South of the Green Milford Historic District No. 2,

Minutes of Regular Meeting and Public Hearing – Via Zoom –September 8, 2021

Present: Andy Belden, Christopher Bishop, Liz Kennard, Andy Kozlowski, Marc Muller,

Applicants: Greg and Deb Carman

Chrmn. Bishop convened the meeting at 6:30 p.m. and declared a quorum present. The regular meeting stood in recess at 6:31 p.m. and the public hearing was called to order at that time.

**Certificate of Appropriateness Application by Greg and Deb Carman 25 Lafayette Street for construction of an expansion to their house, the construction of additional porches and for the replacement of all existing windows throughout the house (as tabled from the August 11, 2021 meeting)**

Ms. Kennard noted for the record that since the August meeting she and Mr. Muller have met with the Carman’s on two occasions to review the proposal.

Mr. Carman added the meetings with Mr. Muller and Ms. Kennard were fruitful and he was hopeful that the compromise they arrived at which includes taking the addition for the dining room half way (7ft. off the existing dining room) would work. He stated after reviewing the suggested compromise with his wife, it was felt it just would not give them the room they would need or they were hoping to achieve. He shared the plan which included no porch on the addition, it would go 10 feet out instead of 14 and there would be 1 window and door.

Ms. Kennard noted as discussed it is hard to make a decision without actual rendering of the plan. She noted the roof line matches the roof line of the house and she questioned how the Carman’s felt about the door becoming a window.

Mr. Carman stated with this 14 ft. width we would have 2 windows but were trying to shrink how much of the addition came off the side. He noted the house is 28 ft. wide and this addition would be 14 ft. wide, approximately one half of the house. He further explained the idea of shrinking it to 10 ft. wide with the 2 ft. gap between the house and the addition (as shown in the picture presented). He explained the reason for the 2 ft. gap is he is attempting to follow the guidelines from the Secretary of the Interior on historic structures and the guidelines suggest trying to separate any additions to a historic home to show they are different and not part of the original home.

He further explained in the back of the addition it would be the same (2 ft. gap to separate the addition from the original house). He stated he was not sure if that would be more preferable or not.

Chrmn. Bishop stated one of the issues that he has with both presentations is that in both cases the view from the street would be a house with a 2021 exterior and that does not fit in with keeping consistent with the historical nature of the house. He stated he also was expecting a revised plan that would be closer to what an exterior would have looked like 100 years ago but he felt it looks more like 2021, current day.

Mr. Carman stated he too felt it is more of a modern look and would prefer for the addition to come off the side in the middle of the house like old colonials usually did but he cannot do that because of the sewer line. He also stated that if it was off the back they would lose back yard and deck space and it would be beyond their means to even consider that.

Mr. Carman stated he talked to his architect earlier in the day expressing his desire to not have that bump and just attach the addition to the house corner and fix that rain water run-off as he thought it would blend in much better. He referred to the other houses with additions in the neighborhood noting those changes were done prior the establishment of the Commission but it is part of the neighborhood now and he felt another house with an addition would still blend in with the neighborhood as it exists today.

Chrmn. Bishop stated the idea of creating the District was to try to keep that pattern of changes from continuing to happen and keep things more consistent with the historic nature of the existing houses. He added the fact that houses have extensions prior to the development of the Commission does not guide the members at all and in fact if there is any guidance, it is the other way. He added it is an example of what we do not want to happen.

Mr. Carman noted they have seen some examples of poor tastefulness but there are also examples of positive additions to the homes and he felt just from the feedback he is getting he would propose withdrawing their application for the addition to the house and this would give them more time to work on the plan. He noted he would still like to go ahead with the window replacement which would include all the windows on the original house would be replaced with vinyl 6 over 6, white trim and the frame would be the same as is presently on the house.

Chrmn. Bishop explained that could be considered when the Commission reconvenes. He added there is no provision in the statute permitting withdrawing part of or all of the application. He explained there is specific provision that says if no action is taken on an application it is deemed approved; therefore, if this Commission allows you to withdraw the part regarding the extension and left that open for a specific period of time the application would remain and the Carman’s would not have to re-apply or pay another $100 application fee. He felt the Commission needs to act on all parts of the application and he suggested a decision be made on the entire application in different parts and then the members can discuss amongst ourselves as to whether or not there is any way to waive the fees and the effect on the homeowner would be the same as if it was tabled and when they are ready to come back, submit a reapplication at that point. He also noted there is no difference to this in any of the three methods but there is a difference to the Commission.

Mr. Carman explained they would like to have the windows done before the cold weather sets in and even if the addition was approved, they would not be doing it until next year.

Chrmn. Bishop noted the original request was for the replacement of all of the existing windows with new Marvin Thermal windows, 6 over 6 window panes and will copy the original windows and is that still accurate.

Mr. Carman replied yes and added the exterior trim will also remain the same.

Mr. Muller felt this is the best approach going forward to let the Commission make a decision on both pieces independently as part of the application. He suggested that part of the application for the windows would be impacted by approval or disapproval of an addition or extension in the future. He suggested allowing the homeowners to replace those windows in the extension at a time in the future pending that application so they do not have to do all the windows at once. Further, if they choose to do the windows on the side where the potential extension is going to be, they can do that at a later time so as to not put new windows in and then replace them at a point down the road.

Mr. Carman stated that was discussed when he met with the two commissioners and he agreed they do not need to replace the windows twice and that recommendation would be helpful and cost effective.

Mr. Carman thanked Ms. Kennard and Mr. Muller for meeting with he and his wife adding their input was helpful.

Chrmn. Bishop thanked Mr. Carman and stated the members appreciate his willingness to rethink the plan and have the goal keep the essence of the neighborhood.

Ms. Kennard emphasized the point that it was never the intention to not have the Carman’s have an addition to their house but it is the Commission working together to hopefully find a place where the homeowner is happy and has satisfied the guidelines we have been asked to work with in the neighborhood.

Mr. Carman stated he did have a number of questions in planning for the next step and he asked if there would be any guidance as to how far would be allowable.

Chrmn. Bishop explained this would change with every request and it is based on how the proposal looks from the street and would it keep the historical look of the house. He stated he personally would like the opportunity to meet with Ms. Kennard and Mr. Muller and also see some other houses in the neighborhood to see how they have done such a project and then he would be more comfortable getting back to Mr. Carman with something more concrete.

The public hearing closed at 6:54 p.m. and the business meeting immediately reconvened.

Ms. Kennard and Mr. Kozlowski made and seconded a motion to take off the table the request for

Certificate of Appropriateness Application by Greg and Deb Carman 25 Lafayette Street for construction of an expansion to their house, the construction of additional porches and for the replacement of all existing windows throughout the house.

Mr. Belden questioned it the entire application would be taken off and Chrmn. Bishop explained the entire application was put on so the entire application must come off and the Commissioners can split up the projects included and that will be done when we consider the motion to approve.

Motion carried unanimously.

Ms. Kennard and Mr. Muller made and seconded a motion to separate into two parts the COA application by Greg and Deb Carman 25 Lafayette Street for construction of an expansion to their house, the construction of additional porches and for the replacement of all existing windows throughout the house and consider the replacement windows first and separate from the remainder of the request.

Mr. Muller gave a point of clarification noting the windows would be all the windows at the residence including those where there is potential addition and that would be up to the homeowners to make a decision if they choose to replace those windows pending an application or replace those windows after application is either denied or approved.

Chrmn. Bishop asked to hold that point until the Commission actually has a motion to approve or disapprove.

Ms. Kennard clarified the fact that windows are like for like and exterior trim will remain the same.

Chrmn. Bishop noted that too should be held until there actually is a motion.

Motion carried unanimously to split the application into two different components (windows and extension).

Ms. Kennard and Mr. Belden made and seconded a motion to approve the windows portion of the Carman application which will replace the windows with like for like replacement windows and the exterior trim will remain the same.

Chrmn. Bishop stated a provision must be added as suggested by Mr. Muller.

Mr. Belden questioned if it is necessary to add that provision. He stated he understands the provision and agrees but felt it would make it more complicated.

Mr. Muller stated that the motion includes all windows, like for like, with the trim and it is noted that if they choose to replace all the windows they can and if they choose to exclude certain windows from the replacement that is their prerogative.

Ms. Kennard stated we have given them the ability to replace all windows if they choose.

Motion carried unanimously.

Ms. Kennard and Mr. Belden made and seconded a motion to approve the remainder of the COA application, specifically the extension and the porches, presented by Greg and Deb Carman, 25 Lafayette Street, at two public hearings including the initial presentation and a modification at the second public hearing.

Ms. Kennard took the opportunity to acknowledge the Carman’s for working with the Commission and she also stated the Commission has extended themselves to work with the applicants to achieve something suitable for them and their home while staying within the guidelines of the District and the Secretary of the Interior which Mr. Carman’s architect has tried to make reference to.

Mr. Muller added the Commission is bound by regulations that allows us to basically make a decision within 60 days and he would view the Commission’s lack of a decision or decision as procedural and administrative more than affirmation of the approval or denial. He also noted the Carmen’s have done a good job trying to present plans and modify those plans based on feedback that the Commission provided. Further he stated that unfortunately they have run into some issues with the architect not being able to get a complete plan back to this body. He urged the Commission to consider a procedural denial more than a denial of their plans in totality. He stated he would expect they would present something very similar to what we have seen but a comprehensive set of plans which the Commission can evaluate.

Chrmn. Bishop agreed that the intent was not to stop the homeowners from working toward getting a dining area.

Motion denied unanimously.

Chrmn. Bishop again asked the homeowners not to take the action as a negative connotation but to understand the Commission is trying to work with them. He added when the Carman’s reapply for the COA, at that point the Commission waive the $100 application fee and notification of neighbors.

Ms. Kennard and Mr. Muller made and seconded a motion to waive the $100 application fee when the Carmen’s reapply as well as the request to notify neighbors. Motion carried unanimously.

**Consideration of Minutes** – Ms. Kennard and Mr. Belden made and seconded a motion to waive the reading of the minutes from the 8/11/2021 meeting and approve the minutes as presented. Motion carried unanimously.

**Chair’s Report including Correspondence** – none

Ms. Kennard wanted to make sure that members know that the issue regarding the Flaherty staircase and the Muller request have been dealt with.

Chrmn. Bishop added both were close to absolute like for like.

**Clerk/Treasurer’s Report** – Mr. Ortoleva was not present and therefore a report was not presented.

**Unfinished Business**

* 1. Review Study Report Booklet and consider allocating funds to print some copies – Chrmn. Bishop stated he had a positive recommendation from Marlen Printers for copies of the original 23 page booklet, 1st page in color, protective cover is clear and the remainder of the booklet is black and white, heavy stock and coil bound. He stated to do the same at the same quality would cost $8 per booklet for 50 copies; $6.50 per booklet for 100 copies.

Ms. Kennard suggested it would be nice to have copies available for homeowners and would be another example of the goal of the Commission.

Chrmn. Bishop suggested including a copy with the next mailing to all District homeowners. He noted it includes a picture of every house in the District from the year the District was created. He noted if we were to do that we would need 200 copies and it was the consensus to continue this discussion at the next regular meeting.

Mr. Muller suggested in the next mailing to homeowners, we offer homeowners the ability to request a copy if they wish one.

* 1. Attorney Berchem’s advice as to Airbnb’s, ground mounted satellite dishes and signage – Chrmn. Bishop stated in his conversation with Attny. Berchem there was no mention of Airbnb’s but he would get back to him on that matter. With regard to ground mounted satellite dishes, Attny. Berchem stated this is a zoning issue. Further his recommendation regarding signage and where we think people have created more parking that has been permitted, it was suggested if people are over parking the first thing is to notify zoning officer.

Mr. Muller noted a number of areas are designated 2 hour parking during business hours and he stated at any time during the day there are cars parked all day every day. He felt when the pending situation evolving from COVID is over and people resume normal working hours, we can then get back to those guidelines.

Chrmn. Bishop stated he always felt those parking guidelines were to make sure commuters did not take advantage of parking areas.

* 1. Solar panels – still to be reviewed.

**New Business** - none

Being no further business to discuss, a motion was made by Ms. Kennard and seconded by Mr. Muller to adjourn the meeting at 7:24 p.m. Motion carried unanimously.

Recorded by Diane Candido