

**WETHERSFIELD HISTORIC DISTRICT COMMISSION
PUBLIC HEARING
OCTOBER 25, 2005**

The Wethersfield Historic District Commission held a Public Hearing on October 25, 2005 in the Town Council Conference Room of the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members Present:

Susan O'Brien, Chairperson
Douglas Ovian, Vice Chairperson (arrived at 7:40PM)
Jennifer Wolf, Clerk
Robert Garrey
Vacek Miglus
Eric Hart, Alternate

Members Absent:

Also Present:

Robert Cook, Historic District Coordinator

Chairperson O'Brien called the meeting to order at 7:30PM, and read the opening comments. Commissioner Wolf, Clerk, read the Legal Notice as it appeared in the *Hartford Courant* on October 14, 2005.

APPLICATION NO. 3348-05. Hallmark Ice-cream seeking to 1) hang neon sign inside front window, 2) hang ice-cream flag outside during open hours and 3) install white decorative lights around window frame at 217 Main Street.

Gary Legin of 60 West End Drive, Old Lyme, appeared before the commission. A picture of the proposed sign was distributed to the commissioners. He confirmed that the sign, lights, and flag currently are in use.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application.

Theodosia Fitzgerald of 160 Main Street appeared before the commission. She stated she is not opposed to the proposed sign, but wants to make sure it is not inappropriate for the area.

Paula Larsen of 271 Main Street also appeared before the commission in support of the application.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application. There being no one else, this portion of the hearing was declared closed.

APPLICATION NO. 3349-05. Rick Lavoie seeking attach pergola over deck and install privacy fence at 10 Adams Lane.

Rick Lavoie of 10 Adams Lane appeared before the commission. He currently has a deck in the back of his house that measures 14 X 20. He wants to cover the deck with a pergola and surround it with a fence to allow for privacy. Pictures were provided to the commission.

Commissioner O'Brien asked whether the fence was vinyl, and Mr. Lavoie stated it was. Commissioner Wolf advised the applicant that the commission has not approved any vinyl fences, and suggested he may want to consider another material. He stated he had not considered another material since the vinyl would require less maintenance. Commissioner Ovian indicated that vinyl fences typically have a shiny finish. The applicant stated that he would consider the finish of the proposed fence to be semi-gloss.

The pergola will be made of wood, and the columns will be made of fiberglass.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application.

Commissioner Wolf read a letter from Kevin Pohl of 366 Middletown Avenue addressed to Fred Valente. The letter was written in favor of the application.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application. There being no one else, this portion of the hearing was declared closed.

APPLICATION NO. 3350-05. Laura & Jim Mayo seeking to install three flat roof railings at 349 Main Street.

Laura Mayo of 349 Main Street appeared before the commission. She provided a photograph of the original railings on the house. The photo dated from the early 1900's. She wishes to replace railings on three porches above the second floor of the house. The proposed railings will match existing railings. The railings are decorative only.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application. There being no one, this portion of the hearing was declared closed.

APPLICATION NO. 3351-05. Old Town Café seeking to construct an outdoor patio and storage shed in back of building and construct brick planters and change lighting and lettering in front of building at 187 Main Street.

Andy Sanzaro of 117 Surrey Drive appeared before the commission. He provided pictures of his proposal for the front of the building. He is proposing lights and planters for the front of the building to make it fit better with the feel of the village.

Mr. Sanzaro indicated that he would like to fix up the back of the building as well. The view from the public way is very limited. Currently there are two sheds in the back of the building. One of the sheds will be removed. A covered patio is proposed, primarily to create a space for smokers.

Commissioner Miglus asked for confirmation as to where the lights in the front would be positioned. Mr. Sanzaro indicated two lights will be on the café side and two will be on the Red Onion side, with no lights in the middle.

Commissioner O'Brien asked about the patio gate. The patio will be 12' from the back of the building. The gate will have 6 X 6 poles, 2 X 8 rafters, and the railings will be made of wood.

Commissioner O'Brien asked whether the back of the building could be seen from the public way. Commissioner Miglus confirmed that the back can be seen from the community garden, which is considered a public way.

Commissioner Hart asked about the roof. Mr. Sanzaro indicated that the roof over the patio would match the current roof on the building.

Commissioner Miglus asked about the planters and whether they would have the trim as pictured. Mr. Sanzaro indicated he did not think he would have trim on the planters.

Commissioner Hart asked whether a change was being proposed to the lettering on the front of the building. There will be no change to the lettering.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application.

Theodosia Fitzgerald of 160 Main Street appeared before the commission. She does have a view of the back of the building. She brought suit against the previous owner some years ago because of the noise coming from the building. The previous owner was required to keep the doors closed. Ms. Fitzgerald is concerned about the noise if people congregate on a patio. Commissioner O'Brien thanked Ms. Fitzgerald for her comments, but stated that the HDC is

only concerned with the aesthetics of a project.

Ms. Fitzgerald also stated that she objects to the planters in the front of the building because they are often used to collect cigarette butts. She also asked whether patrons would be allowed to take liquor out of the building to the patio. Again, Commissioner O'Brien stated that those concerns would not be addressed by the HDC, but rather would be addressed by P&Z. Robert Cook stated that, if the proposal is approved by the HDC, a building permit would have to be obtained. Those issuing the permit would then take Ms. Fitzgerald's concerns into consideration. He suggested Ms. Fitzgerald contact him directly to discuss this matter further.

Chris Lyons of 21 Woodland Street appeared before the commission to speak in favor of the application. He feels the proposed project is a good beginning to improve the look of the building.

Patty Wright of 180 Main Street appeared before the commission. She had not had the opportunity to see the plans. Therefore, she felt she had to oppose the proposal at that time. Robert Cook advised Ms. Wright that she can see the plans at any time at the Building Department.

Ms. Wright also expressed concern about the noise that may come from the back of the building when people congregate on the patio, especially if entertainment is planned for that space. She also felt the proposed planters might be used for seating.

Robert Cook stated that there were a lot of concerns expressed that could not be addressed by the HDC. He suggested those concerns be referred to Pete Gillespie. Commissioner O'Brien agreed.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application. There being no one else, this portion of the hearing was declared closed.

APPLICATION NO. 3352-05. Scott and Stacey Tinker seeking to install siding to the porch and install windows and rear door identical to the rest of the house at 47 Harmund Place.

Scott Tinker of 47 Harmund Place appeared before the commission. Also present was the contractor, Vince Deschane. Mr. Tinker stated that he had left a few messages for Robert Cook to state that the application should say that the siding and windows are identical to what is already on the house. Mr. Cook verified that the back of the house is visible from the railroad tracks.

There is a screened porch on the rear of the house. The columns under the deck are in disrepair and need to be replaced. At the same time, the applicant would like to expand the living space by making the porch a 3-season porch. The roof and upper siding will remain. The flooring will be replaced. A sliding door will be installed in the back of the house.

Commissioner Miglus asked what will be used under the siding. Mr. Deschane stated the material will be wonderboard, which will simulate concrete. The siding will be aluminum and will be painted to match the aluminum siding already on the house. Commissioner Miglus suggested the applicant may want to paint the entire house at some point to minimize the look of the aluminum siding.

Commissioner Wolf asked that the applicant confirm that the windows will exactly match the existing windows. The applicant stated the windows will match the existing windows. Commissioner Hart asked what type of window currently exist. The current windows are 6/6, vinyl, with interior grids.

Commissioner Miglus stated the impact of the proposed changes on the district are minimal, and suggested the applicant may want to consider a swing door instead of a sliding door.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application. There being no one, this portion of the hearing was declared closed.

APPLICATION NO. 3345-05. Richard & Kathleen Geltzer request for reconsideration after being denied for vinyl

windows at 242 Garden Street.

Robert Cook explained that the applicants had requested reconsideration. Mr. Cook asked for a letter. After reviewing the request, he thought there may be some aspects of the proposed windows that were not made clear at the last hearing. For example, the grids are in between the glass. This was an aspect that Mr. Cook did not realize at the prior hearing. He felt that if there were some issues that he was not clear about, there may be the same or other issues commissioners may not have been clear about either.

Richard Geltzer of 242 Garden Street appeared before the commission. He confirmed the reason for his appearance before the commission as stated by Mr. Cook. Commissioner O'Brien stated that the denial of the application was based, not so much on the location of the grids, but on the fact that vinyl windows do not currently adequately replicate what the commission feels a wood window should look like. She indicated that vinyl windows are evolving constantly and may at some time in the near future look enough like a wood window to be acceptable. She stated that the commission has approved aluminum clad windows, but has not approved vinyl windows in the past ten years. She stated she knows that there are vinyl windows in the district, but those windows are either grandfathered or were installed without the commission's approval.

Mr. Geltzer reminded the commission that he appeared before the commission approximately seven years ago at which time his application was for installation of vinyl siding. At that time he was asked why he was not installing vinyl windows. He told the commission he did not have the funds to replace the windows, but was led to believe that vinyl windows would be acceptable. Now that he has the funds, the same commission is telling him that he cannot install vinyl windows.

The applicant stated he does not have the funds to install wood or aluminum clad windows. Commissioner O'vian stated that there are wood windows comparable in price to vinyl windows. Mr. Cook asked that the discussion be focused to the issue mentioned in the applicant's letter and to the reason Mr. Cook put reconsideration of the denial on the agenda. He asked that the letter be read into the record. Commissioner Wolf read the letter into the record.

The letter mentions that the commissioners may have been under the wrong impression about the location of the grids on the existing windows. The grids on the existing windows are on the inside. Commissioner O'vian indicated that based on his experience with wood windows and based on the picture of the applicant's house, he was certain there was a profile on the outside of the window. Commissioner Wolf stated that there may be a storm window hiding the view of the profile, but the commission does not regulate storm windows. The commission merely wants the window itself to be adequately replicated.

Mr. Geltzer asked whether the only window that would be approved would be one made of wood. Commissioner O'vian stated that he voted against the proposed window because the profile was not on the outside of the window. If a window made of a synthetic material with the grids on the outside were presented, he would not automatically vote against it because it was not wood. He also stated that the commission may have approved vinyl windows in the past, but that those installations have proven to be unsuccessful. For that reason, vinyl windows have not been approved since.

Mr. Geltzer asked for clarification about the time limit on filing a complaint with the Superior Court. The handbook states the time limit is 15 days, but the state statute states the limit is 45 days. Mr. Geltzer was advised that the time limit is 15 days.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application.

Commissioner Wolf read a letter dated October 25, 2005 from Thaddeus and Mary Sikora of 251 Garden Street in support of this application.

Mr. Cook stated he had asked the applicant to bring other options for windows with him to the hearing.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this

application. There being no one, this portion of the hearing was declared closed.

Upon motion by Commissioner Ovian, seconded by Commissioner Garrey and a poll of the Commission, it was voted to close the public hearing on all the discussed applications, and to open the public meeting on those applications.

Aye: Garrey, Hart, Miglus, Ovian, Wolf Abst: O'Brien

**WETHERSFIELD HISTORIC DISTRICT COMMISSION
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APPLICATION NO. 3348-05. Hallmark Ice-cream seeking to 1) hang neon sign inside front window, 2) hang ice-cream flag outside during open hours and 3) install white decorative lights around window frame at 217 Main Street.

Upon motion by Commissioner Miglus, seconded by Commissioner Wolf and a poll of the Commission, it was voted to APPROVE the application as submitted.

Discussion

Commissioner Miglus stated that the neon sign, flag, and lights are appropriate for the district. Commissioner Wolf agreed.

Aye: Garrey, Hart, Miglus, O'Brien, Wolf Abst: Ovian

APPLICATION NO. 3349-05. Rick Lavoie seeking attach pergola over deck and install privacy fence at 10 Adams Lane.

Upon motion by Commissioner Miglus, seconded by Commissioner Wolf and a poll of the Commission, it was voted to APPROVE the application with the following stipulations:

- The columns on the pergola shall be fiberglass to match the photograph submitted.
- The fence shall be a wooden shadow box fence.

Discussion

Commissioner Garrey asked that since the material of the fence was being stipulated in wood, what recourse was there if the applicant wanted a different style of fence. The applicant can file for an amendment to request a change in the style. Commissioner Ovian stated that a vinyl fence with the proposed wood pergola would not be appropriate. Therefore, he is in favor of the fence being wood.

Commissioner Garrey stated that the house faces Middletown Avenue and the fence is highly visible.

Aye: Garrey, Hart, Miglus, Ovian, Wolf Abst: O'Brien

APPLICATION NO. 3350-05. Laura & Jim Mayo seeking to install three flat roof railings at 349 Main Street.

Upon motion by Commissioner Ovian, seconded by Commissioner Wolf and a poll of the Commission, it was voted to APPROVE the application as submitted.

Aye: Garrey, Hart, Miglus, Ovian, Wolf Abst: O'Brien

APPLICATION NO. 3351-05. Old Town Café seeking to construct an outdoor patio and storage shed in back of building and construct brick planters and change lighting and lettering in front of building at 187 Main Street.

Upon motion by Commissioner Ovian, seconded by Commissioner Miglus and a poll of the Commission, it was voted to TABLE the application.

Discussion

Commissioner Ovian indicated he would be in favor of approving the proposal for the back of the building, but is not prepared to approve the proposal for the front of the building. He is uncomfortable approving the lights for the front of the building without knowing what they will look like and whether they will match the lights on the street. He is also uncomfortable with the planters since he feels they create a massing issue.

Commissioner Garrey indicated he would not be in favor of tabling the application simply because the bad weather is approaching, and he is sure the applicant wants to get stated on the work. Commissioner Garrey suggested that any concerns the commission has can be addressed in a stipulation(s). He suggested the planters be square, which may help with the massing issue.

Commissioner Hart agreed with the concerns about massing. He suggested that tabling the application to allow for a site visit. At the very least, he felt a drawing to scale was needed.

Robert Cook suggested P&Z can address the lights. He believes that lighting is subject to approval under the new P&Z regulations. Commissioner Miglus suggested that the lights could be stipulated to match the existing lights and scaled to the building in order to address some of the concerns about the lights. He indicated he could live with the planters as proposed.

Commissioner Ovian suggested the work on the back of the building be approved while the commission reviewed the proposal for the front of the building. Commissioner Miglus suggested the application be tabled. In two weeks the applicant will hopefully have a decision on the entire application.

Aye: Garrey, Hart, Miglus, Ovian, Wolf Abst: O'Brien

A site visit was scheduled for Saturday, October 29, 2005 at 9AM.

APPLICATION NO. 3352-05. Scott and Stacey Tinker seeking to install siding to the porch and install windows and rear door identical to the rest of the house at 47 Harmund Place.

Upon motion by Commissioner Miglus, seconded by Commissioner Garrey and a poll of the Commission, it was voted to APPROVE the application with the following stipulations:

- The windows, siding, trim, and roofing shall match the existing house.
- The area on the porch below the floor line shall be parged cementboard.

Discussion

Commissioner Ovian stated he felt the enclosed porch creates a roof line that complements the existing roof line. He felt the stipulations created a consistency to the entire project.

Aye: Garrey, Hart, Miglus, Ovian, Wolf Abst: O'Brien

APPLICATION NO. 3345-05. Richard & Kathleen Geltzer seeking to replace existing windows with vinyl windows at 242 Garden Street.

Commissioner Miglus stated that he did not misunderstand the applicant's proposal to replace wood windows with vinyl windows that have no grids on the outside. Nothing was presented to change his mind that the proposed windows do not adequately replicate the existing windows.

Robert Cook asked whether there were any commissioners who felt that new information was provided that would warrant a reconsideration of the previous denial. None of the commissioners felt reconsideration of the original decision was warranted.

Mr. Cook again stated that he spoke with the applicant prior to the meeting about bringing forth another product for consideration. He asked the applicant whether a wood or aluminum clad window would be presented, and the applicant stated it would.

APPROVAL OF MINUTES OF: September 27, 2005 and October 11, 2005

Commissioner O'vian stated he recalled reading something that was the opposite of what he said. He did not recall what the issue was, or in which minutes the issue was presented. He asked that the commission delay acting on the minutes until the next meeting.

OTHER BUSINESS

Public comments on general matters of the Historic District

None.

Report of the Historic District Coordinator

Robert Cook reported that he has a new telephone number and asked Commissioner O'Brien to mention the new number at the beginning of each hearing. The new number is 721-2836.

Mr. Cook received a fax from Laurie Rubinow on behalf of Paula Larsen asking that an application be filed for the flowerbed. The application will be heard at the November 8, 2005 meeting. Commissioner Wolf asked Mr. Cook to advise Ms. Larsen to bring current photographs of the neon sign and flowerbed. He stated he would also advise her to bring any and all items pertinent to the application.

Mr. Cook received two complaints about a newly installed fence at 31 Robbinswood. It can be seen from the public way, and was not approved by the commission. Therefore, Mr. Cook asked that the homeowner file an application. The homeowner was not pleased with the request, and indicated she may speak with an attorney. Mr. Cook advised the homeowner that he would wait one week to hear from the attorney. If Mr. Cook is not contacted, the homeowner will receive a letter from the town advising her what steps the homeowner is to take regarding the fence.

Mr. Cook met with the architect of the project at 81 Harmund Place regarding the addition. A new application will be filed shortly.

Mr. Cook put in a requisition for \$85 to purchase a new tape recorder. He subsequently learned that the town will not purchase the recorder that he ordered. He is so frustrated with the fact that the faulty recorder will not be replaced, his is considering purchasing a new recorder himself. He is also frustrated by the fact that the commission's Chairperson still does not have a proper name plate.

Commissioner O'Brien asked for a status on the handbook. Mr. Cook stated he will call Commissioner Miglus to finalize the insertion of the pictures.

Commissioner O'Brien asked for a status on the issues at the Clancy residence and at Hartford Avenue. Ms. Clancy has submitted a new application. A letter has been sent to the homeowner of the Hartford Avenue residence asking for a remedy date.

CORRESPONDENCE

None.

EXECUTIVE SESSION

Upon motion by Commissioner Wolf, seconded by Commissioner Garrey and a poll of the Commission, it was unanimously voted to go into Executive Session at 9:09PM.

Aye: Garrey, Hart, Miglus, Ovian, Wolf Abst: O'Brien

Upon motion by Commissioner Wolf, seconded by Commissioner Garrey and a poll of the Commission, it was unanimously voted to leave the Executive Session at 9:30PM.

Aye: Garrey, Hart, Miglus, Ovian, Wolf Abst: O'Brien

ADJOURNMENT

Upon motion by Commissioner Wolf, seconded by Commissioner Garrey and a poll of the Commission, it was unanimously voted to ADJOURN the meeting at 9:30PM.

Aye: Garrey, Hart, Miglus, Ovian, Wolf Abst: O'Brien

Respectfully Submitted

TOWN OF WETHERSFIELD

HISTORIC DISTRICT COMMISSION

Jennifer Wolf

Clerk