

TOWN COUNCIL SPECIAL MEETING - WEDNESDAY EVENING - MAY 18, 2011

PRESENT: Marshall, Barboza, Teixeira, and Parella

ABSENT: Herreshoff

The Council met in special session for the purposes of a workshop to receive and discuss the report of the Historic District Advisory Committee and to conduct certain interviews for public service appointments in the Town Hall, Council Chambers beginning at 7:10 o'clock PM, Council Chairman Marshall presiding:

1. Historic District Advisory Committee Report

Historic District Advisory Committee Chairman Judith Anderson introduced the members of the Advisory Committee present these being John Barton, William Campbell, Thomas Enright, Larry Lavers, Timothy Pray, and Gary Watros. She also recognized Councilwoman Parella who served as a member of the Committee and also noted that Committee members John Allen and Clifford Drawbridge could not attend due to schedule conflicts and that Lombard Pozzi would be arriving later.

Ms. Anderson stated that she hoped that the Council had read the report and that she did not intend to make a formal presentation regarding same but rather would prefer to answer specific questions.

A discussion ensued regarding tax credits with Ms. Anderson noting that the General Assembly had eliminated same. Councilwoman Parella suggested that the Council may wish to address this issue with the General Assembly at its next meeting.

Ms. Anderson reported that the Committee was a "diverse group which worked hard" to complete the report. She added that the group found consensus in its findings and recommendations.

Councilwoman Parella suggested that Ms. Anderson might review the "key points" of the report.

Ms. Anderson referred to the "Recommendations" appearing on Page 8 and referred to subsection III entitled "Problems and Needs." She added that clarity appears to be a problem.

Ms. Anderson reviewed the recommendations in general and also informed the Council that the recommendations are designed to make the Historic District Commission more "user friendly."

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Councilman Barboza noted that Dr. Enright recently attended a training session on Historic District Commissions and asked if the training was worthwhile. Dr. Enright responded that the training was "very good."

Council Chairman Marshall suggested that the Council might provide additional funding for further training with Susan Church responding that she was concerned that Growsmart RI will no longer sponsor these training sessions.

Dr. Enright reported that the training materials were available on a webcast and were recorded. He suggested that the Town may wish to apply for a grant to have these available for future use.

Councilwoman Parella asked to know if Growsmart took over the training responsibilities from the State with Oryann Lima responding that Growsmart did assume these responsibilities. She added that the organization provides training on zoning and planning issues also.

Councilwoman Parella stated that the training was important and that the Town should pay for the training if necessary.

Ms. Lima agreed and observed that it was useful for former attendees to attend the training in order to refresh their learning.

Council Chairman Marshall suggested that the training materials should be made available as part of the Town's research "library."

Director of Community Development Williamson agreed to follow-up with Growsmart in order to check on training material availability.

Ms. Anderson referred to Page 9 of the report and raised the issue of the availability of videos to help applicants. Council Chairman Marshall suggested that the Historic District Commission might wish to make instructional videos in the PEG studio.

A discussion ensued regarding the availability of information on the Town's website with Director of Community Development Williamson reporting that the request to update the website

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should be sent to Town Administrator Mederos' office and that arrangements will be made to modify the website.

It was suggested that it would be a "good exercise" to examine the website as a "customer."

Council Chairman Marshall asked when the Historic District Commission might be able to review the recommendations with Ms. Lima reporting that she would like to have Assistant Solicitor Teitz review the document first.

Councilwoman Parella suggested that the Historic District Commission should look over the recommendations in order to consider the concepts. She added that Town Solicitor Ursillo and/or Assistant Solicitor Teitz may have to revise the ordinance but suggested that the Solicitor's review should be a second step after the Historic District Commission has a "first run" at the document.

Councilwoman Parella added that certain recommendations - using the website upgrade - should be "no brainers."

Councilwoman Parella also added that the Historic District Commission should consider this matter to be important and to determine how it would implement change.

Ms. Lima stated that she would not be comfortable taking a position on the document without first putting it before the Commission. She added that it may take more than one meeting for the Commission to consider the various aspects of the report.

Councilwoman Parella again noted that some of the recommendations are policy-oriented and also that some may require amendments to the Town Code.

It was suggested that the Historic District Commission should have a special meeting or several special meetings to discuss the recommendations.

A discussion ensued regarding information on the internet with Councilman Barboza noting that it was difficult to understand and perhaps should be deactivated.

It was noted that some of the information was part of work accomplished by Moses Calouro and that Ms. Church utilizes this to set up the Historic District Commission agenda, etc. It was

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agreed that Mr. Calouro would be contacted in order to facilitate some type of updating of the system.

Council Chairman Marshall suggested that the group should review the remainder of the recommendations.

A discussion ensued with Dr. Enright explaining that there was a great deal of interest in the 1970s historic district map during the early meetings of the Committee.

Eric Hertfelder, a member of the Historic District Commission, reported that the numbering system, as depicted on the map, has inherent problems. He added that the State recommends that the numbering system not be used but rather that buildings are considered as "contributing" or "non-contributing" to the Historic District.

Councilwoman Parella stated that she believes that the Historic District Commission should hold contributing buildings to a higher standard.

Mr. Campbell noted that nothing has been changed in the State Statute since the Historic District Commission was established.

Ms. Lima reported that the State of Rhode Island Historical Preservation and Heritage Commission no longer utilizes the rating/numbering system and the map containing same has not been updated since the 1970s. She added that the Historic District Commission "looks at the neighborhood" and determines if the building in question is contributing or non-contributing.

Mr. Lavers noted that the Committee suggests that there should be more "flexibility" regarding those structures which appear to have no representative value.

Council Chairman Marshall suggested that this evaluation should be a "tool in the tool box" and that these "gray areas" should be the subject of Historic District Commission deliberations.

Ms. Lima again noted that the Historic District Commission determines which structures are contributing or non-contributing through its deliberations.

Councilman Barboza noted that there appeared to be a great deal of thought involved in the Committee's report and he cautioned that it should not have been "an exercise in futility."

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Mr. Hertfelder agreed that the Historic District Commission should be "open" to all of the Committee's recommendations and consider these carefully. He added that he and the other Commissioners have not had sufficient time to review the report. He added that during his tenure on the Historic District Commission he has not seen much "conflict" and that greater than ninety percent (90%) of all applications have been approved without difficulty.

Mr. Hertfelder also suggested that the Council should not "force" adoption of the recommendations but should rather allow the Historic District Commission to evaluate these.

Mr. Hertfelder also addressed the matter of the numerical ratings and informed the Council that the issue is one of semantics. He added that the widespread belief is that the structures should be viewed as part of a *tout ensemble* in making the determination if an individual structure contributes to the Historic District.

Mr. Hertfelder also reported that the 1-4 rating system was replaced twenty (20) years ago. He added that he supports the recommendation that more details should be provided to help determine what would constitute a contributing versus non-contributing property. He added that a 1-4 rating system, if reinstated, may require the development of four sets of criteria which will likely add more complexity to the Historic District Commission process.

Council Chairman Marshall noted that the high percentage of Historic District Commission application approvals is not generally recognized but that it perhaps should be.

Council Chairman Marshall added that the goal of this exercise is to make the process easier for the applicants and also the Commission.

Councilwoman Parella stated that no one is trying to "jam down the throat" the report's recommendations in a week or two. She added that the report should be a substitute for the earlier suggestion that the Town should "get rid of the whole (Historic District Commission)" and that this evening's goal is to have a presentation on the report.

Councilwoman Parella added that the Town Council may, at its discretion, decide to accept all, part, or none of the recommendations provided in the report.

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Ms. Anderson reminded the Council that the recommendations as provided in the report were intended to come from the "point of view" of the property owner.

Ms. Anderson also added that the Council, and other interested parties, should take some additional time to "digest" the report.

Ms. Anderson also reported that the Historic District Commission "guidelines" have not been revised since about 1986.

Mr. Watros reported that there were 9-10 guidelines in the 1980s appearing on one page. He added that the National Park Service expanded these to include interpretation based upon the attributes of the local area. He added that "local" guidelines, although prepared, were never adopted in Bristol and that it would be important for the Commission to adopt "local" guidelines.

Councilman Barboza asked why these local guidelines were never adopted with Mr. Watros responding that he was uncertain as to the exact reason. He added that it would be advisable for the Historic District Commission to revisit the matter and adopt local basic guidelines.

Ms. Anderson noted that the guidelines, as adopted by East Greenwich and Pawtucket were detailed and included in the report.

Councilman Teixeira asked to know if the local guidelines would conflict with State guidelines.

Ms. Anderson stated that these would not be conflicting.

She added that the Town could use the drawings appearing in the East Greenwich guidelines at no cost and that these illustrations were very useful for applicants.

Councilwoman Parella suggested that all available guidelines might be made part of a Historic District Commission reference collection for applicant's and Commissioner's use.

Ms. Anderson explained that the guidelines importantly illustrate what *not* to do and repeated that the information provided a great deal of help to property owners.

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Council Chairman Marshall asked to know who wrote the report with Ms. Anderson noting that the project was completed by the group and all participated.

Council Chairman Marshall noted that the Council is aware that the project was not easy and thanked the participants on behalf of the Council. He added that the Council and the Committee recognize the value of Bristol's Historic District. He also added that the Committee poses "common sense" solutions in the report.

Mr. Watros explained the proposed review process and indicated that the process includes a provision to "notify" (the Historic District Commission) unless a particular activity is specifically excluded. He added that the notification provides the opportunity for staff to determine if the property owner may proceed or if a more formal application is necessary.

Mr. Lavers noted that both the ordinance and the statute appear to allow for "like in-kind" replacement projects and that there is a judgment call to determine what may constitute a "like in-kind" replacement. He added that this question led to the list of allowable activities as found in the report.

Mr. Watros suggested that the Town should advertise the availability of expert advice made available to Historic District property owners contemplating renovations. He further suggested that the Town might attempt to attract certain experts to act as a resource to those having questions. He also noted that the Advisory Committee was asked to consider alternative materials, etc., and did not have time to do so. He suggested that another Advisory Committee might be appointed to complete this task.

Mr. Watros also explained that Committee members are willing to provide information and answer questions for the Historic District Commission while the Commission deliberates on the report.

Council Chairman Marshall noted that the Historic District Commission will review the report and that the Commission will likely welcome a meeting with the Committee members if this is found to be necessary.

Mr. Watros asked to know if the Historic District Commission will be reviewing the report in June with Ms. Lima responding affirmatively.

Ms. Anderson reminded those present that two (2) members of the Committee are also members of the Historic District Commission.

Council Chairman Marshall suggested that the Historic District Commission should have a workshop to deliberate upon the report outside of a regular Historic District Commission business meeting.

Ms. Church asked to know if there was a recommendation as to how violations should be handled noting that the \$100 fine does not appear to be a deterrent to some offenders with Council Chairman Marshall suggesting that this should be part of the Historic District Commission's discussion. He added that the City of Newport assesses a \$500 fine for working without a proper building permit.

Council Chairman Marshall asked to know the next steps with Councilwoman Parella suggesting that the Council should ask the Historic District Commission to review the report. She added that the process should not "drag on" and also suggested that this review should be at a special meeting and not when the Commission is discussing regular business.

Council Chairman Marshall suggested that the Historic District Commission should "shoot" to send its findings to the Council for one of its meetings in July.

Ms. Lima implied that Council Chairman Marshall's suggestion was "ambitious."

Council Chairman Marshall asked Ms. Lima to "keep the Council in the loop."

Ms. Lima stated that it was difficult to commit to a specific date.

Councilman Barboza suggested that the Historic District Commission should have a special meeting or meetings to discuss this report.

Ms. Lima agreed to report back by the end of July.

2. Interviews

Capital Project Commission

William Goneau - 11 Smith Street

Mr. Goneau informed the Council that he has lived in Bristol since 1996 and has appeared before the Zoning Board of Review and has attended other public meetings.

Mr. Goneau added that "there is a lot of significant work being done here" and that he would like to contribute through volunteerism and believes that citizens have an obligation to contribute.

Mr. Goneau informed the Council that he is in the engineering department at Seacorp and that his company has seen steady growth. He added that he has a responsible position which includes grant writing and that he has "resources" to draw upon.

Mr. Goneau added that his wife is originally from Bristol and that his step-children attend Rockwell School.

Council Chairman Marshall stated that Mr. Goneau's interest is "exactly what the Capital Project Commission" is about and that the responsibilities of the Commission are to oversee projects from inception through completion and that this should be accomplished cost-effectively. He added that Mr. Goneau presents "good credentials."

Councilwoman Parella stated that all of the applicants for this position appear to bring new ideas. She added that Mr. Goneau appears to have project management experience and that the Commission must assure that the contractors should remain on-task.

Councilman Barboza stated that he was impressed with Mr. Goneau's resume and asked him about his experience with noise testing.

Mr. Goneau responded providing some examples of the technical aspects of noise testing.

Council Chairman Marshall described some of the potential projects for the Capital Project Commission including solar and wind power.

Mr. Goneau informed the Council that his is a "cautious" approach.

Councilman Teixeira asked to know if Mr. Goneau possesses the time necessary to devote to the Capital Project Commission with Mr. Goneau responding that he does not see any time constraints. He added, however, that his company is growing.

Council Chairman Marshall thanked Mr. Goneau for his application.

Mr. Goneau thanked the Council for the opportunity to be considered for the position.

Susan Rabideau - 17 Sandra Drive

Ms. Rabideau informed the Council that she was raised in Warren and moved to Bristol in the early 1990s. She added that she spent summers with her grandparents in Bristol on Wood Street. She also added that she is a civil engineer working in several fields and is a PE registered in Rhode Island. She also informed the Council that she works for the RI Department of Health on water supply regulations.

Ms. Rabideau suggested that it would be advisable to have a PE who can review the work of other PEs.

Ms. Rabideau informed the Council that she served in the Peace Corps teaching drafting and engineering and that her background was well suited to the Capital Project Commission.

Responding to questions posed by the Council, Ms. Rabideau stated that her Health Department responsibilities are mostly related to the smaller water systems in the State.

Ms. Rabideau informed the Council that she recently joined a committee at Mount Hope Farm and also served as a school volunteer for twenty (20) years.

Councilman Teixeira stated that he was pleased to see that Ms. Rabideau "stepped forward" to be considered for a position on the Capital Project Commission.

Councilwoman Parella asked to know if Ms. Rabideau served on any capital project committees for water projects with Ms. Rabideau responding that she was more likely to be guiding water authorities in planning their capital projects.

Council Chairman Marshall thanked Ms. Rabideau for her interest and added that her "qualifications speak for themselves."

Matthew White - 1 Overlook Drive

Mr. White informed the Council that he did not provide a resume since many of the Council members were acquainted with his qualifications. He added that he has been "heavily involved" in the fire department for many years and worked on many significant capital projects while employed at Roger Williams University including 800,000 square feet of new buildings and 400,000 square feet of renovations; these involving sewer, water and gas service.

Mr. White reported that during his tenure his responsibilities included conducting job meetings, putting contractors in place, negotiating change orders, etc. He added that his new job includes similar responsibilities for the TGB Company which operates sixty-eight (68) hotels. He further explained that he is responsible for the maintenance of fourteen (14) hotels in Rhode Island, Massachusetts, and Connecticut.

Mr. White reported that during his forty (40) years in the Fire Department he served on capital project committees for the purchase of fire apparatus and also oversaw the purchase of vehicles at Roger Williams University for fifteen (15) years.

Mr. White informed the Council that he is guided by "practicality and common sense" and that these should serve taxpayers well. He also stated that he objects to "lavish" expenditures.

Councilman Teixeira asked to know if Mr. White had any conflicts "time wise" with Mr. White responding that he believes he has the necessary time to devote to the Commission.

Council members thanked Mr. White for his interest.

Historic District Commission

Eric Sponseller - 130 High Street

Mr. Sponseller reported that he is a former resident of Ohio and moved to Bristol one (1) year ago. He informed the Council that he finds the Town to be "enjoyable and pretty" and that he works in research at Roger Williams University.

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Mr. Sponseller also reported that he is interested in community service and reviewed the materials relating to the Historic District Commission. He informed the Council that he is interested in the maintenance of the "character and charm" of the Town for both residents and visitors.

He added that this maintenance is important for the local economy.

Mr. Sponseller reported that he lives within the Historic District at the corner of High and Union Streets in the "Henry Wood House" and that he considers history to be important, also.

Mr. Sponseller stated that the Historic District Commission should assure that repairs are made with good materials and that established guidelines should be followed.

Council Chairman Marshall noted that Mr. Sponseller has government experience based upon the information provided on his resume. Mr. Sponseller confirmed this information.

Councilwoman Parella noted that the Historic District Commission had several "issues" during the most recent past and explained that the Town is working toward making the Historic District Commission more "user friendly." She added that negative issues tend to "sidetrack" the work of the Commission and that the matter can become "out of control." She noted that the Commission approves approximately ninety-eight percent (98%) of its applications but that this doesn't necessarily mean that the process is easy in that it can "drag on."

Mr. Sponseller informed the Council that he was somewhat familiar with the Commission's issues and stated that he believes that he can help facilitate discussion and look at the details.

Mr. Sponseller stated that the "user-friendly" move is a step in the right direction and further stated that most property owners wish to make proper improvements and repairs. He added that "most people have common sense" and that common sense should be a component of the Commission meetings.

Councilwoman Parella asked if Mr. Sponseller might also be interested in serving on the Capital Project Commission with Mr. Sponseller responding that he would be pleased to serve should the Council wish for him to do so. He also reported that he considered applying for both positions but chose to look at the

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Historic District Commission "first." He also informed the Council that his "main focus is to get involved" and that he plans to reside in Bristol for a long time.

Council Chairman Marshall noted that many employees of Roger Williams University have "stepped forward" and have become contributing members of boards and commissions. He added that the various boards and commissions need a good pool of applicants from which the Council will select members.

Mr. Sponseller informed the Council that he would be willing to serve if found to be qualified for "something else." He added that he would appreciate the Council's advice and guidance regarding same. The Council agreed, by consensus to also consider Mr. Sponseller for the Capital Project Commission.

Barboza/Teixeira - Voted unanimously to add the interview of Timothy A. Pray to the evening's agenda.

Prior to the vote taken, the Clerk reported the receipt of an application from Mr. Pray for Historic District Commission.

After the vote taken, Mr. Pray of 724 Hope Street informed the Council that he resides in the Historic District and has experience with thirty-seven (37) years in business and also with the Boy Scouts, Bristol Youth Soccer, Coggeshall Farm and Mt. Hope High School Hockey as a volunteer.

Mr. Pray reported that he is a member of Warren Rotary.

Mr. Pray stated that he believes there should be separate rules for conforming and non-conforming structures.

Councilman Barboza noted that Mr. Pray formerly indicated that he was "anti-historic district" and asked if Mr. Pray could be impartial in consideration of his feelings.

Mr. Pray informed the Council that he believes that the Historic District was expanded to include his property "for the wrong reasons" and that he provided suggestions regarding a different approach.

Mr. Pray also informed the Council that he believes that the Historic District is "too much government."

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Councilwoman Parella noted that Mr. Pray "came around" and that all of the votes of the Advisory Committee (with Mr. Pray as a member) were unanimous.

Mr. Pray informed the Council that he and his wife, on a walk, spoke to another couple visiting the Town from Cape Cod and learned that the couple visits Bristol three (3) times per year because they enjoy looking at the historic homes, etc. He explained that the value of the Historic District begins to "sink in" when hearing from others about its appeal. He also noted that visitors bring an economic benefit to the Town.

Mr. Pray added that the "community must be a team" and that he is a "team player."

The members thanked Mr. Pray for his participation and interest in the Historic District Commission.

It was agreed, by consensus that there should be a special meeting called to discuss the Save Bristol Harbor Water Quality report and also the Animal Shelter Capital Project for May 31, 2011 beginning at 7:00 o'clock PM.

There being no further business, upon a motion by Councilman Barboza, seconded by Councilman Teixeira and voted unanimously, the Chairman declared this meeting to be adjourned at 10:00 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk