South of the Green Milford Historic District No. 2,

Minutes of Regular Meeting and Public Hearing – Via Zoom – June 14, 2023

Present: Chris Bishop, Maria Henley, Liz Kennard, Andy Kozlowski, Marc Muller, Walter Ortoleva

Applicant: Robert Messing

Chair Kennard called the meeting to order at 6:34 p.m. and at 6:36 p.m. recessed to public hearing for purpose of review of Certificate of Appropriateness Application by Robert Messing and Bari Morris of 55 High Street for consideration of installation of 20 solar panels on south facing roof. Panels will not be on the front porch roof.

Mr. Messing explained he would submit his proof of mailing as requested to the City Clerk. He stated he previously went through a similar process in 2016 when they were doing some changes to their house and since then have done some exterior renovations and at this time are applying for installation of solar panels. He shared pictures of the exterior house including the planned locations of the panels explaining the panels are on the south facing roof where that area gets a good deal of sun exposure therefore it would be the most efficient location. As well the panels would be visible from the street (front of home angle). There would be 20 panels on the south facing roof and that is the maximum proposed number of panels. Further Mr. Messing explained when the panels are actually installed there is a chance there will not be that many. He noted the newer panels are much better looking and much less offensive and more efficient and the color blends in best with the roofing. Further, there is more sun in the front part of the home but the homeowners did not want to see the panels from the street. He referred to the front 2 panels that provide 20% of the power output.

Mr. Bishop expressed his concern that the panels would be more visible because of the dark panels on the grey roof.

Mr. Messing stated it is questionable whether it will be necessary to replace the roof with this project as well.

Mr. Bishop asked how much electricity would be lost if the two front panels were eliminated and he was told 20-25%.

Mr. Muller referred to the diagram shared noting it shows 3 panels in the location in front of the dormer and Mr. Messing stated he would look into that to see exactly how many panels would be on that front section.

Mr. Ortoleva asked if the coloring on the diagram have anything to do with how much sunlight there would be.

Mr. Messing explained the coloring relates to the amount of power generated on those specific panels.

Mr. Bishop asked if the installer had made mention as to what roof life they would like before considering placing panels on the existing roof and Mr. Messing stated that would be determined by the installer. He added he felt the roof is 14-15 years old and based on that here could be more roof life left.

Mr. Ortoleva asked if there has to be a specific count of panels to provide best efficiency.

Mr. Messing explained based on a certain percentage of the output the installer uses a formula to determine what is needed and he added the home would still have some anticipated energy needs outside solar panels. He added if the front panels were removed it would make it not worth doing the rest of the project.

Mr. Muller referred to the visit to the home and spoke with the person working on the proposals and we discussed putting panels on the garage and he asked if they would object to that.

Mr. Messing explained there is no power in that shed and it would require trenching power to that location. He added it would be a significant expense to do that.

Mr. Messing emphasized their support of the sentiment of homes within the district and are taking into consideration the visibility of the panels and he thought the panels they are proposing are better looking and more common.

Before reconvening the meeting and closing the public hearing, Chair Kennard explained the process from this point and invited Mr. Messing to remain on if he would like but there would be no further opportunity for him to speak.

Motion was made by Mr. Bishop and seconded by Mr. Ortoleva to close the public hearing and reconvene the regular meeting at 6:58 p.m.

Motion was made by Mr. Bishop and seconded by Mr. Ortoleva to accept Certificate of Appropriateness Application by Robert Messing and Bari Morris of 55 High Street for consideration of installation of 20 solar panels on south facing roof for purpose of discussion.

Mr. Bishop stated he would like to know how much efficiency would definitely be lost with the elimination of the front two panels. He added he is inclined to accept the proposal as is but he would like that information.

Mr. Ortoleva agreed that the panels would be obvious from the street and he wondered if they could install additional panels above the vent stack to augment the efficiency. He added the homeowners have done a lot to improve the look of the house.

Ms. Henley agreed the darker color would not make the panels as noticeable and she did not think the request was unreasonable.

Chair Kennard noted if they are going to change (replace) the roof they would have to come back to this Commission for that project as well.

Mr. Muller asked if we can table this until a roof decision is made.

Chair Kennard noted that Mr. Bishop has expressed his wish to know what efficiency would be lost if those two front panels were eliminated.

Mr. Muller noted other homes in the District that have solar panels are not at all visible from the street and he noted the back panels are visible from the driveway but the dormer blocks those panels somewhat. He also expressed concern regarding the two front panels.

Mr. Kozlowski questioned If it was possible to add more panels to the back which would make up the difference in the efficiency loss and he added it is necessary to make sure the existing roof is in good condition.

Chair Kennard reminded members there is a motion on the floor to accept the project as presented.

Mr. Bishop offered the suggestion of amending the motion to approve the application without those 2 panels in the front.

Ms. Henley suggested tabling it with the contingency that the Commission needs to know more about the condition of the roof.

Mr. Muller stated if we deny or approve it, we may see them back with a request for a new roof.

Mr. Kozlowski asked if the homeowners decided to get a new roof, black, would that be acceptable?

Mr. Bishop personally felt if there were new panels on top of the new roof in a different color that would change the equation.

Mr. Muller stated he would be reluctant to make that determination as he felt this Commission would need to know the color of the new roof.

Chair Kennard suggested approving the plan presented without the two front panels affording them the opportunity to come back to the Commission without going through the entire process with a modified plan which would be a new roof.

Mr. Bishop felt the best thing would be to table it and have the applicant come back with the answers to our concerns.

Mr. Ortoleva asked if we could approve it without the two panels and go forward with the remainder of the work and if the other two panels are approved he could move forward.

Chair Kennard felt we have no right to tell the homeowners to change the roof if there is roof life remaining.

Ms. Henley felt if they could not put the two front panels on they would not consider doing the project,

Chair Kennard asked what the members felt is more beneficial to the homeowner.

Mr. Bishop emphasized procedurally it would be easier to table it at this time

Mr. Muller asked what would happen if they cannot get back to the Commission within the 60 days required and then the applicant would be told it would have to be denied.

Mr. Bishop suggested calling a special meeting if we have the information available.

Chair Kennard tabled the application based on dialogue and recommendations from Commission members, it was decided to table the COA application and reconvene the Commission on July 12th in order for applicant to provide a determination of: the possible reconfiguring the arrays; or providing figures as to the percentage of loss if the two front panels were eliminated.  Homeowner would be advised to plan to come to that meeting either with the application remaining as is, or a modified application which **could** include a new roof.  Provided all information is provided, a decision may be reached at that meeting

**Consideration of Minutes** – Motion was made by Ms. Henley and seconded by Mr. Kozlowski to approve the minutes of the April 12, 2023 meeting as presented. Motion carried unanimously.

**Chair’s Report including Correspondence** – no correspondence

**Clerk/Treasurer’s Report** – Mr. Ortoleva reported the balance as of 6/14/2023 was $7,135.70 with the check from the present applicant due.

Motion was made by Mr. Muller and seconded by Mr. Bishop to accept the Treasurer’s Report as presented. Motion carried unanimously.

Mr. Ortoleva reminded other members if there are expenses incurred to please let him know so they can be properly reimbursed.

**Unfinished Business**

1. Procedure Memo – Commission in agreement with the memo
2. Neighbor letter -Implementation plan – Mr. Bishop stated he would have the letters ready for mailing within the week. Chair Kennard questioned if we should consider people who are property owners but reside out of the district receiving the letter based on the city filed address and if so should it be sent registered She felt if it goes registered there is less chance it will be regarded as “junk mail” and as well do not send it registered if there is no change in name or address.
3. Updated property list – Chair Kennard asked if we should update it when a mailing is going out or consistently review it to determine any changes. It was agreed that task is complete at this time.
4. Attorney Berchem’s advice as to AirBnBs, ground mounted satellite dishes and signage. On the table.
5. Solar panels – Mr. Muller explained he was able to contact Mr. Berchem regarding solar panels and his interpretation of the state statute is this Commission does have authority to approve, deny or approve modifications from any application and it is written to give this Commission some discretion such as the issue before us tonight and it does not mean we cannot deny without reason. Mr. Muller added most of the property of the owners who come before us have worked will with us to diminish or minimize the number of panels. As well, Mr. Muller had conversation with Mr. Stowe regarding the 1st Historic District and they have only had one solar panel application and it was approved with some modification. He added the state website directs you to two websites (state and federal historical preservation) and it is recommended panels be put in a less visibly significant area. He referred to Guilford who had drafted guidelines for residents and had similar suggestions to state and federal website and other suggestions regarding placement of panels (array of ground panels) but that city is different from Milford as there is more acreage to their property.

Mr. Muller suggested we may want to include such information on our website with regard to the state and federal guidelines.

1. Replacement and expansions of driveways and parking areas. On the table until input is received from City Attorney.

Mr. Ortoleva felt if we had something that could remind property owners of the process to be followed when filing COA it might be helpful. He would research either a magnet providing contact info or business cards and perhaps including it with the upcoming mailing.

Being no further business, motion was made by Mr. Bishop and seconded by Mr. Muller to adjourn at 7:45 p.m. Motion carried unanimously.

Recorded by Diane Candido