

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 p.m. by Chair Giller.

ROLL CALL

Christie Mathews-Leidal
Mike Giller
Dan Schroder

Jim Lamb
Steve Gerard-Absent
Lowell Moore

Ron Schuman

APPROVAL OF MINUTES

With the below changes, the March 19, 2019 Planning Commission Minutes were approved.

Ms. Leidal: Page 5 comments fourth line from bottom “if” should be “when”.

APPROVAL OF AGENDA

With no changes, the April 2, 2019 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No comments.

CONSENT CALENDAR:

1. Hegemann Residence (JL), 12 Peak Eight Court, PL-2019-0047
2. Beaver Run Summer 2019 Conference and Events Tent (CL), 620 Village Rd, PL-2019-0051

Ms. Leidal: In regards to the tent, I don't know if it is because of all our parking discussions but, is it taking away any required parking. I'm just not familiar with that area.

Mr. Grosshuesch: They get the parking lot back in the summer time.

Ms. Leidal: So we aren't taking away required spots?

Mr. Grosshuesch: Pretty sure not, we would have to look into it.

Ms. Leidal: It might not even be striped. I'm not sure.

Mr. Truckey: The adjacent parking is used for skier parking in the winter, so it gets freed up in the summer.

Ms. Leidal: Thank you.

With no call-ups, the Consent Calendar was approved as presented.

FINAL HEARINGS:

1. Levy House Restoration and Landmarking (JL), 112 S. French Street, PL-2018-0496

Mr. Lott presented a proposal to relocate the house two feet to the north, restore the facades, add a new 900 sq. ft. basement, install a full foundation under the historic house, renovate the interior, and locally landmark the historic structure.

Commissioner Questions / Comments:

Mr. Lamb: Parking I know it's a revocable access off library and very unlikely town would revoke but if that happened would parking just go on French? (Mr. Lott: I believe so. The easement in the back was revocable in case anything changes with the community center behind it.) With a historical building, it may be very unlikely. (Mr. Grosshuesch: Then they could just go into residential parking permit program.)

Mr. Moore: What is HERS? (Mr. Lott: HERS is an energy efficiency rating for the structure and it deals

more with the envelope of the building than anything else. Code allows positive 1 point if you just get an index showing how you can improve your energy efficiency.) So will you in planning see that they do that? (Mr. Lott: There is a condition under the findings that says that prior to CO they have to submit the HERS.) What would happen if they didn't do it? (Mr. Lott: They would have negatives points and not pass for CO.)

Mr. Giller: Just a small clarification, in addition to the envelope, it's the appliances as well. (Mr. Kulick: We've only had one instance where it happened that a preliminary HERS analysis was not verified later. In that situation they went to installing solar.)

Ms. Puester: For a positive 1 point, they just get the HERS analysis done and it's more for their information on the structure rating and we put it in the property file as well. They do not have to reach a certain index to pass so that should not be an issue here.

Ms. Leidal: We're moving the house and the plans call out 5 feet 7 inches on the northern set back and that's to the wall. Relative setback is 5 feet so the overhangs are less than 7 inches? (Ms. Sutterley: I have that information, which I will explain shortly.)

Mr. Giller: Small question, can you speak to removing the historic fabric and we know it happens at that back door on the second floor and then there's notes to matching historic opening and I think we may have discussed in the preliminary, is there any fabric at the windows that is historic and is being removed? (Mr. Lott: There is one window.) (Ms. Sutterley: That's where we're losing historic fabric, that's a new window in addition to the door.) (Mr. Lott: It's the front window on the lower level.) (Ms. Sutterley: And the rear window on the upper level is turning it into a door.)

Mr. Giller: I would say clarify that in the notes on the plans and add it as a condition.

Janet Sutterley, Architect, presented:

I have Kevin Crane here and he owns the non-historic house to the rear. I wanted to clarify on the one window and any of the restoration notes, we went through them in the beginning, but happy to do again.

(Mr. Giller: I would say briefly and clarify on the drawings.) I have two follow up items, I actually went out and took pictures today. The eave is more than 7 inches, more like 10 or 11, so the building won't be moving two feet but more like 1 foot 9 inches. This is the existing condition of the roof (hands out photo). You can see how they slapped metal roof on top which over hangs and you can see the original wooden shingles. Somebody just put metal right on top. And then this is one picture of the stone base (hands out photo). The condition of that stone base is different all around. You can see where some of it appears to be original. They tried to match it when it fell apart. The stone that we're specifying is a pretty close match. We're going to reface the foundation with the same stone. That is about it other than if you wanted to go through any other restoration. (Mr. Giller: Sure, go ahead.)

Ms. Sutterley: So the dormers aren't historic, as you know. There is a pretty good historic photo of the south side of the building that clearly shows the windows on that side, which we are restoring. The house will be fully gutted to be able to be picked up and moved. Hopefully we will find these original openings when the sheet rock comes off on the inside. When new windows were put in, they put in shorter windows and those are on the as-built draws. So we're returning to what we think are the original and framing in-between and we're going to do the same on the west side and put in a historically compliant front door. On the front second story, there is sort of a funny window in there now, which we think is in a historical opening. On the front porch, we will be replacing concrete with wood deck so it will be more historic looking. Of course full mechanical and electrical on the inside. We might be replacing the roof but don't know what that will look like. If the historic wooden shingles are not salvageable, we will go with asphalt.

Mr. Giller: What documentation do you have on porch columns?

Ms. Sutterley: We don't have historical photographs of the front. Just the materials that are there which appear old.

Mr. Giller: So maintaining existing columns?

Ms. Sutterley: Yes, and of course, the main thing is the siding that is changing to be more consistent with

the standards than T1-11 that's there now. We will be removing all that board. That will be primary upgrade to the restoration.

Ms. Leidal: I just wanted to make sure that the wrought iron fence is being relocated on site?

Ms. Sutterley: The owners and I just had discussion about that before the meeting. It is there you can see it past the big tree, but that's new fencing, not historic. The historic fence comes across the front and a section of it was stolen. This piece in the back that is new matches the historic. We will be restoring what we can and relocating the fence to the property line.

Ms. Leidal: Didn't know if it needed to be an encroachment license?

Ms. Sutterley: No, we would like to put it right on the property line.

Public Comments:

Lee Edwards, 108 N. French Street:

As a case study moving forward now that moratorium is in effect, what is the current rating of the structure? I couldn't find it. Is this contributing or non-contributing? What could be done to the structure that would make it contributing again because there are several like it in the moratorium. Would it be acceptable to have dormers or should those be removed?

(Mr. Grosshuesch: No survey existing on this property. That would take a survey and some back and forth. It's not something that we typically do.)

Moving forward with the moratorium, I would suggest to the committee and staff that this is something that is included in the new regulations. That if a building can be brought back into contributing status, it would be a great thing. This seems good except for the existing dormers.

Ms. Leidal: I had a question for staff and the applicant. The plans show 5 feet 7 inches to foundation wall, but you're encroaching with the overhang, so we're not meeting the relative setback. So do we ask for the site plan to be revised and maybe an ILC once the footers are in? Can we put a statement of approval for that?

Mr. Lamb: Are you talking about the side setbacks? Because you're allowed encroach with your overhang 18 in.

Ms. Leidal: You are allowed into the absolute set back. It doesn't say that for relative. I was hoping that it would. I think you're planning on not going as far. Would you be comfortable with revising the site plan prior to issuance on building permit? (Ms. Sutterley: Yes)

Ms. Leidal: Thank you.

Mr. Lamb: Approved, any encroachment can be worked out. There are ILCs required.

Mr. Schroder: I support staff analysis and point analysis that is presented as a passing score of zero.

Ms. Leidal: I also support staff analysis with the condition. Thank you.

Mr. Schuman: I think it's a good project, it has come long way. Better if the building was not moved. But I know it's part of plan.

Mr. Moore: I support staff analysis and point analysis that is presented with a passing score of zero. I was not here the last time it was here but from what I've seen it appears to comply.

Mr. Giller: Support and big improvement and it will get relatively close to contributing. Would like to add the two conditions for the setback and removed window openings.

Mr. Schroder made a motion to approve the project with the modified conditions handed out that evening as well as additional language. (Ms. Puester read into the record: Condition #20: The applicant shall revise the plans and note that the historic fabric is being removed for a new window, prior to issuance of building permit. Condition #21: Applicant shall submit a site plan showing compliance with Policy 9A and 9R. Condition 22: An ILC would be required prior to issuance of certificate occupancy, once the structure has been relocated and approved by staff.) Seconded by Ms. Leidal. The motion passed 6 to 0.

2. 319 N. French Street Single Family Residence (CK), 319 N. French Street, PL-2018-0367

Mr. Kulick presented a proposal to rehabilitate, locally landmark, add a connector and addition to an existing historic residence on North French Street. There are no changes since the February 19th second preliminary hearing. Staff asks the Commission for feedback regarding Local Landmarking, as well as for any additional comments on the project.

Commissioner Questions / Comments:

Ms. Leidal: I support the positive +2 points suggested for landscaping. We normally get landscape covenant and I think it was inadvertently omitted. Are you okay with adding? (Mr. Kulick: I'll make sure to add a condition that requires a recorded landscaping covenant.) We can make a motion to include that.

Mr. Giller: On historical fabric. Can you speak to what is retained and what is lost? (Mr. Kulick: I met with contractor on site a couple times and they toured inside of the building. Looking at what is salvageable and what not and majority of siding which is channel lapped, not double lapped and is on the historic building. All historic windows are slated for restoration.) So majority are maintained or lost? (Mr. Kulick: Majority are maintained very little exterior lost. Windows are retained. Couple of non-historic windows will be replaced. Those are located in the non-historic concrete foundation.) (Suzanne Allen-Sabo, Architect: Just because of new foundation and they're horizontal so put in 70s or later.) Are we losing historic windows on south elevation? (Mr. Kulick: No loss on south. Those were always this dimension here.) So the elevations have no indication of work done on elevation or history materials. There is a note on page 5 that says you're going to save the historic window opening, but it doesn't speak to the windows. The material submittal speaks to new siding and windows so we really do need to clear that up. We need it here for historic preservation documentation. I would like ad this as a condition of acceptance for approval tonight. I also note that the window headers for frames are different than what is on the house. On the historic house it has gable headers but that's not what is on the house. It appears they are changing trim on window opening. (Mr. Kulick: From initial analysis, we couldn't determine if existing was historical or not) It is historic unless you can prove otherwise. It's a tiny house but it has a lot integrity and we shouldn't lose historical fabric. So we want to know what is retained and what we are losing. (Ms. Allen-Sabo: We intend to retain all of it except for where we're punching through) State it in the notes as a condition of acceptance. The window to the left of the front door, is that changing? (Ms. Allen-Sabo: Are you talking about front door or window?) The window to left (Ms. Allen-Sabo: We aren't going to change that. The front door is new because the existing front door is not historic.) Can we clarify that? Then it states that soffit board, where does that go and what might that replace? (Ms. Allen-Sabo: The new soffit is for the new structure.) Sheet 1 of 3 on materials list doors and windows and new door and window trim on historic structure that suggest will lose a lot of fabric. (Ms. Allen-Sabo: We're not going to.) We need to clarify that. So how can we incorporate retaining integrity of structure. (Ms. Allen-Sabo: I think it can say maintaining structure) It still as lot of integrity and consult with the town before doing anything. (Mr. Kulick: *quotes condition number 8 in entirety*. I think it was a year ago when we did the preliminary assessment. Before we issue building permit we will look at the historic material.) The elevations lack any data or notes we have no assurance.

Ms. Leidal: Just revise the elevation to indicate what historic materials are to be preserved. Repair rather than replace. (Mr. Kulick: We will need them to clearly show what is being removed on the building permit.

Lee Edwards, 108 N French Street:

This is another fine example regarding redoing the historic district guidelines. Is there an existing floor plan drawing? (Ms. Allen-Sabo: Yes.) Do we have it here? Does everyone know what historic preservation tax

credits are about? I know of two projects that were denied because interiors were gutted. All original walls were there and that downgraded the ability to get tax credits. Could still get state credits but not federal. I imagine interior is pretty close to what was there originally. So when redoing your preservation guidelines, I would like to consider interiors of structure so we can get tax credits.

(Mr. Lamb: If it privately owned you're subject to CO tax credits only. It needs to be open to the public for federal credits to be applicable.) (Mr. Giller: It would need to be commercial for federal credits. So this would not eligible for that.)

Mr. Schroder: Very interesting project. It has one tiny house on such a large parcel with land in the back. Some 42 policies that have been reviewed with that. Ultimately a good project. Thank you applicant for moving and shuffling modules. We are presented with positive +2 points and I support staff analysis and support as presented.

Ms. Leidal: I do believe the structure qualifies for the local landmarking and we should also apply the two additional conditions regarding landscaping and revision to elevations. I would support the project with those two conditions.

Mr. Schroder: I too support local landmarking.

Mr. Schuman: I support staff analysis. I appreciate not moving the structure and moving the south addition back from the historic structure. I think this started with negative -52 points and is now plus +2 so the applicant's time and effort have paid off. I too support local landmarking.

Mr. Lamb: I support. We don't see this everyday, pretty complicated. It's now a much better project. When you have something dropping off the back it's not going to be a simple structure. Thank you for making presentable. Qualifies for local landmarking.

Mr. Moore: I support project. I had concern last time regarding setback from historic structure to make sure you can see it. I think it looks like a good project with positive +2 points and based on what I read, the local landmarking is appropriate.

Mr. Giller: I too support and know everyone has worked hard. Thank for restoring historic fabric and importantly maintaining the historic integrity. With that, it would qualify for local landmarking.

Mr. Lamb made a motion to approve with new language. (Ms. Puester added two additional conditions to the motion #15 Applicant shall revise and note all historic components of the structure to remain and be restored as needed as stated by applicant's agent at the final hearing. #16 Prior to issuance of a CO, the applicant must record with clerk and recorder of Summit County a landscape covenant in the form acceptable by the Town Attorney for the positive +2 points.) Seconded by Mr. Schroeder. The motion passed 6 to 0.

OTHER MATTERS:

1. Town Council Summary (Memo Only)

Ms. Leidal: The moratorium ordinance passed? (Ms. Puester: It did pass, placing temporary moratorium on development permits Class C and above in the Conservation District, allowing Class D minors to continue. Length of 6 months. The council also directed staff to put together a stakeholders group so we have put together a group and our first meeting is Wednesday, April 10.

Ms. Leidal: Did any applications come in? (Julia: Yes, two did the day of the moratorium second reading.) Are those the only two in the pipeline? (Julia: No, a couple more in addition to those that you haven't seen yet.) Just curious.

Mr. Schroder: We had moved April 16th meeting to Wednesday, April 10th for our second meeting of April. Then we will resume our regular meetings May 7th.

Mr. Truckey: We do have representation from the commission on the stakeholder's group. Steve will attend and Mike may come to a couple of the meetings.

Mr. Giller: So if you have any thoughts let us know.

ADJOURNMENT:

The meeting was adjourned at 6:32 pm.

Mike Giller, Chair