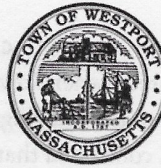


WESTPORT HISTORICAL COMMISSION



WESTPORT, MASSACHUSETTS

May 7, 2018 MINUTES

approved June 4, 2018

Present

Members: Bill Kendall, Jane Loos, Janet Jones, Rud Lawrence, Caroline Bolter, Geraldine Millham, Henry Swan
Alternates: Beverly Schuch

Absent

Members: David Paddock

Others in attendance:

Richard DiNatale, Siobhan DiNatale, Marita Pinet, Christine Conway, Scott D. Burke, Esq., Sally Harty, Charlene Brock, Sandra Feeny, Barbara Slaughter, Richard Earle, Mary Ellen Kennedy

Chair Bill Kendall (BK) opened the meeting at 6:00pm in the basement meeting area of the Town Hall. Geraldine Millham (GM) volunteered to act as recording secretary.

BK appointed seven regular members present as voting members. BK named BS to substitute for JL when she recused herself from the Ferrari hearing to avoid any appearance of a conflict of interest since she had attempted to purchase that property 18 years ago and BS to substitute for HS when he recused himself from the Pinet hearing because he is an abutter.

A. GENERAL BUSINESS

1. Minutes of April 2, 2018 Meeting

BK had a clarification on p2, section C. Preliminary Reviews, 3rd bullet under c.

"BK sees no problem with the addition and it does not matter what is done about the shutters..."

He wanted it noted that he had added at the time, "...for that house, in that location."

RL moved that the minutes be accepted as ammended, JL seconded, JJ abstained, the vote was unanimous.

2. Minutes of April 23, 2018 Special Meeting

RL moved that the minutes of this meeting be accepted as drafted, JL seconded, JJ abstained, the vote was unanimous.

3. Handy House subcommittee report

PDFs of the proposed exterior signage at the Handy House had been circulated by email to the membership. JL moved that the WHC accept the report and recommendations of the subcommittee. RL seconded, the vote was unanimous.

4. Monitor's Reports

1813-1815 Main Road, some work is being done but project monitor RL had nothing to report.

2010 Main Road, the Building Dept. notified BK that the Bachelders were going to start on the second floor deck off the east side of the barn. BS volunteered to be a monitor on this project along with present monitor GM.

5. By-law Subcommittee of One

RL had nothing to report but will present the bylaw again at the WHC August meeting to include summer residents. It will be a posted open meeting with a legal notice in *Shorelines* and a notice going out to the Point Association and the Point PO.

B. 6:15, PUBLIC HEARING FOR A CERTIFICATE OF APPROPRIATENESS FOR 1881 MAIN ROAD,

1. Richard DeNatale represented owner Steve Ferrari, who could not attend. BK explained that he had asked Mr. Ferrari to add more detail to the drawings that were presented, and generally favorably reviewed, at the 4.2.18 preliminary review. BK confirmed that the only changes made were to provide more details about the proposal. BK outlined for the meeting what additional details had been provided. Abutter Carol Long questioned the septic plan that necessitated the decision to move the outbuilding. BK advised her to take questions/concerns regarding the septic system to the Board of Health who have responsibility for the approval of the septic system and site.

2. RL moved to accept the plans as presented, JJ seconded that motion, the vote was unanimous. Monitors will be RL and CB.

C. 6:30, PUBLIC HEARING FOR A CERTIFICATE OF APPROPRIATENESS FOR 1871 MAIN ROAD,

1. Richard DiNatali, owner, presented the same plans that he had shown at his 4.2.18 preliminary review. The plans showed a 8'x12' deck off the 2nd floor bedroom on the west elevation of the house. Only a small portion of the deck railing will be visible from the road to the north of the house looking south. The deck railing will be painted wood, the same as the deck below it. The two windows will be replaced with double French doors. These doors will not be visible from a public way.

2. RL moved to accept the plans as presented, JJ seconded that motion, the vote was unanimous. Monitors will be BS and CB.

A. GENERAL BUSINESS continued

6. Treasurer's Report ending 5.3.18

GM presented the treasurer's report (see attached). RL moved to accept the report, CB seconded, the vote was unanimous.

7. WHC recording secretary search

With the retirement of Barrett Allen Borden as recording secretary, WHC members were encouraged to come up with a possible replacement. The pay is \$20 / hour.

D. 6:45, PUBLIC HEARING FOR A CERTIFICATE OF APPROPRIATENESS FOR 1903 MAIN ROAD

1. Marita and Paul Pinet, owners. Plans for the construction of a one story 20'x 20' addition to the existing house and the installation of a storage shed (already installed). Marita Pinet had previously presented plans at a preliminary review 4.2.18 which were met with positive response from the WHC. HS recused himself from the discussion as he is an abutter. BK explained that the property is located in the Westport Point Condominium (WPC) and that changes to the property requires the approval of the WPC. The Westport Building Department does have a copy of a 11.18.16 approval from the WPC for an addition to the Pinet's house on record but that plan did not include the shed.

2. Scott Burke, lawyer for 6 members of the WPC (the seventh members being the Pinets) stated that the Pinets do not have the approval of the WPC for this addition or the shed. Mr. Burke presented the WHC with a letter dated 4.25.18 stating that the Pinets have never presented plans for this 2017 addition to the WPC. The current plans are for a larger addition than was contemplated in 2016. In addition, Mr. Burke informed that WPC rules require that, if such issue is not discussed/voted on at a Trustee meeting, all seven of the Trustees must sign off on a written document to convey approval. In this case, he noted that the 2016 approval document on file with the Building Department is signed by only 4 of the 7 Trustees. He stated that WHC cannot approve any plan for changes within the WPC area without first receiving confirmation that WPC has approved such changes. Mr. Burke provided WHC with a 1987 copy of the 56 page Westport Point Condominium Trust agreement along with its various amendments.

3. JL confirmed that the 11.18.16 approval document was signed by 4 of the 7 Trustees and did not include a date for the plans that were the subject of that approval. JL also confirmed that there are some differences between the 2016 plans that were made available to WHC as part of earlier correspondence with the Applicant and those currently under discussion. She also noted that she had suggested that WPC prepare a clearer standard format for any WPC approvals that need also to be made available to WHC and other Town bodies as they conduct their own oversight. RL stated that in his opinion the WHC hearing was premature and that we could not move on a Certificate of Appropriateness without the approval of the WPC.

4. Marita Pinet stated that the condo issue was tangential to the WHC mission statement which was to only act on the 'design congruity' of the plan to the house and to the historical district.

5. GM noted that since the trustees of the WPC own the land and that the proposed addition is encroaching on that communal land, then the WHC should wait until it has signed approval from the WPC.

6. Marita Pinet strongly disagreed and insisted on continuing discussion. RL moved and BS seconded a motion to vote against approving the application as presented. The vote in favor was unanimous.

7. RL moved and BS seconded a motion to close the WHC meeting. The vote was 6 in favor and 1 against (JL). The meeting was adjourned at 7:15pm.

The next regularly scheduled meeting will be Monday, June 4, 2018.

Draft minutes submitted by GM.

ADDENDA:

5.3.18 Treasure's Report

4.11.18 Handy House Sub-committee report

4.25.18 letter and WPC Trust documents