

**BOROUGH OF FENWICK  
HISTORIC DISTRICT COMMISSION  
REGULAR MEETING & PUBLIC HEARING – MARCH 4, 2017  
4 NIBANG AVENUE, 9:00 AM**

A Regular Meeting and Public Hearing of the Fenwick Historic District Commission was held at 4 Nibang Avenue, Old Saybrook, Connecticut on Saturday, March 4, 2017. Notice of the meeting was posted in a timely manner on the Fenwick kiosk and in the Borough office.

Members Present: Matt Myers, Valerie Bulkeley, Deborah Neely (Alternate), Christine Duncan (Alternate).

Members Absent: Patsy Jones, Joan Wright, David Savin, Susan Webster (Alternate).

Others Present: Marilyn Ozols, ZEO and HDC Compliance Official, April Larken, Richard Lagace, Brooke Girty, Sam and Darcy Scatterday, Hope Proctor, Rick Brauchler.

**1. Call to order.**

Chairman Myers called the meeting to order at 9:03 a.m. and seated D. Neely and C. Duncan as voting members. A quorum was established (Myers, Bulkeley, Neely, Duncan).

**2. Public Hearing: 3 Wilson Avenue, map 5, lot 103.** Jonathan Larken & Gavin Owsten, owners, Jonathan Larken, applicant; Application HDC17-002 to add exterior shower enclosure.

April Larken and Richard Lagace presented. A. Larken stated that they are proposing to enclose the existing shower on the north side of the house facing Riggio's with a natural cedar enclosure very similar to that on the Pulver house. The enclosure will be 7' long and 7' high (to create sufficient height adjacent to the porch landing). No additional plantings are proposed but the existing bush will remain. Members noted that the view of the garage window will be blocked but this is actually an improvement. They had no issue with the proposal.

After asking for public comment and any additional input, **on a motion by D. Neely seconded by V. Bulkeley, it was voted unanimously to close the public hearing and go into regular session.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

**3. Possible Action on HDC17-002, 3 Wilson Avenue.**

Based on the discussion in the hearing, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC17-002, 3 Wilson Avenue, to add an exterior shower enclosure. C. Duncan seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

**On a motion by D. Neely, seconded by V. Bulkeley, it was voted unanimously to go back into public hearing.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

4. **Public Hearing: 18 Pettipaug Avenue, map 10, lot 44.** Christopher & Eileen Millard, owners, Brooke Girty, applicant; Application HDC17-004 to add bluestone terrace and wall trellises on south elevation, relocate door and add windows on north, and add roof and bluestone landing at door.

B. Girty presented and noted that the purpose of the proposal is to improve the appearance of what she referred to as the “trailer home”.

Front. B. Girty stated they are proposing a terrace, a boxwood hedge and trellises as shown on the plan. M. Myers noted that these changes will add texture to the currently “blank wall” of the front façade.

Rear. B. Girty stated they are proposing to move the door, add a window where the door was to create a pair of windows, and add a roof and landing to break up the façade. Members concurred that this improved the appearance of this façade. They added that the white tent-type enclosure that remained in this area of the house last summer will require a Certificate of Appropriateness if the owners want to erect it again this summer.

After asking for public comment and any additional input, **on a motion by V. Bulkeley seconded by M. Myers, it was voted unanimously to close the public hearing and go into regular session.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

5. **Possible Action on HDC17-004, 18 Pettipaug Avenue.**

Members concurred that the proposed changes were an improvement.

Based on the discussion in and following the hearing, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC17-004, 18 Pettipaug Avenue, to add a bluestone terrace and wall trellises on the south elevation, relocate the door and add windows on the north elevation, and add a roof and bluestone landing at the rear door. V. Bulkeley seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

**On a motion by V. Bulkeley, seconded by M. Myers, it was voted unanimously to go back into public hearing.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

6. **Public Hearing: 28 Fenwick Avenue, map 10, lot 31.** Stephen Munn, owner, Brooke Girty, applicant; Application HDC17-005 to relocate window on west elevation and install HVAC.

B. Girty presented. She stated that the owners will not be completely redoing the house; they will be using it as a beach house but would like to add air conditioning and a little bit of heat. Using the floor plan, she pointed out the locations for each of the split systems proposed, and noted that since the house is already in the front setback on Pettipaug Avenue they cannot place a unit there and must move it to the side of the house, which means that the pipe will extend across the front of the house. She asked that HDC consider both the side and front locations. V. Bulkeley noted that the front would not be appropriate because it is in the direct view from a public way. M. Myers suggested that the pipe run could be inside the house. B. Girty noted that they were not doing a total redo of the house and there is not crawl space so this might be difficult. She pointed out the pipe locations for the other units and referring to the photos of the house indicated that they should not be noticeable. She identified the other proposed changes including the proposed fixtures which were an addition to the application.

V. Bulkeley indicated that it appeared that the only concern with the application is the location of the ac unit on the north versus west side and she requested information on the jurisdictions of P&Z and HDC. M. Ozols stated that P&Z has authority to regulate the placement in accordance with the language in the regulations, which includes specific criteria relative to distance from property lines and abutting houses, noise, and impact on neighbors. HDC regulates only the view from a public way in accordance with its Design Criteria. P&Z placement would take precedence over HDC, but HDC must review the approved location relative to its Criteria and the view from the public way.

B. Girty summarized the changes on each elevation:

South. Add two mini-split units screened by shrubs, a shower surround, and two lantern style light fixtures.

East. Add a ceiling fan, a ceiling light, a second floor lantern fixture, and two lantern style fixtures at the door.

North. Replace and relocate light fixtures, replace back door, add mini-split ac unit or piping from side unit.

V. Bulkeley indicated that placement of the ac unit on the road side is not consistent with the Criteria. M. Myers noted that it can be hidden fairly well but concurred. However, he expressed concern with the piping across the front of the house. He indicated that it should be in the interior where it could be enclosed or run through cabinets if no redo of the interior was planned. Members agreed that how it was handled was up to the applicant, but that the piping should be in the interior.

West. Add two mini-split units screened by shrubs and new windows at peak, relocate existing window.

After asking for public comment and any additional input, **on a motion by V. Bulkeley seconded by D. Neely, it was voted unanimously to close the public hearing and go into regular session.**

For: Myers, Bulkeley, Neely, Duncan.

Against: None.

Abstain: None.

#### **7. Possible Action on HDC17-005, 28 Fenwick Avenue.**

Members reviewed all four elevations noting that their only concern was with locating an ac unit on the north. They indicated that this unit should be placed in the alternate location on the west side and that they would not approve the exterior piping across the front of the house.

Based on the discussion in and following the hearing, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC17-005, 28 Fenwick Avenue, to relocate a window and add two new windows on the west elevation, replace back door, add a shower enclosure on the south elevation, relocate and add light fixtures and a ceiling fan, and install HVAC with the stipulations that**

- all ac units shall be screened with evergreen shrubbery, and
- there shall be no ac unit on the north side of the house and the piping for the west unit shall not be run on the outside of the front of the house.

**V. Bulkeley seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Neely, Duncan.

Against: None.

Abstain: None.

**On a motion by D. Neely, seconded by V. Bulkeley, it was voted unanimously to go back into public hearing.**

For: Myers, Bulkeley, Neely, Duncan.

Against: None.

Abstain: None.

8. **Public Hearing: 10 Pettipaug Avenue, map 10, lot 38.** J. Girty, K. Gilhool and P. Christensen, owners, Brooke Girty, applicant; HDC17-006 to replace various windows and garage doors, remove vinyl trim and repair/replace existing trim, and add roof overhang on west elevation, cupola on garage, and lattice at base.

B. Girty presented and noted that not all of the work would be done for this summer, but they wanted to present the full proposal and hope to complete the “facelift” items for this summer. She reviewed the proposed changes by elevation:

South (front). Remove vinyl covering over wood trim; scrape and paint existing wood, replacing any damaged sections. Remove shingling on porch and trim to match side porch. Add window on either side of door and replace door. Change screens on porch (no detail submitted). Replace shingles below porch with lattice (traditional horizontal).

East. Add spire to top of tower. Replace existing asphalt shingle roof with new architectural shingles. Pitch the flat area of the roof for drainage. Replace windows. Remove the shingles from the corner board on the living room bay and paint as trim continuing the line from the upper porch.

West. Replace windows with either 4 over 1 or 6 over 1 depending on the width (2’ or 3’).

North end of East side. Add a little roof to hide the antique exterior plumbing which was previously boxed in. Add doors and replace existing doors with French doors.

North/Garage. Change the garage doors to carriage style doors and add a cupola – garage will look similar to garage on adjacent property. Add a shell driveway with two tire paths at the side of the house.

M. Myers noted that the roof in the back area will create a more consistent line across this portion of the house. V. Bulkeley asked about a gutter on this roof; B. Girty stated that they would return with information on the gutter. Relative to any need to replace trim after removing the vinyl, she stipulated that the new material will be smooth Azek. She added that no light fixtures are included in this application.

Members concurred that the changes are an improvement to the house.

After asking for public comment and any additional input, **on a motion by V. Bulkeley seconded by C. Duncan, it was voted unanimously to close the public hearing and go into regular session.**

For: Myers, Bulkeley, Neely, Duncan.

Against: None.

Abstain: None.

9. **Possible Action on HDC17-006, 10 Pettipaug Avenue.**

Based on the discussion in the hearing, **V. Bulkeley moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC17-006, 10 Pettipaug Avenue, to replace the roof shingles, the porch screens, various windows and doors, and the garage doors; remove the vinyl trim and repair/replace the existing trim; remove shingling on one porch and the living room bay; add a spire, a roof overhang on the west elevation, a cupola on the garage, French doors, lattice at the base of the porch, and a shell driveway with two tire tracks at the side of the house. C. Duncan seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Neely, Duncan.

Against: None.

Abstain: None.

**On a motion by D. Neely, seconded by C. Duncan, it was voted unanimously to go back into public hearing.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

10. **Public Hearing: 12 Neponset Avenue, map 11, lot 8.** Martha Staniford & Matthew Myers, owners and applicants; Application HDC17-001 to extend terrace and porch, create raised grass terrace, and add retractable awning and screens.

M. Myers recused himself for this application. V. Bulkeley sat as chair.

M. Myers and B. Girty presented. B. Girty used the floor plan for orientation and noted the existing porch and proposed 10' extension with added steps. She indicated that the porch will have retractable screens and when the screens are not visible the door will look just like other houses in the Borough do when the screens are removed for the winter.

D. Neely requested information on the porch addition relative to other houses on the street. B. Girty and M. Myers noted that for the most part the porch is see-through and the extension will only block the view of the Savin roof from the house next door.

The applicants indicated that there will be banisters on the steps (one side on the side steps and two sides on the rear steps, metal with no spindles) and that lights are existing and not on timers or motion sensors. They added that there will be additional lights on the steps for safety.

B. Girty continued that a retractable awning is proposed (similar to Davis at 2 Agawam, Schmiel, and Rehm) and that because the rear yard slopes, they are proposing to create a 30'x50' level area. She referenced the site plan to a picture in order to demonstrate the area that will be graded and stated that the intention is to plant over the railroad tie sides so that the plants will waterfall down the sides and hide the ties. M. Myers added that the ties will be tiered and there will be 6" of dirt horizontally between the ties so that they will not be visible. V. Bulkeley noted that this is not depicted on the plan and requested that more information be submitted to clarify the design of the tiering. Members also requested a drawing that shows the view of the area from the road. M. Staniford noted that the existing hydrangea will remain and will screen the view of the tiering.

S. Scatterday, 7 Neponset Avenue, stated that he and his wife, who was also present, have reviewed the design with the property owners and like the design.

M. Staniford noted that E. Davis, 6 Neponset, had submitted comments by email. The email had been distributed to the members.

After asking for public comment and any additional input, **on a motion by D. Neely seconded by C. Duncan, it was voted unanimously to close the public hearing and go into regular session.**

For: Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

#### 11. **Possible Action on HDC17-001, 12 Neponset Avenue.**

Based on the discussion in the hearing, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC17-001, 12 Neponset Avenue, to extend the existing terrace and porch, create a raised grass terrace, and add a retractable awning and retractable screens on the porch with the stipulation that the applicant return to show the layout and design for the railroad ties. C. Duncan seconded the motion and it was approved unanimously.**

For: Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

12. **6 Neponset Avenue, map 11, lot 10.** Ethel Davis/EFD Trust, owner, Hope Proctor, applicant; Modification Application HDC17-003 to change ac and generator location.

M. Myers remained recused for this application. D. Neely offered to recuse herself but indicated that she could review the application objectively. V. Bulkeley stated that the proposed location is distant from the Neely house and does not impact them. H. Proctor represented the applicant.

V. Bulkeley summarized that this application deals only with the ac and generator noting that she had reviewed the P&Z minutes where the location in the southeast corner behind the house was approved and that their decision takes precedence over the previous HDC C of A. She added that HDC deals only with design visible from a public way and, although they hear the neighbors and try to incorporate their thoughts, HDC must follow the HDC Criteria. Although it would be nice to have neighbors happy with everything, this is not always possible and HDC cannot let feelings for neighbors interfere with review in accordance with the Criteria. She reviewed the history of the application and read from the P&Z minutes relative to their decision, referenced the prior HDC minutes relative to the view to the south noting that the proposed location will not affect that view, and noted that the prior front and center placement was directly in the public view.

D. Neely noted that she had not spoken at the last meeting because she had recused herself, but that she thought the location in the front of the house changed the appearance of the house as viewed from the street. C. Duncan noted that the location between the house and garage interfered with the vista for a lot of people, but this location is inconsequential.

M. Myers, 12 Neponset Avenue, speaking as a member of the public, noted that P&Z had thrown them a curve when it did not go along with the compromise location on the east side of the building.

M. Staniford stated that she had reviewed the Criteria which she felt had a definite flavor of neighborhood and that Neponset Avenue is a unique neighborhood. She reviewed the locations of all the ac units and generators on the street noting those that are visible from the street, noted how neighbors have been thoughtful in placing units so as not to minimize the impact, and stated that their generator is on the side of their house behind bushes so it is not heard. She stated that she does not agree that P&Z made the right decision.

S. Scatterday, 7 Neponset Avenue, stated that he lives across the street from both houses. He noted that they cannot go back to prior decisions, but can only go forward, that air conditioning and generators are becoming a necessity and it is the responsibility of everyone to place them out of sight of the public and in the rear of their houses. He added that he agreed with P&Z's decision and when he applies for his own generator, it will be in the rear of his house. D. Scatterday noted that the side of the house is directly in view and that she prefers the rear location.

H. Proctor stated that they had originally applied for the location where P&Z approved the units, but had revised the request to the side location that they thought HDC had approved. It was P&Z that went back to the rear location. She noted that the rear location is the least visible from public view, is over 50 feet from the property line, and will be well screened. She indicated that she believed this to be the best location. Relative to comments that the garage obstructed the view, she noted that it is located in the same place as the cottage that was demolished, that there is a view corridor between the house and garage, and that there are two lots with one house when there could have been two houses. V. Bulkeley reminded everyone that those property owners in the "second row" had no legal right to the view. She added that there are several options for placement, but the application before them is for the rear location; any comment about a different location would only be a recommendation.

Based on the discussion, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC17-003, 6 Neponset Avenue, to change the location of the ac and generator to the rear southeast corner of the house. C. Duncan seconded the motion and it was approved unanimously.**

For: Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

M. Myers resumed his seat at this time.

**13. 3 Old Fenwick Road, map 5, lot 107.** John Gagne & Elizabeth Plonka, owners, Rick Brauchler, applicant; Application HDC17-007 to change design of golf cart door.

R. Brauchler presented. He stated that the golf cart door designed by the architect is only 5' wide which is not a standard design like the garage doors and they cannot get the approved design in a door that is flood and impact rated to comply with building code. He noted that they can get the ribbed design without the windows or the windows with a different panel design, and he submitted a copy of the manufacturer's brochure. He added that the owner does not care if the door has windows. Members concurred that the panel design should match the garage doors and he should use the ribbed design without the windows. They noted that there are other houses in the Borough where the golf cart door and garage doors are not of identical design and V. Bulkeley added that the windows actually make the small door busier and it is better to have only the ribbed design. R. Brauchler stated that the material will be embossed steel; if it were wood they would need to provide a plywood panel cover to meet code. Member concurred that the metal would be preferable.

Based on the discussion, **V. Bulkeley moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC17-007, 3 Old Fenwick Road, to modify the design of the gold cart door with the stipulation that it match the existing garage doors but without the panes of glass. C. Duncan seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

**14. Approval of Minutes:** January 7, 2017.

**V. Bulkeley moved that the minutes of the previous HDC meeting on January 7, 2017 be accepted as written. C. Duncan seconded the motion and it passed unanimously.**

For: Myers, Bulkeley, Neely, Duncan.  
Against: None.  
Abstain: None.

**15. Old Business / Other Business.**

The next meeting is scheduled for May 6. D. Neely reminded members that a meeting in the fall they had agreed not to hold multiple special meetings except in those cases where something unforeseen comes up and addressing the change is time sensitive, especially with regards to compliance with the hammer laws.

**16. Adjourn.**

**On a motion by D. Neely, seconded by M. Myers it was voted unanimously to adjourn at 11:02 a.m.**

Respectfully submitted,

Marilyn M. Ozols, Acting Clerk