

Minutes
West Lafayette Historic Preservation Commission
West Lafayette Historic Preservation District Town Hall
Morton Community Center
222 N. Chauncey Avenue
West Lafayette, IN 47906
September 12, 2016

The Town Hall meeting began at 6:02 pm in the Multi-purpose room.

Introduction

The town hall meeting began by Director of Development, Erik Carlson, who welcomed the community to the West Lafayette Historic Preservation District Town Hall. Carlson gave a general overview of the town hall and turned the event to Chris Kulesza, President of the Historic Preservation Commission.

Kulesza spoke about the presentation that would cover the purpose of the Historic Preservation Commission, Phase II of the Ordinance, and aspects of historic preservation around the country, state and city. Kulesza stated that after the presentation, the floor would be open to the public for a Question and Answer session. Kulesza allowed the present commissioners to introduce themselves and their background. These Commissioners present were Kelly Busch, Susan Curtis, Peter Bunder, Linda Martin, and Shelley Lowenberg-Deboer, with President of the Commission Chris Kulesza. Kurt Wahl, advisor to the Commission and current President of the Historic Preservation Commission in the city of Lafayette, was also present.

West Lafayette Historic Preservation District Town Hall PowerPoint Presentation

Kulesza presented a PowerPoint presentation that covered the following topics: Purpose of the Commission, History of Preservation, Historic Preservation-West Lafayette, Benefits of historic preservation, Differenced in Phase I and Phase II of the Ordinance, Submitting a COA, and Guidelines for Applications.

Stephanie Boudouris from 306 E. Stadium: What dictates a contributing and non-contributing building? Kulesza stated that rule of thumb, a structure that is of 50 years is considered contributing, but just because something is old, does not mean it is historical. He continued with old structures that have many updated and has changed so much, the historical properties are no longer present.

Fred Richter from 406 Littleton: How do you [the Commission] determine whether a property is contributing or non-contributing? Kulesza explained that there are numbers of resources available that have identified historic properties in the area.

Commissioner Linda Martin asked for the Commission to explain the typical process for applying for a Certificate of Appropriateness (COA) to the audience. Erik Carlson began to explain the process of preparing for a project would the same regardless of living inside the historic district. One would come to the Engineering Department office in the Morton Community Center and apply for a building permit, if your project warrants permitting. If one is in the historic district, the process is the same except for the need to fill out a COA application that can be found online and in the Department of Development's office in the Morton Community Center. If the property is within the historic district, the Building

Commissioner will inform the need for a COA. If the project does not need to go through the Commission, the Director of Development can sign off on the project and the property owner can move forward with their project. If the project does need to go through the Historic Preservation Commission (HPC), Carlson stated that he can meet with the property owner, explain when the next HPC deadlines are, and can advise what is needed for the COA. The deadlines for the COA to be submitted for the next HPC meeting is typically the last Friday of every month, by 12:00pm. The first Tuesday of every month is the HPC sub-committee meeting, where the sub-committee will review the COA and votes to recommend if the full Commission needs to review the COA, or dictates whether or not the project needs to go through the HPC. The full Commission meets every second Tuesday of every month for COA approvals. Once the COA has been approved, one can go to the Engineering Department to apply for the building permits and begin their project. Carlson reiterated that he is willing to work with the property owners and the Commission to ensure that projects can move forward. President Kulezsa also stated that the Commission's "policy is yes-if, not no-but".

Commissioner Bunder spoke about two points that puts the Commission's role in context. The first point is that the City of West Lafayette is enjoying a period of growth and redevelopment. For the historic district of New Chauncey, there has also been going through a series of redevelopment programs. A land use plan has been developed for the historic district, which has been identified as a national historic district. Hopefully, by the end of the year, there will be a commercial land use overlay within the historical district, which will be the way for the city to offer a variety of housing options for the state and nation's residents.

Public Comment-Questions and Answers

The floor was opened for questions from the public.

Zachary Bail from 124 Connolly: If someone does not go before the HPC to make some of those changes, what happens or what is the penalty for that? If someone changes the approved Certificate of Appropriateness, what happens? If that has happened so far, what happened and what were the penalties? Kulesza explained that there are penalties. He explained a recent COA as an example where the COA was approved as an addition, not a demolition. The garage was torn down due to structural issues and the Commission was not made aware of the reasons behind the demolition. There was not a fine applied to the property owner due to the miscommunication and "...the Commission is not out to get people" and their projects. Chad Spitznagle, Building Commissioner, spoke about how the Engineering Department plays a role in the COA process. Kulesza explained the penalties for unapproved demolition is \$2,500.00 and \$50.00 penalty for all other issues.

Fred Richter from 406 Littleton: How does someone find out if a property is within the historic district? If I want to demolish a house on a property and the structure is non-contributing, does that ease the process? Carlson explained that there is a map online on the HPC's website. Kulesza added that if you are wanting to know if a building is contributing or non-contributing, you can come to the HPC or the Department of Development to find those answers as well. Carlson stated that the HPC would need to review what would replace the demolished structure. If there is nothing to replace the demolished structure, the HPC needs to go by a case-by-case to gather more information before giving an answer.

Nina Pomery from 217 Connolly: After plowing through the website and seeing that there are limitations in vinyl siding and window changes, but the pamphlet stated that what needs to come before the HPC are projects that need to go through the HPC are projects that need building

permits. Vinyl siding and windows do not need permits. So, it does not make sense that there are conflicting information out there and that the HPC needs to be clearer. She also stated how the Commission will police projects that do not need permits. Carlson spoke about the wording of the Ordinance stating anything that is conspicuous from the public right-of-way is subject to the Ordinance. Chad Spitznagle spoke about like-for-like windows would not need building permits. Carlson explained that if there were any questions about the Ordinance, please contact the Department of Development of the HPC for clarification.

Jeff Roberts from 612 Terry Lane: Roberts spoke about the neighborhood having a mix of property owners and short-term rentals. As a property owner, he is interested in increasing the number of property owner occupancy and long-term rented homes. Roberts raised the concern that due to the HPC, many property owners that rent short-term leases will not upkeep their properties and allow the building to deteriorate and rent at a lower monthly rent to less committed renters. If a COA is presented to the HPC, do they [the Commission] balance those considerations to stabilize and enhance long-term renters and property owner occupancies? Commissioner Bunder spoke about three actions that work. The City has rental inspectors that keep the property owners accountable for upkeep. Rick Walker of the Neighborhood Resource Team also inspects properties to make sure there is proper upkeep for houses in a neighborhood in general. Historical preservation entities also works in upkeep of a historic neighborhood, which in turn, raises property values.

Pauletta Smith: Smith has been part of the New Chauncey neighborhood since 1970. She stated that she has spent thousands of dollars in upkeep of her property. At her current address on E. Stadium, she can see the home at the 306 E. Stadium. The property owner at 306 E. Stadium added the car port, an addition, and was not informed on what they had to do to comply with the Ordinance. The property owner of 306 E. Stadium spoke about her negative experience with the HPC during the COA process. She stated that "...felt like we have been bullied" by the Commission and that the Commission needs to work better with the neighborhood. Pauletta Smith also stated that she saw that there needs to have an approved contractor. Carlson apologized for how the property owner has been treated, stated that the Commissioner that behaved in "...such a deplorable fashion" has been remove from the board, and that changes have been made to ensure this does not happen again. Carlson also stated that a similar town hall meeting is in the works for realtors, architects, and contractors to be informed on the historic district's Ordinance. Chad Spitznagle explained that an approved contractor means that the contractor needs to be bonded with the City for safety reasons. If the home owner wishes to do the work themselves, they do not need to be bonded with the City. Kulesza spoke about inappropriate behavior of the Commissioner that was removed from the HPC and apologized for his actions. He continued with the particular case with 306 E Stadium, he wants the issue to be resolved as soon as possible. He explained that there was a staff change and the Commission was not updated on the change to the COA and wants to follow up on the issue as soon as possible to resolve the issue.

Joanne Gutek from 636 Rose: Gutek commented on the phenomenal work done at the 306 E. Stadium. She continued with explaining that she wants to replace the windows on her property. She currently has wood windows, but her income is a limiting factor. Carlson stated that any questions like this are needed to be ask, feel free to come to the HPC meetings were you can freely ask these types of questions and get advice on what you should do. Also, feel free to contact the Erik Carlson in the Department of Development for answers as well. Kulesza spoke on the mater stating that the Commission will work with property owners on their projects and finances plays a role in the Commission's decisions.

For further comment on Gutek's situation, more information would need to be provided for the Commissions to give any recommendation.

Carol Csonka from 230 Connolly: She made remarks about the action of the recently removed Commissioner. She continued by stating that the Commission should not be style police. She also mentioned that the Commission should not expect realtors to inform buyers about the historic district. She spoke about seeing that there will be buyer's remorse.

John Hack from 349 Sylvia: He was not aware of the Commissions when he purchased the property and has made several improvements to the home. He stated that he most-likely would not have purchased the home if he knew about the Commission, as he does not want to jump through any other hoops and does not want to lose any new freedoms and that the Ordinance should be voluntary and not mandatory.

Carol Rosborg from 434 Littleton: Rosborg stated that she is excited about the historical aspect of the neighborhood but had no idea that the home was in the New Chauncey historical neighborhood and asked if there were any street signs to notify that this is a historical neighborhood. Carlson spoke about the development side of the city, he wants to better mark the boundaries of a historical neighborhood.

Zachary Bail 124 Connolly: In the Original Ordinance, it mentioned streetscape. His question was if he wants to plant a tree on his property, does he need permission. He also followed up by asking if you [the Commission] cannot see the house from the street, can he do whatever he wants to the house. Kulesza said that the Commission focuses on the hardscape on the property. He continued by stating that some part of the structure will be seen from the public right-of-way, which would be subject to the Ordinance.

Ken Simone from 102 W. Lutz: His parent bought the house for their retirement. His question was about the siding of the house. The top of the house is painted cedar shingles and the bottom is aluminum siding. Underneath is original wood siding. The house will need siding, so would he be required to restore the wood siding. Kulesza answered the question. He spoke about the tough factors with vinyl siding. The danger is that moisture can be trapped behind the vinyl siding and can rot the siding underneath. It is always a great idea to restore original fabric to the home. If there is too much damage, they would not expect full restoration.

Ginger Erikson from 607 Meridian: She commented on the houses in the brochure. She further commented how a month delay will enhance the neighborhood. The COA is extensive, a lot of research has to be conducted and contractors will not be willing to wait. Carlson spoke about the COA process and the deadlines for submitting a COA and that the Ordinance stated the Commission has to act within 30 day, not act after 30 days has past. He also spoke about if the Commission does not have quorum to act on the COA, the COA can be written off as approved so the owner is not waiting for another month to act. Kulesza echoed Carlson's remarks.

Pauletta Smith from 520 Terry Lane: She stated three quick questions. She asked what would happen if there is storm damage to a roof. She asked about storage sheds that can be seen from the public right-of-way. She also asked about the lawn furniture, especially the large benched that the college students have in front of their homes. Kurt Wahl answered that you do not need a COA or permitting for maintenance of a structure, so storm damage would be considered maintenance. For the sheds, Sptiznagle answered that under 120 square feet with no permanent foundation does not need a building permit, but zoning needs to be met. Kulesza spoke about contributing and non-contributing

structures if you want to remove a shed. Commissioner Curtis the Commission does not regulate those weird benches and Commissioner Busch stated that the Commission regulates permanent fixtures, so benches and chairs does not fall under that category.

Joanne Gutek from 636 Rose: She asked if the windows would be window replacements be considered maintenance. Wahl explained an example of a home with original windows, the Commission wishes to preserve retain historic fabric. The Commission would need to know if the windows are original, or if the home is contributing or non-contributing. **Joanne Gutek commented the cost of restoring windows and mix signals she is getting from the Commission and it is placing a burden on the home owner.** Commissioner Busch spoke about her experience replacing windows and explaining cost is a factor in their decision. Kulesza spoke to the intent of the Commissions to preserve historic structures but the Commissions looks at the whole picture in their decision. **Gutek asked if Hills and Dales is under this Ordinance as well.** Carlson stated that there are three historical districts, New Chauncey, Hills and Dales, and Happy Hollow. Under the current Ordinance, only New Chauncey is subject to the Ordinance and it is up to City Council if they wish to add the other neighborhoods to be subject to the Ordinance.

Carol Csonka from 230 Connolly: She asked for the Commission to look into the power of interested parties for an injections in fear of lack of compliances, the fines for non-compliances, and the COA application and documents needed for a COA. She asked if an attached carport is considered Phase I or II. There is talk that the commissioners are doing away with the appeals process. Kulesza spoke about the appeals process and decided to vote against changing the current appeals process being removed. Carlson spoke about the minutes being posted. Kulesza spoke about the attached carport was treated as a new construction. Carlson stated that he will work with COA applicants on the materials that are required for their COA.

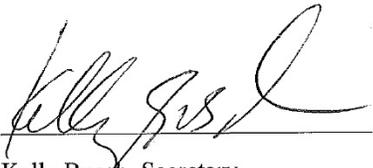
John Pomery from 217 Connolly: Has the Commission thought about the cost that they are imposing on the home owner, such as more expensive materials, hiring contractors, and not knowing if its contributing and non-contributing. He also mentioned the Ordinance is different than what is being said at the town hall. He also asked if this is a community benefit, why is not the City of West Lafayette offering funds to pay for the extra costs, as currently it is the individual that is paying for the costs. Commission Busch stated that studies have shown that Ordinances such as this raises your property's values and the neighborhood's value as a whole. Kulesza echoed Busch's statement and spoke about the benefit of historic preservation commissions in general.

Stephanie Boudouris from 306 E. Stadium: Spoke about the passion of the neighbors and the community. She mentioned that 4 people have stated that they would not have moved here knowing about HPC. The Ordinance needs to be clearer and needs to be "...followed to a 'T'...". Spitznagle apologize for how the property owner at 306 E. Stadium was treated and for the lack of communication that has occurred. He spoke about zoning and what is required for structures with permanent foundations and are over 120 square feet. Carlson spoke about wanting better working relations with the community and the Commission has ways to go to better serve the community. Kulesza echoed Carlson and Spitznagle and thanked the community for attending.

Christy Carr 128 Dehart: She is a realtor and thought that this town hall was very informative. She also has lived in the neighborhood and love it. She thanked the Commissioners that sat upfront at the town hall stating "...I know your job is not easy" and is happy to be better informed on the COA process. She is concerned on replacing her windows and better knows how to go through the process. She also stated that she sought out historic neighborhoods to move to.

Carlson thanked the community for coming to the town hall and gave the Department of Development's phone number if there are any questions: 765-775-5160.

Meeting was adjourned at 7:52pm.



Kelly Busch, Secretary