

**CHESHIRE HISTORIC DISTRICT COMMISSION
MINUTES OF THE PUBLIC HEARING AND REGULAR MEETING HELD ON
MONDAY, APRIL 20, 2015 AT 7:30 P.M.
CHESHIRE TOWN HALL – 84 SOUTH MAIN ST.
ROOM 210**

Commissioners Present:

Chairman Elizabeth Pratt Fox, Jeanne Chesanow, Joseph Dattilo, Christine Pittsley, Breina Schain, Alternate and James Vibert, Sr., Alternate

Commissioners Absent:

John Torello and Elizabeth Ryducha, Alternate

Staff Present:

Jerry Sitko, Economic Development Coordinator

Others Present:

Robert Lewis of 195 Cornwall Avenue (departed at 8:30 p.m.); Chris George of Renewal by Anderson (departed at 8:30 p.m.); Mr. Guilford of 210 Preston Terrace (departed at 8:15 p.m.)

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 members for voting tonight with the Historic District Commissioners.

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. Application for Certificate of Appropriateness - # 2015 – 002C
Robert and Maryann Lewis
195 Cornwall Avenue
Re: Window Replacement

Ms. Chesanow stated that she would be recusing herself from this application because she is an abutting property owner and she then left the meeting room at 7:31 p.m.

Mr. Dattilo read the public notice for this Public Hearing as it appeared in the Cheshire Herald on April 9, 2015 and Mr. Sitko stated that notarized, written proof that the 4 abutting property owners were notified had been received by the Planning Department; there were no written comments submitted on behalf of this application.

Chairman Pratt Fox reviewed Public Hearing rules and procedures and then opened the Public Hearing of Robert and Maryann Lewis for window replacement at 195 Cornwall Avenue. Mr. Lewis was present at this Public Hearing along with his contractor, Chris George of Renewal by Anderson.

Mr. George came forward to explain the process that was used when the windows were replaced at 195 Cornwall Avenue. He stated that they removed the interior sashes and window stops but kept the interior and exterior trim. The new window was put in, which Mr. George brought a sample window to show the Commission, with L trim to protect the shims, insulation and were caulked, without touching the original trim of the windows.

Chairman Pratt Fox questioned the actual material of the windows as Mr. George has stated that the replacement windows are wood but the Renewal by Anderson window literature states that they are a Fibrex material. Mr. George stated that a good portion of the windows uses Fibrex to protect the window. Chairman Pratt Fox stated that Fibrex is described as a mix of composite materials, 40% of which is wood, which does not make these wood windows. She noted that this comes straight from the product brochure, page 4 and noted that the application included pages 5 and forward.

Mr. George commented that the pre-finished windows are wood inside and the outside of the windows are Fibrex, designed to look just like a wood window. He and Chairman Pratt Fox talked about the difference between true divided light and full divided light windowpanes.

Mr. George noted that the Johnson's house across from the Lewis' house has replacement windows and asked if that effects the integrity of the neighborhood? Chairman Pratt Fox noted that every application / situation is different with regards to Certificate of Appropriateness. In Mr. Johnson's case, prior to the establishment of the Historic District Commission, the house already had replacement windows. In this application for the Lewis property, the house had original windows in the original section of the house and that is what the Historic District Commission is concern with.

Chairman Pratt Fox continued to say that had the proper steps been taken for this project, starting with a Building Permit Application before the windows were replaced than this would have all been handled properly and easier, but the Contractor for this project did not follow procedures. She continued by saying that she would like to see the windows in the original section of the house replaced with true wood windows. It was noted that the windows on the west side of the Lewis house had already been replaced prior to the establishment of the Commission.

Mr. Dattilo agreed that each circumstance and application is different.

Chairman Pratt Fox questioned why the property owner and contractor didn't come before the Historic District Commission prior to the work being done? And why were they doing the work without a Building Permit being taken out? Mr. George replied that the company that takes out the Building Permits went in too late for the permit and that he didn't know the property was in a Historic District.

Chairman Pratt Fox stated that if the Commission approves this application as it is submitted at this time, they are saying it is "OK" to not replace like materials with like materials and based on the State Charge for Historic Districts, this Commission can not say that.

Mr. Vibert questioned what was taken out when the windows were replaced? Mr. George replied that he doesn't know because he wasn't the installer.

Chairman Pratt Fox noted that this is why the Commission suggested a pre-application review for this project. Mr. Dattilo had offered after the last Public Hearing to meet and discuss options with the property owner.

Mr. George asked if there was a list of pre-approved windows with the Historic District? Mr. Dattilo replied no, the Commission can not tell applicants who to use but can only make suggestions for vendors; he noted that available windows are constantly changing. Mr. Dattilo commented that a pre-application review really would have been beneficial to everyone involved in this project.

Mr. George noted that he was not aware of the pre-application process and asked if that could be done now? Mr. Dattilo explained that a pre-application review is done before an application is submitted; a potential applicant meets with a member of the Historic District Commission to discuss the project and review suggestions that could help to result in a positive approval of the Commission. The Commission member that participates in a pre-application review does not participate in the Public Hearing or decision process of the same application. Since this application is already under a Public Hearing, it is too late in the process for a pre-application review. Mr. George asked if during a pre-application review, they would look at other projects similar to this project? Mr. Dattilo replied no and explained that it would only be a review of this project with the property owner and who ever he / she choses to bring.

Chairman Pratt Fox noted that these windows have never been approved in a Cheshire Historic District, to date.

Mr. Lewis noted that there were already replacement vinyl windows in some sections of the house, prior to this project. Mr. Dattilo replied that then some of the new replacements may be able to be used but the 1850's section of the house was wood. It was noted that there were only 4-6 windows in question, which are part of the original section of the house. Mr. Dattilo asked if the arched window, in the attic had been changed and he was told it was not.

Chairman Pratt Fox proposed closing this Public Hearing at 8:15 p.m.

MOTION by Joseph Dattilo to close the Historic District Commission's Certificate of Appropriateness #2015-002C Public Hearing for Robert and Maryann Lewis' application for window replacement at 195 Cornwall Avenue; **SECONDED** by Christine Pittsley.

VOTE: In Favor – Dattilo, Pittsley and Pratt Fox
Opposed – None

The motion passed 3 – 0.

VIII. REGULAR MEETING

1. APPROVAL OF MINUTES – Education / Community Outreach Committee Meeting – April 6, 2015 Regular Meeting – April 6, 2015

MOTION by Joseph Dattilo to accept the April 6, 2015 Historic District Commission Education / Community Outreach Committee Meeting minutes as submitted. **SECONDED** by Christine Pittsley.

VOTE: In Favor – Dattilo, Pittsley and Pratt Fox
Opposed – None

The motion passed 3 – 0.

MOTION by Christine Pittsley to accept the April 6, 2015 Historic District Commission Regular Meeting minutes with the following correction: Page 2, section VIII Business item A) first paragraph, 4th sentence should read, "Mr. George stated that that the Renewal by Anderson...". **SECONDED** by Joseph Dattilo.

VOTE: In Favor – Dattilo, Pittsley and Pratt Fox
Opposed – None

The motion passed 3 – 0.

2. COMMUNICATIONS

None.

3. BUSINESS

- A) Application for Certificate of Appropriateness - #2015-002C
Robert and Maryann Lewis
195 Cornwall Avenue
Re: Window Replacement

Commissioners reviewed application # 2015-002C from Robert and Maryann Lewis at 195 Cornwall Avenue for window replacement. Chairman Pratt Fox reminded Commissioners that only voting members could participate in this discussion.

Mr. Dattilo questioned, if there are some windows on the structure that the Commission is not concerned with, should a partial approval be done for this application? Chairman Pratt Fox replied that given the guidelines the Commission is given to follow, she can't see how the Historic District Commission can approve the historic area of this house with these products.

Ms. Pittsley noted that in the research she has done, all Certificate of Appropriateness applications in other Historic Districts related to Fibrex were denied; some aluminum clad windows were approved, but not Fibrex.

Chairman Pratt Fox talked about how every application and it's circumstances are different. She noted that she would have like to see the historic windows repaired, if given the option. Since this is not an option in this situation, she would like to see the historic windows replaced with like material.

Mr. Dattilo stated that restored historic windows, if properly restored, can be as efficient as new windows. If a historic window can not be restored, a very similar product would be a second choice.

MOTION by Christine Pittsley to deny the Certificate of Appropriateness application # 2015-02C from Robert and Maryann Lewis for window replacement at 195 Cornwall Avenue on the basis that not-like, unacceptable materials were used based on the State Standards for Historic Preservation. The Historic District Commission encourages the homeowner to again re-submit a Certificate of Appropriateness application within 30 days of the Denial Letter otherwise the Historic District Commission will pursue legal action. **SECONDED** by Joseph Dattilo.

VOTE: In Favor – Dattilo, Pittsley and Pratt Fox
Opposed – None

The motion for denial passed 3 – 0.

Chairman Pratt Fox reviewed the side photographs of 195 Cornwall Avenue with Mr. Lewis to determine which windows were in question to have been original when this project was started. It was determined that the lower left window on the East side and the four front windows on the original structure for a total of 5 windows that were original to the house.

The Historic District Commission again encouraged Mr. Lewis to have a pre-application review done with a Commission member and the property owner and any additional representatives he felt would benefit from the review and could help with putting together a thorough application. Chairman Pratt Fox noted that a new application to the Historic District Commission should be submitted by May 20th to avoid legal action on the Lewis property at 195 Cornwall Avenue.

Ms. Chesanow returned to the meeting at 8:30 p.m.

B) Chairman's Report

Chairman Pratt Fox stated that in response to the letters she wrote last month on behalf of the Commission to Cheshire's State Representatives and Senators regarding continuing to support the Community Investment Act, she was contacted by Joe Markley and Mary Fritz, both of who didn't feel that this Act would be removed.

Chairman Pratt Fox informed Commissioners that she did not make the window workshop earlier this month. Mr. Dattilo stated that he attended the workshop and it was excellent.

VIII. ADJOURNMENT

MOTION by Joseph Dattilo to adjourn the April 20, 2015 Regular Meeting of the Historic District Commission at 8:45 p.m.; **SECONDED** by Christine Pittsley.

VOTE: In Favor – Chesanow, Dattilo, Pittsley and Pratt Fox
Opposed – None

The motion passed 4 – 0.

Respectfully submitted:

Tracey M. Kozlowski
Recording Secretary