

Milford Historic District No. 2, South of the Green
Minutes of Regular Meeting and Public Hearing – Board of Education Meeting Room (Learning Center), Parsons Government Center – January 13, 2016

Vice Chair Arthur Paulson called the meeting to order at 6:32 p.m.

Present: Gary Becker, Elizabeth Kennard, Arthur Paulson, Christopher Thomas, Walter Ortoleva, and Arthur Stowe.

Excused: Carol Molloy Smith

The regular meeting stood in recess at 6:33 pm and the public hearing was called to order at 6:33 pm

Public Hearing to consider Application for Certificate of Appropriateness from Lore Lewis-Higgins of 52 Pond Street, Milford, CT for renovations and additions to increase square footage to first and second floors as well as garage of residential home located at 52 Pond Street, Milford, CT (copies of appropriate documents were submitted)

Lore Lewis-Higgins, Jim Denno, Attorney Kevin Curseaden, Bob and Marge Mackendrick, Kathy Gage, and Kathy Kobishyn were present.

Mr. Denno of Jim Denno Designs (architect) explained he was commissioned to add space to the existing house. Concerns were raised by Ms. Higgins about interfering with the neighbors. Mr. Denno expressed his desire to keep the historic value of the house intact. Mr. Denno presented to the Commission the plans that were approved by the Planning and Zoning Commission on the 12th. One of the goals to gain space and to maintain the character of the house is to bump out the garage and maintain the same porch roof and continue to the right to give the front a little more character and more historic value. In the back of the house, the plan is to build an addition keeping in line with the main portion of the house and continue the gable straight out and use the same detail on the overhangs. The chimney will be kept.

Mr. Stowe inquired how much will be bumped out; Mr. Denno explained it will only be pushed out to the existing building.

Attorney Curseaden clarified the addition will essentially square off both the front and back of the house.

Mr. Denno explained the variance that was granted pertains to the end of the building where a corner will be essentially filled in. Mr. Becker further explained the chimney still will represent the end of the building.

Attorney Curseaden added that additional space will be gained in the garage as well when it is brought level with the front of the house. Mr. Denno said 3.5 feet will be gained in the garage; it is currently a very small garage. The goal is to match the porch roof. The windows will be changed and the same trim detail will be used.

Mr. Denno said the addition to the back of the house will be filling in the back corner and adding a second floor to that addition. The house will not extend further than the existing chimney. A balcony will be added to the second floor bedroom over the existing deck.

Mr. Paulson summarized the garage will be pulled out 3.5 feet. Mr. Denno verified the entire structure will come out 3.5 feet to become flush with the front of the house.

Mr. Denno informed the Commissioners it had been suggested that the addition be moved over and to stay within the 10-foot setback, also creating more space between the subject property and the Mackendricks' property. He explained the problem would be it would look unplanned and like an addition. He said the idea is to make it not look like an addition.

Mr. Becker explained the standards for the Commission through the Secretary of Interiors for Preservation. One of the factors when discussing additions is that it not destroy the historical features of the structure and not falsely represent new portions as being original to the structure. Mr. Becker said that was a concern for him because the plans show a long, virtually solid wall along the side of the house, and it's sort of disproportionate with how the house was built originally. His suggestion is to move the back addition over to center around the existing addition. Mr. Denno stressed they want to maintain the ridgeline. Mr. Mackendrick said the current addition is centered on the chimney to the left. His suggestion is to bring the back of the house in line with the original foundation.

Further discussion was held by all present regarding the need for space in the structure and how to accomplish that without interfering with the neighbors' view. Mr. Denno summarized the issue as follows: the biggest concern is the big side wall that will be highly visible from the Mackendricks' property. Mr. Mackendrick's suggestion is to shift the addition over so there is a double peak. This will also comport with the Secretary of Interiors standard for clearly delineating original versus addition. Mr. Denno commented this will not be visually correct. Mr. Denno said he could create a whole new plan. All present continued to discuss options to satisfy all parties involved.

Attorney Curseaden said he would like to understand what the specific objection is. He asked if the proposed addition is not appropriate as presented and for what reason. Mr. Paulson said that is something the Commission would have to discuss. Mr. Ortoleva said the addition is still in the process of being presented. Attorney Curseaden asked if there is a specific standard that applies to this addition. Mr. Becker explained the specific standard is written into the Connecticut General Statutes and the City Ordinances. He read the standard into the record. He further noted that it is not the Commission's practice to use a take it or leave it attitude. Generally the Commission tries to work together with the homeowner, the neighbors, and the architect to come to a mutually-agreeable resolution while staying within the State standards. Attorney Curseaden commented that it seems the Secretary of Interiors' guidelines seem to be at odds with the local regulations. He said he agrees with working something out with all parties involved, but at this point it seems to be a group redesign. Mr. Paulson assured Attorney Curseaden that the Commission will hear all sides and try to come up with a solution that all parties can live with.

Ms. Higgins explained she needs more space in the house as her mother will be living with her. The original plan for the renovation was to place the addition off the back of the house, but she didn't want to do that because it would be too impactful on the neighbors. She noted she denied Mr. Denno's original design plan for that reason. She explained the design plans that were presented this evening seemed to be the most logical design and least impactful to the surrounding properties. Mr. Paulson asked Ms. Higgins what her timeframe is for the project. Ms. Higgins stated she would like it completed as soon as possible as she is currently in temporary housing. Mr. Becker stated the Commission does not have to go to a vote at this meeting. Mr. Paulson added the action can be delayed and continued to the next meeting to allow everyone to have further discussion and come to an agreeable resolution. Ms. Higgins stated she would rather not wait the extra month as it would be a hardship for her.

Mr. Thomas inquired of the Planning and Zoning Board variance that was granted the evening prior. Attorney Curseaden explained the variances that were granted were 8.75 feet on the Mackendricks' side to square off that portion of the house and 7.2 feet on the other side, and 23 feet where 30 feet is required to bring the garage 3.5 feet closer to the front of the house. Mr. Thomas stated the distances between the properties will essentially remain the same; however, the issue remains that the sight lines will be altered.

Mr. Denno stated he discussed with Ms. Higgins a possible compromise in that they are willing to bring the second floor, the bedroom section, into compliance with the 10 feet. The small corner variance that was approved by the Planning and Zoning Board will remain. The second floor section will be pushed back and will have a shed roof. Mr. Mackendrick said the 15 inches gained by this variation is not sufficient.

Mr. Paulson suggested ending the presentation at this point. He asked the Commission members if they had any further questions for the applicant.

Mr. Thomas commented the addition will be viewable from the harbor and so falls within the purview of the Commission. Ms. Kennard questioned the balcony being historical. Mr. Denno stated the balcony blends in with the existing deck. Mr. Becker noted many people who live along the water have balconies. Attorney Curseaden added that installing a balcony would further delineate the addition from the original section of the house, keeping in line with the standard discussed earlier in the meeting.

Mr. Paulson opened the floor to the neighbors to discuss their concerns. Ms. Kobishyn of 26 Pond Street said she loves the historic district and it is the reason she wanted to move into the neighborhood. She believes it is important for everyone to come to a compromise to maintain good relationships between neighbors and to retain the neighborhood's beauty and charm. Ms. Gage of 47 Pond Street explained she has lived on the street for 45 years. The two homes in question, 48 and 52, were once one property and then split. There have been many changes over the years; the houses used to be mirror images of each other. She noted the balcony concerns her as it will be seen from the harbor. Her real concern is the view of the proposed wall. She added she appreciates all the Commission does for the neighborhood.

Ms. Mackendrick of 48 Pond Street stated she lives next door to the applicant's property. She stated she is upset a wall will be constructed so close to her living room. She noted that while her water view from her bedroom will be partially obstructed, she understands that is a personal issue. She was more concerned that the Planning and Zoning Board meeting the evening prior made it seem like this was all a done deal. Another concern of hers is the balcony because the houses are so close together. Mr. Mackendrick stated he is not concerned about the line of sight, but he is concerned with the big, blank wall that is slated to be constructed so closely to his living room window. He believes a compromise is in order.

Mr. Paulson called for a recess at 7:53.

The meeting reconvened at 8:03.

Mr. Paulson stated the meeting remains in public hearing.

Mr. Denno said he reevaluated the space and suggests coming back 4.6 feet on the upper portion of the addition. The closet will be relocated. The shed roof on the lower level will remain. He added the balcony remains proposed. Mr. Thomas stated the Commission will still have to discuss the appropriateness of the balcony. Mr. Denno inquired if the balcony issue lies with the architectural elements of it or the balcony per se. Mr. Thomas stated it is the balcony

per se. Mr. Denno said he could keep the balcony design historical as it will be seen from the harbor.

Mr. Paulson summarized the proposal. The original change added 15 inches back to the Mackendricks; Mr. Mackendrick asked for 5.5 feet. The new proposal adds 4.5 feet. Mr. Mackendrick commented that while the new proposal is great, he would like to see the 4.5 feet pushback on the lower level as well. He asked if the addition can be done without squaring off the corner as proposed. Mr. Denno noted the house does not have a lot of space and the squared off corner will become very valuable. Ms. Higgins informed all present that she and her mother will be combining two households into one, so any extra storage space will be needed.

Mr. Paulson thanked everyone for their input

Being no further questions or discussion, the public hearing portion of the meeting was recessed at 8:24 pm in order to consider the plans for the addition.

The regular meeting was immediately reconvened at 8:24 pm.

Mr. Thomas noted as a point of order that as alternates, he and Mr. Stowe may participate in discussion, but only one may vote on the COA. Mr. Paulson said the practice is the first alternate to arrive at the meeting obtains the right to vote. Mr. Thomas was the first to arrive and so will be voting.

COA submitted by Lore Lewis-Higgins of 52 Pond Street, Milford, CT for renovation and additions of house located at 52 Pond Street, Milford, CT

Mr. Becker and Mr. Ortoleva moved to approve the COA submitted by Lore Lewis-Higgins of 52 Pond Street, Milford, CT for renovations and additions to house located at 52 Pond Street, Milford, CT, as modified.

Mr. Thomas commented it was a fruitful public hearing and nice to hear from the neighbors and the applicant on this COA. He said considering all things, he would be heavily in favor of approving the COA as modified.

Mr. Becker stated he appreciates the concerns that everyone has brought before the Commission and the needs of both the applicant and the neighbors. He noted that it is not in the Commission's power to maintain everyone's view and light and space, as much as he would like it to be. He does agree with approving the COA as modified, especially because it does clearly indicate where the addition is as compared to the original structure. He commented further that the changes to the existing garage will improve the aesthetic overall.

Mr. Ortoleva noted he likes the compromise and was impressed with Mr. Denno's ability to make the changes "on the fly".

Ms. Kennard said she believes the compromise was made in good spirit. She does understand how everyone is trying to preserve the look of the neighborhood. She appreciates the work that has been done and the materials that were brought to the meeting.

Mr. Paulson stated he believes the Commission does not have a basis to deny the COA from the point of view of historic appropriateness. He stated that is personal opinion is he would have preferred to see the variance denied on the basis of the neighbors' objection. He said he appreciates the efforts on both sides to talk and come to a reasonable compromise.

Motion carried unanimously.

The Commission proceeded to discuss the application for the rooftop solar panels made by Michael O'Grady of 30 Reed Street. Mr. O'Grady was not present and no certificates of mailing have been produced.

Mr. Paulson said he would entertain a motion to postpone the O'Grady application to next month's meeting.

Mr. Becker stated they were discussing whether the Commission could approve the application contingent upon providing proof of proper in advance mailing of notices.

Mr. Thomas and Mr. Ortoleva moved to postpone the O'Grady application for rooftop solar panels.

Mr. Becker raised the point of offering contingent approval on the application based upon evidence of mailing. Mr. Stowe noted the certificates of mailing at next month's meeting. Mr. Becker stated the contingency would be based on receiving the certificates of mailing within the next three days rather than at next month's meeting. Mr. Paulson said the approval may even be worded effective upon delivery of the certificates of mailing. Ms. Kennard commented that would serve as a penalty to the applicant. She suggested simply postponing the approval to the next meeting and inform the applicant.

Mr. Ortoleva noted Solar City is the actual applicant for the COA. Ms. Kennard stressed her desire for the applicant to be informed they are on the agenda and what steps they need to take to gain approval from the Commission. Mr. Thomas summarized that the O'Gradys will be informed their application has been postponed to the next meeting and they shall provide certificates of mailing.

Motion carried.

Approval of Minutes of December 9, 2015, Meeting

Mr. Becker and Mr. Ortoleva moved to approve the minutes of the December 9, 2015, meeting as presented. Motion carried unanimously.

Ms. Kennard and Mr. Thomas moved to reorder the agenda to hold the election of officers. Motion carried unanimously.

Election of Officers

Mr. Paulson informed the Commissioners that Ms. Smith is more than willing to serve another term as Chair of the Commission.

Ms. Kennard and Mr. Thomas moved to retain the current slate of officers.

Mr. Paulson noted that most of the time the Commission will probably continue in the manner as it has been recently. Ms. Smith's health is somewhat down. She enjoys taking care of the phone calls and fighting the issues. Mr. Paulson commented that he will most likely be chairing the meetings in her absence but she will come when she can.

Motion carried unanimously.

President's Report including Correspondence

Mr. Paulson said the letter to neighbors regarding meeting place needs to be corrected. Mr. Thomas explained the letter he referenced is the Commission's annual letter which states the Commission meets in the Board of Education room. It should reflect the Parson's Learning Center, which is where the Commission meets now.

Mr. Paulson said Ms. Smith wanted the Commission to know that two other parties have been notified that they need COAs for solar panels and have not responded: Lawlor at 68 Green Street and Gene Servene of 3 Central Street.

Mr. Paulson noted that Mayor Blake has sent a letter of thanks to Marge Jones, who served on this Commission for a long time.

Mr. Paulson said Mr. Tramuta reported that most of the old porch will be restored and reattached to the house. Mr. Stowe asked if new materials will be used to look the same as the old porch. Mr. Paulson said there will most likely be a mix of old and new material.

Clerk/Treasurer's Report

Mr. Ortoleva stated the balance remains as it was at the last meeting.

Unfinished Business

Tree Report

Ms. Kennard reported there was a Tree Commission meeting on the same night as the 2nd Historic District Commission, so she has not had an opportunity to "cross-pollinate". She stated she has not had any other action on Reed Street.

New Business

Mr. Ortoleva noted there is a vacancy on the Commission for an alternate member. There should be 5 regular members and 3 alternates.

There being no further business to discuss, Mr. Ortoleva and Mr. Thomas moved to adjourn at 8:55 pm. Motion carried unanimously.

Recorded by Colleen Birney