



**DRAFT MINUTES OF THE REGULAR SESSION OF THE
HISTORIC DISTRICT COMMISSION OF THE CITY OF ANN ARBOR
Thursday, October 8, 2009.**

Commissioners Present: Sarah Wallace, Patrick McCauley, Robert White, Kristina Glusac, Lesa Rozmarek and Ellen Ramsburgh (6)

Commissioners Absent: Diane Giannola (1)

Staff Present: Jill Thacher, Planner and Historic District Coordinator and Brenda Acquaviva, Administrative Support Specialist V, Planning and Development Services (2)

CALL TO ORDER: Chair Ramsburgh called the Regular Session to order at 7:00 p.m.

ROLL CALL: Quorum satisfied.

APPROVAL OF THE AGENDA: The Agenda was amended as follows:

Item B-1 – Moved – to be heard prior to item A-1

Item B-2 – Added – Nominating Committee Report

The Agenda as Amended was approved without objection. (*Note: Shortly after this was amended, the attorney for the petitioner approached the podium and asked that this issue be placed back in its original positioning, as the owner was Not Present at the time the hearing was to take place*).

REVISED AMENDMENT TO AGENDA:

Due to this comment by the petitioner's legal council,
Item B-1 – **Moved back** to its original place in the agenda, after **A-Hearings**

Without Objection, the Agenda was Amended for a Second Time.

A - HEARINGS

A-1 114-116 EAST WASHINGTON STREET - MSHD

BACKGROUND: This two-story Italianate commercial building was built in 1876 and features arch-topped windows on the second floor, stone trim, and pilasters. In 1983/84 the current owner renovated and restored the building to its current state, including replicating the missing cornice. In May, 2002 the applicant received a staff approval to replace five fixed sash windows on the west (alley) elevation of the building with wood double-hung windows. That work was not done, and this application applies to the same five windows.

LOCATION: South side of East Washington Street, west of North Fourth Avenue and east of South Main Street.

APPLICATION: The applicant seeks HDC approval to replace five wood non-original fixed panes windows on the second floor of the west elevation with vinyl double-hung windows.

STAFF FINDINGS:

1. Per the applicant, four of the windows are approximately 35 ½” x 88” and one is 35 ½” x 70”. In 2002 when the applicant received a staff approval to replace the current fixed windows with wood double-hungs, the cost of the new windows was prohibitive and the applicant elected to patch and repair the existing windows instead. Says the applicant, “Now some 7 years later the deterioration is to the point of having to complete replace not only the sills but all the framing and most of the insulation units as the seals are broken, hence the windows fog in the cool weather.”
2. The applicant indicates that wood windows are cost prohibitive, and that the cost to remove and replace the windows with vinyl is less than the cost of wood windows alone without labor to remove, install, and paint the wood windows.
3. Staff feels that the use of double hung windows in these openings is appropriate for the building, but the use of vinyl instead of wood is not compatible with the building’s significant historic character. The south elevation of the building faces the alley and is obviously not as prominent as the front, but it is clearly visible from the street and sidewalk. The profile of a vinyl window does not accurately imitate that of a wood window, as evidenced by the window detail sheets submitted by the applicant.
4. The proposed vinyl replacement windows are not an appropriate material for this building, and the work is not compatible in exterior design, arrangement, texture and relationship to the remainder of the building and the surrounding area and does not meet *The Secretary of the Interior’s Standards for Rehabilitation*, in particular standard numbers 2 and 10 and the *Guidelines for Rehabilitation*.

Owner/Address/Applicant: The Shaffran Companies, Ltd 209 S. Fourth Ave, 1C, A2 MI 48104

Review Committee: Commissioners Glusac and McCauley visited the site.

Commissioner Glusac – Concurs with staff’s report. It is not appropriate to have a vinyl window on this west elevation because it is a visible, prominent elevation.

Commissioner McCauley– I completely agree with staff findings as well. The issue of the profile of the vinyl windows is a problem and does not meet the Secretary of the Interior’s Standards.

Applicant Presentation: Mr. Ed Shafran, owner, was present to speak on behalf of the appeal. He stated that with the vast number of buildings in Historic Districts, and is always amazed by what ‘is’ and what ‘is not’ appropriate. He gave an example with one of his other properties located at 306 S. Main in which in lieu of terra cotta, the national rules allowed them to use a plastic material and cover it and it’s called ‘terra cotta’ and is totally acceptable. On our property located at 420 W. Huron property, we have 35 of these exact same windows on a Historically protected building, except that those have been replaced with vinyl.

He stated that he doesn’t understand when the Commission states that you have a wood window as opposed to a vinyl window and what architecturally is ‘appropriate.’ If you could articulate what make, what brand, what style is appropriate? Define appropriate. But I can put up vinyl on the buildings we own per the National Rules but not acceptable to the Local Historic Rules? (*He continued to expound on this subject*). He finished by stating that he doesn’t understand their definition of “appropriate.” This is a double standard that I fail to understand.

Questions of the Applicant by the Commission:

Commissioner Ramsburgh (To Mr. Shaffran) – Since I don't know the other two buildings, when were the vinyl windows approved on that building? (Two or three years ago. I had the exact same windows). And they came before this Commission? (Yes.) Those were wood windows? (The original windows in the Men's Shelter building – the Church built in 1921 were metal double-hung windows. We took them out and put in the exact same window we propose). What is your objection to installing the wood windows?

Mr. Schafman - Do you own a historic building? Commissioner? (Yes.) Do you know the cost for these? We were quoted \$520.00 per window (excluding tax and delivery) and in addition 48 man hours for removal and installation. That makes \$2750 in windows, \$750 in painting and materials, cost is \$6300.00, not including building permits and a lift vehicle to install the upper ones. The Wallside windows are \$425 each – installed. That totals \$2300.00 total cost. Then, what maintenance issues would I have with wood windows?

This is an unusually important building in Ann Arbor. I think that the Secretary of the Interior's Standards and guidelines are based on materials that suit the building, and I think it's hard to relate vinyl to a building of this period. (Schafman – Do you think the cornice on this building is original?) No, I know it's not original and you did a wonderful job of restoration. (Without a historic district in place).

Commissioner Rozmarek - Do you really think that a vinyl window will last 20 or 30 years? (The question would be what will last 20 or 30 years. The vinyl isn't the question, the seals are. Vinyl won't rot, shrink or crack like a wood window and the maintenance that goes with it. The glazing of it itself is a built-in failure. If you're talking about a single glazed unit, it probably will keep, but an insulated window is heat sensitive. I would turn the question back to anyone who could tell me how long that unit could last.)

Back to the statement that the vinyl won't shrink or crack? It does. I've lived in many apartments where they have. (Shaffran – Did the caulk crack? I would question that). Going back to the Secretary of the Interior's standards, it's based on aesthetics. (And I challenge that anyone could tell the difference once they're painted and installed). We're saying that different windows have different profiles, and I believe we're willing to work with that, but many manufacturers make a generic one that isn't necessarily the right profile. We're looking for more options.

Audience Participation: None.

Discussion by the Commission:

Commissioner Glusac – Question for staff. The property that the petitioner mentions having replaced with vinyl windows – was that done under the old ordinance or the new ordinance?

J. Thacher – I've been employed with the city of Ann Arbor for three years and two days, and I've never seen that application, so it must have been under the old ordinance.

Commissioner Wallace – While there is a concern about this previous building, I would personally be interested in seeing minutes from that meeting. I'm concerned with discussing the old building without having the details in front of me. It's impossible to compare the two without knowing the specifications for the job.

MOTION

Moved by Commissioner Glusac, Seconded by Commissioner White, “**That the Commission deny the application at 114-116 East Washington Street, a contributing property in the Main Street Historic District, to replace five non-original wood windows with vinyl windows, as proposed. The proposed work is not compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and does not meet *The Secretary of the Interior’s Standards for Rehabilitation* in particular standard numbers 2 and 10, or *The Secretary of the Interior’s Guidelines for Rehabilitation*.”**

On a Voice Vote – MOTION TO DENY - PASSED – *UNANIMOUS (Application Denied)*

A-2 508 FOURTH STREET - OWSHD

BACKGROUND: This one-story bungalow was first occupied in 1924 by Ernest and Elizabeth R Schneeberger, proprietors of Schneeberger’s Grocery at 609 West Jefferson (known today as Jefferson Market). It features a full-width front porch, three over one windows, and a tripartite window in the street-facing gable.

The applicant received staff approvals in August, 2009 to replace the roof and to rebuild the severely deteriorated concrete block front porch with a new concrete block front porch. The new porch will have historically accurate porch posts based on evidence of the prior post configuration that had been obscured by new materials.

LOCATION: West side of Fourth Street, south of West Jefferson and north of Madison.

APPLICATION: The applicant seeks HDC approval to remove a brick chimney on the south side of the roof.

STAFF FINDINGS:

1. The brick chimney is located on the south slope of the roof near the center. The applicant would like to remove the chimney in order to free up space in the interior of his house. This house is small and removing the interior portion of the chimney would help him to better utilize the available space. If the interior portion of the chimney is removed, the exterior chimney would also have to be removed since there would no longer be anything supporting it.
2. The chimney is a visible and prominent feature on the roof of the house.
3. The proposed chimney is a character-defining feature of the house, and therefore the work is not compatible in exterior design, arrangement, texture and relationship to the remainder of the house and surrounding area and does not meet *The Secretary of the Interior’s Guidelines for Rehabilitation* and the *Secretary of the Interior’s Standards for Rehabilitation*, in particular standard number 2.

Owner/Applicant/Address: Martin Soave, 508 Fourth Street, Ann Arbor, MI 48104

Review Committee: Commissioners McCauley and Glusac visited the site.

Commissioner McCauley – The main issue we discussed is whether it was a character defining feature of this house. I was convinced that it wasn't. There was a house nearby that had a much more prominent, decorative chimney.

Commissioner Glusac – The chimney is simple in design, but it is an overall character defining feature. I support staff's findings that it is a character defining feature.

Applicant Presentation: Mr. Martin Soave, owner, was present to speak on behalf of the application. He asked the Commission to please keep in mind the overall plan to remove the chimney in order to make the house more functional as a family home. If the chimney were removed, they could add another bedroom and expand the kitchen within the current restraints of the home.

Questions of the Applicant by the Commission:

Commissioner White – This chimney is not being used, you have a furnace and this won't ever be used again? (Correct). I'm curious if we could replace that chimney. (Petitioner – We've considered taking out the interior of the brick, but not certain that the roof will support the bricks. Commissioner Ramsburgh – Suggested leaving that chimney and working around it. (The petitioner stated that the space is so small to begin with, that this would make it unusable.)

Audience Participation: None.

Discussion by the Commission:

Commissioner McCauley – As the owner of a very tiny house myself, it had a central chimney and it opened up a huge amount of space when removed. I feel that the chimney is not character defining and we should approve the application.

Commissioner White – Since this is all heated by modern appliances, and this will be used for living space by the family, I support this motion.

Commissioner Glusac – Is there a plan to re-roof the home if this were removed? (J. Thacher – Stated that there was an approval for that. The petitioner stated that they would patch the hole and re-shingle it.) Commissioner Glusac suggested alternative's to removing the chimney.

MOTION

Moved by Commissioner McCauley, Seconded by Commissioner White, "**That the Commission issue a Certificate of Appropriateness for the application at 508 Fourth Street, a contributing property in the Old West Side Historic District, to remove a brick chimney, as proposed. The proposed work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the house and the surrounding area and meets *The Secretary of the Interior's Standards for Rehabilitation* in particular standard number 2, and *The Secretary of the Interior's Guidelines for Rehabilitation*, in particular the section on roofs."**

On a Voice Vote – MOTION PASSED – 5 Yes, 1 No (Application Approved)
Yes (1) – Commissioners McCauley, Ramsburgh, Wallace, Rozmarek and White
No (1) – Commissioner Glusac

A-3 711 CATHERINE STREET - OFWHD

Note: Commissioner Rozmarek recuses herself from this hearing, stating that she had previously been paid to work on this project through a previous employer.

BACKGROUND: The 1894 Julia and Katherine Decker house is an example of late Second Empire, with a three-story irregular plan, mansard roof with gabled dormers, a rectangular bay on the first floor front, a double entrance door, and wrap-around front porch.

The residence briefly housed two fraternities: Phi Chi in 1898 and Delta Sigma Delta in 1905.

The house has been the Inter-Cooperative Council's Benjamin Linder House for many years.

LOCATION: The site is located on the north side of Catherine Street, between North State and North Thayer Streets.

APPLICATION: The applicant seeks HDC approval to 1) replace the existing and underlying layers of siding with new HardiPlank lap siding with a 3 1/2" reveal, 2) replace non-original roofing with new, 3) replace altered original and non-original windows with new wood and vinyl windows, and maintaining the interior trim, 4) replace four non-original doors on the north (rear) elevation, and one original door on the east (side) elevation; and 5) renovate the porch, remove non-original elements, repair or replace deteriorated elements, and install new railings and a pipe handrail.

STAFF FINDINGS:

1. The application proposes to replace all layers of existing siding (non-original on top of original) with 3 1/2" exposure smooth cementitious siding (James Hardie's HardiPlank). This is appropriate if the original siding that is currently covered is not repairable. Photos have been provided showing deterioration of the original siding, and the extent will be confirmed at the review committee's visit. Exterior bead board siding banding to be restored above the foundation is consistent with historic photographs and physical evidence.
2. The proposed removal of existing roofing layers and re-roofing in asphalt shingles is appropriate.
3. Please see the applicant's cover letter for a description of the condition of the windows. Also included with the application is a three-page window condition survey and photo documentation of existing conditions. The Review Committee will compare the condition survey to each window to confirm the applicant's findings. There are 45 windows proposed for replacement: six in the basement, 13 on the first floor, 16 on the second floor, and 10 on the third floor. Twelve are non-original (all of the third floor and two on the second). The 10 third floor windows are vinyl casements, and are proposed to be replaced with vinyl double-hung/casements that swing in to fulfill egress requirements while also retaining the form and action of a traditional double hung. Staff has some concerns about the appearance of white vinyl windows in comparison to the color of the other windows.
4. Additional information on glass size and where the various proposed windows will be installed on the house, by manufacturer, is attached to the end of this staff report.
5. Since staff has not inspected all of the windows in person, a recommended motion will be presented at the meeting after viewing the windows at the review committee visit.

- 310
311 6. If the study committee finds that the original door proposed to be replaced is beyond
312 repair, it would be appropriate to replace that door with a replica. Replacement door
313 information (materials, panel configuration, and the presence or absence of screen/storm
314 doors) is not provided for four non-original doors proposed to be replaced on the north
315 elevation. Since the doors are non-original, this may be handled at the staff level.
316
- 317 7. Historic documentation of the turned balusters proposed for the porch railing is necessary
318 for the work to be considered appropriate. Without documentation, a simpler rail with
319 straight square or round spindles would be appropriate, so as not to confuse the historic
320 record. Also, a publication from 1896 shows wood stair railings on the house, so the
321 applicant should work with staff to replicate the historic handrail or design an appropriate
322 new handrail that satisfies safety requirements. The remaining porch repairs and
323 restorations are appropriate.
324
- 325 8. The porch rail and handrail are not compatible in exterior design, and the applicant should
326 work with staff to find a design that is appropriate or based on historic documentation.
327 More information is required on the proposed doors to replace the non-original doors on
328 the north elevation. The proposed roofing is appropriate in arrangement, texture, material
329 and relationship to the remainder of the house and surrounding area and meets *The*
330 *Secretary of the Interior's Standards for Rehabilitation*. Staff will make a recommendation
331 to the commission on the windows, replacement of the original side door, and siding at the
332 October 8 meeting, after inspecting them on October 5.
333

334 **Owner/Address:** Inter-Cooperative Council, 337 East William, Ann Arbor, MI 48104
335

336 **Applicant:** Quinn Evans Architects, 219 ½ N Main Street, Ann Arbor, MI 48104
337

338 **Review Committee:** Commissioners Glusac and McCauley visited the site.
339

340 Commissioner Glusac – We toured the site and looked at both the inside and outside of the
341 home. Those windows that were already replacement windows – those we didn't scrutinize. We
342 did look at the original windows suggested for replacement by the applicant. I do agree with
343 staff's report and it would be more appropriate to receive additional information on the existing
344 siding, as you can see under that siding. The architect's might also be able to elaborate more on
345 what they find there as well. They were in much better condition than I expected and
346 In general, the windows seem to be in a repairable condition, with the exception of the eleven that
347 are highlighted as potential candidates for replacement. They were in much better condition than
348 many that we've seen. As to the doors and the porch, staff was thorough on that description and
349 I don't have anything to add.
350

351 Commissioner McCauley – As we walked through the house, one of the main complaints of the
352 residents who live in the co-op is that it is drafty and cold in the winter, but I think that there were
353 actually one or two operable storm windows that had the sliding part of the storm that closes
354 during the winter. That would be a huge improvement to the energy efficiency of the house if
355 those were added.
356

357 In general, the sashes were in decent condition, other than the jamb liners that were put in 30 or
358 40 years ago. Some worked well, some barely worked at all, and the sills (as Jill reported) were
359 in various states of decay. Some were in really good shape, some in poor shape (which we
360 noted). In terms of the siding (in the report Jill stated it needed to be stripped), as a painter, I can

361 say that there is a huge difference between stripping the siding or just scraping, priming and
362 painting. It's a huge process if you were to actually strip all of the siding.
363

364 What we saw of the siding, it looked like it was in very solid condition. I don't think it was
365 decayed, just mostly peeling paint. It would need caulking and the possibly blown in insulation.
366 At this point, I wouldn't be in favor of stripping all of the siding without seeing more of it.
367

368 **Applicant Presentation:**

369
370 Cindy Christiansen, Maintenance director of the Inter-Cooperative Council was present to speak
371 on behalf of the appeal, as well as Elizabeth Knibbe and Jhana Frederickson (Quinn Evans
372 Architects) and Eric Lipson, General Manager of the Inter-Cooperative Council.
373

374 Ms. Christiansen gave a presentation of other past projects that they had done on other Inter-
375 Cooperative Council properties (many, but not all in historic districts), demonstrating their
376 commitment to preservation.
377

378 Elizabeth Knibbe (Historic Preservation Architect) - Stated that the Co-op is looking at this as a
379 whole, and the Co-op intends to do this project as a whole. The only factor that will affect this is
380 whether we can strengthen the historic character of this building affordably. If there are changes
381 that affect the economics of this project, then we will have to re-evaluate the project. The fact is
382 that this is affordable housing for college students. There is only so much money that is
383 generated and only so much that they can afford to devote to this project. If they can't then there
384 will be certain portions of this project that will remain unfinished – possibly for ten or fifteen years
385 until they can afford it.
386

387 We believe we've designed this in keeping with the Secretary of the Interior's Standards;
388 however, those Standards are prefaced by the statement that *"The Standards are applied to
389 projects in a reasonable manner, taking into consideration economic and technical feasibility."*
390

391 The Michigan Enabling Legislation for local Historic Districts states *"If an application is for work
392 that will adversely affect the exterior of a resource the Commission considers valuable to a local
393 unit, state or nation, and the Commission determines that the alteration or loss of that resource
394 will adversely affect the public purpose of the local unit, state or nation, the Commission shall
395 attempt to establish with the owner of the resource an economically feasible plan for the
396 preservation of the resource."*
397

398 Our intent here is to present you with a plan that balances the economic reality of this building
399 and the standards that you go by. *(She then presented a slideshow presentation of various
400 aspects of the project and discussed each briefly).*
401

402 Concerning the windows, they aren't in horrible shape, but every one of them has been altered
403 (she then showed photos of how some had been compromised on the insides of the windows).
404 Inside of the sash has been cut approximately 3/8 of an inch, just short of the stop – and then
405 routed out.
406

407 J. Frederickson - You can also see at the jamb liner that there has been sanding which
408 compromises it even more by making a gap.
409

410 E. Knibbe – Stated that Quinn Evans recently did another restoration in Milwaukee in which the
411 same problem occurred. The add on for that problem was close to an additional \$900.00 per
412 window as the sash are not square and they will require intensive work.

413 We don't think that this is reasonable. From a practical standpoint, this would be awkward.
414 There is a practical way to apply the rehab standards to where a replacement does make sense.
415 She suggested installing the windows from the outside which will not destroy the original interior
416 trim.

417
418 Eric Lipson – General Manager of the Inter-Cooperative Council stated that the Inter-Cooperative
419 Council was formed in the 1930's by students who could not afford or were denied housing in the
420 standard market. We have provided affordable housing for our members since that time. Under
421 Cindy's guidance as our maintenance director, we have been restoring and renovating our
422 buildings even though we did not have to. We hired Elizabeth Knibbe because of her experience
423 in this field. We have looked at and thought about this project for years.

424
425 In the 1970's when those sash liners were put in, those windows were destroyed. Our 'doctor'
426 whom we've hired has told us that we cannot save those windows. We want to restore this
427 building, but we have a fiduciary responsibility to our members and our residents. These
428 windows are beyond repair. We don't have an unlimited resource to pay for that, and we cannot
429 in good conscience tell our Board of Directors that we need to do this when our Architect has
430 advised against it.

431
432 We both have the interests of our residents and this building. The windows, however, will make
433 or break this project. He stated that he hoped the Commission would help them with this project.

434
435 **Questions of the Applicant by the Commission:**

436
437 **Audience Participation:** None.

438
439 **Discussion by the Commission:**

440
441 **MOTION #1**

442
443 Moved by Commissioner Wallace, Seconded by Commission White, **“That the Commission**
444 **issue a certificate of appropriateness for the portion of the application at 711 Catherine**
445 **Street, a contributing property in the Old Fourth Ward Historic District, to replace the non-**
446 **original roofing with new roofing as proposed. The work is generally compatible in size,**
447 **scale, massing and materials with the structure and the neighborhood and meets the**
448 **Secretary of the Interior's Standards for Rehabilitation, in particular, Standard 9 and the**
449 **Secretary of the Interior's Guidelines for Rehabilitation, in particular the section on roofs.”**

450
451 **On a Voice Vote – MOTION TO APPROVE – PASSED - UNANIMOUS**

452
453 **MOTION #2**

454
455 Moved by Commissioner Ramsburgh, Seconded by Commissioner White, **“That the**
456 **Commission issue a certificate of appropriateness for the portion of the application at 711**
457 **Catherine Street, a contributing property in the Old Fourth Ward Historic District, to**
458 **renovate the porch; on the condition that the design of the handrail and porch rail are**
459 **based on the provided historic documentation and reviewed by staff. The work is**
460 **generally compatible in size, scale, massing and materials with the structure and the**
461 **neighborhood and meets the Secretary of the Interior's Standards for Rehabilitation, in**
462 **particular, Standard 2, 5 & 6.**

463
464 **On a Voice Vote – MOTION TO APPROVE – PASSED – UNANIMOUS**

MOTION #3

Moved by Commissioner McCauley, Seconded by Commissioner White, “**That the Commission issue a certificate of appropriateness for the portion of the application at 711 Catherine Street, a contributing property in the Old Fourth Ward Historic District, to replace an original door on the east elevation and repair its frame; on the condition that the replacement door matches the original in design, texture and materials. As conditioned, it is generally compatible in size, scale, massing and materials with the structure and the neighborhood and meets the Secretary of the Interior’s Standards for Rehabilitation, in particular, Standard 6 and the Secretary of the Interior’s Guidelines for rehabilitation, in particular, the section on Entrances and Porches.**”

On a **VOICE VOTE – MOTION TO APPROVE - PASSED – UNANIMOUS**

MOTION #4

Moved by Commissioner Ramsburgh, Seconded by Commissioner White, **That the Commission issue a certificate of appropriateness for the portion of the application at 711 Catherine Street, a contributing property in the Old Fourth Ward Historic District, to replace four non-original doors on the rear elevation as provided by the documented information provided by the applicant. The work is generally compatible in size, scale, massing and materials with the structure and the neighborhood & meets the Secretary of the Interior’s Standards for Rehabilitation, in particular, Standard 6 and the Secretary of the Interior’s Guidelines for rehabilitation, in particular, the section on Entrances and Porches.**”

On a **VOICE VOTE – MOTION TO APPROVE - PASSED – UNANIMOUS**

MOTION #5

Moved by Commissioner Wallace, Seconded by Commissioner White , “**That the Commission issue a certificate of appropriateness for the portion of the application at 711 Catherine Street, a contributing property in the Old Fourth Ward Historic District, to replace two layers of siding with smooth, cementitious siding to replace the exposure of the original; on the condition that staff certifies that more than half of the original wood clapboard siding. As conditioned. The work is generally compatible in size, scale, massing and materials with the structure and the neighborhood and meets the Secretary of the Interior’s Standards for Rehabilitation, in particular, Standard 6.**”

On a **VOICE VOTE – MOTION TO APPROVE - PASSED – UNANIMOUS**

MOTION #6

Moved by Commissioner Ramsburgh, Seconded by Commissioner White, “**That the Commission issue a certificate of appropriateness for the portion of the application at 711 Catherine Street, a contributing property in the Old Fourth Ward Historic District, to replace windows numbered: 1.1, 1.2, 1.4, 1.5, 1.8, 1.10,, 1.11, 1.12, 1.13,, 2.1, 2.3, 2.4, 2.10, 2.11, 2.12, 2.16 and to replace the basement and third floor windows as composed. The work is generally compatible in size, scale, massing and materials with the structure and the neighborhood and meets the Secretary of the Interior’s Standards for Rehabilitation, in particular, Standard 6 and the Secretary of the Interior’s Guidelines for Rehabilitation, in particular, the section on windows.**”

On a **VOICE VOTE – MOTION TO APPROVE - PASSED – UNANIMOUS**

517 **MOTION #7**

518
519 Moved by Commissioner Wallace, Seconded by Commissioner White, “**That the Commission**
520 **issue a Certificate of Appropriateness for the portion of the application at 711 Catherine**
521 **Street, a contributing property in the Old Fourth Ward Historic District, to replace windows**
522 **number: 1,3,1.6, 1.7, 1.9, 2.2, 2.5, 2.6, 2.7, 2.8, 2.9, 2.13, 2.14, 2.15 *because the windows**
523 **have been shown to be altered beyond reasonable repair** because the work is generally
524 compatible in size, scale, massing and materials and meets the Secondary of the Interior’s
525 Standards for rehabilitation, in particular Standard 6 and the Secretary of the Interior’s
526 Guidelines for rehabilitation, in particular, the section on windows.”

527
528 **Amendment to motion(see above).*

529
530 *(General AGREEMENT to RE-OPEN the questions to the Petitioner. The Commission*
531 *discussed the proposed motion and the windows in general.)*

532
533 *Note: Both Commissioners Ramsburgh and McCauley stated that they reluctantly support*
534 *this motion, as they feel that it is too bad that many of the windows that come before them*
535 *are in this type of condition before they can be saved McCauley feels the sashes were*
536 *ruined from the work that was done on them in the 1970’s and that this is a unique case.*
537 *The Commission agreed with this overall.)*

538
539 **On a VOICE VOTE – MOTION TO APPROVE – PASSED – UNANIMOUS**

540
541 *The Commission recessed at 9:05 and reconvened at 9:15 p.m., (with Commissioner*
542 *Rozmarek rejoining the meeting.)*

543
544 **B - OLD BUSINESS –**

545
546 **OLD BUSINESS**

547
548 **B-1 HDC09-119 – 542 SOUTH ASHLEY STREET - OFWHD**

549 *(Moved to be heard first per Amended Agenda, then moved BACK to its*
550 *original placement in the Agenda)*

551
552 **BACKGROUND:** This item was originally heard at the September 10, 2009 Regular Session,
553 and Postponed until further information could be provided.

554
555 **Prior Historical Data:** This one-and-a-half story gable-fronter dates back to at least 1894 when
556 it was #96 Ashley Street, the home of Fidel Schmidt, a carpenter. On 1908 Sanborn maps, the
557 house features a full width front porch (missing today) but the footprint is little changed otherwise.

558
559 **LOCATION:** West side of South Ashley, north of West Madison and South of West Jefferson.

560
561 **APPLICATION:** The applicant seeks HDC approval for the replacement of 17 wood windows
562 and one wood side door.

563
564 **Owner/Applicant/Address:** Jeffrey Eisman and Nancy Benchell-Eisman, 5958 Saint James Dr.,
565 West Bloomfield, MI 48322

566
567 **Review Committee:** Coordinator Thacher and Commissioner McCauley visited the site.
568

569 Coordinator J. Thacher – We visited the site on Monday and as you recall, the Commission had
570 requested two things of the applicant at the meeting last month. One of those was to know which
571 sashes went with which window openings in the house. The rest was to physically sort them out
572 by size and match them up to the windows that they could potentially go into, which would allow
573 the Commission to make a better determination of which sashes were beyond repair and how
574 they might be reinstalled in a configuration that might work.

575
576 When we arrived at the site, there had been no action taken on this request and so the review
577 committee was not able to compare the state of the sashes with their corresponding window
578 openings. Nancy Eisman stated that Jim Turner of Turner Restoration would address this at that
579 meeting, and I did request that the Eisman's supply information in writing from Jim Turner prior to
580 the meeting, but I did not receive that either. I had previously requested information from the
581 Eisman's on September 21st when they said that Mr. Turner had looked at the windows but did
582 not receive any information in response to that request either.

583
584 The other request was for more detail in the form of measured drawings on the installation of the
585 proposed replacement windows, and we did get more information on this. (She checked with the
586 Commission as to who had the additional data. Staff made additional copies at that time for
587 informational purposes). This information was submitted by Paul Manion of Lawrence Smith
588 window and door and sent/received on October 5th, 2009. There is a new window proposal: it is
589 sash replacements rather than entire new window units. "The new proposal is for parting stop and
590 sash replacement only. The contractor proposes to reuse the existing jambs, sills, blind stops
591 and exterior casing. This is much less invasive than the previous full window replacement and
592 the proposed windows do meet the dimensional requirements of the guidelines and for windows
593 that require sash replacement, if any sash pairs are demonstrated by the applicant to the
594 satisfaction of the Commission to be beyond repair, it is staff's opinion that the proposed
595 replacement sash and parting stops are appropriate.

596
597 Commissioner McCauley - As Jill stated, when we visited the site, we were not able to determine
598 what sashes went where, which were possibly restorable, which went with which opening – so
599 we'll have to wait for further comments from the applicant who failed to make any determination
600 about what is possible.

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602 **Applicant Presentation:**

603
604 Mr. Jeff Dworkin, attorney representing the Eisman's, Jim Turner of Turner Restoration and Paul
605 Manion (who deals with the distributor from Marvin Windows who is making the replacement
606 windows) and Howard Gold, contractor on this project were present to speak on behalf of the
607 application.

608
609 Mr. Dworkin stated that the others present were more qualified to respond to any questions on
610 this work than he was. He stated that Mr. Turner has evaluated all of the windows and has
611 determined which ones go where. The Eisman's were not able to do that and it took a lot more
612 expertise than we had. Mr. Turner has that expertise and more. There was also a question
613 about what is under the aluminum on the exterior. That is something that is probably better left
614 for when that aluminum is removed. At that point you know what is under it.

615
616 Jim Turner – Apologized for not getting any documentation to the Commission. He stated that he
617 was notified of the request for documentation, but stated that he had responded to the applicant,
618 and in that there was not a corresponding email address attached to the email that was sent to
619 him. He stated that in his response, he thought that that information flowed directly to the
620 Commission or staff – but it evidently did not.

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“At the time, I spoke to the contractor working on site and get the particulars as it relates to the permit that was held and the action taken. As I understood, and I could see, that the only original windows were on the first floor. The other windows on the second floor and the rear have replacement windows from some time ago. There are four - possibly six original windows; two on the front, two on the side and then there is another side on the extension that were add-on’s at a later date, but those are generally – I believe the dimensions were 28 x 62, overall? The sashes are stacked in the garage and are all 28 inches wide. They are one over one windows with a peg system. They were not a rope and pulley, so suggest a change or reuse or restoration of those – all of the sashes were in good condition – they were over painted. The paint could have been stripped or my suggestion to make them a bit more energy efficient (since they are a little bit thicker than most ordinary sashes) is to put in a space or ¼ inch or 3/16 inch laminate glass. The laminate glass would provide U. V. Protection of 99 Percent as opposed to 65 to 85 percent of any replacement window. It will give you sound deadening qualities and also provides you with the ability to have security on that first floor. Laminate glass, just as in your automobile, if something is thrown at it, the glass will stay in place.”

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“The window box was cut from the inside to bring the window down to meet the expansion of the drywall and the insulation that was going to be added to the interior, so that is approximately 1 inch to 1 ¾ inch tail that is generally on the back of the box (it’s to the inside of the room that most of your trim sits on and is nailed to) was cut down. If you’re going to use the existing windows, the solution is simply to take a 1 x 1 to dowel 1 x 1. The corresponding dowel holds into the original wood – and apply that. Where there would be voids, you could epoxy that so that you can have a continuous seal (if you’re going to reuse the original sash).”

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“Another way to provide more energy efficiency with the original sash is to rabbit or route into the sash – a groove – so that you can put an insulating ball or insulating furring strip right at the point of the connection of the wall at the box itself. That will help the rattling and the only locking mechanism in a peg system are the pegs themselves. Typically, there is a meeting at the meeting rail without a ridge or coupling device. The suggestion there would be to again, route or cut in to put a piece of spline, so if you tighten that meeting rail again with a locking center, you can close that up and you’ll have no rattle in the window.”

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“The replacement window by Marvin is probably as good or better, as it will fit in the space of the box. It meets the sill requirements you’re looking for and to maintain the sill and gives you an efficient and operating window without the holes cut into the sash or the box itself.”

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Questions of the Applicant by the Commission:

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J. Thacher (To J. Turner) – On the Marvin replacement windows – you said they would fit in the space on the box. Do you mean that it would only be a sash replacement or that a new window ‘unit’ would fit into that opening? (I haven’t seen what they’ve recommended. I would suggest that the sash replacement would fit within the box of the existing). The existing jam and sill and..... ok.

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(Mr. Dworkin added that this would eliminate the need for storms which would allow removal of what I call UASW’s – the ugly aluminum storm windows that currently totally obstruct any historic significance or view of the house).

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J. Turner – The present aluminum storms come in almost 2 ½ inches, so you’ve already compromised your sightlines of the original frame of the wood, because you have this storm that is overpowering the window framing itself.

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Commissioner Ramsburgh – Your first description was how to reuse the present sashes?

J. Turner – “I was asked to come in and asked ‘how could you configure these windows to fit, and could you?’ I initially went as the contractor directed me, and went to the windows and measured the box itself. I noted that was no rope and pulley, recognized there were peg holes in there – I think there are 2 to 3 holes in the box, so the windows only rose probably 12 inches. The upper sash came down only 8 inches. I went to the garage and measured the sash themselves. With the sash, they fit within the openings that were there; I counted the sash, there were enough to fit the lower level and build back in – and that is what they asked me to do.

They asked for my opinion on that, if the window could be replaced and I responded that there are methods that could be used for energy efficiency. I indicated that there wasn’t a need for Turner Restoration to do the job, the contractor had all the skills and to maintain and do that if that is the desire of the owner and the Commission. They can be brought to some degree of energy efficiency. I applied that and gave that information to the contractor and thus he to the owner.”

Commissioner McCauley – Would it be helpful – for the record – to state which windows we’re talking about? We had them numbered at one point.

J. Thacher – It might be easier just to describe them. (J. Turner – My suggestion earlier is that the windows were non-original and you’re looking to maintain or replace or maintain original windows with a series of non-original windows on the second floor. If you’re going to look at replacement windows for those are non-original, it is a practical matter to identify those and have the same type of window in the window opening.

Commissioner McCauley – It was my recollection that during the site visit the Review Committee determined that it may have just been the two windows in the front. The top two front were the ones that had a pin system, so they were original sashes up until they were removed.

J. Thacher – Mr. Turner, was there something that led you to believe that those two front upper windows were not original? (The use of them in the floor design - the way the floor was designed going up and the cut of them at the time and the measurement of them. Those windows are probably like 29 or 30 (inches) – if you see the lower windows, they’re a bit narrower than the upper windows and are narrower by 1 ½”, if that, but they are narrower than those I saw in the garage which measure 28” or so.

Mr. Dworkin – One other consideration is that the windows in the rear and the upper fronts (which Mr. Turner indicated aren’t original) – that using the original sashes, you get a very limited opening, which does not meet the egress requirements for bedrooms, and that is something that a replacement window that retains a ‘look’ and maintains the dimensions but maintains the egress requirement is a safety issue that should be considered.

Commissioner Ramsburgh – So, if new sashes are used, what will the system be for holding those up – if there is no pulley system and no stop? (J. Turner – The only thing I can possibly think of is that there could be a spring loaded balancer system, but the Marvin Window representative could better address that).

Paul Manion – If replacement windows are chosen, they do come with vinyl jamb liners that have the block and type of balance system integrated.

725 Commissioner Ramsburgh – Would the glass dimension change?
726

727 Paul Manion – It would be very close – within 90 percent of the original.
728

729 J. Turner – Your glass dimensions stay the same, but one thing that is compromising your
730 sightline is that aluminum storm on the outside, not by the replacement window.
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732 Commissioner Rozmarek – If we just do sash replacement, there is no more storm windows
733 needed, right? (Correct).
734

735 J. Thacher – I'm confused on how the replacement sash would be so superior to the original sash
736 that you wouldn't need a storm any more. Could you elaborate?
737

738 P. Manion – Those would be insulated glass as opposed to single pane. I didn't include any
739 'low-e' coatings in order to keep with the historical look.
740

741 J. Thacher – So that is the major improvement, so to speak? (P. Manion – Yes and the weather
742 stripping and new jamb liners, etc.). Did either of you window contractors notice any deterioration
743 – particularly of the sills - that would cause any concern for you?
744

745 J. Turner – In any window that has had for an extended period of time, an aluminum frame
746 window on without a weep hole, you're going to have deterioration of the sill. Whether we were
747 able to determine that or not, I did not poke with an ice pick either, but those sills have been
748 sealed to that window and caulked shut for a number of years. If I were to start to open them, I'm
749 certain there is going to be some deterioration on that outer edge and possibly beneath the sill,
750 but I did not check for that. I looked at the sill and how it relates to the interior and where it ends
751 at the pocket of the sill. That aluminum storm frame is the largest I've ever seen on a window – 2
752 ½ inches on a side is absolutely ridiculous. No, I can't determine that without removing the storm.
753

754 Commissioner Rozmarek – If there is significant deterioration of the sills, how would that be dealt
755 with in a manner that would secure the sill for future longevity?
756

757 J. Turner – As a restoration contractor, I can only say that I have cut away rotten portions of sill
758 and taken same species of wood or scrap close to the same age, and reapply that and epoxy that
759 to the original box, and they've lasted over a period of time. Not during the 8 or more years that
760 I've been doing this, I've not been able to go back and find any deterioration or failure in the sill
761 after a repair. At the end of the unit what we'll have is probably to cut away a ½ inch to an inch
762 and we would apply the same amount of wood matching the grain and fit with dowling and epoxy
763 and hidden from sight.
764

765 J. Thacher – Just one more time for my clarification – Mr. Turner, you said that the first floor
766 windows – there are enough sash existing and decent enough condition to replace in those
767 windows, potentially. At least three of the side windows the Commission has determined are not
768 original and we don't care about those, that really only leaves the two front windows and
769 whatever is on the rear elevation. Were you proposing that those could not be repaired for some
770 reason? Did you run out of sash? Was it because you thought that they were not original that....
771

772 J. Turner – I didn't think that they were original and were not in the purview of looking at those as
773 original. With the number of windows in the upper floor plan being altered at a point and that rear
774 window (and bath window) that was a cut up and shortened and not original either – as I looked
775 at it, those were smaller than the two upstairs.
776

777 Typically, living room windows are a bit smaller than bedroom windows because you want to get
778 light into those bedrooms on older homes. I measured the sills in the garage and they were 28”
779 and I mentioned that you have enough for the windows that are on the first floor.
780

781 Commissioner Rozmarek – Mr. Turner, do you recall that the existing sash that you could
782 possibly replace, is it thick enough to actually have rabbit the bulb (?).
783

784 J. Turner – I would do a 1/8 inch cut and put a bulb with an arrowhead and that will be about an
785 inch in diameter. As was mentioned by the previous applicant, to try to build these back up into a
786 building that is no longer square and you’re trying to square it out, you’ll find the same things –
787 rattling, etc. I would use a 1/8 inch bulb ideally, but it might need a ¼ inch bulb. The wood was
788 dry and sound that I could see and it did not disturb me to think that I could put an 1/8 inch cut an
789 install a bulb system.
790

791 *(The Commission discussed at length possible motions and the contractor (J. Turner) stated that*
792 *he was coming from another job this evening and did not have paperwork with him to provide the*
793 *Commission with exact information on each window and available pieces).*
794

795 **Audience Participation:** Not addressed by the Chair.
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797 **Discussion by the Commission:**
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799 **MOTION #1**
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801 Moved by Commissioner Wallace, Seconded by Commissioner McCauley, “**That the**
802 **Commission issue a Certificate of Appropriateness for the portion of the application at 542**
803 **South Ashley Street, a contributing property in the Old West Side Historic District, to**
804 **replace with the original sash, reinstall the original sash for four windows; two lower**
805 **windows on the east elevation and two lower windows on the south elevation. The**
806 **proposed work is compatible in exterior design, arrangement, texture, material and**
807 **relationship to the rest of the building and surrounding area and meets the Secretary of**
808 **the Interior’s Standards for Rehabilitation, in particular, Standard 6; and the Secretary of**
809 **the Interior’s Guidelines for rehabilitation, in particular, the section on windows and**
810 **energy retrofitting.**
811

812 **On a VOICE VOTE – MOTION TO APPROVE – PASSED - UNANIMOUS**
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814

815 **MOTION #2**
816

817 Moved by Commissioner Ramsburgh, Seconded by Commissioner White, “**That the**
818 **Commission issue a Certificate of Appropriateness for the portion of the application at**
819 **542 South Ashley Street, a contributing property in the Old West Side Historic District, to**
820 **Replace the remaining original wood windows that have not been addressed by the**
821 **Commission within Motion #1. The proposed work is compatible in exterior design,**
822 **arrangement, texture, material and relationship to the rest of the building and surrounding**
823 **area and meets the Secretary of the Interior’s Standards for Rehabilitation, in particular,**
824 **Standard 6; and the Secretary of the Interior’s Guidelines for rehabilitation, in particular,**
825 **the section on windows and energy retrofitting.**
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827 **On a Voice Vote – MOTION PASSED – UNANIMOUS**
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B-2 Nominating Committee Report

Commissioner Glusac gave the report. She stated that she and Commissioner White had served on the Nominating Committee and state that the following Commissioners expressed interest in running for office for the HDC:

- Secretary – Commissioner Giannola
- Vice-Chair – Commissioner Ramsburgh
- Chair – Commissioner Wallace

Chair Wallace invited anyone else with an interest in running for office now be considered. After hearing no response, the Nominating Committee closed the current nominations.

C - NEW BUSINESS –

C-1 Election of Officers

Running Uncontested – ALL ARE ELECTED as outlined in the nominations above.

AUDIENCE PARTICIPATION – GENERAL (Limited to 3 Minutes per Speaker) – None.

D - APPROVAL OF MINUTES –

MOTION

D-1a Draft Minutes of the June 11, 2009 Regular Session

D-1b Draft Minutes of the July 9, 2009 Regular Session

Moved by Commissioner Ramsburgh, Seconded by Commissioner White, **“That the June 11, 2009 and the July 9, 2009 Regular Session minutes be approved as presented.”**

On a Voice Vote – MOTION TO APPROVE – PASSED - UNANIMOUS

E - REPORTS FROM COMMISSIONERS – None.

F - ASSIGNMENTS

Review Committee for November – Meets Monday November 9th at 12:00 p.m. Commissioners Ramsburgh and Rozmarek.

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G - STAFF ACTIVITIES REPORT

G-1 June, July and August staff reports for 2009 were presented to the Board.

H - CONCERNS OF COMMISSIONERS - None.

I - COMMUNICATIONS

ADJOURNMENT

The Meeting was adjourned at 10:25 p.m. without objection.

SUBMITTED BY: Brenda Acquaviva, Administrative Service Specialist V, Planning and Development Services.