

BOROUGH OF FENWICK
HISTORIC DISTRICT COMMISSION
REGULAR MEETING & PUBLIC HEARING – JUNE 6, 2020
VIRTUAL MEETING, 9:00 AM

A Regular Meeting and Public Hearing of the Fenwick Historic District Commission was held using the Zoom meeting format on Saturday, June 6, 2020. Notice of the meeting was posted in a timely manner on the Fenwick kiosk and on the website.

Members Present: Matt Myers, Valerie Bulkeley, Patsy Jones, Deborah Neely, Beverly Keeney, Lucy Borge (Alternate).

Members Absent: Susanne Webster (Alternate).

Others Present: Marilyn Ozols, ZEO and HDC Compliance Official, Ralph Keeney, Edie Gengras, Chris Duncan, Charlie Millard, Ethel Davis, Penfield Jarvis.

1. Call to order.

Chairman Myers called the meeting to order at 9:00 a.m. A quorum was established (Myers, Bulkeley, Jones, Neely, Keeney).

2. Public Hearing: 25 Pettipaug Avenue, map 10, lot 22. Maura Bulkeley, owner, India Bulkeley, applicant. Application HDC20-014 to install raised garden bed.

The applicant was not present. M. Myers indicated that based on the simplicity of the application and that the raised bed was already built so members had been able to see it, it should go forward. He added that there was nothing unusual or confusing about the application. Members indicated that they had seen the raised bed and that it was more “picture frame” style than very raised. It was also noted that it was an extension of a garden that was already there and that the fencing was already there and there is no new fencing in the application. No member had any objection to the proposal.

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

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

3. Possible Action on HDC20-014, 25 Pettipaug Avenue.

Based on the discussion in the hearing, **P. Jones moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC20-014, 25 Pettipaug Avenue, to install a raised garden bed. D. Neely seconded the motion and it was approved 4-0-1.**

For: Myers, Jones, Neely, Keeney.
Against: None.
Abstain: Bulkeley.

On a motion by V. Bulkeley, seconded by P. Jones, it was voted unanimously to go back into public hearing.

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

4. **Public Hearing: 12 Pettipaug Avenue, map 10, lot 37.** Peter & Christine Duncan, Trustees, owners and applicants. Application HDC20-018 to replace exterior light fixtures.

C. Duncan presented. She stated that when they resided the back of the house, they realized that the light fixtures were all “mishmash” so they are proposing to replace them with fixtures that are similar to others in Fenwick, that better match the railing design, and that are all the same. She added that no new lights are proposed, just replacements, and that they will be 14”x5¾”. Members agreed that the selection is attractive and is an improvement over what is there.

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, Jones, Neely, Keeney.
Against: None.
Abstain: None.

5. **Possible Action on HDC20-018, 12 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 HDC20-018, 12 Pettipaug Avenue, to replace all exterior light fixtures. D. Neely seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

On a motion by V. Bulkeley, seconded by P. Jones, it was voted unanimously to go back into public hearing.

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

6. **Public Hearing: 17 Agawam Avenue, map 10, lot 42.** Charles & Gwen Millard, owners, Charles Millard, applicant. Application HDC20-019 to replace two windows on north elevation.

C. Millard presented. He stated that the north side of the house was never improved like the rest of the house and when the former owners extended the garage they installed a large window that does not match the one above it. He added that the proposal is to replace both of these double windows; the new windows will be Marvin clad windows designed to match the other windows in the house as closely as possible.

V. Bulkeley noted that the windows are difficult to see from the street and all members agreed that the proposed windows are an improvement and better match the rest of the house.

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, Jones, Neely, Keeney.
Against: None.
Abstain: None.

7. **Possible Action on HDC20-019, 17 Agawam 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 HDC20-019, 17 Agawam Avenue, to replace two windows on the north elevation. P. Jones seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Jones, Neely, Keeney.
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, Jones, Neely, Keeney.
Against: None.
Abstain: None.

8. **Public Hearing: 6 Pettipaug Avenue, map 10, lot 39.** Edith Gengras, Trustee, owner and applicant. Application HDC20-021 to install raised garden beds.

E. Gengras presented. She stated that there is an existing garden in this location and that they are proposing “picture frame” type raised beds about 4” high inside the existing picket fence. She added that they are reducing the length of the beds shown in the application to 9’.

Members agreed that the proposed change to the garden is fine.

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, Jones, Neely, Keeney.
Against: None.
Abstain: None.

9. **Possible Action on HDC20-021, 6 Pettipaug Avenue.**

Based on the discussion in the hearing, **B. Keeney moved to approve the application as described and to grant a Certificate of Appropriateness for Application HDC20-021, 6 Pettipaug Avenue, to install raised garden beds. V. Bulkeley seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

10. **10 Sequin Avenue, map 9, lot 64.** Francis and Kimberly Gilhool, owners and applicants. Application HDC20-013 to renew C of A HDC17-021.

P. Jones, B. Keeney, and V. Bulkeley indicated that although they are abutters, they can review the application objectively.

In response to a question regarding the fact that the original C of A was issued to a different owner, M. Ozols explained that it goes with the property, not the owner.

Members agreed that what was approved previously was still appropriate, but that the same stipulations should apply.

Based on the discussion, **V. Bulkeley moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC20-13, 10 Sequin Avenue, to renew C of A HDC17-021 for two years with the same stipulations. P. Jones seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

11. **37 Pettipaug Avenue, map 5, lot 120.** Hall Wilson, owner, Ralph Keeney, applicant. Modification application HDC20-015 for driveway extension.

B. Keeney and P. Jones indicated that although they are abutters, they can review the application objectively.

R. Keeney presented. He stated that the proposal is to extend the driveway that currently services 31 and 37 Pettipaug. He referred to the sketch on file and reviewed the construction detail noting that the

driveway will be topped with ¾" autumn blend stone to match the existing driveway. In response to questions, he indicated that the turn in the driveway is just beyond the property line and the driveway will extend as far as the part of the cottage that sticks out, not all the way to the garage. He added that it will be completed as part of the finish landscaping of the Wilson property, which will be before the Hammer Law goes into effect. Members had no issues.

Based on the discussion, **V. Bulkeley moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC20-015, 37 & 39 Pettipaug Avenue, to reconstruct a driveway to 39 Pettipaug Avenue. B. Keeney seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

12. 29A Pettipaug Avenue, map 10, lot 20-1. Robert & Ann Pulver, owners, Scott Pulver, applicant. Modification application HDC20-016 to install 9'x12' loose slate patio and outdoor shower.

P. Jones and V. Bulkeley indicated that although they are abutters, they can review the application objectively.

S. Pulver presented. He stated that they are proposing a 9'x12' slate patio adjacent to the portico and a stainless steel shower pole and head adjacent to the drain, which will blend with the house. He also indicated that there is a railing at the end of the pool that is about 3' long, white, and just ends without a post. He would like to replace it with a glass rail with no metal frame.

Based on the discussion, **V. Bulkeley moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC20-016, 29A Pettipaug Avenue, to install a 9'x12' loose laid slate patio, an outdoor shower, and a 3' glass railing replacement with the stipulation that the plan and details for the railing are submitted prior to installation. B. Keeney seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

13. 6 Neponset Avenue, map 11, lot 10. Ethel Davis, Trustee, owner, Ethel Davis, applicant. Modification application HDC20-017 to delete pergola over outdoor shower.

D. Neely and M. Myers indicated that although they are abutters, they can review the application objectively.

E. Davis presented. She indicated that the only change is the removal of the pergola over the shower enclosure. V. Bulkeley asked why this needed to come back since it was just an elimination. M. Ozols replied that they are not eliminating the outdoor shower, but instead changing the design. Members had no objection to the change.

Based on the discussion, **D. Neeley moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC20-017, 6 Neponset Avenue, to delete the pergola over the previously approved outdoor shower. P. Jones seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

14. Fenwick Golf Course, map 10, lot1. Borough of Fenwick, owner and applicant. Modification application HDC29-020 to add split rail fence to golf cart parking area.

M. Ozols presented the application. She stated that the stone area for golf cart storage was previously approved. The proposed sections of split rail fence will separate the storage area from the cart path. The fence will match what is used throughout the golf course.

Members asked if this is an isolated piece of fence, noting that it might look strange when the carts are not there. M. Ozols replied that there are other sections of fence in that area that also serve to direct golf carts.

Members concurred that it matches the other sections of fence in the Borough.

Based on the discussion, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC20-020, Fenwick Golf Course, to add split rail fence to the golf cart parking area. B. Keeney seconded the motion and it was approved unanimously.**

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

15. Approval of Minutes: May 2, 2020.

V. Bulkeley moved that the minutes of the previous HDC meeting on May 2, 2020 be accepted as written. P. Jones seconded the motion and it passed unanimously.

For: Myers, Bulkeley, Jones, Neely, Keeney.
Against: None.
Abstain: None.

16. Old Business / Other Business.

- a. Design Criteria.** Continued identification of items to be addressed in update of Design Criteria.

M. Ozols stated that there had not been time to prepare draft changes for this meeting. This will be carried on the agenda for the July meeting.

- b. Application Fees.**

V. Bulkeley stated that she felt the \$150 application fee was usurious for simple applications like the raised garden beds or window replacements heard at this meeting and that “simple” applications should have a lower fee. M. Myers noted that this meeting was atypical. M. Ozols clarified that the current fee schedule is stepped based on the cost of the work; the fees were set by the Board of Warden and Burgesses based on a recommendation from HDC; that the Borough made a policy decision that the cost of processing applications should be borne by the applicants rather than the total tax base and this includes employee time and Borough soft costs as well as the cost of publication; that fees were not set as money makers; that the amount of time and number of steps for a “simple” application are the same as for more complex applications even though Commission review may go more quickly; and that at the time the \$150 minimum fee was set it was determined that any application would cost the Borough at least this much to process. Several members agreed that the minimum fee of \$150 is high for small projects and may deter property owners from submitting applications, but indicated that it may be difficult to define applications eligible for a lower fee. However, most members agreed that there should be a lower step and a basis for that step could be determined; and that additionally the upper step for new construction was set too low considering the amount of work involved. M. Ozols reminded the members that the criteria should be objective and not subjective since a fee that requires interpretation would require a Commission review and decision, which would likely result in multiple meetings and lengthen the time frame for a decision. B. Keeney stated that there may be other fee options, but discussion of fee structure should be a regular agenda item at a future meeting and not decided as other business.

V Bulkeley called for a vote on voting on the issue of fee structure. B. Keeney seconded the call for a vote. D. Neely clarified that the Commission should reconsider the equity of the current fee structure.

For: Bulkeley, Jones, Neely, Keeney.

Against: Myers.

Abstain: None.

The vote carried and fee structure will be included as an agenda item at the July meeting.

Adjourn.

On a motion by P. Jones, seconded by V. Bulkeley it was voted unanimously to adjourn at 10:12 a.m.

Respectfully submitted,

Marilyn M. Ozols, Acting Clerk