

**BOROUGH OF FENWICK**  
**HISTORIC DISTRICT COMMISSION**  
**REGULAR MEETING & PUBLIC HEARING – March 4, 2023**

A Regular Meeting and Public Hearing of the Fenwick Historic District Commission was held at 4 Nibang Avenue and via Zoom on Saturday, March 4, 2023. Notice of the meeting was posted in a timely manner on the Fenwick kiosk, on the website, and in the Harbor News.

Members Present: Matt Myers, Deborah Neely, Beverly Keeney.  
Members Present via Zoom: Patsy Jones, Scott Pulver (Alternate), Ashley Gengras (Alternate).  
Members Absent: Valerie Bulkeley, Mike Reynolds (Alternate).  
Others Present: Marilyn Ozols, ZEO and HDC Compliance Official; Frank Keeney.  
Others Present via Zoom: Pam Christensen.

**1. Call to order.**

Chairman Myers called the meeting to order at 9:05 a.m. and seated A. Gengras as a voting member. A quorum was established (Myers, Neely, Keeney, Jones, Gengras).

**2. Public Hearing: Fenwick & Bulkeley Avenues (discontinued), map 10, lot 1.** Borough of Fenwick owner and applicant. Application HDC23-001 to revise pier gate and install 2 fence sections on Bulkeley Avenue.

F. Keeney presented. He stated that there are two proposals, one new and one a replacement. The new proposal is to install two 10' sections of split rail fence offset at 20' on the discontinued Bulkeley Avenue between the Ryder course and the Christensen property; the intent is to discourage drivers following GPS from trying to exit the Borough this way and ending up on the golf course. The second proposal is to replace the gate at the pier; the existing gate is nearing the end of its useful life and was a poor design; the post on the west side is against the sidewalk and the post on the east side is 4' from the sidewalk; this causes vehicles to center on the opening and drive on the lawn creating muddy ruts; the new design is essentially the same but much more stout and centered on the sidewalk; the gates can open separately or together to create a 14' wide opening.

Members had no issues with either proposal.

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

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

**3. Possible Action on HDC23-001: Fenwick & Bulkeley Avenues.**

Based on the discussion in the hearing, **B. Keeney moved to approve the application as submitted and to grant a Certificate of Appropriateness for Application HDC23-001, Fenwick and Bulkeley Avenues, to revise the pier gate and install two fence sections on Bulkeley Avenue. A. Gengras seconded the motion and it was approved unanimously.**

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

#### **4. 4 Nibang Committee - Informal Discussion re 4 Nibang Avenue.**

M. Ozols stated that the purpose of an information discussion is to provide some guidance to an applicant. It is preliminary and nonbinding.

M. Myers indicated that the questions are whether the building can or should be torn down, whether it is touchstone, and what can be done with it; the 4 Nibang Committee is looking for guidance from HDC.

P. Christensen, 4 Nibang Committee Chair, stated that it was built in 1910 as a garage and a place for the chauffeur; it looked very much like it does today except for the chimney; it is listed as contributing to the National Register Historic District because it was built during the definitive period; the Committee is charged by the Burgesses with looking at the building; it could be upgraded but nothing is to code and it is in bad condition; there is nothing to save; it is faster and less expensive to rebuild it, but some thought has been given to trying to save the basement; the property might no longer have a building or it could be a new building; there is no application at this time; nothing has yet been approved by the Board of Warden and Burgesses.

D. Neely stated that the building has gone through many metamorphoses and not replacing it would be short-sighted; it may be needed again for caretaker housing; it is a great place for meetings and play class.

M. Ozols clarified that buildings in a historic district are either contributing or noncontributing; touchstone is a term used in Fenwick for specific buildings.

M. Myers stated that the question is whether the building is historically or architecturally significant; his personal opinion is that it is not worthy of historical or architectural significance.

P. Jones asked why demolition is being considered. P. Christensen stated that the building is in poor condition and it is less expensive to tear it down and rebuild it even if the design is exactly the same.

B. Keeney asked if an architect had looked at it. P. Christensen stated that builders should make that call, not an architect; the framing is 2x4; the second floor is no longer sound; the issue is how HDC feels about modifying it and is it contributing or architecturally significant.

M. Ozols reminded HDC that an application for demolition is not considered in isolation; it is required to include information on what the replacement will be.

S. Pulver expressed the opinion that the question puts the cart before the horse; there is no plan for what the Committee wants to do with it; when there is a plan, HDC will be open to considering it.

M. Myers stated that they need to know if they can touch or add to the building or are saddled with what they have. He expressed the opinion that they should be able to do what they need to do for the Borough.

F. Keeney stated that according to the regulations, a decision to raze the building requires HDC approval; the use of the building has evolved from residential to municipal and construction requirements for municipal are different from those for residential.

D. Neely stated that HDC can consider an application for demolition; they can apply for demolition and show what they want to put up in its place.

In summary, HDC will consider an application for demolition in the context of a full plan for the property.

## **5. Reports on Current Projects.**

6 Pettipaug Avenue. The generator has been installed. The screening vegetation will be planted when the weather permits.

24 Pettipaug Avenue. Work is proceeding in accordance with the plans.

## **6. Approval of Minutes: January 7, 2023.**

**D. Neely moved that the minutes of the previous HDC meeting on January 7, 2023 be accepted as written. P. Jones seconded the motion and it passed unanimously.**

For: Myers, Neely, Keeney, Jones, Gengras

Against: None.

Abstain: None.

## **7. Old Business / Other Business.**

### **a. Hedges**

M. Ozols stated that a summary of the existing hedges had been distributed. It indicates where height stipulations exist that could enable enforcement. She reminded the members that this is a historic district commission, not a village district that can regulate landscaping, and their jurisdiction is limited to the “preservation and protection of distinctive characteristics of buildings and places associated with the history of the architecture in the historic district”.

Members asked if all of the hedges in HDC jurisdiction are in compliance. M. Ozols stated that there are no egregious issues but she generally checks in the spring and, if necessary, reminds property owners of their obligation to trim.

### **b. Moore Meadow**

M. Myers stated that D. Savin offered FIF a sizeable contribution to plant and maintain a meadow in Wendy Savin’s memory. They are looking at Moore Meadow and would like to include a rock with a plaque. They have asked for HDC input. Members noted that this will come under HDC’s purview and they are open to considering something similar in size to what is there when there is an application.

### **c. Review of Criteria**

M. Ozols stated that this is on the agenda based on the discussion at the last meeting as to whether the language in the criteria could result in construction inconsistent with the intent. Members were asked to apply the criteria to various designs and see if it worked. Several members stated that they believe the criteria works as written.

## **8. Adjourn.**

**On a motion by D. Neely, seconded by B. Keeney, it was voted unanimously to adjourn at 9:42 a.m.**

The next meeting is Saturday, May 6, 2023.

Respectfully submitted,  
Marilyn M. Ozols, Acting Clerk