



LANDMARKS COMMISSION

MINUTES

January 15, 2025

6:00 p.m.

Hybrid – Council Chambers

Approved: March 5, 2025

Call to Order

Chair Robinson called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Roll Call

Members present: Camron Settlemier, Cathy Winterrowd, Bill Ryals, Richard Engeman, Chad Robinson, Mason Cox

Members absent: Rayne Legras (excused)

Approval of Minutes

6:01 p.m.

Motion: Commissioner Ryals moved to approve the minutes from December 4, 2024, as presented. Commissioner Settlemier seconded the motion which passed 6-0.

Business from the Public

6:02 p.m.

Albany Downtown Association, Executive Director, Lise Grato provided a monthly update. She announced the pre-application period was opened for the 2025 Oregon Main Street (OMS) Revitalization Grant and noted that the Grant funds have increased significantly this year.

Scheduled Business

Public Hearing Type III-Quasi-Judicial Process File No. HI-25-24:

Historic Review of Exterior Alterations and Review for Use of Substitute Materials at 910 6th Avenue SW to replace seven existing wood columns on porch with fiberglass columns.

Chair Robinson opened the hearing at 6:08 p.m.

Declarations by the Commission

No commissioners declared a conflict of interest

No commissioners reported ex parte contact.

Commissioners Engeman, Cox, Robinson and Ryals reported walking/driving by the site.

No commissioners abstained from participating.

There were no challenges to the declarations or participation of commissioners.

Current Planning Manager David Martineau read the meeting procedures.

Planner II, Alyssa Schrems presented the Staff Report sharing slides*. She noted the applicable Review Criteria.

Applicant Testimony

6:13 p.m.

Brent Mosser, TNT Builders, provided testimony representing the property owner. He explained that the porch would be replaced like for like with the exception that seven of the columns are proposed to be replaced with fiberglass columns as the wood columns are deteriorated.

Commissioner Engeman asked about the age of the columns. Mosser responded that seven of the columns were installed in 1997, and the two front columns were original and are not going to be replaced.

Commissioner Settlemier asked about the availability of photo evidence of deterioration and cost estimates for fiberglass versus wood and the feasibility of repairing the columns which he was advised to be structural. Mosser responded that he could provide that additional information.

Commissioner Cox asked Mosser to describe the style differences in the columns. Mosser explained that the style elements are similar but there could be differences in the exact dimensions.

Public Testimony

6:21 p.m.

Bernadette Niederer, historic preservation consultant, felt there needed to be more documentation. She urged denial pending additional information.

Applicant Rebuttal

Brent Mosser responded that they could do more research into the history of repairs on the home. He added that fiberglass columns have the required structural strength as they have a structural metal center. He agreed to provide additional information if requested.

Staff Response

6:28 p.m.

Schrems recalled that it was ruled in 1996 that made participation in historic district renovation voluntary. Consequently, there was no historic review in 1997 of the alterations made. That policy was changed in 2017.

Commissioner Winterrowd asked about the building permit and if it contained any information on the replacement of the columns. Schrems offered according to their records the homeowners at that time created a wrap-around porch in 1997, but the specifics weren't clear. The original porch was just on the front of the structure, so the two columns to the front are original.

Procedural Questions

None.

Chair Robinson closed the public hearing at 6:35 p.m.

Commission Deliberations

Commissioner Ryals reiterated that the wrap around porch and added columns were not historically reviewed. He maintained that the two front columns in the front were original and historic but not going to be replaced.

Commissioner Robinson offered that the Commission could implement a continuance for additional information or determine this is as a staff level decision given that the elements to be replaced are not historic.

Commission deliberations continued without commission consensus on how to proceed. Commissioners Winterrowd and Ryals both offered language for a motion to move the application to a staff level decision. There was no second, and a vote was not taken on this motion, and it was dropped.

Commissioner Ryals posed a question whether they would require repair of non-historic elements rather than replacement but agreed that even though it didn't have historic review at that time, that it is a historic structure.

Commissioner Settlemier agreed that the development code still applies even though the side columns are not original historic fabric, it is still an appearance change to a historic structure.

Commissioner Winterrowd moved for a hearing continuance to get additional information provided on the seven side columns and alterations made in 1997 and to assure that the front two columns are not going to be replaced. Commissioner Settlemier added that the applicant should provide a cost comparison for wood versus fiberglass as a substitute material and seconded that motion. There was no vote and this motion was dropped.

Procedurally, Martineau explained that a hearing continuance would require the hearing to be re-opened then continued to a certain date and time.

Commissioner Robinson stated being fully satisfied by the photographic evidence provided that the seven side columns are not historic material and is satisfied with the proposed alterations if the two front columns were left with minimal repair and but felt remanding the decision back to staff was an expedient way to handle it.

Commissioner Robinson called for a straw poll on re-opening the hearing for the continuance. The consensus was not to re-open the hearing.

Schrems counseled the members that choosing staff review they would first have to determine that the substitute materials request does not apply. Use of Substitute Materials requires a Landmarks Review. She said that it could be justified as ADC 7.170 only requires review of historic materials. That would leave just a review for exterior alterations. Commissioner Winterrowd said that it seemed appropriate to review substitute materials even if not holding to the same standard.

David Martineau reminded the Commissioners that if the application is remanded to staff, it will come back to the Commission if appealed.

Commissioner Robinson suggested that even without dating the side columns they would likely approve the replacement with substitute materials.

Commissioner Settlemier reiterated that more evidence be provided on the condition of the columns and cost comparison for the substitute materials. Commissioner Ryals advised the other members on the dangers of determining structural integrity rather than relying on the expertise of contractors.

Commissioner Engeman thought that the best option would be a continuance to get additional information.

Chair Robinson re-open the hearing at 7:04 p.m.

Commissioner Ryals asked the applicant representative if there was an issue with providing the additional information by February 5, 2025. Mosser agreed to do that. Mosser reiterated that they will not be touching the two front columns. He emphasized that he would bring back a cost analysis on the substitute materials and further assurance that the front columns won't be replaced. Settlemier added that the applicant should bring photo evidence of deterioration of the columns and whether it is cost prohibitive to use substitute materials.

Commissioner Ryals asked how the decision would be affected if only some of the side columns are severely deteriorated. Commissioner Robinson agreed that the style of the replaced columns should be uniform, and replacement of all side columns was favorable.

Commissioner Cox asked if the photo provided of the deterioration was representative of the rest of the columns. The applicant presumed so but offered to obtain additional photos.

Public Rebuttal

None.

Staff Response

None.

The public hearing was initially continued to Wednesday, February 5, 2025, at 6:00 p.m. but after additional discussion it was determined that this was not the direction the commission wanted to take.

Chair Robinson re-closed the Public Hearing at 7:16 p.m.

Commissioners continued to deliberate but were not in consensus that the photographic evidence provided by the applicant provided enough confirmation as to the state of decay that the columns were in.

Commissioner Cox added that the proposed replacements do match similarly to the columns being replaced and keeping the front columns does maintain the historic character.

Motion: Commissioner Cox moved to approve the exterior alterations and use of substitute materials including conditions of approval as noted in the staff report for applicant planning file no. HI-25-24. This motion is based on the findings and conclusions in the January 8, 2025, staff report and findings in support of the application made by the Landmarks Commission during deliberations on this matter. Commissioner Ryals seconded the motion. Commissioners Cox, Ryals, and Robinson voted in favor. Commissioners Settlemier, Winterrowd and Engeman opposed the motion. Vote 3-3. Motion failed.

Motion: Commissioner Settlemier motioned to re-open the meeting to allow for a hearing continuance, for the applicant to provide additional information. Commissioner Winterrowd seconded the motion. Commissioners Winterrowd, Settlemier, and Engeman voted in favor. Commissioners Ryals, Robinson, and Cox voted in opposition. Vote 3-3. Motion failed.

The Commission remained in deliberation. Commissioner Winterrowd voiced her frustration over incomplete applications.

Motion: Commissioner Cox moved to approve the exterior alterations and use of substitute materials including conditions of approval as noted in the staff report and also that the original two columns in the front are not altered, for applicant planning file no. HI-25-24. This motion is based on the findings and conclusions in the January 8, 2025, staff report and findings in support of the application made by the Landmarks Commission during deliberations on this matter. Commissioner Ryals seconded the motion, which passed 5-1 with Commissioner Settlemier voting against.

Business from the Commission

7:32 p.m.

Commissioner Settlemier noted that Historic Preservation Month was coming up and suggested bringing some ideas to the next meeting.

Business from Staff

7:33 p.m.

Martineau, addressed the commissioners' concerns about incomplete applications by assuring the members that staff do their best in dealing with applicants at various levels of professionalism and can't pressure the public to provide what they aren't willing to provide. Schrems noted that the code definition of the required completeness of the application is vague. Commissioner Winterrowd suggested more outreach to potential applicants to prepare documentation. Schrems suggested just requesting more photographic evidence is usually sufficient as she acknowledged the costs of extensively detailed materials.

Commissioner Robinson suggested a one-pager of the Commission's expectations for historic review applications to be provided to the public. Schrems agreed. Commissioner Settlemier added that wording should be included to emphasize that it is up to applicants to prove their case sufficiently and not the purpose of the review to determine intent or deterioration.

Staff Updates

7:47 p.m.

Schrems reported that they are looking for two volunteers from the Commission for positions on a steering committee. The University of Oregon is part of a pilot program called the Albany Heritage Resource Disaster Resiliency Project creating a community-wide resilience plan for heritage and cultural resources.

The University of Oregon also responded to staff regarding a request to assist with the historic inventory survey in Albany. They were happy for the opportunity to participate but expressed concern that their availability maybe not meet Albany's timelines. Commissioners expressed their enthusiasm for the University's willingness and variety of talents to assist and didn't have concerns over the completion schedule.

Schrems continued asking about the level of interest in having a Historic District mixer where there could be networking with contractors and commission members to answer questions and provide resources. She acknowledged that this was of interest to the public that was given as feedback at recent focus groups. Commissioner Ryals volunteered to contact contractors and assist in the planning. Commissioners were all in favor. Staff suggested doing it in March or April. Schrems also asked for any assistance or articles for putting together a seasonal newsletter to get out at the end of February. Winterrowd and Ryals volunteered.

Schrems suggested they discuss Historic Preservation Month Awards at the next meeting.

Next Meeting Date

The next meeting is scheduled for February 5, 2025, in the Council Chambers at 6:00 p.m.

Adjournment

Hearing no further business Chair Robinson adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Signature on file

Susan Muniz
Recorder

Reviewed by,

Signature on file

David Martineau
Current Planning Manager

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. The documents are available by emailing cdaa@albanyoregon.gov.*