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Ann Roller said to Mr. Pattison that their application said wood windows, so they're changing that? Mr. Pattison answered, no, actually didn't know how she got a copy of the one that said wood because...he did put wood or vinyl, apologized. A. Roller said it was confusing. Mr. Pattison apologized again and agreed it was confusing.

Mr. Pattison returned to his photos noting a house a block over that is all vinyl, showed another picture also having vinyl, continued to show other pictures of vinyl and/or wood with aluminum clad.

Mr. Pattison said the windows right now, wasn't going to say they are 80% deteriorated because not even he believed that, but they are covered with aluminum storm windows all over the entire building, looks terrible, will look much better when he is done with it, he promised. While viewing a window pamphlet, G. Jorgensen asked the applicants which of the windows they intend to use. Mr. Pattison answered that they will be identical to the windows that are in there, will not change the windows, will fit the same openings. G. Jorgensen asked if they will be 1/1. Yes, per Mr. Pattison. Mr. Pattison then stated he had provided a picture of a yellow house to show the members these are custom made windows and they will fit in the openings they have, there will be no alterations to the size of the windows, the placement of the windows or anything else, if anything the only alteration is when someone put in wood sashes, they are going to take those out and put stone back in. A. Roller asked for confirmation that all the windows will be 1/1. Yes, per Mr. Pattison, they will match. Mr. Crank said there is actually stone in the front of the home right now but wood on the sides. Mr. Crank told A. Roller if 1/1 made a difference, 1/1 is fine with them, quite honestly thought if did six or eight it would look a lot nicer. Ann Roller told Mr. Pattison that was up to him. P. Newhouse said she felt like that house is one of the first things that you see when you come in to the east part of town. Mr. Pattison agreed saying they intend to make it another gem of Main Street. P. Newhouse additionally told the applicants they have a nice Federal structure and would love to see 6/6 windows on the front façade. Mr. Pattison said they would be happy to do that. B. Schoenstein commented, especially since they have trimmed the trees. Mr. Pattison also stated they are going to do masonry work on the front of the house.

Mr. Pattison told the board members he couldn't tell them that the house is not going to be a rental still, that's how it got in the condition that it was in, but if the members have seen any of the stuff that he or Terry have, they take very good care of their houses and they intend to continue to do that, especially with this one, think this one is valuable. Mr. Pattison said the house has hardwood floors in the west side, east side some of the hardwood floors are still there but they had to take up some of the floors in the back and in the second to last room they had to take up that floor too but thought the front two rooms still have the wide plank hardwood. G. Jorgensen told the applicants they will need to be cautious who they rent to. Yes, absolutely per Mr. Pattison.

Mr. Pattison told the board members that he and Mr. Crank don't think their renters deserve \$400.00 heating bills or \$400.00 cooling bills, there is a reason they don't make those wood single pane windows anymore, they are not energy efficient - they might have been beautiful and they are if you can preserve them but they think the renters deserve to open the windows which a lot of their windows won't open at this time. G. Jorgensen told Mr. Pattison of course that can be repaired. Mr. Pattison said at three times the cost, they sure can. Mr. Crank said they are facing their utility bills annually at this point in time. G. Jorgensen asked the applicants if they had secured the attic and the basement and the cellar and all because that will make the biggest difference. Mr. Pattison stated they will be doing this, and all of this will help.

B. Schoenstein said he wanted to point out that the applicants have rental property in his neighborhood which they take very good care of. Mr. Pattison said he has a piece of property

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around the corner from Bob (Schoenstein) and wanted to say about half of the block is abandoned and he has a very nice four unit building on that street. B. Schoenstein said they have the nicest one. Mr. Crank invited the board members to drive by and look at the structure.

G. Jorgensen asked the applicants if they had checked out the cost to restore these windows. Mr. Pattison answered they had – Mr. Crank answered they hadn't. Mr. Pattison said they have the same suppliers and the same person they checked with when they came before this board for 1214 W. Main Street – the wood windows there would have been about 2 ½ times the cost of the replacements, going to use the same gentleman, really liked his work, he does a fantastic job and want to use the same guy to do the windows on this house, he is an Amish gentleman. Mr. Pattison said he thought the difference was \$300 and some \$800 to \$900 depending on the size of the window. P. Newhouse asked if these are thermal pane. Yes, per Mr. Pattison – double pane. Mr. Crank added that they can get triple. P. Newhouse commented that she wished there was a sample. She asked what the profile of the muntin look like, is it thin like real thin, or is it more like...? Mr. Crank said he thought there are options for the profile, they can get 3/8" wide, that is similar to what is there now, on up to 1" wide on the profile, can pretty well pick and choose. Mr. Pattison stated if the board is going to get technical with terms for windows they would have to ask Terry (Crank). Mr. Crank said they would really like for this house to look the way it needs to look. P. Newhouse said it is a really nice house, a double house, and like she had said, it's the first thing you see when you come in to town pretty much, it's nice. Mr. Pattison said hopefully this will draw attention away from the actual first place.

G. Jorgensen asked C. Fife if she had said this is a 1920's. Mr. Pattison said, no, it's an 1840's, the addition was 1920's according to the stuff he got today and from what he remembered from last time. C. Fife said the original house is 1840 – the estimate on the addition was circa 1920, would have to look back – thought that is probably because it appears on the 1927 Sanborn, suspected that's why that date was given. G. Jorgensen then asked if the windows on the front would have been replaced probably around 1870 or something like that. C. Fife answered that she didn't know if they are replacement windows or not, she had not looked at them. G. Jorgensen said they are 1/1 and that wouldn't be really appropriate – 1/1 wouldn't be period to that building. C. Fife agreed. G. Jorgensen said she thought they would have been put in later. C. Fife said that 6/6 is usual for those windows...asked the applicants if they had looked at the windows because a lot of times, perhaps in the 1950's or so, all of the sash was cut out and you sometimes find the holes which were puttied where the original sash was – might still be the same frames, sometimes that happens and thought they had seen that happen before in 1830's or 1840's houses where the sash was removed and replaced with a single pane sometime later in history, that's not an unusual thing. G. Jorgensen said that's true and she had thought about that when she saw those, thought if they...C. Fife went on to say that the only way to truly know that is if Terry or Jason had looked closely at them to see if some of that evidence is still there. Mr. Crank said he could see the putty, filler, had tried to fill...G. Jorgensen said a lot of the times they would be painted over. Mr. Crank agreed but said he should be able to see shrinkage on the putty.

G. Jorgensen told the applicants she realized they are trying to do this the most economical way to get people into the house. Mr. Pattison stated that he wouldn't say that – he is going to fix these houses up nicely, not going to do it the most economical way but is going to do what he thinks is the most energy efficient way, not putting cheap vinyl windows in this house, putting custom made vinyl windows in this house, they are going to cost him in the range of upper \$300's to over \$400.00 a window depending on the size. A. Roller told Mr. Pattison that a new wood window like that would be a lot more. Mr. Pattison said that wood windows would be somewhere in the range of \$500.00 - \$700.00 and trying to get them actually rehabbed by the gentleman here in town would be \$800.00 - \$900.00 each and he has eleven windows.

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C. Fife asked Mr. Pattison if their contractor is Jack Patchin. Mr. Pattison answered that the gentleman he had look at the windows at 1214 W. Main Street to have them refurbished was Jack Patchin. Mr. Pattison added that is still talking about windows that are single pane, have to have storm windows, have to have either maintenance and/or some work done to take them on and off, and/or a little bit of playing around to get the windows open. Right, per G. Jorgensen. She added that if this house...asked if this is a double house or...? Both Mr. Crank and Mr. Pattison answered that it is a double house. G. Jorgensen said to the applicants, but, if they were going to live in that house then they probably would want to keep the original windows and keep it that way. Mr. Pattison answered that no he would not, he would put these windows in just the same as if he lived there so he could open them and shut them and would not have drafts, etc. – he has lived in several of these houses and has paid astronomical heating bills and has lived with drafts, no, he would prefer to be comfortable. Mr. Crank asked P. Davis if he was right that in order to sell a house now the windows have to be functional as well. Yes, especially if it is a rental house per P. Davis. G. Jorgensen said “sure” but they can be made to... B. Schoenstein stated that he and his partner are in the process of selling a house and P. Davis will verify that they had to make the windows operable. Mr. Pattison said he thought it helps a house to breathe, it helps the house survive and live – the old brick was built to breathe, houses are built to breathe, if you shut them up and you don’t put air conditioning and heating in them for a long time, they begin to deteriorate.

G. Jorgensen asked if anyone had any additional comments. Mr. Pattison said he had one – looking at the Ordinance knows the board likes their Guidelines a bunch but thought the first thing they had to look at before they look at the Guidelines is whether or not he needs a permit, looking at 151.2 – and the only thing he could find in 151.2 that he thought applied to windows is the section that talks about a conspicuous change in the exterior appearance of existing buildings and he didn’t consider the change in windows to be conspicuous – literally if the board wants single pane over single pane he will replace them to the point where it will be very difficult for anybody driving by to even be able to tell they are different windows except for the removal of those God awful aluminum storm windows. G. Jorgensen told Mr. Pattison that in historical circles and professional circles of people that look at historic houses and review historic houses that would be considered a conspicuous change – maybe for someone just driving through town it may not be a conspicuous change but for someone who...Mr. Pattison said “a conspicuous change in appearance.” Yes, that’s correct per G. Jorgensen. Mr. Pattison said that he respectfully disagreed. G. Jorgensen stated this is something that is permanent so they needed to review, actually...M. Pittman told Mr. Crank if he finds those are the original windows, even though they have been changed a little bit, asked if they would be willing to donate them to HMI or something like that. Absolutely, per Mr. Pattison and in fact they probably have some others they have stored they would be glad to donate – in fact there are large parlor doors that are missing from the interior of this house that they would love to find if they have been stored somewhere to see if they would be close to fitting. Mr. Pattison noted they try to keep doors, they try to keep hardware, he has a whole collection of door knobs and square locks in his garage, they try to keep trim. Mr. Crank said they have even kept the windows from 1214 – have those windows in storage.

G. Jorgensen said just to clarify, too, the Guidelines are a part of the ordinance, they are an amendment to the ordinance. Mr. Pattison told G. Jorgensen they are a part of the board’s consideration if they get to make a decision. Right, per G. Jorgensen. Mr. Pattison added that 151.2 is whether or not he has to come here or not. Okay, per G. Jorgensen, she could see what he was saying. M. Pittman told Mr. Pattison that is not what they are debating – Mr. Pattison has an opinion, the board has an opinion, not debating that at this point, talking about the windows at this point. Sure, per Mr. Pattison. That is correct per G. Jorgensen who added that as had been said, they are not 80% deteriorated and that is the consideration this board is supposed to use, the ratio they are supposed to use as far as deterioration in allowing a replacement. Mr. Crank asked

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who determines the 80%. G. Jorgensen answered that she guessed this board does. Mr. Crank asked if the board had gone down and taken a look at it. Yes, per G. Jorgensen. G. Jorgensen commented that Jason (Pattison) had just said he didn't disagree that they were not 80% deteriorated. Mr. Pattison said he is not an expert on windows, he is just looking at them, they don't have holes in them, they're in the frames. G. Jorgensen explained they can tell if they are 80% deteriorated, the wood is rotted completely off, it is falling apart, you can tell 80%. Mr. Crank said they have found a few spots that might qualify for that, absolutely.

G. Jorgensen asked if anyone in the audience had any questions or comments.

Audience member, John DeLuca, said his house is rated outstanding as far as a historical contribution part, it has everything original from 1841 but the windows don't open and he would just assume put plastic windows in there as to have to try to get those 1/1 perfect windows...and they have all been rehabbed so he concurred with what Mr. Pattison has said here regarding the efficiency, thought what he has heard about the vinyl windows and conspicuous change is an old argument that this board brings up every single time vinyl windows come up here and he would like to see a little more productivity in the way they are handling the whole application – said it seemed, in all due respect to G. Jorgensen, seemed like it is Ginger against the petitioner and the rest of the members are sitting here waiting for a motion. Mr. DeLuca added that he lives across the street from this property and as a person with an outstanding home he wouldn't mind at all if Terry and Jason went ahead with exactly what they are requesting.

G. Jorgensen asked if there were any other comments from the audience. No response. G. Jorgensen asked if there were any other comments from the board. P. Newhouse said she lives in a historic home on East Main Street, a Federal home, they still do have the original windows, they did not open and there was a lot of leakage around them, so they had Jack Patchin come and fix them so they would work and put storm windows on the outside, can't even tell there are storm windows, and it's just such a tight...they noticed immediately the energy efficiency of that – so, it truly is feasible and possible to have wood windows, can open and close them too, so it's possible to do that. She added that she was concerned about the vinyl windows...again, the thermal pane, there's always failure down the road with gas leaking and then it gets cloudy and has to be replaced but of course...Mr. Crank commented that everything has maintenance to it – in all due respect. A. Roller asked Mr. Crank and Mr. Pattison if they would consider doing the ones on the front and then putting vinyl on all the others, there's just two, aren't there? No, there are six per Mr. Crank and Mr. Pattison – Mr. Pattison said there are two on the bottom and four on the top. B. Schoenstein told the applicants if their preference is that they want new vinyl windows he thought that was up to them but thought if that's what they want, they own the property, they have the right to do it. Mr. Crank noted that they want them all to match, don't want to put together a hodge podge building, the building has been hodge podged enough. B. Schoenstein stated that it's not as if they are the only ones that have vinyl windows because that's certainly not going to be the case. No, Mr. Pattison said he has plenty more pictures he could show – all within a two block radius, only gave the ones that are on Main Street and the ones that were directly down the alley from the house. Mr. Crank added that they would like to get started on this project before...as soon as they can. B. Schoenstein said "sure", he understood, the weather is turning cold.

G. Jorgensen asked if there were anymore more comments. No response. She then asked if there was a motion.

Ann Roller made the following motion:

"I move that the Madison Historic Board of Review find as a fact that the proposed window installation submitted August 29, 2012 and I have put amended because it was unclear what you wanted, on September 24 to replace windows and storm windows with vinyl windows at 711-

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713 East Main Street does not meet the Residential Guidelines for the original windows but does meet the Residential Guidelines, page 60 for the windows that are not original. A Certificate of Appropriateness may be granted.” A. Roller said she didn’t know any other way to do it. Motion seconded by P. Davis.

G. Jorgensen asked if everyone understood the motion. No comments.

Roll call –

Ron Hopper	Approve
Mike Pittman	Approve
Bob Schoenstein	Approve
Ann Roller	Approve
Ginger Jorgensen	Disapprove
Paul Davis	Approve
Pam Newhouse	Approve

Application approved in accordance with motion and vote.

1. **Deborah Morrison** – *C. of A.* to remove the existing fence and replace with a privacy fence.

Location: **102 Sering Street**

Zoned: Historic District Residential (HDR)

Property history by C. Fife – circa 1850, Federal style row house. C. Fife said what the applicant wants to do is quite simple, thought had pretty good information on it and that was to replace an existing fence with a privacy fence – fence would only go down the side; showed picture of a type of privacy fence the applicant desires to replace with which is a type of fence that is seen in the Guidelines for a typical rear or side of a building.

Applicant, Ms. Morrison, told the board she has been here for four months, loves Madison, and Camille has been to her house and given her wonderful ideas about restoring...has some wood windows that she hopes to restore back to original.

Ms. Morrison showed a picture of a fence to the board members and explained that the fence will be a shadowbox so it will allow movement and will look nice on both sides; only difference is that it will go up a little further than existing fence to cover the side door so it will be a place where she can stash her garbage and no one will see it from the street – it won’t go all the way up to the edge of the house. P. Newhouse asked Ms. Morrison what will be the height. Ms. Morrison answered that it won’t be over 6-ft. – it’s on a stone wall so she may want to try to tier it so it’s not too high when it gets to the stone walkway.

G. Jorgensen stated this looks like an appropriate change – a chain link fence is not exactly appropriate to the historic district.

No further questions or comments from the board members. No questions or comments from the audience.

P. Newhouse made the following motion:

“I move that the Madison Historic District Board of Review find as a fact that the proposed project at 102 Sering Street, if constructed according to the plans submitted on August 22, 2012, which is to replace the existing chain link fence with a wood privacy fence no more than 6-ft. in

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height along the side of the property according to page 74 in the Residential Guidelines is generally in harmony with the character of the adjoining properties in the district.”

Motion seconded by M. Pittman – roll call – all ayes.

Application approved in accordance with motion and vote.

3. **John and Lori Heitz** – *C. of A.* to install a walk-in cooler behind the property and build a 5-ft. x 17-ft. room to connect the cooler to the building.

Location: **842 W. Main Street**

Zoned: Local Business (LB)

Property history by C. Fife – actually rated noncontributing, probably should rerate it because it’s a wonderful example of early 1930’s automobile related events; new life as the Red Pepperoni - was formerly a gas station. In regards to the project, C. Fife explained that the work planned is really kind of necessary as she understood it from John (Heitz) because they need to have a cooler, a walk-in cooler, and there isn’t much space where they are in the building itself. C. Fife showed power point pictures of the building and additional property history and project review. She also pointed out this is the least noticeable location for the new room – will see it somewhat from Cragmont but not much because of the parking.

Mr. Heitz explained to the board members that they really don’t have the necessary room, they are moving a lot of stuff across the street so what they will do is just put this box in the back, just purchased the lot about six weeks ago and it’s needed for their efficiency, growth, and safety – employees are walking back and forth across the street over to the Red Pepper. A. Roller asked Mr. Heitz about the wood fence he is talking about moving. Mr. Heitz answered that, no, the wood fence...the dumpster will be moved but...will place it “there”, abut in their corner with three-ft. off the property line, and then the front of it where the building is will connect it and then put in a whole new building – will be connected, won’t be any windows or doors in it, will just go straight into “there.” C. Fife said she thought it would have a shed roof. That is correct, per Mr. Heitz – a shingled roof.

Mr. Heitz said what’s back there right now is a dumpster and basic parking so they’re going to dress up that lot as well.

C. Fife said that she and Mr. Heitz had talked about the possibility of landscaping just to camouflage. Mr. Heitz said what they will probably do will just have parking, just put asphalt, there is gravel now.

P. Davis asked Mr. Heitz if the cooler will be painted the same color of the building. Mr. Heitz answered, no, it’s aluminum – showed a picture of the cooler – connecting building will be painted “that” color. G. Jorgensen stated it is very commercial like.

No further questions or comments from the board members. No questions or comments from the audience.

P. Davis made the following motion:

“I move that the Madison Historic Board of Review find a fact that the proposed project on September 24, if constructed according to the plans submitted – actually plans submitted on today’s date of September 24 and the application at 842 W. Main Street will meet the Guidelines on page 68, I make the motion that we approve it.”

Motion seconded by P. Newhouse – roll call – all ayes.

Application approved in accordance with motion and vote.

4. **Kevin Mock** – *C. of A.* to build a new garage at the rear of the property.

Location: **1323 W. Second St.**

Zoned: Heavy Industrial (M-2)

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C. Fife stated this property was not included in their survey – missed it; she has taken a look at it and from the style and design she did not believe this is a contributing property; one of the things that is a problem that she and Kevin have talked about is unfortunately for some reason and his neighbor have managed to be a part of a Heavy Industry zone. C. Fife showed drawings and explained the proposed garage.

Mr. Mock said the garage will be basically like the picture except there will be a garage door in the front and a walk-in door where the window is, balcony will go to his deck; wants to do vinyl that will match the house; 16-ft. x 30-ft. primarily used to house his boat.

B. Schoenstein asked the applicant if the zoning is because of the old...going back to when the oil place was down there. Mr. Mock answered that from what he understands the zoning happened in the 80's – that's on his agenda for next week, to get it rezoned – right now has been told he can't build anything. C. Fife noted that Mr. Mock has already made his application for this and ultimately it has to be rezoned.

C. Fife suggested to the board members when they make a motion that the approval be contingent upon City Council for zoning classification change.

No further questions or comments from the board members. No questions or comments from the audience.

B. Schoenstein made the following motion:

“The Madison Historic District Board of Review finds that the project for 1323 W. Second St. if constructed according to the plans submitted on September 5, 2012 for a garage – 16-ft. x 30-ft. with the materials stated, thinks that's on page 68 or 69.” Motion seconded by P. Davis – roll call – all ayes.

Application approved in accordance with motion and vote.

Extended Application:

- 5. Pete & Johann Backus** – *C. of A.* to demolish an existing house and building foundation, add landscaping, new fence and new garage and workshop.

Location: **941 W. Main Street**

Zoned: Medium Density Residential (R-8)

C. Fife reviewed that the board members have had a site plan since the last Historic Board meeting and there also has been some additional research – so have some updates that might be of interest – first of all still believe it is circa 1850 as verses 1860, after looking at the building... Link Ludington particularly went up to the top of the building at the attic area and it was rated in 2002 as contributing, that was when there was still an adjacent building, the porch was not visible in the Sanborn's . we don't know whether that is because it was gone or because forgot to mark it down, one way or another, it wasn't there.

C. Fife said the new information includes the probable date for the earliest building on here and as much as she can tell from doing the deed research and from what was visible from the attic of the original construction is possibly before 1854, looking at it and measuring it does appear that the buildings that are shown on the 1854 map, one of them is this and the other one is probably Mr. Backus' house – there were two very similar, just simply rectangle buildings – the older map does not have a lot of real detail and it's a little hard to tell because there is no scale exactly for the locations but compared it to the descriptions in the deeds and it appears that's true – and, as of this afternoon it's possible, don't know for sure, but it's possible that that piece of property was purchased by David Dubock – may or may not be the same David Dubock that designed the courthouse. But, it does appear that a second floor was placed on the building somewhere

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between 1881 and 1892; the second floor is shown quite clearly on all of the existing Sanborn maps – first place it appears is 1892; however, there's been a fire and the second floor was reduced to less than a floor, possibly just a little attic space and it looks like all of the rafters and things up there are new. C. Fife reviewed highlights of the deed research.

C. Fife showed photos of the interior.

Mr. Backus said he was asked for a sketch of the front view from the street and he also went ahead and did one from the alley (that would be looking towards Main Street); told the board members they had to take into perception the distance of what the yard is going to be back to the garage – was kind of hard to get all of that on a piece of paper.

B. Schoenstein asked Mr. Backus how long ago was the fire. Mr. Backus answered that he was able to go through the role book and came up with 5/13/74 – it came in on box 423 which is the Number 3 engine house at 11:45 that day and he had not been able to go back and research if that was indeed the fire that was listed at the laundomat, if that was the one that extended over to that house or if there was a separate fire. C. Fife said it made a great deal of sense that the fire moved over and thought, too, because so much of the damage is in the corner next to where the buildings were adjacent, probably did carry over and destroy most of the second floor.

Mr. Backus said he intends to do more research because for some reason he thinks there was another fire earlier in the house itself, in the back.

B. Schoenstein asked Mr. Backus the distance from the sidewalk back to the proposed garage. Mr. Backus answered that it's 165-ft. deep, the front yard...there is a brick wall that goes down into the basement, that's where he wants the fence to come across and then that small area from there back would be to the garage, and it's probably 20 – 25-ft. off of the alley so basically the garage is going to pretty much take up that whole area.

G. Jorgensen told Mr. Backus that it looks like a nice design for his garage – she just had a problem taking down a charming Greek Revival cottage, knew it needed work but it could be a really lovely guest house and knew Mr. Backus had a problem with the house because it has been used as a rental and that has caused bad feelings toward the house because of the issues he has had to deal with. She understood those feelings but thought if someone else came in with fresh eyes and could see the potential there it could be a lovely guest house right on Main Street, thought it would be very popular and it has the things that people look for in a Greek Revival cottage or in a rental – it has a lot of original elements, it has very charming details and knew it would take some work but the money that he proposes to demolish it with could be put into the building and that would go a long way to making it going towards that – maybe someone else would want to purchase it for that reason or to live in. Mr. Backus said, well, it was for sale and nobody else was interested. G. Jorgensen said she hadn't realized that but that's just her feeling on it. Mr. Backus said like he had already told them, he reason he bought it was to control what goes on over there. G. Jorgensen said she understood but it will cause a big void right on Main Street, it's very consistent with the houses, will cause a big hole, and will be looking at the back of the garage which is a very nice design but still it's a garage and that was just her feeling on it. Mr. Backus said he thought the improvements he intends to make will be much more attractive than what is sitting there. G. Jorgensen said obviously it needs to have something done to it.

B. Schoenstein told Mr. Backus that he fully understood when Mr. Backus says he wanted to buy a piece of property to get control of it because he has done the same thing in his neighborhood and have done several pieces of property – not that he wants to buy anymore but he certainly wants to control what he has and take care of what he has and not have to deal with some neighbors that he's had to deal with in the past so he understood exactly what Mr. Backus was saying. G. Jorgensen stated there are a lot of problems with run down rental properties because

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it brings crime and drugs and all kinds of issues and Mr. Backus doesn't want that right next door to him; she understood Mr. Backus' feeling toward the building but like she said, someone coming in and looking at it with different eyes maybe...she just had a problem with destroying it and taking it down, saying well let's just get rid of the problem when it has such potential. Mr. Backus said as he had noted earlier he plans to keep some of the mantels, woodwork, some of the doors, and stuff that's...but believed with Link looking at it, thought they've had a difference of opinion as far as the windows – the whole west side of it has been exposed to weather for better part of two years – everybody seems to remember the blue tarp that flapped in the breeze there for about two years – and he thought everyone has pretty well expressed their feelings.

P. Newhouse said she had looked at it and it is nice to save everything they can but believed this one is in such a state of deterioration that it would not be feasible to save it and she thought what Mr. Backus wants to do would enhance the character of the historic district which is what this board is interested in.

C. Fife told the board members one of things she might suggest, in terms of demolition the board has not put forward yet, and should, thought the board should work on the proper process in case of demolition – they've been a little bit hazy about that and would suggest to the board at a later time some more specific things so that it helps owners understand what is expected and the kind of process it should be – but, one of the things stated in the Guidelines is that relocation and other options should be explored prior to the demolition. C. Fife told the board members they might want to discuss, knew that Pete has thought about it a bit and has some ideas and others have made suggestions – so, that's some things thought they are supposed to be explored and they are in the Guidelines as well and she believed in the Ordinance in perhaps different places and perhaps not as clear as they ought to be. G. Jorgensen said, right, there were some discussions about possibly moving it, asked Mr. Backus if was still willing to have someone come in and take the property off and move it someplace else. Mr. Backus stated that was a discussion that they had, didn't think there was a bit of discussion about giving it to someone and then paying a portion of having them help move it, but how long of a period are they talking about to go through with this; he bought the property a year ago August, winter is coming on, not that he will get anything done this year but it sure would be nice to be able to move forward with what he has planned. Additionally, Mr. Backus said he is open – if somebody wants it and they want to come down and move it, he would give it to them. B. Schoenstein commented there needs to be a time limit on it, they can't just sit there forever, for six months, or whatever, they have to come and get it and get it right now. Mr. Backus said this just keeps opening a can of worms the further along they go with it. B. Schoenstein agreed and said if it's somebody that doesn't know what they are doing... because it's not everybody that can move a house. C. Fife commented that because she knew Pete had this in mind she did go ahead...had a couple of other projects in town where potential moves might be an option or at least a possibility, and she did get a price – thought it was a high price probably – thought a competitor might be lower – thought it was \$25,000.00 to move it – might be less than that depending upon another mover. C. Fife commented that it's available; thought in the past gave 30 days for the property, it wasn't moved – it was a repurchase – on Mulberry Street and in most cases 30 to 60 days is a viable time that people ask for...to offer it to people – if nobody takes it then nobody does and that's fine but at least that option is out there for people.

Audience member, John DeLuca, said he presumed Mr. Backus paid less than \$25,000.00 to purchase it and asked Mr. Backus if he had obtained costs to see how much it would cost to rehab the house verses the cost to demolish it and then build the new structure. Mr. Backus said yes he had and then explained that Mr. Childress looked at it and his recommendation was between \$125,000.00 and \$150,000.00 to restore it – and he had a demolition contract for \$22,400.00 with \$6,800.00 of it to fill in the holes, cap everything and sow it in seed and straw.

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Mr. DeLuca then asked Mr. Backus how about the cost of the new garage. Mr. Backus said he can probably do the whole project for just a little more than what it is going to cost him to take e down the house – with the garage, fence, and landscaping.

G. Jorgensen said she would like to see this application divided into a demolition request and for an approval of design for the garage.

No further questions or comments from the board members or audience.

R. Hopper made the following motion:

“I move that the Madison Historic Board of Review find as a fact if the project for 941 W. Main if continued according to the plans submitted on August 27, 2012 and amended on September 24, 2012 meets the demolition criteria according to the Madison Design Review Guidelines, pages 80 and 81 and is congruent with Madison City Ordinance 151.32 specifically Section C1 “that the building is in such a state of deterioration and disrepair as to make preservation, restoration, or rehabilitation impractical.” Motion seconded by A. Roller – roll call

Paul Davis	Approve
Bob Schoenstein	Approve
Ginger Jorgensen	Disapprove
Pam Newhouse	Approve
Ann Roller	Approve
Mike Pittman	Abstained
Ron Hopper	Approve

Demolition approved in accordance with motion and vote.

R. Hopper made the following motion:

“I move that the Madison Historic Board of Review find as a fact that the proposed project for 941 W. Main Street if constructed according to the plans submitted on August 27, 2012 and amended on September 24 specifically the building of a garage in the rear of the property, meets Madison Design Review Guidelines, page 45 – the fence meets the Guidelines, page 73 and 74 and the landscaping would be compatible with the character of the historic district and Madison City Ordinance 151.30.” Motion seconded by P. Davis – roll call – all ayes.

Application for garage approved in accordance with motion and vote.

Business – Old or New:

C. Fife presented her job activity report.

G. Jorgensen said under New Business the board has a demolition permit to be issued for the building at 801 W. First Street. C. Fife stated that was not officially on the agenda. M. Pittman said he had asked for that to be put on, saw it advertised in the paper. M. Pittman stated the board had reviewed that application and turned down the demolition request, the C of A for that, and the letter that came in with that demolition request from the architect basically stated the house was abandoned and rat infested and the house is actually being lived in – it’s 801 W. First – would assume it’s being rented, not sure – but the architect’s letter...obviously...he must have looked at the wrong property because there is no way that house is abandoned; utilities are hooked up to it, there’s phone and electric both hooked up to it so he would say as far as the presentation that the home is uninhabitable that’s wrong and he thought the board needed to relook at that and ask the person that filed that to come...send him a letter and have him come before the board and explain to them why this house is being demolished.

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The property owner, Ben Canida, was in the audience and told M. Pittman that he was absolutely right, they do have someone living there; they purchased the property with the intent to restore the property, they were excited about the location and the fact that it had a historic structure on it that they were hoping to renovate; they've spent immense time and money, they've pursued experts in the field of renovating, the architect they picked was because he has made his career on renovating historic structures and placing additions on historic structures; they have been through extensive renditions in attempts to incorporate and use that structure but after several renditions their architect says... he has done a number of projects here in Madison and is well known – he came to the conclusion – he said this is not possible to incorporate and use – architect pushed he and his wife to that decision and they said they're not ready to give up on this building yet; they spent more months and more money still trying to save this building; issues of cost – they knew doing an old building they would be investing more money than if they tore it down and started from scratch and they were ready and willing to do that; number one – the condition of the building is much worse than they thought when they got it – there is everything from groundhogs, to termites, to mold throughout the place. Also, Dr. Canida said the flood plain has become a huge issue and the property lines and setbacks have become huge issues much more so than they were aware of when they bought the property, particularly the flood plain...didn't know if the board was aware but the flood plain is currently being updated in this area and it will be raised, projected date of releasing those is March, 2013 – they pushed those back, even at the current levels it was very difficult to near impossible to utilize that building; word is that levels are going up three to four feet. Dr. Canida said he and his wife are currently living in the condos next door, those were built in 2005; FEMA has tightened their rules, those condos would not have been able to be built by FEMA's guidelines today; so those are some of the constraints in their project. Dr. Canida stated that the architect came to that conclusion in throwing numbers their way to say this is unrealistic for anybody to restore – have even looked at it as a standalone, they looked at it as incorporating, looked at it as being a garage, balancing structures on the other side, they have invested heavily in pursuing this project. Dr. Canida commented that they themselves came to that conclusion reluctantly and that's where they are.

Dr. Canida said when the board denied their application they felt like they had presented in their argument certainly the letter the architect presented, presented an overview of his presentation, he presented a lot more details showing how it was not economically feasible to restore and use.

Dr. Canida brought up about the board saying the house is rented, there is somebody living there; at the time when the architect made his presentation and when he wrote his letter, that wasn't the case; they never intended to use it as a rental; they have a friend of his grandfather – his daughter needed a place, she is living there, they're not making any money – would guarantee that, it is a significant loss for them that they are doing out of...for her to have a place; that's why there are utilities on there. But, as far as an economic return, even though there is somebody in there it is not providing an economic return.

M. Pittman told Dr. Canida he guessed when the letter came in, and it was basically not characteristic of what's going on in the home today, so guessed that was his major concern. M. Pittman then asked Dr. Canida if he could provide the board some of the data they have accumulated regarding the economic return...that would be important for the board to look at. G. Jorgensen told Dr. Canida that's one of the requirements for demolition. Dr. Canida said he would argue that that was presented at their meeting last Fall. G. Jorgensen said she didn't recall the figures. M. Pittman said he didn't think there were any figures presented. Dr. Canida explained that the architect did not have hard and fast figures and then asked the board if they would agree that it's economically feasible to restore – they just heard Mr. Backus talk about the expense of restoring a structure, he has estimated in the range of \$150,000.00 and doubted they could do theirs for that. M. Pittman told Dr. Canida that he couldn't really

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comment, that's why he has architects and builders to take a look and give an estimate, so thought having that data would make the board be able to look at it in a completely different light, the board doesn't have that data. B. Schoenstein commented to Dr. Canida that he wasn't on the board then, but was something looked at as to how high they could build the house up concrete wise to keep it out of the flood plain or if it was in the flood plain to where that would not be an issue. Dr. Canida asked if that was in terms of the existing structure. B. Schoenstein answered "anything." G. Jorgensen asked both - in building new or the existing. Dr. Canida explained they had gotten into that significantly with the architect - for the purposes of historic review, they did not present that to the board - but, yes, they have looked at that extensively and have applications and reviews in to the appropriate parties. B. Schoenstein then asked Dr. Canida if that is something the Federal government won't let them do or they have to build it even higher now. Dr. Canida said they have to build it even higher now and that's one of the constraints with making that a useable property. P. Newhouse asked Dr. Canida if he was saying the house is not in the flood plain. Dr. Canida told her that it's not in the flood plain right now, no, it's on the fringe. P. Davis stated that in 2013 it's going to be, the current plan for their new house...Dr. Canida said they have pushed it back to the exact numbers provided in 2014. P. Newhouse asked if it's likely to be in the flood plain in the future. Dr. Canida answered that it likely will be in the future and there is no longer a grandfather clause, you're grandfathered in for two years and then subject to all the guidelines. B. Schoenstein that as a former lender if find a piece of property that is in the flood plain it is almost a nightmare to insure and you have to have it insured before any lender will touch it - it's just a Federal law that the Federal government passed the buck on to lenders, they put the burden on the lenders and if don't follow the details and don't do it right then they are subject to penalty.

G. Jorgensen asked Dr. Canida if they still intend to build the house but just going to adjust it to new flood plain regulations that will soon be enacted. Dr. Canida told G. Jorgensen that they are still waiting for final numbers, waiting on plans obviously until final numbers come out, and one of the things I,s if they are planning to proceed with plans without this house, which that's their intention, they can't do that until they have approval with the process they have started to even continue with their plans - so that's why they elected to go the route they did because they have to be able to move on with their project.

P. Davis asked Dr. Canida if he plans on coming back in front of this board soon or what are the plans. Dr. Canida said they have filed...have had Darrell Auxier review the Guidelines, they have been denied by the board and it states if they are denied by the board and there is not an economic return on the property they can then apply for demolition, post it for a period of twelve months, run it in the newspaper three times, believed this is where M. Pittman saw it, and there are certain specifics within in that, and then a year later would be allowed to demolish the building - believed that twelve months is to allow for other uses of the building. Further, Dr. Canida stated they have had John Stacier go through the building, he is in complete agreement that it doesn't have life in any way with that project, he says there's potential movement and would be willing to work with Dr. Canida even in the demolition and reuse of materials - in their new plans they hope to reuse any of the materials in any way they can, but they (HMI) would work with them in salvaging old materials and potentially even mentioned utilizing some type of education in the demolition, they have looked into and will be working with HMI in listing it with Historic Landmarks; knows Camille has a quote on moving it, he believed \$40,000.00. C. Fife confirmed that was the quote, it's a brick building so is a little more expensive. Dr. Canida said for a brick building he would be surprised if it could be moved for that because there isn't a single floor joist that meets the exterior wall because of termite damage. G. Jorgensen told Dr. Canida she thought there was a little bit more to establishing the ability to use the property too, the value, and thought there was...C. Fife said she thought one of the things and as mentioned earlier, is that the board has really not developed a good procedure that the building owner can be aware of at the very beginning, and as a result...and she did talk

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this over with Darrell (Auxier) as well, that the Ordinance has two sentences in the first paragraph which says if the building owner shows that the building cannot return on its investment AND if the board denies it, then they can proceed with the procedure Dr. Canida is going through; thought it hasn't been established for building owners...a form or maybe some specifics, who has to present it and when and what it is – so, it was her understanding after her discussion with Darrell about the ordinance that it was the board that needed to rule, or at least express an opinion on the issue of whether the building had...or the building owner had shown the inability of the building to produce...G. Jorgensen said she thought it was to produce a “return” and further said that’s a common statement in a demolition request, that is a common requirement. C. Fife said that is actually out of the Enabling Legislature, it falls all across the state; there are a number of different...G. Jorgensen told Dr. Canida the board is not picking on him. C. Fife agreed and said no one wants to pick on these wonderful people who do so much for our community. But, C. Fife said Ft. Wayne, for example, has a much more well defined series of procedures and New Albany also has one that is much more flushed out than ours – so thought at this point they’re kind of stepping carefully down an area where it is hard because we don’t have as good a procedure, but still strongly recommended for the future that the board work on developing something that helps the building owner understand exactly what’s expected – didn’t think at this point that’s always been real clear. Dr. Canida told C. Fife he would agree with that and understood her desire to see hard numbers, hard numbers would require a plan for what they were going to do with that building and they were unable to develop it – so, hence, no numbers for that plan. G. Jorgensen said she thought the requirement, generally from what she has seen in the past, is usually a two year...two or five, she couldn’t recall – the numbers on the building, that’s what she has seen in the past. Dr. Canida asked what she meant by two to five years back. G. Jorgensen explained that’s as far as if it’s a rental or something like that and generally that’s what they’re talking about is a return on a rental. Dr. Canida said it’s really not in rentable shape even though there is somebody living there.

Dr. Canida said to answer a question, he can see the desire for hard numbers, they didn’t present their numbers, he didn’t get hard estimates – they did, however, have an expert in the field come in and deliver his opinion that it is not economically feasible and does not provide a return on the investment; architect has done countless...has been in the Wyoming district in Cincinnati, has done countless renovations like this, has spent his career doing this so knows this inside and out and to come and have an expert of that stature delivering opinion he would hope would stand up even without numbers. B. Schoenstein asked Dr. Canida if this architect has done other projects in Madison. Dr. Canida answered this architect is most notably known for the Eckert or the...law office on Michigan Rd. hill and a number of others – currently doing Dr. Canida’s grandfather’s house which this board approved (Broadway Street) and does it to a very high standard. Dr. Canida further stated if they did renovate this, it would be to the highest standard, it would not be a cheap renovation, guaranteed that – said he knew that coming in and expected to spend on this.

G. Jorgensen and M. Pittman thanked Dr. Canida for coming in.

Audience member, John DeLuca, said he was just looking for a little clarification – some may remember he was on this board last December when Dr. Canida came before the board and was pretty vocal about denying the request – it was his understanding at that time that the house was in pretty good shape; what he hears today is that it wasn’t a good evaluation of it and the architect, who has some points that Mr. DeLuca disagree with – not part of the decision anymore but he was looking for clarification on what this law is that says once it (demolition) is denied, then you wait a certain time period, you show there is no economic return on the investment, wait another time period, and then can do it legally – if that’s the case, he was just wondering if the board can consider, we don’t have an attorney here to give an answer, if somehow the board could approve without making Dr. Canida wait the additional time, if the board can decide upon

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the level of information they need from Dr. Canida to prove what he said earlier; as far as...Ginger said going back two years, well, that's if the building was active, was an active rental, was getting \$800.00 a month for rental, that's \$9,600.00 a year times two, okay, and it's going to cost \$10,000.00 to fix it, that shows it's well worth it – but this is an abandoned house, have no records from the past, and it's going to cost x number of dollars to fix it up – an architect won't typically give a cost estimate, have to go to a builder for that, they'll give a reasonable estimate of their opinion because they don't want to be sued because they don't do that kind of stuff; but, he didn't know if we have that flexibility in this community to treat Dr. Canida with that kind of approach – might suggest it for consideration. Mr. DeLuca went on to say if from what he hears, it's going to be a done thing then why make a resident wait anymore than they have to if in fact what Dr. Canida is saying is accurate.

Dr. Canida said he guessed the question was – would the board deem this unable to provide a return. Dr. Canida told Mr. DeLuca to answer to his question, as he had mentioned, Camille has the regulations that is straight out of the...C. Fife said this particular language is straight out of the Enabling, this isn't even our local ordinance, and it's not flushed out by our Rules and Procedures – the language says “whenever any property owner shows that a building isn't capable of earning an economic return on its value and the board fails to approve the issuance of a C of A, such building may be demolished, provided however that before a Demolition Permit is issued notice of proposed demolition shall be given...” - didn't know if the board wanted her to read the rest, but it was a building rated Historic, that would be contributing, and it says “notice shall be posted on the premises proposed for demolition and shall be clearly visible from the street, shall be published in a general circulation newspaper three times prior with the final notice published not less than 15 days prior to demolition.” C. Fife stated that the board has criteria to consider in the case of the proposed decision, there are three items having to do with whether the building is in a state of deterioration or repair (which was discussed earlier with regard to Mr. Backus' building) or so structurally unstable as to make preservation restoration or rehabilitation impracticable...whether the removal of the building would be detrimental to the character of the historic district and take into account with the owner of the building of possible alternatives to demolition” – so those are all parts of the same effort – it doesn't state who or what kind of a professional should provide the information and that puts it in kind of a difficulty for owners, it doesn't state when and how those kinds of information might be brought forward, whether that should be in the context of the original request for demolition, whether it is a separate entity that needs to come before separately – her recollection, can check the minutes, what happened at the previous meeting in November was that the board only voted on the demolition, they voted to deny demolition – didn't remember any other resolutions having been made or votes, but that can be checked.

P. Davis stated that Historic Madison has been there already, they've been through the building – thought the next step was for this board to go through the building and take a look at it. Ann Roller stated those that have been demolished have had someone go through or the board members have gone through so they can see, but the board doesn't want to just say demolish buildings without...and she didn't feel that the architect really presented a case at all for demolition. Dr. Canida said to speak to that – he felt like there were other opinions that did not come from this board, this board was very respectful to them, but this board and moderator allowed other opinions that did not relate to the discussion at hand that were of personal attack nature to come in and contribute to the discussion which really limited their presentation – and, they kind of closed up shop and backed out. Dr. Canida said he would challenge the board to not allow that to happen to future applicants and didn't think he needed to mention any names or...thought everyone was very aware of what the situation was. A. Roller said – but, they have to ask for audience feedback. Dr. Canida said, yes, but the board can keep it on top and it strayed very much off top into personal attacks.

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B. Schoenstein said he didn't have problem with going in and taking a look at the building – looked at the others and if that's what the board needs to do, obviously can't do something tonight but possibly next month. M. Pittman asked Dr. Canida if that made sense to him. Dr. Canida answered that made sense to him if the board feels it is necessary. P. Davis noted he thought the board needs to take a look at it and after they take a look at it if the board feels comfortable with it, then he can come back in front of the board and proceed. Date and time to be set for the board members to tour the building.

C. Fife said with a site inspection, and she had just talked with Darrell (Auxier) about that, as to whether or not the Open Door Law would apply if all the members of the board went to the site at the same time; it appears that site inspections per se' you can all go at once – we had suggested that the board members go in two's rather than three's or four's to avoid any appearance of trying to avoid the Open Door Law which is nothing to do with the Historic Preservation Act but has to do with how we are to behave as a public body; knows it makes it a little uncomfortable...can check that again but thought can schedule the site visit; Mr. Backus was very kind to give a couple of hours so could stagger people but hate to put building owners to that kind of difficulty if we don't have to. M. Pittman said at the conference just attended the board does go in mass to do inspections but they also have a member of the press with them so the press is informed. C. Fife said as far as she was concerned that was absolutely the way to do it. B. Schoenstein said a good example is that the City Council went over one evening after their meeting and took a look at the Elks building, all went together, others too. C. Fife said she thought the board could schedule something following that same procedure and appreciated Ben's willingness to do that.

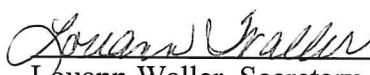
G. Jorgensen said there was a discussion about the formation of a committee to discuss amendments to the Rules of Procedures, there were two subjects – one about demolition including demolition by neglect and also the addition to fences to fast track the C. of A. and so the discussion is to form a committee to discuss those two issues. G. Jorgensen noted this was something C. Fife had brought up. C. Fife said, yes, particularly easier for a lot of our business owners who have simple things like fences, want to make that easier, have done it before with a couple of things, would like to continue moving on that – and, then thought there was a need for a better, more flushed out Rules of Procedures, something that can be passed on to owners about demolition. C. Fife reminded the committee they will also need to follow the same rules as the board does with regard to the Open Door Law. G. Jorgensen asked C. Fife if she had a certain number in mind as to how many would serve on the committee or actually all the board members could be on the committee. G. Jorgensen asked if there were board members who would like to get together to discuss this, could set a time. P. Newhouse, G. Jorgensen, P. Davis (Paul would be on it if someone else can't make it but has a hard time attending day meetings.), M. Pittman, R. Hopper, and B. Schoenstein all volunteered. A meeting date and time will be set with the committee reporting back at the next HDBR meeting.

No further business to be brought before the board.

P. Newhouse made the motion to adjourn – seconded by R. Hopper.

Meeting adjourned at 7:21 p.m.

BY ORDER OF THE HISTORIC DISTRICT BOARD OF REVIEW


 Louann Waller, Secretary

HISTORIC DISTRICT BOARD OF REVIEW

Minutes

October 22, 2012

The City of Madison Historic District Board of Review held a regular meeting on Monday, October 22, 2012 at 5:30 p.m. in City Hall. Mike Pittman, chairman, presided over the meeting with the following board members present: Paul Davis, Ann Roller, Ron Hopper, and Bob Schoenstein. Also present were: Mark Johnson, Building Inspector; Darrell Auxier, attorney; and Louann Waller, secretary. Absent was board member Pam Newhouse.

There were no additions or corrections to the minutes from the previous meeting. P. Davis made the motion to approve the minutes – seconded by R. Hopper – roll call – all ayes. *Minutes stand approved as recorded and distributed.*

M. Pitman read the following statement:

"We have lost a valuable member of our Historic Board of Review and a champion for historic preservation in our community. Ginger Jorgensen passed away on October 2, 2012 and she will be missed. Ginger was chairman of the Historic Board of Review where she has served for the past five years. She also served as secretary of the Cornerstone Society. She recently authored a book on ghosts of Madison which depicts many of the historic properties here in Madison. I would ask a moment of silence in remembrance of Ginger and her family."

New Applications:

1. Steve Sanders – C. of A. to remove aluminum storm windows, original wood windows and replace with modern vinyl windows.

Location: **412 E. Fourth St.**

Zoned: Historic District Residential (HDR)

Property history, pictures, and project review by C. Fife; rated circa 1880, have a little confusion as on a former survey it was rated noncontributing and on a later survey it was rated contributing, addition on the right is probably circa 1950; owner has signed a contract with America's Window and plans to put the contour grids between the glass.

Applicant, Steve Sanders, showed the board members pictures of his windows; explained he can't even get to them on the outside to do any maintenance because they just don't operate; showed picture of the windows he will replace – the three in the alley way and the three in the front; showed pictures of the window sills. Mr. Sanders said the windows are in terrible shape and he has done a lot of work to this place this last summer – new roof, new guttering, and insulation – right now is stuck on the windows. Utilizing a picture, Mr. Sanders pointed to a room that he said is the prettiest room in the house, has hardwood floor (he has redone it). Mr. Sanders said he does most of his living in the winter months because he keeps the big part closed off just because it is so drafty. He said he's put a forced air furnace in the house, it had no duct work in it, he's done that, has just done a ton of work to it but right now he's...the windows right now are his main...they haven't been replaced; has talked with America's Window, did some research on them, they have an A rating with the Better Business Bureau and the windows he is looking at have a 50 yr. transferrable warranty on them, is putting in some decent windows, they will really look good, will make the place look great.

M. Pittman asked Mr. Sanders if the windows he has are the original windows that were put in the house. Pointing to a picture, Mr. Sanders said "these" he thinks, doesn't know...right "here" where the one window is all the way to the right, actually thought that might have been a porch area because the flooring behind that window...they look like they're the same size but when they were measured, the windows aren't exactly the same tallness or whatever – the flooring is different behind "that" window and it goes back to a walk-in closet and the front door is not

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visible because it won't be on the porch; the add-on evidently had just changed everything or something. C. Fife told Mr. Sanders she didn't think this part of the house on the Sanborn showed anything – thought the porch on the side is where the add-on is.

Mr. Sanders said this house has been in his family for 45 years and it's been a continuous... He said he is able right now to do this and would really like to get this done so he can go on from there, would like to do a little bit more work on "this" side of the house, redo the other hardwood floors which is a major mess.

M. Pittman asked Mr. Sanders if the front windows... would he be willing to save those, the original windows. Mr. Sanders answered that those windows are not operational. M. Pittman said he meant after they are taken out – would he be willing to save them. Mr. Sanders said he was willing to donate them or give them to somebody that could actually put them in a place that is historic. Mr. Sanders said he's not going to mess with the decorative wood above the windows, that's all staying and of course the... you can't see the cornices on the gabled end... of course that's all staying, he is not doing anything to that. Mr. Sanders said he just wants to make it to where it is actually livable in the winter months. M. Pittman told Mr. Sanders that unfortunately the wood no longer exists that those windows were made out of, even the wood in windows today don't have as good of wood as are in the existing windows. Mr. Sanders said the wood in them... if they could see the pictures. M. Pittman stated that the sills tend to rot and that's where the problem comes in – they can be fixed, they can be restored and was sure they would be good in somebody's house, or, if saved for Mr. Sanders house could guarantee that somebody someday will want them and may put them back in. Mr. Pittman told about a lady that was at last months meeting that has vinyl windows and wants to put the wood windows back in. Mr. Sanders said he had even talked with America's Window about it, if they could save the sashes and they told Mr. Sanders they probably can but... Mr. Sanders said he just wants something with no maintenance because he has enough work going on here without... and these things here you have to get up on a pretty tall ladder to even mess with them and he is getting to where he doesn't like to get up high on a ladder.

C. Fife told Mr. Sanders she thought he had already talked with America's Window when he came in. Yes, per Mr. Sanders. Mr. Sanders said he thought the house was built in the 50's and didn't think he even needed to come before this board but America's Window told him that he needed to. B. Schoenstein commented that the house has been like this since he could remember and the addition was put on back in the 50's, knew the family that lived there before the Sanders.

R. Hopper asked the applicant if these **are** the original windows or are they **not** the original windows. Mr. Sanders answered that as far as he knows, they are. C. Fife said they would be appropriate for a late 19th century building of this type so would assume they are original, they look like that. She said she had shared the Guidelines with Mr. Sanders, pointed out the pages about windows. Mr. Sanders said he had read it but like he said, these windows he is looking at are top of the line. B. Schoenstein asked if the dividers... Mr. Sanders answered they will look just like "these" – he specified that with America's Window. C. Fife said it will be a contour grid. Mr. Sanders said he wasn't exactly sure about that, wasn't sure if the inside grid... that would actually be on the outside of the window because these windows are doubled pane. B. Schoenstein said that typically those are on the inside. C. Fife showed the window brochure. R. Hopper said the concern he was having is that he didn't inspect the windows, is not a window expert but they don't look like they're 80% deteriorated and according to the Guidelines they have to be in order to approve replacement. Mr. Sanders said he could understand if it was a house that was of historic significance but this has been added on to and unless you... to look at the house driving down the street you'd have no idea. C. Fife said it would appear that the windows on the extension, addition, around the back, and the sides are much, much later than the

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50's. B. Schoenstein noted there are other houses in the neighborhood that have replacement windows. Mr. Sanders confirmed this.

R. Hopper asked Mr. Sanders if he would be willing to consider having the front windows, maybe having the aluminum siding taken off and having...this board recommends or have approved the MonRay storm windows but to redo those original windows and then replace the others on the side and back. Mr. Sanders told R. Hopper he understood but would rather...if he can't get the vinyl, didn't know, really don't want to go that way because that is talking maintenance down the road and to maintain these windows as high as they are, that's really a job and he's getting of the age he really...as much work as he's done on this house now just to

maintain it, the windows and stuff...want to get that...would still end up with old wood windows when he got done. Mr. Sanders said he is going for the whole deal or nothing.

Ann Roller asked the applicant if he can get the grids put on the outside rather than between the glass. Mr. Sanders answered that he talked with America's Window after talking with Camille and the window representative said something like that would be a cosmetic thing, would be glued to the outside, would serve no purpose except if you drove down the street or happened to walk by and look you could see it on the outside of the glass, it would actually serve no purpose. Mr. Sanders said he was not sure why they are in there but...P. Davis explained that is so they don't fall apart – if they are outside usually fall apart – inside they stay put. M. Pittman commented they are a lot easier to wash if they are inside the glass rather than outside.

B. Schoenstein said this is a good company – has a friend who dealt with them on a house out in the country, had all their windows replaced, and was impressed with the windows.

Audience member, Jack Patchin, said he wanted to dispel some myths right away – vinyl windows are not top of the line by any of them from any manufacturer, they are all bottom of the line. Mr. Patchin said there was a contractor here about a year ago and he was questioned by this board, maybe not all these members, how long would these windows last and the representative said ten years or less; that was his statement and he was the contractor going to be doing the job. Mr. Patchin told the applicant so his windows will last ten years or less according to the contractor that was in here; sales people will tell you whatever they have to, to get you to buy their windows; the 50-yr. guarantee warranty is on the glass, not on the vinyl and when the glass fogs up and Mr. Sanders calls and complains he will be told “yes sir, we can do that but you've got to buy a whole new window to get it changed – will give you the glass free and all the vinyl is extra plus the labor.” Mr. Patchin added that the customer is not told all these things; but, what he was trying to tell the applicant is that a prime, really top of the grade window looking at \$1,500.00 to \$1,600.00 for a Jeld Win – that's top of the line, so where does that put vinyl windows?

Mr. Patchin said he is a member of the Cornerstone board, they spent three years and \$40,000.00 getting the Guidelines written and had the Guidelines written so it would go through the courts and they will work smoothly as long as everybody gets treated equally – if we don't treat everybody equally... he is hearing customers telling him “why do they let this guy do this, and this guy do that, and somebody else do something else?” - If you don't treat people equally no matter what Guidelines are used, everybody needs to be treated the same. B. Schoenstein told Mr. Patchin he wanted to ask one thing and point out one thing – B. Schoenstein asked Mr. Patchin what is his line of work. Mr. Patchin answered that he works on windows.

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B. Schoenstein then asked Mr. Patchin what he is pushing. Mr. Patchin answered that he is not pushing anything – he is so busy he can't see straight. B. Schoenstein told Mr. Patchin believed that he does, believed that Mr. Patchin pushes to get wood windows redone which is his line of work which is fine and knows Mr. Patchin does good work, but that's Mr. Patchin's opinion. Mr. Patchin said that the Guidelines say...the City Council passed those Guidelines for this board to use and so far he has seen this board reject those Guidelines time and time again and there are people out there in the community saying what are we doing, why can't we do this, why can't we do that. M. Pittman thanked Mr. Patchin and told Mr. Patchin that every application is individual and this board considers each situation individually and makes a determination based on that and the Guidelines are the Guidelines and the board follows the Guidelines as much as possible, sometimes make exceptions – they are Guidelines. P. Davis said he has vinyl windows in his house, they are 19 years old and they still look brand new with no problems. M. Pittman said so, again – each situation is individual and the board looks at it that way.

R. Hopper said he had a motion but didn't know that anybody would go along with it – “I move that the Madison Historic Board of Review find as a fact that the proposed project for 412 E. Fourth Street if constructed according to the plans submitted on 10/2/12 and discussed on 10/22/12 is not compatible with the character of the historic district, there is no indication that the windows are 80% deteriorated, removal of the original windows and replacement with vinyl windows is not recommended according to the Madison Residential Review Guidelines pages 60-63. Recommends that an approval for a Certificate of Appropriateness be denied.”

Motion seconded by Ann Roller – roll call

“Yes” vote agrees with the motion – “No” vote disagrees with the motion

B. Schoenstein	No
M. Pittman	No
R. Hopper	Yes
A. Roller	Yes
P. Davis	No

Application approved in accordance with motion and vote.

Mr. Sanders stated that America's Window would not start the job without him first coming before the HDBR.

2. Dr. John W. Nyberg – C. of A. to remove false wooden bulkheads and reveal bricks; paint and frame.

Location: **601 W. Main St.**

Zoned: Specialty District (SD)

Property history and project review by C. Fife; commercial bldg; rated contributing; circa 1840.

Mr. Jack Patchin represented Dr. Nyberg.

B. Schoenstein asked if the window that is missing wasn't broke. Mr. Patchin said he has it out restoring it and will do the second one and then the third one. Mr. Patchin that underneath the sill that was added with the bulkhead they put a ¼” piece of plywood over the brick and then they put the trim around that creating the square effect in the front and the bottom and then they put the sill up to the window, not under the window, and that created a problem; in time that has gone by, 10, 12 or 15 years, the water has gotten in there and the bulkhead was just...could grab hold of it and literally pull it right off the building; the brick underneath is not original to the building, it is much newer brick with Portland cement but if pull the bulkheads and has the brick like the rest of the structure and puts trim on it...he has already put a new sill on it and he's tapered the sill so when the window goes in, the water will now run off away from the building;

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the white on the bottom is concrete so the brick is sitting on concrete and the water would all run down and out onto the sidewalk and away where right now the bulkhead keeps catching more and more all the time. B. Schoenstein asked if the water just stays there. Mr. Patchin explained the way it is right now, yes, because the front sill instead of leaning down, it is level or leaning back and the water runs back and then it's rotting out the sub sill and the bottom rail on the window.

Ann Roller asked if the whole building is brick or just the front. Mr. Patchin answered that he thought the building has been changed frequently and if somebody would go back and really do some investigating, those three windows could have very well have been big doors because it's wood all the way down to that cement piece on the bottom, the little step that's maybe 6 – 7 in. and that's about where the floor is on the inside, but it's really hard to tell for sure; these windows were built with quarter round...the glass was held in place with quarter round on the inside and on the outside, there wasn't any glazing and then, of course, when the water run downs on the outside it gets in behind the quarter round and that's exactly what happened; the one they took out was the worse one (was four individual pieces of glass). Mr. Patchin said he told John (Nyberg) he was not going to put quarter round in there again, going to glaze it; it will be worth it in the long run.

Mr. Patchin further explained that Dr. Nyberg wants to remove the windows, paint the brick, put trim down underneath the sill and have the brick across the front. Mr. Patchin noted that Dr. Nyberg will have to get a mason to do the brick work.

C. Fife said this will be a dramatic change, will not look like a wood bulkhead on the bottom, it will look like brick with a frame around it. Mr. Patchin said the frames will be straight pieces going straight down, there won't be any wood at the bottom but, again, that would be asking for water problems.

No further questions or comments from the board members. No questions or comments from the audience.

Ann Roller made the following motion:

"I move that the Madison Historic Board of Review find as a fact that the proposed removal of false wooden bulkheads, submitted on October 2, 2012 and the painting and repairs, as described meet the Commercial Guidelines pages 52-53, and therefore a Certificate of Appropriateness should be granted." Motion seconded by R. Hopper.

Roll call – all ayes.

Application approved in accordance with motion and vote.

3. Mark Johnson for Diane Signore – C. of A. to fill in areas around basement window wells to correct drainage; replace concrete on side of house and add additional fence.
 Location: **214 E. Fourth St.** Zoned: Central Business District (CBD)

Property history and project review by C. Fife; circa 1850; rated notable; M. Johnson has worked with this owner who is out of town – she lives in California. Utilizing Power Point C. Fife showed a drainage area between the two buildings which has become a problem in terms of some social issues, people hanging out there in addition to the fact that the drainage is going in and then coming into her building; showed a picture of the basement windows Ms. Signore is planning to block up this because leakage is coming in there as well and going into her basement.

M. Johnson stated that Diane (Signore) talked with him during the Chautauqua and said she would like to do this; showed a picture of a pipe going under the sidewalk – can see the angle is pretty sharp so a lot of the water is stagnant there before it goes through; a lot of the concrete is

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cracked; tossing around the idea of redoing the concrete (believes it is on her property line), possibly put the drainage under it and still keep a little slope for the rain. The other concept concerning the window wells – there is a lot of moisture in the basement, a lot of the water is coming through the window wells especially on the west side; the alley blacktop has come up so just over time this situation has been created; applicant is requesting to brick the window wells.

J. Johnson showed a picture of the existing deck and deck fence which showing it is real close to the house next to it, basically just missed the gas line; Ms. Signore would like to pull the front of the fence in the alley, pull it up, not all the way to front but pull it up to where it kind of blocks the situation where people walk through there, make it a nonpassable situation through there, would stay on her property line.

No further questions or comments from the board members. No questions or comments from the audience.

B. Schoenstein made the following motion:

“I move that the Madison Historic Board of Review find as a fact that the proposed project for Diane Signore at 214 E. Third St. according to the plans submitted Oct. 2, 2012 be completed with the character of the historic district for the reason in the Guidelines, page 46 “Gutters and Drainage” and page 73.” Motion seconded by P. Davis. Roll call – all ayes.

Application approved in accordance with motion and vote.

4. Wilma Puckett – C. of A. to replace metal roof, ridge pole and rafters.

Location: **117 E. Second St.**

Zoned: Central Business District (CBD)

Property history and project review by C. Fife; Federal style with several changes.

Ms. Puckett explained that the ridge pole is broken in the middle plus the roof is rusted through in many areas, many of the rafters have deteriorated. Ms. Puckett explained they will repair the ridge pole in two sections – will attach so there will be one solid piece, can only do one side at a time.

Ann Roller asked Ms. Puckett exactly what it is she wants to put on the roof. Ms. Puckett answered it is a metal roof, dark green. P. Davis further explained it is like barn siding. C. Fife noted this will not be on a primary façade, cannot see it except from the alley which is one of the things that might be taken into consideration – normally on a standing seam roof that is visible from the street elevation there is a little bit different standard for that – thought that was in the Guidelines, however, this is a standing seam metal roof; if standing seam metal roofs are maintained they last a long time. M. Pittman commented this roof has seen its better day.

No further questions or comments from the board members. No questions or comments from the audience.

P. Davis made the following motion:

“I move that the Madison Board of Review find as a fact that the proposed project at 117 E. Second St. if constructed according to the plans submitted on Oct. 22, 2012 is compatible with the character of the historic district for the reasons and pages 53 in the Guidelines – I make a motion to approve this.” Motion seconded by A. Roller – roll call – all ayes.

Application approved in accordance with motion and vote.

5. Susan Morrison – C. of A. to add a new deck and screened porch at rear of house.

Location: **308 Madison St.**

Zoned: Medium Density Residential (R-8)

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Property history and project review by C. Fife; circa about 1890; contributing property.

Contractor, Aaron Fry, present for applicant. He explained that the front part that faces down toward the river will be left open – it's about 10 x 22 open deck; will have a gabled end on the right hand side of the picture, will fill that in with Hardie Plank siding, all the trim and such will be redwood and painted white to match the house, shingles to match the house (asphalt/three-dimensional); and she had asked that the lower parts – the 4 x 4's and the supports be left just treated wood and those will be screened in.

No questions from the board members. No questions or comments from the audience.

R. Hopper made the following motion:

“I move that the Madison Historic Board of Review find as a fact that the proposed project for 308 Madison Street if constructed according to the plans submitted on 10/3/12 is compatible with the character of the historic district and the architecture details are congruent with the surrounding properties. The wood deck is acceptable according to the Madison Residential Design Review Guidelines pg. 64 because it is located at the rear of the property. The screen porch addition is congruent with the Madison Residential Design Review Guidelines, pg. 68 because it is smaller than the house and fits within the width and matches in scale, design, and placement and meets Madison City Ordinance 151.30. I recommend approval of the application for Certificate of Appropriateness.” Motion seconded by B. Schoenstein – roll call – all ayes.

Application approved in accordance with motion and vote.

Business – Old or New:

C. Fife presented her Preservation Planner report.

M. Pittman noted that the board still has to check Dr. Canida's place.

Dr. Ben Canida told the board members that Camille had contacted him about seeing his building as P. Davis had suggested at the last meeting; after giving it some more thought...said to P. Davis about it being mentioned for the two other buildings this board had approved to tear down, the board members had walked through, not sure of the intent in wanting to see his building – thought it was potentially to approve his project. Dr. Canida said he wanted to clarify that and guessed...originally the board denied his project and he was not back before the board asking to change their opinions or mind on that; accepting of the board's decision and he has moved on to the next step of the process of demolition – the 12 month waiting period; if there is a need to see the building – didn't believe there is for that process but if the board is wanting to reconsider in changing their opinions, that's one thing, he is not asking the board to do that. M. Pittman told Dr. Canida that the board is trying to be as fair to him as the board can, that's what they are trying to do and if indeed the property is...because board members can only look at the outside and when you get inside a property you get a much better feel for what's going on internally and that's where the board is with this. M. Pittman also said that the letter from the architect was really very sketchy as to the detail as to what the board needs for a demolition – thought the letter did really meet what he would say is the criteria – need it to say, hey, this place needs to come down. Dr. Canida said he would agree that the letter did not, thinks it was discussion that day, would still argue that. Dr. Canida said to hopefully answer some questions he asked the architect to put some numbers together because it seemed like that was the piece this board felt was lacking last time. M. Pittman said he thought for a visual inspection also – really thought that was a big...would leave it to the board, there are other board members. Dr. Canida noted he had numbers of what it would take to restore the house – estimate of \$110,000.00 to take the addition off, do the needed restoration to return it to a functioning unit – that doesn't include his purchase price of the property; in doing a little bit of research in the last three years there has

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been roughly 20 houses at 1,100 square feet or less that have sold and they sell anywhere in the range of \$20,000.00 to the mid \$70's so he would assume he would be at the high end of that but having just sold a historic home, knows the board is dealing with comparable sales.

B. Schoenstein explained that comparable sales only come into play when going to a lender and the lender requires that to be on the appraisal, that doesn't necessarily mean for this board, now that can play into it and that's nice to have but that's the reason for comparable. Dr. Canida said there is a reality of the housing market in Madison and he wouldn't expect that...that house is 600 square feet to sell for \$200,000 or \$300,000. B. Schoenstein, again, he wasn't on the board and he is only going by what he read in the paper or whatever he saw somewhere, didn't recall – but, wasn't part of this house original and part of it not original. Yes, per Dr. Canida and the board gave the opinion they had no problem tearing off the nonoriginal portion. Dr. Canida said his understanding was he and his wife were denied by the board, they followed all the necessary procedures to move on and they are waiting out their year, they have a demolition order permit in hand that is effective in September – they intend to follow through with that and like he said before, believed they had already shown the house was not able to show an economic return, he is bringing the board more numbers tonight in respect to the board to more fully prove that and hopefully satisfy any questions that are there. Dr. Canida said he would like to have the board's approval, that they agree that it does not so they can move on and not take up more of the board's time. M. Pittman told Dr. Canida he didn't know what Dr. Canida was asking for.

Dr. Canida said he was asking for an agreement from the board that this is not...the language is...C. Fife said the ordinance has two parts in the front – one is that if he was denied demolition – that part is understood – but, it states also if the board agrees the building cannot return a value on its investment and that was the question the board had last time. C. Fife said may be something that needs to be done is to put together a committee...because of Ginger's passing things kind of got a little bit delayed – but do need to set up a procedure so that in the future there is a clear understanding of exactly what would be expected from an owner to prove that important aspect of the ordinance; in lieu of that Ben (Canida) has provided more substantial information to the board and said to the board she hoped they would agree that given this information from Dr. Canida that it cannot make a return on the investment. M. Pittman said he thought at this point would just take this under advisement, didn't think could give a decision tonight because first of all there is one board member not here that was here, and he would like the entire board to have a chance to look at it because he was not really sure what Dr. Canida was asking for. B. Schoenstein told Dr. Canida no matter if this board does anything or does not do anything, he can still move forward. Dr. Canida repeated that he has a demolition order and he is not asking for the board to change their minds, he was called back in, thought it was made clear to the board (that was his understanding) but M. Pittman had called him back to question the economic return; that's really the only question he is here to provide information – he is not asking for the board to reconsider whether it should be demolished, there was a request for more numbers and facts from M. Pittman on the economic feasibility. (Report copies provided to the board members.)

Dr. Canida said to the board members he would appreciate for he and Lilly (daughter) not having to come back for another meeting on their Monday nights, that there be some closure to this – that is what he would ask for – understands the boards desire for looking into this further, this is the third time he has been before the board. R. Hopper said his understanding from what he remembered, there was going to be a meeting set up so the board could go inside the house and then render a decision. P. Davis explained the hope was to speed the process up a little bit. M. Pittman said it now sounds like Dr. Canida doesn't want to. Dr. Canida said he was just asking for the process he has already started to be allowed to continue. C. Fife said she didn't know, would check with legal advisor (Darrell Auxier) if it was possible that the board could generate a letter based on their evaluation of the information given tonight. D. Auxier said he thought if the board was going to take official action it needs to be done in an official meeting. C. Fife then asked if Dr. Canida would need to be here for that. D. Auxier answered that

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Dr. Canida would not have to be here but might want to be here. R. Hopper said he thought the board was going to look at the inside of the property and then Dr. Canida had the right to resubmit another application for demolition. For the board to approve it, said Dr. Canida – he was not choosing to take that route – he is fine waiting a year and his understanding was...and he had talked with Camille who seemed to agree that the walk through was toward the process the board was talking about – the board approving this so he could go ahead immediately and since he is not pursuing that there is no sense in a walk through.

New Business:

R. Hopper said he had a couple of things - #1 in reference to the issue about the windows – knows there was a little talk about it and maybe could expedite that process, but still thought may need to have a subcommittee and someone on that committee that is an expert on windows because he didn't consider himself an expert to look at the window issue and then render a recommendation to the board so that the board is not caught, not disagreeing, or in violation of the ordinance or the Guidelines – didn't know how that process would work. C. Fife explained there are a number of precedence in other historic commissions or boards where they have...had a good example out of Ft. Wayne where they have set up a window advisory committee and that committee meets separately from the board, does include a board member but can include people who are not board members and provides a policy on windows with the staff using a chart for conditions on windows which are given to the board and then before the meeting the results of their evaluation are presented to the board so that the board has a little bit more objective standard to work with in terms of making decisions about windows. R. Hopper asked if the subcommittee can approve or disapprove. C. Fife said the subcommittee would just make a recommendation to the board. She further explained there is a policy which they can develop, that's how they do it in Ft. Wayne, they developed a policy (very simple) and in addition a procedure whereby the owner allows a member of the committee and the staff to go and analyze the condition of the windows because their Guidelines are just like ours, state that 80% is the rule in terms of replacement of historic windows, that if it's 80% deteriorated then replacement is justified under the Guidelines – so, this is a way to get a better handle on what might be 80% and the policy gives them a little bit more straight forward...their policy is a lot stricter than we have been. M. Pittman noted this would be a non-binding committee. C. Fife added this would be a recommending committee but the policy will need to be adopted by this board as part of the Rules and Procedures.

M. Pittman asked the board members if there was an interest for a window committee.

D. Auxier advised that as long as the committee that is appointed follows the Open Door Law.

M. Pittman said his next question was if it's an Open Door, how would that flow with the timeline of someone submitting an application, getting the committee together, and then getting...C. Fife said she would look to see how it's done in Ft. Wayne, see what the timing is...the meetings of the committee to set up the policy and procedure would be Open Door.

B. Schoenstein said it almost sounded like they would need to meet before the Historic meeting and then make a recommendation to this board. D. Auxier stated there needs to be 48-hr. requirement of just posting the notice and sending notice to the media. M. Pittman said he thought if they do the window committee, need to make sure there is a window expert and also a pro/con, need someone who is an expert on the vinyl as well – thinks that's fair – have to look at it from both sides, can't have just one – even though our Guidelines talk about vinyl windows and it's a reality today they are here, have been here, and will be here for a long time – so, it's a situation unless can agree that the Guidelines are an Ordinance, they are a guideline and the board tries to follow as much as possible but, again, each situation is different. M. Pittman asked C. Fife to get back with the board on this and he thought someone from the board should be a part of the window committee as well as a couple of experts, like he outlined, and of course herself.

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R. Hopper said he had one more thing – he had been asked to bring this up, didn't know if this was the right committee but there's been some concerns brought to his attention as a board member about the replacement sidewalks throughout the city that someone said if a sidewalk is replaced, it's supposed to be in-kind but all these new sidewalks are bright white, like a neon sign when you go down the street and see the new concrete. He said he knew that a part of the Guidelines are environmental but didn't know who to address this to in the city to see if they can change the concrete. C. Fife commented she had spoken with Doug Vest. B. Schoenstein stated that the individual owner could decide if they want exposed aggregate (owner pays for all materials, city provides labor) and as far as he knows it's standard concrete that goes in unless it is specified for something different. M. Pittman said you can get colors but the problem...in fact just had a new concrete poured across from him and they tried to put water on it to make it darker and it just wouldn't darken – so, it came back white. C. Fife said he had asked Doug to look into tinting the concrete but she has not heard back from him – obviously tinting concrete or using aggregate is more expensive than just plain white concrete and so at this point because it is up to the property owner...but thought if the board will read the Ordinance sidewalks are listed and quite clearly described, at least in the primary area – this has simply been ignored. C. Fife said it's in the Ordinance but owners are not being asked to come before this board for their sidewalks. She suggested to still explore with the city officials, see if can get additional information, knows it does cure eventually – 10 or 15 years down the road – and because there are so many tourists this issue might be something the board might to consider is seeing if there is a way to at least tint so it would look...and they do already put a brush finish on it which is very nice. C. Fife suggested that perhaps a couple of people from this board might want to explore this issue and she will when she has a chance to see if there is a way it can be tinted.

Election of vice-chairman.

Ann Roller nominated Ron Hopper as vice-chairman – motion seconded by B. Schoenstein – roll call – all ayes.

Ron Hopper is elected as vice-chairman.

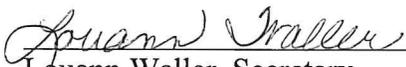
C. Fife announced she will be sending out tomorrow notices to fill two positions – one immediately to fill Ginger's unexpired term which will go through December 2013 and the other position as Paul will be leaving at the end of this year.

No further business to be brought before the board.

R. Hopper made the motion to adjourned – seconded by B. Schoenstein.

Meeting adjourned at 6:55 p.m.

BY ORDER OF THE HISTORIC DISTRICT BOARD OF REVIEW


 Louann Waller, Secretary

 Mike Pittman, Chairman

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- 2. Debra Fine** – *C. of A.* to replace existing wood exterior doors with new mahogany wood doors.

Location: **118 W. Main St.**

Zoned: Central Business District (CBD)

Property history and project review by C. Fife; rated noncontributing; circa 1900 in survey; plan is to replace both front doors with mahogany doors purchased from Architectural Salvage.

P. Newhouse asked Ms. Fine if both new doors are the same type of wood. They are, per Ms. Fine. Ms. Fine explained they are solid wood, mahogany. Ms. Fine pointed to one of the proposed doors explaining it will be finished in the same tone as the other door, both will match; security door will come down and she chose not to put windows in the door because it leads up into the apartment and just for privacy the way the apartment is configured, could really stand on the sidewalk and see where will be going into a bathroom area – so, she chose not to have windows in that door, security reasons and privacy reasons.

Ms. Fine explained that the doors that are on the building are ill fitting, gaps in between, weather stripping is needs to be fixed, very ill fitting doors.

No further questions or comments from the board members. No questions or comments from the audience.

B. Schoenstein made the following motion –

“I move that the Madison Historic District Board of Review find as a fact that the proposed project submitted on November 5, 2012 located at 118 W. Main St., the type and material of these replacement doors are consistent with the Guidelines on page 40.” Motion seconded by R. Hopper – roll call – all ayes.

Application approved in accordance with motion and vote.

- 3. Ruby and Richard Zehe** – *C. of A.* to add exterior wrought iron fence, build a wooden fence at the rear of the property on both sides to alley and build a screen at the east side of the property near the front.

Location: **906 W. Main St.**

Zoned: Medium Density Residential (R-8)

Property history and project review by C. Fife; rated contributing in survey; dated 1880.

C. Fife explained that Mr. & Mrs. Zehe have been having a little problem because of the presence of a dumpster and unfortunately there doesn't appear to be any other place for the dumpster to be put, there is no back entrance that can fit a dumpster.

M. Pittman told Mr. Zehe this looks like quite a project, Red Pepper gets quite a bit of activity. Mr. Zehe said the major point is that they know the Red Pepper very well because they lived in Madison for ten (10) years and was around when it was changed, but there's a big difference between walking from your car into the restaurant for a meal and having the dumpster four-ft. from their house; they didn't realize that dramatically until they moved in in June. P. Newhouse asked Mr. Zehe is there is a noise issue with this. Yes, per Mr. Zehe. He explained there are three issues at stake in their opinion – sight, sound, and smell, which, is why they are asking for the screen. P. Newhouse asked if this will be a wood based type of a screen with lattice on the top. Mr. Zehe answered it would be lattice on the top and then solid wood. P. Newhouse also asked if it will be painted the same color as the house. Mr. Zehe said no, what they are going to do is to paint it green to fit in with the landscape that is in front of the house. Mr. Zehe said he didn't know if they had ever noticed it but they have done quite a bit of replanting in the front and the back, different bushes, different trees and so on – it was in pretty bad shape when they moved in. C. Fife asked Mr. Zehe if it was true they are going to be growing vines on this and

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told Mr. & Mrs. Zehe that something aromatic would also help a little. Mr. Zehe said at some point in time, yes.

In regards to the wood privacy fence in the back, P. Newhouse asked the height of that. Mr. Zehe answered it will be 6-ft. C. Fife said she believed it is going to be a typical board fence similar to the one on the other side which the Guidelines have approved for most of our rear lots. And, C. Fife said the fence probably won't be seen from the front because of the screen which will be farther forward.

P. Newhouse asked the applicants where the wrought iron fence was constructed, was it made here, the existing wrought iron fence, where was that made? Mr. Zehe said he had no idea. P. Newhouse also asked if they will match that as they go around the side. Yes, per Mr. Zehe. P. Newhouse asked who is going to do that. C. Fife said she thought Mr. Zehe had mentioned it will be done by Madison Ironworks. C. Fife then asked Mr. & Mrs. Zehe who is going to make it. Mrs. Zehe stated they already had pieces of the wrought iron fence, it's just a few pieces they will put up there, already have them in stock. In looking at a picture, Mrs. Zehe pointed out a concrete area, will just go to the end of the porch, and at the end of the porch will give the screen because they look out their windows and all they see is the dumpster and the garbage outside the door. Mr. Zehe said part of the fence will be 6-ft. high and 12-ft. long. This takes care of the dumpster and then the various buckets that are used (by Red Pepper) are stored at the back of the building.

Discussion between M. Johnson and L. Waller (not audible on recording). C. Fife said she thought they were talking a little bit about some questions regarding the setback requirements. M. Johnson stated they are discussing the height of the fence, the wood part he guessed. L. Waller stated there can't be a bush any higher than 3-ft, can't have a hedge any taller than 3-ft. from the front of the house out toward the street. C. Fife noted the fence will be from the back part, the large part, not in the front. C. Fife thoroughly reviewed fence placement area. M. Johnson added that from the front of the house nothing is to be any higher than 3-ft. M. Pittman asked the board members if any of them had any questions about the fence. No further questions or comments from the board members. No questions or comments from the audience.

P. Newhouse made the following motion:

"I move that the Madison Historic Board of Review find as a fact if the project is completed according to the plans submitted on November 6, 2012 which includes:

1. The addition of a wood lattice screen along the east side of the property.
2. The building of a 6-ft. high wood privacy fence on both sides of the property and across the rear.
3. Plus the extension of the existing wrought iron front yard fence to connect with the screen on the east side of the property

all meet the Madison Residential Guidelines, page 73 and therefore a Certificate of Appropriateness should be granted." Motion seconded by A. Roller – roll call – all ayes.

Application approved in accordance with motion and vote.

Business – Old or New:

Month-end productivity report by Preservation Planner, C. Fife.

C. Fife said Mr. Pittman would be asked to change status and asked R. Hopper as the vice-chairman to chair Mike's request of the board and also wanted to explain the situation.

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R. Hopper explained M. Pittman's request for 403 W. Fourth Street was first approved in August (2012); board approved this could be changed over to a storage area with garage doors, knew in that process M. Pittman has learned some other things that this board needs to know.

M. Pittman said they got started on the demolition of the interior of this manufactured home, it's noncontributing, unfortunately from what he has been told this had to be one of the first made because there is no OSB or wood siding on the inside; the vinyl siding is attached to aluminum siding so there is no structure on the inside and the insulation is put up against small studs – can't even call them 2 x 4's, probably 1 1/8" x 1" and then over that is paneling; so, so far they have been able to do most of the interior demolition; they were going to replace the roof and put on a metal roof, take off the asphalt shingles but as they got into the roof they found there had been a more substantial fire than what was first disclosed so they have a number of wonderful future charcoaled baguettes that are disguised as roof rafters right now; there is significant termite damage on the southeast corner and basically the contractor has told him it would probably be the same cost, perhaps a little bit more, to build new than to take this down and try to repair it because it does not economically make sense to try and repair.

M. Pittman noted that none of the structure is standard, it's all manufactured home so everything is a little bit smaller, a little bit tighter and there is no wood on the inside as far as the OSB or the sheathing on the outside so it has some real structural issues.

M. Pittman noted M. Johnson has had a chance to look at the house and thought he was of the same conclusion as M. Pittman in that it probably makes more sense to take it down than try to repair it and fix it.

M. Pittman said they are going to keep the foundation, the foundation is still good as far as he knows, will see once they get digging in there but what he would like to do is take the structure down completely, rebuild on the existing foundation and still put on the metal roof, still use vinyl siding, still make it just like he proposed – a double garage, so basically the only thing he is asking for is a modification, to make it a demolition down to the foundation and rebuild up from there. A. Roller asked if M. Pittman would have to resubmit for this. C. Fife said this is the issue we wanted to bring it up tonight. Because she had been away she only heard about this today so the issue and the question that she thought D. Auxier probably needs to respond on, if he feels he can, is whether or not procedurally we are able to consider this an amendment to the existing or a slight change or if it needs to be considered a new application, in which case it would have to wait until we can consider it in December – that's the only issue she could see here – that's what is trying to be figured out. D. Auxier advised the potential problem he saw is that we have rules that inform the public and inform the adjoining landowners, the changes that are going to be made, that's something that was done in the first round here, hasn't been done in the second round; we've had times when we've had people come with a proposal and we've tabled it, but we've made it clear to everyone at the meeting that it's going to come up at the next meeting and so anyone who is here to speak for or against it, they know when that next meeting is going to be and they know to be here and we didn't do that at the last meeting. C. Fife noted that the Pittman's didn't know. D. Auxier agreed with this.

M. Pittman said they have a significant safety issue because with the interior demolition and then removing part of the shingles on the roof, the interior is now exposed so the home is no longer secure and with the termite damage and the wood damage thought they had...Mark can go back over and take a look but thought they had a real safety issue and was concerned if kids would get in there and start playing. D. Auxier said if M. Pittman wanted to take it up as a safety issue it would probably be more appropriate before the Board of Public Works and Safety. He also said that technically if going to demolish, should come to this board. M. Pittman asked how he protects the public from getting in there, how does he keep it secure. D. Auxier responded by asking M. Pittman how he had been keeping it secure. M. Pittman answered it had been walled

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up, it's not walled up anymore, they've taken off the siding because the siding now is an aluminum shell and the roof is actually gone because the sheathing has actually fallen in. D. Auxier told M. Pittman that he didn't know how to keep the public out, no legal opinion on that one.

C. Fife said she thought they were in a little bit of quandary because of the procedural issues, didn't think there is as much of an issue with regard to the quality or the necessity of the work, didn't think that was that issue – thought the issue is this information. C. Fife told the board members if they wished one other alternative, they had discussed was to shorten the time frame to schedule a special time to consider it and do the 48-hr. notice for a special meeting.

D. Auxier asked M. Pittman if this is going to look any different from what he had originally and if there will be a change in materials. M. Pittman answered that the materials will be the same, the only difference will be that the roof pitch will be slightly different because of the ceiling joists so it will be $\frac{3}{4}$ verses...M. Johnson added that the trusses that are in there were designed for a house and the span from front to back is broken down; what he is going to have is a garage and those trusses will have a lot of snow load on them – that's a safety issue right there as far as the building. B. Schoenstein asked M. Johnson if he was talking about the old or the new. M. Johnson answered that he was talking about the old. M. Pittman told M. Johnson he could come take a look but didn't think the building will stand because if we got snow tonight and tomorrow, it won't be standing. Audience member Link Ludington said, problem solved.

M. Pittman noted there is a trailer park next to the house with small children and that's the issue that worries him; there was a concrete wall there too that basically fell down and it was a wall that was leaning at a 45-deg. angle, finally dropped over and his concern on that was that there were children there. M. Pittman said he had a real safety issue with this property.

D. Auxier asked if the city could condemn it, said he was just trying to think of a quicker way to do it, Board of Public Works and Safety meet bi-weekly. D. Auxier told M. Pittman he thought if M. Pittman were able to demonstrate to them (BPW) that it is a danger because BPW can trump the HDBR.

C. Fife suggested a couple of things – first of all she thought this board can make a resolution of its intent if it feels that, considering this is a noncontributing building - and, the condition of the building that it would be appropriate to replace it – it's not giving a Certificate of Appropriateness but at least it gives their intent so the people would know the consensus of the board – basically that's all it is, a resolution for the sense of the board and then if the Board of Public Works can make a decision for condemnation, that in a sense would be with the blessing of what was just talked about, unless there is someone in the audience – invited audience to weigh in on this. She further stated this is basically a double wide, didn't know of anybody in the preservation field who is going to feel that it's a building that needs to be preserved.

C. Fife asked audience member, Link Ludington, if he had any thoughts about this. Mr. Ludington responded by saying he thought before they go violating the terms of the Ordinance of the requirement for a Certificate of Appropriateness for demolition is be to unambiguous – very sympathetic to Mike's situation with this thing. He further stated especially if the board does a special treatment for one of the Historic District board's own members, that's not going to create a good impression for the general public. Mr. Ludington added how to go about securing the area, throw up a chain link fence or something until something can be done, but in light of the fact there have been some very contentious demolition issues before this board recently, he thought this was a very wrong time to be cutting corners – said for them to read their own ordinance.

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C. Fife said now they were back to scheduling a special meeting to consider a C. of A. which can do within a 48-hr notice – asked if that would be the fastest and quickest we can do. D. Auxier advised mailings would still need to be done. C. Fife said we don't do the mailings – do postings. D. Auxier said someone needs to do the posting and asked if there is a time period that it has to be posted. C. Fife answered for a special meeting we haven't had that situation and didn't recall how we did it for the last one, would have to look back and see. L. Waller stated the certified letter notification is ten (10) days before the meeting. C. Fife said the posting is the same time period as the certified mail – 10 days – so today could schedule a meeting within ten (10) days or two (2) weeks.

C. Fife asked M. Pittman if he could tarp over the house safely. M. Pittman stated that the structure is not sound enough and any type of weight on there would take it down, there's nothing there. M. Pittman said in fact, that's the issue, the ceiling joists are all charred, can see where they have burned.

C. Fife said she thought what Link's comment is and he's right, it's not so much the issue of this specific situation as to what precedence it is setting is the problem. M. Pittman said he was not trying to short circuit anything – he had two concerns – one is that the structure is not sound and #2 there are children living within fifty (50) feet of the property and there's no fencing anywhere. And, M. Pittman said he couldn't construct a fence overnight, it's not going to happen. C. Fife asked M. Pittman if he could string some cable. M. Pittman said the kids would go over it. M. Pittman said he is going to instruct his crew to go ahead and continue with the demolition they have been instructed to do and if it falls down, it falls down because they've got approval to do interior demolition and believes it will come down.

C. Fife asked L. Waller is she had come up with a date that we could schedule a special meeting. L. Waller said she would have to check the calendar to see what is scheduled for the Council Chambers. C. Fife said this is the only thing to discuss, didn't think would need much time. A. Roller asked if they hadn't talked about having a meeting on the 17th anyway, that wouldn't be hardly any different from ten (10) days to two (2) weeks – that would be three (3) weeks. C. Fife said if we have an emergency situation here, need to move as quickly as they can to help – no different than what would be done for any person, nothing to do with the fact they happen to know Mike (Pittman) – has been done in the past, did it for situations where...Patty Jackson is a good example, called a special meeting for her specifically because there were questions about her application that we could not get answers – so, she would say the quickest time the board could move would be December 10. C. Fife said it was unknown who might be meeting in the Council chambers but could meet in the small conference room if couldn't get the chambers – would check that – tentatively schedule a meeting for the 10th to consider this issue and to grant a C. of A. for the demolition. Discussion and board members availability discussed. C. Fife confirmed this demolition issue will be heard at a special HDBR meeting on Monday, December 10, 2012 at 2:00 p.m.

C. Fife asked D. Auxier if there would a requirement for M. Pittman if he is coming back, to revise the situation and consideration for his certificate, would M. Pittman have to reapply or could this go under the same application. D. Auxier advised that he thought the fee could be waived and this could be a continuation of the original application.

New Business –

C. Fife asked the board members to consider the Rules of Procedure that was voted on in April of last year, she recommended an amendment which in the Rules of Procedure states this board can do. She explained the amendment is to allow the staff, in this case it is herself and the Building Inspector, to approve fences in the primary areas; if the board remembered, the fence

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work in the secondary area is excluded in the ordinance, does not need to be approved by the board; so, this would simply mean any fence work that meets the standards as shown on pages 73 and 74 out of the Design Guidelines, only for residential, if it meets those guidelines then herself or Building Inspector can Fast Track, just like is done with signs and with Mon-Ray storms.

D. Auxier said he had not yet had time to review this and there is a quirk in the statute that deals with the question whether the ordinance has to authorize the Fast Track or whether the board can do it by rule; if the board wants to go ahead and pass the rule tonight he didn't have a problem with that just as long as he has a chance to look at it because there is the possibility once he has had a chance to look at it, he might be coming back and saying the board can't do that. C. Fife then asked the board members to look at the proposed amendment, if they feel it is in keeping with what they want to do, approve it and if not...or approve it conditional upon legal confirmation or wait until the special meeting. D. Auxier said he certainly could let the board and C. Fife know by the Dec. 10 meeting. Waiting was the consensus of the board members.

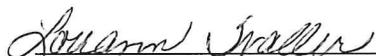
December HDBR meeting will be held on Thursday, December 27, 2012.

No further business to be brought before the board.

B. Schoenstein made the motion to adjourn – seconded by R. Hopper.

Meeting adjourned at 6:37 p.m.

BY ORDER THE HISTORIC DISTRICT BOARD OF REVIEW



Louann Waller, Secretary

Mike Pittman, Chairman

HISTORIC DISTRICT BOARD OF REVIEW

Minutes

December 10, 2012

The City of Madison Historic District Board of Review held a special meeting on Monday, December 10, 2012 at 2:00 p.m. in City Hall. Mike Pittman, chairman, presided over the meeting with the following board members present: Paul Davis, Ann Roller, Pam Newhouse, Bob Schoenstein, and Ron Hopper. Also present were: Camille Fife, Preservation Planner; Mark Johnson, Building Inspector; and Louann Waller, secretary. Absent was board attorney, Darrell Auxier.

Note: M. Pittman excused himself – turned the meeting over to the vice-chairman, R. Hopper.

There were no additions or corrections to the minutes from the previous meeting. P. Newhouse made the motion to approve the minutes – seconded by A. Roller – roll call – all ayes.

Minutes stand approved as recorded and distributed.

New Application:

- 1. Mike and Linda Pittman – C. of A.** to demolish walls and roof of existing non-contributing building and rebuild an old foundation as a garage.

Location: **403 W. Fourth St.**

Zoned: Historic District Residential (HDR)

R. Hopper explained that M. Pittman was originally in August of this year to rehab an existing house at 403 W. Fourth Street and during the process of rehabbing it, it was found there were issues with it that were unsafe and necessitates information to go ahead and demolish that structure and build a new structure on the existing footprint, if possible.

M. Pittman said just to refresh everyone's memory this is a double wide manufactured home, built approximately 1975 and they purchased it with the plan to convert it to a garage; it seemed like a very simple plan, just close up the windows and doors and put a couple of garage doors on the front and be home free. He explained that unfortunately as they got into it they found significant structural issues including a fire, a significant fire that was not repaired; they have significant termite damage especially in the southeast corner, and as far as the structural issues, there is no OSB on the framing which means the vinyl siding is attached to aluminum siding so there's no really good structure holding it up as well as there was no repair done after the fire. M. Pittman said he had pictures for the board members. M. Pittman said what has happened since then is that they have uncovered a little bit of the foundation – his contractor called him Sunday night and said there is 4-in. block on the foundation and the contractor said he did not feel that was sufficient enough to build a garage on; now, this is the block the contractor can see, doesn't know if there's footings or not, haven't gotten down to the footers – so, there may be footings there, there may not be footings, but the problem is that there is 4-in. block and the contractor doesn't feel that's sufficient to build a garage on.

M. Pittman passed around pictures of the structure to the board members explaining each picture.

M. Pittman told the board members he was requesting to totally demolish the property, didn't see at this point there is any reasonable belief to expect the foundation to be usable after seeing the rest of the house, especially with the phone call he got from his contractor. A. Roller asked if it would have been legal at the time to build like that. M. Pittman answered that he thought so and in fact he went back and looked/checked on manufactured housing and they did attach vinyl siding to aluminum, that's how they did some of the early...thought they still do, in fact that's one of the things they say to ask about if you buy a manufactured home is to make sure it is attached to OSB which is a board instead of aluminum siding. Further, M. Pittman said that

everything in there is not standard, another words there are no 2 x 4's – they're smaller than 2 x 4 and the rafters are not sufficient to span a garage.

M. Pittman said what they would like to do is to continue with the garage just like they had talked about and this gives them an opportunity to do some things – one is to widen the footprint and make it a little bit longer, and also change the roof line to where it at least has some pitch to it – this roof was fairly flat and was one of the reasons it leaked a lot. B. Schoenstein asked M. Pittman if this will be a three-car garage. M. Pittman said, right.

M. Johnson explained that manufactured homes span from left to right and the roof pitch, the trusses that are on there are not actually made to clear span from wall to wall – they are made basically with interior walls so once the interior walls come out a heavy snow load would push that thing right on down. P. Davis agreed with this. B. Schoenstein noted that the interior walls are supporting the trusses. Exactly, per M. Johnson, these are load bearing walls – usually the load bearing walls are on the outside but these are interior; mobile home building is a lot different so that would be an issue right there – Mike might end up with a roof collapse if he tried to use... Also, M. Johnson said with Mike wanting to bring the foundation down to the footer, anything has to have a footer, he might get down there and might be 4-in. and that's not acceptable and it has to be 2-ft. underground – but those 4-in. blocks, you take a garage situation 4-in. doesn't give much of a foundation for it to sit on so it could potentially go out like "that" because there's nothing holding it in like the floor system originally was; thought a wider block is definitely needed – and, if the footer is not substantial, will need a new footer.

R. Hopper asked if there were any other questions from the board. P. Newhouse commented this is just for the demolition and then obviously he (M. Pittman) would need to come before the board again to show the plans to rebuild. M. Pittman said he had the plans. P. Newhouse asked if that is all he included in "this" information. Yes, per M. Pittman who further stated he has a contractor on site ready to take it down. P. Newhouse asked M. Pittman what type of materials he is using. M. Pittman answered they will be using vinyl siding as well as...they are debating right now between the asphalt shingles and a metal roof. P. Newhouse asked M. Pittman why not Hardie Plank. M. Pittman said that Hardie Plank has some issues from the standpoint he is reading there is a class action lawsuit on moisture that is currently underway, didn't know if anyone has heard of it but there is chipping and peeling. He added that the cost is about 40% more. P. Newhouse told M. Pittman that this board recommends Hardie Plank over vinyl all the time. P. Davis stated that usually the board needs a little better plans than what they had here; in referencing the plan asked M. Pittman if "that's it?" A. Roller commented that basically it is going to look like what was there except...That's correct, per M. Pittman – it will have three garage doors on the front. A. Roller added that it will be a little bit longer. M. Pittman said the maximum it will be, they haven't set the exact width and dimension, but it will be approximately 30 x 50-ft. A. Roller asked the size of the old one. M. Pittman answered it was 23 x 43. P. Newhouse asked if there would be windows anywhere. M. Pittman said there will be no windows or doors, just the garage doors. In response to B. Schoenstein's question, M. Pittman said there will not be a small door. P. Newhouse asked what kind of (garage) doors. Clopay, per M. Pittman, the different doors they looked at and unfortunately Linda (Pittman) hasn't picked the design she wants yet, but will be somewhat similar to the carriage house look.

P. Davis told M. Pittman the board can't just approve anything on what he says he is going to do, board has to have the plans and see what it's going to look like, just like anybody else would. M. Pittman said he brought the sketch in to show. P. Davis asked M. Pittman how many times he had heard M. Pittman complain on sketches like "this."

B. Schoenstein told M. Pittman, let me ask you a question – you want to use vinyl siding over Hardie Plank? Yes, per M. Pittman. B. Schoenstein said he hadn't been on this board all that long but it seems like that's what was always preferred was Hardie Plank over vinyl; he has some houses he has done himself with vinyl – really kind of puzzled over the Hardie Plank – he had never heard of the class action lawsuit over Hardie – that's interesting because it has been installed in several places here in town. M. Pittman said when he was researching he found this information. P. Davis stated it all depends on how it's installed, a lot of people around here haven't installed it correctly so there are a lot of problems with it, but if it's installed right, it is good. C. Fife stated that the ends have to be sealed very carefully otherwise moisture will get in.

P. Newhouse asked M. Pittman what the vinyl will look like, how wide, like lap siding. Like lap siding, 4-in. lap siding per M. Pittman. (M. Pittman provided a vinyl siding brochure to the board members.) B. Schoenstein asked if it's not the Dutch siding, it's just the regular... M. Pittman said it is the regular, it is Norandex 4-in. and the Norandex has a green certification, it is recyclable.

P. Newhouse said she guessed she had an issue with the vinyl because she knows the board routinely tries to discourage people from doing that here in the historic district so that bothered her some. A. Roller said she felt like the board wants Hardie Plank on a historic houses, this really isn't, he (M. Pittman) is just starting from scratch and it wasn't to begin with so she honestly didn't have a problem with the vinyl – he's not restoring, he is basically building a garage. P. Davis said he found it hard to believe that all these problems are just now coming up, that Mike just now finds all these problems. M. Pittman said he actually found out about the problems two weeks ago. Additionally, P. Davis told M. Pittman that he had to have known what he was buying and now all this stuff comes up, all these problems, and if anybody would have looked at the thing...of course that's what he does for a living but any contractor or if anybody looked at that thing you're going to be able to find most of those problems right there, what M. Pittman brought up. B. Schoenstein asked if there was any kind of an inspection done before M. Pittman bought it. No, per M. Pittman – said they had two bids before they came to this board, had two contractors who thought they could make it into a garage knowing the fact...he himself is not a contractor, he doesn't do this for a living, and they were going to try and rehab it and bring it back but it's just to the point...and if this board feels he can't build on it, then he wouldn't build on it, will just leave it empty if that is the way the board feels. P. Davis told M. Pittman that he didn't think any of the members had any problem with M. Pittman doing the project for the condition that the building is in, but what he had a big problem with is the way Mike has handled it and gone about it, being the chairman of the board, it's just ridiculous. M. Pittman told P. Davis he was sorry P. Davis felt that way. P. Davis said it's entirely...didn't know, very upset about this. A. Roller said she thought what Paul feels, and she feels too, that Mike had been a little insensitive to the problems this board has faced with people confronting the members about demolitions; and even though Mike might have honestly felt what he was doing was the right thing, if that had been her, even though she didn't think she was being treated fairly, she wouldn't have said anything because of what this board has gone through – she just felt Mike was being a little insensitive and could understand what Paul said. M. Pittman said he appreciated that but from his vantage point he purchased the property and invested in it knowing it needed a lot of work. P. Davis said he thought anyone who looked at it would know it needed a lot of work. Further, M. Pittman said as he had stated earlier, he is not a construction guy and he can't see through walls, he can't see a foundation, he knew there was a fire on the inside but the fire was in the front bedroom where there was no visible damage. M. Pittman said he wanted to answer P. Davis' concerns – P. Davis had a right to his concerns, Mike had a right to his concerns – his other concern is that there was a playground next to it, there were little children over there, there is a trailer park next to it and quite frankly, yes, he is chairman of this Historic Board but he also has a duty to the safety of the people who live around them and Mike is trying his darnest to make a difference down there and he would like some support to do it but he keeps hitting road blocks and, again, from his vantage point he is trying very diligently to improve the property down there and he would like to do it; if he gets a lot of resistance he doesn't have to improve it, he really doesn't, that's his choice and from his perspective he saw a real issue with the fact the building was in the condition that it was in – now, had he had known it was in the condition it was in, he would have approached it entirely differently, but he was told on several different occasions that the building needed to come down and that's what he has been trying to do because he can't fence it to keep anybody out. P. Davis told M. Pittman all he had to do was to follow the proper procedures and Guidelines and get that done – instead there has been this special meeting now, Mike had a special meeting with the mayor and just like...Mike always goes around town and he is always checking on everybody doing things and then Mike expects everyone else to follow those Guidelines and those procedures, don't you, Mike? And I do, per M. Pittman. P. Davis said he thought from his point of view, M. Pittman has acted in a...kind of got special treatment in a way or kind of pushed himself around so things would go through – well, P. Davis said he didn't think anyone appreciates that, knows he doesn't, threatening to sue the city was a BIG mistake. M. Pittman asked P. Davis who had told him that. P. Davis responded by saying he didn't have to tell who told him. M. Pittman told P. Davis that he did because that's a false accusation. P. Davis then said threatening, getting an attorney involved...M. Pittman told P. Davis to hold it a minute – who threatened who here, who said he

had threatened to sue the city? P. Davis said he didn't know, all he knew was that Mike had gotten an attorney in this. M. Pittman then asked P. Davis if the city had an attorney in this. P. Davis answered that we do for every meeting so why did M. Pittman have to bring an attorney in. M. Pittman said it was because he doesn't know all the rules and his desire was to get that building down as quick as possible. P. Davis asked M. Pittman – so, you're the chairman and yet didn't know all the rules? M. Pittman answered that he didn't know the rules of the Public Works and Safety board. B. Schoenstein told M. Pittman that he thought two weeks ago or whenever it was, thought Link Ludington made an excellent point to the fact that...first of all he did not see M. Pittman's name on the agenda so he thought when the board got through with the three applications they were done and he was going to another meeting; the board discussed Mike's situation; but, again, he thought Link made an excellent point to the fact that Mike is on the board, Mike is the chairman, and so the board has to treat this just like they would anything else and even though Mike wasn't on the agenda, Mike wanted the board to go ahead and tackle his issue, yet, and again, he hasn't been on the board all that long – but, he knows the board has wrestled with some other demolition projects – Ben Canada's project, how long did this board wrestle with Courtney's, and Pete Backus had to wait an extra thirty days – so, he thought Link was right on when he said what he said; he has not looked at this property, knew about where it's at, knows that property and all the property in that area are not in very good shape and he understood that Mike wants to take it down and was sure what Mike would put back would be much nicer; but, again, it's kind of the way Mike has gone about it and the people out there and the citizens of Madison especially the ones downtown look at that and they think well he's a board member and the board is going to give Mike special privileges or special treatment and as much as this board is disliked and criticized, the board has to be very careful on how they do that. B. Schoenstein said, again, he was sure it is going to be nice but the board has to be careful in how they handle this. M. Pittman said he agreed and every meeting he has had he has scheduled with city officials, when he saw a real issue he went to sit with the people that are in charge, talked to them about his views and he thought he had a perfect right as him being a private citizen to be able to do; he met in the public, he asked to be on the agenda with Camille because he knew there was a problem with that – if he thought that there was an issue...he hadn't spoken with anyone about this on this board other than in public. B. Schoenstein asked M. Pittman if he thought he was on the agenda of the last regular meeting. M. Pittman responded by saying he had told Camille he wanted to be on the agenda. B. Schoenstein said his agenda did not have that. C. Fife explained if it's before the Legal Notice goes out it can't be published, but you can add to the agenda. M. Pittman told B. Schoenstein to answer his question, there are two different perceptions, there are always two sides to every story and, again, he was not trying to subvert this board, he was not trying to get special treatment, he is trying to get a project through and he is trying to use every means possible to do that. B. Schoenstein told M. Pittman he needed to understand his point of view that there are people who don't particularly like the Historic board or they don't particularly like the Historic Ordinance and if the board gives somebody on the board any, any special treatment then this board will be severely criticized because they already don't like this, they don't like this board, they don't like the Historic Ordinance and they don't like the way things are handled; he thought those things have improved but, again, the board members has to be very, very careful in how they handle this because he hears it, he has heard for years and he still hears it even though he is a board member. P. Newhouse said, again, she had no problem with the demolition but she was just balking a little bit and couldn't force M. Pittman not to use vinyl but then every time in the future this board tells someone they need to use Hardie Plank instead of vinyl she is going to think about what the board approves here. P. Davis said he thought the board ought to look at the demolition part of it and then M. Pittman should come back with more plans. B. Schoenstein asked if the board if the board hadn't done the demolition and then looked at...just for instance, ten years ago he took down two old houses and got that permit, then he came back with his plans maybe six months later and then gave his plans on what he was going to build so he didn't do it all in one step, however, said he wasn't pressed for time but that was the way he did it. B. Schoenstein then asked if that has been the standard on others. A. Roller explained for Mr. Backus the board did both at the same time. C. Fife reminded the board members that Mr. Backus was constructing on the back end of the lot and for Mr. Canida the board simply did not approve the demolition, there was no...it's going through the twelve month cycle now. B. Schoenstein asked if M. Pittman takes it down then will he will have to come back to the board for approval of the new building. That is correct, per C. Fife. C. Fife noted that Mr. Courtney was actually approved for both at the same time. C. Fife said the board has done both in one meeting but thought the issue may be how the board feels about what will be built – the

board has made it very clear and thought everyone at the meeting would agree this is not a historic building, this is a building with very little significance.

R. Hopper asked if there were any other questions or comments from the board or from the audience. R. Hopper stated what he is hearing is that it's the board's feeling there needs to be two motions – one for the demolition of the building and one for the new building.

Ann Roller made the following motion:

“I move that the Madison Historic District Board of Review find as a fact that the proposed project for 403 W. First St. was found not able to be completed. The current structure was found unsafe. It is a noncontributing building and is not significant to the historic district. This structure now needs to be demolished. This would be in compliance with Madison Residential Design Review Guidelines, page 80 and the Madison City Ordinance 151.3.” Motion seconded by P. Newhouse – roll call –

B. Schoenstein	Approved
A. Roller	Approved
R. Hopper	Approved
P. Newhouse	Approved
P. Davis	Disapproved

Demolition approved.

No further questions or comments from the board members or audience. R. Hopper invited a board member to make a motion for the construction.

Ann Roller made the following motion:

“I move that the Madison Historic District find as a fact that the proposed project for 403 W. Fourth Street to build a vinyl sided garage with three garage doors be approved.” Motion seconded by B. Schoenstein – roll call –

P. Newhouse said just again, the board disapproves so much vinyl siding and to go ahead and approve this puts the board in a funny situation – she said she knew it's a garage, she understood that. B. Schoenstein said he was thinking about the house in the 900 block of Main, thought Liter was the name of the people, and they built a garage on the back recently, within the last few months and the siding matched the house and the board approved that, a brand new garage with vinyl siding. P. Newhouse noted that was because those folks were matching their house.

C. Fife told the board members that the Guidelines state vinyl is not the preferred and certainly when talking about a historic house such as an addition that's a specific thing. But, it is a little bit vague about whether or not vinyl in of itself in every situation is approved.

B. Schoenstein said for the future when somebody comes to this board and talks about vinyl siding and Hardie Board this might be interesting how the members discuss that with the problems with Hardie Board – maybe it's not the board itself but the way it is installed.

C. Fife said she was unaware, had not heard in the discussions that she has had with any of her colleagues about the problems that Mike has just found so it may be relatively recent or it may be something to do with installation; the people she has talked to say that installation is crucial and there are some issues, so it would be a very good idea for she and the board to educate themselves a little bit more about what the current standing is for that particular material.

C. Fife noted that, yes, that building was approved for vinyl siding on the same lot as the house which was already vinyl sided. R. Hopper said he thought he agreed with Ann that if it was an addition to a historic property then he would say Hardie Plank would be the appropriate but since this is new construction and it's noncontributing and it's going to be a garage that the vinyl would be appropriate.

No further questions or comments from the board members or audience.

R. Hopper noted there is a motion on the table, asked for a second. Motion seconded by

R. Hopper – roll call –

P. Newhouse	Abstained
R. Hopper	Approved
P. Davis	Disapproved
A. Roller	Approved

B. Schoenstein Approved

Application approved in accordance with motion and vote.

Business – Old or New:

C. Fife said there is a request for approval of the proposed amendment to the Rules of Procedure. She noted that legal counsel, Darrell Auxier, who was not present at meeting but did contact C. Fife advising that the board can approve this as part of the Rules, this does not have to go before the City Council because in the language of our Ordinance and in the language of the Enabling Ordinance the board has the right to delegate approvals for Fast Track to the staff (Preservation Planner and Building Inspector). B. Schoenstein asked if there would be something out of those Guidelines if the applicant would come before this board. That's correct, per C. Fife.

The proposal reads as follows:

HISTORIC DISTRICT BOARD OF REVIEW
Madison, Indiana

Proposed Amendment to
Rules of Procedure

Amendment to be added after "April 25, 2011" as the new third sentence in the paragraph on page 4 titled: "Fast-Track Certificate of Appropriateness"

As of December 10, 2012 the Board has authorized the staff to grant Fast-Track Certificate of Appropriateness for new or replaced fences within the primary area which meet the description in the Residential Design Review Guidelines on page 73 and 74. Proposed fences within the primary area which do not meet the guidelines must have board approval, using the normal procedure.

C. Fife told the board members the only application coming up for the Dec. 27 HDBR meeting is an application for a fence and it is a simple metal, single square black metal fence to replace an old wooden fence that fits within the size and shape of the Guidelines, which is why she said if the board chose to approve this, that would be a candidate for a Fast-Track because it is exactly the type of fence that is approved. C. Fife said part of the reason she is recommending this was also because the Ordinance separates primary and secondary areas – if you are located in a secondary area, you do not have to come to this board for any kind of fence, you can have any fence you want, it's simply not even covered, in fact it's excluded, the only difference really between the primary and secondary area is fencing and sidewalks and we have been somewhat reluctant to adjudicate sidewalks. So, C. Fife said it seemed to her for people who simply want to do a fence, it would make their lives a lot of easier and thought it would save in terms of the kinds of fences that are allowed in those two pages. M. Pittman asked if there would be notice to the neighbors if they want to put up a privacy fence if this board approves – another words they could put a six-foot privacy fence...because the other application this board had there were residents concerned about the height of the building; said he was kind of torn between, yes, it's pretty cut and dried but on the other hand if somebody throws up a six-foot privacy fence on a fence line and the neighbor doesn't like it, of course Mark will hear about it.

A. Roller noted it would still get approved. C. Fife agreed and said there could be something about notice if the board wants, but the problem is if going with a ten day notice, it isn't helping the folks to fast-track very well. M. Pittman said he looked at some other applications and what was interesting is that in some of the other districts they have a list of elements that are eligible to be fast-tracked and elements that aren't that are right on the application so it really kind of lets the people coming in for the application know what can be fast-tracked and what can't; and, other ones also have a premeeting committee – they will sit down and look at it and say what's okay – this is a subset of the board but it's on the fast-tracked items so he guessed he was kind... C. Fife said that right now the preconference committee is herself and M. Johnson because there isn't a separate committee to do that but that's certainly possible – again, it's a matter of how much time people want to give. C. Fife further said she didn't have an issue with any of that but was not sure though of the difference...the issue, it sounds like the issue M. Pittman is concerned about whether or not we're doing something that would overate the neighbors having to have an opportunity to publically complain; the staff could easily go and talk to the owners.

B. Schoenstein asked C. Fife if the board could pass this version and then modify it later. Absolutely, per C. Fife or the board could amend it right here. B. Schoenstein said he was inclined to go ahead and pass this and then if someone wants to make an amendment to it, go ahead so these people in December can go ahead and get the okay to do their fence; he likes something that's going to be fast-tracked, obviously yes, but could see a neighbor...

C. Fife said she thought it was only in an instance where somebody feels the fence is impinging on their view of something. C. Fife told the board that the application that has been presented is from the Schoefield House, Mr. Taylor is going to replace the fence at the east side of the Schoefield House which is a wood fence with a simple black formed metal fence that would fit within the Guidelines.

No questions or comments from the audience.

B. Schoenstein made the motion to approve the amendment to the Rules of Procedure – seconded by R. Hopper – roll call – all ayes.

Rules of Procedure amendment to fast-track fences approved.

C. Fife asked the board members if it were their wish to cancel the December 27 meeting.

R. Hopper made the motion to cancel the December 27 meeting – seconded by B. Schoenstein – roll call – all ayes.

December 27, 2012 HDBR meeting cancelled.

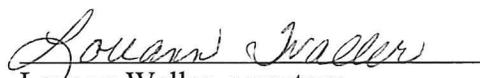
Before adjourning the meeting, C. Fife said since this was the last HDBR meeting for 2012 there was one retiring board member after two consecutive terms, Paul Davis. C. Fife thanked Paul for all the service he has given and for being faithful in showing up, helping the board in so many different ways and to that end she presented Paul with a Certificate of Appreciation and also told Paul there will be a brick installed on the riverfront for him.

No further business to be brought before the board.

B. Schoenstein made the motion to adjourn – seconded by M. Pittman.

Meeting adjourned at 2:56 p.m.

BY ORDER OF THE HISTORIC DISTRICT BOARD OF REVIEW

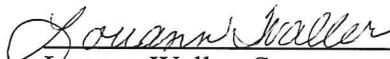

Louann Waller, secretary

Mike Pittman, Chairman

HISTORIC DISTRICT BOARD OF REVIEW

December 27, 2012

The Historic District Board of Review did not have a regular scheduled meeting. See December 10, 2012 meeting minutes.



Louann Waller, Secretary

Mike Pittman, Chairman

