

# **TOWN OF BRISTOL, RHODE ISLAND**

## **HISTORIC DISTRICT COMMISSION**



**Historic District Commission Meeting Minutes  
Tuesday, January 6, 2026  
at 7:00 PM  
Town Hall - 10 Court Street, Bristol Rhode Island**

Written comments may be submitted to the Historic District Commission via regular mail addressed to:

Historic District Commission, Bristol Town Hall, 10 Court Street, Bristol RI 02809 or via email to [ntoth@bristolri.gov](mailto:ntoth@bristolri.gov)

### **1. Pledge of Allegiance**

The meeting was called to order at 7:00PM, and the Pledge of Allegiance was promptly recited afterwards.

In attendance: Lima, Ponder, Bergenholtz, Allen, Church, Page, O'Loughlin, and Millard

Also in attendance: Town Solicitor Teitz, and Toth

Absent: None

### **2. Review of Previous Month's Meeting Minutes**

#### **2A. Review of minutes of the December 4, 2025 meeting.**

A discussion took place regarding the review of the December 4, 2025 meeting minutes. Chairperson Lima asked if anyone had any corrections or comments. Member Allen as follows: on page 4, last paragraph where Member Millard asked a question about the Weypoysset Preserve Trust, the word "was" should be added at the end of the sentence. Then on page 10, "Allen/page" needed to be deleted. With no other corrections or comments, Chairperson Lima asked for a motion to accept the minutes.

Motion made by Member Church to accept the minutes of the December 4, 2025 meeting as amended; Seconded by Member Allen.

Voting Yea: Allen, Church, Lima, Ponder, Millard, Bergenholtz, and O'Loughlin

Opposed: None

Motion carries.

### 3. **Staff Report**

#### **3A. Staff Report**

A discussion commenced between Nick Toth and the Commission regarding the new staff report. He asked the Commission if they reviewed it and if anyone had questions or comments. Member Allen stated that he liked it and appreciated it. Chairperson Lima agreed with Member Allen. Toth said he would provide staff reports going forward.

### 4. **Application Reviews**

#### **4A. 25-139: 79 Constitution St, Ralph M DeFelice:**

Discuss and act on continued items from November 4 Meeting, removal of bay window, change of approved design to eliminate proposed window.

Elizabeth DeFelice, Vincent Fosse, and Vincent Pacifico were present.

A discussion was held between Elizabeth DeFelice, Vincent Fosse, and Vincent Pacifico and the Commission. Mr. Pacifico stated they were back to discuss a couple of items that they had changed, one being in the small mudroom on the northwest side of the building. They were asking for permission to remove the window that was previously approved in order to make more of a functionable space on the interior wall of the mudroom. They had worked with Nick to submit a supplemental drawing in the packet which showed an "X" on the window that was to be removed. Mr. Pacifico said there was a door previously located in that location, the mudroom was not an original feature of the house, and it was pretty clear that it was added on after the original Greek Revival house was constructed in 1855. Mr. Pacifico stated the 2<sup>nd</sup> piece they were looking to do was the removal of the bay window on the west façade of the house as the goal of the exterior restoration of the project

was to restore home to the original Greek Revival which would have been built in 1855. He did not believe that it was an original feature because bay windows were not popular in the Greek Revival era. Mr. Pacifico advised the Commission that the 2 over 1 windows and the bay window had different muntin profiles and the muntin pattern on the bay window did not appear anywhere else on the home and it could be clearly seen that it was not constructed originally when it was built. He said the windows were older wood, putty glazed, single paned windows that were added early on, but they had sash weights and pulleys and the older windows on the main body of the house did not have sash weights and pulleys and were all friction fit. Mr. Pacifico said they were looking to remove the bay window and add a 2 over 1 window in its place which would be in kind with something that would be on the house. He was not sure if there was a 2 over 1 window in that location originally, but it looked like an appropriate location for it. They proposed the Brosco all wood, single paned window with true divided lights, with aluminum storm window over it to match the rest of the home in order to restore the look to an earlier era.

Member Bergenholtz asked if the Commission had already denied the removal of the bay window and Chairperson Lima said no, it had just been continued. Member Allen said that counterweights were a feature in old windows although those windows may not have been original to the house in 1852. He said that the bay window was purportedly visible from the street, but he walked by the house and stated that it in fact was not visible from street. Member Allen said he was okay with the removal of the bay window. Chairperson Lima asked if there were any other comments. Alternate Member Page said that restoring the home to the original look was a great idea.

Chairperson Lima asked if there was anyone in the audience who wanted to speak for or against the application or if anyone on the Commission had any other comments. Member Bergenholtz asked if the Commission was also voting on the removal of the spindles on the porch and Chairperson Lima said no, it was denied at the December meeting. Mr. Pacifico stated that they were only there for the bay window and the removal of the window in the mudroom.

Member Church stated she was confused about the door becoming a window on the south elevation. Mr. Pacifico approached Member Church to show her page 83.01 which showed the south elevation and the small bump out on the side. He said it was originally a door and at the last meeting they received approval to switch the door and window positions on the structure and they were back to get approval to remove the window that was originally approved while leaving the door in its approved position. Member Ponder asked if they wanted to make it a solid wall and Mr. Pacifico said that was correct. Member Church asked when the bay window was installed and Mr. Pacifico said it was unclear as to when it was installed. He said just going by the physical evidence he had it didn't fit the Greek Revival era. Member Church stated it could have been in the late 1800s or 1900s but agreed with Member Allen that it wasn't seen from the street. She said she was torn about its removal as it was a unique window. Member Millard didn't feel that the bay window really advanced style of architecture there and it was just a feature that someone added to improve the interior and was okay with its removal. Chairperson Lima asked for a motion.

Motion made by Member Allen to approve application 25-139 for the removal of the bay window on window on the west side of the house and to install a 2 over 1 Brosco solid wood window, and also to not install a window as presented in the mud room with the location marked on page 54 in the packet; Seconded by Ponder.

Voting Yea: Ponder, Allen, Millard, Lima, Church, and O'Loughlin

Opposed: None

Motion carries.

Secretary of Interior Standards: 9

Project Monitor: John Allen

**4B. 25-151: 76 State St, Sally Pinheiro/Diane Neslund:**

Discuss and act on removal of county cleansers sign.

Diane Neslund present on behalf of the homeowner.

Ms. Neslund, the tenant and business owner of Distinctive Interiors & Design located on the property, had a discussion with the Commission. Chairperson Lima asked if she was the owner of the property and she stated that the owner was Joseph Pinheiro. Nick Toth stated he worked with Mr. Pinheiro who gave Diane Williamson their approval for Ms. Neslund to appear and made her the co-applicant.

Chairperson Lima asked Ms. Neslund what happened to the sign. Ms. Neslund said when she moved in June and the space was supposed to be finished by July 1<sup>st</sup> and it was not finished so she didn't move into the business space until mid-July. She said that she had only been there a couple of times to see the space being improved by the owner and she didn't know when, how, or where the sign went. Member Allen asked if the sign was removed prior to Ms. Neslund moving into the space and she said it was but she didn't know when. Member Allen said Ms. Neslund really couldn't answer any of the Commission's questions regarding the sign's removal. Chairperson Lima asked if they could have the owner come to the meeting. Nick stated the owner wasn't able to make it and noted in the Staff Report there was a specific Ordinance that signs of defunct businesses were supposed to come down. He said that unless it was a "landmark sign", and he wasn't sure because it wasn't clear in the Ordinance how that would be determined, the point was moot. Nick said in theory that was not a "landmark sign", and it was supposed to come down when the drycleaner moved out.

Attorney Teitz asked Nick if he knew in the building permit it included the removal of the sign. Nick did not know if it did. Chairperson Lima thought it was a critical sign. Member Millard said it was an issue they needed to discuss with the owner because Ms. Neslund couldn't function if the building still had the old business sign on the building. Chairperson Lima stated the Commission couldn't make a decision and wanted to postpone it and talk more about it at the end of the meeting. Attorney Teitz stated the Commission could continue the application to another meeting date, but they could not postpone it to the end of the meeting.

Member Church said asked how they could vote to deny it. Attorney Teitz said they could vote to deny it by finding that it was a "landmark sign". He asked Ms. Neslund what was the name of her business and she said it was

Distinctive Interiors & Design. He said if someone wanted to replace the sign with another sign in the same pattern and letter style, that's the historical aspect of it. Attorney Teitz said what Nick was suggesting from the Staff Report, alerted the Commission to that fact. He said the Commission should find if the sign was a distinctive "landmark sign" and was it a character defining feature that had historical significance. He said if it was then the Commission should continue it until the owner could be present so they could discuss it with someone who was going to put money into it and not the tenant. If they decided it was not a "landmark sign" then the Commission didn't have to go further.

Member Bergenholtz stated it was his belief that it was a "landmark sign". Chairperson Lima agreed. Member Church said they needed to determine whether the cleaners was a distinctive feature architecturally. Chairperson Lima said that was correct. Member Bergenholtz said that it was historic and important. Member Millard said it was important. Member Bergenholtz said it was important in the overall architecture. Member Allen said if you look at the before and after pictures, he found it a shame that it was taken off of the building and it makes the building look completely different. Member Millard said she wouldn't want to move a business in there with another business' name on the building. The Commission said it was similar to the building with the Hotpoint sign. Chairperson Lima asked to poll the Commission.

Member O'Loughlin asked if the HDC determined which signs were historic and Attorney Teitz said yes. Member Church asked if they could vote if it was a distinctive sign. Chairperson Lima said she was going around to see if the Member of the Commission thought it was a distinctive sign, they would continue it to the February meeting and ask for owner to be there.

Ms. Neslund said that her space was very small, just under 700sqft and she wasn't allowed to put a sign there by the owner or the realtor. She advised the Commission that she could only do white lettering because the other space was so much bigger they told her it wasn't part of her space. Attorney Teitz asked if there was more than 1 tenant and Ms. Neslund said no. She said the building sat vacant for about 4 years before she moved in. Attorney Teitz asked if she had all of the interior space and she did not. He asked what the other space was used

for and she said it was left vacant. Chairperson Lima asked Ms. Neslund if she had windows on State Street and a small window on the alley. Ms. Neslund said the window on the side was located in a driveway leading to a garage. Chairperson Lima said that her store was primarily the whole front of the building and she said yes. Chairperson Lima said that Ms. Neslund's request for a sign was an issue between Ms. Neslund and the owner of the building. The Commission did not expect Ms. Neslund to maintain the County Cleaners sign if it still existed. Chairperson Lima advised Ms. Neslund that she could come before the Commission to request a sign for her window in the future. Ms. Neslund said she was told no. Attorney Teitz stated there was a difference between what her landlord told her she could do and what Town regulations said she could do. He said the Town may permit something that her landlord may say no to and vice versa.

Member Church advised Ms. Neslund that there were certain size restrictions and Nick could let her know what they were. Nick said that he had a discussion with Ms. Neslund as to what was allowable as far as stuck-on glass sign which could be administratively approved. He clarified to Ms. Neslund that she was not going to be putting up a sign which was similar in nature to the former County Cleaners sign was. Ms. Neslund said if she could budget for it, she like to have done so. Nick said it was a civil issue with her landlord and clarified to Ms. Neslund that the Commission was not expecting her to put up a sign. If the Commission said it was a character-defining feature and they theoretically wanted it to go back up, it would be the responsibility of the building owner and not Ms. Neslund. So, what the Commission was saying is that they wanted the building owner present at the meeting because they were determining it was a landmark sign.

Chairperson Lima said that there needed to be a vote. Member Bergenholtz said this was much more than a sign, it was 60s roadside architecture integral to the architecture of Bristol. He stated that having it removed makes the building look like a non-descript strip mall shed. Member Bergenholtz said it was a highly important sign and architecturally important. Ms. Neslund said if she could put up a sign, she would base it off of the dimensions of the County Cleaners sign since it was directly over her space. Member Ponder said

the sign was there because the cleaner was the bigger tenant. He said when it was a restaurant, they had signage in the window. He recommended the same for Ms. Neslund's business. Member Ponder said the distinctive sign was removed which was a defining feature of the street, similar to the Hotpoint sign's a defining feature on State Street. He said it was distinctive enough that the Commission needs to speak with the building owner. Nick informed the Commission that he spoke with the contractor that removed the sign and the sign is gone and cannot be put back up. He spoke with the contractor to get the sign back but it is long gone.

Chairperson Lima advised Ms. Neslund that she would need to do an application to the Commission for a sign for her business and come back with a design for their approval. Ms. Neslund said that would be great. Nick informed Ms. Neslund that a window sign could be approved administratively, but if she applied for a sign on the roof, it would have to come before the Commission, but the Commission definitely wanted to speak with the building owner. Ms. Neslund said she wanted to have information regarding any restrictions and guidelines regarding signage and Nick said he would walk her through it.

Member Ponder asked if the Commission needed to continue the application and Attorney Teitz said they needed to make a finding if the County Cleaners sign was a landmark sign. Chairperson Lima asked the Commission if there was any Member who felt that it was not a landmark sign and Member Millard said she did not think it was a landmark sign.

Motion made by Member Church to find that the County Cleaners sign to be declared a landmark sign and deny the removal of it; Seconded by Allen.

Voting Yea: Church, Allen, Lima, O'Loughlin, and Ponder

Opposed: Millard

Motion carries 5 to 1.

Secretary of Interior Standards: 2

Chairperson Lima asked Attorney Teitz if the Commission needed to continue the application to the February

meeting. Attorney Teitz said even though the Commission made a motion to deny, they should continue it to the February meeting to give the landlord an opportunity to show up.

Motion made by Church to continue application 25-151 to the February meeting; Seconded by Allen.

Voting Yea: Allen, Church, Ponder, Lima, Millard, and O'Loughlin

Opposed: None.

Motion carries.

**4C. 25-162: 35 Burton St, Kathleen Keating and John Oliver**: Discuss and act on addition of second floor to outbuilding and addition exterior changes/repairs to outbuilding.

Melissa Hutchinson, architect, appeared on behalf of the owners.

Member Allen asked if there was a letter from the homeowners granting Ms. Hutchinson permission to appear. Nick said he had an email granting permission but didn't print it out as he didn't realize they weren't going to be in attendance.

A discussion commenced between the Commission and Ms. Hutchinson regarding an existing detached shed located on the east property line behind the main house in line with the existing driveway. Ms. Hutchinson said that the footprint of the shed fell within the 6ft side setback required and the owners wanted to keep the existing footprint. She said they worked with Ed Tanner who came up with the idea that the portion of the shed that was in the setback which was about a 5ft section would stay untouched and they would modify everything to the west side of the line. Ms. Hutchinson said the first floor was a covered porch and a shed which is used and leads to the landscaped back yard and the shed housed the lawnmower, bicycles, and things of that nature. She stated the owners hoped to leave the 1<sup>st</sup> floor essentially untouched and then to enlarge the 2<sup>nd</sup> floor to have a bedroom for guest use. Ms. Hutchinson said the existing shed had very little headroom on the 2<sup>nd</sup> floor with a ship

ladder for access to the 2<sup>nd</sup> floor space. She said the idea was to leave the west roof line but to extend it with the same pitch to raise the ridge and create habitable space on the 2<sup>nd</sup> floor.

Ms. Hutchinson advised the Commission that it was not an accessory dwelling unit because it did not have a kitchen of any type, just a bedroom and a bathroom with a new code compliant exterior staircase for access. She said the owners would then have a usable space on the 2<sup>nd</sup> floor.

Ms. Hutchinson shows the Commission page 8.10 of the application showing a rendering of the space showing the code compliance in terms of the head height for the 2<sup>nd</sup> floor. She said in order to do that they would have to put in new 2<sup>nd</sup> floor framing and take the existing columns that support the porch which were slender in nature and turn them into steel columns to support the new load but they would match the existing dimension and still have it painted the trim color look so it would look the same as the wood column and maintain a similar base and capitol. Ms. Hutchison said there would be a new column at the interior to support the new 2<sup>nd</sup> floor which wouldn't be visible from the outside. She stated there would be a really nice door facing the driveway. It would be a single hinged door with side lights on either side, with three matching panels, and the owners wanted the west side of the door to be a double door so that when it opened it would be a much wider opening so they could move the lawnmower and other essentials in and out of the shed and the door configuration of 12 lights and 3 panels would be exactly the same.

Chairperson Lima asked Ms. Hutchinson if the front door would mimic the larger side door. Ms. Hutchinson said the door that faces the street would look exactly the same, but the thick side light would be operable. Member Allen asked if the side was wood currently and she said it was. He asked Ms. Hutchinson what the owners were proposing. She said they wanted a Therma True fiberglass door, but if the Commission wants it to remain a wood door the owners would do so. Member Allen said he would like to see it remain a wood door. Chairperson Lima agreed with Member Allen. He said the door the owners proposed to face the backyard was fine. Ms. Hutchinson said that made sense since the shed wouldn't be insulated. She said the upstairs door was more important

for insulation. Member Allen asked which side the 2<sup>nd</sup> floor door was located and she said it was on the north side on the back, which was not visible. Member Church said the north elevation was visible from the street. Ms. Hutchinson said Burton Street was on the south side. Member Church said the door is facing north. Member Allen asked if the driveway was on south side and Ms. Hutchinson said that was correct. Member Church said the driveway was on the left side and Member Ponder said the driveway was on the south side. Member Allen said Burton Street ran east and west of the yard. Member Church said the stairs would be facing the street. Ms. Hutchinson said the stairs would be in the backyard. She approached Member Church and showed her the location on the site plan. Member Allen stated that a fiberglass door on the north side would be fine.

Member Allen raised concerns about the steel columns as he did not recall the Commission allowing steel columns anywhere, but this was a different situation as they were for support. Ms. Hutchinson said she was waiting for approval before going to the structural engineer. She said if the structural engineer felt that it could be done with 3 wood columns like a PSL column that was painted or something like that, the idea was to keep the profile and dimensions the same. She didn't want to add a 4<sup>th</sup> column. Chairperson Lima asked if stronger columns could be encased with wood that wouldn't enlarge the profile. Ms. Hutchinson said it was possible as tube steel could be very small. She said they were very slender and she was afraid that if it became less than a 3½ inch diameter column like the ones you would have in a basement, it would be difficult to wrap it without increasing the width of it.

Member Allen asked how many columns there were currently and Ms. Hutchinson said 4 and wanted to keep it that way. Member Ponder said that they just wanted to strengthen them to support the 2<sup>nd</sup> floor and she said that was correct. Ms. Hutchinson said they did investigate and found no footings, just a slab, so they were assuming that there were no pier footings under the columns. She stated their intentions are to put in proper footings that go down to frost depth. She said the columns would have to be removed to do that. Chairperson Lima asked Attorney Teitz if the Project Monitor could deal with the size and interior of the columns or did the Commission have to decide on it now. Attorney Teitz said that was

something that could be delegated to a Project Monitor if the majority of the Commission was comfortable with it. Member Allen asked if the owners would be opposed to leaving the existing columns as is but wrapping those in some type of wrapping to compensate for the size of the new columns. Ms. Hutchinson asked if he meant wrapping the columns to make them thicker and Member Allen said yes, unless the owners were replacing the existing columns so they would all match. Ms. Hutchinson said the intention was to leave them looking the same but wasn't sure if they would be more structurally sound by just wrapping them as it would have to be integral to the column itself. Member Allen said he was talking about the existing columns if they wanted to maintain those but increase the size of the columns by wrapping them.

Chairperson Lima asked Ms. Hutchinson how many columns were the owners going to have. Ms. Hutchinson said there were 4 columns now and the intention was to have a total of 4. Member Allen said they were going to replace the existing columns. Ms. Hutchinson said the intention was to replace them so they would exactly the same. Member Allen asked if they could do steel posts and wrapped them in wood. Ms. Hutchinson said ideally, but she couldn't answer yes until the structural engineer said they could get a steel column small enough so they could wrap it and have it the same overall width. Chairperson Lima suggested having the Project Monitor work with the owners and structural engineer to make it so that the columns will stay potentially the same size but find a way to make it structurally strong to bear the weight of the 2<sup>nd</sup> floor. Ms. Hutchinson said that would be wonderful.

Member Church said the materials list said they were to match the existing profile of the steel columns. She said if they look like the ones that are there currently and painted, that would be acceptable. Member Allen thought the owners wanted to add to the columns that they already had. Ms. Hutchinson said the intention was for the columns to remain at 4 and to be in the same location and look exactly the same, just to be steel instead of wood. Member Allen said the Commission would need a cut sheet of the materials. Chairperson Lima said if the steel could be wrapped in wood, it would satisfy the Commission and serve the owners' purpose. Member Church asked Chairperson Lima what happens if the columns didn't look like the ones that were existing. Chairperson Lima said it would be up to the Project Monitor to make sure

it matched so they didn't have to come back to the Commission, but they would have to submit the paperwork and design to the Commission. Member Church said that there wasn't a product sheet and it may have to be tooled to match the existing columns. Chairperson Lima said if the Project Monitor worked with the contractor and the owners, then it would be fine. Member Ponder said that their intent was not to make them look like columns in basement. Ms. Hutchinson said that was correct. She said that the best case scenario would be that the structural engineer would tell them that the columns could stay and they would just need to put the pier footings under them and that's what they would absolutely do.

Chairperson Lima asked if there was anyone in the audience who wanted to speak for or against the application. With no one in the audience coming up to speak, Chairperson Lima asked for a motion.

Motion made by Member Allen to accept application 25-162 for a 2<sup>nd</sup> floor addition to expand the west side of the existing shed as presented. The only item that remains to be decided upon is the steel support columns that are being presented. The Project Monitor will work with the architect and homeowner to make sure the columns look like the columns that are currently there or if necessary to be wrapped in wood with the profile to match existing columns; Seconded by Ponder.

Voting Yea: Allen, Ponder, O'Loughlin, Millard, Church, and Lima

Opposed: None

Motion carries.

Secretary of Interior Standards: 9

Project Monitor: John Allen

**4D. 25-163: 30 Union St, Karen and Brad Clair:** Discuss and act on changes to previously approved dormer.

Chairperson Lima recused.

Brad Clair present.

A discussion took place between Mr. Clair and the Commission regarding Mr. Clair seeking approval for changes that have been made to an east facing dormer which had been previously approved by the Commission. Mr. Clair stated the changes proposed is to reduce the size of the dormer to about a 20x6 from a 20x12 to go with a 3 window setup instead of a 2 window setup which had been previously approved. He said in regards to the windows, he was interested in getting feedback from the Commission. Member Allen asked Mr. Clair what his previous approval was for. Mr. Clair said it was for a larger dormer with 2 windows. Member Allen asked if he received feedback from the neighbors. Mr. Clair said the changes came from a combination of feedback and aesthetics as he and his wife saw a dormer that they liked at 195 High Street on a garage.

Member Allen asked if any Members of the Commission had any questions. He then asked if there was anyone in the audience who wanted to speak for or against the application. Christine Stillwell of 31 Noyes Avenue came up to speak with the Commission. She gave pictures to the Commission showing how Mr. Clair's garage sat on the property line to her back yard. She said her house was a shotgun style approximately 100yrs old with a direct line of sight to his garage and could be perceived as part of her property. Ms. Stillwell said Mr. Clair's garage had always been unobtrusive because the roof sloped straight backwards away from her property and had dark shingles, but any physical change to garage especially a dormer with windows would be very visible from the street when looking at her house. She said it would negatively affect the appearance of her home and would not be consistent with her property's individual historic character. Her home and Mr. Clair's garage were not architecturally compatible, which would be emphasized by an addition of a dormer. Ms. Stillwell said that in 2001 she filed an application with the Commission to replace weather damaged clapboards on the south side of her house. In granting her request, the Commission used the term "virtually identical to replacement materials" and she was asked to ensure that the horizontal positioning of the new clapboards matched the level of the old ones which showed the concern of the Commission for the visual effect of changes to her home. Ms. Stillwell said that the proposed change to Mr. Clair's garage was not minor and would directly impact her home and integrity. She

said the changes proposed didn't visually affect his home and wouldn't be seen when looking at his house but would affect his neighbors and her home. She said Mr. Clair had other options to increase the livable area of the garage on his side working within his large yard and asked the Commission to deny the application. She said it came to an impasse or was denied by the Zoning Board.

Member Allen asked if there was anyone else who wanted to speak and Carol Wardwell came up. She said she also lived on the east side of Mr. Clair's garage. She reiterated Ms. Stillwell's statements regarding the Commission focusing on historic value. She was very curious about how Mr. Clair having a garage with very little historic value then putting a dormer on the side that doesn't match the existing, how would it possibly add any historic value to his property or the neighborhood. Ms. Wardwell said that the dormer on the east side was considerably smaller than the one on the west side. However, in terms of value, she felt it would have an extremely negative effect on Ms. Stillwell's property and her property. She said a situation is then created where either one of them is their backyards feel as though people are looking down from their windows into their yards. Ms. Wardwell feels there would be a negative resale value and a loss of privacy.

Member Allen said Ms. Wardwell and Ms. Stillwell both spoke the first time the application came before the Commission and they approved it and now Mr. Clair has reduced the size of the dormer and windows so he couldn't justify not approving it this time since it was already approved. He said Mr. Clair was trying to decrease the size. Ms. Wardwell appreciated Mr. Clair's efforts, but the end result was still the same. She said the previous visit to the Commission was confusing. Ms. Wardwell said there were a lot of questions that has to do with zoning and she had difficulty separating the Commission questions from questions that were better presented to the Zoning Board. Ms. Stillwell said she didn't fully understand how the Commission proceed and made their decisions but thought the dormer was completely wrong for the neighborhood.

Member Ponder said that if the Commission were to deny the proposed dormer, Mr. Clair still had the approval that the Commission gave him previously. He said that the Commission was not denying or approving a dormer as

it was already approved, they were just denying or approving the changes to the dormer. Attorney Teitz said if the Commission denies the proposed changes, then the larger dormer was still approved.

Member Allen asked Mr. Clair if there was a zoning issue as well. Mr. Clair said there was a zoning issue, but it may fall within setbacks. He said they reduced it as much as they could which may satisfy it. Member Allen asked if he was going back to zoning and Mr. Clair said he was unclear about it, but he was trying to find some common ground. He did point out that the new windows were positioned very high on the dormer and were for light and ventilation only. He said he was the only person tall enough to look out of them. Mr. Clair gave some pictures to the Commission. He said the Zoning Board dismissed it without prejudice. Attorney Teitz told Mr. Clair to focus his testimony on the historic aspects. Mr. Clair explained to the Commission that the first 3 pictures were of the dormer at 195 High Street which was a similar dormer to the one he was proposing. The 4<sup>th</sup> picture was of a dormer on Noyes Street and the 5<sup>th</sup> picture was from his driveway where there's a significant dormer that overlooks his driveway which he's fine with. Mr. Clair's point was that dormers exist in the historic district in various sizes and shapes and aesthetically speaking what he was proposing was very much in keeping with the district and he went through great lengths to try to make it as palatable for his neighbors and would continue to work with them.

Member Allen asked if anyone had any other questions or comments. Member Church said that Mr. Clair answered her question already regarding what could be seen out of the proposed windows as they were not for gazing out of. Mr. Clair said that the living area was below the windows and they were just for light and ventilation. Member Allen said the fact that the Commission had already given him approval for a larger dormer with larger windows and now he's coming down in size, if they deny it he had the option of going back to the larger dormer. Mr. Clair said he was trying to do the best he could.

Member Allen asked for a motion.

Motion made by Church to approve application 25-163 for the change in dimensions for the dormer proposed for the

east elevation and the windows be of the same materials that exist in rest of the building; Seconded by Ponder.

Voting Yea: Church, Page, Allen, Ponder, Millard, and O'Loughlin

Opposed: None

Refrained: Lima

Motion carries.

Secretary of Interior Standards: 9

Project Monitor: Robert Page

**4E. 25-12: 125 Hope Street, 125 Hope Street, LLC:**

Discuss and act on demolition or rehabilitation of existing property, depending on possibility, discuss and act on potential replacements.

Attorney Alfred R. Rego, Jr. present on behalf of the applicant.

Nick asked Attorney Rego if he wanted the Commission to vote on the application during the meeting and Attorney Rego indicated that the applicant wanted to do a concept review instead. Member Ponder asked Nick that since there was an application before the Commission, did the Commission needed to continue said application and Nick said yes. Nick asked Attorney Rego if February would work for the applicant and he said yes.

Chairperson Lima asked for a motion.

Motion made by Allen to continue application 25-12 to the March meeting; Seconded by Ponder.

Voting Yea: Ponder, Lima, Allen, O'Loughlin, Millard, and Church

Opposed: None.

Motion carries.

**5. Concept Review**

**5A. 25-12: 125 Hope Street, 125 Hope Street, LLC:**

Discuss potential options for replacement of building on site.

Attorney Alfred R. Rego, Jr., John Tschirch, Madeline Melchert, and Dennis DiPrete appear on behalf of the applicant for concept review.

Dennis DiPrete came before the Commission to present the concept review on the application. He summarized the information that was located on the portal which was 100s of pages of information. Mr. DiPrete summarized all of the work that the applicant and everyone involved has been done up to this point. The Town had asked if they could get private insurance and he stated that only one insurance company was willing to issue a policy for a house in the wave velocity zone and the premium for \$2million in coverage was over \$100,000 a year. They came to the conclusion that no one should spend money or restore or renovate any house that's on that foundation in that location. He said that's partially because of the elevation but really mainly due to the vertical face of the foundation, which was 40ft off of the coast, could never withstand the waves. Mr. DiPrete said that the CRMC recommendation submitted in the packet to the Commission strongly support meeting FEMA compliance and urge the applicant to elevate house even higher. He said they showed different schematics and schemes where the 1<sup>st</sup> floor of the house was elevated 2ft to 3ft and the CRMC recommended it to be even higher. Mr. DiPrete said the concepts they submitted didn't really take the CRMC's recommendations into account because it was advisory, but they knew they had to meet the minimum FEMA elevations.

Mr. DiPrete then spoke about David Odeh's presentation at the September Commission meeting explaining his findings. Mr. Odeh stated that it was no reasonable alternative to demolition. Mr. DiPrete said that they had discussions with RIHPHC and there was a letter from RIHPHC which was already part of the record. He stated that according to RIHPHC, it was their opinion that there were no prudent feasible alternatives to demolition. He said in March the Commission had the applicant do a lot more work which was done and documented, including bringing on numerous other consultants and the initial conclusion was that they didn't think the house could be renovated on top of the foundation. He advised that every alternative has been exhausted and everything reaffirms the initial

opinion and CRMC, State Flood Plain Coordinator, and RIHPHC all came to the same conclusion. Mr. DiPrete stated that at the last meeting, before they would consider a demolition permit, the Commission wanted some idea of what the other alternatives were, and they did the work and now they were here to present it. He said that Madeline Melchert, the project architect, was going to present the concepts she created, and John Tschirch was also going to speak on the historical significance of the renovation work that would be required along with any alternatives. He said members of the team have started critiquing the earlier designs.

Member Allen said they did their due diligence regarding the property and the condition that it's in, and he understood that there was no way to jack it up. He asked if they had given any thought to disassembling the house then salvaging as much of it as they could then rebuilding it on the same footprint with the architectural history behind it. Mr. DiPrete said that John Tschirch could speak on that, but when he initially looked at the house, he saw holes in the roof and walls, and a lot of stuff had let go. He said the biggest problem with the house is the foundation that it's on. He said it's easy to walk around and think it's been in disrepair and taken one at a time and had been on a different foundation probably could have been salvageable, but it's in a flood plain.

Member Allen asked what would be the opposition to actually putting the same house back up on a higher level. Mr. DiPrete said that's what RIHPHC concluded in their letter that all contributing historical value to that house would be gone once that happened because for a lot of reasons that house doesn't work at that elevation. He said the garage wouldn't work as a new foundation would be piers like you would see along the coast with some type of deck and a house up on it. He said the house in that location with that garage wouldn't work. Mr. DiPrete said it would be odd seeing it. Member Allen said to take the garage out of the equation and look only at the house and why couldn't that be basically replicated and keep the historical architectural detail of the house that was there. Mr. DiPrete said RIHPHC looked at it that way and talked about it and said the results would be a completely new exterior envelope, improved structure, and elevated building, which would essentially be a reconstruction of a building on a higher

basement still having an adverse effect on the historic district. He said the RIHPHC said there were no alternatives to demolition. Member Allen said he would rather see something that pays homage to the Herreshoff house rather than putting 2 completely different houses there. Chairperson Lima said instead of going in circles, let them make the presentation then we will have time to ask questions and then you will have to come back after listening to everyone. Mr. DiPrete stated that's what they wanted and then they would collaborate on their own to review the notes from the meeting and hopefully make a much more detailed submission.

John Tschirch, the architectural historian, came up and presented his findings. He was concerned about the building. He stated there were many federal houses in Bristol that were covered in asbestos in the 30s and 40s. Mr. Tschirch said taking off the asbestos was not compromising the original quality of the house because it would have had clapboards, etc. He said the Herreshoff house's asbestos is located in the original material so they have to disassemble the whole house so if there are fragments left; it might be 1 piece like the true cross because very little would be left. Mr. Tschirch stated that's when he turned in his thinking as it can't preserve as is because it's rotting. To rehabilitate the building, the intervention would be so severe because of the asbestos being in the wall materials and roof. He said it's falsifying history which flies in the face of the Secretary of the Interior Standards because it's not being perfectly recreated it. He stated that it's not a preservation practice according to the Secretary of the Interior Standards and it's really a site for new construction. Mr. Tschirch asked if it was their role to build copies of everything like Colonial Williamsburg did, which was controversial. He said the guidelines are to respect size, scale, massing, and to a degree some materials. Mr. Tschirch stated that it had been subdivided into 2 lots, but Nick stated it was not subdivided. Nick said a subdivision would still have to occur for 2 houses and it would still have to appear before the Zoning Board.

Mr. Tschirch went on to state that demolition is unfortunately necessary. He stated it's disappointing and not good preservation; it's make-believe history. He said the doctrine of preservation is to do no harm but

once the patient is dying one has to accept what needs to be done, and it's a stark reality here.

Madeline Melchert came up and showed renderings of proposed home choices for the land. She has analyzed the property and surrounding neighborhood, especially across street. Ms. Melchert said she looked at the size, scale, massing, pattern repetition between properties, the heights, architectural characteristics, *i.e.*, roof shapes, 1<sup>st</sup> floor overhangs, etc. She had 2 options. Showing Option A, Ms. Melchert said it was more of a conversion of the existing building with a 2<sup>nd</sup> shed/garage on the side and the old museum, then using some of the character defining features of the old house and using them in a new design. She said she was not trying to replicate it but using it as inspiration. With the building next door, she was using the massing of the museum which has no windows facing the street and took more liberty to add different design elements to it. While showing Option B to the Commission, Ms. Melchert explained that it showed the heights of buildings across the street then explained how the site sloped towards the back. She said Option B uses a shingle style which was present in the community but not using what's there.

Member Church asked if any new structure had to be on stilts. Ms. Melchert said that the new structure would be on stilts and that there would be a breakaway wall. Member Church stated the renderings didn't look like they incorporate stilts. Ms. Melchert said it would be inside and they would utilize a breakaway wall which would be clad with a veneer. Member Church asked if both renderings incorporated stilts and Ms. Melchert said yes. Ms. Melchert showed the rendering to Member Church and explained that the front elevation would be at 3ft, and the back would slope down significantly. She said that one idea was keep the façade narrow and long, so it didn't look like a huge building from the street, but it allows for someone to drive down and park underneath rather than a garage facing the street or on the street.

Member Ponder discussed page A13 in the packet, Option A, which had a building that mirrored the look of the current model with a separate big structure. Ms. Melchert explained that there were 2 separate structures on the lot. Member Ponder asked Ms. Melchert if that was their preferred option for the site. She said yes, because of CRMC and zoning setbacks. She said it was to

also allow for access down. Member Ponder said the Commission liked the size and placement of the fake model room, but the 2<sup>nd</sup> structure is bland.

Mr. Tschirch came back up and said that although it was 1 residence, it really was 2 distinct masses, the main house and the addition with a small link. He said there were 2 masses on the site, it's just something to think about. He said he did like the way Ms. Melchert's design was sympathetic to the original house, but with a modern twist so it balanced what the Secretary of the Interior Standards wanted. Member Ponder said if the house had to be demolished then it shouldn't look like someone put a McMansion on a lot. Ms. Melchert said the footprint of each building was just over 1,000sqft each. She said as the design progressed adding first story elements to break it up will help.

Chairperson Lima asked if there were any other questions from any Members.

Mr. DiPrete said they're going to have a lot of site modeling since there's a lot of 3 dimensions happening on the site. He stated that looking at the site from the street tells one story and when the Commission sees how the whole lot works will be more to think about. Mr. DiPrete said they could do a better job by taking the amount of frontage and separating it and the area that's not blocked by the house today would have 30% more to it. There would be less development along the street with the current design than when the existing structures were put in place. He said by separating the lots, they were making room for 2 driveways to go down with parking underneath the homes. He added that the house would be on stilts with a breakaway wall and a deck, so from the street it wouldn't look like the house was on stilts. He said that appearance from the water would be a lot different than the appearance from the street. He stated that a lot of the emphasis would be from the street appearance which is where the Commission would start their focus. Mr. DiPrete said having a 3-dimensional model may help visualize it better.

Member Bergenholtz asked Mr. DiPrete if the plan was to divide it into 2 house lots. Mr. DiPrete said maybe as a condominium or if the existing house was put back it could be used as a 2-unit house, but the best resolution would probably be rezoning for 2 lots. He said it would

probably be the easiest to have a driveway for each lot. Mr. DiPrete said they looked at a lot of concepts with a shared driveway coming in and then splitting off with parking underneath on one lot or 2 lots with easement, but it probably means zoning, but they haven't submitted much to the Town for review, but it probably meant zoning for 2 lots.

Chairperson Lima said the Commission needed to give the applicant some indication of either demolition or not. Mr. DiPrete said that or either going forward and give the Commission more details on what the home concepts could look like and start preparing a real submission to give the Commission a lot of information on materials and shapes. He looked at it as a placeholder for their concept. Mr. DiPrete said that the Commission gave them good feedback that they preferred the concept that resembled the original home. He said the initial concept was really taking the amount of frontage, separating it, houses elevated on stilts with driveways going down and parking underneath, then doing the best they could to create a structure that looked like it belonged there.

Member Church asked Attorney Teitz if the existing house could legally be rehabbed as is or was there anything that said it could not be repaired and restored. Attorney Teitz said yes with one caveat that the expert opinion from their engineers that if it's more than 50% of the cost that it has to become compliant and given the studies that the Commission has seen that it would cost more than 50%, so it can't be rehabbed where it is. He said the house would have to be raised up to be compliant, the other exception would be to seek a variance from the Building Board of Review from the flood plain requirements based on the historic value of the property. Attorney Teitz said he couldn't tell the Commission if the Bristol Building Board of Review would grant it or not, but even if they did that, they would be able to get affordable flood insurance, and the property would be uninsured. He said it wouldn't be the best investment to make on a property that was uninsured. He couldn't make the decision for the Commission, but it seemed like there was a lot of evidence out there that indicated that the property could not be restored.

Member Bergenholtz said the study said it could be restored but it needed steel and to go up a few feet. He said there was a project on Thames Street in a flood

plain it was in the district, this would have a huge impact on anyone. Nick said that the Thames Street property was in a different flood zone. He said this property was in the VE zone. Attorney Teitz said this property was in a velocity zone which is waves as opposed to an A zone which was simply the water rising but not the wave action. Member Bergenholtz recalled CRMC could recommend elevating a building but if it was in the district. Attorney Teitz said that if it's in the district they have to seek the advice of the RI State Historic Preservation and Heritage Commission. Attorney Teitz had a similar situation with a property in Westerly that was within 200ft of the river and he was shocked but CRMC had jurisdiction and had to go to CRMC and then CRMC went to RIHPHC and they determined that building could not be demolished. He said the applicant had followed the correct process here. He said there wasn't a set appeal process to the RIHPHC, but they could ask them to look at their conclusion again.

Member Bergenholtz asked if the Historic District Commission was the deciding group. Attorney Teitz said the applicant needed both CRMC and the local Commission. Member Bergenholtz said that the local Commission was the deciding group, not the State and Attorney Teitz said they need both. He said if the local Commission said they could demolish it and the State said they no, then the applicant wouldn't be able to do so. Member Allen said to Member Bergenholtz that's what happened with his property. Attorney Teitz said sometimes there's a split decision between both state and local authorities.

Member Church then discussed wave action regarding the property. She said the house was protected from the east and north, and pretty much protected from the west by Poppasquash, then Prudence Island and Hog Island which cut down on the waves. Member Church asked if that was taken into consideration during the studies. Mr. DiPrete said that's why it took them months to get back to the Commission. He stated that to do the work on the house it would take variances from FEMA and the flood plain regulations. Mr. DiPrete said that's what the Town and State asked them to look at and that's what took them so long. How did they know the wave velocity zone was really there and what's the significance of it, and they issued an addendum to their packet. Member Church said the charts and numbers in the report didn't mean anything

to her. Mr. DiPrete said he did his best to summarize it for the Commission.

Member Church asked if it took into account that the house was fairly protected with only an outside chance that there's going to be enough wave action and questioned what the percentage of wave action it would take to damage the house. Mr. DiPrete showed a graphic chart to the Commission and said the house would need variances. He said all variances in flood plain regulations and building codes aren't equal and the type of variance that the house would need are variances that as a professional he would never recommend to anyone. He said any public board once they got into it would grant the variances necessary to renovate the house.

Member Church stated the house was a contributing building with architectural and historic significance and there were very few examples of that particular style of house in the State. Mr. DiPrete agreed with Member Church on that point and that's what took them so long to come back to the Commission, but there is no other alternative that they could see with this house. He said the house could not be renovated on that foundation and no one should want it. Mr. DiPrete stated that anyone who got into it and understood the significance of it wouldn't want anyone in their family to own it. It's physical fact. He showed page 28 from the addendum to the report which showed the FEMA maps. He said the other properties that were looked at in the Town where FEMA considered or did map amendments took look at the significance of the waves, didn't have transects so close. FEMA went back and did computer models and that's in the addendum the applicant did in August. Mr. DiPrete stated those are the ones that concluded the waves dissipated energy between 280ft to 380ft off of the water. He said they didn't need to do that in this case because FEMA has a transect right next to this house and the house is only 40ft off of the water. Everywhere they looked substantiated the original maps they looked at like the Town flood plain maps which shows this house is very deep into the wave velocity zone.

Member Church said how many storms would come that way. Attorney Teitz said whatever got around Hog Island would be headed right for the house. He said it wouldn't be as bad as at the head of the harbor as it gets funneled by the harbor, but it would be a hurricane direction. He

said if it was high tide it would be even worse and Hog Island is the only thing protecting it and depending on the surge a lot of the sandbar that goes out to the southeast on Hog Island would probably be overtaken by the waves. Chairperson Lima said in addition to all of that, there would be no insurance on the property.

Mr. DiPrete stated the Town asked them to go to CRMC and CRMC's opinion is it's worse than this as they believe the storms are going to be more frequent and more severe. He said the CRMC was recommending that the house be raised even higher, which would make the job for everyone even harder.

Chairperson Lima asked if it would be appropriate to poll everyone so the applicant could get an idea. Member Allen said he noticed during the March site visit that there was a model of 2 very modern looking houses which seemed to be the intent of the owners all along and asked why that was. Mr. DiPrete said they thought they could do a better job that was more respectful to street that's going to work within the 3-dimensions of the lots with the homes and garages.

Member Allen asked Attorney Teitz if the Commission had the option of denying 2 houses. Attorney Teitz said they could. He stated that the Commission controls the massing, shape, and architectural style of the replacement to make sure it is consistent with historic district.

Chairperson Lima said given the CRMC and RIHPHC reports, she believed that the present structure was not safe and should be demolished. However, currently she didn't have an opinion as to 1 or 2 structures on the lot and the applicant needed to decide that after they heard the opinion of the Commission. Member O'Loughlin agree with the RIHPHC's report but was not on board with the idea of 2 lots or 2 houses.

Member Page agree Mr. DiPrete and whatever was going to be put there needed to be on a new foundation and lifted. He said they needed to pay a lot more attention to the fact that this was a significant historic property and they were not dealing with that in what they were presenting. Member Page said the idea of openness would be something that Planning might like, but it didn't appeal to the Commission as that's not what was there.

He stated the idea of anyone not paying attention to the historic nature of the buildings being demolished because of the flood plain leads them as a Historic Commission, particularly in a historic district, down a path that was going to get very difficult in the future. Member Page said FEMA was going to redo the maps every decade at least and they will review them every time there's a significant hurricane in the bay. Every time the V zones and the flood zones will get higher, more houses are going to fall into that, and more buildings are going to fall into that. He said the idea they ignore what those buildings are, they'll soon have very few structures close to water.

Member Bergenholtz still thought it could be restored and agree to elevating them using new materials that replicate the size and profiles of the façade. He said if it wasn't possible, he would be very strong in his opinion that whatever did go there was in the same location, so it wouldn't be 2 separate houses. He said the owners bought the property knowing what it was.

Mr. DiPrete stated the original concept was to renovate the house. When he got involved, in his 40yrs of practice he's never seen someone do a significant renovation in a V zone. The Commission, State, and Town asked more questions and wanted more information before they would come to the same conclusion.

Member Allen stated he was not in favor of demolishing it, but they proved it couldn't be resorted. He said he wanted to see something that paid more homage to the Herreshoff house and definitely not 2 buildings or dividing the lot.

Member Ponder said they proved that demolition was a foregone conclusion and was looking at what was going to replace the house. He thought the scaling of what they presented was too big for the area, but the model room house replacement looks great. He said the main house is too big and wasn't sure it's appropriate for the district. He wasn't in favor of the lot being divided and having 2 houses. He recommended something more scaled like the current house and something more appropriate to that lot. If the lot were to all of a sudden have one of the proposed structures on it, it would be very noticeable to a lot of people as overly big. He stated if this was the presentation he would

have denied it and they needed to work on scaling and appropriateness on for the lot. Mr. DiPrete stated the strategy was to reach a consensus of what's better for the lot. They want to have the permitting to come together in the end even the demolition permitting. He understands that the Commission is not ready to grant the demolition permit, but if they did, no one was going to tear down the house as there could be a year of work ahead of them between CRMC and the Commission, etc. They just want to work with everyone. Member Ponder preferred not to have 2 structures there.

Member Millard was unfortunately in favor of the demolition as they presented their case clearly. With the information obtained about the asbestos siding, it will be the right move. She always appreciated the 2 roofs of the buildings and with modern materials they could come up with something that would work. She said it was very geometric in the roof of the model building as well as the house and the idea that it goes down toward the beach was interesting.

Member Church was opposed to demolition as it's a unique architectural style and its historical significance. The house seemed very solid inside during the site visit. She feels it should be preserved.

Attorney Teitz said it's the position of the Town that the Historic District Commission had jurisdiction over subdivisions within the historic district. So, if they did want to subdivide it, it would have to come before the Commission. Member Millard asked Attorney Teitz if a condos in 1 building was considered a subdivision. Attorney Teitz said it was not a subdivision as they could condominiumize it without needing approval. Member Millard asked if 2 residences attached be considered a subdivision. Attorney Teitz said the question was is lot area big enough for a duplex as he wasn't sure if it was or not, but they would need approval for that. If it was big enough, then yes, they could have one big building with 2 units. He said a subdivision into 2 separate lots would come under the Commission's jurisdiction, but the law did all condominiums with no control over that.

Chairperson Lima asked Attorney Teitz if they needed to open the discussion to the public and he said they could. Member Bergenholtz asked Attorney Teitz if the Commission was to approve the demolition was it possible for them to

say in the approval that they could only build 1 house of a certain number of square footage. Attorney Teitz said it was possible for the Commission to approve the demolition contingent only upon the approval of what's going to go there. He said that was the norm for historic districts. He gave the example of the failure to do so was the Harriet Bradford property and the parking garage.

Mr. DiPrete said they want to come together in the end and in pieces along the way as well. He will talk to his client and will submit some concepts with more information as to why they believe 2 houses would be correct or another option with 1 house. Mr. DiPrete suggested doing another workshop before really making a submission on what they want to build.

Catherine Zipf said it was a horrible situation, and no one was going to get what they want. She reminded the Commission of their approval of the replacement of historic materials with different materials many times. So, the idea that asbestos was not going to be replaced with asbestos undermining the integrity of building was not true and it's a Herreshoff house which was not a lower quality house and was a well-constructed house. It's a significant house. She stated that if demolition was agreed upon, they could spend over \$2million and next year the State could get a hurricane that could take out the house and remove the actual land. Perhaps all of the money and concern suggests nothing should be built on the lot and maybe it was time to let the house and the lot go and it might make a nice park. Investing extraordinary amounts of money to save a building that could be gone in the next year and then to rebuild it to the magnitude they would have to do on the lot doesn't make sense. She just wanted to raise the point of simply not building anything at all. There will be an adverse effect on the district if demolition is done. She said the Commission has the power to mitigate the adverse effect. Her vote would be to reconstruct the house as best they could and keep as much out of the landfill as possible. She said it's not an unreasonable approach as it pays a lot of attention to what was there and it would get the house into modern condition and meet modern codes. It would do some bottling of the Herreshoff legacy that was there. She stated that she preferred Option A, which paid homage to the original house.

John McClasky of 245 Hope Street came up to speak. He agreed with Catherine. He was impressed with the presentation but agreed with Member Bergenholtz that the buyer knew what they were getting into. He said it wasn't the first time it happened in Bristol and it would happen more and more, but the Commission will make the right decisions and keep Bristol protected.

Attorney Teitz suggested the Commission vote to move the concept review to March and move the application to March as well.

Motion made by Member Allen to continue application 25-12 for another concept review to the March meeting; Seconded by Ponder.

Voting Yea: Ponder, Lima, Allen, Church, Millard, and O'Loughlin

Opposed: None

Motion carries.

6. **Monitor Reports & Project Updates**
7. **HDC Coordinator Reports & Project Updates**
8. **HDC Coordinator Approvals**
9. **Other Business**

Member Allen told Nick he had several concerns but would give him a list so next time he could be prepared to talk about the times. Nick advised him Ray talked to the guy about the fence on Thames Street and the owner was going to replace the broken posts. Member Allen asked about the plastic sleeves on the house on Birch Street, the house on Franklin Street regarding the lattice replacement, and the house on Hope Street that had added at least 3 scones on the side of the house and replaced the post lamp without an application. Nick said he would follow-up on all of that and get back to him.

Attorney Teitz asked the Commission if they wanted to discuss the lead abatement training now or continue it to another time. Member Church said Rob Gagnetta gave a good presentation. She said they shouldn't concentrate

on the problem with the lead part of the windows, and the Commission should focus on windows and whether they can be repaired. If the windows can be repaired, the Commission should make suggestions to the homeowner as to where they could get information about the lead abatement. She said that Rob said there's lead everywhere whether it's abated or not, there's always going to be lead and the Commission should concentrate on the condition of the existing windows and make a decision based on that.

Member Allen asked if there was a video of the presentation. Attorney Teitz said there was, but it wasn't available to the public yet.

Member Page said it wasn't too different than what the Commission had previously discussed regarding the fact that it is not the case that the regulations automatically require any window that had lead paint to be replaced. He said there were several inspectors who believed that and a big part of it depended on how they tested for the lead and if an inspector used a gun that would read lead in the wood itself, it didn't matter what was done it would fail. He said they're in contact with the Department of Health and they're working with them to get better training for the inspectors to have some sort of uniform process. Member Page said it was totally arbitrary to what inspector someone gets in their house. He said that cleaning up at the time makes a big difference, but 30 days later there was still lead dust that may have come in through open windows. He said a very simple thing to do to pass the test is to clean everything possible the day before an inspector shows up. The other thing talked about was sealing the top sash shut then it deals with the problem of friction on the top sash, and it cuts the cost of remediation in half or putting sleeves in moving parts to eliminate dust. There are alternatives to window replacement but a work in progress due to the lack of standardization and training.

Member Church said there was a lack of follow through. She said it wasn't an emergency to get the windows changed. Attorney Teitz said that any landlord that had a new tenant was supposed to have the lead remediated and the problem was if the tenant decided there was a problem and the landlord hadn't received the certification, the tenant didn't have to pay them rent. The tenant could pay the rent into an escrow account. He said he has

already dealt with that problem. He said there are about a dozen firms in Rhode Island that repair historic windows and the best thing is to keep a list up to date. Nick said he has used information from the Historic Window Alliance. Attorney Teitz said window repair may be more cost effective along with storm windows.

Catherine Zipf said it was nice to hear the economic argument for keeping the old windows was being made as it was important as repairing the old windows may be more cost effective.

Nick advised the Commission that bids have come in for the guidelines. He had Arnold Robinson bid on it and nothing was official on it yet.

With no other business to discuss, Member Church made a motion to adjourn.

**10. Adjourned at 9:45PM**