



**BRISTOL HISTORIC
DISTRICT COMMISSION
MARCH 2, 2023 MINUTES**

TOWN HALL
10 COURT ST.
BRISTOL, RI 02809
401-253-7000

Held: March 2, 2023 in person
Present: Chairman Oryann Lima, Vice Chairman John Allen, Secretary Mary Millard, Sara Butler, Victor Cabral, Alternate Susan Church
Also Present: Andrew M Teitz Esq., Assistant Town Solicitor, Edward Tanner, Zoning Enforcement and Principal Planner, Stephen Greenleaf, Building Official
Absent: Benjamin Bergenholtz, Christopher Ponder

Chairman Oryann Lima called the meeting to order at 7:02pm and led the assembly in the Pledge of Allegiance.

Review of Previous Month's Meeting Minutes

Andrew Teitz mentioned there is a question on the February minutes from one of the applicants, and suggested moving the approval of the minutes to later in the meeting so that the question can be addressed.

Motion: To move the approval of the February minutes to the end of the meeting.

First: John Allen

Second: Victor Cabral

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Applications

#22-007: 48 1/2 Constitution Street, 48 Constitution LLC

Oryann Lima noted that the applicants have requested that their application be continued to the March 30th meeting.

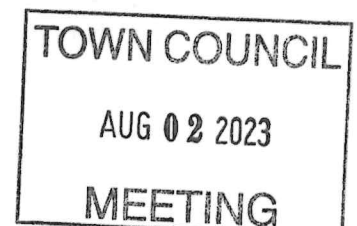
Motion: To continue application #22-007 48 1/2 Constitution Street to the March 30, 2023 meeting.

First: John Allen

Second: Victor Cabral

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None



#22-117 (continued from January 2023 meeting): 142 High Street, Cornelia Murphy & Thomas Ferris II

Oryann Lima noted that the applicants have requested that their application be continued to the March 30th meeting.

Motion: To continue application #22-117 142 High Street to the March 30, 2023 meeting.

First: John Allen

Second: Sara Butler

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

#23-004: 82 Thames Street, Daniel Barnes

Daniel Barnes presented.

Daniel Barnes explained that he originally requested to replace the first floor windows with 6 over 6, but after the site visit, has decided to restore the majority of the downstairs windows. Daniel passed out new elevations to the Board.

Daniel Barnes went on to explain that the updated plan is to keep the 2 over 2 windows throughout the house. The request today is for approval to move forward with the window restorations, and for approval to move forward with the addition of three dormers: two on the North side, one on the South side. Each dormer will include one 2 over 2 window.

John Allen asked if the number of dormers being requested is changing. Daniel Barnes responded that no, the total number of dormers is staying the same as the original request.

Oryann Lima asked for clarification on if the dormer goes the length of the building. Daniel Barnes responded that the dormers are all shed-style, and that there will be two on the North side, one on the South side, with one window in each.

Oryann Lima asked what kind of materials will be used. Daniel Barnes responded that Marvin clad ultimate will be used for the replacement windows, but the first floor windows will be restored, so no new materials there.

Oryann Lima asked if anything on the roof would be changed. Daniel Barnes responded that there will be no changes to the roof.

Victor Cabral suggested looking at the dormers on the neighboring house to the South. There are new dormers on that house that were approved by the HDC.

Mary Millard responded that the two houses have different roof styles. The neighboring house has a Dutch roof, where this house has a gable roof, so it's not really the same.

John Allen asked for confirmation that the dormers won't protrude from the house, they are just to provide light. Daniel Barnes confirmed.

Daniel Barnes added that the only other change would be on the North elevation. To maintain uniformity on the first floor, he would like to reduce the size of the second window from the right. He will shorten or resize the existing window. He added that today there is a hodgepodge of windows, including crank out windows in the kitchen that aren't of the era.

Victor Cabral asked where the crank out windows are located. Daniel Barnes responded that it is the third window from the right on the North side; the crank out windows will be replaced with 2 over 2.

Susan Church asked if the windows will be clad or wood. Daniel Barnes responded that he may have misspoke on the exact brand of Marvin windows, but that they will be all wood.

Sara Butler asked for clarification that all of the windows on the first floor are existing. Daniel Barnes responded that all the first floor windows will be restored, aside from the crank out ones which will be replaced with 2 over 2, and the one to the right of that which will be shortened to fit a kitchen with a sink underneath.

Victor Cabral asked what the plan is for the front of the house. Daniel Barnes responded that all the windows on the Thames Street side of the house will be restored, and that the door will stay the same.

John Allen asked if cedar shake will be used for the dormers. Daniel Barnes confirmed.

Susan Church asked what material will be used for the sliding door. Daniel Barnes responded that it hasn't been decided yet, but that is not part of today's application. He will submit another application in the future.

Victor Cabral added that the door is on the back of the house, away from the street, and wondered if it has to be wood. John Allen responded that it will be visible from the parking lot. Daniel Barnes added that it is not wood currently.

Motion: To accept application #23-004 82 Thames Street to conform to the revised diagrams depicted/presented. The dormers will be cedar shake.

First: Sara Butler

Second: Victor Cabral

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Project Monitor: Victor Cabral

Standards: Secretary of the Interior Standard #6 and #9

#23-005: 44-46 State Street, Nicole & Matthew Martel

Nicole and Matthew Martel presented.

Nicole Martel provided an update that the abandoned chimney has been taken down.

Nicole Martel then went on to explain that during the site visit, the recommendation was to take parts and pieces of existing windows that were in good condition, and to move them in the front and to the West corner. Based on that, the updated request is to move forward with the replacements for the side and the back of the house with 6 over 6 Anderson 400 series wood windows with full divided light.

Nicole Martel added that on the third floor in the back they need a means of egress, which was also discussed during the site visit. They talked to Stephen Greenleaf about the size requirements, and they would like to move forward with a Anderson 12 paned casement window.

Then Nicole Martel moved on to the minisplit. The goal is to take out the wall unit, which is very visible. Everything will be painted on the exterior so that it blends in.

The last topic was in-kind repair and replacement in breezeway, restoration of the side door, and exterior paint. Oryann Lima mentioned that the HDC does not have any jurisdiction over paint colors. Matthew Martel responded that they included it as there will be general repairs needed as they start to paint. Oryann Lima responded that these would be administrative approvals, and they can work with their project monitor.

John Allen asked if any of the panels in the back door are wavy glass. Matthew Martel responded that there is not wavy glass on the door, but there is some on the side lights. John Allen added if they can reuse those pieces that would be great.

Matthew Martel explained that they had just enough salvageable sashes to get 6 over 6 on all of the windows they will restore, and that all of the windows fit except for one.

Victor Cabral asked about the store on the first floor. Matthew Martel responded that Jesse James Antiques will stay, and the exterior paint will just be refreshed.

Motion: To approve application #23-005 44-46 State Street as presented.

First: John Allen

Second: Victor Cabral

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Project Monitor: John Allen

Standards: Secretary of the Interior Standard #9

#23-030: 474 Thames Street, Fenwick & Oliver

Donald Ruest presented.

Donald Ruest explained that they have opened a woodworking / home decor store on Thames Street, and are looking to put up a simple sign above the window.

Andrew Teitz asked for confirmation on the material, and what HDU stands for. Donald Ruest responded that it is high density foam, the same as Wood Street Cafe, Aidans, and Portside.

Motion: To approve application #23-030 474 Thames Street for the sign as presented.

First: John Allen

Second: Sara Butler

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Project Monitor: Mary Millard

Standards: Secretary of the Interior Standard #9

#23-031: 825 Hope Street, Barbara J. Beer and Robert A. Beer II

Alfred R. Rego, Jr. Attorney At Law and the contractor, Gary Balletto, presented.

Alfred Rego explained that today's discussion is to address skylights that have already been put in. He also mentioned that during the last meeting, it was suggested that a steel door be included in the same application as the skylights. This steel door was not included in this application, and the steel door has already been put in. Alfred Rego deferred the discussion to the contractor.

Gary Balletto explained that the only portion of the contract he did not pull a permit for was for the roof; the clients used a different contractor for the roof.

John Allen asked Stephen Greenleaf if there was a permit pulled for the roof and for the skylights. Stephen Greenleaf confirmed that yes, there were permits, but they just did not go before the HDC.

Oryann Lima asked if the board should be reviewing this as if the skylights were not already installed. Andrew Teitz confirmed.

Victor Cabral asked what side of the house the skylights were on. Victor Cabral and Gary Balletto discussed that the skylights are on the North and South sides of the house, are not directly facing the street or the bike path, are already installed, and it would be possible to take them out and patch up the roof.

Andrew Teitz asked for clarification on the actual size of the five skylights that are currently installed. Gary Balletto and John Allen discussed that the C06 windows are installed, which are 21 ½ inches in width and 46 ¼ inches in length, roughly 2 feet by 4 feet.

Victor Cabral asked if they are all the same size. Gary Balletto confirmed, and added that they are all fixed.

John Allen added that there are five, and added that he does not think the Board has ever approved five skylights before. Susan Church mentioned that they are very visible from the street, and that kind of a house wouldn't have had skylights.

Oryann Lima stated that she would have not approved those skylights if they had come before the Board before they were put in.

Sara Butler asked what will happen if they are not approved. Andrew Teitz responded that the applicants would either have to remove the skylights, or take an appeal to the Zoning Board.

Stephen Greenlead added that he looked up the building permit; the permit for the roof was never officially issued as it was stopped at the HDC approval step. The roof was put on without a permit. Gary Balletto was not aware of this, as there was a separate contractor for the roof.

John Allen stated that skylights have been approved in the past, but not five, and not 40 square feet of skylights. He would have been in favor of a couple at the most, but not five.

Victor Cabral asked if it would be possible to take three out, and leave two. Gary Balletto confirmed.

Andrew Teitz anticipated that this application will probably be continued, as the applicants will need time to review the recommendations and decide which skylights to remove based on which rooms they need light in. He suggested the Board explain what they would be comfortable with, including potentially keeping skylights if they are further away from the street.

Sara Butler felt comfortable with a reduced number of skylights, and does not feel comfortable with five.

John Allen agreed, and added that he would prefer them to be towards the rear of the house.

Mary Millard mentioned that she thinks it's important to understand the impact to lighting within the house, and that she is okay with the skylights.

Susan Church stated that she was shocked by the skylight when she first saw them, and the number of them is excessive. She would agree to one on the North elevation, if it was closer to the West side of the roof. On the South elevation the skylights didn't stand out as much, so she would be comfortable with two skylights on the South side.

There was discussion between the Board and the contractor about how many rooms would have no light if the skylights were removed.

Victor Cabral suggested continuing the application, and the applicant can come back with a different plan. Andrew Teitz agreed, and added that the applicants now understand the sentiment of the Board, and that they don't currently have five votes to proceed. Andrew Teitz added that it is the applicant's responsibility to apply to the HDC.

There was a discussion between the Board and the contractor about the miscommunications between the contractors and applicants about the permits and HDC approvals.

The discussion moved to include the trim and clapboards. Andrew Teitz advised that the Board can discuss other topics, but can only make decisions on what was included in today's application; the skylights and the shingles. He mentioned that there is a stop work order in progress, and it will stay stopped until everything is resolved. Andrew Teitz agreed that it was clear that the trim had to be preserved, and now the trim is in violation and needs to be replaced in-kind. If not, we would be filing a complaint in municipal court and seeking fines.

Andrew Teitz asked for confirmation on who the owners of the property are. The response was that Robert A. Beer II is an owner; he is out of the country in medical school. Barbara J. Beer is his mother, but is not present today. Barbara's husband was present, but he is not an owner of the property.

Andrew Teitz explained that unless authority has been delegated to Alfred Rego, there is no one present to make decisions related to what will be done to restore the violations that are in effect. The applicants could poll the board today, or they could back before the board in the future.

Gary Balletto responded that he would like to resolve everything today.

There was discussion about the wood cedar shingles included in the application, but the owner has since changed his mind.

Andrew Teitz asked Alfred Rego, as he is representing the owner, if he would like to proceed with the application for the shingles, or if he would like to withdraw that part. Alfred Rego responded that he has not been involved in this, and mentioned that there is some confusion about what "in-kind" means if there are multiple materials used, and also some confusion on the minutes from the last meeting.

Andrew Teitz responded that "in-kind" means the same exact material. He suggested requesting a continuance. Alfred Rego agreed, as the homeowner needs to make the

decisions regarding skylights vs dormers, based on the internal rooms and what light is needed.

Gary Balletto again stated that he would like to get everything settled tonight, and he believes the homeowners do as well.

Victor Cabral asked for confirmation that Gary Balletto does not have the power to make decisions on behalf of the owners. Andrew Teitz confirmed.

Oryann Lima added that the Board currently does not have specifics or enough information to make a decision tonight.

Motion: To continue application #23-031 825 Hope Street to the March 30th meeting.

First: Victor Cabral

Second: Susan Church

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Andrew Teitz asked what the deadline is for materials for the March 30th meeting. Ed Tanner responded that the deadline is two weeks prior, so in this case March 17th.

Ed Tanner suggested submitting a fresh, clean application that includes everything. Andrew Teitz added that pictures, specs and cut sheets for the new materials, and what everything looks like now, should be included.

Oryann Lima added that the front window that was to be replaced, and not made into a smaller window, should be addressed as well.

#23-026: 467 Hope Street, Bank of America - Horton Group, LLC

Andrew Rainone presented.

Andrew Rainone explained that the request is for one canopy mounted fixture for the exterior of the ATM vestibule. He explained that there is currently no exterior lighting, so this is a new fixture.

Oryann Lima asked if there are different criteria for exterior lighting since it's a formula business. Andrew Teitz responded that the only thing that's different is that because it's a formula business, the HDC has jurisdiction over both interior and exterior. Andrew Rainone responded that he included the entire project, both interior and exterior, on the application.

John Allen mentioned that they don't want overwhelming brightness to the lights. He thinks it's fine now, but wondered the reason behind wanting more light. Andrew Rainone responded that it is due to Bank of America's security regulations.

Susan Church asked if all the lights are LED. Andrew Rainone confirmed, but that it will be a warmer light.

Victor Cabral asked if the lighting will be recessed. Andrew Rainon responded that the interior will be recessed, but the exterior will be 1 ½ inch reveal off the canopy.

Oryann Lima requested a two minute recess at 8:25pm.

The meeting reconvened at 8:27pm.

Andrew Teitz mentioned that due to the staff turnover, the old file to show what was specifically approved the last time.

Ed Tanner offered to go get the old file. Oryann Lima requested to continue this application later in the meeting.

#23-028: 1200 Hope Street, MI 1200 Hope Street

Kyle Ritchie presented, and passed larger images around to the Board.

Kyle went on to explain what is included in the application. The first topic was insignificant window changes. On the South side of the building where the deck runs from East to West, there is a gable which is the focal point. There is currently a window directly under the gable. The old proposal included an entry door that was off center from the gable. The new proposal includes changing the existing window directly under the gable to an entry door, with large windows on both sides. This will make the South side of the house similar to the front of the house.

Kyle Ritchie asked to withdraw the second topic related to the minor change to the rear deck.

Kyle explained that on the North side, the bulkhead has a weird layout due to its location under a window. The new proposal is to shift the bulkhead away from the window. John Allen asked if the bulkhead will be wood. Kyle confirmed.

Kyle went on to explain that he did not want to put the electrical meters on the house, so he would like to put them closer to the road so that it wouldn't interfere with the structure. He did not include this in the application. Andrew Teitz responded that it should come back in a future application.

The next topic on the application was the deletion of one window on the SouthEast side of the home. The front of the house is one unit, and the rear is another unit. This window is the only one that interfered with the privacy of the units. The window faces the backyard and is not visible from the road. Kyle explained that it will be cleaner to remove the window vs. if it was ghosted.

Andrew Teitz stated for the record that looking at the rear East elevation drawing, this window is on the blank wall that is shown on the deck on the South side, before you go out to the new porch and conservatory. He then asked if the window would be removed or ghosted. Kyle explained that it will be cleaner and look better to remove the window. The window will be reused on the South side.

Kyle Ritchie went on to explain that wood garage doors will be used for parking under the structure. There was no parking here originally, but due to foundation challenges, they have rebuilt the entire foundation. There was excavating done and the chimneys were removed, so the basement is now in a "drive-under" capacity. This removes additional cars from parking on the site.

Susan Church asked if the doors will be made or purchased. Kyle responded that he would like to have them made.

Kyle Ritchie described the next topic on the application related to the location of the ac condensers. There is one condenser per unit, on the North side, hidden from the street.

Kyle and the Board discussed what the interior ac system will be. There will be modulated controls, ducted in the master, but hidden in the ceilings in all other rooms.

Kyle added that they have DOT and supposedly DEM approval to propose an update to the master plan. There is an agreement with the neighbor, so the site will exit out to a new road that's underway. One change is to have four duplexes instead of the previous quad.

Oryann Lima asked if Kyle will be coming back to the HDC after the Planning Board. Kyle responded that it's his understanding that the look has been already approved. Andrew Teitz stated that the layout was approved, but the design of the buildings was not

yet as it was too conceptual at that time. Kyle responded that the elevations were approved by the HDC prior to his purchase. The only change is the garages.

There was some discussion about the site plan vs the elevations, and some confusion around whether they were consistent or not.

Oryann Lima said that the HDC would still need to approve materials on the buildings. Andrew Teitz added that the site plan included is not an accurate depiction of the layout. Kyle Ritchie agreed to come back to the HDC after the Planning Board.

Kyle asked the Board for input on the duplex units.

Andrew Teitz asked for the dimensions of the units. Kyle Ritchie stated that the dimensions are on the site plan but it's hard to read, and he agreed to make sure it's included next time. He mentioned that the one car garage was added to the already approved duplex, and each duplex is 1500 square feet. The scale of the plan is off.

Andrew Teitz noticed that the garage is 24 feet deep, and the buildings are much deeper. Kyle Ritchie agreed to go back to the architect and get a more detailed plan.

Susan Church suggested moving the garage to the other side, in the back.

Kyle confirmed that he would like to remove the last topic, related to the duplex units, from today's discussion.

John Allen asked about simplifying the porch structures. Kyle responded that they have begun, and are in the process of making the porch details. The previous work was free hand, so it is very hard to replicate.

Motion: To approve application #23-028 1200 Hope Street, excluding the minor change of rear deck to edge of home, and to exclude modification of accepted duplex unit to have garage & layout to accommodate due to land area being expanded. "The addition of 2 in-kind wood garage doors under structure to reduce automobile visibility on site" should be replaced with "the addition of 2 wood garage doors under structure to reduce automobile visibility on site".

First: Sara Butler

Second: John Allen

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Standards: Secretary of the Interior Standard # 6 and #9

#23-026: 467 Hope Street, Bank of America - Horton Group, LLC (continued from earlier in the meeting)

Oryann Lima read the minutes and approval from the June 20, 2020 meeting. She concluded that the 3500 Kelvin was the lighting that was approved. Andrew Rainone responded that they will be using 3000 Kelvin, which will be even less hard.

Andrew Teitz asked about the brightness. Andrew Rainone responded that he could install a dimming system, put in what was specified, do a site visit in the evening, and slowly dim until the Board finds it acceptable.

John Allen asked about Bank of America's standards, and if they want brighter lights. Andrew Rainone suggested putting a stipulation in the approval that the brightness be determined by the Board in person, and should not be adjusted after.

Andrew Teitz asked if the current lights are LED. Andrew Rainone confirmed.

Mary Millard asked about the color of the bulbs. Andrew Rainone responded that the new bulbs are 3000 vs the current which are 3500 from the last approval, so they will be softer. The new lights will be warmer but with a higher intensity. It's all in the interest of public safety.

Susan Church asked if the exterior light would be on a dimmer. Andrew Rainone responded that it could be.

Motion: To approve application #23-026 467 Hope Street for the installation of a new canopy mount fixture on the exterior of the building as presented, replacement of five interior recessed cans, and installation of one new interior recessed can, with the stipulation that they be placed on a dimmer switch. The Board will have final say at the site visit as to the intensity of brightness. Based on the fact that this is a formula business, the Board has jurisdiction of the interior as well.

First: John Allen

Second: Sara Butler

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Project Monitor: Sara Butler

Standards: Secretary of the Interior Standard #9 and #10

Concept Review

#23-029: 33 Byfield Street, Doran Smith & David Squillante: proposal to install solar panels on the roof

Oryann Lima stated that the owners have requested that the application be withdrawn.

HDC Coordinator Approvals

The Board did not have any questions.

Review of Previous Month's Meeting Minutes (continued from earlier in the meeting)

Andrew Teitz suggested that in light of the concerns from Alfred Rego that the minutes did not accurately reflect the discussion on 825 Hope Street, that the review of the minutes be continued to the next meeting. This will give staff the time to go back and review the recording.

John Allen requested that the motion on the bottom of page four, also related to 825 Hope Street, be reviewed again as well.

There was discussion regarding whether the Board has to be concerned about whether or not there will be enough light on the interior of the building. The conclusion was that the intent of the owner should be listened to, but it should be balanced with what is appropriate for the district, and if it's preserving the historic features and character defining features of the house.

Sara Butler noted a typo on page one; "type" should be replaced with "typo".

Motion: To continue the approval of the February minutes to the next meeting.

First: John Allen

Second: Susan Church

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Other Business

Oryann Lima requested that the outdoor dining topic that's being reviewed by the Town Council be discussed.

Motion: To add the outdoor dining topic to the agenda.

First: Oryann Lima

Second: John Allen

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

Oryann Lima asked if it's something that is with the Board's purview, when it's located within the historic district. Andrew Teitz responded that it's temporary, and will not be up in the winters, but that he will look into it further.

There was discussion around if there will be plastic fencing. Oryann Lima stated she is comfortable if the structures are temporary and as long as they aren't plastic. Ed Tanner mentioned that the restaurants need to come to the town, and the town would review if the requests meet the guidelines. The guidelines are broad but include what should be avoided.

There was discussion around outdoor dining taking up parking spaces, specifically handicapped parking spaces. Ed Tanner responded that there was discussion last night at the Town Council meeting around this topic. Andrew Teitz added that from a historic district point of view, we have been pretty consistent that if it's temporary, it's not within the HDC jurisdiction.

Monitor Reports & Project Updates

Victor Cabral discussed the flagpole at the Walley School. He has suggested that the flagpole be moved and put off of the building in the cleat instead of where it is now. The Board agreed.

John Allen asked for an update on 195 High Street. Andrew Teitz responded that the Superior Court granted approval for a notice by publication and the court has appointed a special master to sell the property.

John Allen asked for an update on 325 High Street, regarding a fence that was put up. Andrew Teitz responded that he discussed this with John Ames, but the problem is that the minutes refer to it as a stockade picket fence. Andrew Teitz will follow up on this.

John Allen asked for an update on 335 High Street, regarding the owners changing windows from what was approved, and changes to the siding on the 2nd floor. Victor Cabral is the project monitor on this. Ed Tanner will look into this and will follow up with Victor.

There was discussion about the three hour mandatory training for members of boards and commissions.

Motion: To adjourn the meeting at 9:48pm.

First: Oryann Lima

Second: Victor Cabral

In favor: Allen, Butler, Cabral, Lima, Millard

Opposed: None

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Minutes respectfully submitted by Doran Smith, March 21, 2023

Date Accepted/Approved:  04/05/2023