

KNEW HAVEN HISTORIC DISTRICT COMMISSION

Wednesday, October 11, 2023, Regular Meeting, 7:00 PM

Location: Web-based meeting via Zoom

Chair Trina Learned calls to order the public hearing at 7:02 pm.

In attendance: Fatima Cecunjanin (Staff to the Historic District Commission, Planner II), Laura Brown (Executive Director of City Plan), John Ward (Special Counsel to Economic Development), Trina Learned (Commissioner and Chair), Susan Godshall (Commissioner), Karen Jenkins (Commissioner), Richard Munday (Commissioner), Dylan Christopher (Commissioner), David Valentino (Commissioner), Cordalie Benoit (Commissioner), John Herzan (New Haven Preservation Trust)

1. Roll Call

Chair Learned reviews New Haven's Zoom meeting HDC policies and procedures and the point of New Haven's Local Historic Districts and the Historic District Commission (HDC).

2. Public Hearing

2.1 23-08-CA 28 Hallock Avenue (MBLU: 233 0003 00600) City Point Local Historic District. Owner: Avis Williams. Applicant: Renewal by Andersen of Southern New England. Seeking approval to replace 5 windows.

Kevin Desmarais, Sales Manager, 1 Juniper Drive, Ashapee, MA
Ralph Serio, 3 Gary Drive, East Haven

Mr. Desmarais presents the application to replace five double hung windows along the sides of the house (four on the left and one on the right). The existing vinyl windows have no grids, and the replacements will have the same look. They will also remove some rotten trim and a sill. The proposed window is the Fibrex series composite window which Andersen claims is the most accurate interpretation of a wood window. It will be custom measured for where each original wood window was before it had been replaced with the current vinyl. Chair Learned asks about the glass loss noted in the application. Mr. Desmarais explains that since these are not the original openings, it'll likely have more glass so that note does not apply. Chair Learned replies that the Commission issues a Certificate of Appropriateness (COA) based on approval of material given and language in the application. She asks about the PVC replacement for the rotted sill. Mr. Desmarais and Mr. Serio confirm the sill will be PVC because wood sills do not comply with their lifetime guarantee. Chair Learned asks how they will replace that and trim without disturbing the asbestos siding. Mr. Desmarais says they can do it without removing the siding. Only one window will have replacement exterior trim and sill. Chair Learned asks for Commissioner questions. Commissioner

Godshall asks about the photos of windows not in this house in the application. Mr. Desmarais explains that these are examples of other windows they offer and how they are installed in other projects. Commissioner Benoit asks if they will require metal storm windows. Mr. Desmarais replies that they will not. Commissioner Godshall asks about the rendering compared to a photo of the window and which of the windows is the proposed. Mr. Desmarais says the rendering is the window that is being installed. Chair Learned explains that the measurements are not in the application which makes it hard to understand. Chair Learned asks for public comment.

John Herzan, New Haven Preservation Trust (NHPT), 35 Flying Point Road, Branford

Mr. Herzan asks about the window frame and if the replacement window has the same frame thickness.

Russ Ekstrom, 194 Potter Hill Road, Westerly, RI

Mr. Ekstrom comments that he submitted an application to have five replacement windows done in the City Point District and wants to emphasize that Andersen has a hard time with using historic materials. He had to re-present his application with more accurate materials which he thinks is what is needed for this situation.

Mr. Desmarais shows the technical specifications of their proposed windows but does not have measurements for the existing windows. Chair Learned asks for Commissioner discussion. Commissioner Christopher comments that the information presented is unclear as the presentation was about what the window might look like, and he is not comfortable approving it without that specific information. Commissioner Godshall comments that the consistency of the look of the five replaced windows with the remaining ones needs to be considered. Commissioner Munday adds that the angle of the windows on the side wall and the consistency may not be as noticeable. He also thinks the windowsill should be wood.

Chair Learned moves to continue the application to the next meeting with the request that the Commission gets specific dimensions of the current windows and the proposed replacement windows; the sill replacement should be wood; and extraneous information should be removed from the application.

Commissioner Godshall seconds.

Commissioner Benoit and Learned will not vote so only five commissioners will vote.

All in favor at 7:57.

Motion passes.

2.2 23-09-CA 524-526 Chapel Street (MBLU: 207 0543 01300, 207 0543 01200) Wooster

Square Local Historic District. Owner: Besa LLC. Applicant: Gerardo Panico. Seeking approval to construct a new entry deck at the east elevation with 4 new exterior doors, repair the railing at the front façade, and replace windows at the east, west, and south elevations

Gerry Panico, 62 Platt Lane, Milford

Mr. Panico presents his application for this existing mixed-use building (former funeral home and Mayor's residence). The plan is to convert the property to four residences and keep an office in the front. He shows existing and proposed photos including a new entry deck consolidating all of the entrances in one area. The deck material will look like wood (Trex) and the railing will be black iron which will also be on the front (restoring what is currently there). They are also proposing to replace a window on the front to look residential but not alter the opening. Proposed work on the parking lot is being reviewed by the Site Planning Commission to consolidate the entrances to the lot into one and add a grass area between the sidewalk and the lot. The windows on the house will be replaced without changing the openings' size. Metal windows on the side will be replaced by Andersen casement windows. He shows the window schedule which proposes Andersen 400 series windows.

Chair Learned asks about the photo of the west side of the building where the siding looks partially removed and asks what Mr. Panico means by restoring the siding. Mr. Panico clarifies it is brick underneath, but they are restoring the vinyl siding. Chair Learned asks about the material specs missing from the window schedule. Mr. Panico replies that is a composite PVC material. Commissioner Godshall asks about specifications for the metal railing. Mr. Panico shows the specifications for the Julius Blum cast iron rail. Railings will be wherever there are steps with a flat rail at the bottom and handrail at the top. He shows the drawing of the detail at the end of the railing. Commissioner Munday comments that it will be difficult to match the vinyl siding. He asks if they will be replacing the front columns. Mr. Panico says no. Commissioner Munday asks if he knows about the evolution of the building, especially the front entry. Mr. Panico does not. Commissioner Godshall asks about the front step railing which is different and if they considered extending it around to where the current one is dented. Mr. Panico says no and that they will repair that railing in front. Commissioner Munday asks about the treatment of the brick and if it will be painted. Mr. Panico says they will not paint. Chair Learned opens up the public comment period.

John Herzan, New Haven Preservation Trust (NHPT), 35 Flying Point Road, Branford

Mr. Herzan comments about the design of the window replacements which he finds concerning. The profile of the Italianate roof from the late 19th century does not match with the Colonial Revival replacement window. He recommends a two-over-two window which

would match better with the original style of the building. He is glad they want to restore the front railing. He is unsure what the best solution is for the brick addition windows but also advises against the Colonial Revival style window.

Chair Learned asks for Commissioner discussion. Commissioner Valentino comments that this application is a tricky one because of the addition added to an older structure. Chair Learned agrees that it is a challenging situation because it has materials that would not have been approved by the Commission and the proposed application goes further in the opposite direction of restoring it back to historic condition. Commissioner Munday agrees that it is a difficult situation, but it is positive it is being cared for and used and it's the Commission's responsibility to control some of what is happening. He thinks Mr. Herzan's suggestion about windows does tie it back to its history and some additional suggestions would have a positive effect as well. Chair Learned adds that she is seeing a renovation specifically to optimize tenant occupancy; vinyl siding is past its useful life and there has been no proposal for restoring brick. Overall, it's taking it one more step away from a restoration of its historic materials. Mr. Panico explains that the brick will be restored near the railing. Chair Learned replies that there are lots of places where the brick is in poor condition. Commissioner Godshall comments that the new deck is visible from the street, and she thinks that it should all be wood (like the columns and roof are) since Trex which will age differently than wood. It would be an additional upgrade to use wood rather than plastic. Mr. Panico replies that it would require maintenance and be more expensive, but he can present that to his client. Chair Learned adds that it is hard for the Commission to approve a composite deck material on failing vinyl siding with proposed replacement windows in a place like Wooster Square where many of the buildings have their historic materials. Mr. Herzan adds the door replacements could also be more in line with Italianate style. Chair Learned summarizes the concerns and recommendations she has heard.

Chair Learned moves to continue the application to the next meeting and ask that the applicant bring additional information that has been requested.

Commissioner Valentino seconds.

Commissioner Munday comments about the 1950 addition and that should be incorporated into the design after researching the origin.

Commissioners Godshall and Munday will not vote so only five commissioners will vote.

Commissioners Learned, Christopher, Valentino, and Jenkins in favor.

Opposed Benoit.

Motion passes 4-1 at 8:54.

2.3 23-10-CA 63 Howard Avenue (MBLU: 233 0003 01500) City Point Local Historic District. Owner: 63 Howard LLC. Applicant: Russ Ekstrom. Seeking approval to demolish outbuilding - garage.

Russ Ekstrom, 194 Potter Hill Road, Westerly, RI

Mr. Ekstrom explains for this application that the garage in question is not listed as contributing to the district and has several modern replacement materials. The garage is actually located on Sea Street. The house was built in 1910 and the garage was added in 1935. It is in serious disrepair and may be unsafe. Their insurance has recently been cancelled on their property because of this structure. An inspector submitted a report as part of their application. The original façade was removed, and an addition was added at some point to fit a car inside but it is not attached or supported structurally. They plan to remove the structure and return the area to lawn and parking spaces for the tenants. He shows photos of the garage and adjacent neighbor's house, which is very close. He shows photos of the vegetation taking over the back, which he explains they have trimmed back in the past, but it got unmanageable. He shows a garage similar to his nearby. He presents the most recent inspector's report which includes interior roof photos to show the instability. Overall, he feels there are few original elements left to preserve.

Chair Learned asks for questions from the Commission. There are none. She opens it up to the public.

John Herzan, New Haven Preservation Trust (NHPT), 35 Flying Point Road, Branford

Mr. Herzan comments that the doors have an original look to them and suggests that a salvage company like Urban Miners would want them for reuse.

Anna Mariotti, 75 Sea Street

Ms. Mariotti supports this application because previous ownership has maintained the garage, and it is bowing out into their driveway. She does not feel like it is historic preservation to save this building.

Aaron Kotowski, 75 Sea Street

Mr. Kotowski speaks in support of the application and Mr. Ekstrom. He feels it has been a case of demolition by neglect since they moved in next door in 2006. The previous owner was elderly and not able to take care of the property. He adds that the vinyl siding placed vertically is defeating the purpose.

Chair Learned asks for Commissioner discussion. Commissioner Christopher asks for clarity and if the Commission would approve the demolition and why would they support that. Commissioner Valentino reiterates the public comments that the previous ownership neglected the building and that fixing it would be too cost prohibitive and so now that it is

unsafe, it needs to be taken down. Mr. Ekstrom adds that when he bought the house in 2015, he was told it had to come down at that time and it couldn't be saved due to a variety of structural issues. Commissioner Christopher adds that he is trying to understand at what level of neglect necessitates it being torn down. Chair Learned reiterates that Mr. Ekstrom has lost his insurance due to it being deemed unsafe. Commissioner Godshall raises that the alternative would be essentially a new building which would also come before the Commission so there is no viable alternative. Commissioner Benoit adds that the original structure is unsuitable for a garage due to its size so it would also be asking him to create something useless for his property.

Commissioner Valentino moves to approve the application.

Commissioner Godshall seconds.

Commissioners Learned and Benoit will not vote so only five commissioners will vote.

All in favor at 9:26.

Motion passes.

2.4 23-11-CA 515 Quinnipiac Avenue (MBLU: 092 1002 01500) Quinnipiac River Local Historic District. Owner: Real Estate Group XIV DE LLC. Applicant: Esteban Perez. Seeking approval to demolish outbuilding – barn

Esteban Perez, no address given

Mr. Perez is the contractor for the owner. He describes the two-family house with a barn addition on the back which is the part proposed for demolition. He was asked to look at the structure by the city's demolition inspector (Mr. Romero) and later found the demolition request from 2018 to the Commission. He says the slate roof is damaged, the structure is fenced around for safety and that it is way past the time it was last maintained.

Chair Learned asks about the conversations with Mr. Romero from the city. Mr. Perez explains that Living Cities Initiative (LCI) staff and Mr. Romero put him in touch with Fatima because fixing it would be expensive and difficult. He is also unsure about asbestos and contamination issues. Chair Learned explains this is the third request for demolition that has come before the Commission during her tenure. The applications were denied, and the directive was to secure the property structurally and to stop the demolition by neglect which has not happened.

John Herzan, New Haven Preservation Trust (NHPT), 35 Flying Point Road, Branford

Mr. Herzan asks if there had been any attempt to document the building. (Chair Learned replies that was not a previous stipulation, and she is unsure if it is safe enough to do so.

Mr. Ward is asked if the Commission has the authority to ask for documentation. Mr. Ward replies that the request could be made.)

Oliver Gaffney, 210 Lenox Street

Mr. Gaffney comments that the owner, Mandy Management, owns 150 properties in New Haven. He can see this property from his back yard and has been disappointed to watch it go down, though it is a testament to the original structure which was well-designed. Mandy Management bought the property four years ago and Mr. Gaffney has not seen further action regarding the demand for a structural engineer report. He asks if the Commission would consider fines and quotes a related section of the ordinance for local historic districts.

Chris Ozyck, 603 Quinnipiac Avenue

Mr. Ozyck agrees with Mr. Gaffney. He has sent the city many violations about this property due to its state of disrepair. On October 4th he sent one to city officials regarding illegal window replacements. He believes the owner knows there won't be oversight or enforcement. He thinks the building would make a great accessory dwelling unit. He adds that it is very visible from the street and represents a structure that there are few of left. He implores the Commission to think about how to save this building and all the ones the entity owns within the neighborhood.

Chair Learned closes public comment and opens it to Commissioner discussion.

Commissioner Godshall comments that her and NHPT have had the most direct involvement with this issue since the first time it came before the Commission. NHPT worked with the owners to restore the carriage house and to avoid doing that they sold it. This Commission made the point then that it was disingenuous to say it was all of the sudden falling apart since the previous owner did not do anything to maintain the structure. The current owner got it four years ago and has not done anything about it. She thinks the Commission has a history of insisting they fix it, and it should stick to that. Chair Learned adds they have not seen a structural report and that the application only has interior views and no exterior views which takes away from the understanding of the architectural character. Mr. Ward asks if the current owner bought it with the Commission's stipulations on the land record. Chair Learned replies yes. Mr. Ward thinks that is significant. Chair Learned adds that this structure will be missed, it's not a generic structure. Commissioner Benoit does not see how the Commission can approve something that was ordered in the past and ignored. This essentially sends the message that if an applicant ignores the Commission long enough, their request will eventually get approved. Commissioner Valentino comments that the owner, Mandy Management, purchases a property and the quality of that building declines over time. He asks if there is a way to hold a for-profit company landlord to a different standard. He adds that he is unsure why it's been presented

without photos or previous requests met. Commissioner Jenkins replies to Commissioner Valentino that she appreciates his comment, but she is not sure its relevant for this discussion to hold a slumlord to a higher standard. She thinks the issue now is that the structure has been allowed to deteriorate without accountability. Commissioner Valentino replies that Mandy Management is consistently adding to their portfolio; they have money to purchase more but not to renovate what they have which is demolition by neglect. Commissioner Jenkins replies that it's two separate issues and that taking on a landlord's entity as a whole is not the purpose of the Commission. She doesn't understand how it got this far and that the owner needs to come before the Commission before moving forward. Commissioner Munday does not believe the Commission needs to ask for more information.

Commissioner Munday moves to deny the application.

Commissioners Valentino and Benoit second.

Commissioners Godshall and Learned will not vote so only five commissioners will vote.

All in favor at 9:54.

Motion passes.

3. Discussion Items

3.1 79 Lawrence Street- Enforcement Update

Ms. Cecunjanin explains the history of the situation in which the owner did not do what was stated in the demolition permit. The building official is going to hold off providing a Certificate of Occupancy until the applicant does another 90-day delay. Mr. Ward adds that it is the best they could get out of the situation. Commissioner Godshall replies that they did not violate the delay, they violated the terms and the building permit. She adds that a loud music fine is \$1,000 and this one was \$100. This enforcement is not worth as much as a higher fine would be. Mr. Ward says not occupying it for the delay period would cost him more than the fine. Commissioner Godshall asks if that means he can't work on it for 90 days. Mr. Ward will get further clarification. Ms. Cecunjanin notes that the owner is in the meeting. Chair Learned states that typically there is no public comment on discussion items.

3.2. Approve 2024 HDC Calendar

Ms. Cecunjanin checked the calendar for holidays conflicts, so she is asking the Commission to approve the calendar at some point. Ms. Brown has not had a chance to check in with other boards and commissions so it may be worthwhile to do that before a vote.

4. Minutes

4.1 Approval of September 13, 2023 Meeting Minutes

Chair Learned makes a motion to approve minutes with one correction.

Commissioner Munday seconds.

Commissioners Learned, Christopher, Godshall, Munday, and Valentino in favor.

Benoit abstains.

Motion passes at 10:09

5. New Business

Commissioner Christopher makes a motion to adjourn.

Commissioner Munday seconds.

All in favor at 10:10.

Motion Passes.

Respectfully submitted by Jordan Sorensen, recorder.