

**Landmark Commission
May 19, 2021
Remote Meeting
Minutes**

Meeting called to order:

Chairman Tim Berkey called the meeting to order at 5:14pm. The following members were present: Mike Meinzer, Alan Griffiths, Joe Galea, Ryan Nagel, and Ryan Whaley. Thomas Horsman represented the Community Development Department and Brendan Heil represented the Law Department. Clerk Kristen Barone and Community Development Director Jonathan Holody were also present.

Review of minutes from April 21, 2021:

Mr. Meinzer made a motion to approve the minutes and Mr. Galea seconded. All members were in favor of the motion.

Applications:

1) 131 E. Water Street- Certificate of Appropriateness for painting the door and window frames black and installing a black awning over the storefront

Dr. Berkey asked how the awning was going to be attached and secured to the building, as there can be heavy winds at times in the downtown area. Ryan Brady, with Brady Signs, stated that the framing will be aluminum tubing, and the awning will be attached using z-clips, and then bolted into the building.

Mr. Griffiths made a motion to approve the application and Mr. Galea seconded. All voting members were in favor.

2) 333 W. Market Street- Certificate of Appropriateness for exterior renovations and rooftop deck

Conor Whelan, of MAC Building and Development LLC, stated that the work to this building will be done in three phases. Phase one will include getting the second and third floor apartments ready to rent out, and includes restoring the windows on all sides except for the south or front elevation. The second phase is renovation of the first floor, which includes the brew pub and front façade. The third phase will be the rooftop deck. The chairman stated that he would like for the commission members to have one motion on the exterior renovations and a separate motion on the rooftop deck. Mr. Meinzer stated that he does not feel that voting on the rooftop deck is in the Landmark Commission's scope of work and feels that this should go to City Commission to be voted on. Dr. Berkey asked the applicants that if the work being proposed for exterior renovations is not able to be followed through on after getting started, due to any sort of complications, would the applicants be willing to come back to the Landmark Commission and submit new plans for approval. Mr. Whelan said yes, they could do that. Dr. Berkey asked how structurally sound the brick is. John Feick, architect and contractor with Feick Design stated that they have not yet done any sampling of the brick, but the brick does appear to be in good shape. Mr. Meinzer made a motion to approve the exterior renovations from the gutters down. Mr. Limberios stated that it will be difficult to do what needs to be done inside because of the material needed for the stairwell. Without the structure on top, they would be in limbo because the roof would just continue to leak. Mr. Galea seconded the motion. All members were in favor of the motion. Dr. Berkey then asked if the members had any questions regarding the rooftop deck. Mr. Griffiths stated that it seems that this building has already had a rooftop structure for some time now, as seen in some of the older photos in the presentation, when the building was occupied by Brinnon's in the late 40's. He then asked Mr. Feick if he characterizes the proposed deck as something that alters the permanent architecture of the building, or could that be considered removable or temporary. Mr. Feick state that the proposed deck will be sitting on top of the roof, but it will be tied through the roof for waterproofing purposes. If at some time the owners wanted to take it down, that would be possible without damaging the building. Dr. Berkey stated that the problem with labeling something temporary is, that if the rooftop structure gets approved, the Landmark Commission would have no jurisdiction over that moving forward. He then stated that the problem with this rooftop

deck is that the standards say that rooftop structures are not to be highly visible from the public right of way, in most cases the rooftop structures should not be more than one story, and are not appropriate for buildings consisting of three stories or less. The chairman then asked Mr. Horsman to share photos that he took of the rooftop structure from different directions, and stated that the structure is extremely visible in all of the photos. He said that if the buildings on both sides of this building were taller, this wouldn't be such an issue, but since both buildings next to this building are smaller, there is no hiding this rooftop structure. Dr. Berkey then said that since he does not believe that the Landmark Commission has the authority to go outside of the standards that were given to them by the City Commission, he believes that this application belongs in front of the City Commissioners. Mr. Whaley stated that he thinks that if the Landmark Commission followed every standard, then there would be no need for a Commission. He believes that the job of the Landmark Commission is to discuss the variance in the standards. He said that he thinks that the applicants did a lot of good research and were able to find examples that fall outside of the standards and that he thinks that the proposal from the applicants looks nice and falls in line with the City's Master Plan. Mr. Griffiths stated that he does not believe the standards prohibits the proposed rooftop deck. He then said that the Landmark Commission did recently approve another rooftop deck on a three story building that was next to an empty lot downtown and he thought that the commission did that in the understanding that it met the standard. Mr. Nagel stated that he did not vote for the recently approved rooftop deck on the last three story building and he does not feel that this proposed deck meets the standards either. He said that if this gets denied by the Landmark Commission and then the City Commissioners approve it, he does not understand what the purpose of the Landmark Commission is. Mr. Griffiths made a motion to approve the rooftop structures and Mr. Whaley seconded the motion. There were three votes for the motion and three votes against the motion. The motion did not pass.

Other Business:

Dr. Berkey stated that since there were no more applications on the agenda for today, the commission would discuss the other agenda items at next month's meeting.

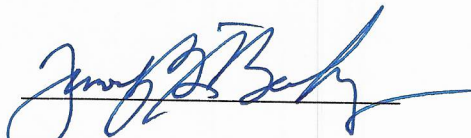
Meeting adjourned:

Mr. Griffiths made a motion to adjourn and the meeting ended at 6:46pm.

Approved by:



Kristen Barone, Clerk



Timothy Berkey, Chairman