

NEW HAVEN HISTORIC DISTRICT COMMISSION

Wednesday, August 11, 2021, Regular Meeting, 7:00 PM

Location: Web-based meeting via Zoom

Commissioner Trina Learned calls to order the public hearing at 7:00.

In attendance: William Long (Deputy Director of Zoning), Maya Vardi (City Plan, Staff to the Historic District Commission, Planner II), Aicha Woods (City Plan, Executive Director), John Ward (Special Counsel to Economic Development Administrator), Trina Learned (Commissioner and Chair), Tom Kimberly (Commissioner and Clerk), Susan Godshall (Commissioner), Dylan Christopher (Commissioner), Doug Royalty (Commissioner), Karen Jenkins (Commissioner), Elizabeth Holt (New Haven Preservation Trust)

1. Commissioner 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.

2. Continued Public Hearing

2.1 21-02-CA Owner: Sarah Jepsen, Agent: Richard Freeman. Seeking approval for replacement of 10 existing windows at 593 Chapel Street (MBLU:208 054901802), Wooster Square Local Historic District.

Commissioner Learned announces that this item will be continued at the next regularly scheduled meeting. Commissioner Godshall questions about the executive order 7B and how long the Commission can continue this item. Ms. Vardi explains that the executive orders expired on July 1, 2021, but this application still applies under the 90-day extension because it was submitted when the executive order was still in place. That will expire on October 15th.

3. Administrative Action

3.1 Owner: Real Estate Group XIV, LLC. Agent: Andrew Rizzo. In accordance to the Historic District Commission's Role of Procedures, page 2, Sec. C(2) the Commission must determine whether pertinent changes were made to the design considering a

similar application was previously denied at 515 Quinnipiac Avenue. (MBLU: 092 1002 01500), Quinnipiac River Local Historic District.

Mr. Long reminds the Commission of the situation, which is that staff did not find a difference in the current application from the previously denied application, but they request the Commission to vote on this matter. Mr. Ward explains further that a vote by the Commission would be a better determination than by staff. Commissioner Learned summarizes that the Commission has been given the application with all the information and staff has recommended that the application did not vary from the previous one that was denied. She determines the Commission should act by making a motion, having discussion, and passing, or not passing, the motion to conclude if this was a matter previously decided in 2018.

Commissioner Godshall makes a motion that the proposed application for a Certificate of Appropriateness for demolition of the rear building at 515 Quinnipiac Avenue is inappropriate in that demolition was previously denied and there are no changes from the prior application as set forth in section C-2 of the Historic District Commission rules of procedure.

**Commissioner Kimberly seconds.
All in favor at 7:18.
One abstention: Commission Christopher.**

4. Discussion

4.1 HDC Rules of procedures updates- Noticing requirements for Applications for Certificate of Appropriateness

Mr. Long reports that staff has been reviewing procedures and he wanted to raise the topic of noticing requirements. Requirements for all Certificate of Appropriateness applications say that staff will send public notification to all property owners within 200 feet. He asks for the Commission's opinion on this requirement because staff suggests moving away from that and just requiring the owner post a sign visible from public right of away about the public meeting. He feels a sign would better inform surrounding residents, like renters and not just property owners who may not get the notice in the mail.

Commissioner Learned explains that Local Historic Districts are like property owner associations because they are voted in by a percentage of owners, so the relevance of the notices is for property owners specifically. Any member of public welcome at meetings.

Commissioner Royalty explains mailing the letters has a community benefit because in a mixed neighborhood, including absentee landlords with renters, a sign would not notify the owner and they are the ones with the most interest. Commissioner Kimberly suggests doing both by making it part of the application. Ms. Woods clarifies about procedure versus ordinance stating they have been following notification requirements per ordinance, but this is procedural practice.

Commissioner Learned would like to think about this, gather more information and put it on the next agenda. She adds that the Commission comes under criticism or misinformation about motives or processes, so the more information brought to the community the better it serves them. She would also like to know more about requirements and accepted procedures. She adds she is unsure what would be posted on a sign. Mr. Long clarifies the information that would be on the sign which would include the date and time of the public meeting and the city website. Commissioner Royalty has seen this in practice and would agree to do both. Commissioner Learned would like this item to be put on the agenda of the next regularly scheduled meeting for discussion.

4.2 Section 106:

- **Guidelines from SHPO regarding installation of wireless communication facilities on Historic Resources**

Marena Wisniewski, Environmental Reviewer and State Register Coordinator at the State Historic Preservation Office (SHPO), 450 Columbus Boulevard, Suite 5, Hartford, CT

Commissioner Learned introduces Ms. Wisniewski who will explain SHPO's perspective on guidelines for how the Commission should think about wireless communication facilities and historic resources and information that will help them evaluate the requests. Ms. Wisniewski presents about the FCC and telecommunications, her role in reviewing and the Commission's role for reviewing. She explains what the SHPO is and what they do in terms of federal and state responsibilities, including Section 106 review. She explains that the FCC has two forms of National Programmatic Agreements: 620- New towers and 621- Collocations and that all projects are required to have a finding of No Historic Properties Affected, No Adverse Effect, Conditional No Adverse Effect, or Adverse Effect. The Historic District Commission

has the role of an Interested Party. The goal for Section 106 Review is to reach out to as many interested parties as possible for consultation which includes Certified Local Governments as local input which is critical to the process. The Commission does not serve a regulatory role but are responsible for commenting on projects within a 30-day period. She explains what SHPO looks for in the plans. Typically, the packet sent to them includes a site plan, elevations, existing and proposed conditions. They look for a historic property in the Area of Potential Effect and if the plans affect seven aspects of integrity: location, design, setting, materials, workmanship, feeling and association. SHPO can ask for more information like a photo simulation. She shows an example at 780 State Street when she requested a photo simulation, and she found some issues which resulted in asking the applicant to revise the design. If the applicant cannot revise the design, the finding is an adverse effect. She shares another example from Bethlehem which resulted in an adverse effect. The outcome is that the applicant must prove why they have no alternatives and develop appropriate mitigation measures.

Mr. Long asks about impacting the seven aspects of integrity. Ms. Wisniewski explains that they usually deal with visual impacts which would impact setting, feeling and association but it can be one or more of the aspects. No matter what, if the integrity is affected, it is impacting the significance of the building.

Commissioner Learned asks if the Commission's role is to advocate for change, opine, or is there a direct expectation. Ms. Wisniewski answers that the Commission's role is to comment if they feel the need to but it is not obligatory under the Certified Local Government status. Commissioner Learned replies that they do have a regulatory role if it happens within a Local Historic District because they would have to apply for a Certificate of Appropriateness. Ms. Woods replies that Section 106 requests are not a regulatory role for the Commission because it happens at a federal level. Commissioner Royalty comments about the difficulty with Section 106 cases for a couple reasons. First, it's often unclear where in the process the application is when it comes before Commission, often at tail end of comment period, if not past. Second, there is no indication where SHPO is in their review process. He also asks what impact the Commission will have where in general there is not an adverse effect. Ms. Wisniewski replies the Commission has 30 days to comment. If requests

are not received in an appropriate amount of time, the contact information should be updated. Digital submittals are an option and may be best way to receive and distribute. She adds there is not a solution in terms of the timing and where SHPO is in the process because it is sent at the impetus of the consultant working on behalf of FCC. She suggests that the Commission consider making comments in between meetings and having staff draft the response. The Commission's comments will be considered, and it is important to be a part of that process. Commissioner Royalty asks about the comments in terms of helping with mitigation and Ms. Wisniewski responds that it is important for a local stakeholder to be involved.

Mr. Long asks about getting the Section 106 requests via email. Ms. Woods says she usually gets them by mail, late in the commenting period, or by email with little information attached.

- **265 College Street- Proposal to collocate antennas at heights not to exceed 179 feet on an existing 196-foot building. Deadline for comments: August 30, 2021**

Ms. Vardi explains the Section 106 review request for comments for 265 College Street (Taft Hotel) which came in on July 30, 2021. She shows maps of the location of the site, aerial photo, current street views and roof and elevation site plans and explains the details of the plan and antenna heights proposed.

Commissioner Learned asks about when the equipment was first installed, and Ms. Vardi says she is unsure. Commissioner Learned comments about the vistas from other buildings that make the rooftop a bit more public, yet this building has a high parapet. Commissioner Godshall asks about any additional equipment in the street view from the corner of College and Chapel because it appears six more antennas are proposed.

Commissioner Learned notices that from College Street there would be only a pedestrian view, as a driver would have to be driving the wrong way on the one-way street to see it. She feels it could be worth commenting about a redesign that sets the antennas back from the parapet. She goes on that historic feature vistas are part of integrity of this building with its location on the green and streets running alongside the green. Commissioner Royalty comments that the applicant is saying not to exceed 179 feet on 196 foot building which is deceptive because it would be up and over the parapet. He agrees with the idea of moving

back the equipment, which would not likely lose a signal, would improve the view of an iconic historic hotel. He thinks the integrity of the building is lessened by cellular equipment. Commissioner Learned explains the building was designed with a parapet to hide whatever was there intentionally and equipment climbing up over the wall is unfortunate.

Commissioner Godshall agrees and raises asking specifically for a photo simulation.

Commissioner Royalty also adds it would be useful to know where SHPO is in their review because they may have already requested that information.

Ms. Vardi says the Commission has until August 30, 2021 but the next meeting is September.

Mr. Long adds that the Commission could make comments and suggest SHPO get additional information. Commissioner Learned summarizes the comment could say that the

Commission thinks there is an adverse effect based on information provided. Ms Vardi reminds the Commission that the comments do not go to SHPO but to the applicant. Ms.

Woods reiterates the Commission that they are offering local expertise and providing comment but not making a determination. Commissioner Christopher asks if there is particular view or façade where the Commission wants to see integrity maintained or if it's the whole building. Commissioner Learned replies that three sides are affected but perhaps not the south side which is not a formal façade. From the information provided, it looks like it will impact views from College Street and upper Chapel Street. Even though the south facade is utilitarian, she does not want to imply they should put all the equipment there.

The Commission makes a consensus about submitting comments for the proposed installation and staff will draft the comments.

- **414 Chapel Street- Proposed telecommunications facility installation. Deadline for comments: September 2, 2021**

Ms. Vardi shares the details for the next project and shows aerial views indicating the location, elevation photos/street views of the building, and plans. Commissioner Godshall comments that she goes by building frequently. It is surrounded by the highway, the public works building on another and another new building on East and Chapel Street. She adds there are no residences within a couple blocks. Commissioner Learned recalls it is an industrial site, which are still important resources, but it also not a permanent alternation. She asks what the building use is. Ms. Woods replies the building is currently offices but

converting to residential according to a site plan application. Commissioner Royalty adds that he is certain the Commission has seen telecom proposals for this property, and they exist on the building, but the elevation drawing suggests there is nothing existing. Also, he agrees the area seems more appropriate for this sort of proposal. Commissioner Christopher adds that he has seen false brick shrouds that conceal these kinds of installations. He knows of an example in Wooster Square that looks like a chimney, but it is really paper material. Commissioner Learned adds the highway puts this at eye level. She asks if the Commission would like to submit comments or request more information but there is no consensus for either.

4.3 Guidelines for Applicants: Examples from Springfield Historical Commission, Springfield, Massachusetts.

Commissioner Kimberly explains he did some research about satellite dishes and window replacement guidelines and he found an example from Springfield which is user friendly and simple. For windows, for example, it includes clear categories with examples and companies that did the work, making it concrete about what the expectations are. Commissioner Godshall expressed that the document was personable and thoughtfully put together.

Commissioner Learned says the Commission's guidelines can be amended to strengthen and clarify them. Commissioner Royalty agrees that there is a need to update the guidelines and suggests the Commission itself could do some work to get it started. Commissioner Learned wants to think about looking for staff and grant resources to do the work so as not to overwork the Commission. Commissioner Royalty suggests that Certified Local Government grants may be available to hire a consultant for the work. Ms. Woods says they will look at those opportunities and how to be more inclusive. She adds the website for Springfield's guidelines is also user friendly and helpful.

5. Approval of Draft Meeting Minutes- 7/29//2021

There is no motion to approve the minutes so Commissioner Learned recommends tabling the approval of the minutes until the next meeting.

6. New Business

Commissioner Jenkins raises two issues: how many meetings a commissioner can miss and the status of 342 Greene Street, a house in Wooster Square where the porch is falling off. Commissioner Learned asks if staff can research updates on the Greene Street house. Commissioner Jenkins would like the owner to be invited back. Ms. Vardi has reached out and invited him to come back but did not get a reply. She would like to research the property before reaching out again. Commissioner Learned asks staff to investigate rules about absentee Commissioners.

Commissioner Godshall moves to adjourn.
Commissioner Kimberly seconds.
All in favor 8:50.

Respectfully submitted by Jordan Sorensen, recorder.