

**CHATHAM COUNTY HISTORIC PRESERVATION COMMISSION**

**ARTHUR A. MENDONSA HEARING ROOM**

**112 EAST STATE STREET**

**APRIL 13,2006**

**4:00 P.M.**

**DRAFT MINUTES**

**MEMBERS PRESENT:**

**Alexander S. Luten, Interim Chairperson  
Pamela G. Lossing  
Daves Rossell  
Christian Sottile  
Stephen T. Lindell  
George Cohen**

**MEMBERS ABSENT:**

**William Haynes (Excused)  
Lisa L. White (Excused)  
Vaughnette Goode-Walker (Excused)**

**STAFF PRESENT:**

**Harmit Bedi, Deputy Executive Director  
Jonathan Hart, Chatham County Attorney  
Beth Reiter, Preservation Officer  
Sarah Ward, Preservation Planner  
Ellen Harris, Preservation Planner  
Janine Person, Administrative Assistant**

**RE: WELCOME**

**Mr. Bedi** called the April 13, 2006, Chatham County Historic Preservation Commission meeting to order at 4:00 p.m. **Mr. Bedi** explained that he was representing **Mr. Thomas Thomson**, Executive Director, who could not be here.

**RE: INTRODUCTIONS**

**Mr. Bedi** introduced staff members, **Beth Reiter**, **Ellen Harris**, **Sarah Ward**, and **Janine Person**, and explained their different responsibilities. He then introduced Chatham County Chairperson **Pete Liakakis**, Chatham County Commissioners **Helen Stone** and **Patrick Shay**, and Metropolitan Planning Commissioner **Melissa Jest** as special guests.

**Mr. Pete Liakakis**, **Ms. Helen Stone**, **Mr. Patrick Shay**, and **Ms. Melissa Jest** introduced themselves and thanked the Commission for their.

**Mr. Bedi** asked the Commission members to introduce themselves. All of the Commission members briefly introduced themselves.

**RE: OVERVIEW OF MEETING PROTOCOL – JONATHAN HART, COUNTY ATTORNEY**

**Mr. Hart** gave an overview of meeting protocol as follows:

- The Commission should not have a pre-determined decision but to follow the job according to the rules using the written ordinance to guide them.
- It is not the Commission's job to deal with zoning. Once the use is established, it is of no concern to the Historic Preservation Commission.
- The people will make an application to the Commission; the neighbors, the concerned citizens group, whatever coalition of people will want a Historic Preservation District in a particular area. The application will go to Staff who will research the area. The Commission will need to legally articulate the purpose with a defined set of standards that are ascertainable and can be enforced with some consistency. The Commission must make sure that the defined area is comfortable for the majority of the people in that district.
- There will need to be a Parliamentarian to rule people who get out of order when the individuals begin to speak on unrelated matters.
- The Commission must articulate a reason why you do not approve and should be able to tell the people why.
- The criteria states, "...it must have a special character; or historic or aesthetic interest or value." The word "value" is too vague.
- "...Represents some period of architecture typical to one or more areas..". This is important for the County of Chatham; this is a limiter to be remembered.
- "...Cause and area to constitute a visibly perceptible section of the County." The language will be challenged as being vague.
- The moratorium language on the bottom of Page 6 will need to be rewritten. The way that it is written is open to being challenged and will need to be modified at some point.
- One area that may be challenged in the ordinance will be demolition. There is an outstanding issue whether Historic Review Boards can enter orders preventing demolition of buildings on a permanent basis. This will arise if the building shown does not have a viable economic use. It will remain because the state statute allows it the way it is written. Be warned ahead to be cautious on how often and when you invoke these types of things.
- The Commission is subject to being appealed to the Commissioners of Chatham County who can approve, modify, or object your decision, because you are essentially a recommending body. They can affirm or reject a decision entirely due to the abuse of discretion on your part.
- Georgia laws are clear about conflict of interest. It means that there is either a direct family relationship, or a financial interest in the outcome of the matter. If the Commission feels uncomfortable about something and they are not sure, please ask. Ask the Staff, and if the staff is unsure ask the County Attorney. Do not use being close to the situation to recuse yourself not to vote because you do not want to vote on a difficult question.
- There is a choice to talk to the people outside of the meetings because there are no rules against it. However, it opens you up to give a lot of one-sided information and both sides are not heard. The Commission members will need to be very polite, very helpful and refer questions to staff.

**Mr. Hart** wished the Commission good luck and stated that he will make himself available to work with the Commission. He stated that he would meet with them in executive sessions if there were issues from an attorney-client standpoint.

**Ms. Harris** suggested that the Commission appoint an interim chairperson and recommended Mr. Luten who has served as an MPC Commissioner. The Commission voted by a show of hands to appoint Mr. Luten as Interim Chairperson. Five were in favor and Mr. Luten did not vote.

**RE: BY-LAWS – DISCUSSION/APPROVAL**

**Ms. Harris** noted that Mr. Hart has not given full comments yet on the By-Laws and to keep that fact in mind. She stated that she understood that they could vote and approve the By-laws while waiting on comments from Mr. Hart, but could put them into effect to have something to work with and will incorporate his comments at a later meeting.

**Page 1:** Date of adoption

**Page 2:** No Comments

**Page 3:** A suggestion was given by Mrs. Reiter to elect a Parliamentarian to rule on matters of order.

**Page 4:** 1<sup>st</sup> Wednesday of every month at 2:00 p.m. Ms. Harris felt that they needed to have a scheduled meeting date to cancel as needed.

**Page 5:** No Comments

**Page 6:** No Comments

**Page 7:** No Comments

**Page 8:** No Comments

**Mr. Lindell made a motion to approve the By-Laws subject to any amendment by County Attorney Jonathan Hart at a later date. Mr. Rossell seconded the motion. All were in favor and the motion carried.**

**RE: NOMINATING COMMITTEE – CHAIRPERSON AND VICE-CHAIRPERSON**

**Ms. Harris** asked that the Chairperson appoint a nominating committee of three people that would be willing to serve to suggest a Chairman, a Vice-Chairman and Parliamentarian.

**Mr. Sottile, Mr. Cohen, and Mr. Rossell** volunteered as the nominating committee.

**RE: PROCEDURAL MANUAL – DISCUSSION/APPROVAL**

**Ms. Harris** introduced the Procedural Manual and opened the discussion to any items which need further discussion. She further stated for the Commission to keep in mind that it can be amended later and it was modeled after other procedural manuals and by-laws that had already been drafted from similar boards, including MPC, and that it was very standard.

**Mr. Lindell** moved that the Commission adopt the Procedural Manual subject to any revision as may be appropriate as recommended by Mr. Hart. Mr. Cohen seconded.

**Mr. Luten stated that it was moved and seconded that the Procedural Manual be adopted in its entirety, pending upon approval and adjustments by Mr. Hart. All were in favor of the motion with the necessary corrections. The motion carried.**

**RE: APPLICATION FOR DESIGNATION (DISTRICT AND PROPERTY) –  
DISCUSSION/APPROVAL**

**Property Designation Application**

**Ms. Ward** stated that a suggestion was made to add the Property Identification Number (PIN).

**Mr. Cohen** had a question regarding the notification process upon designating or when someone is asking permission for something, that it is the same notification that would be done with any other action like MPC and board of appeals.

**Mr. Luten** asked about persons living in the designated areas next to abutting properties where applications for changes have been submitted, would they receive a letter or would they have an opportunity to come to a hearing.

**Ms. Harris** stated that it is different depending on what is going to be happening. She stated an example of a community coming forward and wishes to be a Historic District, every property owner and resident within that district will be notified of the proposed designation and will have an opportunity comment. It will be published three times in the newspaper as stated in the Procedural Manual.

**Mr. Luten** stated that with the MPC, they ask that every person within 200 feet of the concerned property be notified.

**Ms. Harris** stated that any time a change is proposed, the neighborhood organization and the neighbors would all be notified as outlined in the Procedural Manual. She stated that if they felt that it was not enough notification that they could amend it.

Ms. Harris drew attention to the checklist on Page 4 has a box for the fee. She referenced that it stated that the Commission would be determining the fees and that item will be determined by the County Commissioners. She stated that they are working with the Department of Revenue and in-house to do a study of the fees and make a recommendation to the County Commissioners at the next meeting.

**District Designation Application**

**Ms. Harris** stated that the district designation application would be the Historic or Conservation Districts is worded differently because there are multiple properties involved, but it is the same information. She stated that there was the same issue with the fee on Page 4 that will be set by the County Commissioners and that Staff will be doing the research and making the recommendation to the Commission regarding the fee. She stated that on the back of the last page of the applications there is a property owner consent form where in any district the majority of the property owner's need to consent and it is important.

**Application for Certificate of Appropriateness**

**Ms. Harris** stated that once they have districts set up and communities come forward, there will be a need for Certificates of Appropriateness when performing exterior changes, new addition,

or demolition; this application is to request permission to make alterations. She added that the same thing applies with the fees; that they are not added yet.

**Mr. Lindell** asked if they would have a PIN number to know exactly what property they would be discussing.

**Ms. Harris** stated that they will add that to all applications.

Mr. Lindell made a motion to adopt the three Applications as presented with a note that the PIN Number be included to make it property specific, subject to any revision later, and subject to approval by the County Attorney Jonathan Hart. The motion was seconded by Mr. Cohen.

**Mr. Luten** stated that it was properly moved and seconded that they adopt the three applications pending adjustments with the County Attorney until such time. All were in favor and the motion carried.

**RE: OTHER BUSINESS**

**Mr. Luten** noted the passing of Mrs. Sula Gamble-Haynes, wife of Commissioner William B. Haynes. Mr. Haynes wife passed on April 4, 2006, and Mr. Haynes could not make it to the meeting, and the Commission wish to extend Mr. Haynes their deepest sympathies.

**Mr. Luten** asked about the parking tickets.

**Mrs. Reiter** stated that we are currently working with the City concerning that issue.

**Ms. Harris** stated that they would be informed before the next meeting.

**Mr. Luten** wanted to inform the Commission that they are not alone on the journey because they have the MPC Staff. He stated that he knew from personal experience that they will help and that the Commission would not have any problems. He also asked the Commission members to take the book home and become familiar with what they are doing.

**Mr. Luten** asked for a motion to adjourn.

**Mr. Lindell** made a motion for adjournment; acclamation.

**RE: Adjournment**

**There being no further business to come before the Chatham County Historic Preservation Commission the meeting was adjourned approximately 6:30 p.m.**

**EH/jnp**