

**MINUTES
REGULAR MEETING OF WEDNESDAY SEPTEMBER 25, 2024
DRAFT MINUTES**

By: Vice Chair Stevens

Time: 5:00 P.M.

Place: City Hall
Council Chambers
111 North Main Street
First Floor

MEMBERS:	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Colleen Nicastro, Chair		X
	Karen Stevens Vice Chairman	X	
	Patti Philippon (Secretary)	X	
	Andrew E. Collins	X	
ALTERNATE MEMBERS:	Mary Beth Mackiewicz		X
	Alicia M. Jennings	X	
	Keith David Elder	X	
STAFF:	Andrew Armstrong, Assistant City Planner	X	

Per the order of Vice Chair Stevens, the meeting was called to order at 5:00 P.M.

2. Pledge of Allegiance

Vice Chair Stevens called the meeting to order at 5:00 P.M. and led all present in the Pledge of Allegiance. She then introduced the Committee Members to all present. Introductions included New Alternate members Alicia Jennings and Keith Elder, she stated they hadn't received all the necessary training and could not participate in the first two applications but they could participate in the third application as it was a new application.

3. Public Participation

Robert Boudreau, 41 Broadview Street, addressed the staff communication item that was due to a complaint of past work at 38 Broadview Street. He shared what Mr. Flanagan who was the prior Staff representative at the time, instilled in us by Mr. Flanagan was the fact that what is seen from the public way is regardless of landscaping. He stated that per the Google Earth photo in the application for 38 Broadview Street, the backside of that property is only visible from a public way from Carlton Place, so he fully disagrees with the determination that the assistant city planner has made that this property, and the complaint that was registered is not applicable to this board.

Andrew Armstrong stated he consulted with Mr. Flanagan and he agrees with Mr. Armstrong's decision.

Kevin Prior, 41 Broadview Street, shared that additionally from the Broadview Street sidewalk there is a pile with a blue top over it. If you look beyond that blue tarp you can see the backyard that was paved. You can't see it because of the obstruction that they created with the pile and the blue tarp. Remove that, and you can see down into the yard.

The commission stated they could not see into the backyard. Mr. Armstrong shared a photo from Carlton Place and the commission could not see the door from that property. Vice Chair Stevens stated there is a porch that is blocking the door and you can not see it.

Mr. Armstrong stated Land Use case law does not support regulating someone's rear yard.

No additional Public Participation.

Vice Chair opened the Public Hearing.

4. Public Hearings

- a. Application #2024-07-02 – Request for a Certificate of Appropriateness for the replacement of wood windows with vinyl windows (includes some windows already replaced) at 38 Broadview Street; Assessor's Map 25A, Lot 85; Flor Alvarez, applicant (Public Hearing continued from August 28, 2024 Meeting).

The Commission received the following items in their electronic packets:

- a. application form
- b. location map
- c. e-mail from Flor Alvarez, re: extend public hearing
- d. window specifications
- e. picture of existing house (5 photos)

materials from prior meeting August 28, 2024:

- f. window specifications
- g. picture of existing house (3 photos)
- h. e-mail to applicant regarding additional information (1 page)

Vice Chair Stevens designated regular Commissioners Philippon, Collins and Stevens to vote on Application #2024-07-01.

Fernanda Avila, 38 Broadview St., representing the applicant, stated they looked into trying to get the proper windows, but most windows have the thicker marking around the window due to the insulation.

Vice Chair thanked the applicant for the updated information and photographs.

Commissioner Collins stated the new material is helpful.

Robert Boudreau, 41 Broadview Street. Asked to bring up the photo of the front of the home and asked to zoom into the windows that have been replaced as much as possible. These windows are significantly smaller than the opening. There is no current description of what the finish is going to be to ensure that the windows and what that detail is going to look like in the window opening where those windows are smaller than the opening is.

Vice Chair Stevens asked the applicant if they had any additional information regarding what was stated by Mr. Boudreau.

Fernanda Avila, 38 Broadview St., representing the applicant, stated they are going to paint the outside so it looks more like the wood and matches the wood on the outside. The inside already has insulation with foam and on the outside, there are pieces of metal that have to be installed to cover the space and gaps. They weren't able to install it due to the cease and desist.

No one else spoke in favor of the application.

No one spoke against the application.

MOTION: Move to close the Public Hearing of Application #2024-07-02 – Request for a Certificate of Appropriateness for the replacement of wood windows with vinyl windows (includes some windows already replaced) at 38 Broadview Street; Assessor's Map 25A, Lot 85.

By: Collins

Seconded: Philippon

For: Philippon, Collins, and Stevens.

Against: None.

Abstained: None.

The hearing is closed.

The Commission deliberated and a motion was made.

MOTION: Move to approve Application #2024-07-02 – Request for a Certificate of Appropriateness for the replacement of wood windows with vinyl windows (includes some windows already replaced) at 38 Broadview Street; Assessor's Map 25A, Lot 85; Flor Alvarez, applicant, in accordance with the plot plan and information submitted, be APPROVED because of the following reasons:

This Approval is subject to the following conditions:

- 1) Prior to a final Certificate of Occupancy being issued, the Land Use Staff will conduct an inspection to certify compliance with the terms and conditions of the approval.
- 2) Any deviation from the approved plans may require approval of the Commission after staff review and discussion with the Vice Chairman.
- 3) Any transfer or assignment of this permit shall require approval of the Commission.
- 4) This permit may be revoked if the permittee exceeds the conditions or limitations of this permit or has secured the permit through deception or inaccurate information.

By: Collins

Seconded: Philippon

For: None.

Against: Philippon, Collins, and Stevens.

Abstained: None.

The application is denied.

- b. Application #2024-08-03 – Request for a Certificate of Appropriateness for the replacement of 31 wood windows with vinyl windows including adding new grates at 196 Woodland Street; Assessor's Map 25, Lot 110/40-1; Woodland Suites LLC, applicant (Public Hearing continued from August 28, 2024 Meeting).

The Commission received the following items in their electronic packets:

- a. application form
- b. location map
- c. new materials for application:
 - e-mails from applicant to Andrew Armstrong
 - photos (7 photos)
 - materials from prior meeting
- d. window specifications (2 photos)
- e. photos (before and after photos – 2 photos)
- f. grid window specifications (2 photos)
- g. window photos (7 photos)
- h. window schedule (2 pages)

Eugene Klimaszewski of Woodland Suites, LLC, 1 Hartford Square, #25, New Britain, shared that he will be replacing the previously replaced window so that they will all match.

Vice Chair thanked the applicant for providing additional information for this application. Vice Chair invited the public to speak.

Robert Boudreau, 41 Broadview Street spoke in favor of the application and what the contractor is doing by fixing continuity errors on the home.

No one else spoke in favor of the application.

No one spoke against the application.

MOTION: Move to close the Public Hearing of Application #2024-08-03 – Request for a Certificate of Appropriateness for the replacement of 31 wood windows with vinyl windows including adding new grates at 196 Woodland Street; Assessor's Map 25, Lot 110/40-1; Woodland Suites LLC, applicant (Public Hearing continued from August 28, 2024 Meeting).

By: Collins

Seconded: Philippon

For: Philippon, Collins, and Stevens.

Against: None.

Abstained: None.

The hearing is closed.

MOTION: Move to approve Application #2024-08-03 – Request for a Certificate of Appropriateness for the replacement of 31 wood windows with vinyl windows including adding new grates at 196 Woodland Street; Assessor's Map 25, Lot 110/40-1; Woodland Suites LLC, applicant, in accordance with the plot plan and information submitted, be APPROVED because of the following reasons:

This Approval is subject to the following conditions:

- 5) Prior to a final Certificate of Occupancy being issued, the Land Use Staff will conduct an inspection to certify compliance with the terms and conditions of the approval.
- 6) Any deviation from the approved plans may require approval of the Commission after staff review and discussion with the Vice Chairman.
- 7) Any transfer or assignment of this permit shall require approval of the Commission.
- 8) This permit may be revoked if the permittee exceeds the conditions or limitations of this permit or has secured the permit through deception or inaccurate information.

By: Philippon

Seconded: Collins

For: Philippon, Collins and Stevens.

Against: None.

Abstained: None.

The application is approved.

- c. Application #2024-08-04 - Request for a Certificate of Appropriateness for a new shed at 45 Carleton Place; Assessor's Map 25A, Lot 89; Carrie Bartucca, applicant.

Vice Chair Stevens invited alternate members Alicia Jennings and Keith Elder to participate in this hearing as it is a New Application. Regular Commissioners Philippon, Collins and Stevens to vote on Application #2024-08-04. She also designated alternate Commissioners Elder, and Jennings and to vote on Application #2024-08-04.

The Commission received the following items in their electronic packets:

- a. application form
- b. location map
- c. photographs (5 photos)
- d. shed specifications

Carrie Bartucca, 45 Carleton Place, applicant explained to the Commission where the shed would be placed and the aesthetics of the shed would match that of the home. She stated Klotter Farms will be installing the shed upon a stone foundation.

Robert Boudreau, 41 Broadview Street spoke in favor off the application the proposed structure and roof color and shingles are the 3 tab and the standard for this commission.

Commissioner Collins asked what the visibility will be of the shed.

The applicant, Carrie Bartucca, stated that it is highly landscaped on the front and side of the house so it will be pretty much not visible from the street.

Kevin Prior, 41 Broadview Street spoke in favor off the application stating that the proximity of placement is absolutely unintrusive from the street.

No one else spoke in favor of the application.

No one spoke against the application.

MOTION: Move to close the Public Hearing of Application #2024-08-04 - Request for a Certificate of Appropriateness for a new shed at 45 Carleton Place; Assessor's Map 25A, Lot 89; Carrie Bartucca, applicant.

By: Philippon

Seconded: Collins

For: Philippon, Collins, and Stevens.

Against: None.

Abstained: None.

The hearing is closed.

MOTION: Move to approve Application #2024-08-04 - Request for a Certificate of Appropriateness for a new shed at 45 Carleton Place; Assessor's Map 25A, Lot 89; Carrie Bartucca, applicant, in accordance with the plot plan and information submitted, be APPROVED because of the following reasons:

This Approval is subject to the following conditions:

- 9) Prior to a final Certificate of Occupancy being issued, the Land Use Staff will conduct an inspection to certify compliance with the terms and conditions of the approval.
- 10) Any deviation from the approved plans may require approval of the Commission after staff review and discussion with the Vice Chairman.
- 11) Any transfer or assignment of this permit shall require approval of the Commission.
- 12) This permit may be revoked if the permittee exceeds the conditions or limitations of this permit or has secured the permit through deception or inaccurate information.

By: Collins

Seconded: Philippon

For: Philippon, Collins, Elder, Jennings, and Stevens.

Against: None.

Abstained: None.

The application is approved.

5. New Business

There was no new business.

6. Old Business

There was no old business.

7. Staff Reports

- a. Review of Complaint – 38 Broadview Street

The Commission received the following items in their electronic packets:

- a. Memorandum dated September 19, 2024, re: complaints of past work at 38 Broadview St.

8. Approval of Minutes

- a. Regular Meeting - August 28, 2024

The approval of the Minutes from August 28, 2024 was tabled as the commission was unable to review them.

9. Adjournment

MOTION: Move to adjourn at 5:56 P.M.

By: Collins

Seconded: Philippon

For: Philippon, Collins, Elder, Jennings, and Stevens.

Against: None.

Abstained: None.

The meeting adjourned at 5:56 P.M.

Respectfully submitted,

Janet Little
Recording Secretary

Colleen Nicastro, Chair

Patti Philippon, Secretary