

**WETHERSFIELD HISTORIC DISTRICT COMMISSION  
PUBLIC HEARING  
JANUARY 10, 2006**

The Wethersfield Historic District Commission held a Public Hearing on January 10, 2006 in the Town Council Conference Room at the Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Members Present:

Susan O'Brien, Chairperson  
Douglas Ovian, Vice Chairperson  
Robert Garrey  
Vacek Miglus  
Bette Botticello, Alternate  
Gary McLeod, Alternate

Members Absent:

Jennifer Wolf, Clerk  
Eric Hart, Alternate

Also Present:

Robert Cook, Historic District Coordinator

Chairperson O'Brien called the meeting to order at 7:34PM, and read the opening comments. Commissioner Garrey, Acting Clerk, read the Legal Notice as it appeared in the *Hartford Courant* on December 30, 2005.

**APPLICATION NO. 3363-06.** Paula Rubinow seeking to place a 4-foot bench in front of the property at 271 Main Street.

Roger Rubinow of 90 Annette Place, Middletown, appeared before the commission. He is the applicant's father.

Mr. Rubinow explained that the applicant wishes to install a bench on the side of the existing flowerbox at her business, The Creamery. In April, the Beautification Trust approved the installation of one bench. Another bench is now requested to balance the look of the area. The new bench would be smaller than the one already installed, and it would face the street.

Commissioner Ovian noted that the benches in front of the former location of The Creamery face the building. He noted that there appears to be less wear and tear on the grass as a result. He asked whether the applicant preferred to have the bench at the new location face the building as well. Mr. Rubinow indicated he preferred that the bench face the building. Commissioner Garrey noted that the applicant may not be able to control how the bench is installed since the benches are town property.

Commissioner O'Brien asked whether the applicant was purchasing the bench. Mr. Rubinow indicated that bench has already been purchased, dedicated, and is currently located in front of the former location of The Creamery. The intent is to move the bench to The Creamery's new location. Commissioner O'Brien asked whether the bench would be replaced with another bench. Mr. Rubinow indicated he did not know whether the bench would be replaced.

In light of Wethersfield's designation as a Preserve America community, Mr. Rubinow indicated that the addition of a new bench would be welcomed.

Robert Cook indicated that since the benches belong to the town, he had comments from the town's tree warden, John Lepper. Mr. Lepper indicated that there is currently quite a bit of ground cover degradation around the current bench. Since the tree roots are exposed, they are being destroyed by foot traffic and the tree is dying. He asked that any new bench be installed north of the existing bench and as far away from the tree as possible. If the bench is installed near

the tree, Mr. Lepper asked that a fence be installed to reduce traffic in the area.

Mr. Cook also had a memo from Peter Gillespie, Town Planner. Commissioner Garrey read the memo into the record. Mr. Cook stated that after the memo was written, Mr. Gillespie raised a question about the existing bench at The Creamery's former location. Mr. Cook stated that not until the meeting, neither he nor Mr. Gillespie were aware that the proposal involved removing that bench and placing it in front of the current location of The Creamery. Now that this matter has been clarified, Mr. Cook will speak with Mr. Gillespie about whether the bench will be replaced.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application.

Shirley Alderman of 265-267 Main Street appeared before the commission and read prepared remarks in opposition to the application. She indicated that the benches are donated to the town, thus the town owns the benches. Homeowners cannot remove or relocate the benches. Ms. Alderman also expressed concerns about the effect another bench would have on foot traffic in front of The Creamery.

Jim Williams of 15 Hartford Avenue appeared before the commission and spoke in opposition to the application. He also expressed concerns about the increase in foot traffic if another bench is installed.

Commissioner O'Brien asked for clarification as to who owns the bench that is being moved. Mr. Cook reiterated that the town owns the bench. That being the case, Commissioner O'Brien asked whether the HDC should be voting on the application since the owner of the bench is not the applicant. Commissioner Garrey indicated that the HDC should vote merely on whether a bench in front of The Creamery is appropriate. The ownership issue should not be considered by the HDC. Although he agreed that it may not be appropriate for the HDC to consider the application, the application was made and should be finalized.

Mr. Rubinow responded to some of the concerns expressed by saying that the applicant is willing to hire a landscaper to repair any damage to the grass.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application. There being no one, this portion of the hearing was declared closed.

**APPLICATION NO. 3364-06.** John Rust seeking to build a 30' x 12' addition to rear of house at 16 Meggat Park.

Don Gove of Gove Restoration, 82 Longvue Drive, appeared before the commission. Mr. Gove is the hired contractor. The project involves the removal of an existing addition and the building of a 30' X 12' addition. Robert Cook explained that the visibility from the street is minimal. The only part of the addition that will be visible is a new master bedroom wall.

The siding on the addition will match the existing siding, which is an 8" aluminum smooth siding. The siding will be painted. The roof will be the same height as the existing roof. Commissioner Miglus asked about the overhangs, which appear smaller in the drawing than in the photographs. Mr. Gove confirmed that the overhangs will match the existing overhangs. The foundation will be cement.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application. There being no one, this portion of the hearing was declared closed.

**APPLICATION NO. 3365-06.** Don & Linda Jensen seeking to replace windows and storm doors at 100 Garden Street.

Don and Linda Jensen of 100 Garden Street appeared before the commission. Also appearing was Paul Johnson of Pella Windows, 56 Talcott Notch Road, Avon. A similar window to what is being proposed was displayed.

Mr. Jensen stated their home was built in 1974. They wish to replace the windows with wood aluminum-clad new construction windows. The current windows have snap-on grids, which the proposed windows also have. The trim will

match the existing trim, but with Azek material.

Mr. Jensen also indicated that they wish to replace the kitchen window with a 45 degree bay window. The windows to the side of the bay window will be casement. The bay window will be behind the chimney, which comes out about 29" from the house. The window is similar size to the existing window except that the bottom of the window will be raised.

The current double view storm door will be replaced with a single view, full glass door. The door will have a full screen.

Commissioner O'Brien asked whether a cut sheet or photograph was available for the bay window. A picture of a similar window was provided.

Commissioner O'vian asked about the snap-on grids. Mr. Jensen stated that the current grids are attached by metal snaps. The new windows have a different mechanism for attaching the grids, but the grids look similar from the street. Commissioner O'vian indicated that although the house was built in 1974, it was built with a look of an older home. He asked whether the applicants had considered simulated divided light windows. Mrs. Jensen indicated they preferred to keep the same type of grids they currently have.

Commissioner Garrey asked whether the applicants had considered a window with the grids in between the glass. Mr. Johnson stated that Pella does not carry a window with grids between the glass, and Mrs. Jensen stated they had not considered such a window.

Robert Cook thanked the applicants for the work they put into presenting their application. They had asked Mr. Cook for suggestions on how to present the application. In addition, Mr. Jensen indicated he had had a conversation with Commissioners Miglus and Wolf.

Commissioner O'Brien asked whether there was anyone else wishing to speak in favor or in opposition to this application. There being no one, this portion of the hearing was declared closed.

**APPLICATION NO. 3360-05** Vincent Carbone seeking to replace side porch at 25 Garden Street. (Tabled from December 13, 2005).

Robert Cook reported that the porch is being replaced like for like. Therefore, Mr. Carbone is withdrawing his application. Commissioner O'vian asked about the work done on the windows. Mr. Cook stated he would look into that.

Upon motion by Commissioner O'vian, seconded by Commissioner Garrey, and a poll of the Commission, it was voted to close the public hearing on all the discussed applications, and to open the public meeting on those applications.

Aye: Garrey, McLeod, Miglus, O'Brien, O'vian

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**APPLICATION NO. 3363-06.** Paula Rubinow seeking to place a 4-foot bench in front of the property at 271 Main Street.

Upon motion by Commissioner O'vian, seconded by Commissioner Miglus and a poll of the Commission, it was voted to TABLE the application.

**Discussion**

Commissioner Garrey stated that he did not feel it was necessary to table the application since the commission only

needs to decide whether the bench is appropriate. Any other questions, such as those relating to ownership, should not be addressed by the commission. Commissioner O'vian indicated that the commission does not usually act on applications involving work on property not owned by the applicant. Commissioner Garrey stated that the memo from the town stating that no further approvals are required should be sufficient.

Commissioner O'Brien stated that the commission is charged with preserving Old Wethersfield and should be concerned about the void that will be created once the bench is removed from the former site of The Creamery. Robert Cook indicated that, for this reason, Peter Gillespie has asked that he be allowed to review this matter before the bench is removed.

Commissioner McLeod asked for clarification about the bench being moved. The bench at the former site is either 6' or 8' and the new bench will be 4'. If the information is correct, the new bench is not the same bench as the one at the former site. Commissioner O'Brien stated that Mr. Rubinow clearly indicated that the benches are one and the same.

Commissioner Miglus stated that all the discussion surrounding the application is not relevant. The application simply calls for the installation of a 4' bench, and the commission should merely be considering the appropriateness of the application. He stated he would be comfortable approving the installation of the bench under the direction of the town planner.

Commissioner McLeod suggested the commission should see a picture of the proposed 4' bench.

Mr. Cook reiterated that the town is not interested in having any benches removed, and Mr. Gillespie would have included that comment in his memo if he had been aware that there was a plan to move a bench.

Aye: Garrey, McLeod, O'Brien, O'vian Nay: Miglus

**APPLICATION NO. 3364-06.** John Rust seeking to build a 30' x 12' addition to rear of house at 16 Meggat Park.

Upon motion by Commissioner Miglus, seconded by Commissioner McLeod and a poll of the Commission, it was voted to APPROVE the application with the following stipulations:

1. The siding shall match the existing.
2. Trim, roofing, and roof overhang shall match the existing.
3. The siding shall be painted.

### **Discussion**

Commissioner O'vian indicated that the proposed addition will have a low impact on the district, and is sympathetic to the existing structure. Commissioner O'Brien asked whether anyone had a concern about the T-channel that is being proposed. Commissioner Miglus stated that the proposal delineates the old part of the home and the addition, which according to the Department of the Interior guidelines is acceptable.

Aye: Botticello, Garrey, McLeod, Miglus, O'vian Abst: O'Brien

**APPLICATION NO. 3365-06.** Don & Linda Jensen seeking to replace windows and storm doors at 100 Garden Street.

Upon motion by Commissioner Garrey, seconded by Commissioner Miglus and a poll of the Commission, it was voted to APPROVE the application as submitted.

### **Discussion**

Commissioner Garrey stated that the house is modern and the windows currently have snap-on grids. Commissioner O'vian indicated that simulated divided light windows would improve the look of the house. Commissioner Miglus

indicated that ideally he would like to see that type of window installed in the front of the house.

Commissioner McLeod asked about the storm door. The consensus was that the full-view door is acceptable.

Aye: Botticello, Garrey, McLeod, Miglus Nay: O'vian Abst: O'Brien

### **APPROVAL OF MINUTES OF: [December 13, 2005](#)**

Upon motion by Commissioner Miglus, seconded by Commissioner O'vian and a poll of the Commission, it was voted to APPROVE the minutes as presented.

Aye: Garrey, McLeod, Miglus, O'Brien, O'vian

### **OTHER BUSINESS**

#### **Public comments on general matters of the Historic District**

Anne Kuchro of 471 Main Street appeared before the commission. She is the Chair of the Wethersfield Tourism Commission. She returned to the commission to present a copy of the revised historic sign. The revisions were proposed based on discussion with the commissioners at the December 13, 2005 meeting. Commissioner O'Brien thanked Commissioner O'vian for his assistance with finalizing the design of the sign.

Roger Rubinow asked the commission for clarification of the procedures for installing and moving benches in the historic district.

Upon motion by Commissioner Miglus, seconded by Commissioner O'vian and a poll of the Commission, it was voted to BREAK for five minutes to allow Robert Cook to return to the meeting in order to give his report.

Aye: Garrey, McLeod, Miglus, O'Brien, O'vian

#### **Report of the Historic District Coordinator**

Robert Cook expressed concerns about ex parte communication between commissioners and members of the public. He indicated that some commissioners have been speaking with individuals outside of the public hearing. Commissioner Miglus indicated that he does not consider giving advice to people living in the district and who do not have pending applications ex parte discussions. Commissioner O'Brien agreed saying the commission does want to be accessible to the community.

The handbook encourages members of the community to meet with the commission to discuss issues and questions. Mr. Cook indicated that that type of discussion is acceptable since it is done during the public meeting. Commissioner O'vian indicated that those discussions are not recorded and are therefore not different from conversations commissioners may have outside of the meeting. He suggested the policy be that there are no discussions outside the public hearing with anyone with a pending application, as is with the practice currently followed. Mr. Cook indicated that problems arise when the public perceives the discussions as advice on what is and is not acceptable to the commission and suggested that questions from the public be referred to him.

This is a concern that is also shared by Bonnie Therrien and involves all the commissions in town. Commissioner Miglus indicated he would speak with Ms. Therrien and get input directly from her as to how she feels commissioners should proceed. If she agrees, Commissioner Miglus will share the results of the discussion with the other commissioners.

Mr. Cook discussed the letters that have been sent to three residents regarding violation. The letters indicate that those residents must obtain building permits for the work they have done. Building permits will not be awarded until the

HDC has approved the work. A sample of the letters sent was distributed to the commissioners. The three residents receiving letters were Christopher Lippitt of 6 Fernwood Street, Barbara Clancy of Chesterfield Road, and Doug Lisella of 32 Hartford Avenue.

Mr. Cook indicated that the change in the remedy date to 60 days that was recently approved by the commission needs to be included in the handbook. He asked whether another public hearing has to be scheduled to approve that change. The commissioners agreed that a public hearing was not necessary.

Commissioner O'Brien welcomed Bette Botticello to the commission.

### **CORRESPONDENCE**

None.

### **ADJOURNMENT**

Upon motion by Commissioner Miglus seconded by Commissioner Garrey and a poll of the Commission, it was unanimously voted to ADJOURN the meeting at 9:15PM.

Aye: Garrey, McLeod, Miglus, O'Brien, Ovia

Respectfully Submitted  
TOWN OF WETHERSFIELD  
HISTORIC DISTRICT COMMISSION

Robert Garrey  
Clerk Pro Tem