South of the Green Milford Historic District No. 2,

Minutes of Regular Meeting and Public Hearing – Via Zoom – April 14, 2021

Present: Andrew Belden, Christopher Bishop, Marc Muller, Arthur Stowe

Chairman Bishop called the meeting to order at 7:34 p.m. and apologized for the delay in getting the meeting started. He declared a quorum present and the regular meeting stood in recess at 7:35 p.m. and the public hearing was called to order at that time.

**Catherine Rice, 13 Green Street – review of proposed repairs to the front porch**

In attendance with Ms. Rice was Brian Yeakel. Ms. Rice explained she is seeking approval for repairs and construction of the front porch as the existing porch is sinking, She stated she is hoping to use most of the original pieces to keep it consistent with the District requirements. Further she explained changes will be to remove the existing railings and change it to spindles which will give the porch a more open effect.

Chairman Bishop asked if there will be any changes to the roof or eave lines above the 2nd floor windows so the bottom part of that triangle will remain and he was told that was correct.

Further, he asked if the posts will remain and it was explained that since they are in good condition they will be kept.

Mr. Yeakel stated the plan is to keep the roof as is and replacing it with new shingles and he added that will be only the shingles over the porch at this time.

Mr. Belden asked if the footprint of the porch will remain the same and Mr. Yeakel explained the plan is to basically fix the existing porch structure and put it back the way it is now.

Mr. Belden asked if there were any details at the top of the existing posts such as corner brackets and he was told there is decorative wood there.

Mr. Belden further noted the pictures shows a different look on how the posts meet the ceiling of the porch and Ms. Rice stated those details will be kept as is.

Mr. Yeakel emphasized the fact that they are just going to jack the porch up.

Mr. Muller asked if there are plans for new footing/new decking on the porch and will the details on the columns remain.

Mr. Yeakel stated they are going to replace the railings with spindles and with regard to the floor he explained it is not tongue and groove but is painted pressure treated.

Being no further questions or comments regarding this COA, Chairman Bishop explained that both Ms. Rice and Mr. Yeakel were welcome to stay for the remainder of the meeting but once the hearing was closed, there would be no further opportunity for comment. He added he would be notifying them of the decision on the COA. Both Ms. Rice and Mr. Leibrock left the virtual meeting at this time.

**Matthew Kramer, 115-117 Lafayette Street – review of proposed new roof and solar panels at rear of the house.**

Mr. Kramer explained the request is for roof replacement and solar panels on the rear facing part of the roof. He stated they will be replacing the roof like for like, using asphalt style shingles going from dark gray to a dark brown (Mission Brown). He added on the rear of the house there will be 20-25 black, flush-mounted solar panels on the south facing section of the roof.

Chairman Bishop referred to the photo presented and he stated it looked like more than 25 panels and if it is 25 are some of them showing from the street side.

Mr. Kramer stated whatever the number of panels is pictured is the number of panels to be put on. He stated the majority of the panels are on the flat roof in the rear of the house and a few on the rear vertical (angled) part. Further he added it is a corner lot and the front door faces away from the panels and the other side of the corner you could see a few panels on the part of the house that is outside the District. He explained the rear of the house is on the curve on Lafayette Street and is the last house in the District.

Chairman Bishop asked where the front of the house is and he was told the largest section of the solar panels is on the square section of the roof, and directly opposite of that is the front of the house and that is what faces Pond Street and back towards the Green. He added it is on the inside of the curve of Rogers and Lafayette. He stated he found it helpful to look at the house on the city digital system noting that the Historic District actually loops out and then loops back in.

Chairman Bishop asked if those were 2 gables on the front of the house and he was told that was correct.

Mr. Kramer stated the panels are all on the back of the angled part of the roof, opposite the dormers.

Mr. Muller referred to the flat side where there were 2 panels off by themselves and asked if that is the flat roof.

Mr. Kramer explained that is a rear section of the house and is not visible from the front.

Mr. Muller stated there are 2 panels on the south facing peak just beyond the gables and there is another 5 that are on the southeasterly side of the house.

Mr. Kramer stated it is an “L” shaped house and they are visible from Rogers on the rear of the house.

Mr. Muller referred to the photo and stated it appeared 2 panels are on the flat roof and Mr. Kramer explained that is on the backward angle of the house.

Chairman Bishop clarified the statue refers to exteriors visible from a street within the District and he did not think there was a distinction between streets inside the District and outside the District. He stated the statue reads “*anything visible from a public street or way*” He added a corner lot could have 270◦ visibility from the street.

Mr. Muller asked if there is an issue with solar panels on the front of houses in the District and Chairman Bishop explained that is not what is before this commission at this time but he was attempting to make the clarification that if the street is not within the District it does not change the ruling. He added this commission has a say over solar panels if the effect is taking away from historically accurate houses and changes it totally but he was not sure that is the case here.

Being no further questions or comments regarding this COA, Chairman Bishop explained Mr. Kramer was welcome to stay for the remainder of the meeting but once the hearing was closed, there would be no further opportunity for comment. He added he would be notifying Mr. Kramer of the decision on the COA. Mr. Kramer left the virtual meeting at this time.

**Andrew and Sherri Belden, 26 Pond Street – review of proposed fence installation**

(Mr. Belden recused himself as a member of the Commission at this time and proceeded with the explanation of the COA at his home).

Mr. Belden explained the application is for a permanent garden fence installation in the back yard and the fence will be enclosing garden area that is approximately 13’ x 33’ or slight fraction below that. He stated the back portion of the fence will be visible from Pond Street. Further the fence will be composed of pressure treated lumber and a product called hog wire panels which is a rigid wire, not quite ¼ inch thick made up of 4” x 4” grid, 6 or 8 ft. lengths. He further explained those panels will enclose a 2 x 4 or 2 x 6 frame around the garden. Mr. Belden also noted the panels with the frames will be 48” tall and the posts will protrude 2” higher than that so the maximum height of any part of the fence will be 50”. The garden will have a garden gate, hog wire will be black and the frames will not be painted or stained at this time.

Chairman Bishop questioned what are they trying to keep out of the garden and will it be electrified.

Mr. Belden stated no electricity and hoping to keep deer out and it may be a slight deterrent to raccoons although they are good climbers and deer do not like to jump into small enclosures. He added occasionally big rabbits are in the yard.

Being no further comments or questions the public hearing portion of the meeting closed at 76:56 p.m. and the Commission meeting immediately reconvened.

**Review COA presentations (Mr. Belden participated in voting for first 2 applications)**

**Catherine Rice, 13 Green Street – review of proposed repairs to the front porch -** Motion was made by Mr. Stowe and seconded by Mr. Muller to approve the application as presented. Motion carried unanimously.

**Matthew Kramer, 115-117 Lafayette Street – review of proposed new roof and solar panels at rear of the house.** Motion was made by Mr. Stowe and seconded by Mr. Belden to approve the application as presented.

Mr. Muller stated he had no problem with the roof but was concerned about the panels adding there are some houses that have solar panels within the District already. He personally felt if this commission has some discretion over a roof, they should also have some discretion over the architect of the solar panels. He noted those panels included in this application that are on the street facing side of the house, while that portion of the house may not be in the district, he felt they would be better placed in another area where they are not visible from the street. He added other than that concern the placement of the panels are fine but those obvious from the street are a concern for him.

Chairman Bishop stated he understood Mr. Muller’s concern and referred to the language in the statute and the right we, as a commission, have with a request such as this.

Mr. Muller stated his interpretation of the language is if it doesn’t diminish the effectiveness of the placement of the panels this commission has the ability to deny or regulate but if there is no other option, we do not have that ability. Further he noted there are houses where the south facing side faces the street and there is no option for us to deny but in this case the house has a good percentage not visible from the street and there is a section of panels that could easily be put on another section of the roof with a little less impact.

Chairman Bishop felt there was no other place that the panels could be installed and he asked Mr. Muller which panels he was objecting to and he was told the 5 panels in the center of the house and he felt they would be better suited toward the other gable that faces the rear rather than the street.

Mr. Muller agreed there is not much we can do with regard to the location of the panels.

Chairman Bishop offered the suggestion of amending the existing motion to approve the solar panels with the exception of those 5 or go right to the vote on the floor to approve as presented.

Mr. Belden referred to a conversation he had with a neighbor who was formerly a member of this commission and he was told there was some superseding state level ordinances/statutes that prohibited historic districts from preventing installation of solar panels on houses in a historic district. Mr. Belden questioned whether he understood that correctly but he was operating under that impression.

Chairman Bishop noted that he also has been referring to that statute which has closed the ability to deny such requests about 98% of the time but there is that small opportunity for the District to make the argument that is no longer a historical house with solar panels on it. He stated that he personally did not feel this would change this particular house that much.

Mr. Muller explained he interpreted the language to say this commission has the ability to regulate the placement of the panels.

With regard to the motion on the floor, the motion carried unanimously.

**Andrew and Sherri Belden, 26 Pond Street – review of proposed fence installation** – Motion was made by Mr. Stowe and seconded by Mr. Muller to accept the application as presented. Motion carried with Mr. Belden recusing himself.

**Consideration of Minutes** –Motion was made by Mr. Stowe and seconded by Mr. Belden to approve the minutes of the March 17, 2022 meeting as presented. Motion carried unanimously.

**Chair’s Report** – no report and not correspondence

**Treasurer’s Report** - unavailable

**Clerk’s Report** – no report

**Unfinished Business**

1. Letters to District Property Owners – Chairman Bishop stated the letter has been developed and signed and they will be printed when they receive a copy of the logo for the Historic District South of the Green which will be placed on the mailing envelopes. Once that is done they will be ready for mailing including the certified mailing forms.
2. Procedure memo – Chairman Bishop stated this will be sent out this week for review. He added he did provide this procedure memo to the two applicants who presented at this meeting and they found it helpful and made the process easy.
3. Review Study Report Booklet and consider allocating funds to print some copies – Ms. Kennard will be getting a price quote from previous printer on the cost of printing this again.

**New Business** - none

Being no further business to discuss, a motion was made by Mr. Stowe and seconded by Mr. Belden to adjourn the meeting at 8:30 p.m. Motion carried unanimously.

Recorded by Diane Candido