

DESIGN REVIEW BOARD

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**DORSET DESIGN REVIEW BOARD**  
**September 28, 2020**

Members present: Kit Wallace, Chair, Arnie Gottlieb, Jim Clubb, Lindy Bowden, Michele Pagan and Ruth Tanenhaus (Alternate).

Also present: Tyler Yandow, Zoning Administrator, Rob Giaotti, Town Manager, Herman Raspé, Steve Bryant for the Barrows House and Merrill Bent, Attorney, for an interested party for the Raspé project.

Minutes: R. Nawrath

Chair K. Wallace opened the meeting at 5:35 PM via Zoom

**Application: Village Residential: Herman and Adele Raspé-lighting on the Church Street side of the residence**  
**173-175 Church Street**

K. Wallace spoke to the project:

- A Gottlieb will lead this part of the meeting as he chaired the meeting last week:
  - A Gottlieb: Mr. Raspé, this is a little “cart before the horse”. Please give us some background
  - H. Raspé: Stated his continued appreciation on the part of the board for its good work.
    - Our intention was and continues to be on our area of the street to get more light near the house as there are no street lights by the house. Also, safety for us and for our visitors.
    - In addition, we want to put 2 lights that shine up on the steps that lead up to the terrace and up to the house.
    - It’s not such a problem in the summer, but certainly is in the winter when the days are shorter. The lights will be low voltage and be subject to dimming as well as timers that are intended to bring lights on from dusk to dark; off 11:00 at night.
- A Gottlieb asked why he didn’t put in an application for the lights.
- H. Raspé: I didn’t think lights required an application.
- A Gottlieb: how did you determine the lighting? My concerns are intensity of the lights and the brightness and coolness of the color.
- H. Raspé: Tyler Electric recommended these lights, so I went with their recommendation.
- K. Wallace: the color and intensity are too much, but also the type of lighting. This up-lighting is not in keeping with the Criteria. Lighting of a public building is different than lighting of personal property. The Dorset Church is lighted with uplights but that is a public building. Several neighbors have sent Kit emails concerning this issue.
- H. Raspé: lights on the church are on all night long. Dorset Field Club lights are not attractive.
- A Gottlieb: Is there any other residential up-lighting in the historic district?
- J. Clubb: No, but we have denied other applicants for uplighting.
- The crux of matter: Is this in keeping with the Historic District? These lights are modern, ground-mounted to light the front of the building.

- A Gottlieb: what is the color of the fixtures? They are dark brown. How many? It is on the site plan.
- Attorney Merrill Bent: was there a site review or inspection of this plan like in other applications?
- Tyler: Not as a group but I looked at the lights on at night and each member of the board made a site visit.
- J. Clubb: in the past, I can't remember approving any modern lighting. I've been on this board the longest. This application falls into the modern lighting category.
- In all the cases of applications for lighting, they have installed historically-appropriate lights.
- K. Wallace: If you look at the site development review section of the zoning by-laws (not applicable specifically here but instructive as a general idea of how the town views lighting), it states that one should "avoid excessive lighting that would impede the view of the night sky". The Village is of a pedestrian scale. Leaving lights on till 11:00 seems a little excessive.

Relevant Criteria:

- 9.4.3  
*Landscaping and lighting should be appropriate for a historic district; that is, similar type of bushes, trees, walkways, etc.*
- 9.4.4.1  
*Damaged, deteriorated, or missing exterior lighting fixtures may be replaced with new fixtures that are either similar to the existing in material, appearance, detail, and scale or compatible with the historic structure and site in material, appearance, and scale.*
- 9.4.4.2  
*If necessary for security or safety, or to highlight a public historic building, new exterior lighting that is the same as the old in terms of location, appearance, material, scale, color, finish, and lighting brightness, with the character and scale of the historic structure and site may be introduced with a maximum of 100 watts. The introduction of new lighting that diminishes the overall historic character of the historic structure or site is not permitted. For example, it is not appropriate to introduce period lighting fixtures predating the historic structure in an attempt to create a false historical appearance.*

**Part of 3.8.3 - Site Development Review criteria (This project does not require site development review, but the lighting considerations are relevant as representative of town concerns.)**

*iv. Lighting*

- *a. All lighting, except for safety and security lighting, shall be extinguished at the close of business of by 9:00 pm, whichever is later.*
- *b. Lighting fixtures shall be constructed and/or mounted to direct glare away from residential uses, and from adjacent streets....*

*Lighting shall be designed with consideration for uses in the surrounding area, and to:*

- *i. avoid glare and excessive light off-site*
- *ii. avoid excessive lighting on-site which would impact views of the night sky from the surrounding area and detract from the character of the area; and to*

J. Clubb and K. Wallace: It is clear that the lighting, as presented, is not appropriate for a historic district (9.4.3); is not similar to existing (Village residential) lighting in appearance or detail (9.4.4.1), and generally diminishes the overall historic character of the historic structure and site (9.4.4.2).

K. Wallace moved that we reject this application as it does not conform to the criteria.

R. Tanenhaus 2<sup>nd</sup>

Approved unanimously, 4-0, with one abstention. Motion carries.

**Application: Village Residential : Reconstruct Service Area-Remove Greenhouse-Barrows House  
3156 Route 30**

K. Wallace spoke to the project:

- S. Bryant, applicant: project makes the building look more in keeping with the Village.
- The plan is to remove the existing greenhouse which was constructed in modern times (1980's?) that is visible from the parking lot and from Dorset Hollow Rd. The space is very valuable to the business, and their replacement will allow to the kitchen and office..
- Slightly enlarged footprint so they don't have to go outdoors to get to the office.
- The roof will follow the roof line from above.

Comments:

*9.4.4.2 Alterations and Additions*

*11. New additions may be added on non-character defining elevations in such a manner as not to visually overpower the historic structure or diminish, conceal or detract from the character of the historic structure and the structure's historic setting. New additions must be consistent with the historic building and constructed where possible to be structurally self-supporting so that they may be removed in the future with minimal damage to the historic structure.*

- Comments – It is on a non-character defining elevation AND is small enough to not diminish or detract from the overall structure
- Designed to be much more consistent with the historic building than the unattractive, modern greenhouse which is being removed

*12. New additions must be compatible with the historic building in massing, height, form, scale, proportions, roof shape, and relationship of solids to voids in exterior walls. New additions must also be compatible with the historic structure in terms of the placement, spacing, proportion, orientation, scale, and size of window and door openings. Windows and door should be the same in configuration, material, and detail with the windows and doors of the historic building and the materials and finishes characteristic of the historic building with regard to scale, composition, module, texture, pattern, detail, color, and surface finish.*

- Comments - This addition is proportional to the rest of the building, and the window location and configuration matches those on the second floor above. Materials and finishes match the rest of the building.

A Gottlieb moved to approve application as presented as it meets the relevant criteria

L. Bowden 2<sup>nd</sup>

Approved unanimously

**OTHER BUSINESS:**

**40 Cheney Road: J. Clubb**

What has happened with this project since we last met, especially with the lights on the garage?

T. Yandow: I did a drive around. He listed these properties with recessed lights in the soffits at other buildings/residences in the Village: Harding's has one in their garage; the entry to Kevin O'Toole's office has one; the old Berkshire Bank has one; and the house just to the east of Callen's has recessed lights.

J. Clubb: It appears that there are recessed canned lights under the garage roof overhand at the Smith house. I cannot remember us approving one canned modern light. The question is: were the existing canned lights ever approved? Or did people just install them without any review?

T. Yandow: does it diminish the historic character of the building? What is the issue: the fixture or the light?  
J. Clubb: That's the question: should we approve vintage lights? We have never allowed flood lights either. Not clear if there are floodlights; if so, they MUST be removed.  
There are two issues here: with the Smiths: Are we going to give them a pass on the roof line (overhang)?  
Second issue is the lighting on the garage doors.  
T. Yandow: the overhang was not a significant change. The lights: I found many other similar lights in the village.  
**J. Clubb is arguing that they were not approved, and we are setting a precedent.**

Criteria: *is the lighting necessary for security and safety?*

The previous old lighting on the garage was vintage from the 1920s. If we interpret the Criteria exactly or literally, either way it would not be permitted. If they are replacing the lights, they should be the same as the old ones (Like with like). "I think we are going down a slippery slope."

Does the current style of lighting diminish the historic character of the structure?

Unlike the Raspe's, this is subtle enough that it doesn't give the impression of diminished character.

**J. Clubb: If we keep letting people do stuff without approval, we are setting a precedent. It may snowball.**

K. Wallace: we have had so many applications after the fact that we need to try to stop that. She crafted a letter to send to Rob Giaotti explaining that making any changes to property/houses in the historic district must be reviewed by the DRB and permitted by the ZA. Letter to be reviewed by DRB and then sent.

Tyler: why can't you approve Smith's fixtures?

Kit: leave them on for us to see.

Much discussion!!!!

#### **WHAT TO DO:**

Is everyone OK with the roof overhang? K. Wallace: I don't like that they didn't come back to us, but it doesn't seem too intrusive. Is it a big deal? No, but you are doing it without permission.

J. Clubb is procedurally concerned.

K. Wallace: every section of the Criteria states that we are to preserve the historic nature of the district.

L. Bowden: I don't like that they did this without permission. I would like to see the light on at night.

At a minimum we need a letter about the roof overhang is not what was presented to us, so let's see the lights on so we can observe it.

Tyler: Will drive by and he suggested we all drive by and look. Tyler will ask Mr. Smith to leave the lights on!

More discussion on the Raspé lighting issue.

J. Clubb moved we adjourn

A. Gottlieb 2<sup>nd</sup>

Adjournment: 6:55 PM

Kit Wallace, Chair