

HISTORIC PRESERVATION REVIEW COMMISSION
232 N. Queen Street
October 5, 2015
Regular Meeting, 7:00 PM.
J. Oakley Seibert Council Chambers

With a quorum present, Chairman Gary Gimbel called the regular scheduled meeting of the Historic Preservation Review Commission to order at 7:00 pm. The following members were present: Nell Thompson, Gary Gimbel, Mark Jordan, Steve Knipe, Ryan Perks, Chris Cox and Terry Colburn. Keven Walker was absent. Also in attendance were Legal Counsel Catie Delligatti, City Planner Tracy Smith and Planning Secretary Holly Hartman.

APPROVAL OF September 14, 2015 MEETING MINUTES

Commissioner Thompson made the motion to move the approval of the September minutes to the next scheduled meeting as there was not a copy of the minutes for review in the packets. Commissioner Colburn seconded the motion, which was followed by a unanimous vote of “aye”. Motion carried.

I. UNFINISHED BUSINESS: None

II. NEW BUSINESS:

- 1. CASE #HP 15-056. 227 N. Maple Avenue. Public Hearing.** Application requesting a Certificate of Appropriateness to install a black aluminum four-foot fence. James Behrmann, applicant.

James Behrmann, of 227 N. Maple Avenue, provided an explanation of the project explaining that his tenants have been asking for a fence for child safety reasons and to keep others off of the property. He further mentioned that the home is listed on the National Historic Registry and on the Martinsburg Historic Registry.

City Planner Tracy Smith showed the Commissioners a photo with the exact location of the proposed fence.

Chairman Gimbel opened the public hearing at 7:03 pm. As no one came forward to speak for or against this request, the public hearing was closed at 7:03 pm.

Chairman Gimbel asked the applicant if the existing gate would be made functional or to match the new fence. Mr. Behrmann replied that he had not considered the gate at this point, but that he will replace it to match the fence.

Commissioner Perks made the motion to approve the request as submitted. Commissioner Colburn seconded the motion that was followed by a unanimous vote of “aye”. Motion approved.

III. OTHER BUSINESS: None

IV. DISCUSSION ITEMS:

- **Article X: Section 1003 – Plan Review Requirements.** Proposal to change plan review requirements regarding paint.

Legal Counsel Catie Delligatti explained the reason for having this issue as a discussion item mentioning that removing paint from the review criteria has been suggested by commission members and by the State Historic Preservation Office (SHPO). Ms. Delligatti stated that the application for a Text Amendment will go before the Planning Commission but is up for discussion before the HPRC to get the Commissioner's input.

Ms. Smith explained the purpose of the Text Amendment and read comments from her conversation with a structural historian of the SHPO, Jennifer Brennan who stated she is not a fan of color review because it causes undue burden on the property owner. Ms. Brennan also wrote that it is her recommendation that new painting of bricks be denied, unless already painted, because of moisture concerns.

Chairman Gimbel recalled in 2012 when a representative (also named Jennifer) from the SHPO gave a presentation where she said that in her opinion paint is a non-issue and that it is very easily reversible and before her, Chris who said "It's paint! Don't faint!" The commission discussed their concerns on the topic, expressing that paint is not a major problem in our area, but there was concern over the one possible application out of many that might request an outrageous color. All members agreed that it was time consuming for the property owner to apply and be present at the meeting as well as time consuming for staff and the commissioners to review the cases. Legal Counsel noted that enforcement is also a challenge as we don't like taking people to court for improving their property. It was mentioned that there are already buildings in the historic district that are painted colors out of the ordinary and that the paint does not affect the structural integrity of the building. Ms. Smith stated that only one case has been denied for paint color in the last fifteen years and, she feels it is safe to say, we all regret that as the second choice looks much worse. The commissioners were all in agreeance that the painting of bricks remain in the review process. There was discussion involving what the SHPO and landmarks commission review and what the HPRC reviews, noting that we are the only body reviewing color choice. General consensus of the commissioners was to allow the application to proceed to the Planning Commission for the Public Hearing process.

V. ACTION ITEMS: None

VI. ADJOURNMENT:

Commissioner Colburn made the motion to adjourn. Commissioner Knipe seconded the motion which was followed by a unanimous vote of "aye". Meeting adjourned at 7:30 pm.

Gary Gimbel, Chairperson

Holly Hartman, Secretary