



MINUTES OF THE LANDMARKS COMMISSION

WEDNESDAY, NOVEMBER 17, 2021, 4:30 PM
Virtual Meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains documents which provide call in information and instructions for the Zoom meeting.

B. ROLL CALL.

I. Members: Chair Paul Martzke, Vice Chair Ron Dehn, Ald. Mark Steuer, Ian Griffiths, Susan Ley, David Siegel, and Rebecca Derenne

Present: Mark Steuer, Paul Martzke, David Siegel, Rebecca Derenne, Ian Griffiths, Excused: Ron Dehn, Susan Ley

C. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the November 17, 2021, meeting of the Landmarks Commission.

Moved by Ald. Mark Steuer, seconded by David Siegel to approve the agenda. Motion Passed.
Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain- None.

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the October 20, 2021, meeting of the Landmarks Commission.

Moved by Paul Martzke, seconded by Ian Griffiths to approve the minutes from the October 20, 2021 meeting. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain- None.

2. Approval of the minutes from the November 1, 2021, special meeting of the Landmarks Commission

Moved by Ald. Mark Steuer, seconded by Paul Martzke to approve the minutes from the Nov 1, 2021 meeting. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

E. REGULAR BUSINESS.

1. Election of Officers.

Moved by Paul Martzke, seconded by Ald. Mark Steuer to elect Ron Dehn as chairperson. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

Moved by Ian Griffiths, seconded by Ald. Mark Steuer to elect Paul Martzke as vice chairperson. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

2. (COA 21-14) Consideration with possible action on a design review for already-installed front porch railings located at 736 S. Jefferson Street.

Moved by Paul Martzke, seconded by Ian Griffiths to approve the installed front porch railing . Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

3. (COA 21-31) Consideration with possible action on a design review for door and window replacements located at 840 S. Jefferson Street.

Moved by Ald. Mark Steuer, seconded by Paul Martzke to open the floor. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

Moved by David Siegel, seconded by Ald. Mark Steuer to close the floor. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

Moved by David Siegel, seconded by Rebecca Derenne to approve the door and window replacements as proposed. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

4. (COA 21-35) Consideration with possible action on a design review for an already-installed upper

deck located at 137 N. Oakland Avenue.

Moved by Ald. Mark Steuer, seconded by Rebecca Derenne to deny the COA per ordinance 44-1552(2)(g)(2), raze the already installed upper deck and submit a new design with a COA. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

F. INFORMATIONAL.

1. Staff-Level COA Applications.

2. Review City Raze/Repair Orders and Demolitions.

3. Staff Update.

4. Date of next meeting: Wednesday, December 15, 2021.

G. ADJOURNMENT.

Moved by Ald. Mark Steuer, seconded by Ian Griffiths to adjourn. Motion Passed.

Yes- David Siegel, Ian Griffiths, Paul Martzke, Mark Steuer, Rebecca Derenne, No- None, Abstain-None.

VERBATIM MINUTES

- The one, we will call to order the Wednesday, November 17th, 2021 meeting of the Landmarks Commission. We will start with the role Alderman Steuer?

- I am here.

- Ian?

- Here.

- David?

- Present.

- And Rebecca.

- Here.

- And Ron and Susan are absent. So we do have a quorum for tonight's meeting. Next item on the agenda is item C, the approval of the agenda for the meeting. Does anybody have any comments, corrections, or changes they'd like made?

- Motion to approve.

- I'll second that.

- All in favor.

- Aye. Aye.

- Any opposed? Approval agenda motion carries. Next item is item D, approval of the minutes. There are two sets of minutes that we have to approve tonight. The first set is for the regular scheduled October 20th, 2021 meeting in the Landmarks Commission. Any comments, corrections, or changes for those meeting minutes? I'll make a motion to approve.

- Second.

- All in favor?

- Aye.

- Any opposed? Motion carries. Second set of minutes are the approval of the minutes from the special meeting of the Landmarks Commission that took place on November 1st, 2021. Changes to those minutes?

- Motion to approve.

- I'll second.

- All in favor?

- Aye.

- Any opposed? Motion carries. On to item E, regular business. Item E, one is the election of officers to the Landmarks Commission. Stephanie, do you want to walk us through the procedural steps for this?

- Sure. It's fairly similar to doing any sort of regular business. So you'll make a motion for a nomination, that needs a second, and then you vote on that nomination. So after the first call for nominations, you have to ask three times to make sure that all nominations are heard. Same for the vice chair role. There was no secretary for this commission. So it's just those two roles chair, vice chair.

- Stephanie, just to make sure anyone who's employed by the city cannot be either position. Is that correct?

- Yes. Employed or elected. So Mark is ineligible for those positions.

- I mean, thank you.

- Tragically so am I.

- Ugh, close.

- So I think this will be fairly simple then, but I would make a motion to nominate Ron for chairperson.

- I would second that.

- Any discussion on that?

- I concur.
- I would add that Ron has said that he was interested in accepting the position hence my nomination.
- Do we have to say it three times? I don't know.
- Yes. Two more asks for nominations, and then you can vote if there are no other nominations.
- Okay. Are there any other nominations for chairperson? And again, are there any other nominations for chairperson of the Landmarks Commission? Hearing none, I guess I would call for a voice vote on electing Ron Dane as chairperson of the Landmarks Commission. Alderman Steuer?
- Aye.
- Rebecca.
- Yes.
- Ian?
- Yes.
- And I would also vote yes. So that motion carries.
- I'll vote yes, too.
- Oh, I'm sorry, David.
- Oh, he's going to write something bad about you in his book. [laughing]
- But I heard that you also voted yes, so the motion carries unanimously. Second item then would be to nominate a vice chairperson.
- I would nominate Paul Martzke to the vice-chair position.
- I second that.
- Any discussion regarding that nomination? Then, did you say we need to call for that nomination again?
- Yes.
- So are there any other nominees for vice chairperson? Hearing none. Are there any other last chance nominees for vice chairperson? If I had any guts at all, I'd be nominating Ian. [laughing]
- That'll be in the book.
- Yeah.
- Well, we'll call for a vote on that. Alderman Steuer?
- Aye.
- Rebecca?

- Yes.

- David.

- Yes.

- Ian.

- Yes.

- And I'll also vote yes.

- Excellent.

- Motion carried. So going forward, our new chairperson will be Ron Dane, Paul Martzke will be vice chair. As Ron is absent tonight, I will continue on, leading the meeting. And so that will take us to item E two, certificate of appropriateness 21 dash 14, consideration and possible action on the design review for already installed front porch railings located at 736 South Jefferson Street. Jason, would you like to give us the staff background on this?

- Yes. This should be largely procedural. We received a staff level COA request for new concrete steps at 736 South Jefferson Street. So you see the map there and the top picture you see the way it used to appear. And then below the way it appears now. We approved the replacement of the concrete steps and noted that any replacement of the railings, newels, spindles had to be subject of a separate COA. So per the ordinance staff has the authority to approve things like kind for kind porch steps. And these are basically identical, but we don't have the approval to, or the authority to approve new designs of newels and spindles and the like. So here on the slide, you see the letter that was sent, we approved the steps, we noted that new railings would have to be subject of a separate COA. They weren't included in the original COA, so they weren't addressed. Anyway, little time has passed. We see that new railings have been installed, specifically in contradiction to the COA approval letter that was sent. So it's come back to the Landmarks Commission for approval of the railings as you see them here. Staff recommendation is to approve them. That was in your packets. By approving them, we bring everything into agreement with our local ordinance. That'll be good, so, thank you.

- So, Jason, I'm sorry. Thank you, Chair. Is the owner, I mean, obviously the owner put this in. He received a letter and then put in the railing afterwards, or is there any idea when the time frame was that he did that?

- So, in loose terms the picture at the top, right, suggests how it appeared day one. The owner submitted a COA application, they got the letter that you see on the left, and then they did the work and that's what you see at the bottom right, but they disregarded the whole thing in the letter about new railings needing to be approved separately.

- [Stephanie] This was brought to our attention from our inspection division.

- It sounds like there's a little bit of ignorance on that end of things. I'm inclined to deny, but you know, to let her know what our call would be on something like that, but you know, they were supposed to replace in kind, correct?

- Yes. An in-kind replacement would not have been an improvement over what they chose.

- No, right.

- So that's why I am kind of presenting this to you as a procedural thing where oops, they either willfully ignored it or didn't read the letter carefully enough. And we are where we are today with the new railings. So.

- Question for you regarding the old railings, was there any historical integrity to what was there?

- No. There was no historic value or integrity to what was there.

- So fair enough to say no historic loss. And we likely would have just approved this if they had brought it to us and the proper procedural steps?

- To speculate, I would imagine that the Landmarks Commission would have approved the railings that are currently there, had they been presented as part of the original COA application.

- Yep.

- I guess I would make a motion to approve this.

- I would second that.

- Any further discussion? Hearing none, all in favor?

- Aye.

- Any opposed? Motion carries. Next item is item E three, certificate of appropriateness 21 dash 31 consideration and possible action on a design review for door and window replacements located at 840 South Jefferson Street. Jason?

- So this is part of a fairly extensive remodel focusing primarily on the interior, but there are five aspects of this COA application that impact the exterior of the house. So you saw the map, you saw the house. In brief, these five things are as follows. Don't get too wrapped up on memorizing them. I break it down one at a time on the following slides, but there's some dining room windows, a bathroom window, sliding door on the back, new casement window, and new siding. So to break those down and detail, the next slide, the dining room has a pair of windows and a little oriel bump out. And the COA application calls for replacing these two windows with some six over six windows from Pella, I think it was. The new windows will match most of the new windows that have already been installed previous to the Landmarks Commission having the approval authority that it has now. I don't really see any issue with these, except to get into the nit-pickiness of the way the grille looks. And I'll get into that a little bit later. You know, there's the grille on the outside, the grille on the inside and, as speckled by Pella, there's nothing between the panes of glass, but there should be. So keep that in mind. Second thing on the back of the house, there is a window replacement for the upstairs bathroom. So in the picture at bottom left, I've kind of drawn a yellow square around the entirety of that window. I'm catching some siding. The homeowner had purchased a new window for this back in I think 2008, would like to finally install it. You can see the purchased window in the photo at the bottom right. It's a six over six type. It's narrower than the current window, the current window being circa 1958, which was wider than the original window. So here, the narrower window will replace this wider window. The new window will kind of, if you look at it, be towards the left side and on the right side towards that, apparently it's a thing, a jump porch door, which I learned about today. They'll put in new siding, kind of blend it in, make it look all nicey-nice. That's the extent of item number two. Moving on item number three, downstairs, the larger gold box that I've drawn shows where this sliding 1970s patio door is. And it's a little bit hidden because I think there's kind of an antique stove or something in the way there. The other smaller rectangle that I've drawn, so we're pulling out that sliding door, that patio door and putting in a one-width person door. I've kind of illustrated relatively speaking, where that one-width person door will go. It's a little bit to the side of the sliding door. Apparently though, the extant framing, if you do the structural archeology, suggests that that's where the door used to be. The new door, homeowner is looking for a door that matches the one on the front of the house, you know,

end of the story here. I think this is an appropriate change. So moving on to number four. Again, you see the big box showing the sliding patio door, the smaller vertical rectangle where the new door will go. And then this yet smaller rectangle shows where a new window is going to go. And that's another Pella window. These are casement windows. Again, I have that issue with the, with the grille work, minor issue. There should be a grille in between the panes of glass as well. So putting in a new window where that sliding door is. And then if we go to the next, number five, below that casement window, roughly speaking, is where new siding is going to go. Again, that's wood clapboard siding to match the existing siding on the house. So moving ahead to the next slide, the recommendation from staff is to approve as presented with the exception of specifying ILT grilles, I forget what it stands for, in lieu of the simulated divided-light grilles, the ILT has the actual grid work between the panes of glass in addition to on the exterior and the interior faces. And then just a casual note, SHPO requires a visual light transmittance of 72 or higher. I advised you last month, not to get too wrapped up on this. I advise you the same again here, but I have to point out that the VLT rating for the proposed replacement windows are 50 and 47, not 72. I honestly don't know if Pella would offer a 72 or higher in this case. I'm not going to say that you should fight for 72, but SHPO has a requirement. So I stated here, thank you.

- Okay, discussion?

- Jason, is it reasonable to say that this proposed work, the historic integrity that was altered and approximately the fifties?

- So in the absence of any photograph documentation of the original condition of the house, all of these changes appear to be sympathetic to the historic integrity of the home. And in my opinion would be improvements over the 1950s through '70s changes that had been made earlier. If you want to get really nit-picky, I don't know that six over six windows were an authentic choice, but a lot of the windows have already been replaced with that style. So might as well commit to it. I don't know if the originals were probably two over twos or one over ones, but that's okay.

- Particularly I was thinking the patio window or the patio door rather, and returning to a single pass through is restoring what it likely would have looked like. Would you concur with that?

- I would concur with that. I think Jason's right. I think this is, it's all heading in the right direction on all of this. Honestly, I have no concern on this one.

- The owner is here and if you want to hear from her, I would make a motion from the floor.

- I'll second that.

- All in favor?

- Aye.

- Any opposed? Okay. Mark, or Alderman Steuer, did you have anything?

- Yeah. Hello, Jacqueline. It's been awhile. Anyway, you know, we're just looking at it and we're just wondering, you know, Jason, Mr. Jason Flatt brought up the fact about the 72 versus the 50 and 47. You heard that with the window? Was there anything in your research that found that you could bring it up higher or, or not? What was your experience?

- Yeah. When, in terms of, of that, when I talked to Pella, this is what they could give me. So, I mean, in that respect, it was just kind of, this is your choice, unfortunately.

- Yeah. So there really aren't a lot of alternatives, other window companies, anything that gets into it? Cause it sounds like SHPO is asking for one thing, but there just isn't the resource there, so to speak.

- Right. And you know, and I have to, I have looked at other ones. So far I don't have more information and to be absolutely honest, I didn't realize I needed to get approval to replace the windows. And I clearly have made that adjustment. So windows are ordered, I can make changes to that order, but I'm not sure that I can completely cancel the order without forfeiting quite a bit of money.

- Yeah.

- I think the ratio of the shading on the windows is much more applicable if it's a commercial facility. I mean, really what they want is in specifically the downtowns that people can actually see into the shops and see what's happening on inside. And that's where the visible light transmittance is more applicable. I have no concern with that on a residence whatsoever.

- Okay.

- If it was a 5% and it was almost blacked out. That's one thing, but these are not.

- So as far as the siding goes, I mean, it's going to be very similar to what you have right now and how will you you'll splice it in nicely so that it's seamless, or how will that look?

- So you're siding, I had actually done the whole south side of my house in 2008, 2009 using cedar. And what I had done at that time, is I took out necessary boards to make sure that I could, so I wanted to have just a solid, straight line going down. And that's my plan here. I'm assuming there'll probably be some boards that will simply need replacement in the process as well, which will I think help add to the kind of varied areas where that siding is put in, but as of to, you know, all it is is going to be the Cedar siding matching exactly what I have. Same with whole thing.

- Yeah. It'll be nice to do it like that. As you said, Jacqueline with getting the vertical lines, that telltale signs of just only putting in what material is needed. So yeah.

- Well, I'd just like to say, I'm profoundly impressed with the effort to restore the integrity of that building. And I want to commend you with what you're doing. Having said that I'd like to make a motion to approve this COA. Oh, I imagine we have to close the floor first.

- Yes please.

- So I'll make a motion to close the floor.

- I'll second.

- All in favor?

- Aye.

- Any opposed? Okay, David, back to you.

- Now I'll make a motion to approve this COA as submitted.

- Second.

- Any other discussion?

- I concur with David. I think Jacqueline did a nice job with this and this is a fairly visible building when you're driving through the neighborhoods. So, you know, we're proud of that. So thank you.

- Yup.

- I'll just comment that on the issue of the grilles and the windows, Pella's specifications, they have an ILT, which is as close to a true divided-light window, as you can get in today's day and age. And my feelings on it is, it's still not a true divided light, and it's just an aesthetic attempt at it. I don't feel there's a huge difference between that and the windows that are proposed here, that have the simulated divided light. I think this would be a different conversation, if we knew that this residence had all the original windows and we were being taken out and replaced, then I would probably react differently. But I think considering the fact that we don't really know that any of these windows are original to the residence to begin with, and especially with the pattern, I'm fine with the products that have been proposed for the project.

- I concur with this and once more.

- Any other discussion? Okay. We had a motion to approve all in favor?

- Aye.

- Any opposed?

- Motion carries unanimously.

- Thanks, Jacqueline.

- Yes, thank you. Great residence. Next item is item E four, certificate of appropriateness 21 dash 35 consideration with possible action on a design review for an already installed upper deck located at 137 North Oakland Avenue. Jason.

- Hi! Again, here you see on the map at left where the house is, this is part of the Oakland-Dousman Historic District, not Astor. Two pictures on this slide. They repeat on following slides. The one at the top right is a picture of the house as it appeared at time of national register nomination, I think it was 1988. It escapes me now it's in your packet. The one at bottom right is how it looked fairly recently. You see, I want to draw your attention to the second story balcony stuff, just above the porch. So it was different between 1988 and not too long ago. And then I guess the story goes that a storm came through, and there was damage to that balcony and the porch roof. And you can see two photos of that storm damage at left. And as I understand it, the city of Green Bay inspectors advised the homeowner of the requirements that any changes to what had been there needed to have Landmarks Commission approval. And that didn't happen. So, next slide, A little bit of time went by and a new second story porch had been installed. And here are the other photographs at right, again, you see the national register nomination photograph the top right, a repeat of the recent photograph bottom right, and then the center bottom is a detail of how it had recently looked just for comparison's sake with how it looks now. So it'll be a surprise me, I forget what the next slide is. So I took a look at this and went into some detail in your packet materials, but there is preservation brief 45, which deals specifically with porches, you know, appropriate design, especially to adapt it to modern code requirements. So for example, on the left here, you see a picture of railing that's been adapted to be slightly higher, to meet code requirements, all with the blessing of preservation brief 45. At the top right, there's a little black box that say what Secretary of Interior's standards this came from, but this is regarding wood stuff. And with wood stuff, it says new work should match the old in material, design, scale, color, and finish based on photographic documentary or physical evidence. And what you shouldn't do up there, it says use replacement material that does not match the design of the original feature. And at a very high level bottom right, Secretary of the Interior's standards number six, says that if you replace something, it should be substantiated by documentary or physical evidence.

So with all of that in mind, I have a little bit of, well, I have a refresher on the ordinance on the next slide. I remember that much. So we have a by definition issue where work was done without a COA where the homeowner knew that a COA was required. And as best I read this, we need to find some solution that would satisfy the requirements of a COA from the Landmarks Commission. So you can do many things. You can demand that it be torn off and try again. You can demand that the work be modified, or if you're happy with the work as already accomplished, you can issue a COA for what you see in front of you today. Next slide. It's my opinion that the overall design of the current balcony does not conform to the Secretary of the Interior's standards. And it does have a negative impact to the integrity of the historic property. From there, I kind of punt to the Landmarks Commission as to what you want to do. If you agree to issue a COA for the work already done, I would recommend that at a minimum, it be painted as unpainted woodwork on the exterior of this home is noticeably inappropriate. The design, I would say is also inappropriate, but, but I'm not going to go get too hung up on that. So that's what I've got. Thank you.

- Jason, could you establish the year of the railing that was destroyed?

- So I don't want to, I don't want to throw anybody under the bus, but Ian, I reached out to you to see if there were any original plans, you know, data stick number one to one. This is a Burners and [Chauvers?] design.

- [Ian] I did send you those right, Jason?

- Oh, I did not get them. So there's that.

- [Ian] Yep.

- So I don't know if the national register photograph from 1988 reflects that original design. Ian, maybe you can comment on that.

- [Ian] It, the, the original design does not look anything like what is now in this place. The documents that we have, I can't say that I looked at it in enough detail to say whether the nomination status was the original. I don't believe it was. I'd have to go back and look, but I, I completely concur with your assessment that what is now there is completely inappropriate.

- So to interject at a very high level, I want to stress the fact that documentary evidence was available through Burners and [Chauvers?] and their descendants, so to speak. I don't think it would have been terribly difficult to obtain that, and Secretary of the Interior's standards is very clear that where that's available, you should base your new design upon that documentary or physical evidence. So.

- Ian, could you elaborate on what it is about the current design, the repair, that you deem is inappropriate? Just elaborate on that.

- [Ian] Sure. I mean, from what I can see in these photographs, and I'm looking at it on my laptop here, but all those finials and the division of the railing, the four by four posts that come down on the outside of a, some sort of built up framing. I mean, it's, somebody built a deck where that porch was, is what has just happened. That it, yeah. It doesn't look like it belongs and it doesn't.

- So the face mounting of the balusters and the four by four newel post uprights is a very contemporary practice, you know, where you have a balister and you nail it face on, as opposed to, you know, end nailing stuff, which would have been more historically appropriate.

- [Ian?] Yes.

- [Mark?] If this was in the back of the building, would that be as much of a problem because this street, it's on the street, you see it, and I agree, it doesn't look right. You know, it looks like a deck on a house.

- This is very much of a back deck construction technique. That, to be blunt, is wholly inappropriate for a historic house on the front.

- [Mark] Was the owner aware or, you know, I think I asked that question on the other other item. I mean, did the owner to get a letter to the effect that, you know, this is what you need to do. And then they went ahead and did it anyhow? Is that your estimation, Jason?

- Yes. Basically what Stephanie has told me, it was very clear that the owner chose to disregard a letter that was sent, stating that they needed to have a replacement approved by the Landmarks Commission.

- [Mark] So this being a historic district, I mean, that'll take away from the district, in essence. That's one piece of one building, but there's like maybe 20 buildings in that district. And it's pretty obvious what I see. I'm not sure I like it. So, I'm sure there was a cost to the owner to put that in, but, you know, we can, I don't know. I would vote to deny. So unless there's other discussion.

- I would support that.

- Is the owner on this meeting available?

- [Stephanie] No, I don't believe so. They were notified, but I don't see anyone else on except for us.

- So although I have nothing good to say about this, you know, we can look at the ordinance language on that slide. You need to take some action. And I don't know how much you weigh positive public sentiment against, you know, doing what we think is the right thing. It's a pay range, so.

- Well, we're not advisory like we used to be, we're, you know, we're the Landmarks Commission. I think, I think, you know, I feel that it's inappropriate for the building. So.

- I'm also thinking it would be a poor precedent to set, to allow something like this to go forward. Your argument about how it just doesn't match the description of it being a backyard porch on top of a historic building is pretty convincing to me. Frankly, you've changed my mind, and I would advocate requiring its removal because you've convinced me of the position.

- Yeah, it's, I'm trying to find the email that I thought I sent you, Jason, but it's not jumping out at me right now for some reason. But I know I have the set of plans, and I found it within a few minutes of you sending it over. So.

- Was the owner aware of the possibility that these plans existed? I mean, how much is it on the owner versus the city letting them know that yes, there are plans out there that you need to look at.

- I mean the building is listed on the Wisconsin historic [index?] and that can be referenced in that index that way with the architect and probably even references which stick number it came from.

- Okay.

- So I think within about two minutes, a person could have figured it out.

- Mhm.

- It borders on willful ignorance. If you want to call it ignorance at all. I don't know.

- Also just came from our inspection team and when that occurs, they direct them to me to say, look, if you have any further questions, please contact Stephanie. And I haven't heard from the owner, aside from sending emails saying, you need to supply a COA application, but they have not responded to any of those inquiries or asking any of their own.

- What was my original motion? I mean, how would you word that? You know, I mean, I said, I make a motion to deny this or to remove it, raze whatever words, I was in, but I would make a motion to deny or to raze this, I should say.

- If I could make a suggestion along that line, to say require that they raze what's there and then submit a replacement design to the Landmarks Commission before they proceed.

- [Mark] Which they have to do, well, what they should have done.

- Yes.

- [Mark] Well, I can back off and let David do that, or I will just concur with that motion.

- I guess I'd recommend you reference the ordinance number in some fashion or another.

- [Mark] So 44 dash 1552, 2 G, part 2. You can add that in as well. Do I need to spell it. Do I have to say it again?

- [Stephanie] That's fine. We'll word it for you. So, so basically from my perspective, a denial of the COA would require the removal of anything that was already placed there. And the inspection team would work with us on that as well.

- [Ian] Yeah. They have the right to appeal and, and bring that forth the next go around, if they want to do that. But I think again, I know I have the original design for that piece. So we certainly have documentation of what it should look like, and I can share that with the team.

- [Stephanie] The last time we did a denial of a COA, we also were required to work with the applicant, which is part of the language that we have within our municipal code that denied COAs should still be worked with like Landmarks Commission's staff and members of the Landmarks Commission, as they would like to volunteer to make the COA appropriate. So it's not like we just deny them and then are flying in the wind. You know, the denial will come with the recommendations to reach out to BSA and to do all those sorts of things.

- [Mark] So can they say, well, forget it, we're just going to rip it down and not put it back up. I would think that they would have to put up something that was akin to what it was. Correct?

- [Stephanie] Well, technically they would have needed a COA to remove it. So yes, there'd have to be something in its place or some sort of COA filed that the Landmarks Commission would have to approve. They would have needed one to remove it the first place. So something has to be done. They can't just pull it out.

- [Mark] Okay. Well, my original motion stands then.

- If I could add a point of discussion, I'm not an attorney, but looking at this ordinance on your screen, just after the yellow bit, any owner who fails to restore work ... ordered by the LC shall forfeit between a dollar and \$1,000. I'm not entirely certain if that means they could just pay a thousand bucks and life goes on and nothing happens or.

- [Stephanie] Well, with these sorts of applications, we can do, or we have two different fining structures. So we can do the \$50 per day when they're not being compliant. That's on top of the inspection \$50 per day for reinspection fees. And then also just a one-time fee or fine, that can be up to a thousand dollars. So just because they don't do it, doesn't mean they pay a thousand dollars and that's the end of the story. It's \$50 per day until they correct it or get some sort of approval through your body.

- [Mark] Stephanie, I got a quick question about that. So if they, if you meet with the owner and they said, hey, we will do this like in two weeks, are they still \$50 a day until that happens?

- [Stephanie] Legally we can. But we usually don't. It's our department's policy that if you're working with somebody, we don't fine during that time. It's when someone doesn't do the work, is ignoring our requests for work, those sorts of things. That's when we start to accrue those fines.

- [Mark] I'm fine with that. I just don't want to see it all pile up that way where.

- [Stephanie] Right, yeah, we're not trying to bankrupt people here. It's only if they're not responding to our request or giving us any information that we need, that that starts. And we give them plenty of warning ahead of time.

- Okay.

- [Mark] I know they won't be happy about it, but c'est la vie.

- Can I, is it possible that I can share my screen? I have the drawings up for it now.

- Yeah, you should be able to, if you have the option.

- Okay.

- Okay. Are you seeing my screen?

- [Stephanie] Yes.

- [Mark?] Oh, it's beautiful.

- [Ian] So this was the original. It looks like there wasn't access from on the necessarily. So there was a bedroom and there was a balcony on the front, but it doesn't look like there was a windowed or doored access to that. And then from the side, it simply comes out. There's no rail and there's no wood railing. It was part of the stucco of the original house.

- [Mark] That was added in after the plans were already submitted? They put, somebody put that,

- [Ian] Correct.

- [Mark] So it's probably not historic in that sense, nor.

- [Ian] You can see here where my hand runs along, there was obviously a, an opening underneath that stucco wall so any snow, rain would enter onto that and then come out and onto the gutter and down. But this looks like it's been removed in its entirety and rebuilt.

- [Mark] That would be interesting to find out when that might've happened because the home was built when, early 1900s, right? 1910 or so?

- [Ian] These, April 19th, 1911.

- [Mark] 1911? Well that's a concern too, that, you know, you look at the historic plan of the home and then you see the fact that, that the decking, so to speak the second floor deck or porch, wasn't part of the, part of that structure so, does that change the dynamic a little bit, as far as looking at something that's not historic to begin with?

- [Stephanie] I believe it was listed with that, right? With the wood.

- It was listed with a wooden balcony surround, but there's a few stylistic things to note. The one you see here and the one it had in 1988, the emphasis is on the horizontal. So you see it's wider than what was currently there now, or immediately prior. And you see, you know, it's low, whereas what's been constructed is narrower and much taller. Taller, fine, for code reasons, but all of those vertical spindles and newels given emphasis on vertical rather than horizontal, which is, you know, a direct challenge to the historic integrity of the design. So like an appropriate replacement would have been emphasizing the horizontal. And if necessary for height, you put a thin railing above that with some minimalist vertical supports. So.

- [Ian] To be honest, I think if that porch wasn't there and that roof over the porch itself was infilled, it would be less objectionable than what's designed and constructed.

- [Mark] So it was put on the register in 1988 with what was taken down, correct?

- So in 88 it had some wooden stuff that was very horizontal and low. Sometime after '88 that was replaced with something still reasonably horizontal, but it was narrower and taller. And now the newest iteration is equally narrower and perhaps even taller yet with an emphasis on vertical instead of horizontal.

- [Mark] Well, can they be, they can't in a sense, can't be penalized, can they from 1988 on, cause we were in advisory committee until we became the Landmarks Commission. How much of this is grandfathered in? So to speak?

- Well, none of it's grandfathered because it was demolished in a storm. So at that point, Secretary of the Interior's standards say, well, if you're replacing a missing feature, it should be based on the documentary evidence. Here we have the documentary evidence. There's no correlation or relationship between what was built and the documentary way it should have been. So.

- [Mark] Yeah. Interesting.

- Well, my thought along this line about what to do with these folks, is to continue with our motion that Mark made, but to give these folks a chance to do the right thing. It sounds like they were willfully ignorant, but let's give them an opportunity to snap the leash once, share with them what Ian is showing here, that they could truly restore it to its original design. Give them a chance before we bring the hammer down and fine them.

- [Mark?] That puts it on them then, to come forward and do it right.

- [Ian] Yeah. This is a section through the porch. You can see the railing and so forth behind. You can see where the pitch of the adjacent roof, the side goes up and how this one down lower, with an exit here down to the gutter and down. So.

- [Mark] So that's the design, that's the design element that was not set up as a porch.

- [Ian] Right. It wasn't an accessible porch, no.

- [Mark] Right.

- [Ian] At the time, unless you went out through the window.
- [Mark] I see.
- [Ian] I mean, it's one of the most iconic homes and of a style that is frankly sought after. And one of very few examples, I toured that house probably 15 years ago or more, and the inside was mostly intact. At least at that.
- [Mark] Stephanie, have the owners, have you contacted the owners at all? Have they reached out to you at all?
- [Stephanie] No. Again, unless it was related to the inspection notice and us saying, you need to get a COA, your house is historic. They haven't reached out to me at all.
- [Mark] Well that, you know, there's ignorance, and then there's you know, belligerence. So, or some word like that. I'm not happy with that. There's a resource here that they could use. And I think they need to use it.
- [Stephanie] I'll be sure to send this along with whatever decision we make here tonight.
- [Mark] Okay. So I made that motion, and whoever seconded it.
- Yeah. I was just going to say I think we had a motion and a second. Is that correct?
- I seconded it. Yes.
- Any other discussion? So I guess, can we paraphrase or summarize what the motion is? Just so we're all sure we understand what we're voting on. It's been several minutes.
- I just had to deny her section 44 dash 1552, subsection two, subsection G section two, because our codes are that long, which would require them to resubmit a COA.
- Okay. All in favor?
- Aye. Aye. Aye. Aye.
- Any opposed? So motion carries to deny that certificate.
- Does that include the, what David mentioned at the end, you know, to give the, is that just going to come with normal work? Workaday stuff, Steph?
- Yeah. The fines are determined by Jason and myself. So we'll just keep an eye on it as we get the COA application, you know, if they are working with us, if they're not, that's how we determine the fines.
- Okay. Sounds good.
- We're on item F informational, so staff level certificates.
- I issued two today or Stephanie and I issued two. One of them is for some basic repairs at this house. Is it 702 South, is it Monroe? I think.
- [Stephanie] Yeah.

- Pretty recognizable the basic repairs are some foundation repairs in way of that, I think it's a gas line at the bottom left. At bottom center you see some missing molding around the roof line of the one-story porch. They want to replace the missing bits. And the staff level COA also called for replacement of two wooden storm windows with new wooden storm windows, identical in all respects. So that was this one.

- [Mark] Jason, real quick. Is this something that city staff, when they're out and about doing, just viewing the neighborhoods, they'll see something and then they'll come forward to bring that forward? It's not owner driven is it always?

- Not always, but this one was owner driven, so.

- [Mark] Okay. All right.

- The other one is a request for a new sign on the Frankenthal, or former Barnard Katie land company. It's in the downtown districts. It's replacing some Wells Fargo can letters. You see the existing at the bottom left with some new backlit can letters that say Ruder Ware? Or is it ruder? Ruder var? I don't know.

- [Mark] Sounds good. I think it looks better.

- New sign, same dimensions, same general stuff, different letters. Those are the only two staff level COAs that we've had.

- Okay. Raze and repair orders?

- There were none this month.

- Alright. Item F three is a staff update.

- I have nothing new. Well, I guess we finished, maybe I told you this last time or maybe, I didn't. No. We finished the driving around bit for phases, two, three, and four of the intensive level survey, and currently working on researching properties that look like they're potentially eligible or should be added to the state's architecture and history inventory database. So good progress there.

- Cool. So Jason, and then Stephanie, are you part of that as well, right? I mean you're moving on that, taking a look?

- So it's really a turnkey contract with legacy architecture. As an aside, I ride around separate of my Green Bay role with the legacy representative while they're taking all the pictures. So I'm literally in the car with the legacy person for every road and every building in Green Bay so that we can advocate for things that we believe in and, you know, be there when that person says, hey, this isn't so good. What do you think? So.

- It sounds like a full-time job to me. We might have to do some redirecting and I'll look at that in the future. I know the budget's done now, but that's another point. So you've been, you've been very good for us.

- We're not spending any city money on that aspect. Every dollar that's needed for this project is coming through the CLG sub grant money through the state.

- Okay. Any other items for the Commission tonight?

- No.

- I did just send to Jason and the Stephanie a link, I hope. I've checked on what I had done previously for that first count. So if it doesn't work, let me know. I'm not very technical.

- Okay. Thank you.

- I can add something, Paul. I belong to a nonprofit group called Strike a Chord, some of you may have heard of it. We are actually in the process of trying to work out a deal with the former Confetti's nightclub, the old movie theater on Walnut. And we're looking for investors and a few other people. We just want to get control of the building so we can restore it. I know it's early on and it may happen and it may not happen. But to me, it's been sitting kind of foul for too long. So stay tuned for that. We're in the process of, I've talked to the city. So Neil Stechschulte and I've talked to Brian Johnson and a few other folks told it. Wasn't really gonna say much about it, cause it's kinda early on, but we're, we'll be looking for, or for right now we're looking for investors. We don't have the money for it, but we're looking for investors that could come in and we would just work along with whoever wants to move forward with some ideas. I know Ian, you probably have ideas, so.

- I agree.

- Well, that's it.

- Well, good luck with that, that a significant building. But, so you've got a, got a challenge in front of you. So.

- There's no doubt.

- Anybody have anything else to add? Okay, next meeting is scheduled for Wednesday, December 15th. If nothing else, I look for a motion to adjourn.

- So moved.

- Second.

- All in favor.

- Aye.

- Aye.

- Any opposed? Motion carries. Thank you everybody. Good work tonight.