

## February 9, 2004

MEMBERS PRESENT: Mr. Smith, Mr. Graney, Mrs. Picton and Mr. Treadway

MEMBERS ABSENT: Mr. Talbot

ALTERNATES PRESENT: Mrs. Rives and Mr. Chute

ALTERNATES ABSENT: Mrs. Boyer

STAFF PRESENT: Mrs. Shade

OTHERS PRESENT: Mr. Surnow, Mr. Kyte and Mr. Yellen

### PUBLIC HEARINGS

#### **Khouri(continued) /75 Green Hill Road /Replace three windows above northwest porch.**

Mr. Smith reconvened the Public Hearing at 7:35PM to consider the application for Certificate of Appropriateness for Ann M. Khouri, 75 Green Hill Road, to replace three windows above the northwest porch. Mr. Smith seated the members and seated Alternate Rives for Mr. Talbot.

Ms. Khouri was not present, however, she submitted a letter and drawing #W2 dated and received 2/9/04. In the letter Ms. Khouri stated there will be no change to the existing original windows above the northwest porch. Instead, the original three windows will be removed, restored and reinstalled to their original location. The drawing depicts the original window.

The Commission agreed it was excellent that the original windows were to be restored.

MOTION: To close the Public Hearing to consider the application for Certificate of Appropriateness submitted by Ann M. Khouri, 75 Green Hill Road, to replace three windows above the northwest porch. By Mr. Graney, seconded by Mr. Treadway and passed 5-0.

Mr. Smith closed the Public Hearing at 7:43PM.

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

#### **Kyte-Surnow /97 Calhoun Street /Pool w/fence, pool houses and related terracing, garage doors, lighting.**

Mr. Smith opened the Public Hearing at 7:46PM to consider the application for Certificate of Appropriateness submitted December 8, 2003 by Dennis Kyte and Seymour Surnow, 97 Calhoun Street, to build a pool w/fence, pool houses and related terracing, garage doors and lighting. He read the legal notice which appeared in **Voices** on 2/1/04. Mr. Smith seated the members and seated Alternate Rives for Mr. Talbot. Mr. Kyte, Mr. Surnow and their contractor, Mr. Yellen, were all present.

Mr. Smith read a letter submitted by Mr. Yellen written to the Commission, dated 2/9/04, stating Mr. Kyte and Mr. Surnow wish to withdraw the pool houses from their application due to concerns of the Commission.

Mr. Yellen submitted new plans (rec'd 2-9-04) showing the sheds had been eliminated. Mr. Treadway said he had been the most outspoken about the sheds because when seen from the road they create a grander impression than what should be in the district.

Mr. Yellen spoke to concerns about relocating the pool. He stated they did not dig behind the house, but

the house itself is built on ledge. In addition, there is a beautiful stand of trees that they do not wish to cut down in order to move the pool. They would like to leave the pool where it is on the plans. Mr. Yellen also pointed out on the plans where the septic and reserve area are located. The existing septic has to be replaced and brought up to code due to the accessory apartment. No septic fill is being brought in.

Mrs. Rives asked about the location of the pool equipment. Mr. Yellen said it would be behind the fence. Mr. Treadway asked what type of pool fence, the height, and how much of it can be seen from the road. Mr. Yellen stated it is a brattle fence as shown in the photo submitted previously and will be approximately 5ft high. He said he does not think it will be visible at all except for a brief glimpse as one drives up Calhoun Street.

The Commission continued to study the elevations and grade of the pool area. Mr. Yellen said the grade may increase by 2ft in some areas - a very gradual slope.

Mr. Yellen said there would be two stone walls. Mortar will not be visible and there will be no bluestone cap on top of the walls. The stone walls will grow out of grade and finish at the parking area. The stone walls will not be longer than shown on the drawing, but may end up being shorter. Mr. Smith noted if the stone walls are shorter on either end a new, accurate drawing must be submitted for the record.

The members discussed the stone wall closest to the house that has the railing on top. Mrs. Picton said she preferred not to see railing anywhere if possible. Mr. Kyte said he was concerned about the safety of his guests. He said on his last project, the building official required them to have a barrier rail for anything over 30 inches. Mr. Treadway said if required by code, they need a railing.

Mr. Graney said while Mr. Treadway raised objections to the sheds calling attention to the pool area, his concern is for the land. He suggested to Mr. Yellen that they should diminish the effect of terracing as much as possible. Mr. Graney added, looking up from Calhoun Street is an important vista - the slope up, the pool, then the railing at the house. Mr. Yellen said he hears the concerns of Mr. Graney but in his view, not that much will be visible. Mrs. Rives said she always felt that the pool in front of the house was never appropriate. Mr. Kyte said their aim is to minimize the effect as much as possible.

Mr. Treadway remarked that the bedroom wing is very imposing as viewed driving up Calhoun Street; more so than he thought it would be.

Mr. Smith asked if there were any more questions - with the understanding that the fence around the pool will be no higher than required and that Mr. Yellen will look at requirements for the railing.

Mr. Graney said the Commission will need parameters on the stone walls. Mr. Yellen said they cannot be any longer than drawn and he will try to minimize them. Mr. Surnow said the shorter the better.

Mr. Graney asked where the pool equipment will go since there will be no sheds. Mr. Yellen said in the area behind the fence and they will not be visible.

Mr. Smith asked if there were further questions. There were none.

**MOTION:** To close the Public Hearing to consider the application for Certificate of Appropriateness submitted by Dennis Kyte and Seymour Surnow, 97 Calhoun Street, to build a pool w/fence, pool houses and related terracing, garage doors and lighting. By Mrs. Picton, seconded by Mr. Graney and passed 5-0.

Mr. Smith closed the Public Hearing at 8:25PM.

This Public Hearing was recorded on tape. The tape is on file in the Land Use Office, Bryan Memorial

Town Hall, Washington Depot, Connecticut.

**Klemm /11 Ives Road /Revisions to previously approved plans**

Mr. Smith opened the Public Hearing at 8:35PM to consider the application for Certificate of Appropriateness for Peter and Christina Klemm, 11 Ives Road, to revise previously approved plans. He read the legal notice which appeared in **Voices** on 2/1/04. Mr. Smith seated the members and seated Alternate Rives for Mr. Talbot.

The Commission studied and discussed the revised plans submitted 1/12/04 by Mr. and Mrs. Klemm.

The members discussed their concern over the fact that Mr. and Mrs. Klemm had added shutters on their first addition (approved in 2001) when the plans approved by HDC did not have shutters. It was decided to defer voting on this application until the next scheduled meeting on 3/15/04 and in the meantime Mr. Smith will consult with Atty. Miles regarding enforcing violations in the historic districts.

Mr. Smith asked if there were additional questions. There were none.

**MOTION:** To close the Public Hearing to consider the application for Certificate of Appropriateness submitted by Peter and Christina Klemm, 11 Ives Road, to make revisions to previously approved plans. By Mr. Treadway, seconded by Mrs. Picton and passed 5-0.

Mr. Smith closed the Public Hearing at 8:55PM.

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. Smith called the meeting to order at 8:57PM and seated the members and seated Alternate Rives for Mr. Talbot.

Pending Business

**A. Khouri(continued) /75 Green Hill Road /Replace three windows above northwest porch.**

It was agreed a letter should be sent to Ms. Khouri saying that she is basically replacing the windows "in kind" and need not apply for a C of A.

**MOTION:** To state that since Ann M. Khouri, 75 Green Hill Road, has decided to restore and reinstall the original three windows above the northwest porch, a Certificate of Appropriateness will not be required. By Mrs. Picton, seconded by Mr. Treadway and passed 5-0.

**B. Kyte-Surnow /97 Calhoun Street /Pool w/fence, pool houses and related terracing, garage doors, lighting.**

Mr. Smith asked the members if they were ready to vote on this application. All agreed they were.

Mr. Graney asked if plantings could be used instead of a railing - with the addition of a railing the fence becomes almost 7ft tall. Mr. Smith said he could understand why they would want a railing for safety.

Mr. Graney asked why they need a pool. Regarding a swimming pool in the front yard; Mrs. Rives read from the guidelines about recontouring of land.

Mr. Smith said they could stipulate in the motion to find out if a railing is required by the building code.

MOTION: To approve the application for Certificate of Appropriateness submitted December 8, 2003 by Dennis Kyte and Seymour Surnow, 97 Calhoun Street, to install a pool w/fence, pool houses and related terracing, as modified 2/9/04 so as to eliminate 2 pool sheds, reduce pool fence to no higher than required by code, provide details about length of two terrace walls if shorter than shown, to defer approval of garage doors and lighting until plans are ready, and withhold approval of the railing around the upper terrace until code requirements are ascertained. This work is to be completed by February 9, 2005; else this approval shall be void. By Mrs. Picton, seconded by Mr. Treadway and passed 3-2.

Mr. Graney and Mrs. Rives voted against. Their reasons for doing so are stated in the minutes.

### **C. Klemm /11 Ives Road /Revisions to previously approved plans.**

MOTION: To defer voting on the application for Certificate of Appropriateness submitted 1/12/04 by Christina and Peter Klemm, 11 Ives Road, to make revisions to previously approved plans, until the next meeting on March 15, 2004. By Mr. Treadway, seconded by Mr. Graney and passed 5-0.

#### Consideration of the Minutes

MOTION: To approve the 12/15/03 minutes as written. By Mr. Treadway, Seconded by Mrs. Rives and passed 5-0.

MOTION: To approve the 1/12/04 minutes as corrected:

Pg.2, Par.4, Line 10; .....inside a **privet hedge**.....

Pg.3, Par.2, Line 7; .....we **do not** need.....

Pg.4, Par.3, Line 7; .....driveway **and in the process**.....

By Mr. Treadway, seconded by Mrs. Rives and passed 5-0.

#### Other Business

Mr. Smith asked for a discussion regarding Mr. Ross, 10 Sunny Ridge Road be added to the 3/15/04 agenda. Mr. Chute will review the HDC files and contact the Inland-Wetlands chairman.

Discussion of the Atty. Miles letter is deferred to the 3/15/04 meeting.

Election of HDC officers. After some discussion, Mr. Graney agreed to serve as chairman with the understanding that he may have to resign if and when he relocates. Mr. Treadway and Mr. Talbot graciously agreed to serve again as vice chair and clerk.

MOTION: To elect Historic District Commission officers effective February 18, 2004: Mr. Graney - Chairman, Mr. Treadway - Vice Chairman and Mr. Talbot - Clerk. By Mr. Smith, seconded by Mrs. Rives and passed 5-0.

MOTION: To adjourn the meeting. By Mrs. Picton.

Mr. Smith adjourned the meeting at 10:05PM

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Martha T. Shade, Secretary