

December 15, 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, Mr. Tilden

STAFF PRESENT: Mrs. Shade

OTHERS PRESENT: Mr. and Mrs. White, Mr. Nussbaum, Mr. Pleasants, Mr. Godwin, Mr. Queral, Mr. Brighenti, Mrs. Andersen, residents

PUBLIC HEARINGS

White /6 Parsonage Lane /Extend Certificate of Appropriateness to build garage/studio addition.

Ms. Gilchrist opened the Public Hearing at 7:30PM to consider the application for a Certificate of Appropriateness submitted 11/10/08 by Edmund and Zemma White, 6 Parsonage Lane, to extend an existing Certificate of Appropriateness to build a garage/studio addition, previously approved 12/17/07. She read the legal notice which appeared in Voices on 12/7/08. Ms. Gilchrist seated the members. Mr. and Mrs. White were present.

The members looked over the file and drawings by Reese Owens which were originally approved on 11/13/06. This C of A was extended in 2007. Due to continuing litigation the C of A needs to be extended for another year.

Joanne Jacobson, 8 Parsonage Lane, shares a common driveway with Mr. and Mrs. White. She stated this addition is not appropriate for the neighborhood. Her guest house is near the driveway and she also said light from windows in the studio above the garage will shine into her bedroom windows. She said this will change her quality of life completely. She expected the Historic Commission to protect her. Ms. Jacobson added that at the ZBA meetings the members kept referring to the fact that HDC approved the addition. This will create enormous hardship for her.

Ms. Gilchrist stated: The charge of the Commission is not to freeze the district in time or to disallow changes. Their charge is to allow change with a certain amount of control and judgement depending on the character of the district. The Washington Green District is a fairly densely built district as opposed to Calhoun-Ives which is open and rural. People are allowed to build additions. We use our judgement to determine if they are appropriate and we worked with the Whites to scale down their addition and see that it conformed to our Guidelines.

Ms. Gilchrist asked if there were any additional questions or discussion. There were none.

MOTION: To close the Public Hearing to consider the application for a Certificate of Appropriateness submitted November 10, 2008, by Edmund and Zemma White, 6 Parsonage Lane, to extend an existing Certificate of Appropriateness. By Mr. Smith, seconded by Mr. Talbot and passed 5-0.

Ms. Gilchrist closed the Public Hearing at 8:05PM.

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

Nussbaum(cont'd) /132 Calhoun Street /New single family residence, attached garage w/bedroom & bath

above, guest house & pool.

Ms. Gilchrist reconvened the Public Hearing at 8:07PM to consider the application for a Certificate of Appropriateness submitted by Paul A. Nussbaum to construct a single family residence, attached garage with bedroom and bath above, guest house and pool. Ms. Gilchrist seated the members. Mr. Paul Nussbaum was present. Also present were Mr. Rod Pleasants, Mr. Steve Godwin and Mr. George Queral from McIver Morgan Architects and residents from the Calhoun-Ives Historic District.

Mr. Talbot posted some of the new drawings (marked rec'd 12/11/08) on the board for the members to study and discuss. He said he would like to ask a few questions for clarification:

* There is a walkway shown to the front door. Does it come from the driveway or the street? The street.

* Are you planning any lights along the footpath? No.

* Are there two entrances to the driveway? No. We will ask permission at a later date to move the driveway location.

* Is there any curbing on the driveway? No.

* Exterior lighting? Same light fixture will be used at front door and anyplace else required by code. (description of light fixture rec'd 12/11/08).

* What are the restrictions on the easement? The only restriction is they cannot build on the easement.

* Any generators or air conditioning units? All air conditioning units are down by the guest house. They would like to have an emergency generator, but will come back for approval.

Mr. Queral said they would like to build two entry posts for the driveway. Mr. Talbot noted that entry posts were not listed on the application so they would not be considered at this meeting. He emphasized that the stone wall is to remain as is until they come back to the commission.

The members discussed the scale of the proposed house and compared it to others in the district. They studied the plans and also the overlays which had been prepared by Mr. Talbot. Mrs. Boyer commented that her problem with the front of the house is that the second section of the house should be settled more into the land. Mr. Tilden said the second roof is lower and seems to be recessed back from the main house. He noted that lowering the section more may make it hard to walk through. Mr. Queral agreed that might be a problem, but maybe they could make it work. Mr. Kerr suggested that if the second section is lowered by 3ft, the commission would need to see new drawings before making a decision.

Mr. Pleasants wondered if the whole project would be improved by pushing the entire house back 10ft from the road. Then perhaps the guest house would be even less visible. Mr. Chute agreed if the house were pushed back 10ft it would definitely be lower in the back. Mr. Pleasants and Mr. Nussbaum both said they would prefer to have the house pushed back 10ft. Mr. Pleasants noted an asset of the property is the view and that would not be changed much by moving the house back 10ft.

Ms. Gilchrist said that would change the pattern of houses being close to the road. Mr. Nussbaum replied he would prefer not to be so close to the road. Mrs. Boyer remarked a new house is not supposed to be just like one of the old homes; close to the road.

Mr. Chute would like to see the second section of the house lowered. Mr. Pleasants asked if they could come back to the commission with a lower second wing. Mr. Smith suggested the move the house back 10ft and lower the second section. Mr. Pleasants said they would put up new stakes in a different color for the commission to compare.

Mr. Talbot noted that programmatically, Mr. Nussbaum needs the space. He would prefer if the main block of the house were not quite so wide. He agrees to lowering the second section and pushing the entire house away from the road. He would like to see eave detail and particularly rake detail. Also, Mr. Talbot asked if the chimney on the north elevation could be exposed so as not to have a blank wall. In

terms of moving the house away from the road, the architects need to decide how to sculpt the house into the landscape. Mr. Talbot calculated there would be 7000sqft of habitable space plus the guest house which is 1200sqft.

Mr. Godwin asked if the commission needs new massing drawings in addition to new stakes. Yes. Mrs. Boyer commented that the staking looks smaller than the house will actually turn out to be.

Mr. Smith stated he is still thinking about scale. He appreciates their efforts but at times thinks it is just plain too big. Mr. Talbot said programmatically, Mr. Nussbaum should be allowed to have whatever he wants, but it must be deemed appropriate by the commission.

Mrs. Boyer asked if any additional parking area is planned. Mr. Talbot said the commission would not want to promote any more covered surfaces. Mr. Nussbaum had not planned on more parking areas. If necessary, perhaps people could park in the field.

Mr. Tilden suggested the architects get a list of suggestions from the commission.

MOTION: To close the Public Hearing to consider the application for a Certificate of Appropriateness submitted by Paul A. Nussbaum to construct a new single family residence at 132 Calhoun Street. By Mr. Kerr, seconded by Mr. Smith and passed 5-0.

Ms. Gilchrist closed the Public Hearing at 9:20PM.

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

10 Sunny Ridge Associates LLC(cont'd) /10 Sunny Ridge Road /cover over round window.

Ms. Gilchrist reconvened the Public Hearing at 9:25PM to consider the application for a Certificate of Appropriateness submitted by Stephen Brighenti, Manager of 10 Sunny Ridge Associates LLC, to cover the round window on the east end of the house with white clapboards to match the surrounding clapboards. She seated the members. Mr. Brighenti was present.

Mr. Brighenti brought in photos from the public way which showed the round window from various angles. He also brought in Amendment Five along with a plan for plantings which will conceal or obscure most of the building. He read the motion from July 10, 2000, which approved the modifications on Amendment Five since they would not be visible from a public way due to the berm and plantings and therefore the Commission would not have jurisdiction and so neither approves nor denies the modifications.

It was noted that Mr. Ross did not complete the required berm, partly due to some Inland-Wetlands issues. Mr. Smith stated a structure is visible now that the commission never had to consider before. Mr. Brighenti said he is proposing to resolve the violations by removing the round window and is willing to paint the house gray to make it appear less visible. He also said two of his neighbors, Mr. Treadway and Mr. Dutton support his plan.

Mr. Smith wondered if the Commission should use removing the window as a way of settling the issue. Mr. Kerr also noted the offer of additional plantings and painting it gray. Mr. Smith said they had no jurisdiction over color. Mr. Talbot said they also did not have jurisdiction over plantings either – they were suggested by Attorney Byrne.

Mrs. Boyer asked what exactly was done to this structure that was not approved by the Commission. The portico, dormers, clapboards instead of vertical siding and a round window. Mr. Kerr commented that all

these features are coming before the Commission now because the berm was never built to screen the house. Mr. Brighenti is offering to put in plantings; just not build a berm. Mr. Talbot asked if that would satisfy the requirement of screening. Mrs. Boyer voiced her concern that if the Commission approves plantings it may come back to haunt them in the future. If plantings are allowed as a screen on one property, why not another?

Mr. Kerr stated: If you use the trees, you can protect yourselves by saying this is not something this Commission recognizes, but it was agreed to at a previous point in time and we will honor that previous commitment without any precedential value going forward.

Mr. Kerr added, only because it was agreed to six years ago that the trees would take this alleged violation out of the Commission's jurisdiction. HDC made a commitment and is keeping it. Mr. Talbot asked, even though the berm was not built? Yes.

Ms. Gilchrist suggested the existing dormers be replaced with shed dormers if possible. Mr. Brighenti said he is not putting in a berm, but will commit to changing the existing dormers to shed dormers, remove the round window and plant trees as per the original planting plan. Mr. Talbot said he should come back to the Commission with a planting plan showing where the trees are going to be and what species. Also, stake out location on the property.

Mr. Tilden observed it seemed to be the concensus of the Commission that Mr. Brighenti needed to come back with an amended application to include drawings of the shed dormers and a planting plan. In addition, he suggested that if his neighbors are supporting him, they should send a letter.

MOTION: To continue the Public Hearing to consider the application for Certificate of Appropriateness submitted by Stephen Brighenti, Manager of 10 Sunny Ridge Associates LLC, to cover the round window on the east end of the house with white clapboards to match existing. This will provide time for Mr. Brighenti to submit new drawings and amend the application to include changing existing dormers to shed dormers and to provide a planting plan that will screen the house in accordance with the approval of July 10, 2000. By Mr. Smith, seconded by Mr. Kerr and passed 5-0.

Ms. Gilchrist continued the Public Hearing at 10:20PM.

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

Ms. Gilchrist called the meeting to order at 10:25PM and seated the members.

MOTION: To change the Agenda in order to have a preliminary discussion with Valerie Anderson regarding the playscape at Judea Nursery School. By Mr. Talbot, seconded by Mr. Smith and passed 5-0.

Judea Nursery School /6 Kirby Road /Discussion with Valerie Andersen re: replacing playscape equipment.

Mrs. Andersen, Chair of Judea Nursery on the Green, said she has come to the Commission for some guidance on replacing the playscape. The present one is made of wood, is old and full of splinters. She brought a picture of the new playset they would like to install. It is made of a composite material, contains no chemicals and no splinters. It will require cement footings and has stainless steel hardware. The members asked Mrs. Andersen for some additional information.

Ms. Gilchrist: What is the reason for the orientation? It is easier for teachers to watch the kids. Gunnery and Church kids also use the playground.

Mr. Talbot: Is there anywhere else this could go and not be so visible? No. That specific circle was designed for the play area.

Mrs. Boyer: Does not like the materials.

Mr. Talbot: I recommend you get actual photos.

Ms. Gilchrist: It's nice to see kids playing on The Green. Have you considered other materials?

Mrs. Andersen said they did a lot of research. This particular play set is within their budget and has a 15yr warranty. It will reduce maintenance and wear and tear. The company has a good track record. She will ask the company representative to re-draw the set with less color and more brown. Mrs. Andersen said she just needs guidance on how to proceed.

Mr. Talbot suggested an actual photo of a play set with similar characteristics would be good rather than a drawing. Mr. Tilden suggested a photo near buildings. Also needed would be a photo of the existing playscape. Mrs. Andersen said she would.

Pending Business

White /6 Parsonage Lane /Extend Certificate of Appropriateness to build garage/studio addition.

MOTION: To approve the application for a Certificate of Appropriateness submitted November 10, 2008, by Edmund and Zemma White, 6 Parsonage Lane, to extend an existing Certificate of Appropriateness to build a garage/studio addition, previously approved 12/17/07. This work is to be completed by December 15, 2009; or else this approval shall be void. By Mr. Smith, seconded by Mr. Talbot and passed 5-0.

Nussbaum(cont'd) /132 Calhoun Street /New single family residence, attached garage w/bedroom & bath above, guest house & pool.

MOTION: To deny without prejudice the application for a Certificate of Appropriateness submitted by Paul A. Nussbaum to construct a new single family residence at 132 Calhoun Street, so as to enable them to present revised plans to the Commission. By Mr. Talbot, seconded by Mr. Chute and passed 5-0.

Consideration of the Minutes

MOTION: To accept the 10/20/08 minutes as written. To accept the 11/03/08 minutes as amended: Pg.2, Par.4, Line 2;HDC could apply for a.....

To accept the 11/17/08 minutes as amended:

Pg.5, Par.B, Line 1; delete entire sentence following: B. Stuart Farm.

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

Other Business

Mr. Talbot told the members he scanned the Rules & Regulations and Guidelines onto the website. He gave Mrs. Boyer the assignment of making the HDC website more attractive and user friendly.

A letter will be sent to Ms. Khouri and Mr. Bass asking them to update HDC on their progress at 75 Green Hill Road.

Ms. Cynthia Williamson, 10 Kirby Road, notified the Commission that she is replacing her chimney in-

kind.

Mr. and Mrs. Doran 114 Woodbury Road that they will be replacing the fence in front of their house in-kind.

MOTION: To approve the HDC Calendar for 2009. By Mr. Smith, seconded by Mr. Chute and passed 5-0.

MOTION: To adjourn the meeting. By Mr. Kerr.

Ms. Gilchrist adjourned the meeting at 11:40PM.

FILED SUBJECT TO APPROVAL

Respectfully Submitted,
Martha T. Shade, Clerk