

Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- X 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Chairperson Lima advised Mr. Levy that even though the project was located in the rear yard, he needed to display the certificate of appropriateness in the front where visible, so everyone knew that he had permission from the HDC.

4F. 26-25: 474 Thames St, Daniel Brooks: Discuss and Act on addition of shed to property.

Applicant was not present.

A motion was made by Member Allen to continue application #26-25 to the May 7, 2026 meeting; Seconded by Member Camara.

Voting Yea: Allen, Camara, Millard, and Lima

Opposed: None

Motion carries.

4G. 26-26: 8 Constitution St, John Marshall: Discuss and act on approval of sliding glass door on rear of garage.

Attorney Alfred R. Rego, Jr., John Marshall, and Peter Dwyer were present.

A discussion commenced between the Attorney Rego and the Commission. Member Allen asked Mr. Marshall why the work had been done without coming before the HDC to seek permission first. Attorney Rego stated that conditions were found to the rear of the garage once work was being done. He said there was a series of photographs submitted showing what was found when siding was removed. He wasn't sure the sequence the photographs were in, but it showed that in between each support there was stucco that had collapsed which needed to be replaced. Attorney Rego said the photographs went further to demonstrate the need to replace certain beams and the like which opened up the back side. He said the garage itself was an undersized accessory building and the owner decided that the work needed to be done. He said it wasn't going to be used as a garage but rather as a home gym and storage. Attorney Rego stated the materials that were used mirrored what the Commission previously approved of on

the main structure. He stated that John Marshall and Peter Dwyer could answer the Commission's specific questions. Attorney Rego said that the photographs showed clear evidence of the deteriorated conditions that were found and that he had never seen stucco in between beams.

Member Millard asked if the stucco was on this inside or outside. Attorney Rego approached the Commission and showed the photographs. He said the void was filled with stucco which was crumbling and falling apart. Member Allen asked why a sliding glass door was put in when there wasn't a door there before. Attorney Rego said it was just to fit the look of what the Commission had approved of on the main building itself. He said since it was going to be used as a home gym, the door was just for air flow and light on both ends.

Member Allen asked if it was true that the door was only 20 inches to the property line. Attorney Rego didn't think so. Mr. Marshall thought it was more like 2 feet. Chairperson Lima asked Nick if he was aware of all of this. Nick stated that he was made aware of the fact that it was very close, between 20 inches and 2 feet, that it was a tight distance. Nick said it was the same door as what was put on the house. Member Allen but it wasn't a flat area between the property line and the door. Nick said that the area sloped slightly.

Chairperson Lima asked Nick and Attorney Marks if it was an issue that should be deferred to zoning. Nick said that it would be more of a zoning issue. Chairperson Lima asked Attorney Marks if the Commission should continue the matter until after it was heard at zoning. Attorney Marks didn't think it was something that would go to zoning, but the applicant would have to meet the zoning requirements regardless so whether that required relief from the Zoning Board he didn't feel that the Commission should have to decide that issue. Chairperson Lima said that the Commission only had to decide if the door was appropriate and the rest was out of the Commission's hands. Attorney Marks said that was correct.

Member Allen asked Mr. Marshall if he would be using the door for entry into the garage. Mr. Marshall said the door was strictly for airflow and light in the building. He stated that he was going to landscape the area.

Robin Allister, 5 Thames Street, came forward to speak. Ms. Allister stated that this Committee has been very generous to Mr. Marshall in approving renovations to the property, and now Mr. Marshall was asking the Commission to retroactively approve work that had already been done. Ms. Allister said Mr. Marshall was a commercial and residential real estate developer who knew that any substantive work on a property, especially one in a historic district, required necessary approval and permits. She said the credibility of the Commission was at stake because it had been a contentious community development and the message this would be sending to other Bristol residents was the HDC was nothing more than an afterthought. Ms. Allister felt that it signaled to people that they could change their properties and then come to the HDC after the fact for retroactive approval. Her concerns about the door were three-fold: 1) it was not up to building code. She said building codes required that doors that were either egress or non-egress have 36 inches of landing clearance in the direction of travel. She said by Mr. Marshall's own surveyor's work, there was 1.7 or approximately 20 inches between her property and Mr. Marshall's door, which did not meet applicable building code and as such gives rise to regular trespass. Ms. Allister said the Commission would approve a door that didn't meet building code. She stated it allowed for trespass, introduced a safety hazard creating improper footing which could result in a fall onto the neighbor's property, and that could force the neighbors to accept liability for an accident that originated on Mr. Marshall's property. She urged the Commission to refrain from approving it retroactively.

Chairperson Lima asked Attorney Marks if the Commission should refer the application to the Building Inspector's Office or Code Compliance Office before making a decision. Attorney Marks said the Commission could do so, but the issues were outside of the jurisdiction of the Commission. He agreed with Ms. Allister that there should have been approval first, but he advised the Commission to imagine that the installation hadn't occurred and base the approval on that. Nick said that was the standard procedure. He said in cases where permission wasn't sought, a fee for work without a permit was levied and then it goes forward as if it had not been on the merits of whether or not it would be appropriate had it been brought to the Commission if it did not

exist. He said the Commission should weight the matter as if it hadn't happened and if it was a new project, would the Commission approve it or not.

Chairperson Lima said since she had not visited the property, she wanted to continue the application so the Commission could do a site visit. She felt the Commission could get a better understanding of what happened and whether they should or would have approved it had the project come before them versus just sitting here without having any knowledge of what the Commission was looking at. Member Camara said that just looking at it, didn't make any sense. He asked the rest of the Commission if it was something that would normally be allowed. He would have understood a window, but not a door and suggested a continuance. Member Allen asked Mr. Marshall if it could be changed to a window instead of a door. Chairperson Lima told Mr. Marshall that he didn't have to decide, but he could. Mr. Marshall said he would like to do a site visit.

Member Millard suggested to Mr. Marshall that since he had already put the door in and it was not to code; why not have a carpenter make it into a window. Mr. Marshall said he wasn't sure he could do that. He said he would have to throw the door away. Member Millard said there were a lot of carpenters in town that could make it into a nice window. Mr. Marshall asked if the Commission wanted to do a site visit. Member Allen said if that's what he wanted the Commission to do then they would do so. Mr. Marshall said that was good with him. Chairperson Lima said she would have Nick schedule a site visit after she checked if there was anyone else in the audience who wanted to speak for or against the application. Nick stated he would schedule a time when the Build Official could attend as well.

Dr. Catherine Zipf came forward to speak. Dr. Zipf said that she had not seen the photographs showing what was discovered in the walls. She was troubled to hear that what was found sounded like standard early construction called waddle and dab. Dr. Zipf said it was vertical beams that were filled in with a stucco or stucco-like material. She said it wasn't a common building material in Bristol and, in fact, was very rarely used as it was must more typically used in places like the Caribbean Islands or in the south where a particular type of that construction called Tabby or Adobe. Dr. Zipf said it

would have been nice to have a call placed to the Historical Society so it could have been documented what was there. She wanted it on the record that for future reference if something like this is ever found again, a call should be placed to the Historical Society so it can be properly documented.

A motion was made by Member Allen to continue application #26-26 for a site visit; Seconded by Member Camara.

Voting Yea: Camara, Allen, Millard, and Lima

Opposed: None

Motion carries.

Nick stated that it will be advertised as a meeting and there will be an agenda. Chairperson Lima said that it would be posted online and anyone would be welcome to attend.

4H. 26-28: 9 Court Street, Karen Gieseke: Discuss and Act on installation of sign on front of building.

Karen Gieseke and Ian McCullen were present.

A discussion between the Commission and Ms. Gieseke, and Mr. McCullen was had regarding the installation of a sign at the front of the building at 9 Court Street. Mr. McCullen proposed a recreation in size and scale to the sign that was on the building when it belonged to the Town of Bristol. He said they wanted to keep the sign within the framework that was already familiar and approved. They proposed composite raised lettering on a composite based sign with gold leaf. Mr. McCullen said the sign would have 3/4-inch molding in white all the way around the sign with 1/2-inch lettering which would sit inside of outer molding. He stated they were also adding an element which was a carved relief with a painted surface which would be digitally produced due to its size. Mr. McCullen said that everything on the sign was going to be hand painted. He said it would be acrylic paint with a clear coat over the top. Mr. McCullen said the letters would be made from a composite material with gold leaf and the sides would be finished in a metallic gold paint. He said the sign would be 24 inch wide and 32 inches high and would be affixed to the building with French cleats so there would not be any visible

