

**WETHERSFIELD HISTORIC DISTRICT COMMISSION
PUBLIC HEARING
NOVEMBER 8, 2005**

The Wethersfield Historic District Commission held a Public Hearing on November 8, 2005 in the Town Council Conference Room at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members Present:

Douglas Ovian, Vice Chairperson
Jennifer Wolf, Clerk
Vacek Miglus
Eric Hart, Alternate

Members Absent:

Susan O'Brien, Chairperson
Robert Garrey

Also Present:

Robert Cook, Historic District Coordinator

Vice Chairperson Ovian called the meeting to order at 7:34PM, and read the opening comments. Commissioner Wolf, Clerk, read the Legal Notice as it appeared in the Hartford Courant on October 28, 2005.

APPLICATION NO. 3353-05. Barbara Clancy seeking to remove existing wood windows and replace with vinyl windows at 33 Chesterfield Road.

Commissioner Wolf read the opinion of the commission that the submitted application was not substantially different from the application heard on May 10, 2005, which the commission denied. As a result, the commission decided not to consider the new application. Robert Cook was instructed to refund the application fee to Ms. Clancy. For the record, Commissioner Ovian noted that Barbara Clancy was in attendance at the meeting.

APPLICATION NO. 3354-05. Al & June Moore seeking to 1) remove and re-install wood siding, 2) remove shutter and 3) install new replacement windows at 62 Main Street.

Bill Livingston of 74 Brussels Avenue appeared before the commission. He is the contractor on the project.

Mr. Livingston noted that the existing grooved cedar shake siding will be removed and replaced with an exact replica. He also noted that the shutters will be removed.

Replacement windows are planned. The proposed windows are Vetter Ashford Series. The windows are aluminum clad, simulated divided light, 2/2. The current look of the window is being duplicated. The storm windows are being removed, and will be replaced with full screens with an aluminum frame.

Commissioner Wolf asked whether work was planned on the back porch. Mr. Livingston indicated that there is a plan to work on the back porch, but he would like the opportunity to discuss various options with the commission before a final proposal is put forth. For example, the homeowners are considering casement windows, but Mr. Livingston was not sure whether casement windows would be approved. The commission agreed to discuss the back porch project with the contractor after the public meeting. If Mr. Livingston was unable to stay until the end of the public meeting, he could discuss the project with Robert Cook at a later time.

Commissioner Ovian 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. 3355-05. Laurie Rubinow seeking to alter flowerbed and install a neon business sign at 271 Main Street.

Laurie Rubinow of 21 Prospect Street, Chester, appeared before the commission. She stated she was requesting approval of a material change to the flowerbed, and approval of a neon sign.

Ms. Rubinow indicated that they received input from various individuals to resolve the issues of the flowerbed. A berm of 6" of soil has been added to the south and east sides of the bed. Pictures were provided. The area was seeded in September, but the seed was washed away after the heavy rains in October. The area will be seeded once again.

Commissioner Wolf asked for confirmation that since the original application was filed, rock had been installed so that only one level of the back of bed can be seen. Ms. Rubinow agreed. Commissioner Wolf also asked whether the bed was on the property line. Ms. Rubinow stated bed is not quite on the property line. The property line is about 3' from the house next to the flowerbed.

Commissioner Ovian stated it appeared the slope of the berm was substantial, and could be difficult to mow once grass grows. Ms. Rubinow indicated that this issue was discussed with landscapers. They had indicated that if the slope were reduced, the size of the berm would have to increase.

Ms. Rubinow stated the neon sign is the same sign as the commission approved three years ago. The sign will be used nights when the shop is open.

Commissioner Hart asked how wide the berm was. Ms. Rubinow stated it is probably no more than 6". The depth of the berm is enough to cover the rim of the bed. Commissioner Hart indicated he asked the question in order to establish the stability of the berm. Ms. Rubinow stated the property owner also had a concern about it, but the berm has held up very well even after the unusual wet weather in October.

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

Shirley Alderman of 265/267 Main Street appeared before the commission to discuss her concerns about the flowerbed. She had photographs of the flowerbed from various angles. She stated that her concerns focus on the railroad ties used to create the bed, which she feels is inappropriate material in the historic district. The berm that covers the ties makes a mess on her property. She cannot mow the grass on her side of the bed, and will probably have to remove several bushes.

Ms. Alderman also expressed a concern about the children sitting on the bed and leaving their bicycles on her property.

Jim Williams of 15 Hartford Avenue also appeared before the commission to ask whether the owner of the property is the person who must file an application for a certificate of appropriateness from the HDC. Since Ms. Rubinow is not the owner of the property at 271 Main Street, Mr. Williams asked whether it was appropriate for her to file the application. Mr. Williams was told that anyone can file an application on behalf of the property owner.

Commissioner Ovian 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 in front of building at 187 Main Street. (Tabled from October 25, 2005).

Robert Cook reported that on November 8, 2005 he spoke with the applicant, Andy Sanzaro. Mr. Sanzaro indicated that he wished to withdraw his application at this time. He will file again once he resolves other issues pertaining to his proposed project. Mr. Cook sent a letter to Mr. Sanzaro on November 8, 2005 confirming the conversation, and confirming that the application fee will be waived if and when another application is filed.

Commissioner Ovian 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 Wolf, seconded by Commissioner Miglus 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 applications 3354-05 and 3355-05.

Aye: Hart, Miglus, Ovian, Wolf

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APPLICATION NO. 3354-05. Al & June Moore seeking to 1) remove and re-install wood siding, 2) remove shutter and 3) install new replacement windows at 62 Main Street.

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 stipulation:

- The window shall be wood, aluminum clad, simulated divided light, with a 2/2 horizontal configuration.

Discussion

Commissioner Miglus stated that the first part of the application involves a replacement in-kind and did not have to be presented to the commission. The windows will be a nice addition to the district. Commissioner Wolf agreed. Commissioner Ovian expressed his appreciation to the contractor and to the homeowner for their efforts.

Aye: Hart, Miglus, Ovian, Wolf

APPLICATION NO. 3355-05. Laurie Rubinow seeking to alter flower bed and install a neon business sign at 271 Main Street.

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

Discussion

Commissioner Miglus stated the sign is appropriate for the business and the district. Commissioner Ovian agreed stating he liked the sign when it was approved the first time.

Commissioner Wolf addressed the flower bed saying the massing issue had been addressed by reducing the height of the bed. She indicated she appreciated the homeowner's efforts in addressing the issue, which was of great importance to the commission. Commissioner Miglus indicated that once the grass grows on the berm, the bed will look less prominent.

Commissioner Ovian indicated that the view from the public way is primarily from Main Street. The view of the flower bed from that angle is not imposing. However, he is not unsympathetic to Ms. Alderman's concerns. He suggested that the applicant may want to consider adding additional topsoil to the berm bordering Ms. Alderman's property as a gesture of goodwill.

Commissioner Hart expressed some concerns about erosion of the berm, and hoped the berm would be maintained.

Aye: Hart, Miglus, Ovian, Wolf

APPROVAL OF MINUTES OF: [September 27](#), [October 11](#), and [October 25, 2005](#)

Upon motion by Commissioner Miglus, seconded by Commissioner Wolf and a poll of the Commission, it was voted to APPROVE the minutes of the three meetings as presented.

Discussion

Commissioner Ovian noted that the minutes of the October 11, 2005 meeting indicate that the commission's new member, Gary McLeod's, term ends in 2010. This is the date that was discussed at the meeting, and was noted on the letter sent to Mr. McLeod. Commissioner Ovian asked that it be noted that Mr. McLeod's is replacing an alternate whose term was three years. Therefore, depending on which alternate he is replacing, Mr. McLeod's term ends in 2007 or 2008.

Aye: Hart, Miglus, Ovian, Wolf

OTHER BUSINESS

Public comments on general matters of the Historic District

None.

Report of the Historic District Coordinator

Robert Cook distributed a copy of the preservation plan to the commissioners. Commissioner Wolf asked whether there was a specific page they should refer to. Mr. Cook referred to information in the plan that states that materials not in use when the building was built cannot be used to replace existing materials.

Mr. Cook reported that David Longley died on November 7, 2005.

Wood windows by Harvey have been approved for 6 Howard Avenue.

Mr. Cook was referred to a counterpart in Indiana. He received some information of interest about the use of vinyl windows, and distributed it to commissioners.

Commissioner Miglus reported that he is working on the handbook and that it should be completed shortly.

A letter was sent to Barbara Clancy of 33 Chesterfield Road asking her for a date when the unapproved windows will be removed. She replied on November 7, 2005 via email that the windows will be removed by November 1, 2006. The commission agreed that the proposed date is not soon enough. Commissioner Wolf suggested that Ms. Clancy be told that the policy is that remedy must occur within 30 days, with extensions available for cause, and that one year is too long. Commissioner Ovian asked whether property owners should be given 60 days to remedy a problem. Commissioner Miglus disagreed saying that 30 days is sufficient time for a property owner to assess the work that has to be done, and to request an extension if necessary.

Mr. Cook reported that on October 11, 2005 a letter was also sent to Paul Lisella of 32 Hartford Avenue asking for a remedy date. No response has been received. There was discussion as to whether a lien should be placed on the property. A letter will be sent to Mr. Lisella advising him that if he does not respond within a specific time, legal options, including a \$250 per day fine and a lien, will be pursued.

Mr. Cook was contact by Attorney Peter Barry who represents Mrs. Clark at 31 Robbinswood. Mr. Barry suggested to his client that she file an application for the vinyl fence that has been installed. To date, no application has been filed. He asked that Mrs. Clark be allowed the time to file the application.

Mr. Cook received an email dated November 8, 2005 from Bonnie Therrien asking that HDC commissioners not contact the town attorney directly. The procedure that should be followed for contacting the town attorney is to first contact the commission's town liaison. The liaison then should contact the Town Manager. The purpose of the procedure is to control expenses and to ensure the attorney's charges are kept within the amount budgeted.

The contractor on the project at 97/99 Main Street has asked for an amendment to the approved certificate of appropriateness for posts and spindles on the front and back porches. The proposed posts are made of Typon, and a small sample was provided. Commissioner Miglus asked how the samples compare to the material on the original drawings. He noted that there were no railings on the drawings. He indicated that the applicant should be advised that, if railings were approved, the change in material is approved. However, if railings are being added, a drawing of the posts and spindles needs to be provided.

Mr. Cook indicated that Commissioner O'Brien is going to speak with Bonnie Therrien about filling the vacancies on the commission.

Mr. Cook's requisition for a tape recorder has been denied.

The work at 172/174 Main Street is still not completed. Brian O'Connor has contacted the property owner.

CORRESPONDENCE

None.

ADJOURNMENT

Upon motion by Commissioner Wolf, seconded by Commissioner Hart and a poll of the Commission, it was unanimously voted to ADJOURN the meeting at 8:45PM.

Aye: Hart, Miglus, Ovian, Wolf

Respectfully Submitted
TOWN OF WETHERSFIELD
HISTORIC DISTRICT COMMISSION

Jennifer Wolf
Clerk