

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 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. Wright, Mrs. Schulte, Mr. Becker and Chairwoman LeFrois

FLAG SALUTE

CONSIDERATION OF MINUTES

February 16, 2010

Mr. Storm made a motion to approve the February 16, 2010 minutes. Mr. Kaplan seconded the motion.

AYE: Mr. Kaplan, Mr. Storm, Mr. Read, Mr. Wright, Mrs. Schulte, and Chairwoman LeFrois

ASBTAINED: Mr. Becker

APPLICATIONS

Applicant #HPC-02-2010- Domestic Abuse Services, Inc.

Property Location: 28 Church Street

Block: 708, Lot: 13

Requesting to install a four ft. high black aluminum fence around side and rear yards to provide a safe play area for resident's children.

Linda Meek, Finance Director of Domestic Abuse Services introduced herself.

Chairwoman LeFrois asked: This is the actual material and design.

Ms. Meek stated: It will be installed one foot from the property line.

Mr. Storm asked: How far will the fence posts be away.

Ms. Meek stated: Eight feet away

Mr. Storm asked: It will be four feet?

Ms. Meek stated: Yes.

Mr. Storm asked: You are starting right up at the corner of the building and going down high street and back up the driveway and returning it to the back and there is one gate.

Ms. Meek stated: Just one gate by the side walk by the side of the building.

Ms. Meek stated: As you can see from the photos I have included it is a very dangerous area. The children cannot play out there now.

A board member asked: Will there be supervision on the children at all times.

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Ms. Meek stated: There are parents out there all the time.

Chairwoman LeFois asked: When are you planning to install.

Ms. Meek stated: As soon as we get approval. I would like to as soon as possible so that the children can play outside.

Mr. Storm asked: You do know that you need to take out a building permit.

Ms. Meek stated: I have already spoken to the building department.

With no more questions from the Board Chairwoman LeFois opened this portion up to the public.

With no questions from the public, Chairwoman LeFois closed this portion to the public.

Mr. Wright made a motion to approve the applicant's request to install a four ft. high black aluminum fence around the side and rear yards. Mr. Storm seconded the motion.

AYE: Mr. Kaplan, Mr. Storm, Mr. Read, Mr. Wright, Mrs. Schulte, Mr. Becker and Chairwoman LeFois

Applicant: #HPC- 03-2010 – Dennis Memorial Library

Property Location: 101 Main Street

Block: 710, Lot: 1

Requesting to replace existing second floor window with a door onto the fire escape. The fire escape was recently installed in kind to conform with the fire code.

Elaine Eberhardt, Trustee of the Dennis Memorial Library introduced herself.

Chairwoman LeFois asked: You recently had a fire escape installed, and it goes to a window.

Mrs. Eberhardt stated: As you can see from the photographs we need to replace that window with a door.

Chairwoman LeFois asked: Is this on the back side of the building?

Mrs. Eberhardt stated: It is on the left side of the building?

Mrs. Schulte asked: Does it have to be a solid door?

Mrs. Eberhardt stated: It must be fire door.

Mr. Storm asked: Who is upstairs? Employees so to speak? He is only making you do it to one of the window?

Mrs. Eberhardt stated: Yes.

Mr. Storm stated: The upper window.

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mrs. Schulte asked: Can the door be painted? If you painted it a brick color to blend it in.

Mr. Storm stated: I can understand the fire inspector wanting to have a better egress but what baffles me is, he is making you put on the top floor but not on the bottom floor. What happens if someone got caught in that room? So that means that window is big enough for egress. I am just making a statement.

Mrs. Eberhardt stated: There is the main door the fire marshal said the front door would be your fire escape.

Mr. Storm stated: Yes but if there was a fire outside this room, is that all part of the library, so what if there was a fire and you couldn't get out the front door?

Mrs. Eberhardt stated: This was the original fire escape that was there, and that was code and there were no other complaints as far as egress.

Mr. Storm stated: I was just making an observation.

With no more questions from the commission members, I open this portion up to the public.

With no questions from the public, this portion of the meeting is closed.

Mr. Kaplan made a motion to accept the request to replace the existing second floor window with a door onto the fire escape. Mr. Wright seconded the motion.

AYE: Mr. Kaplan, Mr. Storm, Mr. Read, Mr. Wright, Mrs. Schulte, Mr. Becker and Chairwoman LeFrois

**Applicant: #HPC-04-2010- Embarq/Century Link
Property Location: 13 Adams Street
Block: 711 Lot: 34**

Requesting installation of a concrete pad for an above ground 2,000 gallon fuel storage tank for a generator which currently is located in the basement level of the building. The storage tank will be completely screened by new landscaping.

John W. Thatcher, Esq from the firm John W. Thatcher, LLC representing Century Link/Embarq.

Mr. Thatcher stated: I will give you a brief statement of what and why they are doing it. There is presently located at their facility a generator in the basement. It has been there for more than 20 years. They also have a 275 gallon tank of fuel oil which is what propels the generator also located in the basement. The problem is that there is enough fuel with a full tank to operate the generator for the neighborhood of four hours. Although there was a power outage this past winter they experienced a situation where they might not have been able to have the tank refilled had there been a loss of power due to the inclement weather. As you are aware Embarq/Century link provides email, phone service, etc. and the phone should be something that continues in the case of an emergency which is what they are trying to ensure.

Mr. Storm: I want to make sure I heard you correctly. There was only enough fuel in the fuel tank to last four hours or the whole tank will only run that generator for four hours?

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Thatcher stated: That tank will run the generator for four hours.

Mr. Storm stated: 275 gallon tank and it will only run for four hours? I wouldn't want that.

Mr. Thatcher stated: So what they are proposing is to install a 2,000 gallon tank at the most easterly portion of their building. I really believe if you turn to the site plan, if you go to page A2 this is basically their intent. In the corner of their building you will see where it says proposed storage tank. That tank will seat on a concrete pad and surrounding the pad will be gravel and stone and as you go through the landscaping it is their intent to do a box wood hedge. It is their intent that it be completely screened.

Chairwomen LeFrois stated: It will be completely screen at the time of planting so they will be mature box woods.

Mr. Thatcher stated: Yes they will be mature as they can get. And obviously there will be some growth factor there but the bottom line is they are going to be 90% screened by the time they are planted and it is the intent to keep it completely covered.

Mr. Storm asked: How tall is the tank?

Mr. Thatcher stated: 5x8x11 feet wide. It is state of the art.

Mr. Storm asked: Referring to page 2, it looks like there is a lip in case the fuel spills, is that concrete slab going to have an eight inch border all around higher than the slab. It shows another line inside the slab, I know for safety reasons if you ever sprung a leak maybe somebody would catch it in time rather than contaminate the dirt.

Mr. Thatcher stated: I do not know the answer to that. But I can certainly bring it to the attention of my clients and see if that can be a consideration before the Planning Board. The Board discussed the drawing.

Mr. Storm stated: Do you see the lip around the tank. In a lot of new homes if you put a tank in the basement that is required so incase the tank ever leaked it is contained.

Mr. Thatcher stated: My guess is probably not.

Mr. Storm stated: I know it wouldn't hold the amount that you putting in the tank but at least somebody would see it in time before the fuel spills in the dirt and contaminates it. It might be a recommendation by you to them that they might want to do it. We can't tell you to do that but maybe the building department can tell you to do that.

Mrs. Schulte asked: What is going to happen to the tank that is in the basement.

Mr. Thatcher stated: They are not sure yet. They are not sure whether the 2,000 gallon tank is going into the 275 generator or whether the 275 tank is going to be moved. I think that will be something they will determine when they are actually doing the work. Unless there is a change, we are going before the Planning Board on Wednesday night and the engineer that designed this is coming down Wednesday night. They are on the agenda.

Chairwoman LeFrois stated: Since they are on the agenda for Wednesday night, this will go with it.

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Storm stated: You might want to write down a note to whether the lip will hold some oil before it spills to ask the engineer.

Mrs. Citterbart stated: If you look at Mr. Simmons report on Page 3, 4. H. The offset requirements between the storage tank and the building to be reviewed by the Newton Fire Subcode Official to make sure the minimum code requirements are met.

Chairwoman LeFrois asked Kathy if these comments were made close to the submission of the full application.

Mrs. Citterbart stated: Yes.

Chairwoman LeFois stated: That is the approval. The Planning Board is going to review all the specifics according to Dave Simmons's report from the Historic's commission's point of view. We are just concerned with seeing it. We just want to make sure that the landscaping does in fact screen it.

Mr. Kaplan stated: My only question relates to Mr. Simmons' report 4.F. It looks like it won't affect outside lighting at all. Is that correct?

Mr. Thatcher stated: That is correct.

With no more questions coming from the Commission, Mrs. LeFois opened this portion up to the public.

With no questions or comments from the public this portion of the meeting is closed to the public.

Mr. Storm made a motion as presented and Mr. Read seconded the motion.

AYE: Mr. Kaplan, Mr. Storm, Mr. Read, Mr. Wright, Mrs. Schulte, Mr. Becker and Chairwoman LeFrois

**Applicant: #HPC-05-2010 – Jimmy Sakellaropoulos/Waldmere Hotel
Property Location: 144 Spring Street
Block: 711 Lot: 27**

Requesting to do exterior renovations.

Jimmy Sakellaropoulos/Waldmere Hotel stated: In 1977, my father-in-law purchased the building and in the early 80's I think 1984 or 1985 we decided to put aluminum siding on the building. There are actually three layers on the building. The main reason we have a lot of leaks. The building has been disrepair with a number of years. It has been patched and patched. There comes a point where it has to be stripped down and be done correctly. The proposals we have is to use a slate type product on the roof. It is a fiber glass asphalt shingle.

Chairwoman LeFrois asked: What is the roof now.

Mr. Sakellaropoulos stated: It is a cheap three tap asphalt shingle. It is a basic shingle that you would use on anything.

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Sakellaropoulos stated: The siding on the first two floor sis really for ascetic reasons. We don't have too much problems with that.

Chairwoman LeFrois asked: So you want to replace the siding?

Mr. Sakellaropoulos stated: We would like to. We figure while we are there we would like to. Scaffolds will be there; labors will be there. We figure it will be easier to do it all in one shot.

Chairwoman LeFrois asked: All the sides?

Mr. Sakellaropoulos stated: All the sides. We want to go all around. The main problem we have is at the top. The top floor is where our main problem is. We have leaks all over the place.

Chairwoman LeFrois asked: What type of material are you proposing.

Mr. Sakellaropoulos stated: A seamless vinyl.

Mr. Storm asked: Are you doing anything to the railings on the porches?

Mr. Sakellaropoulos stated: Probably not.

Chairwoman LeFrois stated: The proposed scope of the work is the roof with the asphalt shingle, to replace existing siding with vinyl siding on the second and third floor. The first floor will not be touched.

Mrs. Schulte asked: Are you going to use a simulated slate?

Mr. Sakellaropoulos stated: No, it is too expensive.

Chairwoman LeFrois stated: Jimmy is taking about not have much of the historic integrity left but I think Mr. Wright will have opinion on this.

Mr. Storm stated: You will not be allowed to put vinyl siding on this building. It never had it and never should have. We can't allow you because of how we are governed. If we allow you we will be opening up a can of worms.

Chairwoman LeFrois stated: Which windows are you replacing.

Mr. Sakellaropoulos stated: All the windows on the second, third, and the fourth floor.

Mr. Wright stated: Suprisingly if you have to look at it from the back of the building, it is one of the oldest buildings on Spring Street. It was actually a female school, there was a seminary on the second floor and the present façade was given in 1903 by Andrew Brickner. I think what is most important on Spring Street, one of the last railroad era hotels. And it is certainly visually one of the most key buildings on Spring Street. It would be nice to bring it back somewhat to improve the visual street scape.

Chairwoman LeFrois stated: I understand that the materials on the building now are not historical in nature pursue. They were not the original materials that we use. However, the work

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

that was done whether it be the vinyl siding, the vinyl windows was all work approved based on the materials that were use were approved materials prior to the Historic Commission.

Mr. Sakellaropoulos stated: I looked for the permits. There has never been a permit pulled. The work was just done.

Chairwoman LeFrois stated: Well that is more of a reason that the work was done illegality. Just expound on what Mr. Storm is saying, this commission by virtue of our historic ordinance can't approve vinyl siding on the building. So this presents a position of rock and a hard place. Because you have in on the building now, part of the ordinance will say we want to replace in kind and what to it there to the extinct that it is historically accurate and maintains historic integrity of the building. Unfortunately you are faced with doing some work that is going to require us to have a discussion with you about not putting vinyl siding on the building. I can certainly respect your budge and economic times that we are in right now which is why I would like to enter a discussion about alternatives to vinyl siding and if you looked at any and what might be acceptable in lieu of that. I can also appreciate all the materials that are being used and sure they are far better than they were ten or fifteen years ago. But this is a landmark building in the town. We have whole historic district but within our inventory of our historic district there are certain properties that are in a class all by themselves and this is one of those properties. So here we have a owner that is willing to invest resources to do restoration on the building that we are in favor for and can certainly appreciate but we are faced with a situation with the materials that you are presenting aren't the most ideal.

Mr. Sakellaropoulos asked: Okay, how do you feel about the top floor?

Chairwoman LeFrois stated: I don't want you to revert to well if we can only do the top floor we are only going to do the top floor. Because you are right, if you are going to put the time and manpower and resources and you are going to have scaffolding up anyway, you are going to have labor up there, get the biggest bang for your buck.

Chairwoman LeFrois stated: Whether you know it or not but this one of the buildings we showcase. Whether we are hosting a parade in town or whatever the case might be that and the firehouse.

Mr. Sakellaropoulos stated: Next time you are at the building, look around it is scary.

A Board member asked: Just out of curiosity are you going to pick the same colors?

Mr. Sakellaropoulos stated: I like a lime green or a clay color. The brick will remain the same.

We will power wash the back.

Mrs. Schulte asked: Have you considered hardi plank?

Mr. Sakellaropoulos stated: Yes, it is very costly to install. Theoretically with the hardi plank we are not looking to strip the building down to its original wood sheathing if we did that we might get into some serious problems.

Chairwoman LeFrois asked: In the pictures, what are they calling the materials on the fourth floor?

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Sakellaropoulos stated: If you look at the real old pictures, it is real slate.

Discussion ensued about the roof material.

Mr. Storm stated: My only dilemma is and I am not going to speak for any other member here, but there has been a lot of applicant here in the past that we have denied them especially the vinyl windows and I can refer you to one of them is the Baptist Church. They came to us three times and we turned them down three times especially what you can see visible driving past in the road.

Mr. Sakellaropoulos stated: What do you prefer? A solid full window?

Mr. Storm stated: It had to be a wooden sash a wooden window. In the rear where you cannot see the building and on the one side where you cannot see it riding on Main Street we allowed them to put vinyl windows in if they wanted to. The same way with their roof, they wanted to put shingles in and we denied them. They eventually put in the simulated slate only because we are governed by the Department of Interior. They give us the rules and regulations that is what our ordinance says. A prime example maybe two or three months ago they put a new roof on the Chinese restaurant across from A&G, that guy was going to put regular shingles on it and rip the slate off. They had to put the slate back.

Mr. Sakellaropoulos stated: The look is a good look, the problem is the cost.

Mr. Storm stated: You are probably taking four to five times the cost of a shingle roof.

Mr. Sakellaropoulos stated: So you are talking about \$250 to \$300 a square.

Mr. Storm stated: Go to Northwestern in Andover and they have them there.

Discussion ensued about the roofing material.

Mr. Sakellaropoulos stated: The problem comes in when you are flashing it.

Mr. Sakellaropoulos stated: We were talking earlier that we could do the front of the building in a more authentic look but to do all four sides is just out of the questions.

Mr. Wright stated: Not to my knowledge, I do not think there is any bricks and mortar monies available.

Mr. Sakellaropoulos stated: We looked into some loan programs and there really wasn't anything available. The best thing they do is a low interest rate loan. It still is a loan and the interest rate is low but the payments are still there.

Mr. Storm stated: It is just for the façade a little bit. Up to \$2,500, that really is not going to help you much.

Mr. Sakellaropoulos stated: This is like a second home to me. I would love to restore it. There are leaks all over the place. I am trying to meet somewhere in the middle.

Mrs. Schutte asked: Ray can you clarify the windows in the front. As long as they are wood from the street side they can be vinyl inside, correct?

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Storm asked: What do you mean?

Mr. Storm stated: If it is a wooden sash that you buy that is clad so you don't have to paint it that is not considered a vinyl window. We would allow you. Maybe you want go out and buy Anderson replacement windows.

Mr. Sakellaropoulos stated: I will tell you why I do not want to do that. I have rotted wood frames all over the place.

Mr. Sakellaropoulos stated: There are houses in that district that have vinyl siding and architecturally shingled roofs.

Mr. Storm stated: They were all done before the Historic Commission took place in 1988.

Mr. Sakellaropoulos stated: So they got away with it.

Chairwoman LeFrois stated: Just like your building did 35 years ago.

Mr. Storm stated: If they want to come in front of us and they want to replace it then that is what they have to do.

Mr. Sakellaropoulos stated: The way the economy is today people's houses will be dilapidated. I don't who can afford to take a \$5,000 roof job and turn it into a \$15,000 roof job. That is going to be tough.

Chairwoman LeFrois stated: Tell me again, what is the material on the fourth floor?

Mr. Sakellaropoulos stated: Right now it is a three tab shingle. It is the lowest form of shingle on the planet. It doesn't get any lower than that.

Mr. Storm stated: If someone in the Historic District came to us and said they want to put on shingles, we would say no. If they were in the Historic District and had asphalt shingles on the roof and they wanted to replace it we would let them do it because they are taking off and putting back the same.

Mr. Storm asked: What are you going to do with the Yankee gutter?

Mr. Sakellaropoulos stated: We would cap the Yankee gutter.

Mr. Storm asked: So you will be eliminating the Yankee gutter? What will you be doing with all the water.

Mr. Sakellaropoulos stated: There is already underground drainage.

Chairwoman LeFrois stated: We are talking about a little compromise. Lending towards commission members because if you look at the just the roof and the shingles and what they are trying to do, so if had the asphalt shingles now and we were asking him to replace in kind we would allow him to replace with asphalt shingles and he would not put this fake cedar siding up, willing to compromise there because we have a basis for which to compromise. Where we don't have flexibility is on the siding.

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Sakellaropoulos stated: The siding is not a deal breaker for me. If we strip down to the original wood clapping we would do a 3/4/ 1 inch form board hanging over so now we have a R5 with a weather barrier around the building which gives me a huge help to my freezing pipes. There is not installation in that building as all.

Chairwoman LeFrois stated: So what are you willing to do in terms of the siding?

Mr. Sakellaropoulos stated: My hands are tied in with the siding. Getting the siding in is a budget breaker. It is either the siding or nothing pretty much.

Mr. Storm asked: Why don't you drill holes and blow the installation in.

Mr. Sakellaropoulos stated: That is a way of doing it. The problem is that the building is ballooned framed we don't know what is inside what.

Chairwoman LeFrois stated: So you are saying there is no compromise on the siding and if we deny the vinyl siding you are only going to do the repairs on the fourth floor?

Mr. Sakellaropoulos stated: Yes, that is how it started doing the repairs on the fourth floor and the main roof. I have a permit in hand ready for the flat roof which has been replaced a million a one times. That is 80% of my leaks. But the dormers are so deteriorated, I had to do some repairs in the past and the aluminum is holding the dormer together.

Mr. Storm asked: What are the dormers now? Are they wood?

Mr. Sakellaropoulos stated: They are all covered aluminum.

Mr. Storm asked: What are you going to do with them?

Mr. Sakellaropoulos stated: I do not know yet.

Mr. Storm asked: Are you ripping something off to put them up besides the aluminum?

Mr. Sakellaropoulos stated: It is so hard to get up there. I don't want to start pulling off the aluminum capping off and finding a big mess and then my hands are tied on to what I can put back on.

Mr. Storm stated: You have a lot of them up there.

Mr. Sakellaropoulos stated: I have 23 of them.

Mr. Storm stated: I don't have a problem is you want to rip all the aluminum off and replace it with phylum but if you are going to recover them with aluminum that's different story.

Chairwoman LeFrois stated: If you only do the work on the fourth floor, this is your family's property for almost four decades you are a professional contractor are you going to happy with just doing the work on the top floor?

Mr. Sakellaropoulos stated: For now, yes, I don't want any more water entering the building. It is ruining the building. I would love to bring the building back the way it looks in that old photograph but that cost money.

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Storm asked: So if you do the dormer floor, what are you going to do with the existing Yankee gutter and soffit?

Mr. Sakellaropoulos stated: As far as the Yankee gutter goes would be to cap it completely to a modern gutter system.

Mr. Storm stated: You would attach gutters to what is there now?

Mr. Sakellaropoulos stated: Right, the other thought is to put the gutters on very top of the building. What is happening is the flat roof was originally flat now it has high and low spots. It was kind of built up in the middle but there are a couple of spots that are holding a lot of water. If we did a gutter at the very top of the building that would catch what is coming off the main roof than we would only have wind driven rain hitting the side. It might knock off about 90% of the water.

Mr. Storm stated: I would be afraid to put a gutter on the top for the winter back up.

Mr. Storm asked: So what are you going to cap off the Yankee gutters with?

Mr. Sakellaropoulos stated: I have done some copper work in the past. You can use copper looking aluminum.

Mr. Storm stated: The only copper looking aluminum I have seen is a bronze color. You want it to look that greenish color. You won't see it any way you are only coming off about an inch. You might be better off doing it in white. I would image you are going to put a white gutter up. You want it to be the same color or you will bring it to everyone's attention. Are you going to put half round gutters up?

Mr. Sakellaropoulos stated: I was going to use a modern gutter?

Mr. Sakellaropoulos stated: I have not looked into the price of the gutter system.

A board member stated: I think the improvement that he wants to do to this building will create a really nice look down town. Like you have said over the years it has been compromised. It could be an absolutely gorgeous building.

Mr. Storm stated: You are absolutely right but we can't allow it if he wants to rip it off and put up vinyl siding on. It is not allowed. We would not allow you to put it on your building. I don't have a problem with you doing the shingles and the dormers up top. I would prefer you put the half round gutter all the way round when you eliminate the Yankee gutters. Ordinance wise I cannot allow you put the vinyl siding on. Same with the windows if you buy a window that is clad on the outside where you have to paint the inside or you can get it where it is clad on the inside, as long as it is a solid wood sash, then I do not have a problem with that.

Mr. Sakellaropoulos stated: If I am not doing the siding now than I will not be doing the windows either. I can do all that later.

Mr. Wright stated: I do think that you are right and to be able to put this building back will be a major accomplishment on Spring Street. It really boosts it.

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Storm stated: I think the problem with vinyl or aluminum siding is that people wouldn't take the time to rip off the existing clap board or whatever they were covering and then because the windows are always suppose to protrude beyond the siding. Now the siding is out beyond the window casings.

Mr. Wright stated: I think the other concern has always been that about 60% of the moisture that passes through the walls of the building from inside out and so covering it you can't watch the deterioration of the frame and structure.

With no more questions or comments from the commission, Chairwoman LeFrois opened this portion up to the public.

The meeting was closed to the public.

Mr. Storm made a motion to approve the recommendations for the following exterior renovations: Replace top/upper flat roof with in-kind replacement materials. Replace the 4th floor mansard/façade with slate line GAF/ELK shingles in "Antique Slate." Replace the 4th floor window sashes with wood clad windows (wood exterior on window). Remove aluminum around the window dormer and replace with either wood and paint or with pvc material in white. Cover existing Yankee gutters with aluminum or copper and install ½ round aluminum gutters with brackets and corrugated down spouts, use funnel connector to connect two downspouts. Mr. Kaplan seconded the motion.

AYE: Mr. Kaplan, Mr. Storm, Mr. Read, Mr. Wright, Mrs. Schulte, Mr. Becker and Chairwomen LeFrois

**Applicant: #HPC-06-2010 Edward and Jessica Schetting
Property Location: 68 High Street
Block: 708 Lot: 16**

Requesting to replace existing two story front porch.

Jessica Schetting stated: This is a rental property. We are looking to bring the railings up to code change the railing to have them higher than lower. It is a three bedroom. The first floor is an aluminum railing. We would like to put wood.

Chairwoman LeFrois asked: You are replacing both first and second story.

Mrs. Shetting stated: Yes, because during the winter there was some rotting down on the bottom of the first floor around one of the post. My husband was going to replace it and when he went to do it the post on the second story started to crack and porch starting pulling away from wall so we don't have that rented because don't want anyone doing out on it. That is why we had to rip the whole thing down and start over again. The decorative spindles on top we have been able to find, the colors will be the same.

Mr. Storm asked: You are talking about the upper spindles up forward the fascia.

Mrs. Shetting stated: Yes.

Mr. Storm asked: What are you going to use where the solid wall is up top for the solid railing?

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Are you using spindles or are you going to put a solid railing?

Mrs. Shetting stated: It will be replaced the way it is.

Mrs. Shetting stated: The floor board will be pine.

Chairwoman LeFrois stated: We will be requesting that you use wood for everything.

Mr. Storm stated: The bottom can be in pine.

Mr. Storm stated: The plan says vinyl bead board. It has to be wood. I would recommend that that when you do the decking that you use 5/4 fir. You don't want to use pine. It is so soft and the fir will outlast the pine twice as long.

Chairwoman LeFrois stated: So we are talking about a two story porch replacement with in-kind replacement and replace existing aluminum railing with wood on the first floor.

With no more comments from the Commission, Mrs. LeFois opened this portion up to the public.

With no public comment this portion of the meeting is closed to the public.

Mrs. LeFois made a motion to replace the two story porch with in-kind replacement plus replace existing aluminum railing with wood on first floor. Mr. Storm seconded the motion.

AYE: Mr. Kaplan, Mr. Storm, Mr. Read, Mr. Wright, Mrs. Schulte, Mr. Becker and Chairwoman LeFois

**Applicant: #HPC-07-2010 Jane Blackburn
Property Location: 85-87 High Street
Block: 402 Lot: 5**

Requesting to demolish three (3) sides of unsafe garage. Remaining wall with fireplace will be landscaped in the spring.

Chairwoman LeFrois asked: Has this work already been done?

Mrs. Blackburn stated: We have a nasty neighbor who called Rob Bittle and said my garages were unsafe. Rob said if there are unsafe come in and get permit and go through the whole process and have them knocked down which we did but there is an old cement wall and in the back there are two fireplaces. It is up against a mountain. Academy Street comes straight down and that wall is also a retaining wall.

Mrs. Schulte asked: What does your neighbor want you to do? Does he want you to take the wall down?

Mrs. Blackburn stated: Yes.

Mrs. LeFois stated: I want to back up. So Rob Bittle told you to take the garage down?

Mrs. Blackburn stated: I went through all the steps before we demolished it than Rob brought an engineer out to look at the wall because that wall has two sides to it. The cement is

Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm

extremely thick. Academy Street comes straight down to the wall. It is keeping Academy Street from coming into my back yard.

Chairwoman LeFrois asked: When was the demolition approved and when was the work done?

Mrs. Blackburn stated: Last year.

Chairwoman LeFrois stated: So about six months ago?

Chairwoman LeFrois stated: My issue is that Mr. Bittle approved a demolition on an historic property without historic approval.

Mrs. Blackburn stated: Mr. Bittle left a message for Mrs. Blackburn on her answering machine that since it was unsafe that she could go ahead and get the permits.

Mr. Storm stated: He couldn't determine that it was unsafe. He needed an engineer. He had an engineer come by and check the one wall but what about the roof and the rest of the building. The only really why the engineer came because they were concerned with Academy Street collapsing. I know any other time he would said get your own engineer.

Chairwoman LeFrois asked: So the application on the table is the demo of the 3 sides of the garage? But the 3 sides have already been demoed.

Mrs. Citterbart stated: I didn't know if she need to come in or not because it is in the historic district.

Chairwoman LeFrois stated: The issue is that there is another house that sits back that had work done and permits were issued before it came here for the vinyl siding behind the yellow house, the same scenario.

Mr. Storm asked: Are you going to tear the rest of this down?

Mrs. Blackburn's friend stated: I don't want to. The property behind it she doesn't own and they have huge trees there. You take that wall down, those trees are coming down.

Mr. Storm stated: I don't think there is anything we can approve because it has already been done.

Chairwoman LeFrois stated: Kathy, if you could relay the Commission's frustration with the fact that this work was allowed to be done and permits issued without prior approval by the Historic Commission and at this point this application is coming to the Commission for approval of work that has already been done. So there really is nothing further that the Historic Commission can do but to approve the application for the demolition of the property within the Historic District because the work has already been done.

Mr. Wright stated: If you take down whatever walls are sticking out but the back wall that is holding up the hill you will have to build a brick wall in front of it so it looks nice.

Mrs. Blackburn asked: Can we landscape it and paint it?

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mr. Wright stated: I wouldn't approve the demolition retroactive. I would just sanction what the building inspector allowed you do.

Chairwoman LeFrois asked: So what is the status of the application.

Mr. Wright stated: There is no application. We do not have an application to demolish.

Mrs. Schulte stated: The only thing the application says is remaining wall with fireplace will be landscaped in the spring.

Chairwoman LeFrois stated: You can approve that part of it but you cannot approve the demolition. You are right Kevin, the demolition is already done.

With no more comments from the Commission, Chairwoman LeFrois opened this portion to the public.

With no comments or questions from the public Chairwoman LeFrois closed this portion of the meeting.

Mr. Wright stated: There is no application. The three walls have been demolished and we have no say on the landscaping.

Chairwoman LeFrois stated: The Commission is not taking any action on the application because the request for the work on the application is already completed.

AYE: Mr. Kaplan, Mr. Storm, Mr. Wright, Mr. Read, Mrs. Schulte, Mr. Becker and Chairwoman LeFrois

CORRESPONDENCE

Mr. Storm asked: Did we decide about the satellite dishes on Main Street?

Chairwoman LeFrois stated: This is from the minutes under Correspondence: How do we update our Ordinance? Chairwoman LeFrois continued: So basically do not start enforcing the ordinance about satellite dishes because we do not want to take that battle on and utilize the Town's resources but start moving forward with on updating the ordinance an entire overhaul of the ordinance.

Mr. Wright asked: What do you think is the primary issue?

Chairwoman LeFrois stated: I think some of the issues are we have no specificity in terms of materials we and subjective in some of the approvals. So hard and plank is an approved material now but we don't have hard and plank in our ordinance.

Mr. Wright stated: What you could said based on what he said is simply if it meets the Secretary of Interior standards than we will approve it. That way we do not have to continually update and we will let the professionals in Washington test these materials and if they approve it and the applicant says it is approved it is alright with us.

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Chairwoman LeFrois asked: What are some other questions about the ordinance that have come up in the last 24 months?

Mr. Kaplan stated: We have shorter meetings in the winter because nobody is doing in construction maybe we should read through it and see what you want to change.

Chairwoman LeFrois stated: There are signage issues, canopy vs. awning.

Chairwoman LeFrois asked Mr. Wright: Do you have any means to obtain any resources of maybe an ordinance that has recently been updated.

Mr. Wright stated: I would just issue a word or caution. In my opinion we have the best ordinance in the State. In Bergen County in my experience over the last 20 years when people want to look at the highest quality ordinance, they look at Newton's. I would not monkey with the ordinance. I think it has work splendidly.

Chairwoman LeFrois asked: So can I ask you now with all the free time and retirement that you have to take a look at the ordinance and make some suggestions with regards to specific language about adhering to update GLG requirements, etc., or where you may make some tweaks.

Mr. Wright asked: Has the state ever complained at all about the ordinance?

Board members stated: No.

Mr. Wright stated: I think we should put the onus of new materials on the Secretary of the Interior. If they approve it, we approve it. In most cases, mainly the issues that we have faced here that have been difficult is not because the ordinance wasn't clear it is because people didn't want to hear it. 9 times out of the 10 it is not the ordinance. We are always going to have issues where someone is going to press but you have to hold your ground. I think the strength of the Newton Ordinance is that it sets out fairly objective criteria. It is not subjective; it is not whether we like a style of architecture vs. another style, etc. I think that is its strength and I wouldn't change to much about it.

Chairwoman LeFrois stated: You have the update from the Heritage and Agricultural Association in your packet you also have a copy of ordinance 2010-2 to put in your books and a notice in regards to what went to the planning board.

Mrs. Citterbart stated: Just to touch base with the issue that Mr. Storm was talking about the sign on Spring Street, the Plaza sign. I have Mr. Hontz looking into it.

Mr. Storm stated: The ordinance says abandoned sign in the business district has to be taken down within 90 days of the business being abandoned. When I first questioned it after the 90 days which was in June of 2 years ago; it is almost 3 years this June. Debbie said they found another part in the ordinance where they could get an extension for another 9 months so it went to September well that will be 2 years come this September. Nothing is being done because I think everyone is afraid to say something. That is just my opinion.

Mrs. Citterbart stated: I have the permits that he signed.

Mr. Storm stated: Permits for what?

**Historic Preservation Advisory Commission Meeting
Regular Meeting of April 19, 2010 7:00 pm**

Mrs. Citterbart stated: For the restaurant.

Mr. Storm stated: But it is not open. What good is a permit if it is not open?

A board member stated: I think the technically becomes if that he didn't abandoned the business he is trying to sell it.

Mr. Storm stated: He might be trying to sell it but there is no business there.

Board member stated: As long as you are trying to sell it the business is there.

Mrs. Citterbart stated: The intent is he is not changing it; he is waiting for someone to buy it.

Chairwoman LeFois asked Mr. Storm if he had another issue.

Mr. Storm stated: I rode around the square a couple of weeks ago and I called Kathy to tell her that there were guys up there ripping a roof off, I guess it is on the prosecutor's office. I am saying to myself that we never got an application for them.

Chairwoman LeFois stated: The only thing we got from them was they were doing was the railing and a change to the front steps.

Mr. Storm stated: it just seems like they do want they want when they want.

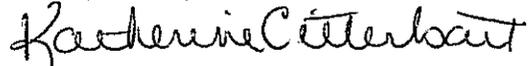
Mrs. Citterbart stated: She is looking into it and they are suppose to call me back.

Mr. Wright stated: I would just like to raise one more issue just so it in on the record, the Academy building by McGuire, it seemed to me that when I drove by I saw a chain across the driveway. That is a public right a way to that cemetery. It is deeded and there should be nothing blocking that access road. They should it block it with cars on it and it shouldn't be blocked with a chain. If anything should happen to that right a way there is no way to get to it. That property is landlocked. I think that has to be clear right a way for people who go back to that cemetery.

ADJOURNMENT

Mr. Storm made a motion to adjourn the meeting and Mr. Kaplan seconded the motion. The meeting was adjourned at 10:07 pm with a unanimous "aye" vote.

The next regular scheduled meeting with be held on May 17, 2010 at 7pm in the Council Chambers of the Municipal Building.

Respectfully submitted,

Katherine Citterbart
Board Secretary