

MINUTES
HISTORIC PRESERVATION COMMISSION
August 21, 2009

MEMBERS PRESENT: Scott Sogge, Pat Roseland, Jean Kessloff, Trevor Johnson, David Viall, Duane Baumgartner, John Wagner and Malcom Chapman, Council Liaison

OTHERS PRESENT: Ed Eixenberger, Sue Ballard, Shelly Thomlison, Bill Kessloff, Michelle Dennis, Marcia Elkins, Karen Bulman, Sharlene Mitchell

Call to Order

Viall called the meeting to order at 7:30 a.m.

Approval of Agenda

Roseland moved, Sogge seconded and carried unanimously to approve the August 21, 2009 agenda.

1316 West Boulevard (09RS017)

Eixenberger presented the request for the reconstructed front porch at 1316 West Boulevard. Eixenberger addressed the deterioration and failure of the deck's walled enclosures and support posts noting that the emergency repair of the porch was required to prevent the collapse of the roof. Eixenberger indicated that replacement of the deck columns prompted the building permit requirement noting that he was unaware a permit was required for the maintenance work. Eixenberger indicated that the enclosed porch design contributed to the failure by collecting and retaining rain and snow.

Discussion followed regarding the design change from an enclosed wall to open rail design. Eixenberger stated that in repairing the porch he uncovered a concrete stoop under the old porch flooring. J. Kessloff indicated that porches were originally constructed on the ground. J. Kessloff stated that the enclosed porch was on the property when the Historic District was formed and may have been identified as a contributing element.

In response to a question from Wagner, Bulman indicated that the residential structure is a contributing structure noting that it was incorrectly identified on the application.

Eixenberger addressed the need to stabilize the building foundation noting that this was an emergency repair to prevent the collapse of the roof. Eixenberger volunteered to remove the open railing and install elevated knee walls to address drainage off the deck to prevent future deterioration and collapse. Eixenberger commented on the neighboring structures that have the same open rail deck. Discussion followed regarding drainage elements that could be added to an enclosed porch design.

Wagner thanked Eixenberger for offering to reconstruct the enclosed porch. Discussion followed regarding the permit requirements for the construction of decks. Elkins clarified that the addition of new support columns promoted the building permit requirement.

Wagner moved, Roseland seconded and carried unanimously to table the 11.1 Review for 1316 West Boulevard to allow the applicant to submit a new design for the enclosed knee wall porch identifying the drainage elements and construction materials.

Eixenberger stated that he can return the porch to the original enclosed design with the knee wall elevated three inches around the base to allow for drainage. Discussion followed regarding the original porch elements. Viall requested that Eixenberger also clarify the materials that will be used to the enclosed porch.

In response to a question from B. Kessloff, Eixenberger stated that at the time he purchased the home he was unaware it was in the West Boulevard Historic District.

804 South Street (09CM020)

Ballard indicated that they were unaware a permit was required to install and plumb the new sinks and chairs. Ballard indicated that the sinks have been installed noting that the plumbing needs to be redone and brought up to code. Ballard indicated the pedicure chairs have not been installed but will require the same plumbing upgrades.

Roseland moved, Wagner seconded and carried unanimously to recommend a finding that the interior plumbing required to support the two wash sinks and the two spa pedicure chairs for the property at 804 South Street will have no adverse effect on historic property.

Minutes

J. Kessloff moved, Roseland seconded and carried unanimously to approve the minutes of the August 7, 2009 meeting.

Treasurer's Report

Bulman presented the Treasurer's Report noting there have been no changes from the August 7, 2009 report.

Council Liaison

Elkins indicated that Costello and Chapman have been appointed as liaisons to the Historic Preservation Commission.

Chapman stated that the City Council felt it was important to have a liaison to the Commission to enhance the flow of information to the Council and to give the Council a better understanding of the role of the Historic Preservation Commission. Chapman indicated that the intent of the liaison position is to enhance how the system functions. Chapman stated that the recent window issue emphasized the need for more public education on the historic district requirements and responsibilities. Chapman noted the work required by the Commission, the Council, the City and the community to insure the general public is aware of the requirements and responsibilities of owning historic district property. Chapman addressed the need to assist property owners in meeting their goals to improve their properties. Chapman stated that it is the intent to appoint the liaison from Ward 5 which represents the historic district.

Wagner addressed the issues facing the Commission regarding the public education program noting that the protection of the historic district lies with the property owner. Chapman indicated that if the community as a whole values the historic districts, they share in the responsibility for promoting it.

Wagner stated that the purpose of the Commission is to protect historic elements, not just those covered by the Building Codes. Chapman encouraged the inclusion of historic district property owners in the education process noting that the program needs to represent what the historic

district property owners want, not just what the Commission wants. Dennis recommended that local preservation specialist be encouraged to participate in the discussions. Wagner stated that the Commission members are all volunteers noting that the educational activities will require financial support.

Historic District Notification/Disclosure

Wick outlined the options available for providing a “constructive” notice to the historic district property owners. Wick indicated that the problem with sending mailings to the physical address you are not assured of reaching the actual property owner noting the number of rental properties in the West Boulevard Historic District.

Discussion followed regarding the recordation of a “Notice of Inclusion in Historic District” against all properties within the historic districts. Wick addressed the historic district maps and information currently available on the City web site noting that finding the information is difficult. Wick recommended the development of a web site dedicated to the historic districts and providing a link to the site to the area real estate offices, the Realtors Association and the area appraisers.

Elkins stated that the City cannot encumber private property, which the “Notice” would do, without authority from the State which would require a statutory change in State law. Discussion continued regarding the recording process. Elkins indicated that the web link to the Historic Preservation site can be easily provided to all interested parties. Elkins clarified that the Historic District information, including the district boundaries, district environs, and contributing status of structures, is also available on RapidMap.

Discussion followed regarding additions to the information provided on the Seller’s Property Condition Disclosure Statement that would clarify the historic district status of a property.

Wagner recommended that the Commission take formal action regarding pursuing the “constructive” notice process and amendment of the Seller’s Disclosure Statement. Elkins indicated that she would refer the “constructive” notification and Disclosure Statement items to the City Attorney’s Office for review noting that, when prepared, the City Attorney’s opinion would be provided to the Commission.

In response to a recommendation from B. Kessloff, Wick volunteered to continue working with the local Real Estate Commission regarding amendment of the Seller’s Disclosure Statement. Viall volunteered to assist Wick.

B. Kessloff indicated that he would provide updates on the recommendation from the State Historic Preservation Office regarding the notification process.

Other Business

Viall welcomed Trevor Johnson to the Commission. Johnson addressed his interest in and experience with historic preservation through the restoration of his downtown business, The Clock Shop.

National Trust Deadwood Seminar Report

J. Kessloff provided a report on the week’s activities and educational opportunities noting that it was a very interesting and intense week.

Individual Commission Timesheets

Viall reminded the members to complete and submit their monthly timesheets.

Special Project Subcommittee

Roseland indicated that he and Johnson would work on the downtown clock restoration project.

Hangman's Hill

J. Kessloff indicated that the Committee recommendation has not been finalized at this time.

Comprehensive Plan

Elkins clarified the current status of the Comprehensive Plan noting the action required by the Planning Commission and publication requirements prior to its final adoption to the City's Comprehensive Plan.

Commission Manuals

Kessloff advised the Commission that she has developed manuals for Costello and Chapman and reviewed the information contained in the manuals. Kessloff volunteered to develop the same manuals for all the Commission members if they would be of value. Discussion followed regarding the cost to develop manuals for all ten Commissioners. Elkins stated that the manuals would be of benefit to the Commission members and recommended that the members be encouraged to return the manuals when they leave the Commission in order to keep development costs down.

Roseland moved, Sogge seconded and carried unanimously to have J. Kessloff prepare the Historic Preservation manuals for all commission members.

Other Information

Bulman indicated that due to personal issues Baumann will not be attending meetings for a period of time.

Adjourn

There being no further business the meeting was adjourned at 8:47 a.m.