

# City of Naperville

*400 S. Eagle Street  
Naperville, IL 60540  
<http://www.naperville.il.us/>*



## Naperville

### **Meeting Minutes - Final**

**Thursday, January 25, 2024**

**7:00 PM**

**Meeting Room A and B**

**Historic Preservation Commission**

**TO PROVIDE LIVE PUBLIC COMMENT, TESTIMONY, OR TO CROSS-EXAMINE WITNESSES DURING THE MEETING:** To address the Historic Preservation Commission (HPC) in-person during the meeting in Meeting Room B, members of the public will be called on during the meeting by the Chairman.

**TO SUBMIT WRITTEN COMMENTS OR MATERIALS:**

1. You may submit written comments to [planning@naperville.il.us](mailto:planning@naperville.il.us) in advance of the meeting. (Please note, because emailed written comments are available for advance review by the HPC, they will not be read into the record during the HPC hearing).

Below are the deadlines for written comments provided in advance of the meeting:

- Written comments received by 5:00 p.m. the Thursday before the meeting, will be included in the meeting packet sent to the HPC. This meeting packet is also posted on the City's website.
- Written comments received after 5:00 p.m. the Thursday before the meeting, through 5:00 p.m. the day before the meeting, will be emailed directly to the HPC, but will not be included in the HPC packet or posted online.
- Written comments received after 5:00 p.m. the day before the meeting, will be added to the case file.

**PUBLIC ACCOMMODATION:**

Any individual who may require an accommodation to listen to or participate in the meeting should contact the Community Services Department at (630) 305-5300 as soon as possible, but no later than by 5 p.m. on the day of the meeting.

**PARTICIPATION GUIDELINES:**

The citizen participation guidelines are outlined in 1-5-6-6: - CITIZEN PARTICIPATION of the Naperville Municipal Code.

- **ALL VIEWPOINTS AND OPINIONS WELCOME:** All viewpoints are welcome, positive comments and constructive criticism are encouraged. Speakers must refrain from harassing or directing threats or personal attacks at Commission members, staff, other speakers or members of the public. Comments made to intentionally disrupt the meeting may be managed as necessary to maintain appropriate decorum and allow for city business to be accomplished.
- The HPC will call on you at the appropriate time during the meeting to speak. Once you are called on, you may identify yourself for the public record and address remarks to the Historic Preservation Commission as a whole. Speak clearly and try to limit remarks directly to the matter under discussion.

**A. CALL TO ORDER:**

**B. ROLL CALL:**

Present: Chairman Santucci, Wills, Brown, Deffenbaugh, O'Brien, Field  
(non-voting)

**Absent: Fawell, Kelly (non-voting)**

- Present** 5 - Michael D Brown, Paul Deffenbaugh, Patricia O'Brien, Chris Santucci, and James Wills
- Excused** 1 - Patrick Kelly
- Absent** 1 - Rick Fawell

**C. PUBLIC FORUM:**

Phillip Buchanan, Naperville Preservation Inc. and Naperville Resident - honored passing of Naperville icon - Ron Keller. Commented that the illegal demolition at 223 Center Street has gone against the Historic District rules.

Bill Simon, Naperville Preservation, Inc., and Naperville resident - agreed with Phil Buchanan's comments regarding Ron Keller, noting that Mr. Keller was on the Naperville Preservation Board of Directors. Mr. Simon provided an overview of the Naperville Preservation's event that was held on January 24, 2023, which featured John Curley as a speaker and included discussions regarding the International Existing Building Code. The event will be available on YouTube.

Holly Flynn, Naperville Historic District resident - believes it's a privilege to live in the district. She plans to renovate her home. She has attended HPC meetings to better understand district regulations, as she finds it very important for them to be upheld and followed.

Jessica Buford, Naperville Historic District Resident - lives next door to 223 Center Street. 223 Center had been vacant for a significant period of time and had been down to the studs after a prior owner destroyed it. The house has changed hands several times and was occupied by animals. She is not opposed to the home being demolished given its prior condition, but she is opposed to illegal demolition. There was evidence of fire damage in the home. The remaining wall is not pressure treated wood and is not in good shape. She does not believe that the existing wall is worth saving as is. She has spoken to neighbors on the block who agree that the whole house should be demolished.

Mary Lou Wehrli, is the purpose of the HPC to hear COA cases, or is it to undertake proactive measures as is done in the City of Aurora? Her hope is for proactive measures to make historic preservation more effective in Naperville. She referenced the Naperville Preservation's event which featured John Curley from the City of Aurora.

Mike Tannura, resident of the Naperville Historic District - provided the HPC with an email regarding his feelings on the 223 Center Street case. Regardless of the home's condition, there is a required process for review and approval. To get rid of the house first and then appear before the HPC is not appropriate. He has followed the rules and everyone else should as well.

**D. OLD BUSINESS:**

## E. CERTIFICATE OF APPROPRIATENESS

### 1. Consider the Certificate of Appropriateness (COA) for 223 Center Street - COA 23-4821

The petitioner gave their testimony.

The east elevation of the home will largely remain consistent with the approved COA; however, they are seeking two additional windows on the 2nd story and replacing 1st floor windows with vinyl windows. The new roof system was previously approved. The wood below the roof was termite infested and weather damaged - not structurally sound to support a new roof. There will not be a full demolition.

They pointed out that there had previously been several additions and alterations to the residence. Original foundation was limestone sitting on brick. Excavation showed this was structurally dangerous, along with other parts of the home. They should have gotten approval first - this is their first project in Naperville. They did submit revised permit drawings 4 days after directed to do so by the City's inspector (after work exceeded the permit); however, they were issued a stop work order shortly after.

The rear portion of the home was removed because it was sitting on a faulty foundation. The south (side) elevation was deteriorated and if foundation was replaced there was fear of the wall falling so replacing the entire foundation was necessary.

They bought the home in June 2023 with the prior COA approval (COA 22-4462). They sought a different roofline than what was approved and therefore they sought a revised COA which was approved by the HPC. They noticed issues while undertaking the demolition and saved as much of the primary façade as they feel they could. Pictures were displayed of the issues found on site.

The petitioner presentation was concluded by detailing the new 2nd floor window openings that would match the existing on the primary façade.

#### ***Public Speakers***

Phil Buchanan, Naperville Preservation, Inc., and Naperville resident - he is concerned that the process was not followed. If there is any deviation from the approved COA, you have to come back to the HPC for approval. That was not done.

Bill Simon, Naperville Preservation, Inc., and Naperville resident - this situation is really important for Naperville, given the special significance of the historic district. Everyone should be aware of the procedures required in the historic district. The decisions of the HPC and City staff are always reasonable and fair. Some question in his mind - what will come out of this? What are the repercussions to the owners? What will the City do to keep this from happening again? Decisions made tonight will set a precedent for future cases.

Holly Flynn, Naperville resident, neighbor, and property owner - two issues (1)

whether they followed the appropriate procedures and (2) if they are intending to fully teardown, the new house should be completely in keeping with the previous home's design and the two new 2nd floor window openings do not.

Tim Messer, Naperville Resident, former member of the City of Naperville Planning and Zoning Commission, and current member of ECHO (East Central Homeowners Association) - the home at 223 Center Street has been lost. There is not much left to convert. Conventional demolition techniques are not always available when working on a historic home. They require more careful work. Other homes in the historic district face the same conditions. It's obvious that the applicants are not familiar with Naperville historic district requirements. HPC should be considering whether to sanction this owner as permitted by the Naperville Municipal Code before determining whether the revised COA request should be granted. Believes that more proactive work is needed in the historic district. Prior demolitions that have been supported provided documentation to demonstrate that the demolition was needed. Would like the applicants to apologize for the illegal demolition and impact on district residents.

#### ***Commissioner Questions***

Commissioner Deffenbaugh asked the petitioner if there has been an ownership change since the first COA to which the petitioner responded that there has not been an ownership change. The petitioner is the owner of MKJH Remodeling, LLC., and the property owner.

Commissioner Deffenbaugh inquired about the existing siding on the primary façade. The petitioner explained that the current siding is cedar, aluminum siding is installed on the north and south elevation. They are proposing Hardie plank on the primary façade.

Commissioner Deffenbaugh asked the petitioner to describe other changes to the previous approval proposed for the primary façade. The petitioner noted changes to the balustrades and two new window openings.

Commissioner Deffenbaugh referenced the narrative submitted by the petitioner which outlined the explanation of the deviation from the approved scope, asking who undertook the internal assessment described? The petitioner stated that the project was assessed during the excavation by the petitioner and hired foundation excavator. The petitioner explained the process of checking for foundation underpin.

Commissioner Deffenbaugh continued, asking at what point did you realize that the property was in the historic district? The petitioners provided that they were aware prior to purchasing the home and acknowledged that there are guidelines.

Commissioner Deffenbaugh followed up, asking the petitioner why they were surprised with the condition of the walls. The petitioner said that the condition

was noticed when excavating and discovering the condition of the foundation. The front porch overhang was compromised by rotting wood.

Commissioner Deffenbaugh asked for information on the architect/general contractor their experience with historic preservation. The Petitioner responded that they (MHKJ Remodeling) have been in this business for 25 years doing remodeling and new construction but haven't worked in historic preservation previously. The architect worked on the prior COA (22-4462) approval and was rehired by petitioners.

Commissioner Deffenbaugh asked why the Petitioner did not contact City officials when the plans changed. The Petitioner responded that they informed the City Building Inspector who completed the inspection.

Commissioner Deffenbaugh asked the petitioner to compare the height of the proposed residence to the existing homes on either side of the subject property. The petitioner said that the plans in question include 10-foot ceilings on the first and second floor. The home at 223 Center Street will be taller than the home to the north. One neighbor, present at the meeting, explained that their home has 9-foot ceilings on the first floor: 7.5-8-foot ceilings on second floor. Commissioner Deffenbaugh noted that the height of the home will be in relation to those around it.

Chairman Santucci asked whether a structural analysis was completed as part of this proposal and request for Certificate of Appropriateness. The petitioner stated that a structural analysis was completed with a prior COA (22-4462) for the principal structure.

Commissioner Brown noted that there was significant discussion regarding the proposed height increase to the home and the interior remodeling that requires the height increase when it was previously requested (COA 23-3770).

Commissioner Brown asked the petitioner to be cautious that the petitioners not present opinions as facts when discussing specifics of the home and implications of the existing conditions.

**A motion was made by Commissioner O'Brien and seconded by Commissioner Wills to approve COA 23-4821, to approve the illegal demolition that resulted in removal of a portion of the primary façade without replacement of original features, two (2) new 2nd floor window openings, and a change in material for three (3) 1st floor windows at 223 Center St.**

**Aye: None**

**Nay: Chairman Santucci, O'Brien, Deffenbaugh, Wills, Brown**

**Absent: Councilman Kelly, Fawell**

**After the motion was made, there was further discussion on this public hearing. The Commission recommended that they get an architect that has experience in historic preservation, building historic structures, and navigating the proposed plan. They can provide ideas about what this house can be. There is concern that the front elevation is going to fall down on its own. Based on the shoring of the façade, Commissioner Deffenbaugh does not believe it is stable and**

therefore questions that knowledge of the team working on the issue.

The Commission share further concerns about the ability to complete the project as proposed and believes there is a disconnect between their experience and historic district. The Commission is not in a position to provide advice on how to move forward or what kind of plan to develop.

City staff explained two paths forward – appeal to CC or go back to drawing board with new COA proposal. It is the Historic Preservation Commissions job to make decision on case before them.

**F. REPORTS**

- 1. Approve the Minutes for the October 26, 2023, Historic Preservation Commission Meeting.

A motion was made by Wills, seconded by Santucci, approved. The motion carried by the following vote:

**Aye:** 5 - Brown, Deffenbaugh, O'Brien, Santucci, and Wills

**Excused:** 1 - Kelly

**Absent:** 1 - Fawell

**G. NEW BUSINESS:**

- 1. Approve the Historic Preservation Commission 2024 meeting schedule.

A motion was made by Commissioner Wills and seconded by Commissioner Deffenbaugh to approve the 2024 Historic Preservation Commission Meeting Schedule.

**Aye:** Chairman Santucci, O'Brien, Deffenbaugh, Wills, Brown

**Nay:** None

**Absent:** Councilman Kelly, Fawell

**H. ADJOURNMENT:**

A motion was made by Commissioner Robbins and seconded by Commissioner Santucci to adjourn the January 25, 2024, Historic Preservation Commission Meeting at 8:01 pm.

**Aye:** Chairman Santucci, O'Brien, Deffenbaugh, Wills, Brown

**Nay:** None

**Absent:** Councilman Kelly, Fawell