

**MILFORD HISTORIC DISTRICT NO. 2 - SOUTH OF THE GREEN  
UNAPPROVED MINUTES OF MEETING HELD WEDNESDAY, SEPTEMBER 9, 2009  
CONFERENCE ROOM B, PARSONS GOVERNMENT CENTER**

Chrmn. Smith called the public hearing to order at 7:02 P.M.

**MEMBERS PRESENT:** Carol Molloy Smith; Timothy Casey, Sr. (7:05 P.M.); Kevin DeMarco (7:05 P.M.); Walter Ortoleva; Arthur Paulson

**ALTERNATES PRESENT:** Gary Becker; Marjorie Jones; Arthur Stowe (7:05 P.M.)

**ALSO PRESENT:** Linda Stock, Secretary

Arthur Paulson excused himself from sitting on the commission for the first public hearing.

**PUBLIC HEARINGS**

**1. Application for Certificate of Appropriateness by Arthur Paulson and Carolyn Greer, 10 Pond Street, for proposed construction of a deck**

Arthur Paulson presented the certificates of mailing. He explained that they would like to construct a deck out their back as well as railings on their porch. He displayed plans of the proposed deck which will be approximately 23" off the ground with the railings at 56". The existing steps will be replaced by the new deck. Photographs were reviewed of the proposed style of construction. In response to G. Becker, A. Paulson noted the construction material would be wood. T.J. Casey confirmed that the deck would only extend out approximately 6' from the back of the dwelling on the right hand side, which can only partially be seen from the road.

Chrmn. Smith asked if there was anyone who wished to speak in favor of the application.

Denise Morris Curt, 41 Green Street, read a letter in support of the project from Kathy and Ted Kobyshin. Ms. Morris Curt also stated she was in favor of the project. She stated she believes it is a necessity to have this done.

There being no one else to speak in favor or opposition to the project, Chrmn. Smith closed the public hearing.

A. Paulson returned to his seat on the commission.

**2. Application for Certificate of Appropriateness by Thomas and Victoria Lawlor, 68 Green Street, for modification of their previously approved Certificate of Appropriateness**

Thomas Lawlor noted that they would be making adjustments to the last plans submitted to the Commission.

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T. J. Casey stated that while reviewing the application, he noted that the letter was sent to residents was dated September 1 and questioned when the application was received. After some discussion, due to the fact that the Chairman was out of town, A. Stowe received the application at 11:59 A.M. on August 25, 2009. The application for 10 Pond Street was received on August 23.

Applications noting the received date must be sent to the City Clerk's office.

Continuing, T.J. Casey asked for clarification between this application and that from June 19, 2009. The lot size was previously noted at 50 x 135 and this application states the lot size as 50.5 x 131, which he felt was a significant difference. Mr. Lawlor explained that the lot is not a perfect rectangle and he only noted two sides. A. Stowe noted that the plan of the property does show irregular boundaries. G. Becker felt the size was irrelevant to the Commission and may only be relevant to Planning & Zoning; however, T.J. Casey believed that the application should be consistent. After further discussion, it was determined that all figures are accurate, A. Stowe noting that the size of the property is 6,920 sq. ft. Chrmn. Smith noted that they will agree for the record that the measurements are accurate but different for each side of the property.

Mr. Lawlor presented the Certificates of Mailing and noted that he submitted a rather large packet to the members. He did supply information for reference only from his last application. Chrmn. Smith suggested they begin with page 21 of the submission. Mr. Lawlor stated they were originally going to expand the west side (Lafayette Street) and on the north side (back yard) with a deck and garage attached to the dwelling. They are now proposing to simplify the plan and are only going to expand on the Lafayette Street section of the dwelling 4.5', which will create a simpler foot print, a rectangle. Mrs. Lawlor interjected that they will be "squaring off" the house and they will have one single ridge roof line. The deck will have the same footprint as the previously approved plan and the garage will be removed entirely. They will be proposing a new 24' x 24' detached garage in the northeast corner of the property. A. Stowe determined that the existing garage will be removed once the new garage is constructed. In response to W. Ortoleva, Mr. Lawlor explained there will be a new driveway into the new garage.

Mr. Lawlor explained they will demolish ½ of the existing garage and the new garage will be constructed of previously approved materials. In response to Ms. Jones, Mr. Lawlor stated they will not be expanding the garage area.

Continuing, Mr. Lawlor noted the next four pages of their application depict the portion of the approved plan that is being proposed. He again explained the new roof line. Regarding the windows, the second floor will have three smaller windows and toward the rear of the first floor, they are proposing two sets of smaller windows, which are not full egress windows. W. Ortoleva questioned the small windows as he believed the dwelling was originally built with larger windows. Mrs. Lawlor responded that they do not have much wall space inside the dwelling and the small windows will allow them the wall space that they require. Mr. Lawlor added that the east side of the existing

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structure contains smaller windows. The kitchen and bedroom will have 6 over 6 windows and the family room will be 3 over 3. In response to A. Stowe, Mr. Lawlor stated that several windows will be conventional double hung. W. Ortoleva believed 2 over 2 windows are more in line with the age of the home. Mr. Lawlor stated they are storm windows. T.J. Casey asked if there was any manufacturer's materials they could review to which Mr. Lawlor noted they will be Anderson 400 stock windows, K. DeMarco further noting the 400 series is vinyl clad with wood inside.

Mr. Lawlor directed the members to page 23, where the roof line changes will not go as far out on the west side of the dwelling as the pitch will stay the same. The roofline will not change on the right hand side where a door will be installed. They will add a Bilco door and an overhang on the current driveway side.

In response to Chrmn. Smith, Mr. Lawlor noted there are no windows currently in the rear but they will have one installed.

The rear section of the house is displayed on page 24; it will be one full rectangle. The doors and windows were on the right side of the structure due to the garage and addition; they will be center windows and doors.

K. DeMarco questioned if the windows on the east elevation will be "black line windows" to which Mr. Lawlor responded they will keep any previously approved windows.

The drawings on pages 25, 29 and 30 were clarified. A. Stowe noted that page 29 shows a substantially higher roof line than what currently exists to which Mr. Lawlor explained this is phase I vs. phase II, phase II being the higher roof line. A. Stowe noted that the photos on pages 6 and 7 show all roof lines approximately 20' high. He asked if the new roof lines will be substantially higher to which Mr. Lawlor stated they will be going to a height of 29'; however, the house was originally at a height of 30'8 $\frac{1}{4}$ ". In response to W. Ortoleva, he noted the height of the existing structure is 20'9" or 21'. A. Stowe asked what would be "helped" by pushing the roof line higher. Mrs. Lawlor explained they will have access to the back bedroom; it will allow them to walk straight through the house from the front to the back.

Chrmn. Smith asked that they discuss the garage. K. DeMarco noted it would be 24' x 24'. Mr. Lawlor stated it would be wood clapboard. G. Becker noted the doors will be on the Lafayette Street side of the property. T.J. Casey asked where the design came from as it does not appear to fit in the historic district. Mr. Lawlor responded it was done by an architect. T.J. Casey further stated that the proposed garage will be rather large to which K. DeMarco noted his garage was 22' x 20' and his neighbor's is 24' x 24'. Chrmn. Smith interjected that the size is not the issue, only the windows and the doors. Mr. Lawlor explained that they do not like the look of one large garage door and therefore two doors have been proposed. Although the project was withdrawn, A. Paulson suggested the Commission recall the proposed garage on High Street; the current applicants are replacing a garage with a garage. K. DeMarco stated 24' x 24' is

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the standard size for a two car garage. In addition, he does not want the Commission to get "hung up" on the size of the structure because that issue is up to zoning. They should be concerned with what it will look like. They cannot deny a structure based on its size. However, T.J. Casey felt they have to think about this aspect so as to not set a precedent. Chrmn. Smith felt they cannot make it a hardship on the applicant. G. Becker felt that the size and proportion is part of the appearance of the structure and A. Paulson stated they could not discount the size as a consideration. Brief discussion ensued regarding whether or not a two car garage is appropriate for the district. It was determined that they cannot allow only pre-existing two car garages.

W. Ortoleva felt that the proposed garage looked too modern. Mr. Lawlor stated they would prefer slightly more ornate doors with windows above. A. Stowe suggested they return to the Commission with the actual doors that will be installed. A. Paulson suggested they grant a Certificate of Appropriateness for the house and take the garage out of the application at this time. Mr. Lawlor was concerned there might be a problem with zoning if their survey states "proposed garage." L. Stock noted this would not be an issue.

Lloyd Jacobs, 64 Green Street, stated he had no opposition to the project and he is pleased to see what they are proposing.

Mr. and Mrs. Lawlor asked what they will need to do regarding their proposed garage. T.J. Casey stated they do not want the neighbors or the State to have an issue with the Commission's decision. It is not the size but the design that they are questioning. A. Stowe stated that their submitted plans do not depict what they are proposing to build. Chrmn. Smith added that they must make the entire structure (not just the doors) aesthetically pleasing to the historic district, i.e., perhaps adding a cupola. The footprint is not in question. They have to present a structure that is appropriate for the area. K. DeMarco suggested they look at the garage at 25 Lafayette Street. Mrs. Lawlor thanked the members for their clarification.

The public hearing portion of the meeting was closed.

Chrmn. Smith opened the regular meeting of the South of the Green Historic District No. 2, at 8:10 P.M.

**1. ROLL CALL**

Present were: Members: T.J. Casey; K. DeMarco; Walter Ortoleva; Arthur Paulson; Carol Molloy Smith and Alternates Gary Becker; Marjorie Jones and Arthur Stowe.

Chrmn. Smith noted that A. Stowe will be voting on the Paulson issue, 10 Pond Street and A. Paulson will vote on the remainder of any voting issues.

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A. Stowe moved to adjust the agenda to allow motions on the two public hearings. The motion was seconded by G. Becker and carried unanimously.

**Public Hearing #1 - Application for Certificate of Appropriateness by Arthur Paulson and Carolyn Greer, 10 Pond Street, for proposed construction of a deck**

G. Becker moved to approve this application as submitted. The motion carried unanimously after a second by T.J. Casey.

**Public Hearing #2 - Application for Certificate of Appropriateness by Thomas and Victoria Lawlor, 68 Green Street, for modification of their previously approved Certificate of Appropriateness**

A. Paulson moved to split the application for two motions, one for the house and one for the garage. The motion was seconded by W. Ortoleva and carried unanimously.

It was moved by A. Paulson to approve a Certificate of Appropriateness for the main house. T.J. Casey seconded the motion which carried unanimously.

Brief discussion ensued as to whether the Commission should table the garage or postpone their decision to a later date. They attempted to recall whether or not the applicants of 20 Pond Street were allowed to come back to the Commission without having to pay again. Chrmn. Smith stated that was the case. A. Paulson suggested they allow the applicant to submit their revised plans for the garage without having to repay. K. DeMarco added they do not have to have another public hearing.

G. Becker moved to table the discussion of the garage for 68 Green Street without a specific date pending reformulation of the plans. The motion carried unanimously after a second by K. DeMarco

**2. APPROVAL OF MINUTES OF MAY 13, 2009**

G. Becker moved to approve the minutes of the May 13, 2009 meeting. The motion was seconded by M. Jones.

There being no changes or corrections, the motion carried with the following members voting: Chrmn. Smith, A. Stowe; M. Jones and G. Becker. W. Ortoleva noted he did not have an opportunity to review the minutes and therefore would not vote.

**3. CHAIRMAN'S REPORT INCLUDING CORRESPONDENCE – Chrmn. Smith**

Chrmn. Smith noted she had three pieces of correspondence.

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First, a letter was sent to Nancy Bodek, who wished to change her windows, like to like. It was determined by review of two Commission members that she did not require a Certificate of Appropriateness.

The second letter was sent by the Chairman to David Sulkis, City Planner and Jean Cervin, Chairman of the Planning and Zoning Board, asking that they notify the Commission of any application for zone change for properties located within the historic district. This letter was written as a result of properties within the district seeking a zone change. The Commission is entitled to this information.

The third letter was written by Zoning Enforcement Officer, Linda Stock to Andrew Reimann, notifying him that he will need approvals for any changes made to his approved deck design or patio. The letters will be submitted for the record.

T.J. Casey asked what the status was of 20 Pond Street as far as their removing 50% of the deck. Chrmn. Smith responded they cannot discuss this item as it was not on their agenda. Their remarks must be limited to the correspondence only. They cannot interject items into the agenda. Under those circumstances, T.J. Casey asked that next month's agenda reflect a status report on 20 Pond Street.

**4. TREASURER'S REPORT – Walter Ortoleva**

W. Ortoleva noted the balance is \$207 +change. The ads to be paid will total approximately \$70 each. He noted that last year at this time, they received monies from the City. This year they should receive about \$650. Their original budget was \$715 and it was cut to \$650.

**5. CLERK'S REPORT – Arthur Paulson**

A. Paulson had no report but noted that the ad was put in the paper.

**6. UNFINISHED BUSINESS**

**A. District Signage Update**

W. Ortoleva thanked M. Jones' husband and T.J. Casey for their help in putting up the signs. Currently, three signs have been installed. K. DeMarco is waiting for an opportunity to speak with his neighbor regarding putting the last sign up in front of their home. He will contact W. Ortoleva once he has obtained their permission.

**B. Notification of Abutting Property Owners Outside of the Historic District**

The question previously arose as to whether or not property owners abutting the historic district (but not within the historic district) should receive notification of requests for Certificates of Appropriateness. G. Becker stated he reviewed the State Statutes and

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the Ordinance and he found nothing in either requiring notice. He suggested that perhaps Building and Planning & Zoning might need the 200' radial notification. He believes the Commission can change that rule. K. DeMarco noted that the list is pulled from the Assessor's office, who can only print a list in a specific parameter. G. Becker suggested members think about how this requirement could be changed. A. Paulson suggested it be placed on the next agenda for further discussion. Chrmn. Smith would like to check with Hartford to see what other cities do. T.J. Casey will gather that information.

**C. Realtors to Notify Buyers that Homes are in Historic District**

T.J. Casey believed this should be part of the disclosure. M. Jones stated they have to let potential buyers know if a dwelling is in the historic district and they should also let them know that there is a Historic District Commission. W. Ortoleva wondered how the Commission could make this easy for the realtors. M. Jones suggested they give something to the realtors for potential buyers. She continued that it will be up to the realtors to let potential buyers know that the home they are looking to purchase is in an historic district; it is not the Commission's responsibility to contact them. A. Paulson suggested they give them a copy of their process.

**7. NEW BUSINESS**

T.J. Casey stated he attended an Energy Conservation Committee meeting in Hartford and there was a brief presentation regarding FOI. He distributed copies of a pamphlet regarding same. Regarding the issue of cameras, anyone can record a meeting but the commission can put in their by-laws how they can proceed.

K. DeMarco stated that under the privacy act, you can say that you do not want to be recorded. However, W. Ortoleva noted the meetings are public. A. Paulson felt they could ask that the process not be disruptive by those recording the meeting.

T.J. Casey also distributed information on meeting notices.

K. DeMarco informed the Commission that his term expires in January 2010 and he will not seek re-appointment. Currently, he cannot dedicate the time he needs to put into the Commission. He does feel they can find a good replacement.

Both Chrmn. Smith and A. Paulson thanked K. DeMarco for his services as Vice Chairman and his dedication to the Commission and they are sorry he cannot continue at this time. K. DeMarco will notify the Mayor as soon as possible so they can seek a replacement.

G. Becker noted that there is a misspelled word on the application that is on the internet. L. Stock will ask if the City's MIS department can correct it.

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There being no other business to discuss, it was moved by T.J. Casey, seconded by G. Becker and carried unanimously to adjourn at 8:50 P.M.

Respectfully submitted,

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Linda Stock, Secretary