

A regular meeting of the Troy Planning Commission was held in Council Chambers, City Hall on Wednesday, August 10, 2022, at 3:30 PM with Vice-Chairman McGarry presiding. ATTENDING: Members – Wolke, Oda, Titterington, Westmeyer, McGarry, Ehrlich; Zoning Inspectors Eidemiller and Bruner; and Development Director Davis.

APPROVAL OF MINUTES: Upon motion of Mr. Titterington, seconded by Mayor Oda, the minutes of the July 13, 2022 meeting were approved as amended by unanimous roll call vote.

HISTORIC DISTRICT APPLICATION, 16 E. FRANKLIN STREET FOR PAINT AND TRIM REPLACEMENT, OWNER - HISTORIC TROY LLC; APPLICANT: SCOTT STRAYER. The staff report noted: property is zoned B-3, Central Business District; building is on the National Register for Historic Places; application is to paint the building trim Bronze Metal SW 701992 (a custom color); applicant will repair/replace the top trim with the same material and design; roof shingles have already been repaired and replaced like for like; and staff recommends approval based on the findings that the paint colors do not detract from the historic integrity of the building.

A motion was made by Mr. Wolke, seconded by Mrs. Ehrlich, to approve the application for 16 E. Franklin Street as submitted, for the paint color of Bronze Metal SW 701992 And the top trim repaired and replaced like for like, and based on the findings of staff that the paint colors do not detract from the historic integrity of the building.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 225 E. MAIN STREET FOR WINDOW SIGNS AND ONE WALL MOUNTED SIGN; OWNER: TROY COMMUNITY WORKS; APPLICANT: PEDEGO, TROY. The staff report noted: building is on the National Register for Historic Places; building is permitted to have a total of 100 square feet of signage with each tenant space calculated separately based on the frontage they occupy; window signs will be made of 3M vinyl with the following colors white 7125-10 and Aqua 7125-307; window signs will total 11 square feet; the wall mounted building sign will be 40" x 96" or 27 square feet made of 3mm ACM material; the colors will match the window signs; and staff recommends approval based on the findings of:

- The signs meet the City of Troy Sign Code requirements, and;
- The signs present a simple and clear message, and;
- The signs do not detract from the historic integrity of the streetscape.

Mr. Titterington asked if staff had discussion with the applicant about the sign background being other than white, so it would be a more subtle color to blend in better with the building. Staff commented that there had not been such discussion as other nearby signs also have a white background.

A motion was made by Mayor Oda, seconded by Mrs. Ehrlich, to approve the application for 225 E. Main Street as submitted, for the exact sign sizes, materials and colors as stated in the application, and based on the findings of staff that:

- The signs meet the City of Troy Sign Code requirements, and;
- The signs present a simple and clear message, and;
- The signs do not detract from the historic integrity of the streetscape.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 80 S. PLUM STREET FOR EXTERIOR PAINT MODIFICATIONS, SIGNAGE AND LIGHTING; OWNER: ZGA HOLDING LLC; APPLICANT: ALLEN FINANCIAL GROUP LLC / TREVOR LAVY. The staff report noted: property is located at the northwest corner of S. Plum St. and W. Franklin St.; zoning is OR-1 Office-Residential district; application is for a new ground sign in the same location as the existing with the following colors: Snowbound SW 7004, Viva Gold SW 6367, Blueblood SW 6811, and Ebony wood grain; sign will be made of HDU and will be 42" x 64" or 18.55 square feet per face; a 2' x 13.75' or 27.5 square feet building sign with gooseneck light is requested; colors of the building sign are viva gold SW 6367, Snowbound SW 7004, and Ebony woodgrain; the building sign will complement the ground sign; four gooseneck lights are requested for above the sign; the painting request is to paint the shutters, front door, metal railings, and gutters Tricorn Black SW 6258; these items were previously a green color; the trim, fascia, soffit, and porch ceilings are requested to be painted Westhighland White SW 7566; the proposed paint modifications do not cover and contributing features on the building; and staff recommends approval based on the findings that:

- The proposed sign will meet all City of Troy code requirements;
- The proposed sign colors will not detract from the historic integrity of the building and streetscape;
- The paint does not cover any contributing features on the building.

In response to Mr. Titterington, staff clarified that the white rectangle shown on the sign in the application was a notation and not part of the sign. In response to Mrs. Ehrlich, staff stated that the goose neck lights are similar to those recently approved for other Historic District applicants.

A motion was made by Mr. Westmeyer, seconded by Mr. Titterington, to approve the application for 80 S. Plum Street as submitted, based on the exact colors, materials as stated in the application and the exact sign size, materials and colors as stated in the application, and based on the findings of staff that:

- The proposed sign will meet all City of Troy code requirements;
- The proposed sign colors will not detract from the historic integrity of the building and streetscape;
- The paint does not cover any contributing features on the building.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 210 E. WATER STREET FOR A 6' WOOD PRIVACY FENCE; OWNER: MARK WHITE – BLINDS BY MARK; APPLICANT: JOHN RYMAN, QUALITY LANDSCAPING & FENCE. The staff report noted: The property is zoned M-2 Light Industrial District; this property is not listed on the National Register of Historic Places; structure was built by William Hayner in 1899 and sold to the Hayner Distilling Co. the same year; on July 13, 2022 the Planning Commission denied the application for a chain link fence, which has already been installed without an application or permit, as chain link fencing is prohibited by the Historic District Overlay Ordinance; an application has now been submitted for a 6" wood privacy fence that will be stained black; the chain link fencing would be removed to be replaced by a wood fence with the staining of the wood fence to be in April 2023 following the curing process for the wood; the north fence row will have landscaping in the front to soften the fence row; Zoning Code section 1143.22(f)(9) Standards for Site Improvements, provides for "Fences of wrought iron, stone or wood are encouraged. Privacy fence shall not exceed six (6) feet in height and shall generally be restricted to side and rear yards. Box, chicken wire, chain link and wire fences shall not be allowed."; the requested wood privacy would meet this code requirement however, is still subject to the additional design standards of the district; and staff recommends approval based on the findings that:

- The fence meets the standards for site improvements in the HPO per Zoning Code 1143.22 (f) (9).
- The fence meets City of Troy Fence Code requirements

Discussion: Present were the applicant, his legal counsel Mr. Fulker, and John Ryman of Quality Landscaping & Fence.

-Mr. McGarry asked if the City approves the landscaping as it is part of the detailed application, as the fence appearance would look harsh and the plantings will help mitigate that, and was told the Commission does not. Mr. White stated there should be six plantings in the front that will cover most of the fence, and the plantings will continue down the fence side as funds permit. It was stated the application can be amended to include the landscaping.

-In response to Mayor Oda, Mr. White stated the fence is more than 10’ back from the property line and he plans to have a cobblestone patio area in front of the fence (along Water Street) and have a sitting area.

-Mr. Titterington commented that he appreciates the applicant coming back to the Commission with a plan other than chain link fence, but he also feels that a long row of 6’ wood solid privacy fence is stark even with the buffer with the plantings to be along the front, asked if the applicant had given consideration of having the wood fence along the side and something more decorative along the right-of-way, along the street. Mr. White commented that the former brick roadway has been raised to preserve it historically, there is landscaping in front of the building, and that by having the fence unattractive neighboring properties are concealed. Mr. Fulker commented that the intent of the fence is also to protect the property from trespassing and it is his property right to protect it. Mr. White commented that any moving of the fencing will result in it being used for parking. Mr. Ryman commented that the fence is also to surround area Mr. White is using for parking and having the high wood fence provides some security.

-Mayor Oda commented that the City is trying to clean up the area and does not want a bunch of 6’ high fence to the property line. Mr. Ryman commented that the fence is about 20’ from the property line at least 10’ back from the sidewalk, and will accommodate a 15’x’11’ cobblestone patio, and the plantings will be 6’ at maturity.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, to approve the application for the 6’ wood privacy fence for 210 E. Water Street as submitted, with the condition that the chain link fence be removed and the new wood fence installed, the wood fence stained black by the end of April, 2023, and to include the landscaping plan as discussed at the meeting, and based on the findings of staff that:

- The fence meets the standards for site improvements in the HP-O per Zoning Code 1143.22 (f) (9).
 - The fence meets City of Troy Fence Code requirements.
- MOTION PASSED, UNANIMOUS VOTE**

HISTORIC DISTRICT APPLICATION, 24 N. MARKET STREET FOR PAINT MODIFICATIONS TO THE FRONT DOOR, REAR DOORS, AND DOOR TRIM; OWNER: KIM YARDLAY; APPLICANT: TYLER MORTON. The staff report noted: property is zoned B-3, Central Business District; building was erected in 1921 and remodeled in 1971; the building is not on the National Register of Historic Places; exterior painting of the front door, rear doors and door trim to be Black Magic SW 6991; and staff recommends approval based on the findings that:

- The paint modification does not cover any contributing features on the building.
- The proposed paint colors do not detract from the historic integrity of the building or streetscape.

A motion was made by Mr. Westmeyer, seconded by Mrs. Ehrlich, to approve the application for the exterior paint modifications to 24 N. Market Street as submitted, based on the exact areas to be painted and the paint color as stated in the application, and based on the findings of staff that:

- The paint modification does not cover any contributing features on the building.
- The proposed paint colors do not detract from the historic integrity of the building or streetscape.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 320 W. FRANKLIN STREET FOR EXTERIOR ALTERATION OF THE COVERED PORCH; OWNER/APPLICANT: KENT FRAUENBERGER. The staff report noted: the owner has removed the covered porch on the north elevation facing W. Franklin Street due to the limestone foundation failing without submitting an application and receiving a permit; the porch roof structure is remaining intact during the work; the double pillars, decorative spandrels, and balustrade are going to be reused; the limestone foundation is being replaced with concrete; and the wood decking is going to be replaced; Zoning Code Section 1143.22 (f) (7) Standards for Alteration C. states: “Deteriorated architectural features shall be repaired rather than replaced whenever possible, substantiated by historic, physical or pictorial evidence”; the contributing architectural features and roof structure are being repaired and reused and complies with these requirements; and staff recommends approval based on the findings that:

- The contributing features are going to be reused with the exterior alteration, and;
- The alteration does not detract from the historic integrity of the streetscape, and;
- The alteration meets Zoning Code 1143.22 (f) (7) (C).

The applicant was not present.

Discussion.

-In response to Mr. McGarry, staff confirmed that the work was commenced without the applicant filing a historic district application or obtaining a permit for the work. Mr. Davis commented that the applicant did not think the work was a demolition, but replacing like for like as the limestone under the porch failed. However, staff noted that some of the decking will be replacement wood (due to reported rotting wood), the limestone porch base has been replaced by concrete, and there is some question about if all the posts are being restored. Staff did note that the roof remains and much of the appearance will be the same. Staff stated an understanding that the applicant did receive a permit from the County, and was informed that he needed to also check with the City.

-Mr. Titterington stated his concern that the house was built in 1903, the porch is listed as a significant historical feature, and now that porch has been removed and concrete installed, he does not see how this would not be considered a demolition, and there is no indication the owner plans to do anything to have the porch front made to look like stone or to have it look close to the 1903 appearance. He noted that the significant feature was built in 1903, but reconstructed in 2022.

-Mr. McGarry noted that there are synthetic coatings that could at least look like the 1903 limestone.

-Staff commented that historic district information is available on the website and printed format, but there is no annual communication with property owners within the district.

-Mayor Oda stated her concern with a rash of people who perform work without a permit; the penalty is only a double application fee; and it is difficult for staff to enforce ordinances; and she believes this applicant knew the procedures.

-Mr. Titterington commented that the applicant is the Chairman of the City’s Board of Zoning Appeals (BZA) and it seems unusual that he would not know he needed to make an application to the City.

A motion was made by Mr. Westmeyer, seconded by Mayor Oda, to table the application for 320 W. Franklin Street to the next meeting and for staff to contact the applicant, advise that the Commission has questions, and ask that the applicant attend the next meeting.

MOTION PASSED, UNANIMOUS VOTE

There being no further business, the meeting adjourned at 4:18 p.m. upon motion of Mr. Titterington, seconded by Mr. Westmeyer, and approved by unanimous voice vote.

Respectfully submitted,

_____Chairman

_____Secretary

