



**MINUTES**

June 5, 2024

6:00 p.m.

Hybrid – Council Chambers

Approved: July 17, 2024

Call to Order

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

Pledge of Allegiance

Roll Call

Members present: Camron Settlemier, Mason Cox, Cathy Winterrowd, Bill Ryals (arrived 6:02 p.m.), Richard Engeman

Members absent: Rayne Legras (excused); Chad Robinson (excused)

Approval of Minutes

**6:02 p.m.**

**Motion:** Commissioner Engeman moved to approve the minutes from May 1, 2024, as presented. Commissioner Cox seconded the motion, which passed 5-0.

Business from the Public

**6:03 p.m.**

None.

Scheduled Business

Public Hearing—Type III—Quasi-judicial Process

File HI-04-24: Historic Review application for use of substitute materials to replace the existing siding at 906 11th Avenue SW. This is a continuation of the May 1, 2024, hearing.

***Vice Chair Settlemier opened the hearing at 6:03 p.m.***

Commission Declarations

No members declared a conflict of interest or any ex-parte contact.

Commissioners Settlemier and Cox reported site visits.

No members abstained from participation.

There were no challenges to participants in these proceedings.

David Martineau read the hearing procedures.

Staff Report

**6:08 p.m.**

Project Planner II Alyssa Schrems began by instructing the Commission to include the testimony received at the last meeting as well as any testimony heard during this continuation in their decision. Commission was to review the application using Review Criteria Eligibility Standards 7.170 – 7.210. She noted the applicant submitted descriptions of two different materials for the commission's consideration.

Applicant Testimony

**6:08 p.m.**

The applicant referenced additional photographs\* he provided documenting the damaged siding. He pointed out in the photos provided where the window casings and cedar siding showed weather damage around the dormers. He stated his goal wasn't to re-side the entire house but only to replace the damaged siding. He estimated he would be replacing approximately 20 to 30 percent of the siding. He mentioned that one contractor noted that some of the siding had lead paint and was advised that using specialty cedar

panels would be very expensive and the cedar shingles locally available weren't the same as what is currently on the home and the reveal and look would not be uniform.

#### Commissioner Questions

Commissioner Winterrowd appreciated that he had reduced the scope of the project but had a question about lead paint on any of the siding that would be replaced. He noted that he would need to have a licensed contractor to do the painting to deal with any lead paint present.

Commissioner Cox asked about siding option 2 and how that choice was made. The applicant noted he was aware of the GAF (fiber cement) siding prior to the application and considered that preferable.

Commissioner Settlemier asked if the cedar on the home were panels or individual cedar shakes. The applicant noted that the cedar seems to be panels rather than single shakes.

#### Public Testimony

**6:21 p.m.**

None.

There was no Applicant Rebuttal, or additional Staff Response or procedural questions.

***Vice Chair Settlemier called the public hearing closed at 6:22 p.m.***

#### Commission Deliberations

Commissioner Winterrowd was still unclear on the true scope of the project and the amount of material that needs to be replaced. She wondered how specific the project description needs to be and how the staff could be assured the project is completed as proposed. Commissioner Ryals offered that it is difficult to estimate the scope of a restoration project without beginning the work and suggested that they must rely on applicant to provide an estimate.

Commissioner Settlemier noted that with exterior siding generally the exposed surface is the best indication of the level of deterioration.

Commissioner Engeman wanted to bring up the issue of combining two different types of materials and the wear and weathering over time. Commissioner Cox agreed. Commissioners Ryals agreed noting that historic buildings generally evolve over time in the use of different materials, and it is up to the installers to match materials up. Commissioner Cox voiced his opinion that the substitute material did a good job mimicking the siding being replaced.

Commissioner Settlemier noted there are two eligibility requirements for the use of substitute materials. First, that the materials are damaged beyond repair. The other is that the use of original materials would be cost prohibitive. He acknowledged that the burden of proof is up to the applicant. But, given the information provided he wasn't convinced that using cedar siding was cost prohibitive.

Commissioner Cox wanted more background on the 'cost prohibitive' term. Commissioner Ryals suggested it has more to do with the scope than the actual expense. Commissioner Settlemier doubted whether that requirement had been adequately addressed.

Commissioner Engeman asked what conditions might be added to facilitate approval of the application. The commissioners discussed the wording of any additional conditions and potential enforcement scenarios as a basis for approval. Staff assured the Commissioners that there will be a final historic inspection done based on the plans submitted. Staff suggested limiting the use of substitute materials to specific locations of damage.

Commissioner Ryals moved to reopen the hearing. Settlemier seconded the motion, passing 5-0.

***The Public Hearing was reopened at 7:11 p.m.***

Commissioner Ryals voiced his concern that substitute materials should be applied in a way that matches the existing siding and doesn't result in additional damage of materials that might still be useable, asking the applicant if that was feasible. The applicant answered that the broken pieces could be cut out and that

they purposely overestimated the scope but were trying to err on the side of caution if there is more damage found than what they saw.

Commissioner Settlemier asked if the substitute material was a single row panel or multiple stacked rows. The applicant answered it was a single row panel which could be cut to size. He reported emphasizing to the contractor that the blending of materials should be as seamless as possible. Commissioner Settlemier also asked about the options suggested by the Friends of Historic Albany for matching and cost. The applicant stated that the cedar shingles suggested were small and not the same style.

#### Public Testimony

None.

#### ***Vice Chair Settlemier reclosed the hearing at 7:22 p.m.***

There was some additional deliberation. Schrems roughly drafted some amended conditions of approval defining the location of the repairs. Some Commissioners wanted a quantitative parameter for any additional damaged areas, others noted it should remain somewhat flexible, leaving it to the discretion of the applicant.

**Motion:** Commissioner Cox moved to approve the use of substitute materials for siding option two including conditions of approval as noted in the staff report for application planning file no. HI-04-24. The Commission also moved to include additional conditions that the scope of replacement shall be limited to the dormers of the house, garage/carport and the first and second row of siding on the bottom of the house and other small areas equally as deteriorated as needed and a final historic inspection is also required to verify that the work has been done according to the application. This motion is based on the findings and conclusions in the April 24, 2024, 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 4-1 with Settlemier voting in opposition.

#### Public Hearing—Type III—Quasi-judicial Process

File HI-06-24: Application for exterior alterations to install solar panels on the roof at 310 7th Avenue SW.

#### ***Vice Chair Settlemier called the public hearing to order at 7:37 p.m.***

#### Commission Declarations

No members declared a Conflict of Interest or an ex-parte contact.

Commissioners Settlemier, Cox, Winterrowd, and Settlemier reported site visits.

No members abstained from participation. There were no challenges to Commissioners in these proceedings.

David Martineau read the hearing procedures.

#### Staff Report

Project Planner II Alyssa Schrems reported on the public notice and review criteria (7.120-7.165 and ADC 7.160).

Commissioner Cox asked whether the panels will be visible from the primary and secondary facades. Staff answered there may be a few panels visible from the back, but the majority won't be visible.

#### Applicant Testimony

**7:43 p.m.**

Property owner, James Anderson, testified with his contractor, Peter Greenburg.

Commissioner Settlemier asked if the panels will be above or below the peak of the roof, which they answered below. It was also asked if the new meter box would be visible on the east peak of the roof. The contractor answered just a small 16-inch by 16-inch shut-off box and necessary conduit.

Public Testimony

7:46 p.m.

None.

There were no additional procedural questions. No rebuttal testimony or additional staff response.

***Vice Chair Settlemier closed the public hearing at 7:47 p.m.***

There was no further deliberation by the Commissioners.

**Motion:** Commissioner Winterrowd moved to approve the exterior alterations for solar panels as described in planning file no. HI-06-24, with the conditions as described in the staff report and include that a final historic inspection is required to verify that the work has been done according to this application. This motion is based on the findings and conclusions in the May 29, 2024, staff report, and findings made by the Landmarks Commission during deliberations on this matter. Commissioner Engeman seconded the motion, which passed 5-0.

Business from the Commission

7:50 p.m.

Commissioner Winterrowd wanted to follow up on the Native American presentation in July to determine a date. Schrems checked the calendar and proposed some dates. She suggested July 24, 2024, at 6 p.m. at the library. Commissioners agreed.

Business from Staff

Schrems recommended moving the next meeting to July 17, 2024. She suggested business can include looking at the grant review process for pass-through grants.

Current Planning Manager, David Martineau reported that the 1000 survey postcards are being printed to be sent out to all owners of historic properties regarding getting public feedback on historic preservation. Responses are due from June 10 to June 30, 2024.

Next Meeting Date

Wednesday, July 17th, 2024, at 6:00 p.m. in the Council Chambers.

Adjournment

Hearing no further business, Vice Chair Settlemier adjourned the meeting at 8:01 p.m.

Respectfully submitted,

Reviewed by,

*Signature on file*

*Signature on file*

Susan Muniz  
Recorder

David Martineau  
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](mailto:cdaa@albanyoregon.gov).*