

TOWN OF BRISTOL, RHODE ISLAND

HISTORIC DISTRICT COMMISSION



**Historic District Commission Meeting Minutes
Thursday, January 9, 2025
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

1. Pledge of Allegiance

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

In attendance: Ponder, Church, Allen, Lima, Bergenholtz, O'Loughlin, Teitz, and Toth

Absent: Millard

2. Review of Previous Month's Meeting Minutes

2A. Review of minutes of the December 5, 2024 meeting.

Lima: Does anyone have any questions or additions to the minutes?

Allen: There is one typo on page 9, third line, change "ther" to "there".

Lima: Does someone want to make a motion?

Church: I move to accept.

Motion made by Church to accept the minutes of the December 5, 2024 meeting as amended; Seconded by Allen.

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

3. **Application Reviews**

3A. 24-130: 34 Byfield St, Rosemarie Sirois Discuss and act on installation of porch on front elevation.

No one is present for the application.

Toth: The homeowner contacted me and said that they wish to change the application and move it to the February meeting.

Church: May I make a suggestion? There is not much information here. We need the information on the materials, product sheets, etc.

Toth: They want to do a mud room as well and will need more details.

Teitz: Are they doing pylons for the front porch?

Toth: This has been going on for a long time and the applicant needs more instruction on doing it.

Lima: Can we have a motion?

Ponder: I so move.

Motion by Ponder to continue the application to the February 2025 meeting; Seconded by Allen.

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

3B. 24-174: 35 Central Street, Donna Brown/Steve Linob: Discuss and Act on replacement in kind of windows, replacement of door with window, replacement of existing door.

Jane Guinther is present for Donna Brown. Letter authorizing representation from Donna in the file.

Guinther: I am here to represent the owner who is in Florida. I decided I could help her. You should have the information. They are redoing the kitchen and the mud room. The question was about the windows in the kitchen. They replaced windows which were not original

to the house. They were put in 2011 as there is a sticker on the side of the window which was photographed and given to Nick. Everything was documented that it was not original to the house. There are 2 windows in the kitchen that have been replaced. One was originally a door and was taken out to become a window. The mud room is in the back. That whole addition of the mud room is not original to the house. The door that was replaced was wood and completely rotted out. It was replaced with a fiberglass door. Any questions?

Lima: We do have permission from the homeowner for you to be here for this presentation.

Guinther: They just want to make sure they are all legal.

Teitz: Is the picture of the new door? Is there one of the old door?

Guinther: It should be there.

Church: The work was already done in violation.

Guinther: The work wasn't original to the house.

Toth: It was noted and a fee was applied.

Church: We need a product sheet for the door and windows.

Guinther: I can text her now and see if she has anything. The builder couldn't be here, Scott from Harkin Construction. I can take note of what needs to be done and see if she has any information.

Church: The door is in the rear and can't be seen from street?

Guinther: Correct.

Church: Did the size of the windows change?

Guinther: They might be shorter because of counter underneath it. It is not visible from the street.

Lima: Would you come see if that is the door? Is this the picture of where the door is?

Toth: Yes.

Lima: This is from 2010, and I will pass it around. Is it the door at the end of the house?

Toth: Yes.

Guinther: The whole back wall had rot.

Bergenholtz: These windows were replaced in 2011. Do we know the circumstance?

Church: It should be in there. The application is incomplete.

Toth: We caught it last minute.

Church: We need photos of the exterior because that's what we are concerned with. Also, product sheets for all of the replacements.

Teitz: In 2010 they added 3 dormers to the existing structure.

Lima: In 2010 there were 2 windows that were going to be replaced in the rear and on the side and there were repairs to the 2 3rd floor windows and the replacement of storms as necessary. Also, 2 windows replaced with Pella.

Allen: The windows are?

Lima: Vinyl.

Allen: For Pella?

Teitz: Vinyl clad because the label is on the wood portion.

Allen: That makes a difference.

Teitz: Sorry you got into this as the neighbor.

Guinther: It's okay.

Church: I don't know how we can approve them if we don't know what they are.

Toth: I did request a product sheet from contractor, and it never came. If this is something we want to continue I can request the contractor to get us a product sheet.

If this is something that we aren't going to approve of they may need to be replaced.

Guinther: I thought you had everything.

Toth: I thought it was more clear.

Teitz: You should continue it to next month. They need the cut sheets with specifications from the manufacturer.

Guinther: Sorry I thought they had given this information already.

Teitz: Sorry you had to get involved in this.

Church: This one looks like it was a wood window that was taken out.

Toth: Is it vinyl or vinyl clad wood windows?

Ponder: I think we need to continue it. We need the product sheet.

Guinther: The strip on the side of the window has the information on it.

Teitz: It's part of it, but that's just part of it and it shows a 2011 date, but we are looking at a wood windows with some vinyl clad.

Guinther: It was replaced in 2010 or 2011. It can't be upgraded or changed?

Teitz: Changing vinyl clad to all vinyl is not an upgrade, it's actually a downgrade. We need to know.

Church: We don't know exactly window it is. We need photos from outside showing the windows.

Guinther: It is that picture.

Teitz: They need to provide a picture of the whole side and then circle which window is being replaced.

Bergenholtz: I see that it went to a 1 over 1 and the rest are 6 over 6.

Guinther: They were just replacing what was there and it is not visible from the street.

Lima: It says here that it is the architectural series with double hung with grills in 2010. It says it on the strip that is pictured.

Guinther: What is pictured is a 1 over 1.

Lima: Perhaps the contractor could assist rather with the homeowner away in February.

Guinther: She was going to come but couldn't and the contractor couldn't get here tonight. They both said that all of the information was cut and dry.

Lima: You're a wonderful friend.

Guinther: Okay so they need the product sheets for the door and windows, photos of exterior of door and windows.

Lima: If the contractor has questions, he can contact Nick. We appreciate you coming and assisting but you can't answer what the contractor did. He should have contacted Nick.

Guinther: I thought that was done. I didn't know.

Lima: It's no reflection on you. It's on the contractor who did it as quickly as possible and now is in hot water here.

Guinther: I will pass it along and Scott will go to you.

Lima: February?

Guinther: Yes please. Everything has been ordered.

Lima: We have no say on the interior, just exterior.

Teitz: They can't do anything until we get this straightened out.

Guinther: The kitchen is from 1800 and it is being updated with more counters. That's all I know. She's been in Florida for a month.

Teitz: We are requesting that the contractor be here.

Guinther: Okay. I'm just learning about what is needed. Thank you.

Lima: Thank you for your time and assistance. Appreciate it.

Lima: Motion?

Ponder: I will.

Motion made by Ponder to continue the application to the February meeting; Seconded by Bergenholtz.

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

4. Concept Review

5. Monitor Reports & Project Updates

6. HDC Coordinator Reports & Project Updates

Allen: Can we add this? Steve Melo on High Street was here in March in regard to replacing wood gutters with aluminum.

Motion made by Allen to add High Street property to the agenda; Seconded by Bergenholtz.

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

Allen: Steve Melo was here in March and basically we were going to deny the application of replacing the wood gutters with aluminum which were already installed. He ended up pulling the application and we told him that he needed to take the aluminum down and replace it with wood. Many months later, he didn't do anything. We were going to put a time limit on this, but we were told that we shouldn't do that. Now he's not going to do anything about it.

Teitz: There is no pending application?

Allen: No.

Teitz: Then you need to move forward with a violation.

Motion made by Allen to add a discussion regarding temporary structures to the agenda; Seconded by Church.

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

Allen: Regarding temporary structures, I want to bring up 2. One is the on Thames and the other is the stockade fence behind the Harriet Bradford location. First, the Tong Phon Tai Restaurant vestibule on Thames which they need. The interior of the vestibule is plywood which is falling apart and looks bad. As a temporary structure, what can we do about it?

Teitz: If it is a free standing temporary structure, it does not require approval like Hershoff and Quito. If it changed from a tent to a permanent frame that stayed there, then it required approval like the Thames Landing wedding tent. As long as it goes away, it is considered temporary and is not regulated. If it is like the vestibule at Roberto's, then it needs approval. Are they going to take it down?

Church: It was supposed to come down in the summer.

Allen: It never did.

Ponder: I'm not sure how we approved it. I don't remember what we specified.

Allen: Maybe we can look into that.

Church: Can we ask them to apply?

Teitz: Look into it and if it is falling apart maybe they can be cited for it. You can give them a definitive date that it has to be removed by or if they want it left up, then they have to come in.

Allen: The other thing is that stockade fence which is falling apart.

Church: It was supposed to be replaced.

Allen: We did give them an extended period of time. 25% is broken or missing completely and it really looks like a derelict property. What can we do?

Teitz: Look into it first. They still have a problem of the temporary parking deck.

Allen: Okay.

Teitz: Maybe cite them on it. If they are going to replace it then we need them to come in here.

Allen: That's all I have.

Bergenholtz: What about the Pick and Pay fence? It is not historic, but it is something I need to open for discussion.

Motion made by Bergenholtz to add the Pick and Pay fence to the agenda for discussion; Seconded by Allen.

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

Bergenholtz: Looking at the Pick and Pay fence to the left that runs along the property line. It is really falling apart.

Lima: I'm not sure if it belongs to the apartments. I'm not sure which way the fence is going, but it is in a sorry state of affairs.

Allen: I remember approving a fence after they installed it, and they used metal posts. We had asked them to go back and put a wood sleeve around those posts. I haven't looked lately, if there is a wood sleeve then it was Pick and Pay.

Lima: There is a new owner, and they may not be aware that they are in the historic district or if it their fence. I don't know.

Teitz: We will look into it.

Lima: anything else?

Allen: I have concerns regarding another fence but will send you the address on that. It's on Hope Street.

Toth: Okay.

7. HDC Coordinator Approvals

8. Other Business

1. Lead Abatement Memo

Teitz: It's basically self-explanatory. If you have any questions or want to discuss. Basically, the conclusion

is the lead laws haven't changed, but the enforcement is stricter.

Toth: I had a resident who owns apartments in Town come by today. They were very much against replacing the windows but asked what they could do to be in compliance.

Teitz: Replacement is not the only solution. It is expensive to remove lead. The big thing is the sliding surfaces of windows and doors. The idea of putting strips of vinyl or aluminum on it so that the painted wood is not rubbing against each other is a possible solution. The other thing is to secure the upper part of the double hung windows so they don't slide down and rub the pain.

Church: They would still have to do the bottom half.

Lima: Question and it may be silly. Everyone who has apartments now must register with the State whether it has lead or not. I don't understand.

Teitz: Any buildings before 1978 have to register. After 1978, it's okay.

Lima: We may get inundated with nervous people.

Teitz: I understand that.

Lima: If you have an apartment house and register and someone moves out, do you have to start from scratch?

Teitz: You have to have it inspected by a lead inspector. There are only 28 licensed lead inspectors in the State.

Lima: If you can't get a lead inspector, does the apartment have to stay empty?

Teitz: It could be subject to fines. If it is not rented, then it is not subject to fines.

Lima: Someone at my age getting lead poisoning?

Teitz: I think it applies to everyone.

Church: We all grew up with it.

Teitz: And it may have affected people. We're not sure.

Lima: How are other towns affected?

Teitz: It is really more for historic districts, just doing more of what you do now. Some of what you are doing already. If it is right on the street, like colonial windows, they should be repaired at whatever cost. It will be a continuing case by case analysis.

Lima: When someone goes behind our back and does things.

Teitz: That's why we trust you and your walks around the neighborhoods. We deal with violations and complaints. We focus on the things that are old and can be seen up close and worry less about things that are totally reversible.

Lima: Who thought this was appropriate?

Teitz: I don't know.

Bergenholtz: This is the worst roll out. Everyone is confused.

Teitz: The idea of applying statewide solutions that don't always apply to every town or city is a problem. It's tough. They may be applying too broad of a brush.

Lima: This should have been something that came out way before the law was passed.

Teitz: The law was there. They're just enforcing more strictly.

Lima: Poor planning.

Teitz: Talk to the legislators.

Lima: Do you think the legislators might have a workshop for people affected by this?

Teitz: I'm weary of doing a workshop without a solution.

Lima: Not you. I mean the people who enacted this should. We'll just have to wait and see how it plays out. Way beyond us.

Bergenholtz: Newport has applied to do a workshop.

Teitz: One other item is training.

Motion made by Allen to add a discussion about training to the agenda; Seconded by Lima.

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

Teitz: I think most of you had the full 3 hour training. Did Diane send it to everyone? There were a couple of sessions if 3 hour training still needed and there are 1 hour sessions as well. You need to do 1 hour per year after the 3 hours is initially completed. Just look for that.

O'Loughlin: When do I need to have the 3 hours completed by?

Teitz: Mike, I believe you have a year from the date of your appointment to the Commission to complete the 3 hour training, so probably not until September.

Lima: What is this here.

Teitz: On January 30th there is a presentation by the Ethics Commission on the rules and everyone is invited to that. Following that is about a 45 minute presentation for board chairs and vice chairs and anyone is welcome to attend to focus on meeting aspects.

Lima: Does that count?

Teitz: No. I could try to see if would count, but I don't know. Probably not.

Church: Is it a zoom?

Teitz: In person.

Lima: What is the year period, January to December, since we went through the training?

Teitz: Not sure how they are specifically defining it. I think it is from the date of the training. Probably June to June.

Lima: Not sure if I can do those 2 zoom things. Just trying to figure it out.

Teitz: They will probably have more in the spring.

Lima: Are they going to be able to film it?

Teitz: No, they will do it live each time rather than a recording. We want the interaction. The best training comes from the back and forth between the people at the meeting.

Lima: Okay. Anything else?

Church: I move to adjourn the meeting.

Lima: So moved.

9. Adjourned at 7:50 PM