

**Historic Preservation Advisory Commission Meeting
Regular Meeting of February 16, 2010 7:00 pm**

The regular meeting of the Historic Preservation Advisory Commission took place on the above date. Chairwoman LeFrois read the Open Public Meeting Act and requested Board Secretary Mrs. Citterbart called the roll. Board Secretary Citterbart stated there was a quorum.

MEMBERS PRESENT: Mr. Kaplan, Mr. Read, Mr. Storm, Mr. Becker and Chairwoman LeFrois

EXCUSED: Mr. Wright, Mrs. Schulte

FLAG SALUTE

CONSIDERATION OF MINUTES

November 16, 2009

Mr. Storm made a motion to approve the November 16, 2010 minutes. Mr. Read second the motion.

AYE: Mr. Kaplan, Mr. Storm, Mr. Read, Chairwoman Le Frois

REORGANIZATION

Mr. Storm made a motion to nominate Helen LeFrois as Chairwoman for the year 2010. Mr. Read second the motion. The floor was open for discussion and closed. Mrs. LeFrois was approved by a unanimous "aye" vote.

Mr. Read made a motion to nominate Mr. Storm as Vice Chairman for the year 2010. Mr. Becker second the motion. The floor was open for discussion and closed. Mr. Storm was approved by a unanimous "aye" vote.

Mr. Storm made a motion to nominate Mrs. Citterbart as Board Secretary for the year 2010. Mr. Kaplan second the motion. The floor was open for discussion and closed. Mrs. Citterbart was approved by a unanimous "aye" vote.

APPROVAL OF MEETING DATES FOR 2010

Mr. Storm made a motion to approve meeting dates for 2010. Mr. Read second the motion. The floor was open for discussion and closed. The meeting dates were approved by a unanimous "aye" vote.

January 19, 2010
February 16, 2010
March 15, 2010
April 19, 2010
May 17, 2010
June 21, 2010
July 19, 2010
July 19, 2010
August 16, 2010
September 20, 2010
October 18, 2010
November 15, 2010
December 20, 2010
January 18, 2011

CORRESPONDENCE

Discussion ensued on the Satellite Ordinance. Mr. Kaplan stated: You have to change the ordinance to keep up with technology.

Chairwoman LeFrois stated: I have mentioned this to Tom. If we want to take this on because, this is no small feat. If you remember when Wayne was on the commission we talked about it extensively. How do we update our ordinance? I have often said that our ordinance is outdated. And it is a disservice not only to the applicants but to us trying to interpret the ordinance or make advice on the ordinance that our hands are tied. How many times can we say, "We understand your point, however?"

Mr. Storms interjected: Let say you go to that guy's house and you say ok you can't have satellite television and the guy goes I am getting a lawyer because I should be able to have satellite TV. Mr. Kaplan: But it is in our ordinance. Mr. Storm: I know, but then you are going to starting a big legal battle and cost a lot of money. Chairwoman LeFrois: Kathy, here is what you need to take back to Tom. We have just gone through the entire process of the neon signs which regards to those signs being removed or put out in accordance with our ordinance in the Historic District. The next issue is the satellite dishes. According to our Ordinance no structure within the Historic District can have a satellite dish that can be seen from the front view of the property or is visibly seen from the road.

Chairwoman LeFrois questioned: Is this an issue that we want to start tackling meaning utilizing the town's resources, a battle we want to take, and if it becomes a litigation issue is it something we are willing to fight? So if the answer is no to that then the next step would be an update to the Historical Ordinance. If the answer is we need to update the Historical Ordinance, then I would suggest that we go beyond that and do large updating and so what is our next step. We just went through two Historic Budget hearing and the Historic Commission's budget has remained the same. It is flat year after year but that \$1,000 sitting in the budget may or may not go very far relative to update the entire ordinance. So where does that fall in term of the priority in the master plan. This is more of a formal question back to Tom as opposed to just saying we have to talk about it. We have gone through the circulation plan, all the rezoning is done all adopted so this would be the next natural step.

Chairwoman LeFrois: Next thing is our budget. Our budget line is flat. So with regards to training or anything else we are good there.

Mr. Storm: We don't have to do any training this year? Did they send you something saying I want there at the camp?

Katherine Citterbart stated: I will check on this. I put it in the voucher but I don't know if they gave you a certificate or anything.

Chairwoman LeFrois: Does anyone recall is it annual training, bi annual training. Mr. Storm: I think it is annual training. Chairwoman LeFrois: We could come out one night and have a quick training if we don't have any applicants or a quick applicant. Katherine Citterbart asks: what type of training is it. Chairwoman LeFrois: Any kind Historical type training. Updates on clgs., etc.

Mr. Storm: It is an old subject and I don't know if I want to go there but it is the same thing as having two set standards if it is on the books either you enforce it or ignore it and then you are considered not doing your doing. I am talking about the Plaza sign. The ordinance sign originally abandonment sign after 90 days it was considered abandoned and then from what Debbie told me a couple of years when this all took place, three years in June, their attorney got an extension and gave them another nine months. So almost three years will be past come June and from what Debbie said and maybe we have had this conversation before and that is where I would need the council tie up that little loop hole that if Johnny was to go get a food handlers license and just open the door for one day and then he can shut it again then he would start all over which doesn't seem right. Chairwoman LeFrois stated: He actually has his food handling license and permits updated but go ahead. Mr. Storm: That is what I am getting at. The building has been closed for almost three years now. I am not talking about the awning he put up I am talking about the sign that is hanging on the building. I know we did it years ago with the Hendershot Drug or Newton Drug they went out of business and the sign stayed up for a long, long time. We ended up making them take it down. I was just curious because it is in the ordinance so you need to enforce it otherwise there are two sets of standards so evidently someone is turning their head and looking the other way. I am not just picking on John that is

the case. Mr. Storm: You can get a good handler's license but unless you open the door for business it doesn't mean anything. Mr. Storm: I think the Town needs to address that situation. Chairwoman LeFrois: Well I think the response we are going to get back is that the Town has discussed with our attorney's and our attorneys are saying that although the business is not open the business is still technically a bonafide business on the business on the books meaning it has all of its required permits, licenses, etc. Mr. Storm stated: But it is not in operation. So in other words someone can put up a sign saying I am in business and never open the door and as long as you buy a license every year you are good. It doesn't make sense to me. Mr. Kaplan stated: I know they go in there and stay for so long and then they left. They decide to not go through with it I know that happens. Mr. Storm: I don't know what the situation is. I have heard some rumors but that is not my business. Mr. Kaplan stated: They bought the diner in Branchville. Mr. Storm stated: Their business is probably worth less now because he sold the liquor license. It is just a building worth. There again it is a parking situation. Mr. Kaplan stated: I don't think he wants to sell the building, he just wants someone to rent the building. Mr. Storm stated: And keep the Plaza name. So if you wanted to start your own restaurant and you had a name you are not even going to look at that building. Maybe some people didn't like the reputation of that building. Mr. Kaplan stated: That is why the first guy that went in there had to keep the name and he failed. Chairwoman LeFrois asked: What is the action you want to take? Mr. Kaplan: We can talk to council but I think his argument is going to be as long as he is trying to sell the business he can keep the sign there. Mr. Storm: Then I think you have to go right back to the ordinance on the book if it is considered an abandoned sign because the business has been shut down. Chairwoman LeFrois stated: Kathy, the commission is making a formal request to council for an update with regards to the Plaza sign as it relates to enforcing the ordinance. So we are asking for an update and clarification as to what is going on with the business as it relates to the enforcement of the ordinance with the perceived abandoned business sign. Mr. Kaplan stated: I am asking that you close that loop hole as far as taking out a food handler's license and open the door for one day and then shutting it.

APPLICATIONS

John McChesney (HPC-01-2010)
Property Location: 16 Church Street
Block: 709, Lot: 9

Requesting to replace existing wooden entry steps with brick base and limestone steps, replace wooden rail with iron rail, add small entry lamp, and replace entry cover in kind.

Chairwoman asks Mr. McChesney to approach. We have already entered in to the record that the application is complete as presented so we have all received the application and the plans and told Mr. McChesney to give an overview or refer to the plans. This will go into the record of what you are intending to do on the subject property.

Mr. McChesney stated: I do not know if you get a good picture. I did a number of photographs.

Chairwoman LeFrois interjected: If the member of the commission will remember back in March 2007 we gave approval for some work to be done to the pediments that are on the front of the property. In addition to this Debbie put in there the stair were to remain as they were until a new plan was presented for repair or replacement. So that is where we are at now.

Mr. McChesney stated: He had the handrail issue to take care. Until I could up with a plan that would accomplish everything I like to do as the owner as well conform with the Historic Committees' guidelines and the look you are trying to keep there, it was going to cost me a lot of money and I had to save up for a while to come and do this. Now I would like to remove those entries which I had approval from the last time I was here and in its place I am going to rebuild the steps similar to what was there. Instead of the concrete with the wood I am going to have brick with limestone tops going into the building. Chairwoman LeFrois stated: You are still going to remove those front structures the pediments, the columns and the porch covers. Mr. McChesney: Yes. Chairwoman LeFrois: You are going to replace the stairs and the railing? Mr. Storm: Then you will build these new porch covers? Mr. McChesney: Yes a simpler porch cover. Mr. Storm: The way they are built originally is probably the correct way now if it rains or snows everything will dump down on your steps the way they are drawn now. You are not showing a gutter. Mr. McChesney: The gutter is on the side of the building. Mr. Storm: You are not showing a gutter on the new roofs you are building. Mr. Storm: Ecstatically they look nice but what will happen is all the weather will dump on your steps. Look at your side elevation drawing and you can see where the water is going to run off and it is going to dump right on your steps. Mr. McChesney: The only fix for that will be to put a slight grade on the concrete base so the water can run off. Mr. Storm: If somebody slips and falls it is your obligation. Chairwoman LeFrois stated: So this would be a maintenance issue for him? Mr. McChesney stated: I could ask my

architect about it. I wanted to keep it simple in design because the entry is the door and the arc. Mr. Kaplan stated: Is there a slate roof on the building? Mr. McChesney: Yes. Mr. Kaplan: I would add slate roofs or simulate slate roof on these roofs not shingles that you are showing. Mr. McChesney: What is on there currently is shingles. Mr. Kaplan: You are tearing it down. But the main building is slate right? Mr. McChesney: Yes. Chairwoman LeFrois stated: The simulated slate is not very large. Mr. Kaplan: A square between the two of them. Mr. McChesney: simulated slate? Chairwoman LeFrois: You could do real slate but the simulated slate is more cost effective and with this size roof it would look better especially, if it is going to be pitched toward the road. And the roof line is pretty significant on this building. I would agree with that. Mr. McChesney continues: The other features of it are the hand railing. I wanted it to be cast iron. I want a simply design nothing extravagant but something is nice and keeping with the building. Mrs. Citterbart: Are we doing it in black? Mr. McChesney: Yes that is my preference. Chairman LeFrois states: That will be a huge improvement from what is there. Mr. McChesney: It opens up both sides. This building has always been a duplex and the county had it as a single entrance, I don't know why, I would be opening up the other side and putting a concrete sidewalk out to the town's sidewalks. Mr. Storm: You need a special permit from the Town to do that. It is called a road opening permit from the DEP. Chairwoman LeFrois asks: To open what. Mr. Storm states: They call it a road opening permit, I don't know why you need it because you are not opening the road, but every time I poured sidewalks in town they make you get it.

Chairwoman LeFrois: In terms of the lighting, do we have any questions.

Mr. Storm questions: Are you in the building yet? Mr. McChesney: I just moved to the bottom floor. I have some folks interested in the individual offices upstairs. I have one rented out. Mr. Storm: Where is your parking? In the rear? Mr. McChesney: Yes. Mr. Kaplan: How many offices will you have in the building? Mr. McChesney: nine plus five small offices. I have 1,500 sq. feet and the rest of the building is 1,500 to 1,600 sq. feet.

Chairwoman LeFrois: Mr. McChesney, I was just looking back at the other applications from February and March of 2007, and some of the work like the replacement of the third floor windows, are you still intending to do that work? Mr. McChesney: I have already completed it. I just put that information in there for you to see the history of it. Mr. Kaplan: Is the brick going to be new brick and you are going to paint them to match the building? It is going to be limestone treads, but I want to know what type of brick you will be using. Mr. McChesney: He does not have a plan for the brick. Mr. Storm: I am just curious now if you are going to do it new, what color is it going to be? Mr. McChesney: I would paint it to match or just leave it natural and have regular red brick. Mr. Storm: I would prefer you paint it because it is going to stand out so much. It would be different if you had red brick on building. Chairwoman LeFrois stated: Everything is painted white? Mr. McChesney stated: White with green trim. Chairwoman LeFrois stated: You don't think nice brick they should leave it. Mr. Storm: It is going to stand out. Is it going to have a smooth face to it? They make so many different kinds of bricks now days. Mr. McChesney: I am not fond of the smooth brick; I like the rough finish brick. Mr. Storm: I don't think that is what you have on the building now. Mr. McChesney: I think that is what is underneath the paint. Mr. Storm stated: I can look at this right now and I can look at what of these posts and it might have been course but it wasn't rough. Mr. McChesney: We had some of the walls opened up and that is what I recall it being is just your standard run of the mill brick. Mr. Storm: I just wanted to run it by you; I don't care one way or another. It is going to stand out unless that is what you are looking for. Mr. McChesney: If it contrasts and takes away from the building I would certainly paint it the color of building. Mr. Storm: You can buy white bricks. Mr. McChesney: If I paint it I can match it to the building and I think I would have more flexibility with the paint. If I do paint it, do I have to come back to the Board? Chairwoman LeFrois: No. Chairwoman LeFrois stated: I think it will look nice. Mr. McChesney stated: It has taken me a while but we are getting there.

Chairwoman LeFrois asked: Do we have any questions on the application. Mr. McChesney: Is it possible to add something to the application at this point? There is a light on Linwood Annex, the basement has this one door that exits onto Linwood and it has a simple bulb and I want to replace it on the outside. Something in keeping with what I have here but smaller. Chairwoman LeFrois: It is fine. Mr. Storm: Just make sure you don't get something that protrudes out past the building because you never know when a big truck might through there. Mr. McChesney continued: The other thing I was also looking to do was putting a flag in the front. Chairwoman LeFrois stated: That is fine. Mr. McChesney: It would be a post sticking out of the building. Mr. Storm: You are going to attached it to the building? It is not going to be a flagpole. Mr. McChesney: It will be attached to building.

Chairwoman LeFrois: You are specifically asking about the flag, which is fine and the light in the alley on Linwood Annex. Yes that is fine.

Chairwoman LeFrois asks: Is it referred to 14-16 Church Street or is it 16 Church Street. Mr. McChesney: Legal address is it 14-16 Church Street. Chairwomen LeFrois stated: I didn't know if we needed to make a note of that on the application. She continues: Do I have any other questions on the application?

Chairwoman LeFrois opens this portion of the meeting up to the public with no public stepping forward. This portion of the meeting is closed.

Mr. Becker makes a motion to approve the application as long as he puts some slate looking tiles on the roof. Mr. Storm seconds the motion.

AYE: Mr. Kaplan, Mr. Storm, Mr. Read, Mr. Becker, Chairwoman LeFrois

The application is being accepted as is with an addition of either his choice slate or simulated slate in lieu of the roof shingles on the two front porch structures.

CORRESPONDENCE

None

ADJOURNMENT

Mr. Storm made a motion to adjourn. Mr. Becker second the motion. The meeting was adjourned with a unanimous "aye" vote. The meeting adjourned at 7:46 pm. The next regular scheduled meeting will be held on March 15, 2010 at 7:00 pm in the council chambers of the Municipal Building.

Respectfully submitted,



Katherine Citterbart
Historic Board Secretary