

**MINUTES  
CITY OF ST. CHARLES  
HISTORIC PRESERVATION COMMISSION  
WEDNESDAY, APRIL 1, 2015  
COUNCIL CHAMBERS**

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

**Members Absent:** Norris

**Also Present:** Russell Colby, Planning Division Manager  
Meagan Moreira, Recording Admin. Asst.

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**1. Call to order**

Chairman Smunt called the meeting to order at 7:04 p.m.

**2. Roll call**

Chairman Smunt called roll with 6 members present. There was a quorum.

**3. Approval of the agenda**

Ms. Malay suggested discussing election of officers under additional business.

**4. Presentation of minutes of the March 4, 2015 meeting**

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

**PUBLIC HEARING**

**5. Eligibility of Property for Landmark Designation: Camp Kane & Jones Law Office, northeast corner of Riverside Ave. & Devereaux Way (City of St. Charles).**

Ms. Malay and Mr. Bobowiec recused themselves due to their membership on the board for the Camp Kane Heritage foundation. Chairman Smunt stated there was still a quorum present for voting, so the Commission can proceed with the public hearing.

Chairman Smunt listed criteria for landmark designation of Camp Kane as a Civil War training ground for the 8<sup>th</sup> and 17<sup>th</sup> Illinois Cavalries:

1. Has character, interest or value which is part of the development, heritage or cultural character of the community, county, state or nation.
2. Is the site of a significant local, county, state or national event.
3. Is identified with a person who significantly contributed to the development of the community, county, state or nation.
4. Has a unique location or physical characteristics that make it a familiar visual feature of the community.

5. Is suitable for preservation or restoration.

Ms. Malay commented that a note should be added to #3 regarding the significance of the 8<sup>th</sup> Illinois Cavalry. Chairman Smunt said that could be discussed after public comment when the Commission add ant addendums to the nomination.

Scott Corbin-217 W. Main St.-owner of new guitar store “The Jank”-said he met Ms. Malay during his sign approval process, where he stated that he would like to be involved with this particular project because he is from St. Charles and loves the history and he is fascinated and excited to be part of something to bring more history, culture, events, excitement and intrigue to the already great place of St. Charles.

Bob Johnson-34W254 Sunset Dr. Batavia-President of the 8<sup>th</sup> Illinois Cavalry reenactors-said that the 8<sup>th</sup> Illinois Cavalry was reactivated by Governor Dan Walker to bring about the history that the cavalry has served within the army of the Potomac and was the only cavalry unit that served a full 5 year term. They fought in 11 major engagements and were at White Oak Swamp, Fair Oaks, Yellow Tavern, both battles of Winchester, Antietam, Fredericksburg and most notably, the first shooting troops on Gettysburg. He said they participated in the hunt for John Wilkes Booth and served as Lincoln’s Honor Guard for his funeral and it is amazing as what these 1,164 men, 85 of which were from St. Charles, what they accomplished in the American Civil War. He said these were men from all walks of life who decided that keeping the union together was a worthwhile goal and they would give their lives if that’s what it took. He said we are proud to keep that heritage alive and would love to see Camp Kane go back to being Camp Kane to honor these men and they would like to see this continue to develop into a park that can be a terrific southern gateway to St. Charles history and he asks that the City seriously consider landmarking this field of honor. Ms. Malay added that she knows that Mr. Johnson’s organization is very excited about this and they feel a lot of wrongs have been righted by doing this.

Pat Pretz-214 Chestnut Ave.-asked if Camp Kane had not been previously designated as a landmark; there were signs noting that it is Camp Kane, and she feels that the little bit of research she has tried to do on Camp Kane and Farnsworth, there just isn’t a lot she has been able to readily find, and she would love to see someone such as Adam Gibbons funded to do some real research. Ms. Malay asked what research she was looking for because there has been a lot of information presented regarding Camp Kane. Ms. Pretz said when she goes to the resources, there is some information, but she feels the project deserves knowing what the scope is as far as what are we trying to do here; layout a campsite as it was, or are we trying to do a little bit of all of it, including Camp Kane and Farnsworth. She said she feels research is where you begin before you start down the road of deciding what is to be included on the site; she is in favor of landmarking it and moving down that road, but feels the research is missing. Ms. Malay said what the plan is down the road for the camp is not at question tonight; it is just the landmark status and whether or not we move forward, and as far as the plan afterwards, the Commission will discuss that at a later date. Ms. Pretz asked why not the plan before the landmarking. Ms. Malay said they would landmark any house that is significant that had an application come in.

Ms. Pretz asked if they know where the tents and camp were. Ms. Malay said yes, they have a pretty good idea of where that was. Mr. Nelson said there is a book by Abner Hart, who was a medical officer, and he spent quite a bit of time on the layout of Camp Kane; as far as pictures available, there is 1 that shows tents by the river before R. 25 was there, but other than that it’s difficult to find pictures that have survived 150 years. Ms. Pretz asked if there was a map of the camp. Mr. Nelson said they have yet to find one, but he plans to go to the Smithsonian and the Library of Congress when he is in Washington in a couple weeks for the 150<sup>th</sup> Grand Procession; but so far nothing, they just know that the camp was there. Ms. Malay said the key thing is that the picture does show that the tents were down by the river and that area that is now still remaining of it obviously was the main location of where the tents were set up. Ms.

## Historic Preservation Commission

Minutes – April 1, 2015

Page 3

Pretz said but she has never seen it staked out; or a true designation of it, and that's where she feels the research would have come in handy to know exactly where we are talking here. Mr. Nelson said we as a unit have very thoroughly tried to research every inch of history on this and their ultimate goal is to portray it as accurately as they possibly can; they know the camp was there, but as far as finding documentation as to what it looked like, it's been a ghost hunt. He said they do know that most of the regimental history was lost with the steam ship bringing the records back from Washington D.C. at the end of the war; it sunk in the Ohio River.

Chairman Smunt asked if a copy of the book by Abner Hart could be made available to the St. Charles Public Library for people to reference. Mr. Nelson said it is hard to find. Ms. Malay said she had a copy if anyone would like to look at it. Mr. Nelson said he is sure the library could find a copy of it for their archives; and he will confer with one of their former officers who may also have a copy. Ms. Malay said she also wanted to acknowledge that there was a letter written around the 50's by VFW members who acknowledged that was Camp Kane and what is being proposed is actually a lot of what they talked about doing back then. She noted that this is all we have left of Camp Kane regardless of where things were set; this is the last piece and it should be preserved. Mr. Nelson said they know beyond a reasonable doubt that the camp was there; how it was laid out is the question. Ms. Pretz said that is her point; she feels it deserves professional research to be professionally done; she appreciates the efforts done to do this but she really thinks there should be a plan to unveil before deciding on the land. Mr. Nelson said he has seen copies of Abner Hart book on Amazon. Ms. Pretz said there could be information out there that we are not even aware of.

Mr. Gibson asked why these efforts are being made just now in 2015 and wanted to know if there had been earlier efforts. Mr. Nelson said this effort with the 8<sup>th</sup> Illinois has been going on for close to 25 years and thanks to Ms. Malay's leadership we are finally seeing headway and they are going full force.

Mr. Dan Gravis-26W420 Prairie Ave., Winfield, said there is information at the history center for Camp Kane, Farnsworth and Steven Jones and you can get a pretty good idea of where the camp was. He said there have been 3 or 4 attempts, with the earliest being in 1925.

Mr. Gibson asked if this is made a landmark in haste, is there anything that would then preclude from us modifying down the road due to additional information being found to add additional things. He said in other words, do we cheapen it somehow, or do we somehow close doors down the road. Ms. Pretz said in working at it all these years, and now she sees trees being planted there and the law office has been moved, and she wants to know what's the grand scheme of where everything would be. She said she thought Camp Kane was already designated as a land and even though it's not officially been landmarked, it has been set aside all these years; no one has done anything with it. Mr. Gibson said if we do nothing today it's still unlandmarked and if we do landmark it, are we not landmarking enough, and could we have to go back and modify it later, and if that's the case then more research has to be continued.

Ms. Pretz asked if the trees being planted are part of the land that would be landmarked for Camp Kane. Ms. Malay said the trees that have been planted will be moved to be made part of the wooded area hopefully within the next few months. Mr. Nelson said those were planted without their knowledge. Ms. Pretz said if there were a plan it could have been marked, but right now we are not really sure where it is, or how much land is required for Camp Kane. Ms. Malay said that was the game plan. Ms. Pretz said it's been 25 years and we still don't know where it is and still have not researched to kind of guess where it might be. Mr. Bobowiec said even scarier, our previous Mayor had that property up for sale to sell it off for development to put condos on the river and Camp Kane would have been lost forever. Ms. Pretz said don't get her wrong, she is all for it; she would just like it legitimate, as close to what it should be, and what it was, as possible.

Chairman Smunt said he wanted to be sure everyone had an opportunity to mention their concerns and get their questions answered before moving on to the second item of the public hearing; the Jones Law Office. He then listed the criteria of significance:

1. Has character, interest or value which is part of the development, heritage or cultural character of the community, county, state or nation.
2. Is identified with a person who significantly contributed to the development of the community, county, state or nation.
3. Is suitable for preservation or restoration.

Chairman Smunt said the structure was in Langum Park and would be a stand-alone landmark and a component on the Camp Kane site.

Mr. Pretz noted that on the page where credit is given in the notes on Stevens S. Jones that Adam E. Gibbons is part of Perservation Partners of the Fox Valley.

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

### MEETING

#### **6. Eligibility of Property for Landmark Designation: Camp Kane, northeast corner of Riverside Ave. & Devereaux Way (City of St. Charles).**

Chairman Smunt said that Ms. Malay brought an issue up to him regarding the resolution item #3, which discusses the prominence of John Farnsworth, because the property is identified with a person who significantly contributed to the development of the community, county, state or nation. Ms. Malay mentioned the significance of the 8<sup>th</sup> Illinois cavalry as people/soldiers as a regiment and he thinks most appropriately, since it's not one individual but a group, that he would request that some additional information be added to the resolution. He said he does think that Mr. Nelson's points of engagements and 5-years of service should be added. Mr. Nelson also added that when the 8<sup>th</sup> Illinois was detached in 1864 from Potomac, their job was to capture John Mosby and the black horse cavalry, and they did; they didn't realize they had him, and they let him go. He said after the war Mosby was asked if it were true that all union cavalry were cowards and he said yes to most except for the 8<sup>th</sup> Illinois Cavalry; they were the finest in the army of the Potomac; and he thinks that should be added in the material as well. Chairman Smunt said Mr. Nelson's public comments have been recorded and that is certainly something that can be agreed upon via motion to amend the resolution. Mr. Pretz said he understands mentioning the highlighted engagements etc. but he thinks there is adequate information for the resolution and enough historical tied to the 8<sup>th</sup> itself. Chairman Smunt said in other words in the application itself there is much more in detailed description that does discuss battles etc. Mr. Colby said that information is also under item #2. Chairman Smunt said there was just some concern that needed to be clarified and he just thought if there were additional information needed for the resolution, it should go in #1 or #2 and not to the Farnsworth site. Mr. Pretz said in his opinion there is more than enough there.

Mr. Gibson said he is stunned to be sitting here in 2015 looking at this property and realizing that there hasn't been previous action to somehow set this property apart and make something that would be obvious to us today and he is personally honored to have the ability to actually act on this today.

Mr. Nelson said no disrespect, but his question was always what Mayor Langum did for St. Charles outweighing what this regiment did for the nation.

Ms. Malay said unfortunately our Underground Railroad and Civil War history has not been really brought up; it's not a main topic, and she thinks this kind of got lost along the way. Mr. Nelson said he thinks a lot of what came out was because of the attention that the 150<sup>th</sup> anniversary brought; it's been 5 years since the 150<sup>th</sup> and because it's been on the news everybody is aware. Mr. Withey thinks another reason it's coming out today is because in the past there really weren't any mechanisms such as a Historic Preservation Commission or other items to focus on and then go forward; and going back that may be why it was pushed aside. Ms. Malay said it's amazing that the City Council didn't even realize the history.

Chairman Smunt added that any landmark designation can be amended with any new additional findings etc. Nothing is set in stone.

**Mr. Gibson made a motion to move recommend to the City Council landmark designation for Camp Kane and the Jones Law Office, per the criteria presented with the application. Seconded by Mr. Withey.**

**Roll Call:**

**Bobowiec: Abstain**

**Malay: Abstain**

**Gibson: Aye**

**Norris: Absent**

**Pretz: Aye**

**Withey: Aye**

**Smunt: Aye**

**Motion passes. 4-0**

Mr. Colby said that he would be presenting the Commission's finding to the City Council at the April 13, 2015 Planning & Development Committee, which is public meeting.

A resident in attendance asked if being historically landmarked means that the city is obligated to do something with it or does it mean no one else can touch it. The Commission explained that it protects the property and there is an ordinance that has certain criteria that requires a review and permitting process to change a structure or boundary.

Resident asked if this would be a city landmark or does it go to the state or federal level. Chairman Smunt said city; but it could be nominated to the National Register of Historic Places and also the state. Ms. Malay said the local ordinance has more teeth than anything.

Mr. Nelson noted that they would be doing their spring drill May 9, 2015.

**7. COA: 9 S. 3<sup>rd</sup> St.**

Mr. Colby said the Commission discussed this project on a couple of occasions; once as a primary review and then as a COA request. He said a revised proposal dated March 30, 2015 has been received from the owner, Oleg Shulzhenko, of 301 and 305 West Main St and he is requesting the Commission to take action on the proposal as its written. He said Mr. Shulzhenko did not plan to attend the meeting and was not there that evening; he believes he will also intends to not provide any additional information other than what he has already provided.

Mr. Colby confirmed to Ms. Malay that Mr. Shulzhenko did inquire about the penalties for demolishing a structure without a building permit.

Chairman Smunt said he recommends that the commission opposes the COA as presented and he read his list of concerns and findings:

1. There is no guarantee that the applicant will make any earnest effort to move the building and by default would be to demolition.
2. There is no contractual agreement to relocate the structure between a-the applicant, b-the current owner of the donating property and c-the owner of the recipient property-Mr. Larson.
3. Demolition of an architecturally contributing structure is in violation of section 17.32.080.G, COA criteria, part 3, Secretary of Interior Standards for Rehabilitation, (A): *Every reasonable effort shall be made to provide a compatible use for a property that requires minimal change of the defining characteristics of the building structure or the site and its environment or to the use of the property for its originally intended purpose;* (B): *The distinguishing original qualities or historic character of a building, structure or site in its environment shall be retained and preserved; the removal or alteration of any historic materials or distinctive architectural features should be avoided when possible;* and (E) *Distinctive stylistic features, finishes, construction techniques or examples of skilled craftsmanship which characterize the building structure or site shall be preserved.* He said so certainly demolishing the building would violate those guidelines; moving the building can actually maintain most of the guidelines except its original environment; but he is proposing ultimately a demolition and default it could ultimately be that way. He said if the Commission does move forward to not approve the COA we can give the applicant an opportunity to modify his proposal and come back with signed agreements and contracts, or he may choose to not come back; in which case the Commission would then have to then move to not approve and this would then go to City Council with the findings from the Historic Commission.

Mr. Pretz thought Chairman Smunt's list was well done and he agrees that with the application as presented, we are not saying we are not approving the COA but are not disapproving either; we are just saying that we cannot support or are opposed to his specific language and therefore it's still on the table. Chairman Smunt said it is being opposed as proposed and Commission can tell him what they feel needs to be done to modify for approval; meaning signed contracts and agreements and some type of commitment from both property owners, because Mr. Shulzhenko is not the property owner.

Mr. Colby said if this item were to be tabled and the Commission specifically requests to have it listed on the next agenda, it would be listed whether Mr. Shulzhenko responds or not. Mr. Pretz said he would like to make sure every avenue is open to the applicant and allow enough time for frustration to exit and then come back to a solid business decision. Chairman Smunt said the Commission needs to show City Council that we have made every effort to find common ground here and move forward.

Ms. Malay said the Mayor personally asked her what had happened and he is obviously looking for working together on this but she said the one thing she stressed to him was that a teardown has never been allowed to happen without knowing what is going in its place; there are no plans, not even on the move. She said she feels that for Commission to make a decision like that there needs to be some information and she thinks they should table it until that happens. Mr. Bobowiec said furthermore, Mr. Colby has been informed that the current owner is getting an insurance check for the damage from the supposed

water pipe leak and they plan to repair that. Mr. Pretz said but we don't know that. Ms. Malay said if we are seriously going to look at a teardown, than there should be a structural report or something from the Building Dept. stating that teardown is justifiable. Mr. Pretz said he had difficulty at previous meeting with the 606 Cedar St. property because the applicant was not the owner of the property so there was no COA; but now we have this scenario, and Mr. Shulzhenko is not the owner, but he has hopes to buy the property. Mr. Colby said Mr. Shulzhenko has represented that he has it under contract to purchase. Mr. Pretz said but he is still not the owner.

Mr. Gibson said in all his time on the Historic Commission that this is probably the weakest COA that he has looked at and probably the one that he is least inclined to have anything positive to say about. He said first off, the man does not own the property currently; he has a contingency based on his ability to basically get rid of this building; so there is nothing else that works for him. He said in regard to it being turned into a façade and using it at some point on the property, there's no benefit to the city that he can see other than creating this outdoor beer garden, which will literally be off of Main St. down 3<sup>rd</sup> St. behind the existing building by about 150 ft., so it doesn't even necessarily add to the aesthetics of Main St. in any way; but it would maybe drag the retail down that street. He said if there were a true plan for what would be done after demo and we had an idea of what the condition of the existing building was, and if he were Eric Larson and someone asked him to take a building and then say, "they're going to knock it because it's not able to be rehabilitated", there's not much to sell there. He said we are pretty much guaranteeing when we approve the COA that says "to be moved or demolished" and that's what he sees in the COA; and he doesn't think those are the only 2 options at this point; if Mr. Shulzhenko doesn't buy the property the next person that buys it may think it's the perfect place to open a flower shop or something.

Ms. Malay said brought up some questions to Mr. Colby about the viability of the outdoor dining because once that house is down it is basically adjoining Lazarus House so there will be noise issues and she questions whether they would even be able to use that property in that manner. Mr. Pretz said yes, if it's within the zoning. Ms. Malay said but there's the noise abatement that could become an issue. Mr. Pretz said he understands that, however the ordinance controls and that is a city issue in governing as it relates to the neighbors. Mr. Bobowiec said would we ever want to allow a teardown without knowing and tear down a building for nothing. Mr. Pretz said the zoning is outside this Commission's scope.

Mr. Withey asked if there would be any advantage, and maybe it's just fair, to deny this right now instead of waiting a week and just go from there. Mr. Pretz said we cannot speak for him. Chairman Smunt said the Commission can request that Mr. Shulzhenko come in with signed contracts of who is taking the building; otherwise he just claims he is going to move it and then does nothing.

Mr. Pretz said he thinks Chairman Smunt's concerns and findings are very good at laying out the rationale of why the Commission cannot accept this in this written form; which leaves it in play with plenty of information there for Mr. Shulzhenko to come back.

**Ms. Malay made a motion to table this item based upon the criteria and findings stated by Chairman Smunt and additional information being needed. Seconded by Mr. Withey with a unanimous voice vote to table the item.**

Chairman Smunt said we would like to work to move this building, but need a much stronger agreement.

Ms. Malay asked if they could add that there needs to be some type of report. Mr. Bobowiec said if he pushes for a demolition he will need to prove why it needs to be done. Chairman Smunt said as far as he can tell there is no exterior damage. Ms. Malay said if we go to court on this or something happens a written report would back us up. Chairman Smunt said that would have to be on his burden, but he has proposed the relocation first; so let's push that and get more information and signed documents; and that's if City Council will support us. He said we are showing good faith and if he doesn't come back with that, then we ask, is that the type of business person the city wants to deal with.

Ms. Malay asked if that demolition still needs to be addressed because it is in the request. Mr. Colby said it depends on if Mr. Shulzhenko is using the condition of the building as his justification for requesting the demolition; because if Mr. Shulzhenko says that based on the criteria, because of its condition, that the building requires demolition and cannot be rehabbed, then it would be necessary for him to document that. He said that Mr. Shulzhenko has not said thus far that the building is structurally compromised other than the water damage. Mr. Bobowiec said he made it sound like it was in horrific shape. Ms. Malay said she just wants some backup or documentation from the Building Dept. Mr. Colby said he would try to get some information to substantiate what the condition is; but he doesn't think the Commission can require Mr. Shulzhenko to submit a report based on his current proposal.

Mr. Bobowiec asked if the current owners have filed for a building permit to do the repairs, which is further proof the house is not in bad shape, because they will have to give back the insurance check if they don't fix it. Mr. Colby will check into this.

Ms. Malay said she agrees that they should push for relocation more than anything, but because his request is for demolition after 3 months; we still have to acknowledge that demolition. Chairman Smunt said we can ask him to modify his proposal to be for relocation only, because we will not support a combination, and we are opposed to his proposal to no contingency for demolition, which is separate issue. He suggested separating the two requests.

## **8. Additional Business**

### **a. Mobile Tour App Project**

Mr. Pretz described plaques posted in St. Augustine, Florida for self-guided tours that will take you through the history of civil rights within the city. He said Northrop Gurmman is the sponsor who donated all these signs and there is an audio dial up that guides to each house.

Chairman Smunt said he is hoping to get Mr. Gibson and executive director of the Heritage Center together to develop from the documentation because the library has already done a very thorough job including the city's documentation.

### **b. Landmarks research-no additional information.**

**c. Election of officers-May 6, 2015.** Chairman Smunt said next year's Work Plan should be to finish the research and landmark applications, work on the mobile app, and come up with a land use plan for Camp Kane.

Mr. Bobowiec asked what was going on with the catalog houses. Mr. Colby said all the information is compiled and assembled; the next step would be to follow up again with the homeowner to get my information to verify. Mr. Bobowiec asked if that compiled information could be turned into some sort of a pamphlet on catalog homes. Mr. Colby said yes, but there are only a limited number that actually have documentation to prove that. Mr. Pretz said for those that could be, but there's not documentation to support it, could it be more of a "suspected home" or required additional research status. Chairman Smunt said we could get some sort of published form and get it out to city, library and Heritage Center.

**9. Announcements: Historic Preservation Commission meeting Wednesday, April 15, 2015 at 7:00 P.M. in the Committee Room.**

**10. Adjournment**

With no further business to discuss, the meeting adjourned at 8:18 p.m.