

**BOROUGH OF FENWICK
HISTORIC DISTRICT COMMISSION
SPECIAL MEETING & PUBLIC HEARING – March 16, 2019
4 NIBANG AVENUE, 9:00 AM**

A Special Meeting and Public Hearing of the Fenwick Historic District Commission was held at 4 Nibang Avenue, Old Saybrook, Connecticut on Saturday, March 16, 2019. Notice of the meeting was posted in a timely manner on the Fenwick kiosk and in the Borough office.

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

Members Absent: Valerie Bulkeley, Patsy Jones, Christine Duncan (Alternate), Suzanne Webster (Alternate).

Others Present: Marilyn Ozols, ZEO and HDC Compliance Official, Bob Doane, Brooke Girty, Chuck Chadwick, Jim Barnard.

1. Call to order.

Chairman Myers called the meeting to order at 9:00 a.m. and seated L Borge as a voting member. A quorum was established (Myers, Neely, Keeney, Borge).

2. Public Hearing: 6 Neponset Avenue, map 11, lot 10. Ethel Davis, owner; Northeast Lightning Protection, applicant. Application HDC19-002 to install lightning rods and porch screen protectors.

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

J. Barnard and C. Chadwick presented.

Lightning Rods. J. Barnard, Northeast Lightning Protection, stated that he would be installing a UL approved system similar to many of the other systems installed in the Borough; the wire will be tin covered copper in order to blend in better with the architecture; the rods will be conical, not pointed, as a conical shape is better at attracting lightning; he will use a flat strap tucked under the shingles in locations where it might be visible; there will be 3 rods on the garage, 4 on the house ridge, 1 on each dormer (north and south), and 1 on the chimney; this is the minimum necessary to comply with the standards; the grounding cable will come down at the corner of the house and stick into the ground. He displayed samples of the wire and the rod and proposed adding an historical ornament, a blue porcelain orb, on the south cupola.

Screen Protectors. C. Chadwick stated that E. Davis had asked him to represent her for discussion of the proposed screen protectors. He stated that they are proposed for the south and southeast portions of the house; the sample that was in place this winter was blown out; it was Lexan, which can shatter, so a different material will be used; the frame is similar to a standard aluminum screen frame; they are intended for winter use to prevent damage and will likely be removed for the summer; and, relative to being seen from a public way, that would only be Long Island Sound or Sequassen Avenue, both of which are a significant distance away.

M. Myers noted that the lightning rods are similar to what is seen in many locations in Fenwick, but the decorative orb does draw attention. C. Chadwick, 17 Pettipaug Avenue, speaking as a resident, added that the purpose of the lightning rods is to attract lightning; the orb attracts attention. B. Girty stated that decorative balls are historically correct, especially on Victorian houses, and there had previously been one on the Stanford Brainerd house.

Members discussed the decorative ball and also noted that the screen protector is not really seen so is not an issue.

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

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

3. Possible Action on HDC19-002, 6 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 HDC19-002, 6 Neponset Avenue, to install lightning rods and porch screen protectors with the addition of a decorative blue orb on the rear dormer left to the discretion of the owner. L. Borge seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

On a motion by L. Borge, seconded by D. Neely, it was voted unanimously to go back into public hearing.

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

4. Public Hearing: 110 Sequassen Avenue, map 11, lot 22. Lighthouse Point Association, owner; Bruce Glowac, applicant. Application HDC19-003 for two light fixtures and driveway improvements.

M. Ozols reported that when she spoke to the owners about the lights that were installed without a C of A, they removed the lights, so they are currently not there and this is not an after the fact application.

B. Doane, civil engineer, licensed land surveyor, and member of the Lighthouse Point Association, presented.

Lights. B. Doane stated that the lights are proposed for either side of the door to the second floor deck; there is a 6” step that is difficult to see in the dark; and the lights will be on a switch and only utilized when the deck is occupied. He indicated their proposed location and design on a photograph taken before they were removed.

Driveway. B. Doane demonstrated the proposal on an aerial photo and stated that their driveway has always been considered a turnaround area and they would like to make it private; that they would remove the scrub growth and add a garden planted with grasses and mulched; that the driveway material will be pea stone like that at the Webster’s; that they will not interfere with the travelway but rather just give definition to their property; and that all work is on their property, however, they will talk to the Patterson’s about continuing the plantings onto their property. He displayed a worksheet showing the locations of the travelway relative to the property lines, noting that the travelway crosses private property but the use has been established by prescription. He also suggested adding two parking spaces, which would also create a hammerhead turnaround.

C. Chadwick suggested that the Commission include a discussion on what public way means on a future agenda, noting such variations as Long Island Sound, private rights of ways over public lands, improved surfaces on private lands, and lands under conservation easements that do not have a provision for people walking on them.

B. Girty, LPLT President, stated that LPLT owns the neighboring property and that the planting bed is a good idea and she has no issue with grasses. She requested that no invasives be planted and no parking spaces be added.

B. Doane pointed out the Lighthouse Point and LPLT property lines on an aerial photo and noted that they would likely also be adding a small sign with the house number.

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

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

5. Possible Action on HDC19-003 110 Sequassen 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 HDC19-003, 110 Sequassen Avenue, for two light fixtures and driveway improvements. L. Borge seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

On a motion by D. Neely, seconded by L. Borge, it was voted unanimously to go back into public hearing.

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

6. Public Hearing: 29A Pettipaug Avenue, map 10, lot 20-1. Robert & Ann Pulver, owners; Brooke Girty Design, applicant. Application HDC19-004 to install pool within deck.

M. Ozols stated that this application has been withdrawn and there is a reapplication for the May meeting.

7. Possible Action on HDC19-004, 29A Pettipaug Avenue.

No action.

8. Public Hearing: 20 Nibang Avenue, map 10, lot 3. Joseph Zubretsky, Trustee, owner; Brooke Girty, applicant. Application HDC19-005 to add 2-story west addition, north addition and outdoor kitchen; south addition in existing porch area; and south pergola covered parking area.

B. Girty presented. She indicated that the outdoor kitchen and landscaping would not be included in this application and that they will be reconsidering the landscaping and probably also replacing the pool in the future but the owners want to be able to know what they will be able to do relative to the additions in order to plan the work. She added that the house is only one room deep; it has stature, but it is not that big with only four bedrooms. She used the 3d drawings to indicate what is new. In response to questions about size, she submitted a chart comparing the width of this house to twelve others in the Borough, noting that it is about the same width as the Haviland house and not too big according to the criteria for mass and scale. She added that it is not one long roofline but rather is graduated; the house is meant to be a long, rambling, in-line house.

D. Neely noted that it appears extremely linear – it's difficult to see the ins and outs without a model. B. Girty responded that banded lines like in this house are typical in Fenwick and pointed out the ins and outs on the 3d drawings, adding that the additions are in the same genre as the existing house. Members agreed that a model would have been helpful for this big an addition.

B. Girty noted that this is a huge property (another two houses could fit between this and the Yacht Club and, with the additions, it will still be under coverage); it is a big house on a big property and scale needs to be considered relative to location; this house will be 142 feet wide but in good company, and when it's done people will get used to it like they have to the Millard's, which is 165 feet wide. She added that no house could stunt the view on this property.

M. Myers noted that the house will be one third larger than it is currently, but the massing criteria is relative to the neighboring houses and there are no houses nearby. L. Borge noted that because there are no neighbors, there will still be expansive views, but the house still appears large. She expressed concern that this may be the way that Fenwick is going.

M. Myers asked whether a more compact rather than linear design was considered. B. Girty stated that this house wants to have a centerpiece with two wings; additionally, because of the setback on the south side they can only go to the side or forward and it would not look good if the addition came forward. She added that from Fenwick, you don't really see what is on the back of the house.

M. Myers stated that they need to look at the proposal based on the Design Criteria: massing is relative and there are no houses nearby; the roofline conforms; the glass to wall ratio is okay; the façade is compliant. He added that they can have the opinion that the house is long and skinny, but this is not a reason for rejection if the design complies with the criteria. He added that they are keeping the existing house and the addition does not destroy the historic perspective.

B. Girty stated that the original house built in 1910 looked like a white brick but it evolved over time and the Frankel's added interest and broke up the façade.

C. Chadwick, 17 Pettipaug Avenue, noted that the proposal complies with coverage and could actually go larger, adding that this is something no one anticipated back in the '60's and there is no regulatory protection against large and larger.

D. Neely stated that it is too bad that they need to add on to a house this size, but if it meets the criteria, they need to approve it. She reiterated that 3d drawings do not replace a model which provides a better perspective and L. Borge and B. Keeney agreed. B. Keeney added that she remains concerned about the roofline to the new section and a model would help.

In response to members' concerns that the Design Criteria might not be giving them the tools that they need, M. Ozols reminded them that they can consider updating their criteria.

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, Borge.
Against: None.
Abstain: None.

9. Possible Action on HDC19-005, 20 Nibang Avenue.

Based on the discussion in the hearing, **M. Myers moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC19-005, 20 Nibang Avenue, to add a 2-story west addition, a north addition; a south addition in the existing porch area; and a south pergola covered parking area. B. Neely seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

On a motion by B. Neely, seconded by L. Borge, it was voted unanimously to go back into public hearing.

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

10. Public Hearing: Various Locations, map 11, lots 25 and 26. Borough of Fenwick, owner; Brooke Girty/LPLT, applicant. Application HDC19-006 to erect 3 osprey platforms.

B. Girty presented. She stated that Andy Griswold has checked the Borough to determine where the platforms would be most useful or most used and she reviewed the three proposed locations: one to replace

the tree that is not safe for fledglings because racoons can climb the tree; one in the middle of the marsh; and one south of the Schmitt house. She added that two of the three are currently funded, but they will probably wait until next year to install them all because it is so close to nesting season now.

Members had no issues.

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

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

11. Possible Action on HDC19-006, Various Locations map 11, lots 25 and 26.

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 HDC19-006, various locations, to erect three osprey platforms. L. Borge seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

On a motion by D. Neely, seconded by B. Keeney, it was voted unanimously to go back into public hearing.

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

12. 12 Neponset Avenue, map 11 lot 8. Martha Staniford et al, owner; Matt Myer applicant. Application HDC 19-008 for raised flower beds.

M. Myers recused himself for this application and D. Neely chaired.

M. Myers presented. He pointed out the locations on the full survey of the property and stated that they will remove the raised beds that are on “borrowed” land and will build three raised beds aligned with the slope on the side of the property – two 3½’x10’ and one 3½’x6’; that they will be open with bluestone around the edges; and that for the most part they will not be seen.

Members had no issues.

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

For: Neely, Keeney, Borge.
Against: None.
Abstain: None.

13. Possible Action on HDC19-008, 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 HDC19-008, 12 Neponset Avenue, to install raised flower beds. L. Borge seconded the motion and it was approved unanimously.**

For: Neely, Keeney, Borge.
Against: None.
Abstain: None.

M. Myers resumed his seat at this time.

14. **10 Mohegan Avenue, map 10, lot 13.** Barry & Jacqueline Gosin, owners; Brooke, applicant. Modification Application HDC19-007 to add front vestibule area, 3 ground level ac units, light fixtures, pergola; clarify retractable screens at pavilion.

B. Girty presented. She stated that their original design, which ran into snags in Zoning, included a front vestibule which was eliminated when the design changed; the owner is concerned that the pavilion does not look connected as currently designed and wants to add back the vestibule, which will be used for storage. She reviewed the proposal on the elevation drawings, noted where the plantings will be when the work is complete, and stated that this is the one area of the lot where they can build in compliance with Zoning.

Members noted that the approved plan has an open view to the water between the house and the pavilion, clarified that there is open space above the vestibule, but noted that the vestibule will block more view than the design that was previously approved. They expressed concern that people whose views were taken away were not notified of the meeting where this was approved. It was noted, however, it cannot be the Commission's obligation to notify everyone who might be impacted in some way by an application; there is some property owner responsibility. Additionally, views are not in HDC's jurisdiction.

Regarding the other aspects of the application, B. Girty stated that the ac units are proposed for the front of the house and it is the intention to request an historic property exemption from the flood so the units will not need to be raised; that the generator will go on the roof deck where it was previously approved; the south side pergola will not block the view but will help tie in the pool area; one door will be changed to full glass to match the others; plantings will hide the pool; additional light fixtures proposed for the pool area will match the existing lights; step lights, illuminated downward, are proposed to light the steps; retractable screens like those at 12 Neponset are proposed for the pavilion; and the lattice shown on the chimney is not part of this application. She added that the proposed connector will not really block views.

D. Neely suggested that there be a stipulation that the pool lights only be on when someone is out in that area and members agreed.

Relative to the proposed vestibule, members noted that it makes the house look more massive; that the pavilion is less massive, airier, and more "beachy" without the connector; that there is more balance with the other end of the house without it; and that it is not consistent with the openness of the pavilion approved previously. They added that it would be okay to remove the steps.

Members voted on the various components of this application separately.

Based on the discussion, **D. Neely moved to approve the application as presented and to disapprove a Certificate of Appropriateness for Application HDC19-007, 10 Mohegan Avenue, to add a front vestibule area. L. Borge seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

Based on the discussion, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC19-007, 10 Mohegan Avenue, to add 3 ground level ac units. L. Borge seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

Based on the discussion, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC19-007, 10 Mohegan Avenue, to add light fixtures in the pool area with the stipulation that they be on only when people are physically outside. M. Myers seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

Based on the discussion, **D. Neely moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC19-007, 10 Mohegan Avenue, to add a pergola. L. Borge seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

Based on the discussion, **B. Keeney moved to approve the application as presented and to grant a Certificate of Appropriateness for Application HDC19-007, 10 Mohegan Avenue, for retractable screens at the pavilion with the stipulation that they are a dark material that can be seen through. L. Borge seconded the motion and it was approved unanimously.**

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

15. Approval of Minutes: January 5, 2019.

D. Neely moved that the minutes of the previous HDC meeting on January 5, 2019 be accepted as written. B. Keeney seconded the motion and it passed unanimously.

For: Myers, Neely, Keeney, Borge.
Against: None.
Abstain: None.

16. Old Business / Other Business.

- a. Email received from V. Bush. M. Myers will contact her to discuss her concerns. Members discussed requiring notification of all those with views of a site under application because views mean a great deal to people who have been here a long time. M. Ozols reminded them that there is no way to be certain of everyone who might have views of any specific site from somewhere on their property or in their house. Owners will need to take some responsibility for staying informed; they can sign up to receive agendas prior to all meetings and a quick check will tell them if there are any applications for properties that might affect them.
- b. Design Criteria. Some concern was expressed that the criteria, which was written several decades ago, does not cover everything that is currently relevant. It was suggested that members look at the Old Saybrook design criteria as another example, and it was agreed to discuss revising the criteria at the next meeting.
- c. Site visits. Members stated that site visits might be helpful for some applications. M. Ozols stated that this can be arranged, but the site visit is considered a meeting and must be posted and have minutes. It is recommended that site visits be limited to identifying features or locations with discussion reserved for the indoor meeting.

17. Adjourn.

On a motion by D. Neely, seconded by L. Borge, it was voted unanimously to adjourn at 11:15 a.m.

Respectfully submitted,

Marilyn M. Ozols, Acting Clerk