

# October 19, 2009

## 7:30PM, Land Use Meeting Room

**MEMBERS PRESENT:** Mr. Chute, Mr. Kerr, Mr. Talbot, Mr. Smith

**MEMBERS ABSENT:** Ms. Gilchrist

**ALTERNATES PRESENT:** Mrs. Boyer, Mrs. Mills, Mr. Tilden

**STAFF PRESENT:** Mrs. Shade

**OTHERS PRESENT:** Ms. Flor, Ms. Bouyea, Mr. Robinson, Mr. Cady, Atty. Kelly, Atty. Fisher

## PUBLIC HEARINGS

### St. John's Episcopal Church /78 Green Hill Road /Lighting on church building and sign.

Mr. Kerr opened the Public Hearing at 7:40PM to consider the application for a Certificate of Appropriateness submitted by St. John's Episcopal Church, 78 Green Hill Road, for lighting on the church building and on the sign. He read the legal notice which appeared in Voices on 10/11/09. Mr. Kerr seated the members and Alternate Mills for Ms. Gilchrist. Ms. Holly Flor, Warden of St. John's and Ms. Barbara Bouyea, lighting consultant, were present.

Ms. Flor gave the commission a drawing which showed where lights would be mounted on the church. Ms. Bouyea explained she would like to use a technique called grazing in which the light "rakes" up the side of the building and plays up the texture and the warm beautiful color of the stone. She stated that each fixture is 3"w x 3"h, has a shield so illumination is very low and the fixtures cannot be seen as you drive by. She also said that the fixtures can be dimmed by 40%.

Mrs. Boyer asked where the beam of the light stops. Ms. Bouyea replied that they are working with Dark Skies information and this will be a controlled beam - it cannot go into the atmosphere, nor will it light neighboring houses and trees. Unlike other churches in town that are using very bright lights. In addition, the lights will be on a timer to turn off at 10:30PM unless there is an event.

Mr. Tilden said he thought the original purpose of lighting was for security and asked how valuable the lighting which they are describing would be for their security requirements. He remarked that there do not appear to be any lights at all on the graveyard side. Ms. Flor stated the lights are on the parish side because there is no entry to the church on the graveyard side.

Mr. Talbot asked if there was anything regarding the signage in this application. Ms. Flor said she spoke previously with Ms. Gilchrist and told her that when the sign is changed to include the name of the new pastor, it will then be changed to a dull finish. Mr. Talbot said the commission needs to know, for the record, exactly what they are proposing regarding the sign and its lighting. Mrs. Boyer commented the sign has been there for some time. The lights were recently added. Ms. Bouyea said she recommends a much more shielded fixture for the sign and her preference would be to light the sign from the ground.

Mr. Smith asked Ms. Flor if they could be more explicit in what they are proposing. He asked about the floodlights. Ms. Flor said they have been turned off and will be taken out. He said he agrees with Mr. Talbot that the signage issue is still unresolved. The initial problem is that this lighting fixture was never approved. It is excessive and it is still there.

Mr. Kerr asked the members what they thought of separating the sign and building lighting into two applications since one could drag the other down. After a brief discussion it was decided to leave it as one application.

Mr. Talbot said it is his job to review applications for completeness and this application is not adequate. The commission could either deny without prejudice or continue until the November meeting. Mr. Chute said he sees three issues: lighting the church façade, lighting the sign and the issue of the sign being on state property. It was agreed that the sign on state property is not a problem for HDC. Mr. Kerr said the commission needs to have something in the file for public view. The public is entitled to see what is being presented; what the commission is acting upon.

Mr. Kerr asked if there were any additional comments or questions from the members. There were none. He asked if anyone else present had any comments for or against the application. Mr. Bill Fairbairn who lives across the street from St. John's commented that the present lights are bright and he would generally support a lighting plan that complies with Zoning Regs. There were no further questions or comments. It was agreed to continue the Public Hearing.

#### MOTION:

To continue until the next regularly scheduled meeting on November 16, 2009, the application for a Certificate of Appropriateness submitted by St. John's Episcopal Church, 78 Green Hill Road, for lighting of the church building and the sign.

By Mr. Smith, seconded by Mrs. Mills and passed 5-0.

Mr. Kerr continued the Public Hearing at 8:15PM.

This Public Hearing was recorded on tape. The tape is on file in the Land Use Office, Bryan Memorial Town Hall, Washington Depot, Connecticut.

#### Elbow Properties, LLC /110 Calhoun Street /Barn modifications.

Mr. Kerr opened the Public Hearing at 8:16PM to consider the application for a Certificate of Appropriateness submitted by Elbow Properties, LLC, 110 Calhoun Street, for barn modifications. He read the legal notice which appeared in Voices on 10/11/09. Mr. Kerr seated the members and Alternate Mills for Ms. Gilchrist. Mark Robinson, Ed Cady and Atty. Jim Kelly were present for the owner.

Mr. Robinson discussed with the commission the existing and proposed drawings of the barn. He said he was not sure what would happen to the windows on the back of the barn. Mr. Talbot told him the commission does not have purview over anything that is not visible from a public way. Mr. Robinson told the members that the cupola has been well documented and would be replaced exactly as it was. The members discussed the fact that the drawing shows the bottom of the cupola is flared rather than straight as the original. Mr. Talbot said the commission would need an overall site plan of the property indicating location of all buildings on the property.

The commission agreed that this barn is a big part of the historic fabric of the district. Stabilization of the barn is critical. Mr. Talbot asked Mr. Robinson to go through exactly what they are going to do because the commission needs to review the project. Mr. Cady said first they need to fix the foundation. Mr. Talbot expressed his concern that the barn is being taken down without documentation. A sound set of drawings must be submitted for the file in order to understand what will be rebuilt. Mr. Robinson said it is the intent of the owner to maintain the front façade of the barn.

Atty. Jim Kelly represented the owner and told the commission that the barn was purchased in June. The new owners appreciate the area. He said the farm house had been stabilized. As of now, the owner has no definite plans for the property. Perhaps one day the barn could be used as a future residence. Atty. Kelly showed the commission a survey of the property. With all the conservation easements, only four acres around the house and barn are in a buildable area.

Atty. Kelly said Mr. Ed Cady has a premier reputation for working on old barns, but did not understand he needed to come to HDC first before removing the courtyard barn. He said they would like to know if it is ok that the back barn “went away”. What’s done is done. Can the back courtyard barn be permanently removed? Although the owner and Mr. Cady have offered to rebuild it, Mr. Smith said it seems that the commission feels that there is insufficient documentation available to rebuild the courtyard barn.

Ms. Canning, a resident of the district, commented that Mr. Talbot had asked the previous owner for permission to document the main barn but was turned down. Is it possible now to properly document it for the record? Mr. Talbot replied that the commission has requested Mr. Robinson and Mr. Cady to document the main barn because it will have to be taken down and the existing foundation removed for the rebuilding process. He is confident that they both understand the significance of this building to the district.

Mr. Talbot said the application that is before the commission is the restoration and rebuilding of the main barn as original except lower by four feet and with the exception of the base of the cupola being flared rather than straight. Historically, the base would be straight, but he cannot comment on that tonight.

Mr. Talbot asked about the time frame. Are the main house and barn closed up for the winter? Will no further work happen until spring? Can the commission be presented with proper documentation? Yes.

Mrs. Boyer asked if a decision had to be made at this meeting whether the back barn has to be rebuilt. Mr. Tilden suggested it might help move the project along if the commission could vote on that tonight. Mr. Smith said they are once more faced with the issue, which is, does the commission attempt to make sure nothing changes or to accept change that is in the spirit of the place. Mr. Talbot said the application before the members tonight is just for stabilization of the barn; with the understanding that there will be a subsequent application.

Atty. Kelly asked for the Public Hearing to be continued until the next meeting. He said they got excellent feedback from the members and they need to continue documentation of what exists there and be absolutely clear as to what the owner is asking the commission to approve in addition to removing the back barn.

#### **MOTION:**

To continue until the next regularly scheduled meeting on November 16, 2009, the application for a Certificate of Appropriateness submitted by Elbow Properties LLC, 110 Calhoun Street, for barn modifications.

By Mr. Talbot, seconded by Mrs. Mills and passed 5-0.

Mr. Kerr continued the meeting at 9:25PM.

This Public Hearing was recorded on tape. The tape is on file in the Land Use Office, Bryan Memorial Town Hall, Washington Depot, Connecticut.

#### **REGULAR MEETING**

Mr. Kerr opened the Regular Meeting at 9:26PM. He seated the members and Alternate Mills for Ms. Gilchrist.

#### **MOTION:**

To include subsequent business not already posted on the agenda:

- a. Klemm /11 Ives Road /barn,
  - b. Schein /1 Wykeham Road /window.
- By Mr. Talbot, seconded by Mr. Smith and passed 5-0.

## **Other Business**

### Klemm /11 Ives Road /barn.

Atty. Robert Fisher represented Peter and Christina Klemm. He said he is just there for a discussion; no application at this time.

Atty. Fisher showed the members a drawing with the location of the silo and two barns. He said the main barn, built in the 1800's, is in relatively good condition and Mr. & Mrs. Klemm would like to keep it. The 1950's cow barn and silo are in bad shape. They would like to keep the main barn which is historically significant and remove the 1950's barn and the silo which is falling down.

Mr. Kerr commented that the most extreme visual would be removing the silo. Mr. Smith said if Mr. Klemm did nothing, the silo would eventually disappear. Mr. Tilden added there is nothing to prevent him from removing the 1800's barn as well. Atty. Fisher said there was no intent to do that. Mrs. Boyer stated the silo is a significant landmark – it is prominent on the postage stamp designed by Washington artist, Wendell Minor.

Mr. Talbot noted it is important to document the history. Drawings are needed to show what exists and what the property will look like after removal. It is possible the pool may be more visible when the buildings are down. He said it is a shame to see the buildings dismantled and removed. A good solution would be to find a buyer for the barn. He commented that the house was originally a very small farm house with large barns and over the years HDC has worked with Mr. & Mrs. Klemm and approved their additions. He said it really bothers him that the historic fabric of the community is disappearing. From a historic records program, HDC needs a really good record of this silo.

Mr. Talbot said the assemblage of the barns as they exist is historically significant. He said he would be disappointed if it gets demolished. Mr. Smith agreed. If the silo and back barn are taken down, the change will be profound. If the remaining barn is made into a place for people to stay, be careful not to make it look like a house. Mrs. Boyer said they will be taking away a significant piece of character from the town. All agreed.

Atty. Fisher told the members he understands their collective sense:

- \* opposition to removal of barn and silo,
- \* preference for the structures to remain, and
- \* the importance of documentation for the files.

### Schein /1 Wykeham Road /window.

The members will wait to see if Ms. Gilchrist had an opportunity to talk with Mr. Schein.

### MacLean /84 Green Hill Road /Fence.

Mr. MacLean will be adding a small portion of white picket fence at the front of his house. It will be an exact match to his neighbor's fence. The members did not need any additional info. This will be a public hearing in November.

**Consideration of the Minutes**

The 9/21/09 minutes were accepted as corrected:

Pg.1, Par.2, Line 1:.....Robinson, consultant, was.....

MOTION:

To accept the 9/21/09 minutes as corrected.

By Mr. Talbot, seconded by Mr. Smith and passed 5-0.

MOTION:

To adjourn the meeting. By Mr. Chute.

Mr. Kerr adjourned the meeting at 10:26PM.

FILED SUBJECT TO APPROVAL

Respectfully submitted,  
Martha T. Shade, Clerk