

: OFFICIAL PROCEEDINGS :**: OF THE CITY OF PEORIA, ILLINOIS :**

Room 400, Peoria, Illinois, August 24, 2011, a Historic Preservation Commission Meeting was held this date at 8:30 A.M., at City Hall, 419 Fulton Street, Chairperson Robert Powers presiding.

ROLL CALL

Roll call showed the following Historic Preservation Commission Members were present: Herold, Joseph, Masick, Pierz, Powers, Ruckriegel, Smith (arrived @ 8:33 am) - 7; Absent: None.

Staff Present: Kimberly Smith and Trina Bonds

Chairperson Powers welcomed Steve Pierz to the Historic Preservation Commission.

MINUTES

Commissioner Herold moved to approve the minutes of the July 27, 2011 Historic Preservation Commission meeting (as amended); seconded by Commissioner Masick.

Approved by viva voce vote.

Yeas: Herold, Joseph, Masick, Pierz, Powers, Ruckriegel, Smith – 7;

Nays: None;

Abstention: None.

Ms. Bonds swore in the public speakers that wished to give testimony today.

Chairperson Powers explained the procedures of the Commission. He also gave an overview of the Certificate of Appropriateness Finding of Facts Worksheet.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS- THE CITY OF PEORIA

(HPC 11-18) PUBLIC HEARING on the request of Terry and Dianne Tosi for a *Certificate of Appropriateness* to install vinyl siding on the house and four outbuildings, and replace the front walkway and patio with concrete at 4600 N. Knoxville Avenue.

Ms. Smith introduced the case and gave a power point presentation. She passed around a sample of the siding and photos for the Commission to review. She explained that the case starting out as an enforcement case, but the petitioner complied immediately after being notified of the violation. She reported after finding lead in the paint of the home, the petitioner's intent is to use vinyl siding and match the siding on each of the buildings.

Diane Tosi, Property Owner, gave the background regarding the subject property and reported that it used to be an old dairy farm. She explained that a couple years ago they experienced a problem with the paint on their home and their outbuildings. She

stated that the paint started to get a crackle to it. She reported that when they decided that they needed to paint, they found out that the structures were all painted with lead based paint. She went on in detail regarding the dangers of lead based paint and explained that the safety of their family members, neighbors and the environment was the key in their decision to not remove the toxic paint. She reported that their other option was to obtain the siding. She submitted for the record an estimate for the removal of the lead paint and also an estimate for the vinyl siding. She went on to say that they have also taken into consideration the intense amount of time and labor with removing lead based paint. She reported that the visual quality of the structure and the architectural features will not change. She stated that because of this and the fact that the color did not change, they felt that they were in compliance. She further stated that had they known that they were not, they would have certainly sought permission for approval.

After more comments, Mrs. Tosi described in detail the vinyl shake siding that they are proposing. She reported that the light fixtures will be refurbished and replaced. She then referred to the addendum for approval of the sidewalk they would like to replace. She referred to photos that she submitted and explained that they are increasingly in need of repair. She reported that they would like to extend the patio 3 feet in length. She further reported that they would like to replace the areas with solid surface concrete, rather than any high maintenance surface of brick. She stated that the concrete pavers will match all the other walkways around the house.

In summary, Mrs. Tosi commented that she was not sure of the historic preservation guidelines for anything other than the home, but stated that the carriage house was turned into a garage before they purchased the home. She then stated that the out buildings were not all original to the dairy farm. She reported that the concrete pavers were put down in 1985 by the previous homeowner.

Chairperson Powers acknowledged Council Member Weaver in the audience.

In discussion with Commissioner Smith, Mrs. Tosi reported that they were approximately between 20 to 25% into the project before they were contacted by the City of Peoria Planning Department.

In discussion regarding the sidewalks, Mrs. Tosi commented that there is more cost involved with putting in concrete that is stamped to look like brick. She reported that her preference would be just concrete. She then explained the different areas around the home that has concrete pavers or just concrete.

In discussion with Commissioner Pierz, Mrs. Tosi confirmed that wrapping the house is considered a safe way to contain the lead. Commissioner Pierz suggested that they are careful with chipping paint on the ground around the structures as well.

In response to Commissioner Pierz' comments, Mrs. Tosi responded that the chipping paint will all be completely cleaned up.

After more discussion and comments, Mrs. Tosi submitted a sample of the siding for the Commission to review and she also described the corner piece.

Tom Bower, Former Neighbor, reported that he lived next door to the subject property for 26 years before moving a couple years ago. He stated that he was also part of the historic preservation movement in this neighborhood. He mentioned the character of Dr. & Mrs. Tosi, and stated that they would not violate a parking meter if it came down to something along those lines. He stated after hearing about the violation, he went and walked around the property. He further stated that in appearance, you simply could not distinguish the difference. He spoke in favor of the siding and commented that they have done it the expensive way and it is very similar to another property to the north.

Margaret Cousin, Vice-President, CILF, reported that they had discussed this application at their last board meeting and stated she wanted to give their position. She reported that the CILF recognizes the costly and potentially dangerous issue of lead abatement and containment create a significant and legitimate mitigating factor in this case. She stated this could not be ignored despite their desire to see historic materials used whenever possible. She commented that the CILF feels that the use of very authentic looking quality vinyl shingles for these structures was a safe low risk and economically appropriate treatment that contains and preserves all original historic materials and is also reversible.

There being no more public testimony, Chairperson Powers closed the public hearing.

During deliberations, Commissioner Herold commented that personally he did not like vinyl siding, but stated that he did not see it as a detraction from this historic district. He commented that there were no neighbors opposed to it and primarily it will preserve the underlying material for a future owner.

Commissioner Ruckriegel commented about the quality of siding and the corner detail. He commented that the explosion of the lead based paint makes this case different from other cases.

Chairperson Powers commented that his thoughts concur with other Commissioners regarding the quality of siding. He stated that it would not be a deterrent to that historic district; however, the base rationalization dealing with the lead based paint issues may create a precedent. He went on to say that homeowners should become more educated in how to deal with lead based paint and stated that he did not believe that a siding with an insulation base is going to resolve the actual lead based paint concerns. After more comments, he stated that there wasn't any discussion regarding the deterioration of the actual wood siding and what condition it is in. He further commented that they should not expect a subsequent homeowner to be able to take the siding off because there will be a considerable amount of body repairs to the house. He went on to say that from his perspective this will be a permanent change. He also commented for the record that there is no dialogue with City Staff that this is a case of economic hardship.

After more comments and discussion, the Commission decided to reopen the public hearing to obtain information from the petitioner regarding the condition of the existing wood siding on the main house.

Motion

Commissioner Ruckriegel moved to reopen the public hearing; seconded by Commissioner Herold.

Motion **APPROVED** by viva voce vote.

Yeas: Herold, Joseph, Masick, Pierz, Powers, Ruckriegel, Smith - 7;

Nays: None;

Abstention: None.

In discussion with Commissioner Ruckriegel, Mrs. Tosi reported that the siding is cedar siding. She further reported that other than the peeling, the siding itself is in fairly good condition. She then stated that the wood of the soffit was not in such good condition. She went on to say that she also thought about the paint chips falling down and asked the siding company to cap the area underneath so that if anything falls, it will be contained.

There being no more public testimony, Chairperson Powers closed the public hearing again.

Motion

After brief comments, Commissioner Smith moved to approve Case No. HPC 11-18, per the submitted request; pursuant to the Certificate of Appropriateness Finding of Facts Worksheet; seconded by Commissioner Masick.

Motion **APPROVED** by viva voce vote.

Yeas: Herold, Joseph, Masick, Pierz, Smith - 5;

Nays: Powers, Ruckriegel - 2;

Abstention: None.

Commissioner Herold left Council Chambers at approximately 9:20 a.m.

REQUEST TO RECEIVE AND FILE:

- Report from Staff regarding Administrative Certificates of Appropriateness issued.
- Report from Staff regarding enforcement case status.

Motion

After brief comments, Commissioner Smith moved **to approve** the request to receive and file Staff Reports; seconded by Commissioner Masick.

Motion **APPROVED** by viva voce vote.

Yeas: Joseph, Masick, Pierz, Powers, Ruckriegel, Smith - 6;

Nays: None;

Abstention: None.

PUBLIC COMMENTS

Council Member Weaver thanked the Commission for their great input on the case that was before the Commission today.

COMMISSION COMMENTS

Commissioner Smith submitted a handout to Staff regarding the procedures of mothballing. Ms. Smith commented that she would email the document to the Commission for their review.

ADJOURNMENT

The August 24, 2011 Historic Preservation Commission meeting adjourned at approximately 9:25 A.M.

Kimberly Smith, AICP, Senior Urban Planner

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