

MINUTES  
TOWN OF GROTON  
HISTORIC DISTRICT COMMISSION  
JULY 7, 2009 - 7:00 P.M.  
GROTON TOWN HALL ANNEX - COMMUNITY ROOM 2

Members Present: Nado, Mitchell, Vaughn, Cole  
Alternates Present: None  
Staff: Quinn, Galetta

Chairman Nado called the meeting to order at 7:05 p.m. Cole read the Call of the Hearing.

I. PUBLIC HEARINGS

HDC 09-21 – 26 West Main Street; Westward Properties, LLC, owner/applicant; Replace windows. PIN #261918411081 – Continued

Cathy McHugh appeared before the Commission for the applicant Westward Properties, LLC. They are seeking permission to replace windows in the second floor of their building at 26 West Main Street. The project is to replace the four large windows in the front of the building with two smaller windows which will add more structure. One window will be replaced on the side of the building. Contractor Ron Mitchell, of Ron Mitchell, LLC, Ashaway, RI, presented the three window types that the owners are considering. Two of the choices are vinyl clad and one is aluminum clad. All of the windows will be 6 over 6 with fixed grills. Azek trim will be affixed to the outside. Sills will be attached to the bottom of the windows. The Commission preferred the aluminum clad but had concerns about the dimensions and scale of the windows in the exhibits presented. They felt that the two windows in the front would be too large if designated for use as egress windows. The Commission questioned egress requirements for the second floor.

The following exhibits were presented:

- Photographs
- Harvey window brochure

Chairman Nado asked for comments for or against the application and there were none. The public hearing closed at 7:37 p.m.

HDC 09-23 – 273 High Street; Walter B. & Diane C. Chappel, owners; William Leffingwell, applicant; Install fence. PIN #261918321335

Bill Leffingwell, of Leffingwell Pools, appeared before the Commission for Walter and Diane Chappel who are the owners of 273 High Street. They are planning an in-ground pool project and Mr. Leffingwell is representing them regarding the installation of a pool fence. They are proposing a 54" high black, aluminum, pool fence. There is a minimal amount of the fence which will be seen from the historic district and its color will further inhibit the visibility.

The following exhibits were presented:

- Jerith fence brochure
- Photographs

Chairman Nado asked for comments for or against the application and there were none. The public hearing closed at 7:42 p.m.

HDC 09-24 – 59 Pearl Street; Louise M. Smith Estate, owner; Peter J. Springsteel, applicant; Add door, new driveway, stonewall, fence. PIN #261914433119

Architect Peter Springsteel, of Mystic, appeared before the Commission regarding 59 Pearl Street. He is representing the Estate of Louise Smith which is the current owner. Also present were the potential buyer Joseph Cecere and his Attorney Nick Kepple. They are seeking to convert an existing outbuilding to a garage, with the addition of a door, and an 11-foot driveway curb cut to the existing wall. Springsteel presented historic pictures of the house. They would like to replace the mortared wall that has a concrete cap with a field stone wall which is more representative of what was originally on the property. He presented a sketch of the gate, driveway, wall, and proposed garage door. The fence will be behind the wall. The wall will be approximately 18-inches high. A hinged, out-swinging double door with glass panes on top is being proposed for the outbuilding. It will be painted wood with strap hinges. It will be painted to match the house. The concrete foundation for the outbuilding would be veneered with stone product in the front where it is viewed from the historic district.

Mr. Springsteel cited references from the HDC Handbook concerning guidelines the Commission should consider when acting on a COA application. He also stated that from a public safety point of view there is a real need for a driveway on the property. When cars are parked on the street there is only about 10 feet remaining for passage of public safety vehicles.

Attorney Nick Kepple cited from Connecticut State Statutes regarding what historic district commissions can take into consideration when hearing applications. He stated that relief is provided under the statute to allow the Commission to consider things such as public safety and traffic issues. He stated that his client was not just detailing a personal preference but a very real public safety issue. He also stated that there is a provision about outbuildings and the guidelines anticipate the reuse and adaptation of outbuildings. He also said that the State statues promote preservation where practical but anticipate the need specifically for garages. His client, the prospective owner, is seeking to adapt and reuse the outbuilding rather than demolish and rebuild it as a garage. He stated that replacing the wall with a fieldstone one will restore a more historically accurate wall and make it consistent with the two abutting properties.

The Commission questioned whether there is a deeded 15-foot right of way on the property. The practicality of using this as a driveway was questioned by Springsteel due to grade changes and a sharp curve. The Chairman stated that he had visited the property and measured the wall and found it to be 22-inches high. Regarding public safety issues, the Commission questioned whether there is a history of motor vehicle accidents because of the lack of off-street parking. The stone wall and the proposed changes were discussed.

A letter from Susan Keach, Executrix of the Estate of Louise Smith, was read into the record by Attorney Nick Kepple to speak to the question of why the outbuilding wasn't previously converted to a garage and the public safety aspect of on-street parking.

Real estate agent Ann Burgess, who is the listing agent on the house, spoke with the attorney for the estate. He told her not to make any representation to prospective buyers about the right of way. He felt it might be complex to try to prove that it is a right of way that would hold up if challenged. According to Ms. Burgess, the right of way was never used by the Smith's more than once a year and typically used for deliveries only.

The Commission had concerns about removing windows in the outbuilding and replacing them with a door. The Commission feels there may be other options for changing the outbuilding to a garage that will meet the buyer's need without being detrimental to the historic district. The outbuilding and adapted usage was discussed.

The potential buyer, Joe Cecere, drives a typical truck and expressed his concerns about its width and how it may inhibit fire apparatus or safety vehicles when parked on the street.

Frank C. Hilbert, Fire Chief/Fire Marshall, of the Mystic Fire District, spoke to the issue of public safety vehicular access. He stated that Pearl Street is 19 – 20-feet wide and the widest fire truck is 8-feet wide. He also stated that it would be an advantage to have off street parking in area but he could not say with impunity that the fire department could not get a fire truck through when cars are parked on the street. It appears that they would be able to get safety vehicles through. If there is an obstruction such as snow or debris from a storm then the road could be impassible to fire trucks. The Commission questioned whether there are alternate routes that could be taken should the road become impassable. Mr. Hilbert said they could use alternate routes such as they sometimes need to do during the summer when people park illegally. Hilbert made a statement in support of off-street parking.

The following exhibits were presented:

- Site map
- Architectural drawings
- Letter
- Photographs

Chairman Nado asked for statements in favor or against.

Richard Carey, of 18 Grove Avenue, has owned the adjoining property with his wife Ellen Carey for 10 years. The property they own has the deeded right of way in question. At the time Mr. Carey purchased the property he investigated the easement. His title attorney's opinion and another opinion written by the Smith's attorney is that it is a walking easement but not for vehicular access. It has been used for occasional parking and access to the back of Smith's property at 59 Pearl Street. Essentially, the residents of 59 Pearl Street have asked for permission to park cars from time to time and overnight on occasion. In terms of regular vehicular access the Carey's will not allow access. He stated that access to the outbuilding from the side would not work for a regularly sized vehicle. He also stated that the outbuilding is the last remaining piece of maritime history that is visible from that section of the historic district. The history of the property is that the main portion of the Smith house was the barn for 18 Grove Avenue. The outbuilding was used for making fishing nets and is commonly referred to as the "Net Shed". If an effort is made to make an attractive access from Pearl Street it would provide an entry way to the building for use as a garage.

Craig Bush, owner of 54 Pearl Street, formerly lived at 18 Grove Avenue. He stated that the Smith's always asked for permission to park and were very respectful neighbors. His property at 54 Pearl Street had an existing outbuilding, when he purchased it, which was used to build ships. They worked with an architect to come up with modifications to change the use of the building to a two-car garage. The Commission at the time approved their application to make the changes.

The public hearing closed at 8:53 p.m.

HDC 09-25 – 23 Gravel Street; Robert C. Danaher, owner/applicant; Replace roof. PIN #261918412990

Bob Danaher, owner of 23 Gravel Street, presented to the Commission. He is seeking permission to replace the existing roof on his home. He would like to replace the shingles with 40-year, BP architectural shingles in the color blue.

The following exhibits were presented:

- Pictures
- Shingle samples

Chairman Nado asked for statements in favor or against and there were none. The public hearing closed at 8:58 p.m.

HDC 09-26 – 8 High Street; 8-10 High Street LLC, owner; Tobias Glaza, applicant; Fire escape. PIN #261806393788

Tobias Glaza and Nathan Glaza owners of 8 High Street appeared before the Commission regarding the addition of a fire escape to the structure. They are required to install a second means of egress per the fire code. They looked at two of the alternatives brainstormed at their preliminary hearing such as a spiral fire escape and two separate egresses. However, state and local fire officials were not in favor of either one. Additionally, there will be two windows that will need to be removed if separate fire escapes are installed. The Commission questioned which apartments required the additional egress. Currently, the basement and first floor are code compliant but the second and third floors need egress. The applicants stated that they took great lengths to keep as much of the architecture as possible. Their feeling is that a single fire escape on the back side of the building has the least amount of impact to the footprint of the property.

The Commission questioned how long the structure had been an apartment house. The Commission felt that there are other internal alternatives that might also satisfy the egress requirements. The applicants did not feel those alternatives were workable due to cost constraints. The Commission had concerns about the change to the façade of the building that the fire escape would make. The applicants were concerned about the loss of windows required by the various designs. Alternative designs were discussed.

Frank Hilbert, Fire Marshall, Mystic stated that the present egress inside the building is woefully inadequate. He feels that there is no way to fix the violations from the interior as the structure currently exists. He stated that the proposal before the Commission is a viable and complete solution to the second means of egress requirement. He also clarified questions the Commission had regarding fire code requirements. The Commission questioned whether the fire escape would need to be covered. The Fire Marshall and Staff stated that the code requires the egress to be protected from winter storm snow and ice.

The Fire Marshall stated that he was present at the hearing to clarify why the application is being made. He wants to make sure that the Commission recognizes the necessity for safe egress in the structure. His role is to assist the applicants and the Commission to come to a conclusion on the project that would satisfy all parties involved.

The following exhibits were presented:

- Architectural plans
- Pictures

Chairman Nado asked for comments in favor or against and there were none. The public hearing closed at 10:12 p.m.

## II. DISCUSSION ON ITEMS OF PUBLIC HEARING

HDC 09-21 – 26 West Main Street

Commission stipulated that the size and design of the windows must be approved.

MOTION: To grant a Certificate of Appropriateness with stipulations.

Motion made by Mitchell, seconded by Cole, so voted unanimously. Issued Certificate of Appropriateness #1701

HDC 09-23 – 273 High Street

MOTION: To grant a Certificate of Appropriateness as submitted.

Motion made by Cole, seconded by Mitchell, so voted unanimously. Issued Certificate of Appropriateness #1702

HDC 09-24 – 59 Pearl Street

MOTION: To grant a Certificate of Appropriateness as submitted.

Motion made by Mitchell, seconded by Cole, (0 in favor, 4 opposed).  
MOTION DENIED

HDC 09-25 – 23 Gravel Street

MOTION: To grant a Certificate of Appropriateness as submitted.

Motion made by Vaughn, seconded by Cole, 3 in favor, 1 opposed (Mitchell)  
MOTION PASSED. Issued Certificate of Appropriateness #1703

HDC 09-26 – 8 High Street

MOTION: To continue to the next regularly scheduled public hearing.

Motion made by Vaughn, seconded by Mitchell, so voted unanimously.

## III. PRE-APPLICATION HEARINGS

Charles Perini, owner of 168 High Street, appeared before the Commission regarding a buried propane tank installation. They are proposing removal of a picket fence permanently so that the tank may be installed. Additionally, they need to replace shingles on their house because it is leaking. They propose using the same shingles that they used on the carriage house project. The Commission requested the color choice and a shingle brochure for the public hearing.

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IV. PUBLIC COMMUNICATIONS – None

V. APPROVAL OF THE MINUTES OF June 16, 2009

MOTION: To approve the minutes of June 16, 2009

Motion made by Mitchell, seconded by Cole, so voted unanimously.

VI. OLD BUSINESS – None

VII. NEW BUSINESS

VIII. ADJOURNMENT

Motion to adjourn at 11:04 p.m. made by Mitchell, seconded by Vaughn, so voted unanimously.

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Elaine Cole, Secretary  
Historic District Commission

Prepared by Lynda Galetta, Office Assistant II