**WASHINGTON HISTORIC DISTRICT COMMISSION**

**MINUTES**

**September 19, 2016**

Members Present: Tom Hollinger, Jane Boyer, Susan Averill, George Krimsky, Phyllis Mills

Members Absent: None

Alternates Present: Louise Van Tartwijk, Sally Woodroofe

Staff Present: Janice Roberti

Others: Paul Szymanski - Arthur Howland H. Howland & Associates, P. C. Attorney James Kelly - Kelly Law

Mr. Hollinger opened the meeting at 7:05 and seated the members.

REGULAR MEETING

I. Regular Business

A. Call to order

B. Seating of members, alternates

II. Consideration of the Minutes August 15, 2016

The Commissioners reviewed the August 15, 2016 meeting minutes. Correction: Page 1 under,

the item David Rosenblatt, 229 Calhoun Street, 2nd paragraph, 3rd sentence. Change the word “commented” to “comment”.

MOTION: To accept the August 15, 2016 minutes as corrected. By Ms. Averill, seconded by Ms. Mills and passed 5 to 0.

III. Other Business

1. 21 Kirby Road – Discuss metal sculpture visible from the road

Mr. Hollinger briefed the Commission on the reason for this discussion. In early September, he drove by The Rocks (21 Kirby Road) and noticed a large metal intricate sculpture which was affixed to the ground. It was located at the corner of the lawn near the wall by the Rossiter side of the property. Mr. Hollinger contacted the Land Use Administrator Janet Hill to discuss this because the owners did not apply for a COA. Ms. Hill agreed that the owners should have applied both to the HDC as well as Zoning for a permit/COA. Ms. Hill also stated that Zoning has precedents regarding a property where owners were required to apply for permits to install large sculptures. Mike Ajello, Zoning Enforcement Officer, visited 21 Kirby Road, took pictures and then contacted Mr. Paul Szymanski of Arthur Howland & Associates. Mr. Szymanski is the engineer for the project.

Mr. Szymanski attended the September 19, 2016 HDC meeting representing the owners and the architects. He displayed current and historical photos and a map entitled *Plan – Zoning Location Improvement Map Prepared for 21 Kirby Road.* *LLC Dated 9/8/16.* Mr. Szymanski apologized on behalf of the owners Kathy and Steven Guttman and the firm Sachs Lindores Architecture Interiors for the failure to apply for a COA for the sculpture. Mr. Szymanski assured the Commission that going forward COA applications will be submitted to the HDC in a timely fashion with the required supporting documents, plans and photographs.

MOTION: To postpone the discussion of the installation of new sculptures by property owners Kathy and Steve Guttman, 21 Kirby Road, to the October 17, 2016 meeting. By Mr. Hollinger, seconded by Ms. Averill and passed 5 to 0.

1. 135 Calhoun – Request for information made to the HDC from property seller’s attorney, Attorney James Kelly

Attorney James G. Kelly of Kelly Law was present at the meeting. Attorney Kelly explained that he did not represent previous owner Tyler Smith when Mr. Smith sold the property to the present owners. The present owners have asked Attorney Kelly to represent them in their sale. As part of the contract process, a title search into the public records of the property is performed and permit searches are included in this process. There was a Building Department Permit in the file which was marked “Post Facto”. This caused some confusion because there is a large note on the permit that says “Needs Historic Approval” with a question mark. Attorney Kelly, the seller and buyer need to know that whatever was supposed to take place regarding HDC approval actually did take place. There was no record of an application for a COA with a public hearing and no copy of the letter which the HDC stated should be sent. Per the May 18, 2016 minutes**:**

“Since this all occurred Post Facto, it was the consensus of the commission to

create a template for a notification to homeowners and builders should this

occur in the future.”

Mr. Hollinger then explained that in reviewing the application as it stood, all that the owners needed to do was send a letter to the Commission indicating that they were replacing the roof in kind. Ms. Woodroofe then interjected a comment saying that the home’s roof was visible from Ives Road. Mr. Hollinger responded to Ms. Woodroofe by saying that the roof was replaced with in-kind materials. Mr. Hollinger stated that the HDC will provide a letter stating that from the Commission’s point of view the work that was done was a roof replacement with in-kind materials and the HDC does not have to issue a COA.

MOTION: To notify the buyer of 135 Calhoun Street, Washington CT by letter that the Washington Historic District Commission is satisfied that the roof was replaced in kind. If the new owner of the residence builds, alters or remodels exterior features that are visible from a public, street, way or place, he or she must apply for a Certificate of Appropriateness and appear before the Commission at a public hearing. By Mr. Hollinger, seconded by Mills and passed 5 to 0.

MOTION: To adjourn the meeting. By Mr. Hollinger, seconded by Ms. Averill and passed 5 to 0.

SUBMITTED SUBJECT TO APPROVAL,

Respectfully submitted,

Janice Roberti

Historic District Clerk

September 27, 2016