CITY OF BURLINGTON

Administration Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

HISTORIC PRESERVATION COMMISSION
AMENDED MEETING MINUTES
Thursday, November 29, 2018

The meeting was called to order by Chairman Darrel Eisenhardt at 6:30 p.m. Aldermanic Representative Susan Kott; Commissioner Frank Capra; Commissioner Steve Wagner; Commissioner Ken Morrison; Commissioner Kevin O'Brien; and Commissioner Daniel Colwell were present. Student Representative Grace Lashbrook was present. Student Representative Tyler Van Patten was excused.

CITIZEN COMMENTS

Judith Schulz, 533 Milwaukee Avenue, stated that our Burlington Historic District is on the National and State Register, and building owners should be aware of tax credits they can receive. Ms. Schulz handed out pictures of old buildings that had the paint removed.

APPROVAL OF MINUTES

Commissioner Wagner corrected the minutes to read "the fire escape will look like it is in the horizontal rest position". Commissioner Wagner moved, and Commissioner Colwell seconded to approve the minutes of October 25, 2018.

LETTERS AND COMMUNICATIONS

None

OLD BUSINES

None

NEW BUSINESS

A. A Certificate of Appropriateness application from Jon Thorngate of Lifebridge Church for property located at ***457 Milwaukee Avenue*** to paint signage on the side wall. This item was at the October 3, 2018 meeting.

- Chairman Eisenhardt introduced and opened this item for discussion.

- Attorney John Bjelajac explained the version of the law, and the outcome from the November 7, 2018 Council meeting. Attorney Bjelajac handed out the City Ordinance for signage, and stated the decision is not made on the content of the sign, but rather what is in the ordinance. Attorney John Bjelajac further stated the building inspector would have the final decision.

- Jon Thorngate, 224 Peters Parkway, presented the revised design of the sign that was scaled down, as well as the cursive that became secondary, because the Historic Preservation Commissioners stated the original sign was too large and busy. Aldermanic Representative Kott mentioned that Gregory Guidry, Building Inspector, wrote a review in 2016 which states the signage was non-conforming and would have to be removed or painted over. Aldermanic

Representative Kott said to Mr. Thorngate that at the time he budgeted $3,500 for removal of the sign because he knew it was non-conforming. Mr. Thorngate replied he does not recall that, but remembers that the signage had to be reviewed at a later date. Mr. Thorngate stated the intention was to always put a sign there, and wanted to resemble the size and style of the existing sign.

- Commissioner Colwell asked for a recap since he was not present at the October 3, 2018 meeting.

- Chairman Eisenhardt explained the discussion was regarding the wording, size of the letters, and the previous Bigelow signage. Chairman Eisenhardt further explained that years ago there was no signage. Tanya Fonesca, Graef, explained the recommendation to approve, was based on the historical context of the downtown businesses.

- Commissioner O'Brien asked if there is verbiage in the city ordinance when a building changes hands, if the paint has to be removed and the brick painted to the original natural color. Ms. Fonesca answered no, there is no language in the ordinance that states it has to be painted to the original brick color. Commissioner O'Brien questioned in order to maintain the historical look of the building, then maybe the brick should go back to the original color. Ms. Fonesca responded that it is up to the Historical Preservation Commissioners. Ms. Fonesca explained many historical committees operate differently, whether it is going with the original look when the building was built or allowing property owners to do as they wish. The Commissioners discussed when the building was originally painted as the Chevrolet dealership, the guess was around 1950-1960. Aldermanic Representative Kott mentioned that during that era there were no codes or even a historic district. Mr. Thorngate stated the Commissioners should not base the decision on an estimated timeline. Mr. Thorngate further stated the paint cannot be removed from the brick, because the brick is in bad condition and it is too expensive to repair.

- Commissioner Morrison clarified that no paint is to be applied to any brick, and questioned how the deteriorated brick could be updated. Chairman Eisenhardt replied that either a special stripper could be used if it has been previously painted, or re-painted to the original brick color if it is beyond repair. Ms. Fonesca asked where in the guidelines it says that it has to be painted to the original brick color. Ms. Fonesca stated she found where it says brick cannot be painted, unless it has been previously painted. Chairman Eisenhardt stated in the Historic Downtown District Guideline it mentions the ways that are not recommended for protection of masonry. Ms. Fonesca explained those are guidelines and not requirements. Mr. Thorngate questioned if the Commissioners would like to see the brick plain, even though it has been painted that way for over 60 years, verses not removing the paint. Commissioner Colwell responded that the guidelines read the paint shall be removed if it does not damage the building, but re-painted if there is damage.

- Attorney John Bjelajac reminded the Commissioners the application is for signage and not for the wall. Commissioner Colwell stated if there was a sign there previously and it is appropriate for signage in that location, regardless of the content and it meets the needs, then the sign should be approved. Commissioner Capra stated he thought the purpose of this committee was to bring buildings back to its original condition. Mr. Guidry explained that in 2016 a sign was

never presented, only discussed. Mr. Guidry further explained at that time he was under the impression that signs were not allowed to be painted on the building, and since then Attorney John Bjelajac has informed Mr. Guidry that signage is allowed. Chairman Eisenhardt commented the grant application in 2016 was budgeted for painting over the signage. Mr. Thorngate replied at that time the intention was to paint over the signage and come back later, but was not given permission to do so. Mr. Thorngate stated they are trying to work with the city by keeping the color, style, and make an improvement. Mr. Thorngate further stated that side of the building has always had signage, and is more historically looking, as well as allowed according to the codes.

- There were no further comments.

- Commissioner Capra moved, and Commissioner O'Brien seconded to deny the Certificate of Appropriateness for painting the sign.

- Roll call: Chairman Darrel Eisenhardt, nay; Aldermanic Representative Susan Kott, aye; Commissioner Frank Capra, aye; Commissioner Steve Wagner, nay; Commissioner Ken Morrison, aye; Commissioner Kevin O'Brien, aye; and Commissioner Daniel Colwell, nay. Aye – 4, Nay – 3. Motion carried.

B. A Sign Permit application from Jon Thorngate of Lifebridge Church for property located at ***457 Milwaukee Avenue*** to paint signage on the side wall. This item was tabled at the October 3, 2018 meeting.

- Chairman Eisenhardt introduced and opened this item for discussion.

- There were no comments.

- Aldermanic Representative Kott moved, and Commissioner O'Brien seconded to deny the Sign Permit for painting the sign.

- Roll call: Chairman Darrel Eisenhardt, nay; Aldermanic Representative Susan Kott, aye; Commissioner Frank Capra, aye; Commissioner Steve Wagner, nay; Commissioner Ken Morrison, aye; Commissioner Kevin O'Brien, aye; and Commissioner Daniel Colwell, nay. Aye – 4, Nay – 3. Motion carried.

- Mr. Guidry questioned if this could be brought back to the Council meeting. Attorney Bjelajac replies yes, but stated the signage is ultimately Mr. Guidry's decision for denial or approval. Attorney Bjelajac stated that most of which is approved at a Historic Preservation meeting is recommendation to Council, but the signage is recommendation to Mr. Guidry.

- Aldermanic Representative Kott questioned what the purpose was of having a discussion to deny, and then Mr. Guidry presents it to Council for approval. Mr. Guidry responded that Council does not want signage to come before them that is why the decision making role changed.

DISCUSSION ITEMS

A. Introduction and discussion with the City Planner, Graef, to explain their roles and challenges they will be accepting, as well as a "HPC 101" for the members of the commission.

- Chairman Eisenhardt introduced and opened this item for discussion.

- Ms. Fonesca handed out documents regarding the roles of a Historic Preservation Commission (HPC). Ms. Fonesca explained this is a broad overview, and will need to be brought back to another meeting for a more detailed guidance. There are some decisions that need to be made for property owners, such as; whether or not the building shall be in compliance immediately, given a time period, or work with them until financially able. Ms. Fonesca further explained the city would like to see properties sold, but if the HPC is too restrictive, then owners will not want to come to Burlington. It is important for the purchaser to be aware of what is being required prior to signing papers. The codes can be confusing, but they can be re-written to be simplified. The codes were written decades ago, and things have changed over the years. The purpose of the Historic District is to help stabilize and improve property values, which strengthen the economy. The intent is to provide protection and preservation of structures. There are a few times when an applicant may be required to present the project to the Plan Commission, such as; when there is a change of use or an addition to a building. Aldermanic Representative Kott asked if the Plan Commission is supposed to know the codes for the historic district. Ms. Fonesca responded no, Sign Permit applications are not presented to the Plan Commission, so it is not necessary for them to know the codes. The Plan Commission decides if the project can be completed according to Site Plans. Commissioner Morrison asked if a flow chart for signage and other projects can be provided to help guide how the process works. Ms. Fonesca responded yes, and stated Graef will provide options instead of recommendations in the reviews.

Tyler Van Patten arrived at 6:26 pm.

- Ms. Fonesca stated there are three ways of voting for items on the agenda; 1) approve, 2) deny, or 3) table. Commissioner Wagner asked if an item is approved, can there be conditions so the applicant does not have to come back at a later date. Ms. Fonesca responded yes, as long as the conditions are specific and written in the minutes. Aldermanic Representative Kott questioned if codes could be re-written, such as murals. Ms. Fonesca replied yes, and suggested looking at other municipal codes. Ms. Fonesca further replied the codes can be written to help with the difference between signs and murals. Ms. Fonesca asked the Commissioners to write down their top 5 things that are difficult when reviewing, so it can be changed to make understanding the codes easier.

- Commissioner Colwell questioned if an applicant completes a project without approval, what can be done. Commissioner O'Brien thought there were so many days to apply for a Certificate of Appropriateness (COA), or a fines may be issued. Mr. Guidry asked if a COA is required if an applicant would like to paint a building a different color or the same color. The Commissioners answered a COA is required only if the color is changing.

- Commissioner Wagner asked if there is someone that can be designated to collect old photos. Ms. Fonesca answered that would be helpful. Aldermanic Representative Kott stated Ms. Schulz and herself would like to put together a binder of old photos for the Commissioners, Historical Society, and City Hall, so the applicant will have the oldest photo available to them.

- Aldermanic Representative Kott asked for information regarding the Kane Street District. Mr. Guidry replied it is a Federal Program and the City does not enforce the rules for repairs.

- Mr. Guidry reminded the Commissioners to read the guidelines and codes.

ADJOURNMENT

Commissioner O'Brien moved, and Commission Morrison seconded to adjourn the meeting at 7:19 p.m. *All were in favor and the motion carried.*

Recording Secretary,

Kristine Anderson
Administrative Assistant