



# City of Ann Arbor

301 E. Huron Street  
Ann Arbor, MI 48104  
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## Meeting Minutes Historic District Commission

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Thursday, October 10, 2013

7:00 PM

City Hall, 301 E. Huron Street, 2nd Flr.

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### A CALL TO ORDER

*Chair McCauley called the meeting to order at 7:00 p.m.*

### B ROLL CALL

*Jill Thacher called the roll.*

**Present:** 6 - Robert White, Ellen Ramsburgh, Patrick McCauley, Thomas Stulberg, Benjamin L. Bushkuhl, and John Beeson

**Absent:** 1 - Jennifer Ross

### C APPROVAL OF AGENDA

**On a voice vote, the Chair declared the Agenda unanimously approved.**

### D AUDIENCE PARTICIPATION - PUBLIC COMMENTARY - (3 Minutes per Speaker)

### E HEARINGS

#### E-1 [13-1252](#) HDC13-165; 124 East Washington Street - New Business Sign - MSHD

*Jill Thacher presented the following staff report:*

#### **BACKGROUND:**

*This two-story, painted brick, commercial vernacular building was first occupied in 1906 by Taylor & Co., merchant tailors. It features double hung one-over-one windows, a brick cornice, and stone trim. A new business sign was granted a certificate of appropriateness in March, 2013, but that sign was not installed. Painted window signs were approved by staff later that month.*

#### **LOCATION:**

*The site is at the corner of East Washington Street and South Fifth Avenue.*

#### **APPLICATION:**

*The applicant seeks HDC approval to install a 10'7" by 4'1" sign over the front display windows. The aluminum sign is designed to look like typewriter keys, with 11" disks hanging from straight arms attached to a 10'7" by 12" band installed above the storefront windows.*

*APPLICABLE REGULATIONS:*

*From the Secretary of the Interior's Standards for Rehabilitation:*

*(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

*(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

*From the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings (other SOI Guidelines may also apply):*

*Storefronts*

*Not Recommended:*

*Introducing a new design that is incompatible in size, scale, material, and color; using inappropriately scaled signs and logos or other types of signs that obscure, damage, or destroy remaining character-defining features of the historic building; using new illuminated signs.*

*From the Ann Arbor Historic District Design Guidelines:*

*Design Guidelines for Signs*

*Appropriate:*

*Attaching signage through masonry joints, not masonry units, or through materials that can be easily repaired, such as wood, when the signage is removed.*

*Installing signage that is subordinate to the overall building composition.*

*STAFF FINDINGS*

- 1. The design of the sign is clever and interesting, and its location on the building is appropriate and compatible with its neighbor to the west (Amadeus). No lighting is proposed on the sign. The aluminum sign would be mounted to a steel header beam via three brackets welded onto the header.*
- 2. The size, materials, and colors are compatible with the historic structure and neighborhood, and do not impact any character-defining feature of the building. It is easily removable and reversible.*
- 3. Staff recommends approval of the application since the size, scale, design, materials, and color of the proposed sign are compatible with the historic character of the site and has no negative impact on this building or the surrounding historic resources.*

*REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:*

*Commissioners Ramsburgh and Stulberg visited the site as part of their review.*

*Ramsburgh reported that she agreed with the staff report and felt that the sign did*

everything that they would like a sign to do in that it did not disturb the historic building and is very innovative; she felt it will be very eye catching and conspicuously placed to catch the attention of the bypassers. She said the proposed sign was a very clever idea.

Bushkuhl agreed with Ramsburgh, and congratulated the sign designers on their proposed signage.

**PUBLIC HEARING:**

Hilary Gustafson, 124 E Washington, Ann Arbor, co-owner of Literati Bookstore, was present to answer the Commission's enquiries.

Oliver Uberti, 515 Gott Street, Ann Arbor, designer, was also present, along with fabricator W.A.P. John Grafaktri, Inc, 1200 N. Main Street, Ann Arbor.

Noting no further public speakers, the Chair declared the public hearing closed.

**Motion made by Stulberg, Seconded by White, that the Commission issue a certificate of appropriateness for the application at 124 East Washington Street in the Main Street Historic District to install a business sign above the storefront display windows, as proposed. The work is compatible in exterior design, arrangement, materials, and relationship to the building and the surrounding area and meets The City of Ann Arbor Historic District Design Guidelines, and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 9 and 10, and the guidelines for Storefronts.**

**(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.**

**(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

**COMMISSION DISCUSSION:**

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows with the Chair declaring the motion carried.**

**Certificate of Appropriateness was granted.**

**Yeas:** 6 - White, Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, and Beeson

**Nays:** 0

**Absent:** 1 - Ross

**E-2**     [13-1253](#)

HDC13-160; 521 East Liberty Street - New Business Awnings - SSHD

*Jill Thacher presented the following staff report:*

**BACKGROUND:**

*This two-story commercial building is part of the west wing of the Michigan Theater Building. It was built in 1927 in the 20th Century Romanesque style, but underwent significant alteration in the 1950s that destroyed much of its original exterior character. All of the original windows and storefronts were changed and a large aluminum signboard was added running the length of the building. The storefronts are now mainly glass, framed in mill finish silver aluminum, with a low ashlar limestone sill and a few vertical panels of dark marble. The original occupant of this storefront was Michigan Cleaners & Pressers, and the most recent occupant was the Rocky Mountain Chocolate Factory.*

**LOCATION:**

*The building is located on the north side of East Liberty Street, between Thompson Street and Maynard Street. This storefront is at the west end of the building.*

**APPLICATION:**

*The applicant seeks HDC approval to install two canvas awnings, one on each storefront display window. Both awnings are 6' tall and extend 2' from the face of the building, with open ends. One is 12' wide and the other 12'8", to match the width of each window. The color is "Tuscan", a muted orange.*

**APPLICABLE REGULATIONS:**

*From the Secretary of the Interior's Standards for Rehabilitation:*

*(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

*(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

*From the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings:*

**Storefronts**

*Not Recommended:*

*Introducing a new design that is incompatible in size, scale, material, and color.*

*Using inappropriately scaled signs and logos or other types of signs that obscure, damage, or destroy remaining character-defining features of the historic building.*

*From the Ann Arbor Historic District Design Guidelines (other Guidelines may apply):*

**Awnings**

*Appropriate:*

*Mounting a standard storefront awning so that the bottom of the fixed frame is at least 7 feet above the sidewalk, although 8 feet is preferred. Consideration should be given to the height of neighboring awnings.*

*Projecting the awning from the face of the building no more than 4 feet.*

*Attaching the awning just below the storefront cornice and fitting it within the storefront opening.*

*Using canvas, vinyl-coated canvas, or acrylic fabrics for awnings and banners.*

**STAFF FINDINGS:**

1. *The four storefront entrances on this building are a modern design and do not contribute to the historic character of the building. The awnings would be mounted to the non-original aluminum sign band portion of the storefront façade. The awning would be 8' off the ground, per submitted drawings. Signage on the awnings would consist of 12" letters – "Tamake Noodles & Wraps" on one, and "Tamake Sushi Rice" on the other. The awnings and signage are not proposed to be illuminated.*

2. *Staff feels that the proposed awnings are appropriate for this site, compatible with neighboring storefronts, and meet the Secretary of the Interior's Standards and guidelines and the Ann Arbor Historic District Design Guidelines.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Ramsburgh and Stulberg visited the site as part of their review.*

*Stulberg reported that in visiting the site he noted that the existing metal sign band is as ugly in pictures as in real life. He said the size of the proposed awnings helps to obscure the sign band. He liked that the proposed awning will be split into two which helps to carry the marble look upward.*

*Ramsburgh agreed with Stulberg's report, adding that she felt the proposed awning will help to hide the metal sign band as much as possible. She said the proposed awning met the standards.*

**PUBLIC HEARING:**

*Noting no public speakers, the Chair declared the public hearing closed.*

**Motion made by Ramsburgh, Seconded by White, that the Commission issue a certificate of appropriateness for 521 East Liberty Street, a contributing structure in the Main Street Historic District, for the application to install a storefront awning. The work is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 2 and 9 and the guidelines for storefronts.**

**(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**

**(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.**

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows with the Chair declaring the motion carried.**

**Certificate of Appropriateness was granted.**

**Yeas:** 6 - White, Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, and Beeson

**Nays:** 0

**Absent:** 1 - Ross

**E-3**      [13-1254](#)

HDC13-175; 1550 Cedar Bend - Install Basement Egress Window - BHD

*Jill Thacher presented the following staff report:*

*BACKGROUND:*

*The William Trapp House was constructed in 1923 and features a full-width front porch. Mr. Trapp was an assistant at the University of Michigan. A large four-window front dormer with cornice returns dominates the front façade. Windows in the dormer have diamond-patterned glass in the upper sash, and gothic leaded glass is present in the upper narrow light of the picture window.*

*LOCATION:*

*The site is located at the northeast corner of Broadway Street and Cedar Bend Drive.*

*APPLICATION:*

*The applicant seeks HDC approval to enlarge an existing basement window opening into an egress window, and install a window well.*

*APPLICABLE REGULATIONS:*

*From the Secretary of the Interior’s Standards for Rehabilitation:*

*(1) A property will be used as it was historically or given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

*(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

*(9) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize a property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

*From the Secretary of the Interior’s Guidelines for Rehabilitating Historic Buildings:*

*Windows**Recommended:*

*Designing and installing additional windows on rear or other non-character-defining elevations if required by the new use. New window openings may also be cut into exposed party walls. Such design should be compatible with the overall design of the building, but not duplicate the fenestration pattern and detailing of a character-defining elevation.*

*Not Recommended:*

*Changing the number, location, size or glazing pattern of windows, through cutting new openings, blocking-in windows, and installing replacement sash which does not fit the historic window opening.*

*Introducing a new design that is incompatible with the historic character of the building.*

*Health and Safety**Recommended:*

*Identifying the historic building's character-defining spaces, features, and finishes so that code-required work will not result in their damage or loss.*

*Complying with health and safety codes, including seismic code requirements, in such a manner that character-defining spaces, features, and finishes are preserved.*

*Not Recommended:*

*Altering, damaging, or destroying character-defining spaces, features, and finishes while making modifications to a building or site to comply with safety codes.*

*Making changes to historic buildings without first exploring equivalent health and safety systems, methods, or devices that may be less damaging to historic spaces, features, and finishes.*

*From the Ann Arbor Historic District Design Guidelines (other Guidelines may apply):*

*Windows*

*Not Appropriate: Removing or radically changing a window that is important in defining the overall historic character of the property.*

*STAFF FINDINGS:*

- 1. The homeowners would like to convert part of the basement into a bedroom, and a direct means of egress is required by code.*
- 2. The egress window would be located on the southeast side of the house, near the rear corner. Per a conversation with the applicant, an existing 20" by 40" (approx) wood basement window would be 36" wide but enlarged to 46" tall to accommodate a vinyl egress window that acts as either a swing-in casement or a single-hung for ventilation.*
- 3. A 60" deep molded fiberglass window well (Wellcraft #2060) in a sandstone (tan) color would also be installed. The well desired by the homeowners is 78" wide, which would let in the maximum amount of light. A 56" wide well is also available, and described on the window well spec sheet in the application. Staff feels that the*

*narrower well would more appropriate and minimize the appearance of the fiberglass well.*

*4. Installing the new egress window would have little impact on the overall historic character of this structure, since the majority of the alterations are below grade and located near the rear of the house. For these reasons, staff feels the use of a fiberglass well instead of wood or concrete is acceptable for this installation.*

*5. Staff feels that the installation of an egress window near the rear of the house is minimally intrusive on the historic structure in the smaller sized well is used. Finishing the basement appropriately takes advantage of space within the existing structure instead of the much more obtrusive construction of an addition. The proposal meets the Secretary of the Interior's Standards and Guidelines, and the Ann Arbor Historic District Design Guidelines.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Ramsburgh and Stulberg visited the site as part of their review.*

*Ramsburgh reported that when they visited the site they realized that the proposed egress window location was the most logical location and would be inconspicuous. She said she was looking forward to Commission discussion on the size of the proposed egress window well.*

*Stulberg agreed, adding that he felt the egress window would not be intrusive, given the proposed height above grade and would be appropriate in the proposed location.*

**PUBLIC HEARING:**

*Bruce Curtis, Washtenaw Woodwrights Inc., was present to answer the Commission's enquiries.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Motion made by Bushkuhl, Seconded by McCauley, that the Commission approve with conditions the application at 1550 Cedar Bend Drive, a contributing property in the Broadway Historic District, to replace one basement window with a new egress window in a larger opening and install a window well, on the condition that the window well does not exceed 56" wide. As conditioned, the work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 1, 2, and 9, and the guidelines for windows and health and safety, and the Ann Arbor Historic District Design Guidelines.**

**Friendly amendment made by White, accepted by McCauley that the Motion read as follows:**

**That the Commission approve with conditions the application at 1550 Cedar Bend Drive, a contributing property in the Broadway Historic District, to replace one basement window with a new egress window in a larger opening and install a window well, on the condition that the window well does not exceed 78" wide. As conditioned, the work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for**



**Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 1, 2, and 9, and the guidelines for windows and health and safety, and the Ann Arbor Historic District Design Guidelines.**

**(1) A property will be used as it was historically or given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.**

**(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**

**(9) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize a property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows with the Chair declaring the motion carried.**

**Certificate of Appropriateness was granted.**

**Yeas:** 6 - White, Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, and Beeson

**Nays:** 0

**Absent:** 1 - Ross

**E-4**     [13-1255](#)

HDC13-177; 224 Eighth Street - Install Solar Shingles on Roof - OWSHD

*Jill Thacher presented the following staff report:*

*BACKGROUND:*

*This 2 ½ story L-shaped home features corner returns on the front and side gables and a full-width front porch. It first appears in Polk City Directories in 1916 as the home of contractor Frederick C. Breisch and his wife Emma. From 1917 to at least 1940, Ida Zahn lived in the home.*

*LOCATION:*

*The site is located on the west side of Eighth Street, south of West Washington and north of West Liberty.*

*APPLICATION:*

*The applicant seeks HDC approval to install solar shingles on two roof faces and asphalt shingles on the remainder. The south-facing roof would have 201 square feet of solar shingles, and the west-facing roof would have 91 square feet. Meters would be located inside the attached carport.*

*APPLICABLE REGULATIONS:**From the Secretary of the Interior's Standards for Rehabilitation:*

*(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*

*(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

*(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

*From the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings:**Roofs**Recommended:*

*Identifying, retaining, and preserving roofs--and their functional and decorative features—that are important in defining the overall historic character of the building.*

*Not Recommended:*

*Changing the configuration of a roof by adding new features such as dormer windows, vents, or skylights so that the historic character is diminished.*

*Energy Efficiency**Recommended:*

*Placing a new addition that may be necessary to increase energy efficiency on non-character-defining elevations.*

*Not Recommended:*

*Designing a new addition which obscures, damages, or destroys character-defining features.*

*From the Ann Arbor Historic District Design Guidelines (other Guidelines may apply):**Solar**Appropriate:*

*Mounting solar panels at grade or on ground pole mountings. In the absence of an appropriate ground-based mounting location, panels should be mounted on side or rear facing roof surfaces.*

*Installing mechanical and service equipment on the roof related to the solar units and their related devices so that they are inconspicuous from the public right-of-way and do not damage or obscure character-defining features.*

*For sloped roof installations, mounting solar panels parallel to and within 8" of roof surface.*

*Not Appropriate:*

*Mounting solar panels and their related devices on primary elevations or roofs that face the primary elevation or in planes that are highly visible from the street view. This location has the highest impact on the historic character of the historic building and all other options should be thoroughly explored.*

*Any other alteration or installation procedure that will cause irreversible changes to historic features or materials.*

**STAFF FINDINGS:**

- 1. The Dow Powerhouse solar shingles have a 10" by 22.8" reveal, and are ½" thick. The surface is glassy, like a regular solar panel, but the profile is flush with the asphalt roofing. Some photos of the shingles installed on other houses are included at the end of this report. On the south-facing roof, the array would be 10'10" tall by 20' wide and centered on the roof face. The west-facing roof's array would be 5' by 18'1". Both would be installed approximately 2' from the eave and rake edges of the roof.*
- 2. The new asphalt shingles would be dark gray, slightly darker than the current roof shingles.*
- 3. The west roof face is not visible from the street or sidewalk. The south roof face is quite high off the ground, since the house is a full two stories and the slope of the lot is six feet lower on the south side of the house than the north side.*
- 4. Staff believes that the materials and design of the solar shingles are compatible with the existing structure, neighboring buildings, and the surrounding historic district, and meet both the Secretary of the Interior's Standards and the Ann Arbor Historic District Design Guidelines.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Ramsburgh and Stulberg visited the site as part of their review.*

*Stulberg reported that it is definitely difficult to see the surfaces of the proposed shingles from anywhere, with the exception of immediately adjacent to the parcel, which he said was good in that they would not obscure any architectural feature of the house, facing the street.*

*Ramsburgh felt that the proposed location was appropriate and looked forward to learning more about the shingles.*

**PUBLIC HEARING:**

*Douglas Selby, Meadowlark Energy, LLC., 3250 West Liberty Rd, was present to answer the Commission's enquiries.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Motion made by Ramsburgh, Seconded by White, that the Commission issue a certificate of appropriateness for the application at 224 Eighth Street, a contributing property in the Old West Side Historic District, to install 201 square feet of solar shingles on the south-facing roof and 91 square feet of solar shingles on the west-facing roof, and asphalt shingles on the remainder. As proposed, the work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and**

**Guidelines for Rehabilitating Historic Buildings, in particular standards 2, 9 and 10 and the guidelines for roofs and energy efficiency, as well as the Ann Arbor Historic District Design Guidelines, particularly as they pertain to solar installations.**

**(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**

**(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.**

**(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows with the Chair declaring the motion carried.**

**Certificate of Appropriateness was granted.**

**Yeas:** 6 - White, Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, and Beeson

**Nays:** 0

**Absent:** 1 - Ross

**E-5**     [13-1256](#)

**HDC13-176; 717 West Huron Street - Install Screens on Side Porch - OWSHD**

*Jill Thacher presented the following staff report:*

**BACKGROUND:**

*This stately tudor first appears in the 1906 Polk City Directory as the home of Titus and Eda Hutzel. Titus was the co-owner of Hutzel & Co. Plumbing and Heating, and superintendent of the Ann Arbor Water Company. Titus lived in the home until 1943 or 1944. It features a stone foundation, front bay window, wood siding and trim, and decorative stucco in the gables and around some of the windows.*

**LOCATION:**

*The property is located on the south side of West Huron Street, west of Third Street and east of Seventh Street.*

**APPLICATION:**

*The applicant seeks HDC approval to screen in an existing porch using sliding patio door screens, and install transom windows above the screens, on the east side of the house.*

*APPLICABLE REGULATIONS:**From the Secretary of the Interior's Standards for Rehabilitation:*

*(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

*(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

*(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

*From the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings (other SOI Guidelines may also apply):*

*New Additions**Recommended:*

*Constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.*

*Designing new additions in a manner that makes clear what is historic and what is new.*

*Considering the attached exterior addition both in terms of the new use and the appearance of other buildings in the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids, and color.*

*Not Recommended:*

*Attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed.*

*Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character.*

*District or Neighborhood Setting**Not Recommended:*

*Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the setting.*

*From the City of Ann Arbor Design Guidelines:*

*Guidelines for All Additions*

*Appropriate:*

*Designing the addition so it is compatible in terms of massing, materials, relationship of solids to voids, and proportion of openings.*

**STAFF FINDINGS:**

- 1. The date of construction of the existing side porch is unknown, though the current wood porch structure is not believed to have been built during the period of significance for the Old West Side. A single-story wing of the house is present in this location on 1925 and 1931 Sanborn maps, and on the update to the 1931 map (which stretches to around 1970). It is not known why the single-story wing was replaced with an open porch, but staff believes the stone foundation is original. As such, the porch is treated as a modern addition, with the exception of the stone foundation, which is a character-defining feature of the house.*
- 2. A hundred years ago, screening in a porch allowed more utilization of the space, especially for sleeping at night. Screening mesh was often stapled to large wooden frames that were hung from the porch's ceiling or headers on hooks and could be easily removed at times of the year when bugs were not an issue.*
- 3. The use of modern screen patio doors with tempered-glass transoms is a unique idea. It would allow the homeowner to open the screens like sliders on low-insect days. The design of the divided transoms echoes the vertical faux-half timbering found on all elevations of the house. Staff's initial fears about using fiberglass-framed screens and windows were allayed when it became clear that the porch is not original to the house. The porch is visible from the street*
- 4. The building code requires a guardrail on screened porches. The existing guardrail would be removed while the screens are installed, then reinstalled onto the posts outside of the screens. The posts are a simple square design.*
- 5. No information is given on the style of the proposed screen door on the east side of the porch. Staff recommends requiring a staff approval for this work.*
- 6. This application proposes no changes to the building's footprint, massing, or character-defining foundation, while resulting in a space that is usable more days of the year. The appearance of the open porch will be altered by the screens and transoms, but staff feels the work is acceptable since the porch is not an original feature of the house. The new work is distinguished by modern materials, and staff feels that those materials, and the overall design, are compatible with the historic house and neighborhood, and meet the Secretary of the Interior's Standards and the Ann Arbor Historic District Design Guidelines.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Ramsburgh and Stulberg visited the site as part of their review.*

*Ramsburgh reported that Thacher's staff report was very thorough and that it was reassuring to her that if the application is approved, the only features of the porch that will be changed are not historic. She explained that the historic features of the porch, which are the ceiling, framing around the ceiling, and the foundation would not be affected or altered. She said while she felt while it is a unique way of treating the porch it will still adhere to all the applicable standards and is easily reversible.*

*Stulberg stated that he concurred with Ramsburgh, noting that during the site visit it was clear that the porch was intended as an outdoor area. He said he was fairly comfortable with the proposed application not obscuring the historic features of the*

house. He said he had concerns about the need for added posts and railings in order to frame the panels and felt that on-site monitoring during construction would probably be needed.

Thacher commented that she would work closely with the Building Official as well as the Building inspection staff on the project and through site visits.

**PUBLIC HEARING:**

Noting no further public speakers, the Chair declared the public hearing closed.

**I move that the Commission issue a certificate of appropriateness for the application at 717 West Huron Street, a contributing property in the Old West Side Historic District, to install sliding screens and glass transoms on the side porch on the condition that the design of the new screen door is reviewed and approved by staff prior to the issuance of building permits. As conditioned, the work is compatible in exterior design, arrangement, materials, and relationship to the house and the surrounding area and meets the City of Ann Arbor Historic District Design Guidelines, and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 2, 9 and 10 and the guidelines for New Additions and District or Neighborhood Setting.**

**(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**

**(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.**

**(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

**COMMISSION DISCUSSION:**

*The members of the Commission took into consideration the presented application and discussed the matter.*

**A motion was made by Beeson, seconded by Bushkuhl, to postpone taking action on the application for 717 West Huron Street, until the November 2013 HDC meeting.**

**On a voice vote, the vote was as follows with the Chair declaring the motion carried.**

**Application postponed until the November 2013 HDC meeting.**

**E-6**      [13-1257](#)

**HDC13-164; 217 North Fifth Street - Replace 24 Wood Windows with Same - OFWHD**

*Jill Thacher presented the following staff report:*

**BACKGROUND:**

*This brick two-story gable-fronter features shingles in the front and rear gables, a wood front porch, one-over-one double hung windows, and small columns flanking the recessed attic windows in each end gable. The house was first occupied in 1900 by John and Pauline Baumgardner. John was the manager of the Ann Arbor Stone Company at the same address, and had one of the city's few telephones installed in the house at that time. Baumgardner's Barn, a few lots down at 301 North Fifth Avenue (corner of Detroit, currently occupied by Jessica's Apothecary), was built in 1887 as part of John Baumgardner's Marble Works. The Baumgardners lived at 217 until 1913 or 1914, when the home was occupied by John Pfisterer, with Matilda C. Pfisterer, teacher at Christian Mack School, listed as a boarder. Matilda, and subsequently Emilie Pfisterer, occupied the house until 1966.*

*The 1908 and 1916 Sanborn Fire Insurance Maps show a small one-story enclosure (room) off the back door. It is not shown on the 1925 Sanborn.*

*In February of 2013, the HDC issued a certificate of appropriateness to re-work the rear yard, formalize two parking spaces off the alley, eliminate the driveway, and replace five windows – the HDC also denied a certificate of appropriateness for the replacement of four other windows, which are now included in this application for a notice to proceed. In March of 2013, the HDC issued a certificate of appropriateness to remove the chimney and install two shed dormers. In September of 2013, the HDC issued a certificate of appropriateness to change the window sizes in the new dormers.*

**LOCATION:**

*The house is located on North Fifth Avenue, north of East Ann Street and south of Catherine Street.*

**APPLICATION:**

*The applicant seeks a notice to proceed from the HDC to replace 24 wood windows with Pella replacement windows, including the four windows that were denied a certificate of appropriateness in February, 2013.*

*Also included with the application are a letter from the owner's attorney which describes the health concerns that are the basis for the notice to proceed request; an affidavit from Dr. Dinesh Khanna documenting the health concerns of Lisa and Calvin Rye; a window condition assessment from Blackberry Window and Door Systems; and project drawings, photos, and other supporting documents.*

**APPLICABLE REGULATIONS:**

*The HDC may approve work (including work that does not qualify for a certificate of appropriateness) by issuing what is called a notice to proceed. There are only four circumstances under which a notice to proceed may be granted by the HDC. The property owners have indicated in their application that they are requesting a notice to proceed based on health concerns of the occupants related to the refurbishment of the existing windows with epoxy, therefore the applicable provision is circumstance (a), shown below.*

**8:416 Notice to Proceed**

*(1) Work within a historic district shall be permitted through the issuance of a notice to proceed by the commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary*



to substantially improve or correct any of the following conditions:

(a) The resource constitutes a hazard to the safety of the public or to the structure's occupants.

If the HDC finds that the resource constitutes a hazard to the safety of the public or to the structure's occupants and that the proposed work is necessary to substantially improve or correct the condition, then a notice to proceed will be issued.

**STAFF FINDINGS:**

1. A window assessment by Blackberry Window and Door Systems is included, which indicates that 10 windows require epoxy consolidation and patching; the sash need to be replaced in 11 of the windows (there is some overlap with the epoxy consolidation windows here); and that four windows require complete replacement. Four windows on the applicant's drawings are not addressed by Blackberry (windows D, H, P, and Q). The assessment states that all of the windows being restored would require the use of some epoxy consolidation and patch. The condition of the windows has no bearing on the HDC's actual decision, since the HDC will approve or deny the application based only on whether the resource constitutes a hazard to the occupants and that the proposed work is necessary to substantially improve or correct the condition.

2. The window specification sheets included with the application indicate that none of the proposed double hung and fixed replacement windows meet the Ann Arbor Historic District Design Guidelines with respect to the viewable profile of the sash face, and the profile between the sash face and glass. Also, the basement hopper windows do not meet the profile requirements, and the casement windows do not meet the sash face requirements. As the proposed sash profile of the new windows does not relate to the applicant's stated epoxy health hazard and would not be necessary to correct the hazard, approval of a notice to proceed should be conditioned on the applicant's use of replacement windows that meet the Design Guidelines, including sash profile.

3. Should the HDC determine that the refurbishment of the windows with epoxy constitutes a hazard to the structure's occupants, staff's opinion is that replacing the windows consistent with the Design Guidelines will correct the hazard.

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

Commissioners Ramsburgh and Stulberg visited the site as part of their review.

Stulberg reported that given that the application was a request for a Notice to Proceed the condition of the windows is not what is being considered; rather, whether the request meets the requirements of a Notice to Proceed. He said the key point having to do with the occupancy and the health hazard to the occupants and whether the requested changes of the applicant are necessary to meet the health requirements or to eliminate the health hazard. He said, given what they learned on-site, there definitely were significant health considerations that need to be taken into consideration, as well as there being available alternatives [to the applicant] to the installation of the windows that the applicant is proposing to install in order to correct the hazard.

Ramsburgh agreed with Stulberg's report and the staff report.

**PUBLIC HEARING:**

*Jon Rye, 735 Forest Ave # 308, Birmingham, MI, was present and explained the application.*

*Kevin Stansbury, Mitchell & Mouat Architects, was also present to answer the Commission's inquiries.*

*Beeson commented that toxins are persistent everywhere and he enquired if the owners were also screening for and eliminating other possible toxins in their houses, such as the PVC pipes, filtering through fabric selections, looking at the glues that are consistently used throughout construction. He said the question comes down to if it is an immediate, eminent health affect and if it is truly continually off-gassing or if that off-gassing ceases or decreases after a given time. He said he was having trouble with the issue, primarily as an epoxy coming up as an issue, when it does stabilize itself eventually, and then it will be encapsulated inside paint, and unless you are sanding it down and exposing it and then licking it, he did not see how exposure to it would be eminent.*

*Rye responded that he just was not willing to take the risk.*

*Beeson commented that even electrical wiring did not come without toxins, adding that all windows contained glues in the silicone sealants that would have off-gas.*

*McCauley said those, in theory, could have more danger than the epoxy.*

*White noted that some people are more [health] sensitive than others and he felt that the applicant is looking to reduce his exposure in seeing what the Commission could do to assist him in his request for a Notice to Proceed. He said the standards are totally different for a Certificate of Appropriateness and a Notice to Proceed.*

*Bushkuhl asked Stansbury if they had looked at all the available solutions in repairing the windows versus replacing them.*

*Stansbury responded that they have spoken with two national window manufacturers [Pella Windows being one of them] and two restorers. He said they began the process back in February when they were looking only at replacement or restoration of the windows when their decision was only marginally health dictated. He said when they found that the restoration process would include the use of epoxy, that is when Jon and Lisa Rye, whom had had a lot of experience with it, immediately reacted and sought the counsel of their doctors. He said they spoke with other restorers asking if epoxy was necessary and they said that some form or another of epoxy was necessary for any punchy wood or you replace the punchy wood. He asked, at what point are we replacing the entire window, and that there are several windows here that have punchy wood and failed joints in them. He said they have looked very closely at new, restore, replicate or replacement options. He said they have asked if the windows can be replicated just the way they are, and Pella said they cannot, adding that Pella has an historic window but it doesn't have the same profile.*

*Bushkuhl said that while the use of epoxy is the most common way, when repairing deteriorated wood, then replacing it is the other option. He said they might need a cost estimate to compare the two to see if it is really way out of this world compared to replacing them. He said if they were to replace every piece of wood that was rotted [beyond] and needs epoxy repair, they would instead replace that portion of wood with like wood.*

*Stansbury said it would be physically possible but it was not economically feasible.*

*Bushkuhl said he wanted to be sure that the applicant had investigated that option, since it would solve the problem.*

*Stansbury said, it would.*

*Rye said this house hadn't been maintained for years and they have done a lot of work in the house, adding that they had removed asbestos around all the windows.*

*Stulberg asked regarding the comment that it was not feasible to replace the wood on the windows and if the Commission could get a relative term of the cost involved.*

*Stansbury said the cost would be the same as new.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Motion made by Stulberg, Seconded by White, that the Commission issue a notice to proceed for the application at 217 North Fifth Avenue, a contributing property in the Old Fourth Ward Historic District, to replace 24 wood windows with replacement wood windows, upon the following conditions:**

- 1) That the applicant applies for and receives a staff approval for wood windows that meet all of the City of Ann Arbor Historic District Design Guidelines, including the guidelines for sash profile, before permits are issued.**
- 2) That the need for this work is immediate because Calvin or Lisa Rye will be the next occupant(s) of the property and one or both intend to occupy the property upon completion of the work.**
- 3) That if, at any time prior to completion of the work, either property owner has knowledge that neither Calvin nor Lisa Rye will be the next occupant(s) of the structure, this notice to proceed shall immediately cease to be valid for any uncompleted work, all uncompleted work must stop, and the property owner must notify the City's Historic Preservation Coordinator.**
- 4) That, before permits are issued, the property owners submit an affidavit affirming that:**
  - a. The need for the work requested under this notice to proceed is immediate because they intend for Calvin or Lisa Rye to be the next occupant(s) of the property once the work is completed;**
  - b. If, at any time prior to completion of the work, either property owner has knowledge that neither Calvin nor Lisa Rye will be the next occupant(s) of the property, the property owners will cease all work and notify the City's Historic Preservation Coordinator as soon as practicable; and**
  - c. The property owners understand that if this notice to proceed ceases to be valid, any further work will be deemed unauthorized, and the Commission may order the property owners to restore the unauthorized work to its previous condition at the expense of the property owners.**
- 5) That, before permits are issued, Calvin or Lisa Rye (or both, if applicable) submit an affidavit affirming that:**
  - a. He/she intends to be the next occupant of the property once the work**

authorized by this notice to proceed is completed; and

b. If, at any time prior to completion of the work, he/she has knowledge that they will not be the next occupant of the property, he/she will notify the property owners and the City's Historic Preservation Coordinator as soon as practicable.

The Commission finds that refurbishing the wood windows at 217 North Fifth Avenue with epoxy constitutes a hazard to the safety of the structure's next occupant(s), Calvin or Lisa Rye, due to their particular medical issues, and that replacing the windows with new wood windows that meet the City of Ann Arbor Historic District Design Guidelines is necessary to correct the condition.

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

*Bushkuhl said this is an interesting case before the Commission, noting that he has personally worked with epoxy, having built two boats before. He said he has taken multiple college and graduate level classes in construction safety and is quite familiar with a lot of these materials. He said he currently works in a healthcare and research environment adding that he has a little bit of knowledge about this that might help. He said if you look at the epoxy before it cures versus after, you have a 'material safety data sheet' for the resin, that to him, was not necessarily very relevant to the Commission discussion, because it is for the uncured material. He said the biggest hazard that most people have with the epoxy is after it is cured, when you are sanding it, given that the fine particles can get in your lungs. He said unless you have a particular sensitivity to it, the actual material isn't going to be a hazard at all. He said the operating room floors at the University of Michigan are actually epoxied and they do take care to make sure they off-gas in the appropriate amount of time and in that application it does not have any negative affect to people. He said all that comes around to this specific case and their sensitivity; if anyone for general health reasons thought that epoxy was going to be a hazard to them, I would disagree and you would be able to find a lot of supporting documentation, that it cures and is encapsulated there is no problem with it. He said to him, given that they have this particular sensitivity, and he is not a medical person, so he will leave it to their doctor to decide whether or not there is going to be a hazard to them in their specific condition, and if that is the case, then the Commission has that information in front of them. He said to him, that was enough to accept it, given their conditioned Notice to Proceed.*

*White said he supported that.*

*Stulberg said he felt one way to look at this was a legal concept [adding that he was not a lawyer], like asking for a summary judgment, where you say, assuming everything that is put forth is true, then we won't dispute it, but it still draws a certain conclusion, regardless. He said he does not want to dispute any medical or scientific advice, but wants to assume it is 100% correct, and that all the expert advice from window companies and the manufacturers of the epoxies is correct, and he does not have to make a judgment himself, about those things. He said, assuming all those things and that it would be extremely hazardous to the occupants, he is not comfortable having all the windows taken out and replaced with new windows if they do not meet the design guidelines. He said the current motion would meet the design guidelines so any alternative that would not, he would certainly not approve. He said he is still hesitating on this motion because any old house is going to run into this problem and to start with an old house, he thought, was inevitable that people having*

*this level of health conditions are going to run into some chemical, some compound, somewhere in the structure, that was going to be problematic. He said he didn't want to take this lightly, in that he is fortunate that he doesn't have such a condition of grave concern, but expressed that this should have been foreseeable as a problem when they started the job and coming to them now puts the problem in the Commission's lap of; do we want to deny these people brand new windows for health reason concerns when maybe the project should not have started at all.*

*Beeson said he agreed with several comments made, and in the context that it is an old house you are going to find these problems. He said he wanted to add that even in a new house you would find these problems; new windows have these problems, new carpeting, new everything, has exactly these same problems. He said it is really hard for them, as a Commission, at this point to reflect on the social-environmental issues, at large, that are pretty much out of their hands. He said he is trying to look at this for the value as it is here that it constitutes a hazard to the safety of the public or to the structure's occupants. And though there is a risk in everything that we do in our lives, even living in Michigan, there is a risk, because it has a higher concentration of particulates and contaminants in the air than a State like South Carolina [per EPA's website]. He said he does not personally believe that this is a hazard to the structure's occupants.*

*McCauley said, not being a doctor, but rather a house painter and home restorer, he has lots of experience with the West Systems, which is what is proposed here [Exhibit F]. He said working with epoxies for years, the number one hazard is skin contact and breathing in the dust, when you are mixing it and when you are sanding it. He said there possibly is off-gassing, but he has never smelled it, even using it in close proximity. He said in going by the emergency overview information in the packet, on the potential health affects and the primary points of entry listed is skin contact. He said they have one doctor's opinion that this could cause a problem, he is skeptical that the off-gassing would be significant enough, especially in such a small dosage. He said as Bushkuhl was saying, entire hospital floors are epoxied. He said he would assume that the (window) epoxy process would have to be done off-site, which would make sense, as he is hoping, since the sashes would have to be taken out, he is hoping they would be allowed to off-gas for an extended period of time before being brought back, encapsulated with primer, paint or stain on the interior and exterior, where the epoxy would most likely be necessary. He said there are appropriate paints available. He said in looking at the emergency overview [Exhibit F], 'Acute Skin Contact, Chronic Inhalation: Repeated exposure to high vapor concentrations ...' he said there will not be high vapor concentrations. Maybe for the person apply it and he would assume that the list is warning for the person applying it or people that are going to be immediately around it, once it is done. He said he did not think the listed symptoms listed by the company apply to this case, because it will be encapsulated and painted. He said he didn't feel they have enough information on the affects of the epoxy on the internal air quality versus new windows and the vinyl components of new windows, the stacks, the sealant and glues that go between the frame and the glass and any other number of factors that go into manufacturing and having a new window in your house. He said he was not in favor of this Notice to Proceed, stating the he didn't think they have enough information to justify replacing every window, since every window does not need epoxy.*

*White said that they sell peanut butter and while he can eat peanut butter, someone else is more sensitive to peanuts and to them is death threatening. He said they are not dealing with norms, but with abnormal situations. While he can eat peanut better, it might send 'John' to the hospital, and because you and I are not sensitive to it, their family is sensitive to it. That is what they are here for, he said, not for a Certificate of Appropriateness on this project, but a Notice to Proceed, and an exception to the*

rule.

Ramsburgh said that White has a point, but what the Commission needs to keep in mind is their charge to preserve historic fabric through a series of owners, present and future. She said we, have to somehow weigh all of this and take into consideration the resource as our charge to watch out for. She said she has great sympathy for the situation that the Rye's find themselves in, but the knowledge of both the condition of his son and his wife were well known before the house was purchased and before the undertaking of the renovation was taken. So, if she is allergic to peanut butter, she does not eat it or buy it. So it has put us over a barrel a bit and she thinks that is troubling when their responsibility is to be a steward of the resource then hopefully when someone purchases a house in an historic district they also are assuming some degree of stewardship of that resource and if the purchase of the house was to use it as a staging area for the building of 215, then the intent didn't seem to be a home for someone who is susceptible to auto-immune problems. She said this is a quandary that could have been avoided.

White agreed that it is a quandary that could have been avoided, adding that the people are here and have purchased the property and done the analogy and looked at all the parts and after looking at all the parts they are saying they are just too sensitive and they think they have a solution. He said because there is a rule there is also an exception into the rule and the exception to the rule is a Notice to Proceed, so the people's health can come first. He said they have had situations come before the Commission, such as lead poisoning, and the question is if they can become a solution to their problem and not be a solution that is going to risk their lives.

Stulberg said it makes a big difference in this situation if someone was living in a home and developed a condition or was diagnosed with a condition and needed to make changes to the home that they occupied for years in order to not run into a serious health risk, they would be looking at a very different scenario. He said in this case the health conditions existed prior to the purchase of the home and though it is a very serious and unfortunate medical condition for two members of the family to have, the future occupancy of the home may be a consideration that is left up to the family. He said he did not think that the Commission should even be put into the situation of having to make this kind of a decision on a resource when there are alternatives to the homeowner, who isn't living there, who hasn't been there and didn't find themselves in a change of circumstances. He said as someone who has bought old homes for certain purposes, turn them into rental property or renovate them from a rental property into a single-family home, there is a lot of things he anticipates when he looks at a project. He said sometimes you find out you can't do quite everything you anticipated to do and you find out there will be a financial burden and sometimes you just have to take that financial burden. So, where there is an alternative available, the financial inconvenience, it's still an available alternative, so he doesn't think the Commission can throw out their guidelines when there are alternatives available. He said as noted in the Notice to Proceed, they are not just evaluating this in terms of the health of the prospective occupants; they are evaluating this in terms of being necessary to correct the problem. He said he does believe there are alternatives so this is not the only possible way to solve the problem so it is not necessary.

White asked that if there is a pre-existing condition, then they can't live in the house? He asked if they have a pre-existing condition and want to live in Ann Arbor and they can solve the problem, but you are not going to allow them to solve the problem and they have to move from the house.

Stulberg responded, no, not at all; there are alternatives available for them to solve

*the problem.*

*McCauley said, such as wood replacement versus epoxy, as was discussed.*

*Bushkuhl said he didn't think it was reasonable to assume that a homeowner who doesn't have knowledge that [the Commission] we may have, through our fields of expertise or experience would know, that windows would commonly be fixed with epoxy or need that as almost the only repair, other than replacing the wood. He said that is what his question to the applicant was and that was the alternative of replacing the wood and if they accepted that it is not economically feasible then they are going down the path of what the applicant has set up in their packet.*

*Beeson said part of this is that epoxy is one of the sole reasons it became an issue to simply replace the windows instead of repairing the windows, if it would require an epoxy. He said he understands there might be an alternative, but he wanted to focus on the epoxy part of it, which he referred to as 'peanuts'. He said, let's say they grant them the opportunity to go and get new windows which are going to have 'peanuts' in them, (some other type of peanut, which is equally potentially a risk problem), then he feels like they are making the decision based on things that are a risk assessment, whereas they [the Commission] are charged with looking at maintaining an historic resource and they are just eliminating these windows as part of the historic resource in order to bring in different 'peanuts'.*

*Ramsburgh, asking Bushkuhl, said her understanding from the architect is that wood replacement could be done at the same expense as wood, like replication.*

*Bushkuhl responded that he understood it would be the same or more.*

*Several Commissions agreed to hearing the same.*

**On a voice vote, the vote was as follows with the Chair declaring the motion defeated.**

**Application Denied.**

**Yeas:** 2 - White, and Secretary Bushkuhl

**Nays:** 4 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, and Beeson

**Absent:** 1 - Ross

**F UNFINISHED BUSINESS**

**G NEW BUSINESS**

**G-1 [13-1258](#) Election of Officers**

*White gave the Nominating Committee Report.*

**A motion was made by McCauley, Seconded by White, that the Annual Appointment of Officers be as follows:**

**Chairperson: Tom Stulberg  
Vice Chair: Ben Bushkuhl  
Secretary: John Beeson**

On a voice vote, the Chair declared the motion carried.

**Yeas:** 6 - White, Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, and Beeson

**Nays:** 0

**Absent:** 1 - Ross

**H APPROVAL OF MINUTES**

**H-1 13-1259** Minutes of the September 12, 2013 HDC Meeting

The minutes were unanimously approved by the Commission and forwarded to the City Council. On a voice vote, the Chair declared the motion carried.

**Yeas:** 6 - White, Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, and Beeson

**Nays:** 0

**Absent:** 1 - Ross

**I REPORTS FROM COMMISSIONERS**

*Commissioner White thanked the Commission for their work on the Commission and he thanked Jill Thacher for compiling the many staff reports with historic background and guiding the Commission through each application.*

**J ASSIGNMENTS**

**Review Committee: Tuesday, November 12 at Noon for the November 14, 2013 Regular Meeting**

*Commissions White and Bushkuhl volunteered for the November Review Committee.*

**K REPORTS FROM STAFF**

**K-1 [13-1260](#)** September 2013 HDC Staff Activities

Received and Filed

**L CONCERNS OF COMMISSIONERS**

**M COMMUNICATIONS**

**N ADJOURNMENT**

The meeting was unanimously approved at 9:38 p.m.



*Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, [www.a2gov.org/ctn](http://www.a2gov.org/ctn), on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).*

*Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.*

- *Video on Demand: Replay public meetings at your convenience online at [www.a2gov.org/government/city\\_administration/communicationsoffice/ctn/Pages/VideOnDemand.aspx](http://www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideOnDemand.aspx)*
- *Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.*

*The complete record of this meeting is available in video format at [www.a2gov.org/ctn](http://www.a2gov.org/ctn), on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>), or is available for a nominal fee by contacting CTN at (734) 794-6150.*