chapman Property

Mr. Sitko stated Chairman Pratt Fox, Mr. Dattilo and Greg Farmer are still trying to get access to the house on the Chapman Property to conduct a survey.

G. Chairman's Report

There was no Chairman's report due to the absence of Chairman Pratt Fox.

H. Other

Mr. Dattilo stated he would like to add Jerry Lodynsky to the agenda for next month's meeting to review and discuss the contents of Mr. Lodynsky's statement.

Mr. Sitko stated there was a meeting with Greg Farmer and the Estys at their residence to discuss the window replacement project.

**X. ADJOURNMENT**

**MOTION** by Joseph Dattilo to adjourn at 8:46 p.m.

**SECONDED** by Helen Wilson

**VOTE:** In Favor - Dattilo, Wilson, Vibert

Opposed - None

The motion passed 3-0.

Attest:

Karen M. Gill  
Recording Secretary