

Harwinton Historic District & Historic Properties Commission

Minutes of Meeting

Tuesday, July 19, 2016 – 7:00 PM

Present: Power Booth (*alternate*); Peter Brazaitis IV, Bree Gurin (*alternate*); Joann Hohensee, Greg Marshall, Carole Romano.

Also present: Ms. Victoria Elliot (*applicant*); Attorney Perley Grimes representing Ms. Elliot, and Attorney Michael Rybak, representing the Commission; Mr. Tyler Cazzetta from C-Tecsolar of Bloomfield, CT, and Mr. Steven Miller, a licensed Provisional Real Estate Appraiser.

With a quorum established, the meeting was brought to order at 7:05 PM by Chairman Carole Romano

A PUBLIC HEARING was held for Ms. Victoria Elliot and Mr. Marvin McMillen of 10 Litchfield Road, for the approval of a Certificate of Appropriateness for solar panel installation. The legal ad. regarding this hearing, which appeared in the Saturday, July 9th edition of the Republican-American, was read. Attorney Grimes asked Commission members to introduce themselves and state if they had written or distributed an anonymous letter to town residents, both in and out of the district, in an attempt to influence them to vote against the solar installation project. Each member stated they had nothing to do with writing or distributing that letter. Attorney Grimes questioned the number of regular members on the Commission and established that we have a vacancy for one regular member. Attorney Grimes then asked Attorney Rybak for affirmation that the two alternate members would not be allowed to vote. Attorney Grimes also requested Attorney Rybak to confirm that this hearing was a continuation of the hearing conducted on 6/21/16 and that the notes from that meeting, which Ms. Elliott had requested under the FOI Act, were in our possession which Attorney Rybak did verify. Lastly, Attorney Grimes stated he and his client were there for a fair and impartial hearing and anyone who had any bias should recuse themselves.

Attorney Grimes then requested that the names and addresses of anyone who received a certified letter regarding this application be read along with confirmation that we obtained their return receipt. This certified letter was sent to the following abutters within the district who live within 200 feet of 10 Litchfield Road, and who, in accordance with SECTION 6 – Procedure. B. Notice, Hearings, and Approvals of the Town of Harwinton Historic District Ordinance, are the only people required to receive certified letters of public hearings:

John Davis and Thomas Clark
Jennifer and David Kelley
Gail Rotondo-Gabriel
Harwinton Congregational Church
Harwinton Investments LLC
J. Pouilliard
L. Chisnall
Lyn Chin

Return receipts were received from all except Harwinton Investments LLC. The letter for Ms. Lyn Chin was returned marked “unable to forward.”

Ms. Elliot came forward to explain the proposed project. Attorney Grimes asked Ms. Elliot to state her reasons for wanting solar panels which were as follows: she was moved by the “Solarize

Harwinton Historic District & Historic Properties Commission

Minutes of Meeting, Tuesday, July 19, 2016

Page 2

Harwinton" presentation; heating cost reduction; and the resale value of her house. She stated that based on her experience as a realtor, young people don't want these old houses. She said that young buyers want incentives to buy such a house and reiterated that the Harwinton solar initiative could be just such an incentive. Attorney Grimes then asked Ms. Elliott to list the green initiatives she's taken thus far which include the installation of a geothermal heating system, replacing the tile roof with asphalt shingles to stop water damage; inserting insulation in the basement ceiling; replacement of exterior and interior storm windows and having an energy audit of her home that suggested/provided weather stripping and caulking. Ms. Elliot stated that she believes these improvements will make it easier for future buyers to get a mortgage.

Ms. Elliott went on to say that she considered other locations for the solar panels but there are just too many trees to make it efficient and cost effective. She also stated that the main lawn is where her leach fields are and the garage does not get enough sunlight due to tall trees and a low roof so the solar company recommended putting panels on the roof of the house. Ms. Elliott stated that what she's trying to do here is not that complicated and that the panels will not be visible regardless of the season with the exception of a fixed position at the stop sign on Route 4.

Mr. Tyler Cazzetta of C-Tecsolar then took the floor and presented a sample of the all-black Photovoltaic (PV) solar panels that will be used for this project. The size of each panel is approximately 3 ½ feet by 5 feet and will lay flat against the roof with an approximate 1-inch clearance. The panels will not alter the roof line and are removable with no impact on the original roof. Mr. Cazzetta stated that this type of solar panel is highly efficient and will produce 300 watts of electricity. This type of solar thermal panel does not produce hot water. Mr. Cazzetta stated that other areas on the property were considered for the installation of solar panels but were ruled out because of tall trees and evergreens. The main lawn area was deemed not viable since this is where the septic fields are located. Mr. Cazzetta stated that the garage roof was also not an option because it is too low to collect sun rays. In his letter to the Commission, dated June 21, 2016, Mr. Cazzetta states that the roof is the only viable option that will achieve satisfactory results. As requested by the Commission, a photo was presented of an 1843 home in Simsbury, CT with solar panels of the type being used here. However, this home is not in an historic district. Again at the request of the Commission, Mr. Cazzetta presented a photo of Ms. Elliot's house along with a rendering of Mr. Cazzetta's installation plan. Many additional photos of Ms. Elliot's house were presented, all taken during the spring/summer months. Ms. Gurin asked if there were any photos of the house that we could see that were taken during the fall/winter months when the roof would be more exposed but there were none available.

The next presentation was given by Mr. Steven Miller, on behalf of Mr. James F. Calciano, a Certified General Real Estate Appraiser. Mr. Miller presented each Commission member with an informational packet for review entitled "Valuation Impact of Solar Panels On Character and Appearance of Properties Within the Harwinton Historic District" which was originally sent to Ms. Elliot. Included in the packet were photos of properties in the Farmington (CT) Historic District that had been approved for solar panel installation and the qualifications and licenses of both Mr. Miller and Mr. Calciano. It is the conclusion of Messrs. Miller and Calciano, found on page 6 of the informational packet, that "the proposed solar array will not substantially impair the historic character and appearance of the district."

Attorney Grimes presented the Commission members with an informational packet which included: 1) a letter from C-Tecsolar; 2) a picture of Ms. Elliot's house with LG Electronics product data sheets; 3) C.G.S. 7-147f; 4) page 6 from the Handbook – Harwinton Historic District; 5) letter from Steven C.

Harwinton Historic District & Historic Properties Commission

Minutes of Meeting, Tuesday, July 19, 2016

Page 3

Miller of Calciano & Stern; 6) a letter from the CT Trust for Historic Preservation and 7) letters from neighbors. Also submitted were street views of Ms. Elliot's home taken from South Road at various distances.

Public comments were received from the following attendees:

1. Tammy Mitman, 310 South Road; in favor;
2. Susan Ryan, 8 Burlington Road, in favor;
3. Rosemary Simko, 75 North Road; in favor;
4. Tom Schoenemann, 23 North Road, in favor;
5. Roger Plaskett, Town Historian, 120 South Road, opposed
6. Thomas Clark, 5 South Road, opposed (lives in district.)

Greg Marshall asked Mr. Cazzetta about the placement of the tiles in regard to the chimneys and requested that the panels be placed in a more uniform position on the roof. Mr. Tyler said he would do so.

Attorney Grimes took the floor again, reiterating much of his initial presentation. Additional comments included mention of the fact that driver's navigating the S curve in either direction would not be directing their attention to Ms. Elliot's roof; that the installation of the solar panels will be beneficial to Ms. Elliot as well as the historic district and the town of Harwinton by creating housing market stability and alternate sources of energy in alignment with the Harwinton solar initiative. Attorney Grimes also introduced a letter sent to Ms. Elliott from Greg Farmer of the Connecticut Trust for Historic Preservation that indicates the Trust's current consideration of installing photovoltaic panels on a property listed on the National Register but not located in a historic district. This project has received initial approval and will be evaluated in September, 2016 to establish the physical, visual and financial impact, all of which will then determine if the installation will move forward. Attorney Grimes read paragraph 4 of this letter which stated the mission of the Connecticut Trust for Historic Preservation. Greg Marshall stated that the visual impact will not only be from the road since this is the center of town and many town-related activities take place there resulting in heavy pedestrian traffic.

Twenty letters and emails received from interested parties were read in the order in which they were received and put into the record as follows:

Robin Turpin, 54 South Road, in favor
Payton Turpin, 54 South Road, in favor
David Ryan, 8 Burlington Road, in favor
Susan Ryan, 8 Burlington Road, in favor
Chris an Deb Olson, 26 Coventry Lane, opposed
Girvis Archer, 131 Burlington Road (in district), in favor
Frank Chiaramonte, 131 Burlington Road (in district), in favor
Joan Schoenemann, 23 North Road, in favor
P. Thomas Schoenemann, 23 North Road, in favor
Carll Pallokat, 251 Harmony Hill Road, in favor
Roger Plaskett, 120 South Road, opposed
William Ndini, 65 South Road (in district), opposed
Christine and Skip Day, 53 South Road (in district) opposed
Gail Rotondo-Gabriel, 21 South Road (in district) opposed

Harwinton Historic District & Historic Properties Commission

Minutes of Meeting, Tuesday, July 19, 2016

Page 4

Thomas C. Clark and John M. Davis, 5 South Road (in district) opposed
Liz Brayboy, 64 Whetstone Road, in favor
Keith Carroll, 38 Cottage Road, opposed
Gary Arnold and Anne Giordano, 47 South Road (in district) opposed
Janet Duchaine, 215 Locust Road, in favor
Peter and Cathleen Neag, 36 Harmony Hill Road, (in district), opposed

Attorney Grimes asked to see the notice that was sent to property owners and asserted that the conclusion Chairman Romano inserted in the letter was incorrect, i.e. "panels will be visible from the road"; stated that the paragraph was misplaced and suggested that Chairman Romano recuse herself. Chairman Romano assured Attorney Grimes that she did not word the letter and Attorney Rybak confirmed that there was no problem with the wording of the letter.

Attorney Grimes asked Mr. Cazzetta to explain why there were no viable alternative locations. Mr. Cazzetta stated that there are too many trees. Mr. Brazaitis asked if trees could be removed or trimmed and Mr. Cazzetta replied that it would be comparable to cutting down a small forest. Mr. Brazaitis asked if there's a state right-of-way in front of Ms. Elliott's house. Chairman Romano inquired about the use of solar shingles vs. solar panels. Mr. Cazzetta stated that at this time the solar shingles are not very efficient except in states like Arizona and they are also very expensive. Mr. Cazzetta also stated that it may take another ten years to perfect the product for the market.

Attorney Grimes took the floor to present his summary, again referencing CGS 7-147f, and stating that in his opinion, the solar panels will not be visible enough to substantially impair the historic character and appearance of the district. Attorney Grimes made reference to Mr. Cazzetta's expert opinion that the solar panels can only be installed on the roof of Ms. Elliott's house. Ms. Elliott then took the floor to explain that she hired an attorney because of the anonymous letter that was circulated.

Public hearing adjourned at 10:25 p.m. followed by a ten-minute recess. All further business was tabled until the August meeting and at this time the Commission declared their vote as follows:

In alignment with CGS 7-147f, this application has been approved for the installation of solar panels for the following reasons:

- a) Reduced visual impact due to the conformity of the panels
- b) Removability of the panels

This approval does not set a precedent and each application must stand on its own.

Meeting adjourned at 11 p.m. The next regularly scheduled meeting will be held on Tuesday, August 15, 2016 at 7:00 pm.

Respectfully submitted,

Joann Hohensee, Secretary
HHD&HPC

RECEIVED FOR RECORD AT HARWINTON CT
ON 07/26/16 AT 11:42 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK