

**CHESHIRE HISTORIC DISTRICT COMMISSION
MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING HELD ON
MONDAY, JUNE 5, 2017 AT 7:30 P.M.
CHESHIRE TOWN HALL – 84 SOUTH MAIN ST.
ROOM 210**

Commissioners Present:

Chairman Elizabeth Pratt Fox, Joseph Dattilo, Lisa Franco, James Vibert, Sr. and Helen Wilson, Alternate

Commissioners Absent:

Jeanne Chesanow, John Torello, Alternate and Elizabeth Ryducha, Alternate

Staff Present:

Jerry Sitko, Economic Development Coordinator

Others Present:

Paul Johnson of 152 Cornwall Avenue and John Weinstein of 15 South Main Street

I. CALL TO ORDER

Chairman Pratt Fox called the meeting to order at 7:30 p.m.

II. ROLL CALL

The roll was taken for the meeting.

III. SEATING OF ALTERNATES

Chairman Pratt Fox did not seat any Alternate member 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 – 004C
Paul Johnson
152 Cornwall Avenue
Installation of Photovoltaic System

Mr. Vibert read the public notice for this Public Hearing as it appeared in the Cheshire Herald in May 2017 and he stated that notarized, written proof that the abutting property owners were notified has been received by the Planning Department; there were no written comments submitted or verbal comments received on behalf of this application.

Chairman Pratt Fox reviewed Public Hearing rules and procedures and then opened the Public Hearing of Paul Johnson for the installation of a Photovoltaic (PVC) System at 152 Cornwall Avenue. Mr. Johnson was present at this Public Hearing on behalf of this application.

Mr. Johnson came forward and read his application letter to the Commissioners and stated that the final design of the PVC system will be determined by this Commission and the candidate company he chooses for the project. He stated that one of the vendors, after writing this letter, told him that structural work would be needed to support the PVC system on the barn roof. Mr. Johnson stated that he was not sure he would be using that vendor but wanted to mention this. Commissioners stated that work done inside a structure on Mr. Johnson's property is not regulated by the Historic District Commission.

Chairman Pratt Fox stated her concerns about not having a specific company's design for Mr. Johnson's property for his PVC system. Mr. Johnson replied that he is here at the Commission to ask for guidelines and constraints required for a PVC system so that he can then make his vendor choice. Mr. Vibert asked if the systems are basically the same between different vendors and Mr. Johnson replied yes. When asked how close the different systems are mounted to the roof, Mr. Johnson replied he did not know and that there is nothing in the regulations about the limits for the distance from the roof the panels must be. Mr. Johnson stated that the PVC system would follow the design/layout of the roof with either self-sustaining supports or on bars.

Mr. Dattilo questioned why, if a vendor has not yet been selected, would one of the companies attempt to pull a Building Permit with the Town of Cheshire? Mr. Johnson stated that this particular company is very eager to have him move forward with him and sign a contract so that we could move forward. Mr. Johnson stated that he has signed no contracts or exchanged any money for this project yet. Mr. Sitko noted that it was Trinity Solar that reached out to him on behalf of this project.

When questioned if this Commission has approved work in the past without knowing who a contractor is, Mr. Dattilo stated no, they have not. Depending on which contractor someone works with, the specs and standards can change between different companies so it is always a good idea to know who you are working with. Chairman Pratt Fox stated that because Trinity Solar is the only specs that were submitted for this application, that would be who the Commission would be approving. Mr. Johnson stated that the issue he

has with this Commission is, if he is doing something that this Commission has never seen before and you can't tell me and there are no Guidelines to tell me how or what he has to do.... Mr. Dattilo interrupted and stated that Mr. Johnson could have had a pre-application meeting with a Commissioner to discuss the project and with a potential contractor. Chairman Pratt Fox also stated that Mr. Johnson was aware that Commission was already having discussions about PVC systems as well as the new roofing material that will soon be available. She stated that when Mr. Johnson first came to the Commission to discuss this possibility, he was told that the Commission is starting to look into setting Guidelines for projects like this. When asked when the Commission started this discussion about PVC systems, Mr. Johnson was told approximately one year ago.

Mr. Johnson stated that he can't be forced to select a vendor until he knows what he can tell a vendor is necessary for the PVC installation at his property, in the Historic District.

Mr. Sitko suggested for sake of discussion, the Commission should focus on the Trinity Solar proposal and Commissioners agreed that they had to because that was all that they have to go on for this Certificate of Appropriateness. Chairman Pratt Fox stated that if Mr. Johnson decided to go with a different vendor, he would then have to re-apply, if this application is accepted. Mr. Johnson replied that he didn't feel he would have to re-apply but rather would have to notify the Commission of any design changes, which the Commission would then review and notify him if it still complies with the COA, based on the Regulations. Mr. Sitko stated that if it were a substantive modification, Mr. Johnson would have to come back to the Commission, to which Mr. Johnson replied "of course".

Mr. Vibert stated that based on the proposal submitted by Trinity Solar, the rise is approximately 6 inches, which would be acceptable but it could not be any more than that.

Mr. Dattilo asked about the location of the inverter and Mr. Johnson replied it would be on the west side of his house (driveway side) along side the existing utility runs and into the basement breaker panel.

Mr. Vibert asked about the color of the system and Mr. Johnson replied that he believed both vendors were offering black. Chairman Pratt Fox reminded everyone that the Commission cannot regulate color.

Chairman Pratt Fox quoted from the existing Regulations that "the structure can not be impairing for the original historic structure" she stated that she agrees that the specs and design from Trinity Solar follow this, to which Mr. Dattilo agreed too.

Public Comment

None.

Chairman Pratt Fox proposed closing this Public Hearing.

MOTION by Joseph Dattilo to close the Historic District Commission's Certificate of Appropriateness #2017-004C Public Hearing for Paul Johnson's application for the

installation of a Photovoltaic System at 152 Cornwall Avenue; **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

- B. Continuance of the Public Hearing for:
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 public notice for this Public Hearing Continuance as it appeared in the Cheshire Herald in May 2017; there were no written comments submitted or verbal comments received on behalf of this application.

Chairman Pratt Fox continued the Public Hearing regarding the proposed Amendment changes, starting first with Section 5.2.1c – Repair, Replacement, Use of Substitute Materials. She noted that the proposed changes are in red in the print out of the Regulations. Chairman Pratt Fox noted that these changes were discussed at the previous Public Hearing on this but added that she was not at that Hearing. She asked why there was a continuance on this. Mr. Dattilo stated that there was a gentleman who raised some issues, although he came in with a different purpose and perhaps was misunderstanding the issue. In the end, there was not a problem after it was analyzed, according to Mr. Dattilo.

Public Comment

None.

Chairman Pratt Fox proposed closing this Public Hearing on Section 5.2.1c of the Historic District Commission Regulations.

MOTION by Joseph Dattilo to close the Historic District Commission's Public Hearing for proposed changes to Historic District Commission Regulation 5.2.1c; **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

Chairman Pratt Fox continued the Public Hearing regarding the proposed Amendment changes for Section 5.2.5 – Solar energy systems and other renewable resources. She noted that again the changes are in red in the print out of the proposal. Mr. Dattilo commented that most of the mounting brackets for the solar energy systems seem to be either 4 or 6 inches and perhaps we should reflect that in the proposed Regulation change. Chairman Pratt Fox agreed and noted that the mounting brackets are 6 inches in the proposed COA from Mr. Johnson.

Mr. Dattilo commented that he would like to have further discussion on the changes to Regulation Section 5.2.5.

Public Comment

None.

Chairman Pratt Fox closed this Public Hearing on Section 5.2.5 of the Historic District Commission Regulations.

MOTION by Joseph Dattilo to close the Historic District Commission's Public Hearing for proposed changes to Historic District Commission Regulation 5.2.5; **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

- C. 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

Mr. Vibert read the public notice for this Public Hearing as it appeared in the Cheshire Herald in May 2017 and he stated that notarized, written proof that the abutting property owners were notified has been received by the Planning Department; there were no written comments submitted or verbal comments received on behalf of this application. Mr. Sitko noted that Mr. Weinstein did submit an alternate window today in the Planning Department for the Commission's consideration as opposed to the one submitted in the packet last week.

Chairman Pratt Fox reviewed Public Hearing rules and procedures and then opened the

Public Hearing of John Weinstein for replacing rebar supporting windows, repairing a brick wall, replacing the front door and replacing damaged windows at 15 South Main Street. Mr. Weinstein was present at this Public Hearing on behalf of this application.

Mr. Weinstein started with the brick wall, with rebar that holds all the bricks in place and the rebar has deteriorated which you can see the bricks are coming out. The contractor has to take several rows of bricks out, put a new rebar in and then put the bricks back in the wall. Mr. Weinstein said that he is unsure of the percentage of bricks that will be unusable after they are removed and need to be replaced. Luckily it is very common to find old, historic bricks on the market and it's the intent that if this project is approved, the closest matching bricks will be purchased for this project.

Mr. Weinstein then moved on to discuss the window project on the North side of the building by the big tree. It was noted that the application incorrectly referred to the use of rebar in the windows but in fact it is lintel. It was explained that some bricks will have to be taken out so the lintel can be fixed and any bricks that are able to, will be reused otherwise as with the wall, the closest matching, historic bricks will be used as replacements when necessary.

Mr. Vibert asked if the windows are being replaced too and Mr. Weinstein replied that was a separate item.

It was noted that the re-pointing of the bricks would not need a COA approval, as it is maintenance. Commissioners urged Mr. Weinstein to make sure that it is done to match as close as possible to the existing brickwork and urged only a minimal use of Portland cement in the mixture of the mortar. Mr. Weinstein asked for an outline to provide his contractor with to make sure the mixture proportions are appropriate. Chairman Pratt Fox stated that she would get Mr. Weinstein the information.

Mr. Weinstein stated that Greg Farmer from the CT Trust for Historic Preservation was out to the property at 15 South Main Street to look at the windows and doors because the contractor felt they were a late 1960's door. Mr. Farmer agreed that there was nothing historical with the existing 4 exterior doors, except the back door from the parking lot is a beautiful, extra large door. Mr. Weinstein asked the Historical Society for some old pictures of the building but has not received those yet, to see what used to be there. He stated that he would prefer to not have the glass in the doors, as these doors are not original to the building and were replaced before the Historic District Commission was created in Cheshire. Mr. Weinstein commented that the rear door that he would like to keep is likely original to the building and he would love to use the same style doors in the front. Mr. Vibert commented that traditionally a business back then would not have a solid door because they would have wanted light in the place. Mr. Weinstein stated he was ok with going with that, his concerns were perhaps with safety and the times we live in that perhaps people would want a solid door but he is ok with some glass if that is more appropriate. Mr. Dattilo commented that many businesses are making the change to all glass fronts or doorways to make sure that people can see in and out as a safer option.

With regards to the windows, Mr. Weinstein stated that he would like to show the Commission two choices, the costs are very similar, the difference is the JELD-WEN are all wood and then there's the Harvey window which is aluminum clad, which requires less

maintenance compares to the wood that is more maintenance. The Harvey window aluminum clad follows the contours of the wood, with the thinner muntins, which will match what is currently there. One of windows, on the south side, will be a stationary window, where the tailor shop is now. Mr. Weinstein stated that he will be replacing all the windows on the second floor, too, in the future but it is too expensive to do it all now. Mr. Weinstein stated that he would like to go with the skinnier muntin on the windows.

In going back to discuss the doors, Mr. Weinstein stated that there is a company called Simpson, which is also a possible option for the windows. Mr. Weinstein stated that his first choice is not approved he would go with his second choice, JELD-WEN for the windows. It is estimated that the windows that are being replaced are from the 1950's or 1960's and are not of any historic value.

Mr. Sitko commented that a letter was received from Chesprocott Health District regarding the potential removal of lead paint from Mr. Weinstein's property on South Main Street in connection with the food establishment on the property. Any issues with the lead paint will be addressed by Mr. Weinstein.

Mr. Weinstein mentioned that he had previously received approval to put up electric conduit on the south side of the building but he did not think about the type of material that was going to be used. The contractor was told by a building official at the time to put in PVC but when that official retired, he was told that it actually has to be protected somehow. Meanwhile, it's too late to use some type of metal conduit so now we have to put some kind of bollards there to protect the conduit. The two bollards would be approximately 48 inches high each. Mr. Weinstein asked if this could be considered as part of the request to put up the conduit approval.

Chairman Pratt Fox suggested that the bollards could be added to this COA application that is being considered tonight.

MOTION by Joseph Dattilo that the Historic District Commission add the addition of 2 bollards to protect the recently approved and installed conduit at 15 South Main Street as addition to Certificate of Appropriateness application # 2017-006C submitted by John Weinstein. **SECONDED** by Elizabeth Pratt Fox.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

When asked, Mr. Weinstein stated that the bollards would be approximately 6 to 8 inches from the wall and they would be 12 to 14 inches apart unless there are specifications the Commission would like for him to follow. The building official has told Mr. Weinstein that the bollards have to be at least 5 1/3 to 6 inches thick and 44 inches high. Mr. Vibert stated that since he didn't have drawings to reference, he was just looking to get the specifics to go back to if he needed to reference.

Public Comment

None.

Chairman Pratt Fox proposed closing this Public Hearing.

MOTION by Joseph Dattilo to close the Historic District Commission’s Certificate of Appropriateness #2017-006C Public Hearing for John Weinstein’s application for the replacement rebar/lintel supporting windows, repair brick wall, replace front door, replace damaged windows and add two bollards at 152 Cornwall Avenue; **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

VII. REGULAR MEETING

1. APPROVAL OF MINUTES – Public Hearing & Regular Meeting – May 1, 2017

MOTION by Joseph Dattilo to accept the May 1, 2017 Historic District Commission Public Hearing and Regular Meeting minutes as submitted. **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

2. COMMUNICATIONS

No communications were noted.

3. BUSINESS

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

Chairman Pratt Fox stated that the application has the specs from Trinity Solar for the Photovoltaic System at 152 Cornwall Avenue. The height of the mounting

brackets will be 6 inches according to Trinity Solar's specs. Everything is pretty well spelled out on this project. Chairman Pratt Fox commented that the big question in her mind is does the Commission ask if possible that the panels be installed at 4 to 4 ½ inches rather than 6 inches? It was noted that the Historic District Commission does not currently have a Regulation on this specifically and if we authorize a 6-inch mounting for this project, we are setting a precedent for the Historic District. It was commented that if we say a maximum of 6 inches, then we are also saying that less is OK too. Mr. Dattilo did not feel it would be setting a precedent as the Guidelines have not been altered but once they are, they would be in effect going forward.

MOTION by Joseph Dattilo that the Historic District Commission approves the Certificate of Appropriateness application # 2017-004C from Paul Johnson for the installation of a Trinity Solar Photovoltaic System at 152 Cornwall Avenue with the following stipulations: (1) that the maximum overall height of the solar panels be no more than 4 inches off the roof deck and (2) that the Commission is only approving at this time the Trinity Solar design, as submitted with this application, should another Photovoltaic System be selected by the homeowner the Historic District Commission request that the new specs for that System be submitted for review. **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

Ms. Franco recused herself from the discussion and vote.

The motion passed 4 – 0.

- B. Continuance of the Public Hearing for:
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

Chairman Pratt Fox noted that in the discussion of the Public Hearing for the proposed Regulation Amendment changes to Section 5.2.1c she felt as if the Commissions agreed this should be changed.

MOTION by James Vibert that the Historic District Commission approves the Proposed Amendment changes to Section 5.2.1c of the Historic District Commission Regulations as submitted. **SECONDED** by Joseph Dattilo.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

MOTION by Joseph Dattilo that the Historic District Commission approves the Proposed Amendment changes to Section 5.2.5 of the Historic District Commission Regulations as submitted. **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

C. Certificate of Appropriateness # 2017 – 006C

John Weinstein

15 South Main Street

Replace supporting windows, repair brick wall, replace front door and replace damaged windows and amended to add: bollards to protect electrical conduit

Commissioners debated the difference between the all-wood windows and the aluminum clad windows, in the replacement of non-historic windows at 15 South Main Street. It was noted that if they were original wood windows on the building, the Commission's preference is to repair or replace with like materials. The windows in this building at 15 South Main Street are already replacement windows probably from the 1960's that the Commission is looking at them being replaced again.

MOTION by Joseph Dattilo that the Historic District Commission approves the Certificate of Appropriateness application # 2017-006C from John Weinstein for the replacement of supporting lintel of the windows, the repair & replacement of the brick wall, the replacement of the front doors and replacement of damaged windows in addition to the amended addition of bollards to protect the electrical conduit, at 15 South Main Street with the following stipulations: (1) with regards to the windows, while both options are approved by the Historic District Commission, it is our strong preference that the owner of the property stay with solid wood windows from JELD-WEN and (2) that the original electrical COA 2017-002C for 15 South Main Street be augmented by this application for the addition installation of two bollards not to be more than 6 inches wide, 48 inches tall and not more than 16 inches apart, centerline and (3) and the door replacement be with like doors of the same style, a 9-light door and (4) that the mortar mix for the lintels be of appropriate ratios based on previously approved brickwork in the Historic District Commission, to be supplied to the applicant from this Commission. **SECONDED** by Lisa Franco.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

D. Certificate of Appropriateness # 2017 – 007C

John Weinstein

15 South Main Street

Air conditioning unit for back of building with bollards in the rear and front of building near electrical conduit

MOTION by Joseph Dattilo that the Historic District Commission accepts the Certificate of Appropriateness application #2016-007C from John Weinstein for air conditioning unit for back building with bollards in the rear and front of the building near electrical conduit at 15 South Main Street and sets a Public Hearing for Tuesday July 11, 2017 at 7:30 p.m. **SECONDED** by Lisa Franco.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

E. Committees

1. Education / Community Outreach

Chairman Pratt Fox stated that Mr. Vibert is the Chair of the Education / Community Outreach Committee and she asked who else is on the Committee? Mr. Vibert replied that he didn't think there currently was anyone else as the previous member has left the Commission. Ms. Franco and Ms. Wilson have offered to join this Committee.

2. Regulations / Rules

Chairman Pratt Fox invited Mr. Vibert to join the Regulations / Rules Committee along with herself and Mr. Dattilo, to which Mr. Vibert stated he would. Mr. Dattilo asked if the next Committee meeting could be held on a Tuesday in August.

a. Design Guidelines

Nothing new was reported on Design Guidelines.

b. Handbook

Nothing new was reported on the Handbook.

F. Chapman Property

Chairman Pratt Fox noted that Mr. Dattilo, Mr. Torello and Mr. Vibert all visited the Chapman Property with Chairman Pratt Fox. She stated that everyone there agreed that the building is structurally sound and should be preserved. Chairman Pratt Fox reminded Commissioners that they had pulled their request from submitting a Grant to the State on this property until the budget process was completed. She stated that until we know that the Community Investment Act money, which is the money that would be used for restoration, has not been grabbed by the state government, Chairman Pratt Fox suggested that the Commission just wait, patiently. She did note that the building does need a new roof; a roof and some volunteers painting it could really make it look nice for the short period of time. There are a lot of pluses for this building, the community could use it for meeting space and the farming history of this Town is reflected in this building.

G. Chairman's Report

Chairman Pratt Fox commented that there are a number of signs up throughout the center of Town, noting that there must be 5 signs up on the St. Peter's Church property currently, one of which must be up for about 2 years now. She also noted that the Cheshire Historical Society was approved by this Commission for a sign for a specific square footage and they have now doubled that by adding on little pieces on the bottom and it is illuminated, which is not allowed in the zoning regulations. Chairman Pratt Fox asked if letters could be sent out to these organizations and Mr. Sitko stated that he would talk to the Town Planner regarding these concerns. Mr. Sitko noted that the signs are not just an issue in the center of Town but rather all over Town.

H. Other

MOTION by Joseph Dattilo to change the Regular Meeting of the Historic District Commission meeting from Monday July 3, 2017 to Tuesday July 11, 2017 due to concerns for lack of a quorum. **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

Ms. Franco mentioned that a number of years ago CL & P cut down a number of trees along Cornwall Avenue and those stumps still remain; she asked if anything

can be done about that? Mr. Sitko stated that he would contact the Town's representative to see if anything can be done.

VIII. ADJOURNMENT

MOTION by Joseph Dattilo to adjourn the June 5, 2017 Regular Meeting of the Historic District Commission; **SECONDED** by James Vibert.

VOTE: In Favor – Dattilo, Franco, Pratt Fox, Vibert and Wilson
Opposed – None

The motion passed 5 – 0.

Respectfully submitted:

Tracey M. Kozlowski
Substitute Recording Secretary