

NEW HAVEN HISTORIC DISTRICT COMMISSION

Wednesday, November 9, 2022, Regular Meeting, 7:00 PM

Location: Web-based meeting via Zoom

**Chair Trina Learned calls to order the public hearing at 7:03pm.**

**In attendance:** Laura Brown (City Plan Director), Donna Hall (Planner II), Fatima Cecunjanin (Staff to the Historic District Commission, Planner II), John Ward (Special Counsel to Economic Development), Trina Learned (Commissioner and Chair), Susan Godshall (Commissioner), Tom Kimberly (Commissioner and Clerk), Doug Royalty (Commissioner), Richard Munday (Commissioner), Dylan Christopher (Commissioner), David Valentino (Commissioner, non-voting at this meeting), Sarah Tisdale (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 22-18-CA 68 Front Street (MBLU: 162/ 0728/ 00607) Quinnipiac Avenue Local Historic District. Owner: Kathleen N Williams. Seeking approval to replace 6 windows.**

*Oded Light, 200 Elm Street, North Haven*

Mr. Light is representing the owner and works for Home Depot. This property is an apartment building built in 1986 on Front Street and is 3 stories high. He shows a photo of 2 vinyl windows that have already been replaced on this unit. The windows proposed are exactly the same double hung vinyl windows. He explains that if the six over one grid is required, they can do that for the proposed windows too.

Chair Learned asks to clarify why the windows are not being replaced with wood. Mr. Light explains that many wood windows are clad with an aluminum or vinyl exterior. The owner is

replacing because the windows do not work well and are drafty. Chair Learned explains that vinyl windows are not the preference of the Commission. She asks about the grid configuration. Mr. Light replies that the majority of the current windows do not have grids but the original windows when it was built did have that configuration. He adds that he could do an Andersen window, but it will also look like vinyl. Chair Learned asks for a spec sheet and asks for dimensions of the grid pattern. She explains that the Commission needs to see measurements and details about the proposed windows. Chair Learned reiterates that vinyl is not compatible with the district and the ones that have been previously replaced did not come before the Commission. Ms. Hall gives some context for the application. The condos were part of a planned development district (PDD) which gives the city extra design authority. She pulled plans to discern what the design intent at the time was. In the plans the original windows were six-over-one with removable grills. These types of windows were quickly disqualified in historic districts because of the ability to remove the grills. Ms. Hall hopes for a compromise to reach some sort of consistency so that it is easier for applicants and Commission to make decisions for window replacement on condos in the future. Chair Learned asked if in the PDD the windows were vinyl or wood. Commissioner Kimberly raises a past situation at a condo nearby the window approval was a homeowner's association (HOA) decision. Commissioner Godshall asks how many of the windows are the originals from 1986. Ms. Hall replies that it is difficult to discern what is new or original because people have removed their grills. She reads the window schedule which called for various sizes of double hung windows in primed wood, aluminum, alternate exterior cladding, and snap in grills. Commissioner Godshall adds that vinyl windows change the dimension of glass area so that could make it easier to tell what has been replaced. Ms. Hall explains that the buildings are so large that it is hard to determine. Commissioner Godshall asks the applicant if the amount of glass in the proposed windows is the same as now. Mr. Light says that there is a quarter of an inch difference. Chair Learned opens it to public comment.

***David Valentino, 95 Howard Street***

Mr. Valentino comments that if there is a homeowner's association that could have by-laws set up for this sort of situation, using a history of what has been done as a precedent.

*Sarah Tisdale, New Haven Preservation Trust, 922 State Street*

Ms. Tisdale references the Secretary of the Interior Standards (SOIS) which are geared toward historic buildings but do mention that it is not recommended for replacement materials to not match so wood or metal cladded wood would be recommended. A previously approved application at 60 Front Street proposed a fibrex wood composite window with a six over one divided light.

Chair Learned opens it up to Commissioner discussion. Commissioner Godshall comments that this raises a larger issue about condominium ownership and consistency across multiple owners. Chair Learned there have been instances where the HOA has weighed in.

Commissioner Munday comments that the proposed window material is not consistent with the district, and it is unclear what the HOA requires, so he is not sure about determining its appropriateness. Commissioner Christopher comments about the flawed nature of original intent and it makes this hard to navigate. Chair Learned comments that other associations have had similar dilemmas, like one in Wooster Square, but the owners felt their windows needed to be replaced and came as an HOA with an architect in front of the Commission. The Commission gave a recommendation, and it allowed the homeowners to know what the goal was for a cohesive design. She adds that having an application that is not in keeping with everything else without understanding the context of the HOA is problematic.

Mr. Light explains the hard financial situation the applicant is in. He also explains that Home Depot got HOA approval as well and they required that the window comply with the style of the existing and that the installer was licensed and insured but they don't require a permit. Commissioner Godshall comments that it is problematic that the window vendor made the presentation, and it would be nice if the owner attended or at least submitted a statement of intent.

**Commissioner Godshall makes a motion to table this item until next meeting when the applicant can return with more details about how the proposed window compares to others in the building, specifically in terms of materials, amount of glass, and dimensions of sash and muntins.**

**Commissioner Kimberly seconds.**

*Commissioner Godshall clarifies that she is not asking city staff to do a count all along Front Street but just to see comparable windows for this structure or block.*

**Commissioner Royalty withdraws his voting status to achieve a five only vote.**

**All in favor at 7:56.**

**Motion passes.**

### **3. Discussion Items**

#### **3.1 Front Street Condos**

Ms. Cecunjanin explains that this item continues the discussion from the previous application tonight. Commissioner Kimberly explains that a previous application from an HOA established the standard on garage doors for that property. Commissioner Munday thinks it should be the HOA that submits the application and not an individual homeowner. Commissioner Godshall comments that HOAs have different by-laws, like some require windows can't be replaced without the approval of the board. Chair Learned adds that the Front Street condo added wood balconies were not consistent with other parts of the complex as well. This is leading to the degradation of the complex and lowering of property values since it is not keeping with its original design which is not helping to preserve the district around it. Another issue is vendors acting on the behalf of owners in presentations because of their conflict of interest, especially without the owner. Commissioner Godshall asks how the previous item came to the attention of the city. Ms. Hall explains that Home Depot applied for a building permit for window replacement. She adds that it is not clear to her that the condo association understands they are in a historic district. Staff would like to meet with the condo association to make them aware of the PDD and agree on acceptable materials and dimensions for replacement going forward. Chair Learned raises that there is a danger in an approved application from the Commission being used by the HOA as leverage.

#### **3.2 90 Day Delay of Demolition: 79 Lawrence Street**

##### ***Sachin Anand, 79 Lawrence Street***

Mr. Anand is here to answer questions. Commissioner Kimberly describes the proposed demolition of the property, a contributing resource to a National Register Historic District. The

building is a former church, and the proposed demolition includes removing the roof, front and rear facades to first floor ceiling height, a 30-foot-wide concrete step and porch, chimney down to the eave, and two other porches. The building will be repurposed for residential use by adding two additional floors. Commissioner Godshall adds that the New Haven Preservation Trust has had extensive discussion within their preservation committee and with the owner's representation about this project. She believes the 90-day delay has not started. Over the years, significant changes have been made to all publicly visible elevations which have covered the original church windows and architectural features. Mr. Anand says the current siding is vinyl and the windows are damaged. Commissioner Godshall replies that the committee asked for the arched windows to be restored but what was presented were the small arched windows. Mr. Anand said they used what was existing for the design.

Ms. Tisdale references the SOIS for rehabilitation about preserving architectural features when repurposing a building. Distinctive features of the building are its long-arched window openings, brick arched entrance and chimney. The Trust felt those features could be incorporated into the design. While the Trust appreciates Mr. Anand pulling in elements, they do not agree with reconstructing and recreating in a different way instead of using the existing fabric. Ms. Tisdale says she visited yesterday, and wood cladding is underneath the vinyl. Mr. Anand has a letter from his engineer about his determination how they cannot save the façade because it is unsafe and will send it to city staff.

Chair Learned comments that the proposed large massing is unrelated to other massing on Lawrence Street which is inappropriate. If the objective was to save some of the structure, it is unclear how that is happening from drawings. She clarifies the role of the Commission because New Haven is a Certified Local Government which means the Commission can express an opinion about proposed demolitions under the delay ordinance. Commissioner Royalty states his opposition to demolishing contributing structures with National Register Historic Districts and that incorporating elements of demolished buildings into a new building is not mitigation for the demolition of that resource. He questions whether the resource has enough integrity as this point to contribute to the historic district. Commissioner Christopher comments that from looking at a street view it seems there is an opportunity to preserve the building and also add units to it in some way. Chair Learned explains that if the Commission decides to write a letter, it will include

the points brought up by the Commission and that the objective of the owners can be accomplished without demolishing. Commissioner Godshall suggests seeing available photos so the Commission can determine if it is still contributing to the district. She asks how the site plan review intersects with demolition delay properties. Ms. Brown replies that site plan review does not require the Commission's review, but it could if other actions were required. The site plan review was approved. Ms. Hall explains that the demo delay ordinance is meant to give notice, but it does not give authority to stop a demolition. In this case where the building is outside of a local historic district and site plan review is on a parallel track, it is not a design review. Commissioner Godshall asks if the site plan is fully approved, why is it in front of Commission. Ms. Hall replies because the ordinance requires it. Ms. Brown adds that the ordinance allows for potential mitigation because in this case the site plan has been approved.

Chair Learned asks what the Commission would like to do, like write a letter or request mitigation. She thinks that mitigation may not apply because there may not be enough integrity left. Commissioner Godshall replies that a deeper explanation of the relationship between demolition delay and site plan review would be helpful for future discussion.

### **3.3 Small Cell Antenna Installation Standards**

Ms. Cecunjanin explains that the standards have been updated and Dean Mack has a presentation.

#### ***Dean Mack, 360 State Street, Apt 804 (City Staff, Economic Development)***

Mr. Mack presents about an agreement underway between large cities in Connecticut with 5G carriers that may result in more Certificates of Appropriateness (COA) in front of the Commission. 5G technology requires different type of antenna, mostly larger and on buildings or radio towers. Carriers need to provide antenna along the road as well which is already happening throughout city on utility poles and some underground. These antennae would be put on a light posts or light stanchions and there was no process to regulate those installations. The city is currently undergoing mediation with the 5G carriers to have a template agreement for obtaining permits for aesthetics. The agreement will create a new regulatory process, but the carrier will still need to come before Commission for a COA. Applications will propose the aesthetics, like size, general location, how many will be on a pole and where the powering equipment will be

located. The draft standards were sent to Commissioners. Ms. Hall adds that a reason it affects districts is because their boundaries expand into the street so some of the antennas would fall into those areas.

Commissioner Royalty asked if they will be installed on existing poles/structures or if there will be new ones. Mr. Mack replies that they will be installed on existing poles or will replace a pole which would match as much as possible. Commissioner Munday asks if there will be instances for providers to put antennae on buildings. Mr. Mack says these standards will not regulate that and carriers have the option to do that through a normal city process.

### **3.4 Annual meeting of the Commissioners**

Ms. Cecunjanin explains that in the local historic district ordinance, the Commission needs to meet once annually to set regular meeting schedule and to hold an election. Commissioner Kimberly is leaving so an election is needed to assign a new clerk. Ms. Hall explains that the procedures outline the way the annual meeting should run, and staff will circulate those procedures. Commissioner Godshall adds that other commissions have a nominating committee which is established before the election date, and they discuss positions with those who may take them. Ms. Brown says staff will send out responsibilities of roles and status of all Commissioners.

## **4. Minutes**

### **4.1 Approval of August 10, 2022 Meeting Minutes**

**Chair Learned makes a motion to approve minutes.**

**Commissioner Royalty seconds.**

**Commissioner Munday abstains.**

**All in favor at 9:11.**

**Motion passes.**

### **4.2 Approval of October 12, 2022 Meeting Minutes**

**Commissioner Godshall makes a motion to approve minutes.**

**Commissioner Learned seconds.**

**All in favor at 9:12.**

**Motion passes.**

**5. New Business**

Chair Learned asks for the Commissioners thoughts about returning to in person meetings. Ms. Hall adds that hybrid meetings are an option. Chair Learned adds that she feels Zoom meetings constrain the applicant's ability to communicate their application to the Commission. Commissioner Munday is in favor of being in person. Commissioner Valentino says that hybrid meetings are his preference. Commissioner Royalty agrees that face to face discussions are helpful but that Zoom meetings have made it more convenient for members of the public to participate. Ms. Hall comments that in person or hybrid would be helpful from the staff's perspective. Ms. Brown comments that she thinks the hybrid option is helpful for the general public. Commissioner Christopher asks what the other commissions are doing. Ms. Hall replies that the Board of Aldermen have returned to in person meetings, but Development, City Plan, and Board of Zoning Appeals are continuing virtually. No consensus reached.

Commissioner Kimberly reminds the Commission that it is his last meeting and expresses profound admiration and gratitude for the Commission members and Chair Learned. Chair Learned and Commissioner Godshall express gratitude for him as well.

**Commissioner Kimberly makes a motion to adjourn.**

**Commissioner Royalty seconds.**

**All in favor at 9:28.**

**Motion Passes.**

Respectfully submitted by Jordan Sorensen, recorder.