

**MINUTES
HISTORIC COMMISSION SPECIAL MEETING
AUGUST 31, 2021**

TYPE: Special 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: Mary Huttlinger

Mr. Dixon called the meeting to order at 5:30 PM. Roll call was made; voting quorum was present.

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

Mr. Dixon announced the COA, and requested the staff report.

Mr. Cramer moved to waive the reading of the statutory provision of the code. Mr. Dixon asked if all in favor, none opposed. Motion was carried.

Ms. Accurso announced that Ms. Romero joined the meeting at 5:31.

Ms. Romero agreed to have Mr. Dixon continue to chair the meeting.

Ms. Accurso showed the slides which indicated the code provisions regarding COA, added the Development Code section 1220.08, Permanent Signs in Non-Residential Districts, reading the sign size and that a wall sign may be painted directly on a building.

She then read the National Park Service Technical Services Briefs regarding sign regulations, which was on the slide:

“Sign controls offer communities the chance to reduce visual blight. They can also assist in producing both a new visibility and a new viability for historic commercial districts. Yet sign ordinances are not without problems. Sign controls satisfy contemporary ideas of "good taste." But "bad taste" has ample historic precedent. And in any case, tastes change. What is tasteful today may be dated tomorrow. Sign controls can impose a uniformity that falsifies history. Most historic districts contain buildings constructed over a long period of time, by different owners for different purposes; the buildings reflect different architectural styles

and personal tastes. By requiring a standard sign "image" in such matters as size, material, typeface and other qualities, sign controls can mute the diversity of historic districts".

She then described the overhead view of Torchlight Pass Patio on the slide, and presented the property history:

The property building is a 4-story brick building with a basement, originally built in 1955 as a Penny's department store. The current owner of the property, Torchlight Pass, has owned the property since 2016. Since taking ownership of the property, there have been many new occupants including restaurants, a market, a boutique hotel, offices, etc.

She read the approval history:

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

Ms. Accurso described the new rendering the applicant submitted for the sign, along with the current view of the overhang door location of entry.

She proposed the new information:

The wall sign is to be painted at the entrance of *Portopia*, located at the freight door, along the alley on the north side of the building. The proposed sign is 8' X 3'. The applicant proposes a smaller black background that boxes the *Portopia* logo. The *Portopia* experience is located on the 3rd floor of Torchlight Pass.

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

On the next slide, Ms. Accurso described two concerns of the board regarding the previous COA application:

1. One previous concern of the Commission was the allowable space for the proposed sign.

The "Torchlight Pass" application was approved as a mural on July 21, 2016 by the Historic Commission. The mural was not considered a sign, and does not impact the total allowable square footage for signage for the proposed sign.

Mr. Dixon interrupted, stating he had his copy of the minutes of the July 2016 meeting. He read:

"The board pointed out that the mural is considered to be signage aside from being just a mural. The board asked if the signage will still fit the amount of signage allowed for the property and requested the amount allowed. Staff said that the proposed mural signage is 16

feet in diameter. Staff said that the amount of signage allowed is 1 foot of signage per lineal foot of property along road frontage”.

Mr. Dixon added that it was definitely debated at that meeting, and was approved as a sign, as well as a mural.

Ms. Accurso stated she’d read the Outcome Letter.

Ms. Accurso continued, reading from the slide:

Another concern expressed was painting the brick surface.

There have been signs approved in the past which were painted directly on buildings. The following are examples of those within the Central Avenue Historic District:

August 20, 2020 - 1380 Central Avenue was approved for painted sign over the storefront.

April 20, 2017 – 1201 Central Avenue was approved to paint the surfaces over the store frontages; the business name was applied with decals.

June 14, 2012 – 1054 Central Avenue was approved to paint the surfaces over the store fronts; vinyl was used for the business’ names.

She described the pics and locations on the next two slides, and read the following from the slide:

Today’s paint removal products are less invasive and environmentally friendly, as opposed to the solvents used in the past, as suggested by Sherwin Williams. However, caution should always be used, should removal be necessary, and results are not guaranteed, and added that Sherwin Williams nor the National Park Service recommend using high pressure or blasting for removal. She indicated staff reports conclusion.

Ms. Romero referenced the examples in the slides of signage painted, and asked for clarification, if they were all painted on the brick, because it looked as though they were painted on panels.

Mr. Dixon confirmed that they were painted on panels.

Ms. Romero continued, she felt not only they were painted on panels, but they are all placed in obvious sign spots, in the examples, and this is a back door. The examples were clearly defined spaces, and we’re not dealing with a clearly defined space, on the back of this building. She stated she wanted to point out those two differences.

Mr. Cramer asked if the regulations make a distinction between traditional locations for signs versus the back of a building.

Ms. Accurso answered that she did not have that experience in zoning. She stated that the sign would be over the entrance of *Portopia*, and it would be a question for zoning.

Mr. Dixon stated their concern was, they'd had things that were painted on brick before, things like Torchlight Pass or murals, which are intended to be permanent. The application indicated that this would be temporary installation, and possibly returning, and becoming an annual thing, but even then, there's no indication how many years was it intended to continue. Whereas Torchlight Pass, and the other murals we've approved were intended to be there for decades, if not for the life of the remaining building. Their concern was the difference between the ability to remove a sign from brick for something that was not intended to be essentially in perpetuity.

Mr. Cramer stated he would be a lot less hesitant if they had a proposal to install a window box, or a wooden platform and painting and attaching signage to that. He would have fewer reservations, as opposed to putting paint directly onto that brick.

Mr. Dixon asked if the applicant was present. Upon acknowledgement, he asked if she would like to address the Commission.

Ms. Huttlinger approached the podium and identified herself as the Executive Director of the Middletown Visitors Bureau, and Project Manager for the *Portopia* project.

Mr. Dixon indicated he stated the Commission's basic concerns from the last meeting, and asked if she would like to address.

Ms. Huttlinger thanked Commission for returning to address the matter. She started with addressing the first point of concern. They had reduced the footprint of the image to be 24 square feet. It is positioned over the main entrance to the second-floor gateway into the art exhibit, and it is planned to be annual exhibit. It is three months annually, with a different set of artists.

Mr. Meyers asked for confirmation, if the intention is to paint on the wall surface as is.

Ms. Huttlinger answered yes, that it was expressed to her to not drill into the brick.

Ms. Romero spoke, stating drilling is not into brick, but into mortar.

Ms. Huttlinger continued, that compromises the integrity of the brick structure.

Mr. Meyers asked if it was at the owner's request.

Ms. Huttlinger answered yes.

Mr. Meyers asked is the choice was to paint the surface of the brick.

Ms. Huttlinger answered they were limited as a non-profit, this was given to them. Their board of directors along with city leaders thought it was a good decision for them to be here, because the overall intent for the exhibit was to bring foot traffic to the downtown area. They have a targeted 15,000 people over 3-month period. The concern was how to direct people to this unconventional entrance while still being tasteful. They didn't want to overtake the presence of the Torchlight Pass mural, so they thought something small and obvious with simplicity would be their best bet. She added that they have a comprehensive digital

campaign, to help people understand they have to enter from the back of the building. They don't have the option to have signage on the front or side of the building.

Mr. Romero asked if the applicant's representation was to scale, does it represent what it should look like.

Ms. Huttlinger answered she felt that the rendering looked a little bigger than it's going to be.

Mr. Meyers said the other picture shows the scale without the sign. Ms. Accurso returned to the slide of the rendering and current look of the location. He added it looked like about 6ft above the door, so if its 3 by 8 it should easily fit.

Ms. Romero stated she'd gotten the impression that 3 X 8 was the printing, not the background.

Mr. Meyers added the whole graphic.

Ms. Huttlinger confirmed it is the size in its entirety.

Mr. Cramer asked about the light in the location; would it remain, or be moved.

Ms. Huttlinger replied they would be leaving it, it will be part of it.

Mr. Cramer asked if the top border would come right below the light. She confirmed.

Mr. Loukinas stated he felt attaching wood to the mortar would not compromise the brick or the mortar. People attach scaffolding to buildings hundreds of stories tall. He added attaching a piece of sign wouldn't really compromise, whereas painting it is forever.

Mr. Stabler added it could almost rest above the door, also.

Mr. Loukinas added that so little attachment would be needed that it wouldn't hurt.

Mr. Daniel added the Gracie's sign on the corner had to be attached to the brick.

Mr. Cramer asked if Ms. Huttlinger had an engineer's report referring to the structure of hanging it there.

Ms. Huttlinger replied no.

Mr. Meyers asked if it had been a conversation between her and the property owner.

Ms. Huttlinger answered that she almost feels like she's between a rock and a hard place, because she is operating under their direction, but being reprimanded by Commission, and she's not a decision maker; she is executing a project. She stated she is respectful of their decision, but she has \$150,000 of investor money from large companies in the Middletown area, who are relying on her to promote and advertise the project. The sign was part of the pitch package she gave them. She added that it would be an interesting conversation with them, if it deviates immensely from the original plan.

Mr. Cramer stated the building is historic, was not willing to bend regulations.

Ms. Huttlinger state she wasn't asking him to.

Mr. Brickler, he appreciates the investors, and he's a firm believer in Middletown. He stated Commission gets a lot of proposals that are urgent. If they were out getting investors, and indicating she may not have done such, but they knew the building was historic. Why wait until two weeks before going live.

Ms. Huttlinger replied that she did not know that. She is the Visitors Bureau. The project was conceptualized by Economic Development Department and the Middletown Community Foundation, DMI and the Visitors Bureau as an economic driver. Because she had the bandwidth during COVID to organize it and push it forward, and that is where she is now. She did not bring historic preservation or signage expertise to the table. She was trying to fulfill the obligations and complete the project.

Mr. Loukinas reminded her that they are there for a special meeting to help push the project forward.

Ms. Huttlinger stated she understood Commission has families and have the community at heart, and wants to do her best. She acknowledged their frustration with the sense of urgency, but she thought she was dealing with a private piece of property, that had been signed off by the property owners for the signage, and didn't realize there were additional steps that were to be taken. As soon as they found out, she completed the paperwork as requested under the guidance of Annette. She gave her reason for not attending the first meeting was because she was managing 500 people in town. She added that she wants to try to find a way to move things forward, because she has a hard start date, with VIP's coming to town next Friday for the event.

Mr. Loukinas stated their concern was never really the size, but that it was going to be painted on the brick.

Mr. Dixon joined in, stated they had concern about the size, when they combined it with the Torchlight Pass.

Mr. Loukinas reiterated they were concerned with the size and the brick and how does everyone move forward.

Mr. Brickler spoke, indicating the size has been addressed.

Mr. Loukinas asked if they could approve it, based on the size, color look, etc., just say it must not be painted on, it must be attached somehow.

Ms. Romero and others indicated they would be acceptable with that.

Mr. Cramer asked if that was a valid motion.

Ms. Romero confirmed and stated that a motion to that effect would be appropriate.

Mr. Loukinas asked if they would make a motion to deny how it was submitted, or make a motion to approve with-

Mr. Dixon finished the sentence, stating to approve, subject to conditions.

Mr. Cramer agreed that it would work better for the applicant's perspective.

Mr. Loukinas added they want to leave Ms. Huttlinger with something, so they're not standing in her way.

Ms. Romero added, to Ms. Huttlinger's defense, while she may not have been aware of the regulations, the building owner is.

Mr. Loukinas then made a motion to approve the sign's shape, color, location, with the deviation that it be attached to some sort of substrate attached to the brick, and not painted directly on the brick.

Mr. Cramer seconded.

Mr. Dixon asked if size could be added to the motion.

Mr. Loukinas added size to motion.

Ms. Accurso repeated the motion; to approve the sign's size, color and location, provided it is not painted on the brick, but attached to a substrate.

Mr. Dixon requested roll call.

Motion was approved unanimously through roll call.

NEW/OLD BUSINESS

Mr. Dixon asked if anyone had new or old business.

ADJOURNMENT

Hearing none, Mr. Cramer moved to adjourn, and approved unanimously at 5:53 PM.



Matthew Dixon
Chairperson



Annette Accurso
Historic Property Specialist

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