

From: Carrie Vibert May 7, 2012 1:02:22 PM
Subject: Historic District Commission Minutes 04/12/2012 ADOPTED
SPECIAL MEETING
To: SimsburyCT_HistComm
Cc:

HISTORIC DISTRICT COMMISSION MINUTES
APRIL 12, 2012
SPECIAL MEETING

I. ROLL CALL

Commission members present were HRH Chairman Ken Feder, Betty Woollacott, David Freitas, Mark Lubetkin and Paul Lanza. Chairman Feder called the meeting to order at 7:00 p.m. Also in attendance were Lynn Charest, Zoning Enforcement Officer, and other interested parties.

II. APPOINTMENT OF ALTERNATES

Commissioner Lubetkin was appointed to serve for Commissioner Alfeld and Commissioner Lanza was appointed to serve for Diane Mead.

III. PUBLIC HEARING(s), DISCUSSION AND POSSIBLE VOTE

Commissioner Lubetkin made a motion to hear item b. first. Commissioner Lanza seconded the motion.

b. Application #12-03 of Alan Green, Owner, for a Certificate of Appropriateness to allow for the installation of an air conditioner condenser on the property located at 90 East Weatogue Street (Assessor's Map H12, Block 107, Lot 003).

Rich McGraw, owner of Valley Air Conditioning and Heating, provided the presentation for his customer who wants to put central air in his house. Mr. McGraw provided photos indicating the side of the house and site where the small 30"x30"x34" tall condenser would be located. With existing shrubbery, he showed it is difficult to see the condenser from the street. Mr. McGraw said he can only get the piping to that side of the house; the other sides are not accessible. He said the material is clad light, which looks like concrete but is actually styrofoam. Chairman Feder did not recall a similar Application in recent years that would have set a major precedent. Mr. McGraw said he put 4 across the street from Rosedale Farm

on Ms. Alfeld's property. Ms. Charest said the District is defined by so many feet from the center line of the road; in that location it is 200 feet and in other places it is 400 feet. Regarding noise, Mr. McGraw said previously there were 4 noisy window units running 24/7 and you would have to be right next to this new unit 18" from his house to hear it. Next-door neighbor Douglas Parsons wanted to find out the noise level and location and concluded he would have no objection to this proposal.

Mr. Lubetkin asked, considering the nicely done white and green lattice, could they put up an L-shaped frame on the front of the north side in that same material to hide the unit? He said HDC's function is to make suggestions to alleviate visibility and possible noise. Mr. McGraw said it is more of a service issue and the side the lattice work would be on is the service side.

Commissioner Lanza made a motion to approve this Application. Commissioner Freitas seconded the motion, and it was passed unanimously.

Ms. Charest signed off on the permit as of 4/12/12.

a. Application #12-01 of Marc Lubetkin, Owner, for a Certificate of Appropriateness for the installation of an above ground pool in the back yard on the property located at 107 East Weatogue Street (Assessor's Map H12, Block 107, Lot 003).

Chairman Feder and Commissioner Woollacott provided a reminder that this item was previously moved, seconded and tabled because of a lack of a quorum and legal notice was previously published. Commissioner Lubetkin recused himself in order to present the proposal to the rest of the Commissioners.

Commissioner Freitas made a motion to bring this Application to the table. Commissioner Lanza seconded the motion.

Mr. Lubetkin said he would like to install an above-ground pool and showed photos of the area and described the layout, including locations of the tree line, septic tank, leach field, and swing set, and stated there is only one place to put it. He doesn't want it close to the deck or woods and has already done the landscape work and started laying the trench for the electric line to the house. He said the pool is very neutral, and to protect his 6-year old son, he is not planning to build a deck around it. He learned he needed a building permit and put in an application and talked with Henry Miga, who was concerned about the ladder, which has to have locking and shutting; the height of the walls is legal - for a 52-inch pool it has to be 48 or above. He said there is no fence requirement, and he does not want to put one in in the Historic District. For the electric

line, he dug the simple trench. His neighbors to the north and south have no problem with it, and the 2 in back both have inground pools.

Chairman Feder invited discussion and questions. Commissioner Lanza said he has no objection. He commented on acting in good faith and said no Commission has less authority and powers of enforcement than HDC. There was discussion about Mr. Lubetkin's unfinished stone wall. He confirmed he is incapable of working on the wall currently due to recent elbow surgery and the high cost of the stone required, but the pool is a different type of work and he has been straight with the committee and will have to come back to renew the stone wall application. Mr. Lubetkin confirmed the pool is a permanent structure, 40-year pool.

Commissioner Lanza made a motion to accept this proposal. Commissioner Freitas seconded the motion, and it was passed unanimously.

Mr. Lubetkin explained that due to snow damage, getting the siding on the house has priority over the stone. Chairman Feder clarified the Commission does not wish to offend, but must look at projects in the Historic District that go on for long periods.

Mr. Lubetkin rejoined the HDC meeting as a Commissioner.

Ms. Charest clarified that because this is a Special Meeting, nothing can be added to the Agenda. The Commissioners expressed satisfaction with the proposed newsletter layout, which will be discussed at the next meeting.

IV. APPROVAL OF MINUTES of April 5, 2012

Commissioner Lanza made a motion to adjourn the meeting at 7:35 p.m. Commissioner Freitas seconded the motion, and it was passed unanimously.

V. ADJOURNMENT

Commissioner Lanza made a motion to adjourn the meeting at 7:35 p.m. Commissioner Freitas seconded the motion, and it was passed unanimously.
