

HISTORIC LANDMARKS COMMISSION

JUNE 13, 2016

The meeting was called to order at 7:29 p.m. by Chairman Ruth Lucius. Commission members present were Dennis Barrett, Rick Butera, Charles Hablitzel, Ruth Lucius, Ted Rogers and Robert Seyfang (6). Alex Heard was absent (1). Also present was Brody Walters, Planning and Zoning Administrator.

Approval of Minutes

Mr. Seyfang moved to approve the minutes of the May 9, 2016 meeting as written. Mr. Barrett seconded and they were unanimously approved.

APPLICATION, 09-16 – Stephen Fowler is requesting a certificate of appropriateness for the installation of six (6) foot fencing in his front, side and rear yard. The property is located at 102 Walnut Street and is zoned as “R-4” (Single Family Residential).

Mr. Walters reviewed Application 9-16. The applicant, Stephen Fowler, was present and stated that they live on a corner so there are technically two front yards but he feels it's their rear yard. He said that he would like to put up the fence to keep the kids and dogs in the yard and there is a lot of traffic. Mr. Seyfang asked if he planned to let the wood weather. Mr. Fowler said that is the plan and he will also landscape it properly. He said the fence is similar to the fence at the property across the street from his except his privacy rails will be a little tighter, approximately an inch and a half.

Mr. Barrett moved to approve Application 9-16. Mr. Rogers seconded and it was unanimously approved.

APPLICATION, 10-16 – Ronald & Lori Welty are requesting a certificate of appropriateness for the installation of four (4) foot fencing in his front, side and rear yard. The property is located at 72 Elm Street and is zoned as “R-2” (Single Family Residential).

Mr. Walters reviewed Application 10-16. He explained that the Welty's received prior approval for a fence along with their pool, but portions of the fence that have been installed are inconsistent with the previous approval. Mr. Rogers said that he went and looked at the fence and it is similar to other fences that have been approved in the past. Attorney Joseph Center who was representing Jon Orser, 125 E. Front Street, a neighbor of the Welty's, said that under the Code, certificates of appropriateness cannot be issued retroactively and the fence must be taken down and then an application for a certificate of appropriateness could be applied for. He said the applicant is also subject to a minor misdemeanor and a fine of \$100 for each day the fence is up. Ms. Lucius asked if the location of the fence is in accordance with the Code. Mr. Walters said that it is. Mr. Center said that he strongly objected to the Commission considering this application. Mr. Walters explained that it is not our preference to issue a certificate of appropriateness retroactively, but there has been a stay of enforcement until the application is considered.

He added that the Welty's are aware that if the fence is not approved by the Commission it will have to be removed. Mr. Center stated that one concern with the potential issuance of a certificate of appropriateness is that it could set a precedent for future non-related issues and this is a slippery slope. He said another concern is that in the remedy section of the Code it states that in addition to the minor misdemeanor and the \$100 fine if someone knows that work has been done that was not approved and lets it go, they are complicit.

Mr. Rogers moved to approve Application 10-16. Mr. Butera seconded and it was unanimously approved.

APPLICATION, 11-16 –David & Mary Heather Munger are requesting a certificate of appropriateness for the installation of six (6) foot fencing in his front and side yard. The property is located at 425 W. Front Street and is zoned as “R-3” (Single Family Residential).

Mr. Walters reviewed Application 11-16 adding that earlier in the evening the Board of Zoning Appeals approved the Munger's application for a six foot fence in their front and side yard. Mr. Munger said that they would like to install the fence on the east side of their property and there is a row of mature white pines there. Mr. Seyfang stated that it seems their intent is to make the fence disappear. Mr. Munger agreed and he added that his next door neighbors, John and Tina Bothe, are in favor of the fence.

Mr. Seyfang moved to approve Application 11-16. Mr. Barrett seconded and it was unanimously approved.

APPLICATION, 12-16 –Bruce & Barbara Brigode are requesting a certificate of appropriateness for the installation of a new entry way. The property is located at 128-130 Louisiana Avenue and is zoned as “C-2” (Central Business).

Mr. Walters reviewed Application 12-16. Jeff Normand, architect, was present on behalf of the applicants. Mr. Normand said that the Mills Hardware building is one of the more important buildings in the downtown area. They would like to separate it for two tenants. He said that there was a door on Second Street that has been bricked up but they would like to remove the bricks and put a door back in. They plan to construct a ramp by manipulating the ceiling height to get handicap accessibility to both stores. The double doors on the front will come out. The new door will still be recessed and they are hoping to find an 8' door, $\frac{3}{4}$ glass with a panel on the bottom. They will paint the red brick white so it matches and use flutes to identify the entrance way. He said it is a first attempt to bring back individual facades like when this building was first conceived in the Phoenix block. Mr. Normand explained that there is not a second exit out so the handicap ramp will also serve as that so they will be correcting a couple of wrongs.

Mr. Seyfang moved to approve Application 12-16. Mr. Hablitzel seconded and it was unanimously approved. Mr. Normand asked if the approval included the entrance on Second Street.

Mr. Seyfang moved to approve the removal of the bricks and installation of an entrance including a ramp on Second Street. Mr. Hablitzel seconded and it was unanimously approved.

APPLICATION, 13-16 –Charles Pflgebraar is requesting a certificate of appropriateness for the installation of a new porch. The property is located at 202 E. Front Street and is zoned as “R-4” (Single Family Residential).

Mr. Walters reviewed Application 13-16. He explained that Mr. Pflgebraar had been present but since the previous meeting ran over, he had to leave. Ms. Lucius said that the work is already done but it looks unfinished. Mr. Butera stated that the block side walls don't fit because nothing else suggests block, not the house or neighboring homes. Mr. Rogers agreed. Mr. Butera referenced page 51 of the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings which read that it is not recommended to install a replacement feature that does not convey the same visual experience. Mr. Butera added that he's not sure the sidewalls are necessary and perhaps a handrail would be appropriate.

Mr. Rogers moved to deny Application 13-16. Mr. Butera seconded and it was unanimously approved.

Other Business

Mr. Walters said that he was contacted by the George Wyman Memorial Project about placing two signs within the historic district. In 1903, Mr. Wyman was the first individual to cross America on a motorized vehicle. One of the signs would be an 8” by 11” cast bronze plaque and the other sign would be a green and white scenic highway sign. Ms. Lucius asked if there is anything in the Code regarding who can put up signs because if we let this group put up signs we could have a lot of future requests. Mr. Seyfang said that he is not sure there is a need for the green and white highway sign and perhaps the plaque could go on the Rose and Thistle building. There was discussion regarding whether this is significant enough to warrant signs. Mr. Hablitzel said that it is a little piece of history and it may be significant for some.

Mr. Seyfang moved to accept the plaque if placed on the Rose and Thistle building, but not the green and white scenic highway sign. Mr. Barrett seconded. Ayes: Barrett, Butera, Rogers, and Seyfang (4). Nays: Hablitzel and Lucius (2).

There being no further business, the meeting adjourned at 8:36 p.m.

Respectfully submitted,

Mary Jo Sutton