



**City of Ann Arbor**  
**Formal Minutes**  
**Historic District Commission**

301 E. Huron Street  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>

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Wednesday, March 16, 2016

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor, City Council Chambers

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**Special Meeting - RESCHEDULED FROM 3/10/2016**

**A CALL TO ORDER**

*Chair Bushkuhl called the meeting to order at 7:14 p.m.*

**B ROLL CALL**

*Jill Thacher called the roll.*

*Staff Present: Jill Thacher*

**Present:** 4 - Robert White, Ellen Ramsburgh, Benjamin L. Bushkuhl, and John Beeson

**Absent:** 3 - Thomas Stulberg, Jennifer Ross, and Evan Hall

**C APPROVAL OF AGENDA**

**The agenda was unanimously approved.**

**D AUDIENCE PARTICIPATION PUBLIC COMMENTARY - (Limited to 3 Minutes per Speaker)**

**E UNFINISHED BUSINESS**

**E1 [16-0327](#) HDC16-011; 529 Sixth - Remove Tree - OWSHD**

***REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:***

*Commissioners Ramsburgh and Bushkuhl visited the site as part of their review.*

*Bushkuhl reported that in visiting the site he noted how visible the tree is from the street, pointing out the extensive history and data that was provided in the February report and material.*

*PUBLIC HEARING:*

*Justin and Allison Waugh, 529 Sixth Street, Ann Arbor, owners were present to respond to enquiries from the Commission.*

*Justin Waugh said they had spoken further with their arborist about alternatives to cutting down the tree, but didn't find any that were acceptable. He said they had provided material to the Commission.*

*Thacher verified that all material that had been provided for the application as well as public comment were available through the City's Legistar webpage.*

*Lynn Borset, 322 Virginia Avenue, Ann Arbor, quoted a slogan from the Urban and Community Forestry Plan, "Someone must speak for the trees, for the trees cannot speak for themselves". She referenced materials provided to the Commission which contained a number of alternatives to cutting down the black walnut tree. She also said that Rita Mitchell had reached out to the Waughs wanting to sit down with them but Mrs. Waugh expressed anxiety about meeting. Borset said there are many black walnut trees in close proximity to the Waugh's house so in her mind cutting down this tree would not eliminate the hazard to her daughter so she thought it was therefore not necessary to cut down this tree.*

*Rita Mitchell, 621 Fifth Street, Ann Arbor, said she had provided information to the Commission, and she wanted to have the opportunity to speak with the Waughs sometime. She said the reason she spoke out for this tree is because it is beautiful, and she feels it is a contributing feature to the neighborhood and she thinks that the family has shown by living in this space for two years, that they have successfully managed the exposure to walnuts in their home area, which she thinks is a wonderful thing and she hopes this is a thing that they would consider to allow to live, as well as their daughter, of course, in this space. She thinks that with some cooperation that could be done, and it would be so hard to see something that has been in the area for so long to be gone.*

*Susan Perry, 1708 Fair Street, Ann Arbor, said she is a lifelong Ann Arbor resident and a member the Ann Arbor Tree Conservancy, member of the Elizabeth Dean Tree Fund, and the owner of the house next door to the Waughs, though she doesn't live there. Perry read from her letter provided to the Commission noting alternative options to cutting down the tree, and offering assistance to the Waughs. Perry said the alternatives,*

*combined, should eliminate the concerns the Waugh's have about this tree, and should provide a more nut free and squirrel free yard than removing the tree all together, and be much, much, much cheaper. She offered financial assistance to the Waughs to execute these measures, if need be, and to share any and all resources if need be. She said there is a huge walnut tree next door to the Waughs, and it might even overhang and drop some walnuts onto their property, and she has a walnut tree on the other side of them, which also is in a position to drop walnuts onto their property, and two doors away from the Waughs is a huge walnut tree and across the street from them is a huge, City street walnut tree and many walnut trees in Wurster Park and in the nearby school playground, all of which are areas that family's like the Waughs are likely to go. She read from her previously provided professional expert's opinion and material, reiterating the risks of black walnuts. She said she doesn't know how long the Waughs will live in this house and in a few years their daughter will be off to college but if they take the 120 year old tree down it will be gone forever, when it could reach 250 years of age under these conditions. She said she felt it was unnecessary to take the tree down when they had many alternatives available.*

*Allison Waugh rebutted, that she had received numerous emails from Rita Mitchell, to which she had responded that she was open to talking about the matter but preferred to do it via email because she did not want to have a heated debate with anyone about this situation, and she felt that would be the best way to be calm and collected and have a rational discussion. Waugh said Mitchell and she went back and forth with Mitchell wanting to meet, and she declined, but stayed open to any further information Mitchell had to share with them, but never heard anything back.*

*Justin Waugh rebutted saying, removing a limb would not be beneficial to the tree, per their arborist and removing just a limb would not remove the problem. He said there are no other limbs overhanging their property from neighbors. He said they had not received any alternative options from the public speakers, until just now, which they had not had time to review, but he knew that electronic squirrel repellents did not work. He said as for information from allergists, they can only go by information provided by their allergist and their daughter's Doctor. He said zero risk is not attainable but any risk that they can reduce they prefer to do and they value their child more than a tree.*

*Allison Waugh said they have done a considerable amount of work on their house and they don't consider leaving anytime soon, and their*

*children could live at home while going to a local university or end up living in the house after them.*

*Justin Waugh said the people that have spoken against the tree removal do not live anywhere close to them.*

*Bushkuhl asked the Waughs if they had had time to review the material provided to them, noting that was the reason for postponement last month.*

*Justin Waugh said yes, they had reviewed material provided, including material provided on Monday.*

*Beeson asked Perry to return to the podium for questioning. He asked her what identifiable workable alternatives she had in mind that was part of the plan she mentioned.*

*Perry said it would be the items she talked about and researched; the tree collar that could be put on and stay there or be taken off by a future resident, taking the lowest limb off the tree would keep squirrels off their back porch and the eating area, an electronic repellent which is very efficient to keep out neighboring cats and dogs. She said they looked into fertilizers but didn't find too much in that because they didn't want to put toxins on people's property, and they would need to be administered over and over again. She said putting on the collar is a one-time thing, cutting off the limb is a one-time thing, and anything else that anyone else wants to come up with; but those seem to be the most effective.*

*Justin Waugh rebutted, saying Perry was mistaken, if you look on the other side of the tree, on the left, you can see where the branch was removed and all of the damage you can clearly see under that branch is from the removal of the branch, the lightning strike is on the other side of the tree. He said a tree collar is one thing but it does not stop the tree from making nuts, and the electronic repellent isn't very effective, per their research.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Moved by Ramsburgh, seconded by White, that the Commission issue a Notice to Proceed for the application at 529 Sixth Street to remove a mature black walnut tree, as proposed. The Commission finds that the tree constitutes a hazard to the safety of one of the structure's occupants, and that the proposed work is necessary to**

**substantially improve or correct this condition.**

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows, with the Chair declaring the motion failed. Vote: 2-2**

**Application Denied**

**Yeas:** 2 - White, and Chair Bushkuhl

**Nays:** 2 - Ramsburgh, and Vice Chair Beeson

**Absent:** 3 - Stulberg, Secretary Ross, and Hall

**F HEARINGS**

**F1 [16-0328](#)** HDC16-017; 224 Crest - Enclose screen porch - OWSHD

*Jill Thacher presented the staff report. See attached in agenda packet.*

*REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:*

*Commissioners Ramsburgh and Bushkuhl visited the site as part of their review.*

*Ramsburgh reported that the staff report and photographs are very thorough, and they observed exactly what is shown. She said the proposed changes would not alter the appearance of the present porch from the historic exterior, much at all, but will add very much to the interior space.*

*Bushkuhl agreed with Ramsburgh, adding that the project was a nice project because it meets our standards and will create some more usable space for the occupants, without doing an addition, and the visible changes are very minimal.*

*PUBLIC HEARING:*

*Janice Skadsen, 224 Crest Street, Ann Arbor, owner was present to respond to enquiries from the Commission.*

*Beeson asked about the new proposed double-hung windows and who the manufacturer was.*

*Jeannete Woodard, Woodard and Associate Architect, was also present said they have chosen Marvin as the manufacturer, but hope to leave that option open to the contractor if they find something compatible and are able to save some money. She explained the windows would be wood, and aluminum clad.*

*Beeson asked what the end result would be of the jam width.*

*Woodard said the jam width with an extension would be the same width as the thickness of the wall which is 6 ½ inches. She explained that the existing windows are just little screens, so they are not attempting to match what is existing, but their hope is to maintain the rhythm and standards of the windows while still giving the homeowner the use of the space she has been paying taxes on for 25 years.*

*Beeson asked if the owner had slept out there in the summer.*

*Woodard said her daughters have and it was very popular when they were young.*

*Ramsburgh asked about the deterioration of the floor from the existing condition.*

*Skadsen said it has very little overhang so they constant rain and snow on the back porch and as a result all the windows are rotting out and there is some deterioration in the floor so they know they have to do something about the space.*

*Bushkuhl asked about the diagram showing insulation and if that was existing or proposed.*

*Woodard said it would be new, since currently there is no framing with studs.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Moved by Beeson, seconded by White that the Commission issue a certificate of appropriateness for the application at 224 Crest Street, a contributing property in the Old West Side Historic District, to remove existing wooden screens and knee walls on a rear porch;**

construct a new knee wall; and install new double hung clad wood windows, as proposed. The work is compatible in exterior design, arrangement, materials, and relationship to the house and the surrounding area and meets the City of Ann Arbor Historic District Design Guidelines for windows, and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 2, 5, 9, and 10 and the guidelines for windows.

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows, with the Chair declaring the motion carried. Vote: 4-0**

**Certificate of Appropriateness Granted**

**Yeas:** 4 - White, Ramsburgh, Chair Bushkuhl, and Vice Chair Beeson

**Nays:** 0

**Absent:** 3 - Stulberg, Secretary Ross, and Hall

**F2**     [16-0329](#)     HDC16-019; 416 W William - Shift Rear Window - OWSHD

*Jill Thacher presented the staff report. See attached in agenda packet.*

*REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:*

*Commissioners Ramsburgh and Bushkuhl visited the site as part of their review.*

*Ramsburgh reported that the key thing to note from the staff report is that the work is a minimal change to the rear of the building and results in a more usable interior. She said the application is just for a shift and the window can be reused which adds to the appropriateness of the project.*

*Bushkuhl reported that the project will be on the rear face of the house and not visible from the street, and minimally visible, if at all, from adjacent properties.*

*PUBLIC HEARING:*

*Joe Gailunas, 416 W. William, Ann Arbor, owner was present to respond to enquiries from the Commission.*

*Ramsburgh asked how he had managed to stand up in the small, low ceiling bathroom.*

*Gailunas said it was easier for his wife, and since he is a contractor he is used to working in different tight spaces.*

*Bushkuhl commented that the rear open space gives one a rural feel and was a neat space.*

*Beeson asked how they would be putting in new siding and if they would be showing the seam.*

*Gailunas said they would be in-filling over the hose so it would look seamless, and one would not see that it was moved, noting that the siding is not original and is a painted aluminum siding. He said they would be moving the original window that operates with pins.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Moved by Beeson, seconded by White, that the Commission issue a certificate of appropriateness for the application at 416 W. William Street, a contributing property in the Old West Side Historic District, to move and original window on the rear building elevation, as proposed. The work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets the Ann Arbor Historic District Design Guidelines and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 1 and 2 and the guidelines for windows.**

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows, with the Chair declaring the motion carried. Vote: 4-0**

**Certificate of Appropriateness Granted**



**Yeas:** 4 - White, Ramsburgh, Chair Bushkuhl, and Vice Chair Beeson

**Nays:** 0

**Absent:** 3 - Stulberg, Secretary Ross, and Hall

**F3**     [16-0330](#)     HDC16-020; 442 Second - Basement Egress Window - OWSHD

*Jill Thacher presented the staff report. See attached in agenda packet.*

**REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:**

*Commissioners Ramsburgh and Bushkuhl visited the site as part of their review.*

*Bushkuhl reported that in visiting the site they noticed that the location of the egress window and the other windows are on the rear face, and even the windows above grade, are far enough that they will be minimally visible from the street, given the way the house sits to adjacent houses and landscaping. He felt that having that long wall, and breaking it up with this little bump-out will be visibly pleasing and the chimney meets our standards.*

*Ramsburgh agreed.*

**PUBLIC HEARING:**

*James Acheson, Acheson Builders, 1483 Newport Road, Ann Arbor, contractor was present to respond to enquiries from the Commission.*

*Beeson asked if the awning over the door would be a flat roof.*

*Acheson said essentially, since they will be keeping the eave lines exactly the same. He said they would be wrapping everything with gutters, continuously, making it inconspicuous.*

*Beeson asked if the chimney cap would be metal.*

*Acheson said, yes, and it will be painted.*

*Ramsburgh commented that she didn't think the chimney bump-out would be visible from the front.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Moved by Ramsburgh, seconded by White, that the Commission issue a certificate of appropriateness for the application at 442 Second Street, a contributing property in the Old West Side Historic District, to add a basement egress window and light well on the south elevation; change previously approved casement basement windows to sliding windows; add a chimney to the north elevation of the new addition; and extend the eave on the south elevation over the new side door, as proposed. The work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standard 9 and the guidelines for additions, and the Ann Arbor Historic District Design Guidelines for additions.**

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows, with the Chair declaring the motion carried. Vote: 4-0**

**Certificate of Appropriateness Granted**

**Yeas:** 4 - White, Ramsburgh, Chair Bushkuhl, and Vice Chair Beeson

**Nays:** 0

**Absent:** 3 - Stulberg, Secretary Ross, and Hall

**F4**     [16-0331](#)     HDC16-021; 514 S First - Front Porch & Addition - OWSHD

*Jill Thacher presented the staff report. See attached in agenda packet.*

*REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:*

*Commissioners Ramsburgh and Bushkuhl visited the site as part of their review.*

*Bushkuhl reported that is visiting the house there are a lot of interesting things going on with the house and it seems like it is telling a story. He*

*said the original testament to the ones building the house is that it is still standing today without having any maintenance happening for such a long period of time. He noted that from the front porch there is a stone foundation and it looks like they used the stones that didn't fit nicely together in that area and then the area that would have been exposed, they have the nicely cut stone.*

*Ramsburgh agreed that it was a most interesting house to visit, that was a very nice house that has held up remarkably well for a house that has not had any attention for a number of years.*

*PUBLIC HEARING:*

*Gabriel Ehrlich, 520 S. First Street, Ann Arbor, co-owner was present to respond to enquiries from the Commission.*

*Theresa Angelini, Angelini & Associates Architects, 113 East Ann Street, Ann Arbor, architect, was also present to respond to enquiries.*

*Beeson asked about the sashes mentioned.*

*Angelini said they were manufactured sashes from Marvin Windows, and they are sash replacement kits that are clad of the exterior and wood on the interior and they can fit into the existing jam railings and fits the openings exactly.*

*Ramsburgh asked if they would be double-paned windows.*

*Angelini said yes.*

*Ramsburgh noted that Angelini's architectural drawings were most helpful and were laid out in a very easy, readable way for the Commission.*

*Bushkuhl asked for the necessary foundation repairs, if they were planning on using the cut stone.*

*Angelini said yes, and that the repairs would be mostly tuck-pointing.*

*Beeson commented that it was interesting that there were records showing the house back to the 1890.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**For the front door:**

**Moved by Bushkuhl, seconded by White, that the Commission issue a certificate of appropriateness for the application at 514 South First Street, a contributing property in the Old West Side Historic District, to replace the front door with a salvaged historic oak front door, as proposed. The work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 1, 2, and 3, and the Ann Arbor Historic District Design Guidelines for doors.**

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**Vote on front door:**

**On a voice vote, the vote was as follows, with the Chair declaring the motion carried. Vote: 4-0**

**Certificate of Appropriateness Granted**

**Yeas:** 4 - White, Ramsburgh, Chair Bushkuhl, and Vice Chair Beeson

**Nays:** 0

**Absent:** 3 - Stulberg, Secretary Ross, and Hall

**For the remainder of the application:**

**Moved by Bushkuhl, seconded by White that the Commission issue a certificate of appropriateness for the application at 514 South First Street, a contributing property in the Old West Side Historic District, to: add a front porch; build a small addition on the southwest corner; convert a bathroom to a mudroom near the northwest corner by adding an exterior door and stoop; add a small rear deck on the west elevation; install eight pairs of clad replacement sashes, four new windows in new openings on the north elevation, and one new window in a boarded over original opening on the west elevation, replace a non original casement window on the west elevation with a new window that mimics a pair of doublehangs, and remove three modern skylights; replace the asphalt roof with same;**

infill siding with cedar to match the original; add a new bilco basement door to the west wall of the basement; and install an air conditioning unit, mechanical equipment, and vents, as proposed. The work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standard 1, 2, 3, 5, 9 and 10, and the guidelines for additions and windows, and the Ann Arbor Historic District Design Guidelines for porches, additions, decks, doors, and windows.

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows, with the Chair declaring the motion carried. Vote: 4-0**

**Certificate of Appropriateness Granted**

**Yeas:** 4 - White, Ramsburgh, Chair Bushkuhl, and Vice Chair Beeson

**Nays:** 0

**Absent:** 3 - Stulberg, Secretary Ross, and Hall

**F5**     [16-0332](#)     HDC16-028; 321 E Liberty - Business Signs - MSHD

*Jill Thacher presented the staff report. See attached in agenda packet.*

*REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:*

*Commissioners Ramsburgh and Bushkuhl visited the site as part of their review.*

*Ramsburgh reported that the staff report testifies to everything that they saw last week during their site visit and she felt one of the most important things to recognize was that the proposed signs do not impair the historic property itself and are easily removed and would not leave any lasting damage to the house and the wood.*

*Bushkuhl agreed with Ramsburgh, adding that he felt the size and*

*massing were appropriate and were much more appropriate than if they were to add signage to other places on the structure, along with the difficulty of adding signage to the brick façade, so that doesn't leave them with many options and he felt the proposed location was a smart choice.*

**PUBLIC HEARING:**

*Walt John, 1200 North Main, Ann Arbor, contractor was present to respond to enquiries from the Commission.*

*Beeson asked if they were afraid someone could walk away with them.*

*John said they would be using Z-clips as well as adding a small dot of silicon right underneath where it would not be seen.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Moved by Beeson, seconded by White, that the Commission issue a certificate of appropriateness for the application 321 E Liberty Street, a contributing property in the East Liberty Historic District, to install three business signs on the frieze of the front and side porches as proposed. The work is compatible in exterior design, arrangement, materials, and relationship to the house and the surrounding area and meets the City of Ann Arbor Historic District Design Guidelines for signs, and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 1, 2, 5, 9, and 10 and the guidelines for storefronts.**

**COMMISSION DISCUSSION:**

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows, with the Chair declaring the motion carried. Vote: 4-0**

**Certificate of Appropriateness Granted**

**Yeas:** 4 - White, Ramsburgh, Chair Bushkuhl, and Vice Chair Beeson

**Nays:** 0

**Absent:** 3 - Stulberg, Secretary Ross, and Hall

**G NEW BUSINESS****G1 [16-0333](#) HDC Awards Committee Appointments**

**Moved by White, seconded by Bushkuhl, to approve the list as presented. On a voice vote, the vote was as follows, with the Chair declaring the motion carried. Vote: 4-0**

**Yeas:** 4 - White, Ramsburgh, Chair Bushkuhl, and Vice Chair Beeson

**Nays:** 0

**Absent:** 3 - Stulberg, Secretary Ross, and Hall

**H APPROVAL OF MINUTES****I REPORTS FROM COMMISSIONERS****J ASSIGNMENTS**

J1 Review Committee: Monday, April 11, 2016, at 5pm for the April 14, 2016 Regular Meeting

**Commissioners Beeson and Bushkuhl volunteered for the April Review Committee.**

**K REPORTS FROM STAFF****K1 [16-0335](#) February 2016 Staff Activities**

**Received and Filed**

**L CONCERNS OF COMMISSIONERS****M COMMUNICATIONS**

**[16-0421](#) Various Correspondence to the Historic District Commission**

**Received and Filed**

**N ADJOURNMENT**

**The meeting was unanimously adjourned at 9:13 p.m.**

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- *Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.*

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