



BRISTOL HISTORIC DISTRICT COMMISSION

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

BRISTOL HISTORIC DISTRICT COMMISSION
MARCH 30, 2023

Held: March 30, 2023 in person
Present: Chairwoman Oryann Lima, vice Chairman John Allen,
Secretary Mary Millard, Sara Butler, Victor Cabral,
Christopher Ponder, Alternate Susan Church, Alternate
Ben Bergenholtz
Also Present: Andrew M Teitz, Esq., Assistant Town Solicitor;
Nick Toth, Planner; Stephen Greenleaf, Building
Official

Vice Chairman, John Allen called the meeting to order at 7:00 pm and led the assembly in the Pledge of Allegiance.

Review of Previous Month's Meeting Minutes

Upon asking if there was any discussion on the March 2, 2023 minutes, Ms. Susan Church stated that she was a voting member at that meeting, where the motions are listed and the people who voted in favor, she also voted in favor of all the applications. Mr. Allen stated that Oryann noticed that there was not a continuation on 142 High Street and that was to be continued to this meeting and he believes that they have actually requested to be moved to the May meeting. Ms. Church stated that she had spoken to the applicant, who indicated they would be withdrawing the application.

Also, on page 6 and page 7, in the fourth paragraph there is a misspelling of Stephen Greenleaf's name and two down from that it should be Gary; again, on page 7 in the second paragraph Steven Greenleaf name has been misspelled.

Motion to accept with corrections:

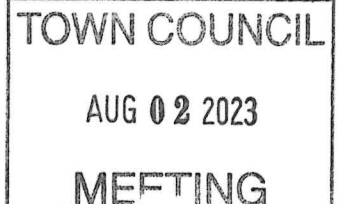
First: Mary Millard
Second: Chris Ponder
In favor: Allen, Butler, Ponder, Cabral, Millard
Opposed: None

Applications

**#22-077: 48 ½ Constitution Street, 48 Constitution LLC
(Continued from March 2nd)**

Mr. Allen stated that the applicant has asked to continue the application to the May 4th meeting.

Motion to continue:



First: Mary Millard
Second: Victor Cabral
In favor: Allen, Butler, Ponder, Cabral, Millard
Opposed: None

#23-028: 1200 Hope Street, Kyle Ritchie (Continued from March 2nd)

Mr. Kyle Ritchie explained that he brought Mr. John Tschirch as an expert witness. He explained that they have further developed their site plan and the elevation of the carriage houses. The main house is well underway and making great progress. Mr. Ritchie stated they should all have a copy of the site plan, elevation of the carriage house and a diagram of the typical carriage house detail. He also provided a soffit detail, showing the exterior trim on the carriage houses. He also handed out the first-floor plan. He explained that on the site plan it shows three of the duplex carriage houses being typical and one has a rear entrance garage. Elevation on Unit 1 and 2 is the only rear elevation that changes, because the garage is coming off the rear of the home. That would be facing the West, not seen by the street. They will look very similar to the Longfield home that they are putting the two-car garage on, which was approved at the last meeting.

The Committee reviewed the plans in detail. In response to the layout of the carriage houses as previously complemented, Mr. Ritchie explained that what they are doing, in the previously approved plan there was a quad, which was a bigger building on the South side and they decided to take the quad and make it two duplexes and put them on both sides of the Longfield, making the aesthetics of the property where everything is two, and the carriage houses will be in compliment with the structure; same number of units, no increased density.

Ms. Millard stated that she was pleased to see that on the front the massing of the front of the duplexes had been broken up with a setback that includes the garages on the interior. However, her only comment about the facades of the garages is that she doesn't particularly like the look of the barn doors. If it's possible to choose something that would be a little bit more in keeping with the Gothic Victoria style, something simpler; it just looks too western. Mr. Ritchie stated that he has talked around and brought John Tschirch in as well, because the look of the door to him, he's not married to any particular look, but he wanted to make sure that it matched the piece and period and supported it. If there are other things and change up, it's not a sticking point at all. He is trying to keep it uniform throughout the project.

Mr. Tschirch explained that he is an architectural historian and works with the Preservation Society of Newport from 1986 to 2013 and he is an independent scholar, writer, researcher and he also teaches undergraduate courses and graduate seminars in Historic Preservation at Roger Williams University. He has been a Bristol resident since 1996; and he presented his Bio to the Committee. He was asked to look at this plan and he looked at it critically in terms of how it adheres to the Secretary of Interior Standards for new construction within a historic environment. He does support the plans, because first of all, but in size, scale and massing, it's sympathetic to the building. Particularly with the Gable structure. And there really aren't new buildings and they shouldn't falsify history. You certainly don't want to mock the Gothic Revival fanciful building, unless you were restoring one that was there. They really read as a modern-day version of a rural vernacular service building, with the Gothic influence gables. He believes that makes them eminently appropriate. The siding is key; the two over one and two over two windows are perfectly appropriate for these types of service buildings. He thinks the doors are fine, but they could easily be amended to simplify. He thinks when it's a new structure, the less historical conjecture the better. He thinks that the most important point of this design too is what he would call considered architectural design, which is cited by the Secretary of Interior Standards; what are the details. So, you have the fine gable line and that is why the drawing provided that detail, which he thinks is key. Simpler is better. Also, he believes the key is that the Russell Warren building is the most prominent outline on the site. He also looks at historical properties almost as a silhouette in black and white. What is the largest scale building, is that still prominent, and are the other buildings supporting acts. Again, new construction is allowed, preservation is about managing the future as well as taking care of the past. He believes that this is a very good approach to creating new buildings in adherence with the size, scale and massing of it. He does think the latest iteration is the strongest, the breaking up of any of the masses.

Motion to approve application 23-028, 1200 Hope Street, to approve the design, as presented, of the four carriage houses, with the caveat that the final design of the garage doors be up to the Project Monitor, Secretary of Interior Standard No. 9.

FIRST: Chris Ponder

Second: Victor Cabral

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

Opposed: None

Exhibits marked:

Exhibit No. 1 - Soffit Detail
Exhibit No. 2- Two pages - Carriage House First Floor
Typical
Exhibit No. 3 - Resume of John Tschirch
Exhibit No. 4 - Letter of support by John Tschirch

#23-033: 30 Summer Street, Mark Levy & Celine Keating

Mr. Allen reviewed the history of the house. This is the Harry C. Munroe house from the 1920's; it's a three-bay Colonial Cottage of the type popular in Bristol in the years following WW I.

Mr. Mark Levy stated that he and his wife Celine Keating are the owners of 30 Summerville and started living there in October. One of the problems he discovered was that they have trouble getting out of the door, because the storm door swings open, and the first step is only 13 inches. So, their proposal is to repair and resize that top step to be a small platform that is at least the size of a storm door, approximately 36 to 42 inches of first step. And then it's at a height where there is only one more step down. Their plan would be to keep the design the same way in front of the house, it's all red brick and they could use old brick that they have found all the way around the property. Hopefully that will be enough, if not they can find some old brick to finish the job. Also, it would be a good idea to install a handrail to enter and leave the house.

Mr. Greenleaf stated that he has seen the design and it's really not regulated by the building department. It's only one step down and a handrail is not really covered by the building code; so, it's purely an HDC issue, as far as he's concerned.

Mr. Cabral asked if Mr. Greenleaf would agree that it would be safer to install the handrail. Mr. Greenleaf agreed.

Ms. Millard asked if the handrail is going into the ground or into the platform. Mr. Levy explained it would be bricks on the platform and the handrail would be installed into the bricks.

Ms. Butler stated that interior stairs have a requirement on the length of the tread, compared to the height of the riser and wondered if there is anything comparable to that on exterior stairs. Mr. Greenleaf stated that from memory it involves stepping down to a landing. In new construction a landing needs to be at least 36 inches either way, which this landing would meet that. And he thinks there is just one step from the landing down to the ground. So, if it was regulated, it would meet the Code.

Mr. Ponder stated that he is in favor of the proposal, but asked at present when you step out of the door and you step onto a really shallow step, so they are basically going to take that same level and just expand it out. Mr. Levy confirmed he was

correct, where the second step is now its too close, so it would be past that and just one step down.

Motion to: approve applicant 23-033 at 30 Summer Street, to extend the top step out to 36 inches, and keep the bottom step and bring that also. And to put the handrail, as presented.

Standard No. 6

FIRST: Victor Cabral

Second: Mary Millard

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

Opposed: None

Project Monitor - Victor Cabral

#25-036: 1013 Hope Street 1013 Hope LLC

Ms. Butler read the history into the record. This property is the Johnathan Reynolds house, built in 1792. It's a typical two-story, four-bay, center chimney, Federal Farmhouse on the exterior. The house is on a corner lot and has a four-wing floor plan, including an angle fireplace. Detailing includes original heavy peg window casings and narrow clapboards. Built by Johnathan Reynolds, a mariner, and the house was owned in the mid 1850's by Samuel White, a dealer in the Buttonwood Mills. Mr. Steven Martel and John Lascala presented the project to the Committee. Mr. Martel stated that there is some pretty bad condition of clapboard, window trim, door trim and the roof, the primary concerns. While other partners in this project live out of state, he helps manage the property while they can't be in town. The north side clapboard and window trim is really bad. On the northwest side in the back, again, he thinks it needs to be fully replaced. However, the rest of the house can stay; they feel that the front, the south and the southwest can remain as is, clapboard wise. The window trim is a mess, it looks like somebody as some point put 2 x 4 's as the sill and it's really been hacked up pretty good. There is a lot of rot on the north side that needs to be replaced and the corner boards as well. The front door trim is in really need of repair as well. They have contracted Mike Vivieros, who can mill and match all of the trim currently there. They just need approval on the materials. Mr. Lascala explained he doesn't know what the material is, he knows its clapboard, it should be cedar. He's sure that the corners and soffits are probably all pine. But, he knows, by looking at the trim around the windows, it looks like just Douglas fir 2 x 4's.

Mr. Martel estimated that about 25% of the clapboards need to be replaced, it could go to 30, but he doesn't think so.

Materials of the new clapboards and the new trim boards will be pine on the trim and red cedar on the clapboard.

Ms. Millard noted that the number on the application is 23-036, 23, indicating that it's the year 2023, so it seems there is a typo on the agenda. Also, the application, the first item is replacing windows. That was not advertised with the Secretary of the State when it was posted on that website; so, she didn't believe they could handle windows at this meeting. Mr. Teitz confirmed she was correct; the windows could not be dealt with at this time. He continued that while the Commission couldn't act on it, generally, the norm is to do a site visit to determine the condition of the windows, which could be set up at this time.

Mr. Cabral asked if the applicant believes the windows are the original windows and both Mr. Martel and Mr. Lascala stated, no, at this time they are all vinyl. They plan on installing Anderson 400 windows, 2 over 2 and they will not be installing storm windows back on the building.

Mr. Allen stated that they could continue the matter of the windows, and that the applicants can schedule a site visit with the Planning Department.

The applicants also noted that they would like to rip out the old walkway in the back and replace it with general landscaping, more grating and getting the water away from the house, by creating a swale.

Motion to: approve 23-036, 1013 Hope Street, and the owner 1013 Hope Street, LLC, to replace roof shingles, clapboard siding on the north and east elevations. Remove concrete walkway, replace trim at the roof line. Replace fascia and soffit. Replace corner trim and door trim. Replace the front door threshold and update the landscaping.

Mr. Allen noted that the proposal is for 25% to 30% of the clapboard to be replaced. If they go beyond that, they can talk to the Project Monitor and work out something.

The roof shingles will be asphalt, architectural, cut sheets were submitted.

FIRST: Sara Butler

Second: Victor Cabral

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

Opposed: None

Motion to continue the replacement of the windows at 1013 Hope Street.

FIRST: Mary Millard

Second: Victor Cabral

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

Opposed: None

Project Monitor - Chris Ponder

Chairwoman Oryann Lima entered the meeting at 7:50 pm

#23-037: 29 State Street, Edmund Woods

Mr. Owen O'Rourke presented the application to the Commission. He explained 29 State Street was previously Bar 31 and is now called the Nest. He presented the proposed signage, utilizing the existing mounts and going from a plastic sign to a wood sign. Upon questioning Ms. Lima about why they hadn't gone for a permit for the sign, Mr. O'Rourke explained that they went to the building department and was told to put an application before the HDC. He confirmed that he put up the sign in order to get a picture of what it will look like; it's only held by four bolts, and he can remove it easily.

The Commission reviewed the photos of the previous and the new proposed signage in detail. In response to questioning by Mr. Cabral, Mr. O'Rourke confirmed it is a wooden sign and will be in the same location as the previous signage.

Motion to: Approve application 23-037, 29 State Street to hang a new sign to replace the existing sign of Bar 31, with a new sign using existing brackets, to hang new sign over door, perpendicular to building, using existing hangers. All brackets and hangers are in good shape, stainless steel hardware is used for the hangers, brackets for the front and back on building are made of galvanized steel aluminum and stainless steel.

Standard No. 6

FIRST: Victor Cabral

Second: Chris Ponder

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

Opposed: None

Project Monitor - Victor Cabral

#21-072: 21 Bradford Street, Elvio Sciacca

Attorney Frank Shark presented the application. He explained that the Certificate of Appropriateness was issued many years months ago. They have come before the Board on a limited purpose to see if they can swap out some of the windows. The windows that were approved for the front portion of the building are no longer available, having gone to some of the largest dealers.

Ms. Cordelia Dawson, Architect, explained that they reached out to the Project Monitor to explain these windows are no longer available. In speaking with him, it was suggested that they consider clad windows; this is for the original portion of the Bradford House. The clad option holds up so much better, as they require much less maintenance, look better in the long

term, and hopefully prevent people from coming back to the Board to replace the windows in the near future.

Mr. Bergenholtz confirmed he has been involved in the replacement of the windows and the problems they are having finding the original proposed windows.

The Commission reviewed the new proposal in detail. Ms. Dawson explained that this project requires that the original house is going to be rebuilt from the inside. The whole floor system is going to be rebuilt; so, in doing that leaving the existing windows would be a real hardship and it's an opportunity to make the building weather tight. They would be installing Pella windows.

Mr. Cosmo Delaire, Pella window representative, explained that the window they are proposing has no difference in the look of the clad wood, versus wood, there being no difference in the profiles.

Motion to: Approve application 21-072, 21 Bradford Street, to change the previous approval of all wood replacement windows to aluminum clad Pella replacement windows.

Standard No. 9

FIRST: Ben Bergenholtz

Second: Victor Cabral

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

Opposed: None

Project Monitor - Ben Bergenholtz

#23-038: 98 State Street, John Gifford & Lucy Clerkin

Motion to continue application 23-038, 98 State Street to the May Meeting.

FIRST: John Allen

Second: Victor Cabral

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

Opposed: None

Project Monitor - Ben Bergenholtz

#23-032: 15 Burton Street, Thomas & Lee Dawson

Mr. Tom Dawson, Registered architect presented the application. He explained he is the owner of the property at 15 Burton Street. He was asking for full approval, as they were before the HDC approximately a year ago and received conditional approval for drawings and design that is different than what is now before them. They would like to correct some of the incorrect features of the house that exist to this day. With changes to the main house on the inside and the outside, also including an addition on the rear of the house; that's two

story. In this application there will be no changes to the front, changes to the existing house inside and outside and a two-story addition in the rear. They are planning to completely do a new kitchen, which means that they need more space to do a proper kitchen, so they are getting rid of an existing first-floor bathroom and planning on putting that bathroom in the new addition out the rear on the first floor. There would be a new back family room that would be disguising as a future bedroom, as they plan on growing old in this home. There would also be a new entry and mud room in the rear of the house, with a small, covered porch and stairway, that are intentionally meant to look like what is in the front of the house right now. The addition is 22' x 18.8, which replaces a deck and some paver areas which are currently in the rear. There are no changes to the front in this new application. Currently the kitchen has casement windows and from 1880 house perspective, there weren't casement windows invented and they are really lousy, compared to what he would call the house standard window, which is roughly a 2' 9 by 5-foot double hung window, with two over two. This would be in keeping with the period of the house, neighborhood and vernacular. On the side of the house facing the driveway, they would like to change a double casement and another window that is like a fixed fixture window that they plan to get rid of and put in properly sized double hung windows for above counter space in the kitchen, which would change the side elevation of the house. On the first floor and second floor the idea is to have new windows that are in concert with the house and the house standard window, which is a window they have about seven times that they love. There are a couple of those that they would have to remove and hopefully relocate for the second story part of the design. If they can do that they will; if not, the plan is to replace in kind with a new window. He included Anderson Wood-right 400 series or E series windows. Going to the second floor on the back elevation, there are two windows being removed to allow for the second story part of the addition, which will be a new primary bedroom and then the change of an existing bedroom into a primary bathroom. They have planned to re-use two windows if they can Sawzall them out of the house and re-use them, they will. Since they inherited the storm windows with this house, he really never really liked the storm windows, because they also didn't exist in 1880. But they're not planning on doing a full replacement of those, but they are planning to match everything that they have with new and better. The windows on the front of the house are a bigger nut to crack to change all the windows in the house. Eventually he would like to do it and remove the storm windows, but that is not part of the scope of this proposal. They are also proposing

an addition of a dormer on the southwest corner, to allow that room to have more light and views of the water. That shed dormer is on the side, but near the front is intended to tie into the dormers that he designed for the second-story addition in the rear. They are also planning on using a skylight on the existing roof in the primary bathroom; size to be determined. The Board reviewed the new proposals in detail and discussion was held on setting up a site visit to take a look and see if the windows can be repaired, or replaced, and also the size of the proposed skylight.

Ms. Millard noted that many times when additions are added they are stepped in from the original house, to differentiate from the existing house and in this case, it is not, so you lose the original streetscape. Mr. Dawson noted that on one side there is a step, but none on the other. The Board explained it could be as little as six inches, it just needs to distinguish the new addition from the original house. The Board and the applicant reviewed that issue in detail with the requirement and the existing conditions.

After reviewing the existing structures on the property, the existing architectural structure would allow them to distinguish the addition on the driveway side. In regard to the yard side the request is to have a set in to off-set the original from the new. There was detailed discussion on the requirement of the set-in and the zoning requirements about how to get approval from both Boards. The resulting conversation was that a new design must include the set-in requirements in order not to give a false impression that this house was one long structure and distinguish the new addition to the original house.

Mr. Cabral noted that in his opinion, the shed dormer doesn't fit into the design and the historic appearance. Mr. Dawson noted that if approved, the shed dormer is on the addition on the rear. Mr. Cabral noted what is done in the rear is not an issue, but if one stands on Burton Street on the south side and looks at the house, it shows the shed dormer; he would rather have skylights instead of a dormer. Ms. Millard commented that perhaps the applicant could look at a full dormer on the west side. Mr. Dawson noted that the reason it was a shed was that it balances out what is in the rear, but they could consider skylights. Mr. Allen stated that he also agrees with Mr. Cabral and feels that the proposed dormer seems out of place. Mr. Ponder stated if the applicant feels okay with a skylight, he thinks that would be less intrusive. Ms. Lima stated that she agrees with Mr. Cabral about the dormer as it is and the skylight option on the west side.

Ms. Butler asked for a review of the number of windows that will be replaced. Mr. Dawson explained that replacing is the two on

the driveway side, at the kitchen, into double-hung that are shorter but proportional to the house standard. And then, the one at the small gable dormer on the west side, the single dormer, the plan is just do an insert window, which is just a sash replacement, or get it repaired. That is one thing that the Commission might like to see.

After more discussion on the windows, it was determined that a site visit would be scheduled for inspection of the windows. Mr. Allen noted the Solar Tubes and the fact that they have never been presented in the Historic District, he loves them in other locations, but doesn't feel it would be appropriate in this design in the Historic District. Mr. Dawson stated the idea was to get light into the existing second floor hallway in the existing house and tunnel up near the ridge. He thinks it's strange that they would approve of the skylight but not a solar tube.

In regard to the siding for the new addition. Mr. Dawson stated that he wasn't 100 percent sure that they wanted to use hardy plank. He thinks it's a good product, it does come factory painted, but you still have to paint, and edge treat it, just like real siding. They can do cedar now and they can do that with the new part. It's just that there are new products that last longer, that look appropriate and are used a lot even in historic districts around the country. Mr. Allen stated that the only time they have approved that material was on a new house and doesn't think it would be appropriate on this property. Ms. Lima stated that she would personally want to speak to other historic district commissions and the State Historic Preservation Commission before she made a decision. Mr. Dawson presented a sample of the product for the Board to review; it is made from wood ash and leftover wood fiber, it doesn't rot.

In regard to the gutters, currently the home has wooden gutters and they're in pretty bad shape, Mr. Dawson would like to propose fiberglass gutters that are made to look like wood gutters with wood grain. He would probably continue to use the existing downspouts; they are aluminum, and those types of downspouts weren't available in 1880. They could make copper, but the price is extremely high. He confirmed that the profile would be a little bit bigger. Mr. Allen stated that the attraction to that particular gutter is the ability of a much bigger area to carry rain and they have approved it in other places within the district and it wouldn't be something that would set a precedent. Mr. Tietz noted that it needs to be added to the application, specifically that they are replacing wood gutters with fiberglass gutters.

In review, the Board instructed the applicant to re-design the back addition for inset, showing the dormer coming out and the skylight installed, along with a list of materials. It was also noted that if an external air conditioning unit will be installed, or a generator, that also needs to be on the plans. The Board considered this hearing as a Concept Review.

Motion to continue to the May 2nd meeting.

FIRST: Chris Ponder

Second: Sara Butler

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

Opposed: None

Project Monitor -

#23-039: 119 Hope Street, Lobster Pot Inc.

Mr. Jeff Hirsch, owner of the Lobster Pot, presented the application. He explained that there an small area of damage to the exterior wall left of the kitchen door that needs to be repaired.

Ms. Lima also noted that the issue of the chain-link fence around the dumpster was not ever approved. Mr. Hirsch explained that to appease the neighbors, they had a fencing put in that is not completed. It needs to have a door on it and some screening on it. He was not aware that he needed to have a permit, because the Health Department requested it. Also, the Town's DPW spoke to him about it. It all came about when the previous dumpster company went out of business and left a lot of people in the East Bay without a vendor to dispose of trash. To settle everyone down, he put the fencing in.

Mr. Teitz stated that the issue of putting a type of screening on the fence is what the concern is. Generally, a dumpster in the historic district would be screened with a solid fence, perhaps with a decorative top, rather than a chain link fence.

Ms. Lima explained that above the health requirements, in terms of what the Board would approve, is something a little less open and somehow or other has it enclosed.

Mr. Hirsch was instructed to draw up a new plan and come back to the Board.

Motion to continue to accept application 23-039, the portion for the repair of the wall damage to the left of the kitchen door entrance, as presented. Included will be the repair to the wood gutters with the same materials as existing. But included in this motion is the fencing around the dumpster. Also, to continue the fencing that encloses the dumpster, that shall be continued to the May 2nd meeting.

Standard No. 9

FIRST: Chris Ponder

Second: Victor Cabral

In favor: Lima, Allen, Butler, Ponder, Cabral
Opposed: None
Project Monitor - Oryann Lima

#23-040: 477 Hope Street, Jesse James

Jessie James presented the application. He explained that they are proposing to go up into the third floor into the attic space to expand the existing apartments. The building was built in 1987 and what he understands is the original building burned down and Mr. Pozzi rebuilt it. It's all concrete with wood wrap.

It was noted that the windows on this building seem to be wood windows and they happen to be historic windows that Mr. Pozzi put into the building when he built it. Mr. James stated that it is more than likely, considering all the windows and doors that he had stored up and guessing that those were utilized in the re-build. Mr. Allen stated that is important to note, as Mr. James is looking to replace those windows. Mr. James explained that he is not, nothing is going to change on the first or second floor. Looking at the existing windows, posters or columns, they will all remain the same. It will be just above the second floor, the third floor up. They are looking to remove the roof, add approximately six feet of wall space on the front and the back. On the front, continue the windows and columns up and then just repatch the roof. There is presently four single-bedroom apartments above and the plan is to turn those into two-bedroom apartments. On the third floor there would be two bedrooms and a bath and the existing second floor, take out a wall and turn it into a larger living and dining area; and there will still only be four apartments.

Ms. Cordelia Dawson, architect explained the only reason this has to go to Zoning is because the rear of the building does sit within the setback, the height meets the zoning requirements. She also confirmed that the foundation will be researched, and engineering reviewed to confirm that it can support the new addition. In regard to fire escapes, they are able to achieve emergency egress without emergency fire escapes on the outside of the building, and that has been reviewed by the fire chief. They are also looking to upgrade the gutter system, and as proposed you will not see any more downspouts on the front, they will continue to run the gutters out the back. The existing gutters are wood and lead lined, the southern one is starting to rot; however, they all have to be replaced anyway, as they will now be moved to the third floor and the new gutters will be fiberglass, as presented in the application.

Motion to accept application 23-040, 477 Hope Street, as presented, for the adding of a third story. It's matching the

existing first and second floor and, as well a finding of fact is that this building was built in 1987 and is not deemed a historic building at this point in time.

Standard No. 9

FIRST: John Allen

Second: Chris Ponder

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

Opposed: None

Project Monitor - John Allen

#23-041: 410 Thames Street, Robin Karian

Mr. Jeff Ramos, representing the property owner. There was no paperwork giving authorization for Mr. Ramos to represent the owner and it was also noted that the applicant hadn't signed the application. This matter had to be continued until such time as the paperwork is in order.

Motion to continue 410 Thames Street to the May 2nd meeting.

FIRST: John Allen

Second: Chris Ponder

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

Opposed: None

#23-042: 37 Burton Street, Timothy Meandro

Mr. Jeff Ramos, Marshall Building, and the owner, Mr. timothy Meandro presented the application. Mr. Ramos explained that the proposal is to replace ten windows at the property with replacement windows. The existing windows are not original in the house, they are single-paned wooden windows, in disrepair. They also have been replaced from the original ones; the existing has aluminum tracks on the side, showing that they are not original to the 1800's. There are also aluminum storm windows, which will be removed. The windows will be replaced by Harvey vinyl replacement windows; black on the outside and match the grid pattern for the house. The storm windows would come off and not have to go back on.

Mr. Allen noted that this will need a site visit, in order for the Board to actually see them and then the Board have at least seen them and be able to document the fact why they should be replaced. It was requested to have a manufacturer's cut sheet for the proposed product.

Discussion was held on replacing wooden windows and if they have looked at possibly refinishing and Mr. Meandro stated that they are truly beyond repair and the expense of replacing them with wood is double the price of vinyl.

Motion to continue application 23-042, 37 Burton Street to the May meeting. Also, to schedule a site visit.

FIRST: John Allen

Second: Victor Cabral

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

Opposed: None

Project Monitor -

**#23-031: 825 Hope Street, Barbara J. Beer & Robert A. Beer II
(Continued from March 2nd)**

Ms. Barbara Beer, the owner gave her attorney, contractor and her husband permission to move forward with the review. Attorney Alfred Rego presented the application. He explained that the application started back in October and initially this Board gave Administrative Approval to get the project going, but not the building, because it's been exposed and open for quite some time. Mainly because of the fire damage, which from the inception of the project was what everyone thought they would be dealing with, just the fire damage. There have been other meetings and in November there was another Green Sheet, that had to do with looking at the towers and windows, indicating that they were not original to the building and indicating that the house was added to the district when the district was expanded, circa 2010. There was an e-mail from the coordinator, HDC building officials, indicating the Certificate of Appropriateness and it was to cover the entirety of the initial process. And the problem with the initial project has continued to evolve; a lot of it had to do with findings when they started to do some of the work. Also, there was a Green Sheet regarding removal of some of the siding, keeping within 25% of the building, which had a lot to do with FEMA regulations and the like. The short of it, if they're dealing with a historic building, then FEMA 50% requirements are somewhat more lenient and allows some flexibility, otherwise what they are finding out now is that they are dealing with a building that was in such bad repair that it probably would have been a tear down. But they are where they are. There are some unique aspects to this building, whether it's historic or not, even though it's in a historic zone. There have been so many different changes. The decking in the back, the sunroom was an add-on, windows appear to be add-ons. He thinks conceptually, because although a set of plans were done, he doesn't think the applicant really had an understanding of what he was into until he started to commence some work. The tower is unique, but the windows are not. The pitch of the roof is unique. They now have skylights, which are functional. There was discussion perhaps of using dormers, but now they're taking away from the uniqueness of the pitch of the

roof and how all involved want to preserve this building. He thinks it was brought into the historic zone to prevent what could have happened, which is all these buildings become boxes. On one hand they argue that it is in historic, restrictions of FEMA should be somewhat lenient and now they are present on the other hand to indicate that there are a lot of aspects to this building that, in dealing with windows in the sunroom, that is really not historic. That being said, there seems to be some confusion from the applicant's position and contractor, in looking at some of the permits that were given and the concept of the building perhaps not being historic and replace in kind; and now we are at different materials, different types of trim and what would be appropriate and what isn't. Photos had previously been submitted to show each aspect where they would look at something and find there was a problem far beyond just fire damage, but there is structural damage, water damage, rot; the building was exposed to the elements for over a year before any work was done. He showed the Board some of the molding that was preserved and explained that structure of the entrance way is all composite material; so there is a hodgepodge of materials existing and he knows there are concerns from the Board that this owner has continued to proceed in rapid fashion; but a lot of it has to do with the fact that once boots were on the ground and they are performing the work and they are finding a problem, to stop it and then wait days, weeks or whatever, becomes a problem. In light of the fact that they are trying to preserve the concept of the building that they would replace the siding, which was cedar, now the difficulty is with some pvc materials for trim presented and there are other issues.

Mr. Allen stated that if the house was built in 1910, it is considered historic, its over 100 years old. Mr. Rego confirmed it is historic, but had never been in the historic district, windows had been changed, they were replacement windows. Mr. Allen stated that he didn't understand how FEMA comes in. Mr. Rego explained that part of the problem is in whether to meet the criteria of FEMA, the building is too expensive to then meet the elevation issues. If it's a historic building, then there is leeway. But depending on what was being spent there for insurance purposes, if it wasn't a historic home, then they would have to comply with the elevation, which means you have to move the whole first level all the way up.

Discussion was held on the 50% rule. Mr. Rego stated that the relevant discussion at this point is on the replacements. His understanding is that the replacement of the tower and replacement windows, now the question is the trim that's being put on there.

Ms. Lima stated the issue is not the fact that the wood was rotted. When this application was first presented, what the Board indicated was that the trim should not be removed, and it was. If it was so deteriorated, then the applicant's responsibility, when you're talking about the 25% of the clapboards, the permission was to replace the 25%. If there was more than 25%, and probably because of the reasons she does not know; but after that 25%, anything more, the applicant should have come back to indicate why. The fact of the matter is that all of the work that has been done was done without follow up with the Commission; and that's the issue here. The issue is if the trim was in disrepair, come to the Commission, don't replace it with fiberglass. If the windows were a problem after they were removed and new ones were to be looked at, come back to the Commission; don't just assume it will be approved. They understand that the windows in the turret were not original. They discussed that on site and gave permission for those windows to be replaced. But, again, the applicant took it upon themselves to not follow through with coming back to the Commission and looking for assistance to replace or make changes. The applicant and the builder just did it. And that's not how it functions within the Historic District. If there are issues, or problems, it needs to be addressed, it needs to be brought forward in a public hearing before the Commission and the Public.

Mr. Tietz confirmed to Ms. Beer that if an issue arises the Project Monitor should be contacted as issues are found. Ms. Beer stated she was not aware of that and that her son, who is an owner is out of the Country at this time.

Mr. Cabral noted that there are questions on the skylights, windows, and the trim. Have all these things already been installed and asked if so, what is the alternative to do here. From what he understands, the work has already been done, there was a misunderstanding; what can the Commission now do.

Mr. Tietz stated that he thinks, as he's advised many times in the past, the Commission treats it as if the work were not already done. So, if they deny the skylights, some or all, then they will have to be removed and replaced with roof shingles. If they deny the window trim, then it will have to be replaced and they will have to come up with a design to match or closely replicate the old window trim and replace it; that's the way it should be. Although, he understands one of the applicants is out of the country, but the responsibilities of the applicant to know what the regulations are; and the contract has also been present for many of the meetings; before the skylights were put in and before the trim was removed when all these things were discussed. So, he doesn't think there's an issue of estoppel in

this case; that they were led to do anything by the Town. In fact, just the opposite, they were advised to get approval. And, in fact, the Commission, even the very first one, was a site visit that was set up within four days after the meeting, so that things could move quickly to deal with the fire damage. So, in answer to the question, they should treat it as if it's not there. If they wouldn't approve it if it wasn't already, then they shouldn't approve it just because it's already there. Mr. Cabral stated that his opinion is that he's been to that house many times. He looks up and he has to force himself to see the skylights, because they're so small. There's a house on the corner of Constitution and Thames Street that has four skylights facing the street; those four were okayed by this Board and the only comment that was made was the fact that they could be taken out at any time and patched up and it goes back to the regular roof. So, in his opinion, there's nothing wrong with skylights. The other stuff he doesn't know; but if they had come before the Board, he would have voted yes on the skylights.

There was discussion between the contractor and Board on who has the ability to make decisions. Mr. Gary Balletto stated that he met with Johnathan from the office, and he thought he had jurisdiction and they asked before any work was started. Johnathan said the siding would have to be replaced with wood siding, never talked about 25%. Ms. Lima stated that was outlined in the original approvals is what guides the project along. Mr. Gary stated that his building permit reads that all siding will be removed, all siding, windows, doors, everything, and that's how it was filled out. He feels that someone was not on top of it at the Town all along. He didn't try to make a mistake and replace something that wasn't supposed to be replaced; that was never the intent. He also noticed that similar pvc trim is being used on the house next door and didn't think it would be an issue, as it is a better product. There's so much work done that it would hurt the owners financially to replace it at this point.

Ms. Lima stated that with all due respect, he was present at the meeting where they indicated that the trim was not to be removed. The trim was to stay there and any trim that needed to be replaced, needed to be replaced in kind.

Mr. Gary Balletto stated that in all due respect they did not tell him that, because he was not present at that meeting.

Ms. Lima noted that they were to look at is the replacement and acceptance of skylights and newly constructed roof, replacement due to rot, fire damage, incongruent structure with composite material, along with other trim to match.

In regard to the skylights:

Motion: Project 23-031, 825 Hope Street, to give permission to place and accept the skylights in newly constructed roof.

Standard No. 6

FIRST: Victor Cabral

Second: John Allen

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

Opposed: None

A detailed discussion was held on the pvc material that was installed to replace the original trim, which was approved to be replaced in kind if needed.

In regard to replacement of trim due to rot:

Motion to deny the use of any azek trim on this house and that the azek that is there currently be removed and replaced with wood in kind, with the same profile that was there originally.

FIRST: John Allen

Second: Ben Bergenholtz

In favor: Lima, Allen, Butler, Bergenholtz

Opposed: Cabral, Ponder, Millard

Ms. Lima stated that the replacement has been denied and needs to be made correct.

In regard to replacement of metal door:

Motion to allow the replacement of the metal door on the south side of the house with the door that is currently there.

FIRST: John Allen

Second: Victor Cabral

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

Opposed: None

Ms. Lima moved on to the acknowledgement of roof removal and replacement. Mr. Rego stated there was a question on whether there was a permit issued for the roofing and they did find that there was a permit issued for the roofing. Ms. Lima acknowledged the permit, and no further action was needed.

Mr. Allen noted that the material for the sunroom decking was not approved, they only approved material for the decking on the second floor.

Mr. Rego stated that hasn't been done, it was the understanding that in one of the meeting minutes the pressure treated wood for the railings could be matched, but the minutes did not reflect the flooring. It was discussed, they brought in a sample, and it was their understanding that it was okay. Mr. Allen stated that he had asked Mr. Beer if there was any other area other than the second floor where the trex material was going to be used and he said no. So, that did not include any other. And the reason is that they do allow it on the second floor where its out of sight line from the street or bicycle path, but if you're going to be using it on the stairway coming down to the

ground, it was said there wasn't going to be any stairs; so that was a bit confusing.

After discussion on the sunroom materials and stairs, it was determined that the issue needs to come before the HDC for the landing and stairs, for determination.

Mr. Tietz made a suggestion to have a motion, basically confirming the motion to approve the trex decking on the second floor deck only; and that that approval doesn't extend to either the design or the materials of any first floor rear egress.

FIRST: Oryann Lima

Second: John Allen

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

Opposed: None

The applicant was informed that they need to supply HDC with the design and materials of the lower deck, and decking materials.

She noted that they had previously discussed some sort of banister on the second floor, and it was suggested to check what was used at the Elks and a couple of other places; its kind of like a wire and its invisible, on the second floor, and will need approval from the Project Manager prior to being approved by the Building Officer and the Project Monitor. On the first floor, the steps and the material does need to come back before the Commission with an application.

Ms. Lima stated that completed the issue on the application; however, there are other issue, such as the window on the front of the house.

Ms. Beer stated the window that they consider a picture window, she explained that Johnathan Aimes had a clipboard and they said they were going to match the upstairs, take that out, leave the same size and put the same window as on the second floor, which is the double hung window. Johnathan said as long as they don't make it any bigger, keep it the same size and it matches, it should be fine.

Ms. Lima stated that prior to that discussion with Johnathan, at the meeting of the Commission, when that window was discussed, it was indicated that that picture window needed to be replicated. Ms. Millard stated that she doesn't think that picture is original, even the shape, to the house. Ms. Lima stated that she understands, but the Board didn't approve it. Regardless of the fact that the Board asked that the picture window be replaced, they still never saw any request or approved any of the windows. So, regardless of the fact whether they chose to change it, there was no approval of any changes. Ms. Millard stated that it is the same shape and size they just chose a window with mutton bars and she thinks that's a personal choice. She finds it rather charming than a plane old 50's picture window. Mr. Allen stated that he thinks it looks better

as well. But it wasn't approved. Ms. Millard stated that given the confusion with Johnathan, she thinks they could let that one slide. Ms. Lima stated that they need to make a decision, they need to vote on it; they cannot allow it to slide.

Mr. Teitz explained tht the applicant needs to come back with the cut sheet of the window that is installed and bring it before the Board; it needs to be approved.

Mr. Allen noted that the siding on the turret was completely clapboarded. They have put In molding on the sides and a piece down at the bottom showing it jointed; he would be really skeptical that will hold up and he thinks it needs to be mitered together and if you look at the original picture and what is there, it doesn't look like anything like it; it has to look like what was there. Mr. Balletto said it's a matter of craftsmanship.

The siding also needs to be added to the agenda for the next meeting. Mr. Teitz suggested allowing the applicant the time to decide whether they want to get back in on these other changes, including the front window and siding. If not, a Notice of Violation can be issued.

#23-043: 343 Thames St., Apt. M-304, Kimberly & David Nastro

Mr. Tom Sylvia, the property manager, explained that he's not sure if the application noted that he would be representing.

Ms. Lima stated that also noted on the application, that at the point of the actual presentation, the Board does need the rest of the approval of the rest of the Condo owners in that building. It was instructed that the owner's permission to proceed be obtained.

After discussion, Mr. Sylvia explained that after reviewing the process, instead of continuing to the next meeting for Concept Review, they would be obtaining all the proper permissions and re-submit the application for final approval.

Motion: to adjourn the meeting at 11:09 p.m.

FIRST: John Allen

Second: Victor Cabral

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

Opposed: None

Minutes respectfully submitted by Susan E. Andrade on May 8, 2023

Date Accepted/Approved _____