

Town of Newburgh
Historic Preservation Commission
Minutes March 12, 2020

Members Present:

Jim Renne, Jeff Cox, Brent Grafe, Troy Wells, Heather Cutrell

Advisory Members Present:

Sue Morrison

Administrative Present:

Stacie Krieger, Council Liaison; Chris Wischer, Town Attorney; Tavi Wydicks, Zoning Administrator

Members & Administrative Absent:

David Wills

Citizens Present:

Janet Richard, 221 State Street
Dillip Patel, The Landing
Jonathan Lamar, Lamar A & D
Phillip Field, 201 W. Jennings Street

Reading, Correction and Approval of Previous Minutes:

Jeff Cox made a motion to accept the minutes from the previous meeting.
Brent Grafe seconded. No discussion. Motion was approved.

REPORTS:

Town Council Liaison:

Stacie Krieger discussed the closing of the Senior Center due to COVID-19.

Indiana Landmarks Southwest Field Office:

No report.

Staff Report and Code Enforcement Update:

Tavi Wydicks stated that there are two openings on the Commission, one to replace Jim Lang and one to replace David Wills. Ms. Wydicks stated that she has three people interested in the positions, and provided the names and backgrounds of the interested parties. The Commission discussed the requirements.

Ms. Wydicks stated that the garage demolition at 11 W. Main Street that she received email approval for needs to be formally approved.

Jeff Cox moved to approve the demolition of the garage at 11 W. Main Street. Troy Wells seconded the motion and the motion passed.

Ms. Wydicks stated that the code enforcement list and she and Gerald have inspections planned.

Newburgh Neighbor Residential Grant Program:

Tavi Wydicks stated that she applied for two more grants, but have not heard back; but she did speak to ONB Foundation and the final grant report is due June 30th, and once that is complete the program is eligible to reapply.

Certified Local Government:

No report.

Unfinished Business:

Discussion – 221 State Street Garage

Janet Richard stated that she submitted plans when she applied for the garage permit that did not have a material list that showed siding and stone and she is wondering why no one asked what type of siding when the plan was submitted. Tavi Wydicks responded and stated that when you search cement-based siding, it is similar to the proposed drawing and she assumed that the petitioner would be following the approved COA. Ms. Richard stated that she had no idea that vinyl siding was not permitted, and Ms. Wydicks stated that vinyl is not what the Commission approved at the meeting where the Commission reviewed the COA application. Ms. Wydicks provided a timeline of events to the Commission and stated that a COA for the materials to be cement based siding and stone was approved on May 15, 2018. Ms. Wydicks stated she received an email with an updated site plan and then issued the permit. Ms. Wydicks stated that in February 2020, it was brought to her attention that vinyl siding was used, so she reached out to the property owner to discuss the change. Ms. Wydicks stated that the Commission discussed the violation at the last meeting and requested that the property owner attend with a plan to correct the violation. Chris Wischer clarified that when the COA was issued in May 2018, that the COA was approved for stone and cement-based siding. Ms. Richards stated that at that point the discussion was attached to the house, and then she decided not to attach the garage to the house and staff requested the updated site plan and drawings. Ms. Wydicks stated that she has the updated plans on file, but there was no indication that the materials had changed. The Commission discussed the May 2018 meeting with Ms. Richards. Mr. Wischer stated other than the change from the garage no longer being attached to the house, there was no indication of change to the materials, and in the historic district vinyl siding is not appropriate. Ms. Richards asked if anyone had reviewed the updated plans, and Ms. Wydicks stated that she had. Mr. Wischer asked Ms. Richards if the updated plans indicated a material change, and Ms. Richards stated it does not. Mr. Wischer stated that cement-based siding and stone, and there was no indication of a change in materials, so staff issued the permit based on the approval of materials by HPC. Mr. Wischer stated that if staff had been notified of change in the material, then that would have prompted a second review by HPC. Jim Renne stated that the use of vinyl siding is not appropriate in the historic districts. Ms. Richards stated that there is a house on the corner Cypress and Jennings and Gray and Cypress that are historic that have vinyl siding. Mr. Wischer questioned if these houses were in the Core District, and Ms. Richards stated that her house is not in the Core District, and Mr. Wischer advised her house is in the Core District. Ms. Richards stated that per the State of Indiana it is not. Mr. Wischer explained the difference between the State Register and the Town's Core District. Mr. Wischer stated that he understands that the state may not show her property in the district, but for the purpose of the Commission and the Town, the property is in the Core District. The Commission continued the discussion of the Core District. Ms. Richard stated that the house on the corner of Cypress and Jennings had wood siding in 2012, and now it has vinyl siding. Mr. Renne stated that is a separate issue. Mr. Wischer discussed the rules in the expanded districts and the core district. Ms. Richards stated that removing the siding will cost \$20,000 - \$30,000 and not allow her to completed the renovations of the house. The Commission continued discussion of the COA and the garage. Mr. Wischer stated that the bottom line is vinyl siding was used and it was not approved, and unfortunately the siding used in not an appropriate material. Mr. Wischer provided the Commission with their options in dealing with the violation. The Commission continued discussion of their options. Discussion continued between the Commission and Ms. Richards. Mr. Renne stated that the Commission has the responsibility to maintain the historic districts. Discussion regarding the rules of the districts and materials continued. Ms. Richard asked why no one told her that she could not use vinyl, and Mr. Renne responded and stated that the Commission and staff were not made aware of the choice to use vinyl. Discussion continued regarding the COA application and the use of vinyl siding. Mr. Renne closed the discussion and stated that he would entertain a motion to offer a period of time to allow the owner to resolve the violation.

Jeff Cox moved to allow thirty days for the owner of 221 State Street to provide a plan the rectify the vinyl siding violation. No second. Motion died for lack of a second.

Stacie Krieger stated that her concern is that the Commission has rules, and they are to enforce them, and if we do not enforce them, what are we doing here. Troy Wells agreed with Ms. Krieger's statement. Mr. Wells stated that he reviewed the information in detail and does not see a way to accept the vinyl siding. Mr. Wischer stated that fines are an option, but could present an issue in the future where a owner could decide to go with vinyl and just pay the fine and still save money. Mr. Wischer discussed all options available to the Commission.

Jeff Cox moved to allow thirty days for the owner of 221 State Street to provide a plan the rectify the vinyl siding violation.

Ms. Richards questioned if she could petition to remove her house from the district, and Mr. Wischer stated that her property is located in the Core District, not an expanded district.

Jim Renne seconded the motion and motion passed unanimously.

Ms. Richards asked again if she would petition to remove her home from the district. Mr. Wischer responded and stated to remove her property from the district would create a hole in the district and does not see the removal as an option. Mr. Renne stated that the Commission would not support the removal of a property from the Core District. Ms. Richard stated that the Commission removed the house on the corner of Gray and Cypress. Ms. Wydicks clarified that the historic rating was removed, but the house remains in the district. Mr. Wischer stated that the property is in the expanded district which is outside the Core District and the home had been so changed over the years that it was improperly designated, and it is not in the Core District which is a completely different situation.

Discussion – District Expansion

No discussion.

New Business:

COA Application – 201 W. Jennings Street

Ms. Wydicks stated that Mr. Field is requesting an extension to his existing garage, and that she spoke to the contractor and the north wall of the garage has a significant crack and when they remove the wall, they will be expanding the garage to the north. Ms. Wydicks stated that they plan to use vertical board and bat siding that will match what is on the addition on the existing house. Ms. Wydicks stated that the roof line will be altered due to structural issues. Mr. Field stated that the shingles and siding will match what is on the house.

Jeff Cox moved to approve the COA application. Troy Wells seconded the motion and the motion passed unanimously.

COA Application – Edgewater Grill/The Landing

Jonathan Lamar presented the updated plan to the Commission and stated that structural and cost feasibility factored into the plan change. Mr. Lamar stated that the new plan maintains a lot more of the bones of the existing building. Mr. Lamar detailed the plan, the reasons for the design change, and stated that they are planning to use stucco, fiber cement, and timbertech as the materials. Mr. Lamar discussed the parking and ADA requirements with the Commission. The Commission discussed the plan with Mr. Lamar and Mr. Patel. The Commission provide recommendations to Mr. Lamar and Mr. Patel and they stated they would take the recommendations into consideration and will return once they have the final plan complete.

Announcements:

Petitions and Comments from Citizens Present:

Adjourn:

Jeff Cox moved adjourned the meeting. Jim Renne seconded the motion and the motion carried.



Chair



Recorder