

**MINUTES  
HISTORIC COMMISSION  
AUGUST 19, 2021**

**TYPE:** Regular Meeting  
**PLACE:** City Council Chambers

**MEMBERS PRESENT:** Jeremy Loukinas          Roger Daniel          Matthew Dixon  
Levi Cramer                                  Andy Brickler          James Stabler  
David Myers                                  Nancy Romero

**STAFF PRESENT:** Annette Accurso, Historic Property Specialist

**OTHERS PRESENT:** Jefferson Neff, Stephen Stine

Mr. Dixon called the meeting to order at 5:31 PM. Roll call was made; voting quorum was present.

**PREVIOUS MEETING MINUTES**

Mr. Daniel mentioned that there was a duplication in the July 15 minutes. Mr. Meyers made motion to approve the minutes upon the removal of the repeated paragraphs originally submitted. Mr. Brickler seconded, motion approved by a vote of four; votes abstained by Ms. Romero, Mr. Stabler and Mr. Dixon.

Ms. Accurso indicated the Development Code Section slides which trigger the Certificate of Appropriateness, and stated that each applicant was forwarded the same information prior to the meeting.

**202 HIGHLAND STREET – WINDOW REPLACEMENT  
CERTIFICATE OF APPROPRIATENESS**

Ms. Romero presented.

Ms. Accurso read the requested action:

To approve the Certificate of Appropriateness for the replacement of windows on the home.

She moved on to explain the property history:

The brick Modern Colonial home was built in 1974 by Warren and Patricia Johnson, where they resided until October 16, 1980. The home is side-gabled, with an attached front-facing garage. The front entrance is simple, with a double entry door. It has no formal porch or entry way.

Ms. Accurso described the frontal picture of the house on the slide, and stated the prior approval was in May 2021 for a pool demolition.

She indicated the showroom window example next to the existing front window of the home, on the slide.

She presented the Proposal of Work:

The owner wishes to replace the 16 original, double hung windows in the home. The current windows are wood with vinyl clad wood frames on the exterior. The vinyl covering is deteriorating on many of the windows, and the gas between the panes has leaked out. Many plastic muntins have broken. The owner proposes a replacement, triple pane, insulated glass window, which would fit into the existing frames. The frames would be covered with aluminum cladding. The same grid pattern will mirror the current grid, and will be within the panes. The existing/original color trim is white, and the replacements will be the same.

Ms. Accurso pointed out the pictures on the slide were another frontal view of the home and an example of work on a home from the vendor.

Ms. Accurso cited the Secretary of the Interior Guidelines for treatment of replacement windows as such:

Recommends replacing in kind, extensively deteriorated or missing components of windows, when there are surviving prototypes, such as frames or sash, or when the replacement can be based on documentary or physical evidence. The new work should match the old in material, design, scale, color and finish.

She advised that no building permit would be required upon approval.

Upon conclusion of the staff report, Ms. Romero asked for staff recommendation:

Ms. Accurso stated that staff recommends approval because the owner is keeping the original frames of the windows, keeping in line with the original style and look. The color remains the same as well, and the change in cladding was used during the period of significance of the home.

Ms. Romero asked if the applicant was present, and Mr. Neff acknowledged. She indicated that the gridwork should remain the same, and Mr. Neff confirmed it would, and they would be inside the panes, to avoid deterioration.

Ms. Romero asked if there were any questions. Hearing none, she requested a motion.

Mr. Meyers moved to approved, seconded by Mr. Daniel, who seconded. Motion was approved as submitted through roll call.

**510 and 512 SOUTH MAIN STREET – DRIVEWAY REPLACEMENT**  
**CERTIFICATE OF APPROPRIATENESS**

Ms. Romero announced the COA.

Mr. Dixon announced that he is an adjacent property owner and would be abstaining from hearing the case.

Ms. Accurso repeated the requested action, and presented each property history as follows:

*510 South Main Street:*

The Queen Anne home was built between 1890 and 1909, and originally known as the Carnahan House. It is a gabled, two-story painted brick home with a stone foundation. It has chimneys on either end of the house, a bay window on the second floor above the covered front porch, and flat-sided arched window openings. Robert B Carnahan was the first engineer to be hired by Armco, and was responsible for specialty steel, which gave Armco a competitive edge in the market place.

*512 South Main Street:*

The home is also of the Queen Anne style, and was built in the 1890's. It is wood framed with a stone foundation. The roof is hipped, and since its period of significance, the home has been aluminum sided. It was originally known as the John Boyd House. John Boyd was a judge, politician and civic leader, as well as Vice President of the Merchant's National Bank. That bank later became known as First National Bank.

Ms. Accurso stated the previous approval of 510 S Main St was to repaint the house in September, 2020. There was no prior approvals for 512 S Main St.

She then described the pictures on the slide as 510 and 512 both of frontal views. She indicated the shared drive pictures on the next slide.

Ms. Accurso described the proposal of work:

The owners wish to remove the existing shared deteriorating driveway and curbing, which is currently 8'W OD, and 7'6"W ID. The entire driveway is 135'. The owners wish to replace 97' of the driveway, and widen it by 2', making the total width 10'. The south side, on 512's property would be widened by 18" and the north side of the drive located at 510 would be widened by 6".

She indicated that a zoning and building permit would be required upon approval. She then described the view of the drive between the homes, rendering and map of the parcels on the slide.

Ms. Accurso mentioned the Development Code Section 1218.03(h)(2) and (6), which apply to the requirements for parking on residential properties.

Upon conclusion of staff report, Ms. Romero requested recommendation.

Ms. Accurso advised that staff recommended approval, because the new drive will correct the deteriorating condition, widen to afford more maneuverability for the users, will keep the same material as existing, and follows zoning code requirements for residential districts.

Ms. Romero asked the owner, who was present, if the drive replacement material would be concrete, to which Mr. Stine confirmed.

Mr. Romero asked if anyone had any further questions. Hearing none, she requested a motion.

Mr. Daniel made a motion, Mr. Loukinas seconded. The motion for approval as submitted was carried through roll call. Mr. Dixon then returned to the meeting.

Mr. Daniel asked what it had to do with zoning. Ms. Accurso advised that driveways are required to follow specific guidelines in residential districts.

Mr. Meyers questioned why a building permit would be required. Ms. Accurso stated because of the requirements for pouring the concrete (drive).

**1131 CENTRAL AVENUE – WALL SIGN**  
**CERTIFICATE OF APPROPRIATENESS**

Ms. Romero announced the COA.

Ms. Accurso read the request to approve the installation of a sign on the rear of the building.

She then presented the property history:

The property is located at the corner of Central Avenue & Verity Parkway in the center of the Central Avenue Historic District. This building is home to a mural commemorating Port Middletown, a historic stop on the Erie Canal, by Artist Eric Henn. This building is a 4-story brick building with a basement originally built in 1955 as a Penny's department store with a mezzanine and 4th floor warehouse space. Previous tenants of the building include: TV Middletown, The Safety Council, Downtown Middletown Inc. and The Community Pregnancy Center. This building is surrounded by three public parking lots in front, rear and side.

She then described the overhead view of the patio at Torchlight Pass which was on the slide presentation.

Ms. Accurso stated the approval history:

- May 5, 2016 – Façade Improvements
- June 7, 2016 – Façade Improvements/Mural
- July 21, 2016 – Mural Signage on Rear of Building/Projecting Wall Sign
- October 27, 2016 – Wall Sign
- April 15, 2021 – Fencing, Signage and Temporary Bar

She proceeded to describe the renderings on the slide, along with a picture of the existing area proposed, and continued to describe the proposal of work:

The mural/wall sign will be painted at the entrance of “*Portopia*”, the new immersive art experience downtown. “*Portopia*” is located on the 3rd floor of Torchlight Pass; it’s entrance will be at the freight door, along the alley, or north side of the building. The area to be painted is 9’ high and 13’ wide in total, located beneath the overhang. The logo will be painted over the top of the roll up freight door, and its dimensions are 5’ by 5’.

Ms. Accurso indicated a zoning permit would be required upon approval.

Ms. Accurso offered a brief description of *Portopia* as an immersive art installation, which is temporary (short-term), and different artists will promote it. It stimulates all of the senses, sight, smell, sound, touch, for the participant. It is meant to create foot traffic and revenue, which other businesses will benefit and develop from. It utilizes the strong arts community in Middletown to establish and promote the experience. She described the slide in the presentation as a description of the *Portopia* experience, and advised that it is to open in September 2021.

Ms. Romero asked for staff recommendation, and Ms. Accurso's reply was to recommend approval because the mural follows the zoning guidelines for signage, and the project is a new and different opportunity to build foot traffic in the downtown area, where many businesses can benefit. She added it would spur economic growth.

Ms. Romero questioned the sign.

Mr. Brickler advised that he read about it, and looked at the area last weekend. He stated that the exhibit is temporary, they want to paint the wall, 13' X 9' jet black, which is to brand the event, on the brick. He wouldn't call it a mural, it's more of temporary signage. What are they going to do after this event?

Mr. Daniel expressed that his interpretation was the exhibits were going to be temporary, but revolving.

Ms. Accurso stated that she is not extremely clear on it, but Mary was trying to get a rendering in time for the presentation.

Mr. Meyers stated his confusion that it appeared the paint would be over electrical panels. He asked if the door was a roll down door, which was confirmed.

Ms. Romero stated that they are painting the whole portico area jet black.

Mr. Brickler stated he felt it looked like, to make it match, they intend to paint the whole area black, and paint the logo over the top of the door.

Ms. Romero asked if you are allowed to do that.

Mr. Brickler advised he'd read up on the event and felt it would be great for the city, but he asked if it was a temporary thing or an ongoing thing.

Ms. Accurso responded that is it a temporary short-term art exhibit within Torchlight Pass, it encompasses 4,500 SF of creative interactive experiences for the participant.

Ms. Romero stated she thought the events are revolving.

Mr. Meyers asked if the sign would change for each event.

Mr. Loukinas stated that he thought that it is going to be what the venue is called.

Mr. Brickler stated that if *Portopia* is going to be all the time, because the Facebook page it indicated that it is going to be a one-time event, but reiterated the “temporary short-term art exhibit within Torchlight Pass”. He added he could go either way.

Ms. Romero stated regardless temporariness or permanence, she is not a fan of painting part of this brick black.

Mr. Meyers asked if it's temporary, could there be some other way to create the signage maybe with chalk or something like that, which could come off.

Several members began to indicate a façade or something that could be painted and look nice.

Ms. Romero expressed acceptance to that.

Mr. Loukinas stated it does say that it will relaunch each year with a new theme, and a different team of artists. So, it is a permanent sign.

Ms. Romero stated she would rather see a plywood or a façade built and painted, but she is not a fan of painting a piece of brick.

Mr. Brickler requested clarification, if it is permanent, would it be signage versus a mural?

Ms. Romero answered right.

They are asking for a mural approval.

Ms. Romero replied no.

Mr. Loukinas stated, technically, since it is painted on the building, what defines a sign versus a mural.

Ms. Romero, agrees that it's not a mural it's signage, by definition, and it's not appropriate to paint bits of brick on an old building. She furthered she'd rather see a structure built and then painted, that can be removed, next year if the art exhibit never happens, and the project fails, and they don't have a black corner on the building; it can be removed.

Ms. Romero stated for the record, that Levi Cramer has joined the meeting at 5:51.

Mr. Daniel stated he could go either way, and added that they did approve Torchlight Pass in 2016.

Ms. Romero agreed, it was different, and that is was approved as a sign.

Mr. Cramer asked if a mural has to follow signage, you can only have so many square feet, the percentages etc.

Mr. Loukinas asked if calling it a mural, does that make it that they don't have to follow sign requirements?

Ms. Romero stated she felt that was what they are doing.

Mr. Cramer stated he doubted that just calling it a mural could do that.

(Too many people speaking to determine who was speaking and what was said).

Mr. Dixon stated that they have approved murals, but were clearly much larger.

Ms. Romero agreed, yes than signage, but they were obviously murals, this is not a mural.

Mr. Meyers stated it may be a matter of semantics that they chose that term, because they were painting on the structure.

Mr. Loukinas stated he didn't think they don't know it's a sign.

Ms. Romero agreed.

Mr. Loukinas stated the members should look at it as a sign.

Mr. Dixon's comment was unclear, however, he appeared to mention that they'd approved Torchlight Pass. Could not determine his whole statement.

Mr. Loukinas added because it's painted on the building.

Someone asked where that percentage coming from.

Mr. Brickler stated there are individual business or events or whatever. Does that have to do with the wall?

Ms. Romero reverted back to Torchlight "circle sign", and asked if it was signage, and asked Ms. Accurso.

Ms. Accurso answered yes, (as slide indicated under previous approvals indicated), "Mural Signage on Rear of Building".

Ms. Romero said if they consider it not a mural, which is where she is heading, then it's signage. She added that the Portopia sign looks disproportionate to her.

Mr. Brickler reiterated that Mary was trying to quickly throw it together, and asked for confirmation with Ms. Accurso, who verified.

Ms. Romero stated that conceptually the Portopia is out of proportion.

Ms. Accurso stated she presented it as a sign; applicant indicated mural. Ms. Accurso presented it as a sign because it was a logo and it was on a building.

Ms. Romero asked if they are still within their parameters for signage with the Torchlight Pass.

Ms. Accurso advised she would have to look at the records and discuss with Devra Wells to make sure it would still be within, because there is a percentage of the entire back wall.

Ms. Romero added that Mr. Dixon was correct in his statement previously that he thought there were size issues with that particular logo.

Could not understand what Mr. Dixon had added.

Ms. Romero stated she wouldn't feel comfortable making a decision until they know. Then asked if they should vote to accept the application as signage and not a mural, or are they within their parameters to make that decision.

Mr. Dixon suggested tabling.

Mr. Cramer added the only thing about tabling is that they hope to open it in September.

Mr. Brickler state he's willing to come back to it, referring the 5 X 5 size of their sign, and they're going to paint it black, implying that the hang up is painting it black. So, if they do table it, they should state that is one of their reasons.

Ms. Romero asked what Ms. Accurso would need if they table, though she wasn't good with tabling the application; she stated reject and come back.

Mr. Loukinas stated, looking at that building, there are so many doors and entrances, it would draw attention to that being a separate thing, it didn't look terrible.

Ms. Romero disagreed.

Mr. Dixon spoke up, stating they're essentially just painting a section of the brick. Are they finding it acceptable?



Ms. Romero stated no.

Mr. Brickler stated that's where he was coming from; are they setting a precedent, to be able to paint a building any color. He stated that, if the applicant was there, he would recommend them to build a structure and attach it, whether it is long-term or temporary, and they could take it off, the brick is there.

Some members agreed.

Ms. Romero asked, if they reject it and give the reasons and recommendations we would make for approval. Speaking to Ms. Accurso, she stated, they don't like the idea of permanently painting the brick black, and they would like more definition as far as the size of the signage, and how that works by definition if we are calling it a sign.

Mr. Cramer stated his only assumption is if it is only going over the door.

Mr. Brickler and Mr. Daniel concurred, reiterating 5 X 5, paint 9 X 13, and the sign will go above the rollup door.

Ms. Romero stated if it's in proportion with the rollup door, she was ok with that, but indicated the rendering didn't look right.

Mr. Brickler stated that he really dove into it; it says it mentions that it's 5 X 5 above and that's where the logo would go.

Mr. Meyers added that is basically the space over the door, adding it is about 4' wide.

Mr. Brickler continued, for branding purposes, looking at the literature they have, it's (the logo) on black, the whole website is black, everything's black. They're trying to match the theme they have going on.

Mr. Meyers spoke, stating if they're actually creating a sign that is 5 X 5 over the door, and not painting brick, he would be fine with that. Ms. Romero concurred.

Mr. Loukinas asked if it could be approved if they, questioning if they indicated they were going to paint that black or did it say they were going to use a material?

Several members concurred it would be painted.

Mr. Cramer asked if they were getting so far away from the proposal, that they're messing around with it before they give it acceptance?

Ms. Romero stated that she felt they went backwards; what they were saying is reject, but give them options in which they might approve it at a later date, but reject at this point.

Mr. Meyers stated he wished the applicant was present, and is really under time constraints, present them with an option, that they could essentially, move forward with right now.

Several people speaking at one time.

Ms. Romero asked how they could approve something that's not in front of them.

Mr. Dixon stated he thought they could do a conditional approval.

Mr. Cramer stated he wouldn't be comfortable, and wondered how different it would be from the proposal.

Ms. Accurso suggested they go back to the drawing board, based upon their preference the brick not be painted, but have another surface install the wall sign, put it into perspective, (proportion) and resubmit, holding an emergency meeting.

Ms. Romero expressed the two things they would like to see is a temporary structure that's painted, not the brick itself, or a 5 X 5 Portopia sign.

Mr. Brickler suggested something that doesn't damage the brick.

Mr. Stabler suggested they could build something 2 feet out that could enclose the meters, however it was mentioned that there should be access to the meters and possibly could build up heat in the meter location.

Mr. Cramer moved to deny with the stipulations previously discussed.

Ms. Accurso repeated; to avoid painting the brick, put on a surface that will not affect the surface of the building, and ensure proper perspective of the logo rendering for reference,

Mr. Brickler mentioned the question of the overall percentage allowable; Ms. Romero reiterated that Ms. Accurso would check on that.

Mr. Meyers added to follow sign code.

Mr. Stabler seconded.

Ms. Romero clarified that a yes vote is for denial. The application was denied through roll call.

Ms. Accurso repeated the denial, based upon the fact that they request the applicant resubmit, without painting the building, putting it on another surface, so not to damage the building, put it into perspective, and make sure it is within the zoning requirements for a wall sign.

### NEW/OLD BUSINESS

Ms. Accurso explained that the first item, a vote to approve the absence for Mr. Stabler, as he had not missed two consecutive meetings.

Moving to the next items, Ms. Accurso announced the following:

The most popular date for the work session is Tuesday September 14, 2021, 5:30 PM, City Council Chambers. Outside Council will be present and will address the powers and responsibilities of the Historic Commission, among other topics. It is anticipated there will be more work sessions.

RFP for Historic Consultant for Oakland:

The deadline was August 6<sup>th</sup>. Staff is looking over the submissions at this time. She clarified that a consultant will be hired to complete the national registration process for Oakland.

The process for updating the Historic Preservation Plan will begin early 2022.

She requested Commission think about what they would like to focus on in that process.

Ms. Romero stated, in response to the previous City Council Work Session regarding Oakland Neighborhood, and their current relationship with Council, she recommended the Commission insist that their Council representative be present at their meetings

Ms. Accurso advised that they don't have a representative.

Ms. Romero stated they always used to, but they have never in their history had a rep show up at their meetings.

Ms. Accurso stated that it was her understanding that there isn't one.

Ms. Romero stated she thought all boards had reps. Mr. Cramer agreed.

Mr. Loukinas stated they are representatives on Planning Commission, Architectural Review and Parks Boards.

Mr. Romero, reiterated, if they don't have, they need to insist they have one, and that they attend their meetings. Then a lot of communication breakdown that's happening and hopefully the contentious relationship they've had in the 30 years that she's been in the business will be eased at some point, if they've got have that voice and those ears sitting there. She furthered that Ms. Accurso should find out who that is supposed to be. She

stated she knew they always had one, but they have never attended a meeting in her 10 year tenure on the Commission.

Mr. Loukinas asked where that would be stipulated, perhaps in the charter.

Ms. Romero asked why does everybody have one.

Mr. Dixon advised it is in the code

Ms. Accurso confirmed, and, speaking to Mr. Loukinas, added that Ms. Combs sent the section to him recently. She added that in the section, it indicates who is to be on the Commission board, and advised she would pull it up and see.

Ms. Romero reiterated to check it and see if they're supposed to have one. She added she thinks it would ease the path, and feels that historic preservation is not being supported.

Ms. Romero stated her tenure expires at end of December, and will not be renewing her application. She suggested the Commission think about filling the vacancy.

Ms. Accurso stated she asked Clerk of Council for the list of the members and their representation, and there was nothing indicated of any Council member to be (on the board).

Ms. Romero asked since they are a board like every other board, and especially now that they're a CLG and have the legal privilege.

Ms. Accurso stated she was unsure; Ms. Romero requested she look into it, and suggested if it does not happen before she is gone, she recommended to pursue the matter and felt it necessary that Commission not meet without a representative from City Council.

Mr. Brickler suggested they invite the Council members to attend the work session, and see who wants to show up.

Mr. Brickler added that it's Commission's work session, if they want to know what's going on, it's their choice to come. They would be in the audience, and they would hear what Commission trying to solve within their organization.

Ms. Romero agreed that it was an excellent suggestion, but they wouldn't need it if they had a rep.

Mr. Loukinas added it is helpful having Mr. Mulligan (on one of his commissions).

Mr. Romero reiterated the need for a rep, including the desire to know information they might not have otherwise. Mr. Loukinas added that it's helpful to get the next layer of stuff going on that they're not all privy to, as they're not privy to what Commission is doing.

Ms. Accurso asked specifically, do they want Council to be invited to the work session.

Mr. Brickler stated they would be coming to Commission work session, not theirs, and he doesn't want them thinking they are coming to a work session for them.

Ms. Romero stated to let Council know there is one, it would behoove them to attend, and invite them to do so.

Mr. Loukinas asked if it would be done in chambers; Ms. Accurso confirmed.

Ms. Romero asked for more business.

**ADJOURNMENT**

Hearing none, Mr. Meyers moved to adjourn, approved unanimously at 6:15 PM.

  
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Nancy Romero  
Chairperson

  
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Annette Accurso  
Historic Property Specialist

\*Full recording of the meeting available in the Planning/Zoning Department.