

HISTORIC DISTRICT BOARD OF REVIEW

Minutes

February 22, 2016

The City of Madison Historic District Board of Review held a regular meeting on Monday, February 22, 2016 at 5:30 p.m. in City Hall, 101 W. Main St., Madison, IN 47250. Ron Hopper, Chairman, called the meeting to order with the following board members present: Pam Newhouse, Ann Roller, Ron Hopper, Betsy Lyman, Mike Dorsey. Absent was Valecia Crisafulli. Also present: Mark Johnson, Building Inspector; Jess Butler, Preservation Planner; David Sutter, Board Attorney; and Louann Waller, Planning Secretary.

Minutes

Ron Hopper asked if everyone had a chance to read the minutes from last month and if there were any corrections or additions. Pam Newhouse made a motion to approve the minutes as published. Mike Dorsey seconded the motion.

Roll Call

R. Hopper	Approved
B. Lyman	Approved
A. Roller	Approved
M. Dorsey	Approved
P. Newhouse	Approved

The minutes were approved as published.

R. Hopper stated that before we started considering new applications he wanted to ask Graham Thieman, since Mr. Thieman was supposed to go first on the agenda, if he would mind going second instead of first since the Watkins had to be in Louisville at a certain time. G. Thieman said that was fine.

New Applications:

1. Kevin and Margo Watkins – C. of A. to replace inefficient patio French doors with energy efficient French doors (south elevation); remove/replace damaged front door and side lights by replacing with a fiberglass/glass door and new glass sidelights.

Location: 804 E. First Street

Zoned: Historic District Residential (HDR)

J. Butler presented images of the property with a PowerPoint presentation looking at the First Street view at the corner at Fillmore and Clay. She stated that the house has three street frontages and showed images of where the doors are located on the house. She indicated that the front door is currently wood and pointed out on the right side of the picture where the French doors were located that are currently fiberglass in material. She also showed images of the condition of the front door with the broken sidelights and stated that the door also had weather and termite damage. She said that the home was built in 1870 and is a contributing structure within the Historic District. She showed images of the proposed French doors. J. Butler said that the applicants had been shopping doors and that they had

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continued to ask questions of door manufacturers regarding what the options were and stated that Kevin and Margo could share that information.

K. Watkins stated that it was a funny thing that you can't buy wooden doors off the shelf anymore apparently and that they are very difficult to find. They found a couple places that they could order them and also went through the Jefferson County Historical Society's inventory that is now housed at the ReStore up on the hill to see if they could find some old doors that were adaptable. Dr. Watkins stated that obviously they would love very much to maintain the historical integrity. Part of the issue is they are having though is specifically the front door; they call it the front door, although their address is 804 E. First, the door they use as their front door is on the Clay Street side of the house. But that's the west facing side of their house which also gathers most of the weather coming in there. The big problem, and one of the major problems they have been having with the door, especially during summer is that when it would rain, the door would get wet and then warm and it would swell. They literally could not open their front door at all. Fortunately, they also have the French doors on the side on their patio and that was from a new addition from 2009, those doors work fine.

K. Watkins said that in fact to be correct, they had also chosen a different design for the front doors and he passed around material showing the doors to the Board members. He went on to say that they had decided to go ahead and match the front doors to the side doors. M. Watkins passed around a picture and said that it showed how they anticipated the doors would look on their house. It was an image of two doors, or double entry doors.

R. Hopper asked if they were saying that they would be replacing the front door with the double doors instead of having sidelights. The Watkins both said yes. K. Watkins said they would do French doors instead of having the sidelights on there. He added as they have been doing some construction inside, they were doing a number of things inside including replacing hardwood floors downstairs putting some cabinets in the kitchen, redoing the kitchen counters, and then he added that those obviously were of no interest to the Board because those are not facing the outside. He continued to say that as they have gone through and pulled off the wall on the inside, they uncovered a lot of the old construction and stated that their house has been through a number of incarnations, originally he thought it was a shotgun, and said his house was 804, and that there was an 802 next to it. So it was a row of shotguns there. He stated that they have the great benefit of having a wonderful side yard now because 802 burned down in a fire at some point. The Bedford stone addition on the Clay Street side of the house was put on there in about 1930, late 30s early 40s and the wood door that is currently on there is not at all an original wood door by any stretch of the imagination. He stated that it was a replacement door that was put in there and so in terms in maintaining the aesthetics of the house he thought they were contributing to the aesthetics of the house.

He said the fiberglass door they found to be necessary at this point from an energy efficiency standpoint for sure and from a durability standpoint and safety, so they can open the doors. He added that as they have shopped for new wood doors that would be equitable in aesthetic quality, they found a price of about \$3,800 on this door and the comparable wood door was easily a third again as much about

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\$5,400. He asked M. Watkins if that was correct. She replied that it was \$5,200. K Watkins repeated \$5,200. He continued to say that the door they were putting on is top of the line fiberglass cased foam core door, very energy efficient. He stated that Margo and he literally went to a door salesman and the salesman had several samples, not unlike the one they brought to the meeting to show the Board members, and said that the salesman was showing them samples and Margo said that she really didn't like the fiberglass doors, but thought the wood door looked really nice. The salesman said that the door she was pointing out not wood, that was their top shelf fiberglass door. Dr. Watkins stated that the way they manufacture these doors is they actually take wood and make the template for the door and then with the fiberglass resin, paint it in there, so they actually have a wood grain surface. M. Watkins had a sample of the wood door and said is stained on that side and then you can stain it any color. From close up you can barely tell the difference and certainly from the street you would not know that that was not a wood door and it serves our function very efficiently. He stated that they feel it will maintain the appropriate aesthetic for their beautiful home and that it would serve them for many years to come along with the minimal amount of maintenance. He added that the thought it was an appropriate choice.

P. Newhouse said that house sure has had a lot of changes, hasn't it? K. Watkins said it had. P. Newhouse said it has a Victorian gothic barge board, and some Federal dentils. Watkins said the dentil molding on the one side and the little filigree on the other doesn't match. He added that when they put the addition on in 2009, they tried to match the original trim to it and thought they were fairly successful in doing that and that they had actually restored some of the things P. Newhouse had mentioned; adding that they put Victorian molding on that. P. Newhouse replied, I know, it's a little bit of everything. K. Watkins said the Bedford stone on the house is certainly not Civil War era and that it was barely a perfect example of an historic home. P. Newhouse said it is a perfect example of many historic homes.

M. Watkins said they had really tried to abide by the spirit of the ordinance, and they looked at wood doors hoping that we might find an historic door but honestly the ones that were available were in worse shape than the one they had on there now. She also stated that as Kevin said the energy efficiency was an issue for them as old home owners, and that they wanted to be good stewards of their house that they've been in for 17 years and that they intended to spend the rest of their lives there. She added that safety was a real concern, they couldn't get the door open in the summer time and they didn't want to put a storm door on the front of their house to protect a wood door. Mrs. Watkins said they would rather put on a nice looking wood grain fiberglass door that looks like wood from the street and have a big tall French door opening into their house.

K. Watkins said that beyond that everything they do should follow into the preference of this Board and while we understood this wasn't ideal, it's what they could do.

B. Lyman asked if the Watkins had asked the manufacturer if they ran into that door and put a big dent in it, since there is already a grain in it, how would they repair that? K. Watkins said that he would trust that his insurance would replace it. And added that he did not ask the manufacturer how that would be

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repaired. Mrs. Watkins said that is what insurance is for. K. Watkins said a fence around his yard, and he hoped no one would ever run into it with a vehicle. He added that his dogs aren't give enough to cause any major damage to it I thought. B. Lyman said, scratching, those kind of things. She said she was just curious about that. K. Watkins said he had well behaved dogs. B. Lyman said yes, that's right and added that she had the other kind. B. Lyman said that she had to speak for herself here and that the Board was charged to do was to follow the law. And the law is set out in the ordinance and the guidelines. She added that as she had talked to other people about this, there had been some precedence in the past if there was a fiberglass door, then you could put a fiberglass door back in. But if there was a wood door, then we require a wood door to be put back in. And so she looked through the guidelines which is the Board's little Bible of things that we have to follow and under doors the only acceptable material that was listed there was wood. So for her, she had to say that she was charged with following the guidelines, so that was the way she would have lean.

K. Watkins said and yet there was precedence in the community for replacement of original wood structures with fiberglass structures. He stated that they had to look no further than our courthouse that has fiberglass windows all around at this point that were accepted because of price only, cost only and that was cost to the county and so those are replacement type fiberglass windows. There are a number of homes that he was personally familiar with that had original wood doors and now have fiberglass doors specifically 925 W. Main Street, 324 3rd Street, 512 Presbyterian Avenue, all those were wood doors and were allowed through and approved to be replaced with fiberglass. Dr. Watkins said that he did understand the charge of the Board and added that he understood the importance of maintaining the integrity and wanted to live up to that to the best of his ability, but like most people he had a limited budget, number one, and we had a need.

P. Newhouse asked how old did the Watkins think that door is? K. Watkins answered, that door, was about 30 years, about 35 years old. P. Newhouse said it's not an historic door obviously. K. Watkins said and neither is their plywood floor inside. P. Newhouse said that she had another take on it, that it was not an historic door. She added that In reading about, she took some time reading about wood doors and fiberglass doors and if you get top of the line fiberglass, then the wearability and the aesthetic is every bit as good as a wood door, and the fact that this is not an historic door that was put on the house, she would lean toward that. K. Watkins said he would like to have had original wood on the house. He added that he brought some samples of the fiberglass kind of doors that maybe the Board was concerned about avoiding in this community and showed a sample of a plastic looking panel, and added that he would stand right there with the Board and say no. He said that when our houses start to look plastic then we say okay go head and put vinyl siding on it. He added that he didn't want that any more than the Board did. And stated that he lives here, the history of the place is very important to him but they weren't doing this on the cheap as it is, but there were limitations as to what they could do. Mrs. Watkins said that the wood door with the same design as was, was priced just to see how much that was and it was \$5,200 for one door and we are replacing 2 doors so that was just not affordable. Dr. Watkins said the other doors were already fiberglass. Mrs. Watkins said they couldn't afford a \$5,000 dollar door, they just couldn't, but this was a beautiful alternative to a solid wood door and if they put in

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another solid wood and they put \$5,000 into a solid wood door and it still faces west, she wondered at what point she would not be able to open her door again because it was going to swell.

P. Newhouse said she stood with Mrs. Watkins I stand on that.

B. Lyman said if it was okay, since the Board was dealing with two different doors and she was supposed to make the motion, she would like to make two separate motions. R. Hopper said that's fine. He asked if there are any other questions or comments from the Board or any questions or comments from the audience.

B. Lyman said that I move that the Madison Historic Board of review find as a fact that the proposed project at 603 E. 1st street. K. Watkins corrected her and said that it was 804. B. Lyman said thank you. K. Watkins said I should have let that go and then it wouldn't apply to him. B. Lyman said I move that the Madison Historic Board of Review find as a fact that the proposed project at 804 E. 1st St to replace the existing fiberglass and glass patio French doors on the south elevation of the house with replacement fiberglass French doors; if constructed according to the plans submitted on January 29, 2016, and discussed at the Historic District Review Board meeting on February 22, 2016, is not compatible with the character of the Historic District and is not in accordance with the Residential Guidelines which states on page 39 that "Replacement doors should be of wood, with or without glass lights, and should complement the style of the house," and on page 40 which states that "replacement doors may be of painted, paneled wood, with or without single or multiple clear-glass openings." As the application is for replacement French doors made of fiberglass, not wood as the Residential Guidelines require, a Certificate of Appropriateness should not be granted.

P. Newhouse asked if we were talking about the French doors now. B. Lyman said yes. K. Watkins said as replacement for the existing fiberglass doors. B. Lyman said right, and that she couldn't find any place where the guidelines said that could be allowed. All it says is wood. P. Newhouse said so you are not even saying to replace the fiberglass with fiberglass. B. Lyman said right, because she couldn't find anything in the ordinance that allowed it or the guidelines. K. Watkins said that he hoped he was speaking out of order. B. Lyman said no, to go ahead. K Watkins asked about the precedent that B. Lyman had stated earlier about replacing existing doors with fiberglass doors. B. Lyman said that was apparently so, but that she had been on the Board since March and that this was what she was charged to do. K. Watkins said the letter of the law. B. Lyman said yes, she was a letter of the law person.

P. Newhouse said she disagreed. B. Lyman said okay, that's fine, that's why there are so many of us. R. Hopper asked for the roll call. D. Sutter said that there is a motion and it needed to be seconded. R. Hopper asked if there a second. L. Waller said that he didn't ask for questions or comments from the audience. D. Sutter said yes he did. L. Waller said okay, I'm sorry. R. Hopper said do we have a second? D. Sutter said that the motion could die for a lack of a second if that were the case then someone else can make an alternative motion or this Board is a bit unique in that fact that it takes four votes to deny, so if there were not four votes to deny it would be deemed approved. So there was still the possibility of someone seconding the motion, if it did not second, he thought the appropriate thing to do would be

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for someone to make an alternative motion. But if no one did, it would take for no votes deny the application.

A. Roller said that she would seconded it just make it easier. B. Lyman said that made sense, and then the Board could deny it. R. Hopper asked for the roll call from L. Waller. B. Lyman said so to deny it they had to vote against this. D. Sutter said yes would mean that you would agree with her motion. No would mean that you disagree.

Roll Call:

P. Newhouse	Disapprove
A. Roller	No
B. Lyman	Yes
M. Dorsey	No
R. Hopper	No

The motion failed by a majority of the Board so a Certificate of Appropriateness will be issued.

R. Hopper said so that means that door can be replaced with the fiberglass.

The Watkins were about to leave when they were reminded that a second motion was needed. B. Lyman said there was a second motion and guess what, it was going to sound a lot like the first one.

B. Lyman said I move that the Madison Historic Board of Review find as a fact that the proposed project at 804 E. 1st to remove the damaged wood front door and ribbed glass side lights on the west elevation of the house and replace the door and side lights with a new fiberglass unit with 2 doors if constructed which are also fiberglass I should say, the two doors would be fiberglass according to the plans submitted on January 29, 2016, and discussed at the Historic District Review Board meeting on February 22, 2016, is not compatible with the character of the Historic District and is not in accordance with the Residential Guidelines which state on page 39 that "Historic doors should be retained and preserved. They are also appropriate models for replacement, if necessary. Replacement doors should be of wood, with or without side lights, and should complement the style of the house." As the application is for a replacement unit constructed of fiberglass, not wood as the Residential guidelines require, a Certificate of Appropriateness should not be granted.

R. Hopper asked if there was a second. A. Roller seconded it.

Roll Call

M. Dorsey	No
B. Lyman	Yes
A. Roller	No

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P. Newhouse No
 R. Hopper No

The motion failed by a majority of the Board so a Certificate of Appropriateness will be issued.

B. Lyman said so it passes. R. Hopper stated he would just like to say that he knows that we are trying to be consistent with the Guidelines but since this house has gone through so many changes and that it is not the original door, that was the reason that he voted that they could replace them.

K. Watkins said when opportunity presents itself and he wins the Lottery, he would put a wood door in there. R. Hopper said that they would get a Certificate of Appropriateness once it was generated and signed but they could go ahead with their project.

2. Graham Thieman – C. of A. to remove slate and underlayment from roof; construct cricket on south and east sides of chimney; install plywood over skip sheathing; install ice and water shield, 30 lb., underlayment and composite shingles; install new counter flashing (copper) and all chimneys, rakes, copings; and installation of slate appearance composite shingles.

Location: 704 W. Second St.

Zoned: Historic District Residential (HDR)

J. Butler introduced the property. She displayed images of the house and said it was located at 704 W. Second Street. She stated the home was built in 1870 and is named the Robert McKim home and said it was certainly contributing within the District. She added that Graham was doing a very thorough rehabilitation of this home and that she had the opportunity to go through it a few weeks ago and it was a delight. She said that this application was for the roof work, roof, chimneys, gutters, downspouts and added that Graham could go into greater detail. She showed an aerial photograph of the currently existing slate roof. She said that he had some pictures that were complementary to the ones she was showing.

Mr. Thieman passed out a handout of pictures and information that he had prepared for the Board. J. Butler continued by saying the image she was showing was from Second Street. The application was for composite shingles that mimics slate and that was the primary need for this Certificate of Appropriateness. She said that Graham would explain the materials that were being used such as copper for most of the other work. It would be removal of the slate and replacing it with shingles for the Certificate of Appropriateness.

Mr. Thieman started by saying that he was back. His comment was in reference to the fact that he had served as a member of the Historic District Board of Review for two years and resigned his position in December of 2015. He introduced himself as Graham Thieman and that he was currently living at 313 Mill Street and he was restoring this home at 704 W. Second. He stated that he had prepared a few sheets to explain what they were trying to do. He asked the Board to look on the second page on the front for the roof assessment. Mr. Thieman said that the original slate was installed in 1870 and that it

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was 145 years old, more or less, and that slate was usually good for about 100 years and this was well past that. He added that they were having all kinds of problems with it; numerous small leaks and broken slate, damaged felt underlayment. He continued by saying that the area of the roof, some of it had bituminous sealant over the joints, which the Board could see in one of the pictures. He stated that they just had to replace this. He said that they had a rain storm during Christmas week with a lot of high wind, with a lot of rain. He stated that he was upstairs talking to the painter and she said that they had a little leak in one of the rooms so he went in there and there was about a gallon of water on his brand new floor and it came through the roof, through the ceiling which had already been replastered. So his contractor went with him to the attic and they found five leaks; new leaks, and so they decided it was time to do something. Mr. Thieman stated that the gutters were copper, they were redone; the box gutters were redone a few years ago by the former owner Mr. Miller. The chimneys needed some repointing. He added that they needed to put a cricket on the southwest chimney and if you didn't know what a cricket was, he made a little sketch on the handout.

P. Newhouse asked if the chimney was southeast, Mr. Thieman responded by saying; I'm sorry, southeast chimney. He added that most of the flashings as best as he could tell were galvanized materials which were very popular in the late 1800s. He added that material was probably good for 75 years; 50 to 75 years and again, everything they found so far was rusted through. The gutters were galvanized, they were gone. The flashing was galvanized, he thought it was galvanized, although he couldn't tell for sure because it was painted but there were holes in it because they had a lot of water dripping down around the chimney. He described that what they were planning to do now was to replace all of that with copper flashing. Mr. Thieman suggested that if the Board turned the page of the handout over, they would see the roof assessment page, and a list of everything that they've asked the contractor to evaluate and to quote. He continued to say that they would be replacing all of the copings, the flashing, the rake flashing on the edge of the gable ends and they would be putting, when they took the slate off, they would probably try to salvage a few pieces because we were going to keep the slate on that, on the one story addition on the north side and also on the porch roof on the west side. And so they would keep that slate, otherwise they would be replacing it with shingles. They would repair any of the skip sheeting that was damaged and then they would put plywood over that and then underlayment and then shingles.

P. Newhouse asked if G. Thieman could point out the parts of the roof that he would leave as slate on the picture. G. Thieman stated that it couldn't be seen on that picture. J. Butler showed an aerial picture image to help illustrate the roof area. P. Newhouse said that she could see it. G. Thieman showed the areas on the picture. He also said that while they were at it they were going to add an ice and water shield, a three-foot water shield around the edges and also in the valleys and hopefully the copper would last forever, probably longer than the house and he was hoping that they would never have another leak. He added that the only thing he was hoping for with the future owners was that all they would have to do was to replace the shingles every 30 years or whatever unless somebody came up with a better material that was reasonable in cost.

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J. Butler stated that the house was a contributing structure to the District as was the accessory structure. The home was built in 1870 and the accessory structure had been surveyed to be built in 1910. She showed PowerPoint images and stated that the picture of the home was from East Street. She added that this was the accessory structure down the alley way, a Google maps image, and displayed a more recent picture of the garage proposed to be demolished. She continued to say that it was part of the original application stating that the current 18-foot by 20-foot garage did not fit the needs of the homeowner. She stated that they wanted to rebuild a 24-foot by 26-foot garage. She stated that she didn't know if Mr. McKay brought in any information about that proposed structure or if he wanted to handle that tonight.

P. Newhouse asked if the original structure was built as a garage. T. McKay stated that he assumed it was a garage and then added if the Board couldn't tell, he could barely get two vehicles in it and a garbage can. Mr. McKay continued to say that the thing of it was that the openings were only eight-feet wide and seven-feet tall and he could barely get the cars in and if he had passengers in the vehicles he had to let them out in the alley before he could pull the car in because there was not enough room inside to open the door for them to get out and things of this sort. The brick, he said that he had some pictures of it, was just deteriorating so badly. He passed around some pictures to the Board.

P. Newhouse asked if it the barn had the original standing seam roof. T. McKay replied yes, and that it had been painted once since he lived there. He said that he bought the property in February of 1994.

B. Lyman asked if he knew if there were ever any doors on it. T. McKay said there must have been but he had no pictures. There are hinges on the old framework but he didn't know what kind of doors they were or anything like that but inside the garage itself the ceiling wasn't tall enough to put like an electric garage door because there is not enough room for a track for rollers.

P. Newhouse asked T. McKay what he wanted to build in place of it. T. McKay said that what he wanted to do is if he could tear this building down, remove this building, he wanted to come back with a twenty-four by twenty-six garage. He stated it would be twenty-four feet, and pointing to the image added that the side you see right there would be 24-feet and it would be 26-feet going back into his back yard; the original back yard. He stated that he just got the bids on the new garaged the other day and that in the yard itself, there would be a 6-foot porch in the yard which was not going to be seen from anywhere other than the back yard, and added that this would be in the yard side. There would be of course a door and two windows. Mr. McKay added that on the alley side where the 2 garage doors would be, there will be two garage doors but they would not have windows in them. They would be standard insulated garage doors. What they would like to do is come back with a metal structure, the garage would be built, stick built, it would be half stud walls, 16-inch centers have 9-foot ceiling inside to allow for garage doors and track for the doors, that it would have a 10/12 roof pitch with 26-foot truss. He stated that what they would like to do on the outside is wainscot up 3-feet with one color all the way around the garage and there would be a different color coming up the garage and the roof would be the same color as what the wainscotings is at the bottom. Mr. McKay pointed out that as you look at the alley side, the three little places here would be lights, and that was what the builders recommended to

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put outside facing the alley, three alley lights out there. The roof will be the same as it is right there on that building on the new building. P. Newhouse asked same pitch? T. McKay said same pitch. Then he stated that the colors they are looking at; taupe would be the 3-foot wainscoting and then it would be what they call a light sand and then the taupe would come back and be the color of the roof. He said they he also had pictures of all the outbuildings that were within 150-feet of the existing garage that he has. He added that the only decent looking outbuilding was the one, the white one that sits right directly across from his garage which is owned by Robert Shangstone (?).

B. Lyman asked if the new building was going to be constructed like a pole barn. T. McKay said it would be stick built and said it was going to have stud walls, it wouldn't be four posts sitting there with a roof and siding, it will be stick built and stud walls. He would finish the inside and the contractor is going to do all the outside work and he is going to wire it and stuff for him and his wife and he will finish the inside.

M. Dorsey asked if Mr. McKay had looked at the possibility of maintaining that and trying to expand it. T. McKay replied no. He said he had talked to Mr. Johnson who has been to his garage before in the past, also the gentleman who has talked to me about doing the construction work said that he thought that the deterioration of the brick would be too much to try to do. P. Newhouse stated that the picture of the brick didn't really show deterioration of the brick, it looks like a lot of mortar work needs to be done. T. McKay replied that he would have to go in to do it that way he wants to do it he would have to raise the ceiling inside the garage another couple feet up, you know make it taller on the inside and then go back the other way. He added that he didn't price doing anything with the brick. Right now he was looking at the economics of it on his end and what he could afford to spend to do this project. Another thing that since they had lived there since 1994 he has had three sets of license plates stolen off his cars, they have had vandalism to his cars, they have been spray painted and also he has had tires damaged. That was another reason why he wanted to get it done.

P. Newhouse said you basically have a carport there. T. McKay replied basically. P. Newhouse said that it was a tough one because that was a really nice accessory building, it really is. B. Lyman said that she had a carriage barn that they put swinging doors on recently and they work just great. T. McKay said swinging doors, if it is pouring down rain or something like that he didn't really think that would be what his wife would really want to do in the morning if it's pouring down rain and she's getting ready to go to work. You have to go outdoors and swing the doors back out and get out and close the doors again. P. Newhouse said it was tough. B. Lyman agreed and said that it has contributing status right now.

A. Roller asked if there was room to add a garage for one car on each side of that one. T. McKay replied no, not going to the north they couldn't as he didn't have enough room to do that. He added that in the picture there, there was a privacy fence up there now. M. Dorsey said there is a wood shadowbox on that side right now. T. McKay said there was not much room there because they pulled the fence and the gentleman put a new epoxy fence up.

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R. Hopper asked if that side part was Mr. McKay's or someone else's. T. McKay said, pointing at the photo, that where the fence went over that way, he owns part of that slab yes. He stated that goes toward my neighbor's property. R. Hopper asked if there was room there to build an addition. T. McKay said it would be close to the property line if that is something he had to worry about. He added that he doesn't like to give up that particular area because it comes in handy when they have company because of the parking situation out on the street.

R. Hopper asked if there were any other questions from the Board. Then he asked if there were any questions or comments from the audience.

Orbin Ash, 610 W. Third St, said that he might have missed it and wondered what the date on the building was and if Mr. McKay had any idea. Mr. McKay said he didn't know. J. Butler stated that the accessory structure was 1910 and that she had misspoke about the date of the primary structure, that it was 1840. Mr. Ash said that he might have missed what was said because he was hard of hearing, but he asked what Mr. McKay was going to side it with. T. McKay said metal. O. Ash said personally he felt that some of Madison's structures on its alleyways were just as interesting and important as some of the buildings on our main streets. He added that some of these carriage houses would make a great tour, side tour, so personally he would like to see it stay, just for that reason.

R. Hopper thanked Mr. Ash. He asked if there were any further comments or questions from the Board and then asked for the motion.

M. Dorsey told Mr. McKay that he was new to the Board and is in the process of getting up to speed on what the guidelines actually read and for that reason he was going to have to give the following motion:

I move that the Madison Historic Board of Review deny the Certificate of Appropriateness for the property at 511 East Street to demolish the brick garage at the west end of the property supported by the Residential Guidelines on page 45 which states that outbuildings constructed before the mid 1950s contribute to the character of the Historic District and should be preserved and maintained when feasible. This structure is not in such a condition to pose a risk of collapse or harm to others and should be preserved and maintained.

Mr. McKay said he would like to ask a question. R. Hopper asked if he would like to ask the question before the vote. Mr. McKay said he would just like to know, and showed some pictures, and said this building was built in the 500 block of East 3rd Street in the last 6 months. This building was built in the 900 block on the south side of West Main Street within the last year and that building actually faces Main Street. He added that he didn't know what was there, and said well I know what was there at that one to be torn down, but you know I don't see the cracks in the deterioration of the mortar and things of this sort, the sagging of the building, you know, I just don't understand it.

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M. Dorsey replied that as he said he was new to the Board and he is charged with following the guidelines and that what had happened in the past, he couldn't really speak to and he didn't know if anyone could or not.

J. Butler stated that she did look into a few recent garage cases and none of them were demolition cases prior to the build so there is a difference there since this application is for the demolition of a garage, that was not the case for either of those two.

R. Hopper said that there was a motion and asked if there was a second. B. Lyman seconded the motion.

Roll Call

P. Newhouse	Approve
A. Roller	Approve
B. Lyman	Approve
R. Hopper	Approve
M. Dorsey	Approve

The motion passed by a unanimous vote of the Board so the request to demolish the garage did not pass.

R. Hopper said that M. McKay was not permitted to tear it down. He added that if Mr. McKay would like to entertain some other options and would like to come back to the Board, we would be happy to work with him and thanked him for coming in.

R. Hopper asked if we had any old business. L. Waller asked if the first applicant listed as #1 Thompson was being extended. J. Butler said she was sorry and yes it was extended to next month for the reason of notification, it did not make this meeting. L. Waller said okay, she didn't remember and thanked J. Butler.

R. Hopper asked if there was any new business. J. Butler stated that the Board had talked about goals and shared some ideas and that B. Lyman had done some work to compile them and they had been collaborating on how best to get started on working on accomplishing these goals. She invited B. Lyman forward to speak. J. Butler passed out two handouts. The first page listed the goals and the second page with a scoring chart for those goals.

B. Lyman stated that on the first handout and for Mike's edification last November and December the Board had been talking about goals and R. Hopper had asked the members for ideas and input for what we would like to see for goals for 2016 and also the staff was invited to put their opinions forth. She added that what she did from those emails was to compile those and that what the Board saw on the first page was the listing of those goals and in the parentheses, the people who had suggested that goal. She stated for instance, the first one, Goal A, Guideline Review and Update, Valecia, Pam, herself, Louann and Jess had all mentioned that as a goal and the need for clarification of language, adding new

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sections and then listed some examples that we needed to take into account. B. Lyman continued to say that the Board could go through the rest of them: Goal B, C, D, E, F all the way through. She added that she tried to make sure that everyone who had listed a goal was included on this. Then she said that when she was talking with Jess, they discussed the need to prioritize these in some way and so she thought that some kind of a scoring system might work. She added that she went on line and found out that the University of Wisconsin/Madison had created something called a Project Priority Structure and what they do, and asked the Board members to look on the second page is try to determine a list of criteria based on what the Board is charged with and what is important for us to consider as we look at each goal. She stated that what she listed was a draft, to give the Board an idea so each member could look over this at their leisure. She also said that the criteria that she came up with were legal requirements, what are legal requirements are, value to our Historic District property owners, whether the goal supports other city programs and whether it improves the Board's performance. She added that if the Board decided, there could be others listed. Under each one of those criteria she said that there were bullet points so the members could ask themselves in terms of legal requirements does this goal help us do what is mandated by the ordinance or does it manage our legal mitigation or does it impact other city services. She asked if that made sense and if the Board understood what she had done. Members nodded their heads. B. Lyman went on to say that at the same time for each criteria it listed the importance and that was where you could see the weight number. She added that in other words that what she was saying on this draft is that meeting our legal requirements is a weight of 5, whereas training or improving Board performance isn't as high a priority as our legal requirements so that is number 3. So what each member would do is look back at the first sheet and look at goal A which is guideline review and update and then you go through each of the criteria and asked the question how does that goal relate to our legal requirements and if that meets all three of those criteria. Then you take 3 times 5, the weighted goal and then under A put 15. She asked if members understood then continued to say by doing that for each one of these goals you come up with a total project score. This helps us go through each one of the goals and lets us look at it and how important it is to our overall mandate. So the idea would be that you would take this home and look it over, decide if there should be additional criteria, different scores for the weight, different numbers that you would see or add additional ones, and then discuss it at our workshop, public workshop.

J. Butler said that she would like to organize with everybody a couple of work sessions. She stated that they would have to be publically noticed and that the Board could begin that by email, comparing schedules as we have done in the past, most recently for the Executive session. She added that she thought the Board would have two or three productive work sessions just to organize these goals and come up with a plan for implementation.

B. Lyman said that the idea would be that we would go through these and discuss if we want any changes to the grid, weight, everything and go on to determine our priority and who wants to be the lead for each one of them.

R. Hopper said it sounds like a plan and it was a very good scoring system. He added that it was objective and gave the Board a picture of what was important. He thanked B. Lyman. B. Lyman replied you're

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welcome and asked if the Board had any questions. P. Newhouse said it was a lot of work and that a lot of thought went into this. M. Dorsey asked if the idea would be that by the time that we get to the first workshop we've already done this as a starting point for discussion and if there are any other goals we could discuss it at that time. The Board agreed.

D. Sutter said one thing just to help the record or people that are watching, knowing that this was just proposed and there are others that may be added, but asked if there was anyone who would mind just reading what the goals were just in case anyone watching this wanting to know.

R. Hopper read the goals. He said Goal A which would be the first one would be guideline review and update and that would entail clarifying the language and new sections as needed. Goal B was to add a brief educational component to each Board meeting. He added that actually the bylaws or guidelines state that each of the Board members are supposed to attend at least two educational functions each year. He stated that he didn't know if that had been tracked. He said it was tracked last year; he didn't know about the year before. And then he added that would help with that part of the needs for the Board. Goal C was to establish rules for orderly Board procedures. Goal D was face to face outreach to target groups such as realtors, contractors, new home buyers, title companies, etc. Goal E was to revise the Certificate of Appropriateness application and revise it to make it easier and user friendly. Goal F was to have more detail in the motion and vote so it was clear exactly what the Board has voted on and has approved or disapproved. Goal G was to establish legal procedures for noncompliance. Goal H was review of previous applications for compliance. Goal I was a monthly meeting with the Planner that would be a rotating Board assignment. R. Hopper added that meant that each month a different Board member would work with the Planner in aspects of preparing the Board agenda. Correct? And Goal J was a continued push for a full time planner.

D. Sutter said thank you. And added that he thought that would be helpful. He said that he knew that R. Hopper had mentioned that this was not necessarily yet an exhausted list but he thought it was helpful for others to hear that. R. Hopper said he agreed and thanked D. Sutter.

R. Hopper asked if there was any other new business. M. Johnson said he had given each Board member some documentation from a Board meeting back in May 2012 concerning a local business owner and basically the Board gave them permission to keep a tent up permanently. He said that it had been brought to his attention that the State Fire Marshal had indicated to him that according to the State Fire Marshal Building Code that it was a temporary structure and it couldn't be up more than 180 days and it had to come down. Mr. Johnson said that the State Fire Marshal and Madison's Fire Chief and he discussed the best way to handle this situation and this was step one to bring it to the Board. He added that he didn't know if a tent was really the Board's responsibility and that the members usually dealt with houses, but that they called this a structure so he didn't know how this got in here, but anyway, that he had elected to bring it to the Board and said that this permission would have to be undone. He continued by saying then he would talk to the building owner or structure owner and then work with that person to have the tent down starting at when the Board states, March or whenever we get it done, 180 days and it can be put back up, but it has to be down one day, at least. Being that this had

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come from the State Fire Marshal we have to do this. He pointed out that the explanation was on the second page of the handout. He stated that he didn't think there is a cement slab involved. Last time he was down there it was two years ago for a function and there was just grass, so he didn't think that was an issue. He also said that there was an issue of an extension cord being run down there which was part of this. His intention was to work with that owner and see if he could solve this reasonably. M. Johnson asked D. Sutter if they had to vote on this to undo it.

D. Sutter said that the Board certainly would have to vote to rescind what was given back in 2012. His only reservation about doing that today was if that was what the Board chose to do, he would like to send a letter and invite the property owner here. He said that he certainly understood what has been reported to the Board and that information, but he thought in fairness to that property owner he would like them to be here. D. Sutter added that he thought it could be a little harsh because from what it looks like for whatever reason, he had not seen the application from 2012, but for whatever reason the applicant did apply and it was approved so she was not doing anything wrong based on that approval. He continued to say that it certainly goes against the code here, and that we didn't want that to happen, so he thought inviting them to come to the next meeting of this Board would probably be the best course of action and then a vote taken at that time. He asked M. Johnson if it they had given him a time frame on when they wanted this issue resolved. Mr. Sutter stated that he didn't want to do anything that would put the action further behind, but he would like an opportunity for that owner to be here.

M. Johnson said that he wanted to be fair to the owner because they probably have events scheduled. He knew that the Class of 71 Reunion was scheduled and things like that. He said that whether he graduated in that year or not, it didn't make any difference, we had to go by the codes. He stated that he would like to pursue just as he had done with the State Fire Marshal when he had come to Madison's festivals. He said the Marshal had gone through all the tents and pointed out problems, and didn't shut them down but for the major ones he said to fix it right now. The next year they came up with a list of what people could and couldn't have such as lamp cords, extension cords, that didn't make it. He added that he went on the first couple with him just to see what was going on and said they used what you'd call it the nice guy approach on the first year here, so he would like to continue that and that was probably the best way to bring this to light, we could do that. He added that the meter didn't start running until the Board had established the start date which would be at that time and then 180 days.

M. Dorsey asked could we even if we wanted to vote to rescind it now without proper notification like all applications. D. Sutter said that he would have a difficult time advising the Board to do that. He added that he thought that was right, in fairness it would have to work both ways. They had to submit an application, giving that notice to the owner he thought would be helpful. The Board could decide to do a number of things short of that. He said the Board could certainly speak with the property owner prior to doing that or seeing if there could be a resolution prior to having that person come to a Board meeting. He stated that it might not even have to come to that. It could be as simple having Mark go talk to them and see if they would be willing to do this on their own or to some kind of an agreement which could be even less of a burden, not that it's a burden to come down here but he thought that could be another alternative to say hey this is what we've been told, we understand that you've been authorized

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in the past, we're just trying to make sure that we are in compliance, what can we do to work with you here and then if that avenue were to be unsuccessful potentially sending them a letter, certified mail, requesting that they come before the Board.

R. Hopper stated that he thought it would be best if M. Johnson talked to her, person to person and see. Then he asked if M. Johnson's understanding was that the tent could only be up 180 days, so if every 180 days if they took it down and put it back up the next day does that continue to in compliance. M. Johnson said that was the way it read and that was what the Fire Marshal said. R. Hopper said that he hadn't paid attention and didn't know if it was up during the winter or not. M. Johnson said yes it was.

J. Butler said she would like to go ahead and speak, she knew that in other communities there were temporary activities permits that included tents and there were a number of times per year that they could be up for a certain period of time. She added that may just be something that should be discussed between offices or we allow them to take it down and correctly reinstall it, but there could be a number of times per year that you are issued a temporary activities permit for tents. She said that she also felt that it said numerous times in the ordinance that the stricter of two laws shall apply and she is wondering and thought it would be great to have that conversation with the property owner, but in general the State Fire Marshall would be the stricter of the two. She questioned how it had to be before this Board, if it's the fire code.

D. Sutter said he didn't think that it had to be before this Board, he thought the issue was that at some point permission, whether correct or not, whether this Board had the authority to give this or not, they did back in 2012 so he thought just for clarification purposes it would probably be important to go along with this process if the Board decided to rescind it because he agreed based on what this was. He added that he was just curious how specifically this tent came under the purview of this Board, but it did and it was granted obviously not by members here, but it was granted then so he thought that was why it should be addressed in this situation.

M. Johnson asked if this Board governed temporary tents. He thought that was structures. J. Butler said that she thought that by definition it was a structure. It is taller than 6-feet and had to meet certain standards, and that was why a building permit or an activities permit was issued. It had to be installed safely and by definition would be a structure. She thought that it was a good thing within the District to be brought forth before the Board but not in the typical review. She added that it was not historical property going through. She said that she didn't know why it came before the Board but she had supported the idea of personally being involved in land use decisions within the District. This would be included because this would be a land use decision, slightly outside of the Board's usual review.

M. Johnson said that if you were going along with the building codes, structures have a footer in it and a tent is just supposed to sit on the ground. So he said that he had a hard time calling it a structure. M. Dorsey asked if it made any difference to the Fire Marshal whether it had a footer and pad and all that. M. Johnson said it would be a permanent structure then if you go along with that aspect of it. M. Dorsey asked even if it was tent construction on top of it. M. Johnson said it was classified as a temporary

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structure and he was asking how the Board would want to do this. He stated that he had asked for different motions in buildings coming before the Board out of consideration that the Board governs downtown and he was here to let the Board know that we were in violation of the State Fire Code.

D. Sutter said that it certainly falls under M. Johnson's role as building inspector no doubt. He added that this Board's role in his opinion was primarily, solely because this Board voted to allow. He would advise the Board not to have two conflicting things out there. He added that he would certainly agree that the state code would trump whatever it was that we have done here but he thought as far as the process was concerned he would advise that the Board undo something that is not allowed to be done.

R. Hopper said that he thought that M. Johnson could go ahead and speak with her and then come back to the Board if there is any reason for us to act on that. He thanked M. Johnson.

R. Hopper asked if there was any other new business or old business. Hearing none he said all those in favor of adjourning to say aye.

All said aye. R. Hopper asked if anyone was opposed and then said hearing none the meeting was adjourned at 6:47 pm.

Ron Hopper, Chairman

Jess Butler, Preservation Planner

Louann Waller, Secretary