

BRISTOL HISTORIC DISTRICT COMMISSION MEETING

Held: July 9, 2009, at Town Hall, 10 Court Street, Bristol, Rhode Island

Present: Vice-Chairman Oryann Lima; Members Stephan Brigidi, Melanie Wolfe, Anthony Margiotta, David Andreozzi, Alternate Member Eric Hertfelder, Solicitor Andy Teitz

Absent: John Allen, Reggie McCarthy

Chairman Lima brought the meeting to order at 7:00PM.

The minutes of the June 4, 2009, meeting were approved as presented. (Brigidi/Wolfe 4-0)

1. 09-060 555 Hope St., Paul Sousa (The Cake Gallery)

1. signs; 2. exhaust vent

Paul Sousa owner of the Cake Gallery presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibit B-D. A sign is planned for over the door in the recess in the brick façade. Three small signs will be placed in the small fascia spaces over the windows and door. The large sign will have a black background with white lettering and the smaller signs will have a white background with black lettering. Metal hardware painted the background color will be used to blend into the background.

A small vent will be installed in a rear window to comply with fire codes. It was suggested that the metal be painted white to blend in with the window.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-060 as presented for signs shown in Exhibits B, C and for a window vent as shown in Exhibit D, with the condition the vent be painted white, in accordance with Secretary of the Interior Standards #9, 10 (Andreozzi/Wolfe 4-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 9, 10

Project Monitor: Ory Lima

Solicitor Teitz suggested that Applications 09-065 and 09-066 be heard next as they are all for the same building as Application 09-060.

14. 09-065 557 Hope St., Edward Jones c/o Colliers Corporate Solutions

Formula Business 1. interior finish; 2. signs

Derrick Brigham architect for Edward Jones presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-O. Application is for a 16"x 96" redwood sign to be installed over the front door in the recess in the brick façade. Background will be painted green with the Edward Jones logo painted white. A 15'x 27" graphic will be applied to

the glass in the front door. An interior partition is to be considered a sign and will be 60" wide in brushed nickel (see Exhibit N). This sign set back in the room is not backlit, but will have a recessed spotlight that will act as a nightlight. Wall, rug and furnishing colors were acceptable.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-065 as presented for interior finish and signs and the interior wall partition is to be considered a sign for this proposal in accordance with Secretary of the Interior Standards #9, 10 (Andreozzi/Wolfe 4-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 9, 10

Project Monitor: Ory Lima

15. 09-066 559 Hope St., Andrade Equipment Co.
new stairs

Contractor Alan Nunes presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-L. Owner is required by fire code to install two sets of stairs to the rear doors of the building. Stairs are to be constructed of pressure treated lumber as show in Exhibits J-K. A suggestion was made that the stairs be painted, but the contractor stated that leaving them natural will allow them to blend in with the background. Fire Chief Martin stated that the stairs met the requirements of the fire regulations.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-066 as presented for two sets of stairs on the rear of the building in accordance with Secretary of the Interior Standards #9, 10 (Margiotta/Wolfe 4-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 9, 10

Project Monitor: Ory Lima

2. 09-061 267 Thames St., Travis A. Dewire
signs

Business owners Travis Dewire and Victor Metter presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-I. Application is for a 3' x 2' hanging sign with a white background a graphics and black vinyl lettering.

Hearing suspended to allow owners to bring in sign (Brigidi/Wolfe 4-0).

Hearing resumed. A door sign on the glass door will be 24" x 37" with lettering and graphic and white lettering on the bottom of the window panes. It was suggested that the lettering on the windows be arranged so the top four had single words and the lower two have the double word

message (as shown in Exhibit H). Lettering on the windows to be white in lower case and in the same font as the sign.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-061 for a hanging sign as presented in accordance with Secretary of the Interior Standards #9, 10 (Brigidi/Wolfe 4-0).

A motion was made to approve Application 09-061 for a door sign and lettering in the front windows using white lettering in the same font as the hanging sign in small case and word arrangement as shown in Exhibit H in accordance with Secretary of the Interior Standards #9, 10 (Brigidi/Margiotta 4-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 9, 10

Project Monitor: Stephen Brigidi

3. 09-056 Thames St. (Independence Park), Town of Bristol
install monument

At the request of Diane Williamson the meeting will be continued at a later date. A motion passed to continue (Andreozzi/Wolfe 4-0).

4. 09-062 162 Thames St., 162 Thames St. LLC (Brito)
porch foundation

Property owner Joseph Brito and associate Ed Cox presented. Staff Assistant photographs were marked Exhibit A, AA, AAA; Applicant plans were marked Exhibits B-T. Application is to amend previous approval for a full cement foundation to an open area enclosed by lattice work wall. The change was necessary because the property is in a flood zone and water has to be able to pass through the construction. The new engineering was approved as in compliance with the Building Code. The lattice work is vinyl and the owner stated that he would replace it with wood.

Owner was questioned about the vinyl windows as they are not the Pella windows the Commission approved to be used in construction (see Exhibit T).

Solicitor Teitz stated that action cannot be taken on the windows at this meeting, but a motion could be made to add discussion of the windows to the agenda.

A motion was made to approve Application 09-062 as presented for the modification of the foundation configuration to comply with zoning regulations with the condition that the vinyl lattice be replaced with wood in accordance with Secretary of the Interior Standards #9, 10 (Brigidi/Margiotta 4-0).

A motion was passed to add discussion of the windows to the agenda (Wolfe/Margiotta 3-1 (Stephen Brigidi voting against)).

Ms. Lima suggested Mr. Brito and Mr. Cox review the approved plans for the windows and apply for a review to correct any violations in the rehabilitation construction. Violations will need to be corrected for tax credit application.

Chairman Lima invited comments from the public. There were none.

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 9, 10

Project Monitor: Ory Lima

5. 09-063 116 State St., Emily Fernandes
apply Rhino Shield

Property owner Emily Fernandes and Rhino Shield franchise owner Rafael Agredo presented. Staff Assistant photographs were marked Exhibit AA, Applicant plans were marked Exhibits B-D. Mrs. Fernandes wants to coat her house with Rhino Shield in lieu of regular paint. Commission members had concerns regarding the method used stripping off of the old finish and the resulting effects to the fabric of the building if Rhino Shield is removed. It was noted by several members that the preparation of the house was severe and the clapboards had been scarred by the sanding/grinding off of the existing finish.

David Andreozzi asked if Rhino Shield can be removed by chemical methods. Mr. Agredo stated that it was a permanent product. Mr. Andreozzi again asked if it could be removed without damaging the fabric of the building. He asked if a sample test could be made on a piece of molding in order test removal results. All Commission members were concerned about the reversibility of the product and would removal cause damage to underlying material. Eric Hertfelder stated that National Park Service does not accept use of Rhino Shield because of reversibility. The RISHPC judges use on a case by case method and generally approves on new construction or buildings with flat planes and no detailing.

Solicitor Teitz stated that the Commission is not required to follow, but to give consideration to the Secretary of Interiors Standards for Rehabilitation. Mr. Teitz stated the following should be considered:

1. aesthetics – does it create an appearance compatible to the district?
2. reversibility – what happens over time or if removed does it destroy original fabric?

Chairman Lima invited comments from the public. Mary Parella spoke in support of Mrs. Fernandes request. She stated that the preparation portion should not be considered for this request. A Certificate of Appropriateness is not necessary for painting in kind. The cost and replacement alternatives are attractive to Mrs. Fernandes. She also felt that written documentation should be obtained from the National Park Service regarding their standing on Rhino Shield.

Solicitor Teitz stated that with the absence of two members, Eric Hertfelder was included in the voting bloc and Ms. Lima also was allowed to cast a vote; therefore there are six voting members of the commission available to make decisions.

A motion was made to approve Application 09-063 with the condition that Rhino Shield be applied to the clapboards only and the trim be painted with conventional paint in accordance with Secretary of the Interior Standards #7, 9, 10 (Margiotta/Brigidi 4-2 (Lima, Andreozzi against).

Owner requested resolution of request for using Rhino Shield on the trim. Solicitor Teitz stated they could come back for a hearing on the trim or they could poll the Commission to see how many would approve using Rhino Shield on the trim. Five members polled stated that they would not approve use on trim; Stephen Brigidi stated he would support use on the trim.

Owner stated not to ask for a vote at this time.

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 7, 9, 10

Project Monitor: BHDC

6. 09-055 11 John St., Aidan Graham

1. replace windows; 2. reshingle; 3. repair brick wall; 3. replace garage door

Property owner Aidan Graham and contractor Knight Hess presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-G. Application is to replace eleven severely deteriorated windows with in kind, solid wood Horner double hung, 1/1, to match existing openings. Garage door will be wood 12' x' 10' with a lowered lintel and shingles filled in as necessary. It was suggested the horizontal minton in the glass portion. Re-shingling and brick wall repair to be done using in kind material.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-055 as presented to replace 11 existing windows as shown in exhibits; reshingle; repair brick wall; and to install garage door with divided light as owner prefers in accordance with Secretary of the Interior Standard #6 (Andreozzi/Margiotta 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standard: 6

Project Monitor: Melanie Wolfe

7. 09-029 210 High St., Judy & David Lake

1. replace windows; 2. repair decks, railings; 3. repair siding, sills, trim, window frames; 4. replace corner boards; 5. repair fascia, soffit, frieze boards, exterior doors; 6. replace fence

Property owner David Lake presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits Y, Z. Mr. Lake submitted a new schedule for window replacement which was marked Exhibit Z. Prior to discussion on windows the commission voted on other items on the application which are in kind repairs or replacements.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-029 as presented to: 2. repair decks, railings; 3. repair siding, sills, trim, window frames; 4. replace corner boards; 5. repair fascia, soffit, frieze boards, exterior doors; 6. replace fence (see Exhibit L) in accordance with Secretary of the Interior Standards #6, 9, 10 (Brigidi/Margiotta 6-0).

Several Commission members made a site visit to inspect the condition and age of the windows. It was determined that five of the windows on the first floor are original and can be repaired. The building was originally one story and these windows are from that time. Mr. Lake's schedule indicated use of Marvin windows with simulated divided lights, spacer bar between glass and aluminum clad exterior. Members stated original windows should be repaired and replacements should be all wood to comply with standards.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-029 for repair/restoration of the five original windows on the first floor. Approve replacement of the remainder of the windows using same casement size with Marvin all wood windows, 2/1 pane configuration, 7/8" divided light inside and outside spacer bar. Note: The final window order should be submitted for review to the monitor before ordering. Decision is in accordance with Secretary of the Interior Standard #6 (Andreozzi/Margiotta 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 6, 9, 10. A research of the property including photographs shows first floor windows are original.

Project Monitor: David Andreozzi

8. 09-041 412 Thames St., Cynthia Daniels

1. new exterior staircase; 2. roof railing; 3. gates

Property owner Cynthia Daniels presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-F. Ms. Daniels new scaled drawings were accepted as presented. Building material for the stairs to be pressure treated wood with either a mahogany or cedar handrail. The gate will be pressure treated or cedar with one side fixed and one side swinging.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-041 as presented for gate. Approve the stairway using pressure treated wood for the body and either cedar or mahogany for the rails in accordance with Secretary of the Interior Standards #9, 10 (Brigidi/Hertfelder 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 9, 10

Project Monitor: Stephen Brigidi

9. 09-053 70 High St., Edward & Diane Iannuccilli

remodel dormer

Contractor Douglas Wilbur and Ms. Iannuccilli presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-N. Application is to increase the size of the dormer on the north east side of the house and add a window to the addition. After discussion several Commission members expressed concern that the symmetry of the building would be lost by the addition as presented. A suggestion was made to build a shed dormer between the two existing end dormers and eliminating the existing center dormer. This treatment would maintain the integrity of the hip roof while affording as much, if not more, inside living space. The owner was willing to rethink the design and submit an alternate plan.

Chairman Lima invited comments from the public. There were none.

A motion was made to continue Application 09-053 (Andreozzi/Wolfe 6-0).

10. 09-054 69 Court St., Elaine L. Cohen

1. remove window; 2. install door; 3. install exterior landing, staircase; 4. new window

Property owners Max and Elaine Cohen presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-D. Project application is to replace an existing window with a door and add an exterior landing and staircase for a second egress. Commission members were in favor of the concept but asked owners to return with specific, detailed drawing with all dimensions for the staircase.

Chairman Lima invited comments from the public. There were none.

A motion was made to continue Application 09-054 until the receipt of requested drawings (Brigidi/Margiotta 6-0).

11. 09-057 60 Church St., John & Mary Ann Allen

1. rebuild windows; 2. repair area SE corner leak; 3. repair window trim, sill; 4. replace 3 windows

Neighbor John White presented for the property owners. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-K. Mr. Allen requested that the replacement of three windows be continued until a later meeting. Mr. White stated that the remainder of the work was in kind replacement and repair.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-057 as presented to rebuild windows, repair SE corner leak and repair window trim using in kind material. Item #4 – replace windows to be continued in accordance with Secretary of the Interior Standards #8, 9 (Andreozzi/Wolfe 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 8, 9

Project Monitor: Stephen Brigidi

12. 09-058 275 Wood St., Francis Nowak
studio addition

Property owner presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-M. Mr. Nowak wishes to build an astronomical observatory on the top of an existing detached studio roof. The addition would be on the north side of the roof. The dome roof will be white with white stained cedar shake siding.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-058 as presented to construct an addition to the detached studio in accordance with Secretary of the Interior Standards #9, 10 (Brigidi/Andreozzi 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standards: 9, 10

Project Monitor: David Andreozzi

13. 09-059 12 Byfield St., Elbert Gardner
1. design/construction details; 2. stone wall

Property owner's son, Steven Gardner presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-E. Application is for approval for work that has already been completed. Mr. Gardner was required by the building inspector to design a structure to contain runoff due to development of the lot. Mr. Gardner constructed a stone covered cement block wall to contain the runoff. Also, Mr. Gardner used vinyl construction materials prior to approval of construction details. Mr. Brigidi stated that the vinyl components were detailed in the construction plans submitted to and approved by the Commission. Records show that the Commission approved only the design and massing and anticipated future applications for building details. Mr. Gardner stated that several changes were made to the plans based on Commission suggestions made at the February 7, 2008 meeting – the front door was changed to wood material and some design details were removed. Eric Hertfelder stated he felt plastic and vinyl materials are not appropriate for new construction in the Historic District.

Discussion centered around the need to ask Mr. Gardner to change all of the unapproved details or to approve the completed building with existing materials. Mr. Gardner spoke of the expense of making changes and the delay in receiving funds due to the hold up of the Certificate of Occupancy.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 09-059 as presented for the stone wall and existing finish details as constructed in accordance with Secretary of the Interior Standard #9 (Brigidi/Hertfelder 4-2 (Andreozzi and Wolfe against)).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standard: 9

Old Business: Andy Teitz stated the Commission needed to set a date for election of a Chairman, Vice-Chairman and Secretary. It was decided to have this election at the September meeting.

A motion carried to add discussion of the remand from the Zoning Board regarding Bristol Housing Authority Applications #09-004 and 09-019 to the agenda (Brigidi/Lima 6-0). The Authority is seeking reversal of the HDC decision regarding the color of the siding to be applied to the front of the addition to the office. At the urging of Solicitor Teitz to expedite this matter, a Special Meeting was scheduled for Monday, July 20, 2009, to address the remand.

New Business: A motion to add to the agenda an emergency application from William Barlow for **139 Hope St. (Plat 16, Lot 52)** was approved (Brigidi/Wolfe 6-0).

Application 09-071 request for emergency repair to the 1. seawall and 2. deck.

Mr. Barlow stated that the December 2008 storm had seriously damaged the seawall and deck which supports a building on this property. Prior to approval Mr. Barlow began repairs by removing more of the deck and bulkhead. Mr. Barlow was issued a Stop Work Order by Jack Evans, Code Compliance Coordinator and a Violation Notice by the HDC Staff Assistant. Mr. Barlow then completed an HDC application for approval of the repair. Exhibits include photos of the property, engineering design for the reconstruction and letter stating emergency need for the repair from Geisser Engineering Corp. The new seawall will be constructed of concrete with a concrete deck. Mr. Barlow will discuss rail requirements with the Building Inspector and apply for approval of his selected design.

A motion was made for Emergency approval for Application 09-071 as presented for repair/replacement of the seawall and deck as presented in the Exhibits B, C. Owner must return for approval of the rail to be constructed around deck. Approval is in accordance with Secretary of the Interior Standard #6 (Brigidi/Wolfe 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standard: 6 and documentation submitted by engineers that the property is in imminent danger of destruction.

Monitor: Ory Lima

Mr. Brigidi asked for approval of his decision allowing movement of signs for Striper Moon. Solicitor Teitz stated that it was a matter of law that Approvals belonged to the property in the application and belong to that property not the owner or business operator. As there is an application for the signs scheduled at the August meeting, the matter will be discussed at that meeting.

Adjourn:

A motion to adjourn was unanimously passed at 12:00 Midnight (Wolfe/Brigidi 6-0)

SC

Date Approved: August 6, 2009