

TOWN OF DURHAM
Historic District Commission
Regular Meeting
Monday, January 5, 2009, 8:00 PM
Durham Public Library Meeting Room
7 Maple Avenue, Durham, CT 06422

Call to order, roll call, seating of alternates: The meeting was called to order at 8:05 PM by Chairman Duncan Milne at the Durham Public Library.

Roll Call: Members Present: Duncan Milne and Gordon Wolfgang. Alternates Present: Linda Bertelsen, Clay Howe and Diana McCain. Staff: Trish Dynia. Others: Selectman Jim McLaughlin, Resident Gene Riotte, and Public Safety Facilities Renovations Planning Committee Co-chairmen David Heer and Andy Meiman.

Seating of Alternates: Linda Bertelsen, Diana McCain and Clay Howe were seated.

Approval of Agenda: *A motion was made by Linda Bertelsen, seconded by Diana McCain, to approve the agenda as written. The motion passed unanimously.*

Public Session: Gene Riotte of 307 Main Street expressed frustration that there is a history of numerous, and often serial, violations of HDC regulations within the Historic District. He wondered why he “jumped through hoops” to comply with the regulations when others continuously thumb their noses at them.

Members noted that over the past several years the Commission has been frustrated by numerous violations, which seem to fall into five categories: 1. Homeowners who fail to apply for building permits and/or APCOA'S and simply do the work without any permits, 2. Homeowners who apply for a building permit but withhold details that would trigger the building department to say they also need an APCOA, 3. Homeowners who apply for an APCOA, do not show up for the hearing and simply do the work, 4. Homeowners who apply for an APCOA, are approved for one thing and proceed to install something quite different from what was approved, and 5. Homeowners who are turned down and proceed to do the work that was denied.

Mr. Riotte encouraged the Commission to take a stronger stance regarding these violations. Members agreed and expressed their own frustration with the situation, noting that letters have been sent to violators, often to no avail, and the Commission has sent a letter and HDC booklet to all homeowners in the District, as well as local real estate agencies to ensure that people are aware of the process. The main frustration comes from the perceived lack of ability to enforce regulations, a situation Chairman Milne likened to, “Pulling a trigger when you’re not holding a gun.”

Selectman McLaughlin stated that although the HDC has no legal budget, the Commission could inform the Board of Selectmen that it wants the Town Attorney to write a letter to each of the

non-compliant homeowners telling them that they must bring their property into compliance, apply for an APCOA or remove the construction, otherwise the Town would take legal action.

Andy Meiman asked if the Durham Ambulance Corp building at 205 Main Street would need to apply for an APCOA if it were determined that the slate roof must be repaired or replaced. Chairman Milne explained that repairs to the existing roof and replacement with slate materials would not require an application but that a roof with other materials would. The applicant would be the Town of Durham via the Board of Selectmen. Duncan also suggested that the Ambulance Corp request that the BOS have Building Inspector Dick McManus look at the roof and make a recommendation as to what should be done.

Informal discussion with co-chairs of the “Public Safety Complex” building committee, specifically regarding the town-owned former residences, now to be part of the complex:

Chairman Milne asked the co-chairs to explain what might be their intentions regarding the homes on either side of the existing fire department building. Andy Meiman replied that the Committee’s charge from the Board of Selectmen was to create a biddable building plan to incorporate the fire department, ambulance corp, emergency management department, state trooper and fire marshal on the three town-owned lots in question. The plans are to take into consideration the recommendations from previous needs assessment committees.

Chairman Milne stated that it was his opinion that the two houses are in a deplorable condition due to town neglect and that they are modest but important aspects of the Historic District streetscape in need of radical renovation and restoration. Clay Howe added that any exterior changes to the three properties must come before the HDC.

In reply to a question by Gordon Wolfgang regarding access to the three properties, the co-chairmen noted that a driveway system would allow on-site access to all three buildings. The house to the south of the fire department will likely house the trooper’s office in order to allow for police interview privacy. The fire marshal would likely be housed in this building also, with the house to the north reserved for other emergency services.

Dave Heer noted that the committee recently conducted a walkthrough of the properties and determined that there were serious structural concerns regarding both homes and that they need to have a structural engineer look at them. All agreed that in order for the homes to be saved from the wrecking ball and also be useful components of the safety complex, they would need to be completely gutted. Jim McLaughlin stated that experience tells him that it is cheaper to restore than tear down and build new buildings.

Dave Heer stated that the committee is looking at parallel paths, noting that down the road they must show the town’s taxpayers that they have done due diligence regarding all options. He added that it was too early to tell which road they would go down.

HDC members noted that in order to approve an APCOA to tear down a house in the Historic District, at the very least, it must be proved that those structures are not and cannot be made sound. Chairman Milne further noted that the historic significance of a building within the district would also be considered.

Diane McCain reported that she is preparing a grant application to the Connecticut Trust for Historic Preservation of Municipal Buildings. If approved, the funds might be available for the aforementioned renovation project.

Review of Historic District Compliance Procedures: *A motion was made by Linda Bertelsen, seconded by Diana McCain, to identify and present to the Board of Selectmen non-compliant projects within the historic district for the town attorney to review and advise regarding legal recourses. The motion passed unanimously.*

Payment of Bills: *A motion was made by Diana McCain, seconded by Clay Howe, to pay the following bill: Trish Dynia Secretarial Services, November 2, 2008 through January 4, 2009, \$157.50. The motion passed unanimously.*

Election of Officers: *A motion as made by Gordon Wolfgang, seconded by Clay Howe, to elect the following officers for 2009: Duncan Milne, Chairman, Diana McCain, Vice-Chairman, Linda Bertelsen, Secretary. The motion passed unanimously.*

Approval of Minutes: *A motion was made by Clay Howe, seconded by Diana McCain, to approve the December 1, 2008 minutes as written. The motion passed unanimously.*

Old Business: None

New Business: Diana McCain announced an upcoming conference to review standards and procedures in Connecticut historic districts.

Adjournment: Chairman Milne adjourned the meeting at 9:20 PM.

Respectfully submitted,

Patricia Dynia
Recording Secretary

Cc: Town Clerk, Commission Members