South of the Green Milford Historic District No. 2,

Minutes of Regular Meeting and Public Hearing – Via Zoom – March 13, 2024

Present: Chris Bishop, Maria Henley, Liz Kennard, Doug Jones, Andy Kozlowski, Marc Muller, Walter Ortoleva, Art Stowe

Also Present: Brian Yeakel, Kristin Leibrock applicants, Marilu Medina, Joshua Mercado, Denmar Lawrence representatives of Venture Solar (were delayed as they understood the meeting was at 7 p.m., Bill Hoffman (53 Green St.), Curran Bishop, neighbor, Robert Messing, neighbor.

Ms. Kennard convened the meeting at 6:38 p.m. and declared Mr. Bishop voting member for this meeting in the event Mr. Stowe did not join the meeting. Mr. Muller and Mr. Kozlowski made and seconded a motion to recess to public hearing at 6:42 p.m. for the purpose of Consideration of Certificate of Appropriateness Application by Brian Yeakel and Kristin Leibrock, 17 Green Street. (tabled 2/14/2024 meeting).

Ms. Kennard noted all members do have copies of the revised plans.

Ms. Leibrock explained they have worked with the engineers of Venture Solar who during the past month came out to the house again and pushed back the solar panels as far back as possible; as well took as many off the roof as possible. With regard to the tree that is standing between their home and the neighbor; as well the tree that is between their house and neighbors shades too much on the back of one side of the house and there was no point in putting solar panels back there which explains why the panels are predominantly on the left side including on the back roofs. She added the plan now shows there will be as many panels as possible on the back where there should be only six panels as fa back on the left side of the roof as possible in addition o the other panels on the back roof. She stat she believes this plan is the best they could do in their attempts to try very hard to comply with the requests.

Ms. Kennard noted the Venture Solar representatives were not present yet and she questioned whether she should wait for them to sign in to talk about the 6 panels on the driveway side and if they could go back to the edge of that other roof.

Ms. Leibrock stated she knew there has to be a certain amount of space around the solar panels and she believed that is why there is some space on the edge n the event they have to access those far panels, the 3 that are closes to the edge of the roof.

Ms. Henley asked if there was a measurement for that space and Ms. Leibrock stated she did not have that information.

Mr. Muller noted in the last two meetings it was emphasized by the engineers that they could not put anything on the back part and now there are 3 panels there and the other side does not have any. He suggested waiting for the engineers to join the meeting for further explanations.

Ms. Medina noted the engineers tried to do the best they could to make the kilowatts work for the house.

Mr. Muller explained the Commission’s mandate is to try to minimize the impact to the historical aspect pf the home and work with the homeowners to make sure that they still get something out of it as opposed to nothing. He felt it was explained that the members preferred to not have the panels on the main residence and now there are 3 there and still potentially another 3 that can be added.

Ms. Leibrock asked if he was referring to the 3 panels farthest back on the other side of the deck and she was told yes. She asked where it would be recommended the other 3 panels be adding if they were put on the side where the tree shades the house it would not do any good.

Mr. Muller stated he did not know that the tree shades at 100% of the time, perhaps during the summer months but at this time of year is definitely not shaded. He added this Commission cannot decide based upon that tree today because the neighbor who owns that tree may decide to cut it down tomorrow.

Mr. Curran Bishop, neighbor, stepped outside to the location of the tree and stated even in the winter the shade is pretty significant and casts a decent shadow over that portion of the house. He added it is theoretically possible to take it down but for both of the houses (his and applicants), it provides the whole character for the back of the house and his expectation was that the tree is going to long outlast the solar installation.

Mr. Messing sated this was the first time he has seen the plans but when his solar assessment was done it was necessary to decide as to where to put the panels and that was based on a shade report for the entire year. He noted perhaps on the first pass with the plan that the 3 panels on the north side weren’t optional but these homeowners are willing to accept a lower percentage because the need to get something put om the other side or the percentage is not worth the effort or cause.

Ms. Kennard reminded speakers to identify themselves before making their comments.

Mr. Ortoleva stated perhaps he did not understand the nomenclature of solar panels but looking at the plans there is an arrow that reads “proposed micro inverters integrated solar panels” and that is pointed to the south side roof of the main house which it doesn’t appear to have any panels on it at this time. He asked if that was something left over from an earlier plan.

Ms. Leibrock felt it is on the side of the house where the existing utility meter is.

Mr. Hoffman explained that is the invertor and he stated he had solar panels on the home where he resides in Orange and that invertor is the box next to the electrical meter and feeds and trades off between electrical meter.

Mr. Ortoleva noted it is some kind of a relay.

Mr. Hoffman extended invite to members to his house to see what it looks like as it sits next to and feeds the electrical panel and relays information to the UI to determine what the panels are making for power. He added because he has solar panels he knows when solar panels are being designed or installed it is necessary to look at optimal sun and even though it was noted the left side of the house (right side that aces the tree) could get some sun during the winter but the winter sun is not strong and it would not be beneficial to put solar panels where they are blocked by trees even in the winter.

Mr. Muller shared a picture he took of the house which shows the back side of the house had a lot of sun coming on it, just as much as the front main house and the secondary roof doesn’t have any panels on it, He stated he appreciates the fact it may not have 100% coverage in the summer but if you look at the shade panel, that side has a very similar shade panel as the side that has 3 panels. He questioned why can’t 3 panels be put on that side as well given that there is obviously sun there at certain times of the year.

Ms. Leibrock asked if that would be more visible then on the other side of the back of the main roof. She questioned what makes that any less visible then the other side on the left side of the roof then having them on the main part of the house.

Mr. Muller explained it is less visible from the street as you are looking down the street. As well this is an addition to the main house and it is not the historical structure we are trying to preserve.

Mr. Stowe asked what is on the other side of the house and he was told that is the garage that that was discounted as an option. He further asked if the question was to move 3 more panels from the front part of the house and leaving 3 panels.

Mr. Muller referred to the right side noting the color profile is very similar on the right and the left on the back side and not much different than the right side of the front, perhaps 1,000 kw per year vs. 800.

Ms. Leibrock suggested waiting for the engineers to join the meeting and she added there are plenty of neighbors that have solar panels that are far more visible than what they are proposing and this is incredibly frustrating to argue about 3 panels. She added she felt they are being punished for following the rules and did not think it was fair as she understands preserving historic integrity and they are following what they were told to do as well as improve their home. She referred to a home on Lafayette and noted the panels on that home are on 2 different roofs and she could not understand why this process is occurring for their home.

Ms. Kennard explained there are no arguments but the Commission is trying to get information to make a decision. She added she fully understands the frustrations and once the engineers get to the meeting they can answer some of the questions posed tonight and then it will be possible to move forward.

Mr. Curran Bishop (21 Green St.) noted he has approved solar panels on his house on the forward portion of the roof and frequently people will tell them how good the roof looks. He added he is in support of this plan because the more solar to get on the grid, the more resilient the grid is and the “greener” we are.

Mr. Hoffman echoed those comments and stated he owns 2 houses in the neighborhood and referred to house in the area that has solar panels that face Green Street and he questioned how that was approved as they are visible. He noted the previous speaker has a metal roof and solar panels and how is that preserving the historical district. He stated he supports the plans for this house adding eventually this world is going to go all green and everyone will have solar panels.

Ms. Kennard stated she appreciates the comments and support for the neighbors but the charge of this Commission is a bit different at this current time.

Joshua Mercado from Venture Solar joined the meeting at this point and apologized for being late.

Mr. Muller stated the members have reviewed a few proposals for the installation of solar panels on this home and the first two meetings the Commission was told nothing could be put on the rear side of the house and the main house originally had panels on both sides. He went on to say the newest proposal has 6 panels on the front right-side High St. facing, and 3 at the very far back which previously the Commission was told that could not be done for coverage and support of the roof. He stated at this time the question is why we can’t have an additional 3 on the left side of the back as well.

Mr. Mercado explained he and his staff entirely compromised the roof and moved all the panels that could be moved in order to have it make sense while moving as many panels as possible off the main roof and farther back. He added they moved them as many places as they could to accommodate this Commission’s request. He also explained if they were to move any panels to the other side where the 3 panels are (where the decks are) they would definitely be a significant further drop annually. He stated in his opinion this is the next best situation while covering the neighbors needs at the same time.

Ms. Kennard addressed the driveway side where there are 6 panels in the front and asked if those panels could be moved back any further on that roof.

Mr. Mercado stated they could definitely butt them up as far as possible on that edge noting typically the engineers would place them there to appease various city departments but there definitely is room to move them if that is what the Commission is looking for.

Ms. Kennard referred to the location of the invertors (near the meters on the side of the house) and asked if they have to be in the front or could they be moved back behind the fence.

Ms. Leibrock explained the a/c condenser is there in that little nook and there would be no space for the invertors there.

Mr. Mercado stated it is necessary to have them as close to where the meter is if it is necessary to de-energize the system and preferably we like to keep this equipment bunched together.

Mr. Muller asked if the combiner panel could be moved to the left side of the window so it is with everything else.

Mr. Mercado stated that change could be made if the homeowners are agreeable to that and compliant for safety emergency reasons.

Ms. Kennard referred to the existing meter location asked if the solar equipment could go beyond that meter and she was told by Mr. Mercado that would be no more than 10 ft. and that is by electrical code,

Mr. Muller referred to the diagram that shows the in-phase combiner panel on the right side of the window and asked if that could be moved to the left side so all of the electrical components are in one area as opposed to taking up that entire wall.

Mr. Mercado felt pretty confident that they would be able to put all the equipment to the left side before that window and have to do nothing to the right side of that window.

Ms. Kennard asked if there were any further comments/questions.

Mr. Hoffman stated he is in favor of the proposal put forth and does not see why this is an issue since there are already homes on the street with solar panels and he felt nobody looks a roof but they look at the front of a house adding he is in support of solar panels.

Mr. Mercado noted they did notice houses with solar panels in the neighborhood and he felt they have gone over and beyond to make the Commission happy but also to keep the homeowner’s needs a priority. He felt if the plan could be approved and homeowners approve of the final numbers then there would be some progress.

Ms. Kennard took the opportunity to share with the homeowners what as discussed at this meeting: #1 taking he panels on the driveway side roof and moving those as far back as possible on that roof. #2 the possibility does not exist to put any other panels on the back roof that abuts the deck She referred to the 3 panels on one side and it is an empty roof on the other side. As well she noted it was advised that it is not practical to not put those 3 panels on the back because you will not get what you want out of the project

Mr. Mercado added there are a few tree branches that hang over from the neighbor’s property and that may be something to consider down the road.

Continuing, Ms. Kennard stated #3 discussed is the Commission would like the equipment on the side of the house combined or moved back so it is not as visible.

Mr. Bishop stated he thought the recommendation was to try to put all that equipment together in one location so to minimize the impact.

Mr. Mercado stated he understood it as not going past the window on the street by the fence so everything to the left would be together. He stated all was understood and what the engineers see design-wise and they will finalize the numbers with the homeowners.

Mr. Ortoleva and Ms. Henley made and seconded a motion to close the public hearing and reopen the business meeting at 7:32 p.m. Motion carried unanimously.

Mr. Ortoleva stated he appreciates the needs of those who want to go to solar but the charge of this Commission is not in line with that. He added efforts were made to move the panels off the side roof and minimize the look from that angle and he appreciated the effort and would be in favor of the proposal.

Mr. Stowe agreed and stated the homeowners have tried to make this work and balance the environmental and aesthetic look. He stated solar panels are everywhere and will continue to be seen more and more but may be temporarily in an approximate 20-year time frame adding those that were installed in the 70’s and 80’s is being replaced and this is not going to last forever. As well he commended these homeowners for all they have done to try to appease the neighbors and this Commission adding in a year or so no one will notice those panels.

Mr. Bishop stated he was pleased with the fact that the southern front roof is now clear adding he did take a look at the rear portion of the northeast roof noting most people will see the front and not see the panels on the back. He too appreciated the homeowner’s efforts to work with this Commission and hopes the plan is approved.

Ms. Henley stated she appreciates the fact that big changes were made not just 1 or 2 panels and she was fine with the 3 being were they are as they are in the least obvious place and if set back as far as they could be, it would work.

Mr. Muller stated he liked the fact they took the panels off one side of the roof and would like to see the other 3 moved as far back as possible. He explained every house this Commission looks at is individual and because the neighbor’s house has solar panels could have been a split decision of that governing body to approve and if they were coming forward today with a plan perhaps it may not have been approved. He added some of the others properties you see today either did not get approval or were put on accessory parts of the property and this Commission’s charge is subject to the primary residence. He referred to other properties on High Street that have worked with this Commission to minimize the appearance, one of which was present at the meeting tonight and the other has all panels on the back side of the house with the exception of 1 panel on the garage which is nearly invisible. He offered suggestion to the engineers that putting pieces of edging on the panels makes them less visible but makes for more work and more expense.

Mr. Jones stated everything has been thoughtful and he agreed with Mr. Stowe. He stated Venture Solar has done everything they could to meet the requirements and he was in support of the latest revision adding if anything can be done the back panels on the front side of the house that would be excellent.

Mr. Kozlowski agreed everything that could be done or revised has been done and he felt the plan as it stands is fine.

Ms. Kennard commended the Commission for their efforts and consideration noting it is not easy to look to the future. As well she stated she appreciates the homeowner’s efforts and although it may not seem like we appreciated the collaboration with this Commission but the members certainly do and that of Venture Solar staff as well.

Motion was made by Mr. Stowe and seconded by Mr. Ortoleva with regard Certificate of Appropriateness Application by Brian Yeakel and Kristin Leibrock, 17 Green Street. (tabled 2/14/2024 meeting) and

accept the revised proposal as presented at this meeting with the modification that the controls or meters be placed to the left of the window and that the panels remaining on the roof facing High Street be moved as far to the back as possible.

Discussion ensued regarding the meters and Ms. Kennard added all have done much work to make this right and we now have big glaring meters on the side of the house

Motion carried 4 yes and 1 no (Mr. Muller).

Consideration of Minutes – Motion made by Mr. Muller and seconded by Mr. Stowe to approve the minutes of the February 14, 2024 meeting as presented. Motion carried unanimously.

Chair’s Report including Correspondence

* 147 North Street – Ms. Kennard referred to the proposal to demolish 147 North Street noting a group of people involved with preservation are trying to stop the movement to demolish that building. She added some members of this Commission have written letters to try to work on making that happen and she referred to discussion about the possibility of setting up a meeting with the developer and she was hopeful that could happen. She stated she will keep members posted on the progress of a possible meeting.
* Clerk/Treasurer’s Report – Mr. Ortoleva stated all bills have been paid and the balance as of 3/13/2024 is $6,758.19.

Ms. Kennard referred to previous discussion on using some of those funds for communication purposes and Mr. Ortoleva felt that is something that can be discussed in detail at a future meeting.

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

Unfinished Business

1. Updated property list – remain on the table
2. Attny. Berchem’s advice on Air BnBs, ground mounted satellite dishes and signage – remain on

 the table

1. Solar panels – Ms. Kennard referred to the research and work Ms. Henley has done on solar panels as well as Mr. Jones. She stated in light of what we have worked on for the past 3 months, it is critical that we get something in our guidelines and communicated to homeowners in the District and not let people think we are arbitrarily against solar panels.

Mr. Muller agreed and added he is hoping to do some further research on other historical districts and their opinion on the matter. He added he felt we have to develop an informal policy to be included on our website so that when resident do go through the process of putting solar panels on their home there are some guidelines.

Ms. Henley felt our guidelines should be in the packet for new homeowners to the district as well has sending it to everyone before we are faced with another application. Further she noted the guidelines need to address the non-conforming houses in the District. She added each house is individual and if the applications continue to come in for solar panels that will be all we will see in the District. She also stated if we had guidelines in place we would have saved months of meetings and revised plans.

Ms. Kennard acknowledged the work of Ms. Henley and suggested she and Ms. Henley work on a draft guideline to be included on our website and once finalized send a copy to homeowners in the District.

Mr. Ortoleva suggested making copies available in the Building Dept. as well.

Mr. Bishop suggested attaching it to the procedure memo and it was agreed that could be done.

Further discussion ensued regarding the guidelines and whether or not it had to go to the city attorney to give us this power to invoke them and Ms. Henley reminded everyone if this Commission was charged with what is appropriate and what is not then we can make the guidelines.

Ms. Kennard and Ms. Henley will work on the guidelines and share same with the other members.

1. Replacement and expansions of driveways and parking areas. – remain on the table.

New Business – none

Ms. Kennard thanked members for their diligence and work on this recent request.

Being no further business to discuss, motion was made by Mr. Bishop and seconded by Mr. Muller to adjourn at 8:02 p.m. Motion carried unanimously.

Recorded by Diane Candido