

**HISTORIC PRESERVATION COMMISSION  
MINUTES  
FONA International – FONA Center  
1900 Averill Road  
Geneva, Illinois, 60134**

**May 21, 2019**

**1. Call to Order**

Chairman Zellmer called to order the May 21, 2019 meeting of the Geneva Historic Preservation Commission at 7:00 p.m.

**2. Roll Call**

Present HPC: Chairman Zellmer, Commissioners Hamilton, Hiller, Stazin, Warner, Zinke

Absent: Commissioner Salomon

Staff Present: Historic Preservation Planner Michael Lambert; Community Development Director David DeGroot, City Atty. Michael Rachlis.

Others Present: Charles Ellenbaum, 707 Shady Ave.; Gillian McNamara, 418 Easton Ave.; Tom and Susan Tyndall, 805 Forrest Ave.; Peter Yi, 505 Maveview; Denise Ward, 418 Dodson St.; Charles Bauman, 949 S. Batavia Ave.; Sharon Jones, 27 N. Bennett, #305; Katie Tegge, 398 Elizabeth Pl.; Jacki and Dave Saylor, 509 Easton Ave.; Melinda East, 909 S. Batavia Ave.; John Owens, 802 Forrest Ave.; Jennifer Gustafson, 932 S. Batavia Ave.; Sarah Walkington, 728 Shady Ave.; Michelle Demaray, 113 Fulton St.; Tom Simonian, 921 S. Batavia Ave.; Planet Depos Court Rptr. Joanne Ely; and Recording Secretary Celeste Weilandt.

**3. Approval of April 16, 2019 Minutes**

Minutes of April 16, 2019 Meeting – Minutes were approved on motion by Commissioner Hiller, second by Commissioner Hamilton. Motion carried by voice vote of 6-0.

**4. HPC Public Hearing**

The Chairman entertained a motion to open the public hearing.

**Motion by Commissioner Warner, second by Commissioner Stazin to open the public hearing for the South Geneva Historic District. A voice vote was taken. Motion passed 6-0.**

A. South Geneva Historic District (Case # 2018-205). Applicant: Karen Buckley, Bill and Amy Cook, Jill Leo, Gillian McNamara and Marsha Reinecke. Application for South Historic District Designation. Chairman Zellmer swore in those individuals who would be speaking in the public hearing tonight. He called upon those individuals who signed up to speak.

Ms. Denise Ward, 418 Dodson St., explained she did not reside in the proposed historic district but discussed how this case affected her and her observations of the situation overall. Ms. Ward addressed Secretary of Interior Standard No. 5 – Sense of Time and Place – believing some of the answers provided were vague and subjective. She provided examples. She reviewed

some of the testimony that was provided by Mr. Yi and the Tegges at the March meeting recalling the Tegges testified their commitment to 398 Elizabeth Place as their “forever” home and would be sensitive to the home’s history. She believed they already demonstrated the types of stewards they would be. Ms. Ward stated that Mr. Peter Yi’s testimony – he purchased a lot at 814 S. Batavia Avenue -- made the most sense by asking the applicants to withdraw their application. She recalled for the commissioners the difficulty and frustration that Mr. Yi had to go through living within the confines of a first floor and that he wanted to construct an accessible home to meet his needs, with the assistance of the City, regardless of the outcome of the application.

Ms. Ward shared some of her other thoughts regarding the overall situation and stated that it appeared ironic that only three years after approving changes to the historic preservation ordinance while keeping the provision that owner consent is not required, today was an example of owners attempting to create a district without an owner’s consent. She read a quote by Alderman Bruno in a newspaper article which applied to the matter at hand. Ms. Ward recommended a remedy by asking the applicants to withdraw their application and for the Historic Preservation Commission to amend the application by removing 814 South Batavia Avenue so that Mr. Yi could construct his wheelchair-accessible home.

Ms. Katie Tegge, submitted her written testimony to Preservation Planner Michael Lambert.

Mr. John Owens, 802 Forest Ave, opposed the application, stating the home was sold, the lot was split, and to use the Historic Preservation Commission as a strong-hold, was wrong.

Ms. Jennifer Gustafson, 932 Batavia Avenue, stated she was advised to provide staff with the corrected objection forms for Michael and Gail Bataglia. She called attention to the objections that were updated on the City’s website. Three of the nominators on this petition filed objections to the district but she did not see them in the audience now and asked if anyone knew their status.

Ms. Sarah Walkington, 728 Shady Avenue, submitted a supplemental written statement in response to staff’s recommendation that was proposed at the end of the last public hearing.

Mr. Charles Ellenbaum, 707 Shady Avenue (Bridge House), explained he was suspicious of the restrictions being mentioned by the public, pointing out they were not the same restrictions as those in the historic district located north of the tracks, recalling the prior preservation planner had indicated that most renovations could be done as long as they kept the character of the house. Mr. Ellenbaum shared his frustration about a builder who let a home formerly owned by Mayor Fargo’s daughter to fall into disrepair only to be demolished to construct two homes on the lot. It grieved him that there was no respect to the homes in order to pass them on to the next generation in order to cherish their heritage. Mr. Ellenbaum reiterated the need for protections of historic districts, especially for a town that prides itself on its historic homes. He stated compromises exist and he was not seeing them currently.

Ms. Michelle Demaray, 113 Fulton Street, shared her experience when working with the Historic Preservation commissioners regarding the renovations of her home. For the proposed application, she believed there was concern that the commission may be overstepping its reach and would not allow reasonable changes to one’s home in a historic district. (Commissioner Zellmer provided a response.)

Mr. Tom Tyndall, 805 Forrest, stated that he moved into his current home three years ago and had it been in a historic district, he would not have purchased it. He made changes to his home but believed imposing the district on the area was unfair and he believed others should be able to make changes to their home.

Chairman Zellmer invited the applicants to make a final statement.

Ms. Gillian McNamara, 418 Easton Avenue, reminded the commission and public the application for the proposed district began in June 2018 as a grassroots effort by the neighbors who wanted to retain the beauty and charm of the historic neighborhood and protect as many historically significant homes as possible. While landmarking the Atwater House itself would have been the easy route, Ms. McNamara said it did not create a protection for the other historic homes in the area, along with protection of the Batavia Avenue gateway and its heavily wooded lots. Ms. McNamara pointed out that if it were not for the City's current commitment to historic preservation, the City would only have four landmarked homes. She emphasized the tourism that was drawn to the City, the attention from national TV stations, Hollywood celebrities, and the overall "economic machine" to the City due to its commitment to historic preservation.

Ms. McNamara stated she would provide a letter with exhibits to staff and to each commissioner which highlighted false testimony provided by objectors, along with written proof of the truth. Also, her letter would address misinformation intentionally distributed by objectors to members of the proposed South Geneva Historic District. Ms. McNamara closed by thanking the commissioners, stating she believed the application stood on its own.

Commissioner Hiller stated that when he reviewed the previous minutes, Mr. Yi's comments were that the designation would prohibit construction, wherein Commissioner Hiller clarified that designation does not prohibit construction. He proceeded to review the properties within the current historic district that were demolished or the lots subdivided and inserted in their place were new homes. Commissioner Hiller explained the preservation ordinance requires the commission to follow the Illinois Secretary of Interior Standards, as applied to residential homes and to commercial buildings. Details followed. He closed by stating the commission's role was not to discourage growth but to preserve character.

Commissioner Zinke asked Ms. Demaray about the status of her siding project wherein Ms. Demaray provided her response that it was not sided due to her husband losing his job a week after the siding replacement request. The home was up for sale.

Mr. Lambert submitted a packet of letters of objections and in support of the application to each of the commissioners, the recording secretary and to the court reporter, exclusive of tonight's submittals. No further discussion followed. The Chairman entertained a motion to close the public hearing.

**Motion to close the public hearing was made by Commissioner Stazin, second by Commissioner Warner. Roll call:**

**Aye: Hamilton, Hiller, Stazin, Warner, Zinke, Zellmer**  
**Nay: None**

**MOTION PASSED. VOTE: 6-0**

(Commissioners took a short break at 7:42 p.m.; reconvened at 7:51 p.m.)

Chairman Zellmer proceeded to ask the commissioners if the proposed district's boundaries in the nomination or those expanded boundaries submitted by staff met the requirements of the ordinance. All commissioners were in agreement that they followed Standards Nos. 1 through 6.

Asked if the original application met the criteria for having significant events or significant people associated with the properties, all commissioners were in agreement they did.

Asked if the criteria for the Period of Significance (1855-1988) met the criteria, commissioners were in agreement they did.

Chairman Zellmer explained the options before the commissioners: either review each structure as originally proposed for the district or review them by street and discuss whether they meet the architectural criteria, the period of significance and whether the properties meet all six standards of the designation. The commission could also continue the meeting to review the material that was provided by staff. Commissioner Hamilton preferred to review the material; Commissioner Zinke preferred to discuss the structures street by street or by neighborhood. Commissioner Warner preferred to review the parcels as amended.

Chairman Zellmer recommended reviewing the original proposal area by area, and then the amendment.

The following properties were reviewed:

322 Cheever Avenue was identified as a non-contributing property and would be removed from the application.

707 Shady Avenue was identified as a significant property and commissioners were in agreement that almost all six standards were met and the structure met the City's ordinance.

715 Shady Avenue was identified as a contributing property and commissioners were in agreement that the requirements of the City's preservation ordinance and the SOI Standards were met.

Preservation Planner reminded the commissioners they were reviewing the properties collectively.

707 Shady Avenue, 715 Shady Avenue, 716 Shady Avenue, 734 Shady Avenue, 740 Shady Avenue and 316 Elizabeth Place – Commissioners agreed the properties satisfied the requirements of the standards of designation. As for 715 Shady Avenue and 707 Shady Avenue, Commissioner Zinke believed they did not fit in or feel right but that the owners should consider local landmarking instead. Commissioners Warner, Hamilton, Stazin were in agreement with staff's recommendation for this group of structures.

398 Elizabeth Place, 425 Easton Avenue and 814 Batavia Avenue (empty lot) - Commissioners were in overall agreement that the standards were met and the structures fit in the proposed district. Commissioner Zinke noted that 398 Elizabeth Place was the most important building, due to its architecture and the famous individuals who lived in the home previously. Also, the three parcels at 814 Batavia Avenue had historically been part of 398 Elizabeth Place previously, which was significant. The lots contained beautiful mature trees and topography. The structure at 425 Easton was a renovation of the carriage barn for the Atwater property which was also historic.

464 Easton Avenue and 418 Easton Avenue – Chairman Zellmer noted the scale and character were met for 464 Easton with the rest of the area, although the home at 464 Easton Avenue by itself was not constructed within the period of significance.?

809 Batavia Avenue and 825 Batavia Avenue – Commissioners were in agreement that the homes were within the period of significance and met the requirements of the City's ordinance.

945 Batavia Avenue and 949 Batavia Avenue – Commissioners were in agreement that the homes were within the period of significance and met the City’s ordinance.

944 Batavia Avenue, 934 Batavia Avenue and 517 Peck Road – Commissioners were in agreement the scale of these homes fit in with the other homes of the area and met the criteria of the historic district. Discussing 934 Batavia Avenue, Commissioner Zinke pointed out that while the house was newer, the land that it sat upon was part of the original land purchase by Ralph Haskins, one of the City’s pioneers, who constructed a home around circa 1840, which was later purchased by William and Melissa Hunt one of founders of the Gothic Cottage School.

1010 Hawthorne Lane – Commissioners agreed the property met the standards of designation and the property fit in with the scale of the homes within the neighborhood.

As mentioned above, commissioners agreed that the home at 322 Cheever Avenue would be eliminated because it did not meet the period of significance.

Moving on, the Chairman asked how the commissioners wanted to move forward, (*i.e.*, continue to review properties to enlarge the district or continue the meeting to another date to consider the information presented this evening). Commissioner Hiller suggested reviewing those properties in the amendment, while others supported continuing the hearing. A review followed:

909 Avenue, 935 Avenue and 902 Batavia Avenue - Commissioners agreed that 902 Batavia Avenue was valid and the home smoothed out the boundary. 909 Batavia Avenue and 935 Batavia Avenue fit the scale of the neighborhood and met the standards for designation.

406 Peck Road, 516 Peck Road, and 501 Peck Road - Commissioners agreed the standards for designation were met.

728 Shady Avenue, 737 Forrest Avenue, and 805 Forrest Avenue - Commissioners agreed the standards for designation were met.

Hearing no further discussion and suggesting that the commission review the material given to them by staff, Chairman Zellmer entertained a motion to continue the meeting to a date certain, that date being June 18, 2019.

**Motion by Commissioner Stazin, second by Commissioner Warner to continue the discussion to June 18, 2019. Motion passed by voice vote of 5-1. (Nay: Hamilton)**

(Commissioners took a short break at 8:51 p.m.; reconvened at 8:55 p.m.)

## **5. Secretary’s Report (Staff Updates)**

There was no official report, but staff was continuing work on the architectural survey update as time permitted. In reviewing the packet of support/objections, Planner Lambert said the information was current as of 3:30 p.m. this afternoon. He would email the new information to the commissioners but also stated the information would be on the City’s web site.

## **6. New Business**

A. From the Commission: None.

B. From the Public: None.

**7. Adjournment**

It was reported by staff that there would be a special Historic Preservation Commission meeting on May 28, 2019 at the East Side Drive Fire Station, but no agenda was posted yet. The June 18, 2019 meeting would be at FONA.

There being no further business to come before the Historic Preservation Commission, the meeting was adjourned at 9:02 p.m. on motion by Commissioner Stazin, second by Commissioner Warner. Motion carried unanimously by voice vote of 6-0.