**Town of Edgartown**

~Historic District Commission~

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Historic District Commission

Minutes

Thursday, July 11, 2019

Members in attendance: Christopher Scott, Susan Catling, Cassie Bradley, Ken Magnuson, Peter Rosbeck, Julia Celeste, Cari Williamson & Molly Costello. Staff: Bricque Garber.

Mr. Scott called the meeting to order at 4:04 PM.

**Public Hearing: 49 Davis Lane. Gregg Jubin & Cristina Aragona.** Christopher Pagliaro/agent. Applicant proposes to construct a 2 story addition, add 2 shed dormers, replace windows, roof, siding, trim and construct a new fence and improved parking area. Mr. Scott read the public hearing notice and explained the process for the hearing. There was a site visit prior to this hearing.

Mr. Pagliaro made his presentation describing all facades of the existing structure and the proposed changes. The applicants were present for the presentation. The changes from the plans as were submitted in May and were described to the members in June, included the elimination of the half-round window at the gable of the master bedroom in the proposed addition - replaced with clapboard, the addition of clapboard to the sides of all dormers, elimination of the roof changes atop the existing bay, no door access from the 2nd floor (remove railing), keeping the existing lower roof pitch and replacing the roof material with copper. The members were encouraged to ask any questions of Mr. Pagliaro regarding the facades and the changes encouraged by the Commission at the previous meeting. Chris Scott asked about the roof line, on the addition. A: the roof line not to be changed. Mr. Pagliaro noted the owner’s preference for black rather than dark green shutters. There was no objection to black shutters. Members noted that the application had been explained in detail. Cassie Bradley asked about the white block shown, is it privet? It is not clear on the plan. A: Yes, it is privet and the fence will be wood painted white. New foundation work will mimic the granite as currently exists. Q. Peter asked about the pitch of the copper roof. A: Shallow. Noting that there are no gutters on the house, none are proposed. The plan does

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not add gutters or raise/change the foundation of the historic house. The house must be lifted for the foundation work but will be set back at current grade. The meeting was opened for public comment. There were no abutters present. Three letters received, in support of the project, were read to the members as well as a letter asking questions, from Mr. Tankard. The questions were answered by Mr. Pagliaro and the answers were emailed to Mr. Tankard. There being no additional public comment, the public hearing was closed. Member’s consideration of the proposed plans: Christopher Scott noted the comprehensive attempt to create a compatible yet subordinate addition to the house. Cari Williamson sees the addition as historically appropriate and she appreciates the detail and location which minimizes the view at a very visible location. Ken Magnuson found the plans “impressive”. Julia Celeste said that she really appreciates the efforts and attempts to respect the iconic building. Peter Rosbeck finds the changes to be modest and tastefully considered. Motion to approve with color change to shutters from green to black, Julia Celeste. 2nd, Peter Rosbeck. Unanimously approved.

**4:45 - 16 Pent Lane (20D-50) *change to approved plan****.* **Brad Jensen & Caroline Blackwood**. Patrick Ahearn/agent. Applicant proposes to move the driveway as was approved - close to the house, to the other side of the Stewartia Tree. Mr. Ahearn made his presentation to move the driveway. Noting that when staking the ‘metes & bounds’ of the lot, it was found that there is more land on the right side of the tree, than previously thought. The plan to move the drive was suggest by the landscaper. Mr. Ahearn said that he had spoken to the abutters, on the right - David and Mary Ellen Croteau, regarding the change of the driveway and he read an email from the Croteau’s outlining their approval of the change to the drive location. Julia Celeste noted the approved plans engendered much discussion regarding the driveway location and the preservation of the Stewardia tree and should be closely considered. Patrick noted the change will allow for more landscaping. Chris Scott said that he went to the property, to review the site and he does not see a difference between locating the drive on one side or the other side of the tree. The window wells currently have a “lip” above grade. Mr. Ahearn said that the wells will be level with the grade of the drive after the fill is completed and planting/landscaping completed. It was noted that there will be a 4ft. picket rather than solid fence at (as was approved at rear of the parking area)as the owners find the picket a better choice and the members agreed . The fence will be wood painted white. A fence notation added to the current application by Mr. Ahearn. Peter Rosbeck made the motion to approve. 2nd,  Susan Catling. Unanimously Approved.

 **76 S. Water (20D-165) James Dixon.** Patrick Ahearn & Island Pools/agents Addition to approved plan. Applicant proposes to install a 4 ft. wire fence inside of hedge (pool fence) with 4 ft. gate at rear opening at center bay of carriage house. Peter Rosbeck is recused from this hearing as brother is the pool contractor. Mr.

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Ahearn described the 4 ft. wire fence as coated green wire to be placed within the plantings/hedges and noted it is required as pool fencing. He noted the gate was

shown on the original approved plan but the fence was not drawn on the plan as approved. Ken Magnuson made the motion to approve. Julia Celeste 2nd. Unanimously Approved.

**5:15 - 82 N. Summer St. (20D-91) Nancy Whipple.** Chuck Sullivan/agent.

Applicant proposes to add new side entry/mudroom, new accessory apartment addition to the rear, new front dormer, replace all windows, siding and roof shingles. Mr. Sullivan provided a brief history of the property and noted that MACRIS dates the house at 1910. Mrs. Whipple said she was told 1917. Chuck Sullivan showed a photo from MACRIS records from 1973. He showed an aerial photo and to illustrate the location of the proposed addition. The floor plan was reviewed, illustrating the location of the addition and the accessory apartment as proposed. Chuck reviewed the renderings noting the reasons for the changes. He created a rendering, from current photographs, to illustrate the addition and changes to the dormer. He described the additions as keeping the main house prominent and keeping the additions secondary and off the road. It was noted that this project will require ZBA approval as it is a pre-existing house on a non- conforming lot. They are seeking to have HDC approval prior to ZBA. Susan asked if there is a view of the proposed from any other streets. A: Chuck will determine. Motion to send to a Public Hearing on August 15th, Susan Catling. 2nd, Cari Williamson. Approved to move to Public Hearing on August 15th, 2019. The applicant and agent approved in writing of the continuation of time required to schedule notice in local publication and mail abutter notices.

**73 N. Water St. (20D-289) Brian Mann**. Julia left and Molly took her place at 5:05. Mr. Scott described that four applications have been presented to this board within the past year.

1. Cert of Hardship for Fence **– N. 73 N. Water Street (20D-289) Brian Mann.** *Applicant proposes the modification of existing & construction of new privacy fencing and the addition of an 8 & ½’ x 6’ brick patio and planter box.**Application denied 5.16.19.*

Chris Scott explained the genesis of this request for a hardship approval as the application was originally dated February 22. Subsequently there was a public hearing which was continued and one meeting that was cancelled due to a lack of quorum. Mr. Mann engaged an attorney who issued an opinion that the applicant is entitled to what is known in other boards as Constructive Approval, here referred to a Hardship Approval based upon the time elapsed prior to the Commission’s denial of the application. The Edgartown, Town Counsel has advised the board that Mr. Mann is entitled to the Hardship Certificate. (Mr. George W. Torin advised the

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Chairman that he is taping the hearing). Chairman Scott made a motion to provide the Certificate of Hardship for the 2.22.19 fence and patio application. Susan Catling provided the 2nd. Unanimously voted to Approve.

1. Withdrawal of Application dated 5.22.19. Scheduled for Public Hearing today.

**73 N. Water St. (20D-289)** **Brian Mann***. Applicant proposes the addition of a pool & bluestone pool deck, 4’ pool fencing, 6 ft. fencing at parking area and rear of property, 15” brick retaining wall at the edge of the pool deck.*

This application was advertised for Public Hearing today, and is listed as a PH on the agenda. Motion to allow the applicant to withdraw the application, Christopher Scott. 2nd,  Susan Catling. Unaimously Approved.

1. New Application 7.8.19 - **73 N. Water St. (20D-289)** **Brian Mann.** Applicant proposes 5’ solid fence 29’back and facing N. Water St. 5-6’solid fence fronting Morse; 6’fence at parking area and rear of lot;4’solid fence back to house;16”stone retaining wall at edge of bluestone patio (12x39’); pool (18x36’) set 62’from Water St.; single car garage set 87’ from Water St; extension to porch and basement at rear of house. Dated June 24th 2019.

Mr. Scott noted that this application was placed on the Assistant’s desk while she was on vacation. Mr. Mann said that he understood her to be away at the time he left the application. The Application was date stamped by Ms. Garber and by the by Town Clerk on 7.8.19. Mr. Scott read the current application and asked Mr. Mann if this application states all the work he would like to do on this property? A: Mann, Yes, this is the totality of the work desired for the property. Mr. Scott related to Mr. Mann that the application before the Commission has been reviewed for completeness and was found to be an incomplete application. It was noted that there are measurements missing and as this application concerns itself with foundation work and an addition to the historic home, A Certified determination of existing and proposed grade for foundation work is required, as well. Noting that the applicant has drawn his own plans, Mr. Scott inquired if he is a certified engineer or architect. A: He has an engineering degree but is not a Certified Engineer or Architect. Mr. Scott advised Mr. Mann to engage the services of a registered architect and engineer, noting that the plan submitted is basically a sketch and it is difficult to evaluate the plans as presented. Noting this is a very significant and very historic home in a key location in the district, Mr. Scott offered that this plan does not rise to the level of plans routinely submitted to this Commission for review. Mr. Scott explained that the applicantion won’t be reviewed and moved to public hearing until it is more complete. Mr. Mann disagreed that the measurements are missing from the plans. Mr. Scott offered that this is a splendid historically significant home that would significantly benefit from the work of

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professionals in planning and execution of the plans. Mr. Mann was offered the choice of withdrawing the application to resubmit, or to continue to a date in the

future when a more complete plan/application is submitted. Susan Catling made the Motion to continue per the request of the Commission and Mr. Mann for inclusion of further submission materials. Date of continuance, uncertain. Mr.

Mann signed a request for continuance. 2nd, Cari Williamson. Unanimous approved to continue.

**Old/New Business:**

***Harbor View Pool Bar***: Bricque explained that there have been abutter complaints to the HDC, Building Department, and the Zoning Board of Appeals regarding the construction of a pool bar at the Harbor View. The HDC had provided an approval of the pool bar. The Building Inspector asked that the HDC take a look at the approval of April 4, 2019 to ascertain if they find if the pool bar, as built, is in conformity with the approval. Ms. Catling took photos of the pool bar from the sidewalks of both North Water and Fuller and the photos were provided to the members for review. It was noted that this approval was part of an application for changes which included lighting, fencing, removal of barriers between balconies (Mayhew) and the construction of a new pool bar. There have been many changes and additions to the plans for the Harborview that were originally approved in 2008.

Mr. Murphy, agent for the applicant, explained that the cupola, not approved by the HDC, has been removed.

The minutes of the April 4, 2019 meeting noted a new pool bar, on the other side of the pool, to replace the existing pool bar (to be demolished) was described as “barely visible from Fuller St.” Previous site visits, photographs and Minutes were discussed. The members concurred that they do not see the visibility as significant at this commercial location and they do not see the new construction as a violation of the plan as was approved by the HDC in April.

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Motion to approve, Julia Celeste. Susan Catling, 2nd.  Unanimously approved.

Adjourned at 6:10.

Respectfully submitted:

 *Bricque Garber*, Assistant

Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 7.25.19

 *Christopher Scott, Chairman*