

July 18, 2005

MEMBERS PRESENT: Mr. Graney, Mr. Smith

MEMBERS ABSENT: Mrs. Picton, Mr. Talbot, Mr. Treadway

MEMBER-ELECT PRESENT: Mr. Arturi

ALTERNATES PRESENT: Mr. Chute, Mrs. Rives

ALTERNATES ABSENT: Mrs. Boyer

STAFF PRESENT: Mrs. Shade

ALSO PRESENT: Mr. Ross, Mr. Yellen, Ms. Canning, First Selectman Mr. Sears

PUBLIC HEARINGS

Greenfield /12 Ives Road /split rail fence, plantings.

Mr. Graney opened the Public Hearing at 7:40PM to consider the application for Certificate of Appropriateness submitted July 5, 2005, by James Greenfield, 12 Ives Road, for a privacy fence. He read the legal notice which appeared in **Voices** on 7/10/05. Mr. Graney asked the members if any of them had a conflict of interest regarding this application. There were none. He seated the members and seated Alternate Chute for Mr. Talbot, and Alternate Rives for Mr. Treadway. Mr. James Ross represented Mr. Greenfield.

Mr. Ross discussed the site plan(rec'd 7/5/05)with the members and explained the plan to plant eight 6ft hemlock trees and some smaller plantings in front of the privacy fence. Also, a split rail fence will be installed along the path that runs up the hillside and evergreens will be planted in front of it. The purpose of the split rail fence is to give more emphasis to the fact that this is an agricultural district.

Mrs. Rives asked whatever happened to the fact that Mr. Greenfield was asked to lower the fence. Mr. Graney replied it is a low fence - less than 6ft tall. Where the fence is located just makes it look taller. Mr. Ross said they are trying to resolve the problem and will consider any suggestions the members offer.

Mr. Graney asked the members if they had any additional questions or comments. No. He asked if anyone else present had any comments in support of or against the application. There were none. Mr. Graney read an e-mail from Mr. Beck, 129 Calhoun Street, in which Mr. Beck stated that a simple row of evergreens would be attractive and suitable. The e-mail is in the applicant file and a copy is filed with these minutes.

MOTION: To close the Public Hearing to consider the application for Certificate of Appropriateness submitted July 5, 2005 by James Greenfield, 12 Ives Road, for a privacy fence. By Mr. Smith, seconded by Mrs. Rives and passed 4-0.

Mr. Graney closed the Public Hearing at 7:53PM.

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 /stonework, lighting, garage doors.

Mr. Graney opened the Public Hearing at 7:55PM to consider the application for Certificate of Appropriateness submitted 5/5/05 by Dennis Kyte and Seymour Surnow, 97 Calhoun Street for stonework, lighting and garage doors. He read the legal notice which appeared in **Voices** on 7/10/05. Mr. Graney asked the members if they had a conflict of interest regarding this application. No one did. He seated the members and seated Alternate Chute for Mr. Talbot and Alternate Rives for Mr. Treadway. Mr.

Yellen, Contractor, was present to represent Mr. Kyte and Mr. Surnow.

Mr. Graney noted that Mr. Kyte and Mr. Surnow received a Certificate of Appropriateness over a year ago and they were to come back to the Commission for final approval on outside lighting and garage doors. Additional items have been completed without approval: piers at end of stone walls, mortar and stone steps, inset lights at stone wall openings, exterior lighting around garage.

Mr. Yellen said the original stone walls were straight. The columns at the end of the stone walls now come up 1ft. He stated he was not aware that they could not cap the stone walls. Mr. Yellen said the Commission did not want him to use coach lamps, so he installed inset lights in the stone walls at both driveway entrances because it is dangerous at night. He said the new set of access steps over the stone wall were built so the gas man can step over and fill the gas tanks.

Mr. Chute said they should have done something more in keeping with the area - you're asking us to approve what you've already done. The members looked at and discussed the photos(submitted 7/11/05) and a site plan(2/9/04). It was determined that the garage doors are not very visible from the public way. Mr. Smith commented, if you look at the photos, it looks like a lot of stone work.

Mr. Graney asked if the members had any additional questions. No.

MOTION: To close the Public Hearing to consider the application for Certificate of Appropriateness submitted July 5, 2005, by Dennis Kyte and Seymour Surnow, 97 Calhoun Street, for stonework, lighting and garage doors. By Mr. Graney, seconded by Mr. Chute and passed 4-0.

Mr. Graney closed the Public Hearing at 8:10PM.

MOTION: To reopen the Public Hearing for Certificate of Appropriateness for Dennis Kyte and Seymour Surnow, 97 Calhoun Street, to allow for comments from the public, either supporting or against the application. By Mr. Smith, seconded by Mrs. Rives and passed 4-0.

Mr. Graney reconvened the Public Hearing for Dennis Kyte and Seymour Surnow, 97 Calhoun Street at 8:12PM. He seated the members and alternates.

Mr. Graney asked if anyone wanted to speak in favor of the application. There was no one to speak in favor. He asked if anyone present was opposed to the application.

Sandra Canning, 119 Calhoun Street, said she would like to comment on the 'continuing difficulty of fitting this project into the Calhoun-Ives District'.

She quoted from the 11/25/03 minutes in which three of the Commissioners agreed that the renovations at 97 Calhoun Street go against the rural agricultural character of the district.

At a meeting on 1/11/04, two of the members, as well as Ms. Canning, expressed their concerns that the area along Calhoun Street is slipping into a suburban mode and slowly losing the feeling of openness.

In a letter to Mr. Kyte and Mr. Surnow dated 1/22/04, then Commission Chairman Smith noted the serious, continuing reservations about the appropriateness of what they are proposing in the rural Calhoun-Ives District.

Ms. Canning concluded by stating that these consistent concerns about suburbanization should be applied to this meeting's issue of lights and pillars.

The complete text of Ms. Canning's comments is in the applicant file and a copy is filed with these minutes.

MOTION: To close the Public Hearing to consider the application for Certificate of Appropriateness submitted July 5, 2005, by Dennis Kyte and Seymour Surnow, 97 Calhoun Street, for stonework, lighting and garage doors. By Mrs. Rives, seconded by Mr. Graney and passed 4-0.

Mr. Graney closed the Public Hearing at 8:20PM.

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

Mr. Graney called the meeting to order at 8:23PM. He seated the members and seated Alternate Chute for Mr. Talbot and Alternate Rives for Mr. Treadway.

Pending Business

Greenfield /12 Ives Road /split rail fence, plantings.

The members discussed the application. Mr. Smith commented this fence has been an ongoing issue. Mr. Graney said Mr. Greenfield did come to the Commission with his attorney. After that meeting Mr. Greenfield thought the problem was resolved, but he was supposed to come back to HDC with some different fence designs and never did. Mr. Graney explained that it was about this time Mr. Smith stepped down and he took over as Chairman.

Based on the fact that fences aren't permanent, Mr. Graney said Atty. Miles told him that a precedent would not be set by approving this application. Each application is different. When the fence needs to be rebuilt, Mr. Greenfield (or whoever the owner might be) will have to come back to HDC for approval.

The Commission continued to discuss the application and ways to penalize people who build without approvals. Mrs. Rives said a fence does not have as great an affect on the district as some of the houses do.

Mr. Graney said Mr. Greenfield does understand the fence is not permanent. He understands HDC procedures and he understands his error. Mr. Smith said he hopes Mr. Greenfield understands - less visible and apply first.

Mr. Graney asked the members if they had any more comments or questions. There were none.

MOTION: To approve the application for Certificate of Appropriateness submitted July 5, 2005, by James Greenfield, 12 Ives Road for the privacy fence built along the southern edge of the pool with the following conditions:

Evergreens will be planted along the pathway, at the location just below the privacy fence, to hide the view of the fence from the public way to minimize its effect to passers-by as they are introduced to the district, especially during the winter months. Construct a (four or three rail) split rail fence along the entire length of the pathway from the southwest corner of the property, leading east along the pathway up to the junction of the lawn and garden located approximately 100ft west of the southwest corner of the main house as shown on the site plan submitted July 5, 2005. This work is to be completed by July 18, 2006; or else this approval shall be void. By Mr. Smith, seconded by Mrs. Rives and passed 4-0.

Mr. Sears asked for Privilege of the Floor. He thanked Mr. Arturi for accepting the position as a new member on the Commission to fill the vacancy when Mr. Graney leaves. Mr. Sears took the opportunity to thank Mr. Graney for his service to the community and his hard work as Chairman. In addition, he let all of the members know how much he appreciates the job they do.

Kyte-Surnow /97 Calhoun Street /stonework, lighting, garage doors.

The Commissioners looked at the photos of the garage doors and the stone work. Mr. Graney said he assumed they were referring to lighting on structures, but subsequently they put lighting in the stonework. Mr. Chute said he is against lights in the stone walls.

Mr. Graney noted that rebuilding of the stone walls was approved but details of the piers were not. He said when stone walls were rebuilt ten years ago, it meant they were just being repaired. The concept now is that they have to be made perfect. The members agreed the piers should be leveled off and the lights removed. The stone wall is too perfect. The mortar in the steps over the stone wall can be seen from the road. One subtle alternative would be wooden steps, or just an opening in the wall.

Mr. Graney asked if there was any opposition to the garage doors. The hinges.

MOTION: To deny the application for a Certificate of Appropriateness submitted July 5, 2005, by Dennis Kyte and Seymour Surnow, 97 Calhoun Street:

1. DENY for the piers at end of stone walls and have all of them removed. The piers proposed by the application are dissimilar in design with respect to agricultural features in the district, and thus incongruous with the district as a whole.
2. DENY for the inset lights at piers and have them removed. The light fixtures (inset lights at piers) are not appropriate appurtenant features to an agricultural stone wall and thus are incongruous with the district as a whole.
3. DENY for the stone steps over stone wall for access to propane tanks and have them removed. The mortar stone steps are out of character with an agricultural district. If applicant wants to come back for approval of another design they may do so.
4. APPROVE for the garage doors on condition the aesthetic hinges be removed because the hinges give a false historic impression and are incongruous to an agricultural district.
5. APPROVE the lights on the house.
6. DENY for lights as shown at guest entry piers because their scale is imposing and too grand for an agricultural district.

The APPROVED work is to be completed by July 18, 2006; or else the approval shall be void. By Mr. Smith, seconded by Mr. Chute and passed 4-0.

Consideration of the Minutes

MOTION: To approve the 5/16/05, 6/20/05 and 6/29/05 minutes as written. By Mrs. Rives, seconded by Mr. Smith and passed 4-0.

Other Business

Mr. Graney read an e-mail from Mr. Beck dated 5/25/05 regarding driveways in general and in particular, the driveway for Calhoun Street LLC, 175 Calhoun Street. He stated the driveway created a more estate-like appearance to a farm house. The e-mail is on file with these minutes.

Mr. Graney told the members how much he appreciated each of them and would miss working on the Commission. His resignation is effective at midnight.

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

Mr. Graney adjourned the meeting at 9:50PM.

FILED SUBJECT TO APPROVAL

Respectfully Submitted,

Martha T. Shade, Clerk