



Historic Preservation Commission Minutes Meeting – September 19, 2019

The Historic Preservation Commission met on Thursday, September 19, 2019 at 6pm at the City Council Chambers, 305 Gay Street.

Commissioners Attendance:

Present: George Vojtech, Chairman, Susan Morgan, Vice Chair, Commissioner Sharon Smith

Absent: Comm. Laura Oliphant, Comm. Hershel Johnson, Alternate Janice Olsheky

Liaison: Commissioner Steve Rideout (absent)

Other Representatives Attending:

Herve Hamon, Planning and Zoning, Planner I and Historic Preservation

Chairman George Vojtech called the meeting to order at 6:00 p.m. He began the meeting by conducting a roll call, issuing a welcome, and swearing in the people planning to testify.

Approval of Minutes:

Review of August 15, 2019 HPC Meeting Minutes. Vice Chair Morgan made a motion to approve the minutes as submitted and without revisions, Chairman Vojtech seconded; all approved unanimously.

New Business:

HPC 2020-009 301 West End Avenue – Ramp and driveway Installation

This is application to install a handicap accessible ramp and a new driveway at the rear of the property. Also proposed is a partial gutter installation.

Comm. Smith asked some clarification questions about the construction of the ramp surface. The applicant explained that if the frames, posts and handrails were intended to be pressure treated wood, the ramp surface proposed is to be ½" iron grate, best for rain and traction.

Action approved:

- Provide a handicap accessible ramp built with pressure treated wood and iron grate floor
- Build a 8'x28' concrete pad to support the ramp
- Install a gravel driveway as per drawings submitted
- Provide an aluminum gutter above the entrance door
- Ramp to be removed and stairs rebuilt at the end of the ramp's use (concrete pad to stay)

Comm. Smith made a motion to approve the application as specified above, Chairman Vojtech seconded; all approved.

HPC 2020-010 611 Locust Street – Privacy Vinyl Lattice Installation

This is an application to build a 6-foot-tall vinyl lattice privacy fence at the rear yard of the property.

The applicant produced a letter from the Zoning Official, authorizing the fastening of the light weight panels (about 4 foot wide, edged with vinyl molding profiles) to the existing fence, granted that HPC approves the design, and that the applicant is aware of the fact she may be asked to remove the panels if the owner of the fence requests it.

The staff recommended design of the fence is approved by the Commission; Chairman Vojtech requested that the zip ties be white.

Chairman Vojtech made a motion to approve the installation of the vinyl privacy panels, on the side of the applicant's property, to be fastened to the existing metal poles with white ties, and to be removable in case a request arose to do so. Comm. Smith seconded, all approved unanimously.

HPC 2020-011 313 Oakley Street – Driveway installation

This is an after the fact application to install a blue stone chips driveway.

The applicant met with staff (Herve Hamon) on September 17, to go over the application. However, the driveway was built on September 18, just prior to the HPC meeting, without receiving formal approval.

The applicant was not present at the hearing to answer questions from the Commission, therefore the case was deferred until October 17, 2019, the next HPC meeting.

Before such time, Historic Preservation staff will consult with Code Enforcement to determine if or which sanctions for this Municipal Ordinance violation should be pursued.

Vice Chair Morgan made a motion to defer the application to the next hearing, with a request to the applicant to explain the nature of the emergency which precipitated the installation prior to this HPC meeting. Comm. Smith seconded; all approved unanimously.

HPC 2020-012 409 Muir Street – Signage

This is application to install a double-sided 30-inch diameter painted wood sign, attached to an existing decorative metal bracket.

Staff reminded the applicant that the bottom of the sign was required by code to be located at a minimum of 6'-8" above the finished grade immediately below.

Chairman Vojtech made a motion to approve the application as submitted, it was seconded by Comm. Smith; all approved unanimously.

HPC 2020-013 400 Block of Race Street – Hanging Street Lighting

This is application to install a series of overhead street lights, hung from cables fastened to the facades of the buildings on each side of Race Street, similar to what was installed on Poplar Street.

Chairman Vojtech asked if it would be possible to connect the hanging lights to a main source of power, with sensors and relays, therefore coordinating the exact time for all lights to turn on (not staggered).

Comm. Smith commented that the current installation of lights across poplar featured several dead bulbs, and she was hoping these new strings would be more performant.

Comm. Smith made a motion to approve the application as submitted, Chairman Vojtech seconded; all approved unanimously.

Work Session:

1- ADA like Approach – Letter of Enforcement Capability

On the idea of giving each of the HPC members a “pass” / letter to approach residents and make them aware of an issue regarding Historic Preservation, the vote was against by 3 to 0. The process will continue to go through city staff.

2- Role of the alternate:

- The proposal is to have the alternate be part of the commission and have a voting role only if there is **not** a quorum (for which the HPC is 3 members present at a meeting).
- If there is already a quorum, the alternate can sit at the front table and listen to discussion but only interact with the commission during the closed non-public section of an applicant’s case (as a consultant). The alternate will not interact with the applicant. The alternate will not have a voting role if there is a quorum present.

For the text above, the vote was 3 to 0, in favor.

3- Commissioners presenting their own cases – Conflict of Interest

Allow a commissioner to present their own application during a meeting if the following conditions are met.

- After presenting their case they physically leave the meeting before any commission discussions are held. The applicant commissioner shall be in the room when public comment on the case is heard but shall recuse when cases are discussed and voted on.

- The cases where Commissioners are presenting their own applications shall be placed last on the agenda
- If a commissioner has someone else present their case, then the commissioner can serve as a commissioner during the meeting and recuse themselves and physically leave the room when their surrogate is presenting the case. Once the case is decided the commission can re-enter the room and resume the role of a commissioner for other cases.

For the text above, the vote was 3 to 0, in favor.

4- Demolition by Neglect Discussion:

- There is a need to define what constitute Demolition by Neglect.
- The HPC aspires to be given enforcement authority in that domain
- Any case being built to demonstrate Demolition by Neglect needs to be structured in a tight legal manner, as it would most of the times become a court matter.
 - Below are some discussion items not yet formalized:
 - 1st step: use a list of standards of livability and structural integrity issues to alert a City Official (Building Inspector, Zoning Official, Historic Preservation Staff) that a building needs to be cited
 - 2nd Step: Notification to the owner of the property cited that there is a need to change, within a given timeframe (example 30 day to fix the roof)
 - 3rd Step: if at the end of the given period, no change has occurred: issuance of fines and penalties
 - 4th Step: funded by a revolving fund, contractors are hired to remedy the neglect, and a lien is placed on the title of the house

Chairman Vojtech asked that the other Commissioners think of a way to formalize the above, and vote on a text at the October 17, 2019 meeting.

5- Public Outreach

Discussion occurred about having a website available to the public, other than the city website, with frequently asked questions and answers. No specific course of action was defined. To be brought up with a fully attended Commission at the October HPC meeting.

Chairman Vojtech asked for a motion to adjourn the meeting. A motion by Vice Chair Morgan to adjourn the meeting was seconded by Commissioner Smith and carried unanimously. The meeting adjourned at 8:30pm.

Respectfully submitted,

Herve Hamon
Planning & Zoning
Planner I & Historic Preservation

Signature:  Date: 17-OCT-19 HPC Chairman

For reference /Demolition by Neglect Criteria

1. Facades which may fall and injure members of the public or property.
2. Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports.
3. Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
4. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors.
5. Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering.
6. Any fault or defect in the building which renders it not properly watertight or structurally unsafe."