

**MINUTES**  
**CITY OF ST. CHARLES**  
**HISTORIC PRESERVATION COMMISSION**  
**WEDNESDAY, SEPTEMBER 2, 2015**  
**COUNCIL COMMITTEE ROOM**

**Members Present:** Chairman Smunt, Malay, Pretz, Bobowiec, Gibson, Norris, Withey

**Members Absent:** None

**Also Present:** Russell Colby, Planning Division Manager  
Ellen Johnson, Planner  
Meagan Moreira, Recording Secretary

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**1. Call to order**

Chairman Smunt called the meeting to order at 7:00 p.m.

**2. Roll call**

Chairman Smunt called roll with six members present. There was a quorum.

Mr. Norris arrived at 7:02pm, after roll had been called.

**3. Approval of the agenda**

Chairman Smunt stated the agenda will stand as published.

**4. Presentation of minutes of the August 19, 2015 meeting.**

**A motion was made by Ms. Malay and seconded by Mr. Bobowiec with a unanimous voice vote to approve the minutes.**

**PUBLIC HEARING**

**5. Eligibility of Property for Landmark Designation: 521 W. Main St., Haines House.**

Sue McDowell, owner of 521 W. Main St., stated that she is pleased to be considered for this designation and thanked the Commission for pointing it out and getting them in the right direction. She said she thinks it is a wonderful building and works really well for their business. It is a building that has been in town forever and they would like to keep it that way.

Chairman Smunt said the application states the historic name of the house is the "Haines House" and asked if the first name of the first owner should be used. Ms. McDowell said it could be the

Charles Haines home, although the home was originally Charles' father's, and not using the last name covers both individuals.

Mr. Gibson said the building always presents itself fantastic when headed east bound, in terms of the position of the house and the way the exterior has been kept up. Ms. Malay agreed.

Ms. McDowell said they are proud to own the house. She mentioned that there is another whole lot on the east side where there is a babbling brook with a pond and sitting area.

**A motion was made by Mr. Bobowiec and seconded by Ms. Malay with a unanimous voice vote to close the public hearing.**

### MEETING

#### **6. Eligibility of Property for Landmark Designation: 521 W. Main St., Haines House.**

Chairman Smunt asked if a suitable date for the structure had been determined. Mr. Pretz said he found 1866 when researching records. Ms. McDowell said either May 21 or 24, 1866; they found a board with signatures and the date in the house and have mounted it on the wall. Mr. Pretz said the records at the County state December 31, 1866, but that could be a common occurrence that took place back then between an actual transaction and the time it was recorded; so the date is either circa 1866 because of the difference in May vs. December dates, or specifically 1866 because they are in the same calendar year. Ms. Malay said the evidence is there for 1866.

Mr. Pretz said in regards to the checklist criteria, seven are marked as met. Chairman Smunt said he questions the item that states, "Structure embodies design elements that make it structurally or architecturally innovative" and he would eliminate that criterion, unless it can be supported. Mr. Gibson asked if the overhangs on the eaves would support it. Ms. Malay said that is not necessarily innovative. Commissioners agreed to reduce the criteria down to six.

**A motion was made by Ms. Malay and seconded by Mr. Bobowiec with a unanimous voice vote to approve landmark designation for 521 W. Main St.**

#### **7. Discussion Item: 521 W. Main St. (sign)**

Ms. McDowell explained she wanted to run the proposed freestanding sign by the Commission. She said originally the sign was going to have brick columns on both sides with the sign in the middle, but they have decided to go with a more contemporary design, with the base a brick to match the house and a double layer of acrylic for the sign. The business name will be etched on both sides, with a channel in the brick that will light the lettering from underneath.

Mr. Gibson asked what the cap on the brick would be. Ms. McDowell said probably concrete. Mr. Gibson suggested using limestone to duplicate the materials found on the house. Commissioners expressed support for the sign.

## **8. Additional Business**

### **a. Discussion Regarding COA process**

Mr. Colby said this discussion is in regards to recent issues with COA projects, where elements of the project change in the field, once construction occurs. He went over a diagram showing how the COA process works from start to finish, with four primary stages:

- 1) Application
- 2) Meeting
- 3) Review
- 4) Permit/Construction

He said staff has observed issues at different stages of the process. Updating some of the forms and procedures may help to minimize issues and smooth out the process. He would like input from the Commission. He said the current COA form does not have a lot of information in terms of changes to a project or what the applicant should do when they encounter issues. Part of his concern is that people who are working in the field may not be aware of the COA requirements or what was approved and discussed. He said even though the form obligates the permit applicant to do what was agreed upon, that does not necessarily get communicated to others involved. It is important to find a way to get the message across to everyone involved to try to prevent those situations where things go astray.

Mr. Pretz asked if at the time a COA is signed, does the City have a redlined version of the approved COA plans so that it is obvious what should be done. Mr. Colby said it is up to the Commission if they want to see a revised plan based on specified conditions. At the staff level, if there are plan documents that are in conflict with what was approved and the conditions of approval were not significant enough to require the applicant to submit a revision, staff will just mark up the plan documents. Mr. Pretz asked if the plans are not marked up, are applicants given a separate sheet with a summary listing the specific changes. Mr. Colby said they get a copy of the COA form, but often a lot of the detail that the Commission discusses that is outside of the scope of the building permit submittal only exists in the COA form because it is not something required for the building permit. Even though the inspectors get a copy of the COA form, it is something that is easily overlooked because of its location on the form.

Ms. Malay said the approved permit set is supposed to be on the job site but usually gets lost, so they do not have all the documents they should. She asked if there is a strict statement that says, if any changes are made work is to stop and call the Building Dept. Mr. Colby said there is, but not in the context of the historic preservation requirements. He said he thinks the gap is where an applicant is expanding the scope of work but still doing what is shown on the plans.

Ms. Malay said it is not only an issue for the Commission, but also for the Building Dept. in general; that people are doing these changes and then trying to backtrack later. She thinks maybe both the applicant and the general contractor should sign off on the COA.

Mr. Bobowiec said as long as the notice is attached to the permit and in bold letters, whoever picks up the permit knows they have to inform all involved with construction.

Mr. Gibson said the information needs as much clarity as possible as far as when and who to call to make emergency changes.

Ms. Malay suggested getting acknowledgement from the general contractor at the front end to confirm that he understands the COA stipulations before the permit is issued. Mr. Norris said the permit is typically pulled by the contractor who then schedules the inspections, so if anything it should be part of the inspection process; so the moment something goes wrong a red tag can be issued to shut it down.

Ms. Malay said both the owner and the contractor need to know the restrictions and they both need to sign. What is needed on at least the COA and maybe even on the permit is a statement saying “if any changes, emergency or not, are needed, all work is to stop and call the Building Dept. and all materials are to remain on site”. Mr. Norris said a red tag should then be issued to turn off the site. The permit process requires the plumber and electrician to be licensed, and when they don’t follow code then they get their license pulled.

Mr. Bobowiec said a homeowner can claim they are the general contractor, so they would still be the one responsible. Whoever applies should take full responsibility. Mr. Bobowiec said right now, we can’t hold the applicant accountable because they aren’t given definite rules of engagement when something like this happens. Ms. Malay said if the contractor and owner acknowledge it and the contractor does what he wants anyway there is still some legal backing and the Commission can get it corrected if needed.

Mr. Withey said he likes the red tag idea because it says, “is there a way to do what the COA says without freezing the project”.

Commissioners agreed that a clear concise procedure needs to be established. Mr. Colby said they somehow need to address the issue of when a contractor makes changes that fall in the scope of what the building permit is for, but which the Commission wouldn't have necessarily approved. Mr. Norris suggested somehow drawing the project area and anything outside of that will be issued a red tag. Ms. Malay said the procedure needs to be spelled out and signed and acknowledged and then there is no excuse. She said she understands you will find things when you open up old buildings but nothing is so instant that it cannot be boarded up to have a discussion.

Mr. Colby said he is envisioning some sort of separate form or notice that gets attached to the permit. Mr. Bobowiec said it has to be on the job site.

Mr. Norris said the permit process requires inspections so it has to be during that; like a historic preservation inspection during the demolition.

Ms. Malay said the permit stays out on the site in the window and she suggested putting a copy of the stipulations on the back of the permit. Commissioners discussed options for notice stickers on the permit. Ms. Malay suggested on one side listing all the stipulations of the COA and the other side listing the terms and conditions. Mr. Pretz said he does not see the inspectors really taking a look at that. Mr. Colby said at least it raises awareness for people at the site doing the work. Ms. Malay said the inspectors have it on their plan, but this would be to make sure that everybody involved knows what's going on.

Mr. Norris suggested Mr. Colby going out to the inspections. Mr. Colby said he thinks the problem is that the damage is already done between inspection stages and once it's done it's difficult to go back because the materials are lost. Ms. Malay said the main thing is to catch it before it happens; it's all about acknowledgments and education. Mr. Colby said maybe a form could be handed out at the Historic meeting and also included with the permit. Mr. Pretz suggested using a different color from the rest of the application to draw attention to it. Mr. Bobowiec suggested making a warning poster to hang in the Building Dept. for applicants to read while they wait for paperwork.

Mr. Bobowiec asked what the legal recourse is after someone has been warned and they still do it again. Mr. Colby said at the end of the day they can still choose to request a COA for the work that has been done, and can go through the COA process and onto Council.

Ms. Malay suggested having a special fine for going against the COA. Mr. Gibson said first there needs to be some clarity on the permit and then if that doesn't work we need other options, such as a fine.

Mr. Colby said he has enough information to draft something and bring it to the next meeting.

Mr. Smunt said that too often the Commission is given inappropriate elevation drawings of proposals. The application should state that if you plan to make changes to the exterior of the building a scaled elevation of the changes must be submitted. Mr. Colby said there is a list of what should be submitted, but it is not very well highlighted.

Ms. Malay said a lot of times things are on the agenda for discussion but there is not information available to vote on the proposal. The applicant should provide information and be present for the discussion; otherwise the item should be tabled.

Mr. Pretz said during a COA discussion if there are things that are missing from the applicant it should be noted as to what's insufficient and the Commission should table that item with a recommendation to reschedule when the applicant can provide what is needed.

Mr. Bobowiec asked if this could be caught before the meeting, when they file their application to be on the agenda. Mr. Colby said staff tries to be flexible to be customer friendly, but that position can certainly be taken if the Commission would like. Sometimes it can be beneficial for applicants to hear what is needed from the Commission, because the applicant may not fully understand the scope and depth of the Commission's review until they attend the meeting. Mr. Bobowiec said we are wasting an applicant's time if they come in expecting to get something approved and the Commission says they did not provide the proper information. If an applicant submits a proposal wanting a COA and Mr. Colby clearly sees the drawings are not acceptable, then there is no reason to waste the applicant's time and lead them to believe they will be reviewed for a COA. Ms. Malay said to give Mr. Colby some power so he can tell applicants what the Commission will or will not accept and that the applicant can go on the agenda but the odds are it will be tabled due to there not being adequate plans. She added that the item should be tabled immediately, not after a long conversation.

Mr. Smunt suggested that if the applicant is not prepared by the deadline of two days before the meeting, the proposal can go on the agenda as a conceptual discussion and not a COA.

Mr. Colby said he has enough information as to what everyone is envisioning in terms of updating documents and we will keep this item on the agenda as an ongoing project.

**b. Mobile Tour App Project**

Ms. Malay said they are not sure if the Heritage Center is moving forward with a mobile app. Mr. Colby said the project is still in the budget request but it cannot really be spent at this point. He said the money can possibly be carried over at the end of the budget year.

**c. Landmarks research**

There were no updates.

**9. Announcements: Historic Preservation Commission meeting Wednesday, September 16, 2015 at 7:00 P.M. in the Committee Room.**

**10. Adjournment**

With no further business to discuss, the meeting adjourned at 8:10 p.m.