

# November 3, 2008

7:30PM Land Use Meeting Room

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

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

**ALTERNATES ABSENT:** Mr. Tilden

**STAFF PRESENT:** Mrs. Shade

**OTHERS PRESENT:** Mrs. Canning

## **SPECIAL MEETING**

### **Stuart Farm /110 Calhoun Street /Discussion**

Ms. Gilchrist opened the meeting at 7:32PM and seated the members. The purpose of this special meeting was to discuss the worsening condition of the Stuart Farm buildings at 110 Calhoun Street. Also Rules & Regs, the website and general housekeeping were on the agenda for discussion. Mrs. Canning, 119 Calhoun Street, was present.

Ms. Gilchrist said she thought that HDC had reasons to look into possible violations. Atty. Zizka told her that the State Statutes would back up the Commission. Enforcement Officer, Mike Ajello, wrote a letter to Mr. Shaw on 10/6/08 asking him to board up open walls and windows to protect against further deterioration from the weather. Mr. Ajello has not received a reply to his letter.

Mr. Talbot said he went to Mr. Shaw's place of business to speak with him. He asked Mr. Shaw for his permission to document the barn if HDC would indemnify him. Mr. Kerr told Mr. Talbot if he was operating as an agent for the town, he would be covered. Mr. Talbot explained he was concerned about the people who would be working with him. Mrs. Canning and other Calhoun-Ives residents have offered to contribute to the cost of documenting the footprint, volume and features of the barn and house.

Mrs. Canning said a huge amount of barn siding has been taken away and that has weakened the barn even further. She said the effect of what Mr. Shaw has done surreptitiously, has substantially weakened the barn. It was mentioned that Mr. Shaw had a buyer for the property, but the sale fell through. Mrs. Boyer asked if boards were removed from the barn before or after the sale fell through. Before.

Mr. Chute said he was curious to know if there were any permits taken out for demolition. He will check with the Building Official.

Mrs. Boyer suggested, in addition to documenting structures, the Commission should continue taking photos of the three districts in order to try and avoid these situations in the future.

Mr. Kerr read from Section 7-147h of the State Statutes. He said HDC could issue a temporary injunction to restore and a notice of no further demolition. He said if further demolition does take place an injunction can be issued. What Mr. Shaw has done is a violation because it was all done without a Certificate of Appropriateness.

Mr. Talbot said an injunction would be a last resort. The goal is to get Mr. Shaw to deal with the issues.

Ms. Gilchrist stated some pressure needs to be put on Mr. Shaw. Mr. Smith said the Commission needs to take action on the demolition that has taken place. The members all agreed they would like to see the barn stabilized.

The members discussed how to move forward with this situation and emphasize to the owners the importance of stabilizing the buildings and protecting them from further deterioration.

MOTION: To adopt a resolution and order. The actions taken by Young Elliot's Farm LLC, amount to demolition without a Certificate of Appropriateness. Pursuant to C.G.S. 7-147h(a) the Commission orders Young Elliot's Farm LLC, to correct the violations, with the result being that the house and barn be restored to their condition at the time of purchase. The Commission requires that Young Elliot's Farm LLC provide a restoration schedule and plan; with the first component being stabilization and sealing of the structures from the elements. To be completed by December 1, 2008. By Mr. Chute, seconded by Mr. Kerr and passed 5-0.

MOTION: To authorize Peter Talbot to document the buildings at 110 Calhoun Street. By Mr. Smith, seconded by Mr. Chute and passed 5-0.

### **Rules and Regulations.**

Mr. Talbot would like to propose a change to the Zoning Commission regarding heights of new houses in the three historic districts: height not to exceed 35ft with a walkout basement, or 30ft without a walkout basement. The goal is to keep the height of houses down and this change will give HDC more teeth to enforce its criteria regarding scale.

Mr. Talbot said he would come back with a formal proposal at the next meeting. MOTION: To adjourn the meeting. By Mr. Talbot.

Ms. Gilchrist adjourned the meeting at 9:28PM.

FILED SUBJECT TO APPROVAL

Respectfully Submitted,  
Martha T. Shade, Clerk