

**Village of Franklin  
Historic District Commission  
Regular Meeting  
Wednesday, January 6, 2021 7:00 P.M.  
via Remote Zoom**

**I. MEETING CALLED TO ORDER**

The Regular Meeting of the Historic District Commission was called to order by Gary Roberts, Chairman, via Remote Zoom at 7:03 P.M.

Roberts noted the intention of this meeting was to comply with the Open Meetings Act. He also welcomed Heather Mydloski, Franklin's new Village Clerk.

**II. ROLL CALL**

Present: Mike Brassfield (Franklin), Gayle Timmis (Franklin), Gary Roberts (Franklin), Jill Wilke (Franklin), Alek Kokoszka (Franklin), Alex Stchekine (Franklin)

Absent: Laura Witty

Also Present: Bill Dinnan, Building Official, Roger Fraser, Village Administrator, Heather Mydloski, Village Clerk; Amanda Davis, Historic Preservation Consultant

**III. ADOPTION OF AGENDA**

**Motion by Timmis, seconded by Kokoszka to approve the agenda, as submitted.**

**Ayes: Brassfield, Timmis, Roberts, Wilke, Kokoszka, Stchekine**

**Nays: None**

**Absent: Witty**

**Motion carried.**

**IV. ADOPTION OF THE MINUTES**

**A. Regular Meeting of November 4, 2020**

**Motion by Timmis, seconded by Wilke to approve the minutes of the Regular Meeting of November 4, 2020, as submitted.**

**Ayes: Brassfield, Timmis, Roberts, Wilke, Kokoszka, Stchekine**

**Nays: None**

**Absent: Witty**

**Motion carried.**

**V. PUBLIC COMMENTS**

None

**VI. UNFINISHED BUSINESS**

**A. Consider an Application for a sign at 32749 Franklin Road, Suite 200, Dental House & Aesthetics**

Roberts mentioned the original application was received in November 2020. Dinnan clarified that, technically, if no action is taken within 90 days, an application would be denied, and it must be re-submitted. This application will remain on the agenda until February 2021 as **Unfinished Business**.

## VII. NEW BUSINESS

### A. Consider an Application for a new fence at 32350 Franklin Road.

Robert Hinnant, owner of the property, was very enthusiastic about moving to Franklin's Historic District twenty-six (26) years ago and remarked about his personal involvement in the Village. He detailed and provided a picture of a new custom cedar privacy screen which would replace the existing stockade privacy screen and chain link fence on his property. Also in the HDC packet was a letter signed by the neighbors in favor of the proposed privacy fence which would be of higher quality and extend the full length of the south property line.

Bill Finnicum, architect and owner of Finnicum Brownlie Architects, provided additional details of the current fences (an 81 ft. long, 6 ft. high, wood, stockade privacy screen and a 41 ft. long, 3 ft. high chain link fence), and those of the proposed new fence which would run the entire length of Hinnant's south property line. The proposal was to replace both fences with a 6 ft. high cedar privacy screen by Walpole Outdoors. He provided a picture of the new fence. There would be a clearcoat preservative on the fence. According to Hinnant, the split-rail fence on the east side of the property would remain.

Dinnan explained that he had previously written a Letter of Denial as there was a violation of Franklin Ordinance 1268.28 (d)(2), Location. Privacy screens shall not be located in a required yard setback area and Franklin Ordinance 1268.28 (d)(3), Limits on Enclosure. A privacy screen shall be designed to screen a selected use or area (such as a swimming pool or patio) but not an entire side or rear yard. These two (2) parts of the Ordinance would be addressed at the January ZBA meeting. If the HDC turned down this request for the 6 ft. fence the ZBA wouldn't grant approval.

Those in favor of sending this recommendation to the ZBA: Roberts, Stchekine, Kokoszka, Timmis, Wilke, and Brassfield.

Finnicum provided details of the two (2) variance requests he would be presenting to the ZBA. He also presented photos of other privacy screens within the Historic District.

Daniel Shub, Franklin Rd., spoke about his communications with the Hinnants which had transpired prior to this meeting. He questioned if residents could change the Zoning Ordinance rules in their favor regardless of how the changes would affect the neighbors? Responding to Roberts's question, Shub replied that the replacement of a 3 ft. high chain link fence with 6 ft. high fence was an issue with the Ordinance. He felt the Ordinance should be followed. Roberts explained that the job of the HDC was to deal with the aesthetics within the Historic District and Shub should go to the ZBA with his concern about the Ordinance. Finnicum noted that the 6 ft. height would also provide the Shubs with privacy, whereas a 3 ft. height would not.

Nena Downing, Bruce Lane, agreed with the Shubs in that the portion of the new cedar fence which would replace the chain link fence should remain 3 ft. high and, therefore, conform to the Ordinance. She also pointed out that the Hinnants had a shred directly on the south property line which she believed was not allowed.

Suzanne McClow, Franklin Rd., inquired about how the fence would give the applicant privacy from the Post Office? Roberts corrected McClow; the privacy would be for the Shubs. Living on a corner lot on Franklin Rd. in the Historic District and exposed from all sides, she understood the issue of privacy.

Brassfield felt the same privacy screening could be achieved with a 3 ft. fence and natural vegetation. Dinnan stated that vegetation screening was encouraged to be used as opposed to a total barrier, man-made product. Finnicum stated that arbor vitae had been planted in that location; however, it was not successful. He also noted that the Hinnant's usable outdoor living space adjoined the utilitarian storage area in the Shub's yard. Separation was desirable.

Daniel and Natalia Shub, Franklin Rd., identified the different areas and functionalities in their backyard and those in the Hinnant's backyard. Mrs. Shub stated the Hinnants did not want privacy from the Post office but rather from them, the neighbors. She questioned why the Hinnants, having lived in their home for over 25 years, would now want to replace the 3 ft. fence with a 6 ft. fence? She re-iterated that the taller height was against the Ordinance.

Roberts reminded everyone that HDC was dealing with #9 Standard of the Secretary of the Interior's Standards for Rehabilitation, "New additions, exterior alterations, or related new construction shall not destroy historic material that characterize the property."

**Motion by Kokoszko, seconded by Stchekine to approve the submitted fence plans as prepared by Finnicum in the Site Plan, A-01, dated 12-21-20 for 32350 Franklin Rd., pending the variance approvals by the Zoning Board of Appeals. It was in keeping with #9 of the Secretary of the Interior's Standards for Rehabilitation.**

**Roll Call:**

<b>Stchekine</b>	<b>Aye</b>
<b>Timmis</b>	<b>Aye</b>
<b>Brassfield</b>	<b>Aye</b>
<b>Kokoszka</b>	<b>Aye</b>
<b>Wilke</b>	<b>Aye</b>
<b>Roberts</b>	<b>Aye</b>

**Motion carried.**

**B. Consider an Application for the Franklin Grill patio modifications.**

Jim Kochensparger, owner of the Franklin Grill, stated that in order for the Grill to succeed during this pandemic, he would like to have outdoor dining in a pavilion-like structure which would be open on three (3) sides with heaters and lights above. He was proposing a structure would be historic in nature and in keeping with surrounding buildings.

Bill Finnicum, Finnicum Brownlie Architects, prepared drawings and presented photos of the different angles of the patio that had been constructed last Spring and would be the site of the proposed open-air dining structure. This area would be surrounded on three (3) sides by arbor vitae. According to Finnicum, this structure would be compliant with the MDHHS COVID-19 order; a chart of the Outdoor Seating Enclosures Guide was shown. Finnicum provided elevation drawings from different perspectives, a floor plan of the proposed structure, and described the structure as a modified pole barn. He stated that the chosen materials would be compatible with the restaurant and gave general details.

Finnicum asked for HDC's approval of this project as the owners would like to move forward with obtaining prices for the materials and, thus, the feasibility of the project.

A drawing of Phase 2 of this project, which would be after the COVID-19 regulations were cancelled, was shown. This included a future kitchen, a bar, and a fireplace. Future phase documents are not considered as a part of this application

Regarding new construction in an historic district, Davis gave the Commissioners some background information relative to this project. She read the #10 Standard of the Secretary of the Interior's Standards for Rehabilitation and stated this proposed structure did not violate the Standard, as it was not attached to and did not affect the physical integrity of any of the historic resources adjacent to it. It also did not affect the historic streetscape or vista coming into or out of the Village. In her professional opinion she did not have any objections to the structure and applauded its innovation and creative solution, considering this current time of COVID-19.

Roberts pointed out to the Commissioners that in the past there had been a shed (out-building) where the future addition of a kitchen and bar, etc. was proposed. He liked the idea of respecting the old shed's form and details of the Phase 2 addition with the fireplace. This would link it together with the main structure. Finnicum had specific ideas as to how to achieve that.

Nena Downing, Bruce Lane, expressed a positive opinion of the plan. She had two (2) questions: What was the flooring? Finnicum answered that it would be the existing patio floor. Directed to Dinnan, she wondered what the lot coverage would be? Dinnan answered that in 2009 an Outdoor Dining Ordinance had been passed to help the Grill. The pavilion as presented this evening met that condition. However, he cautioned that a future addition for bathrooms and kitchen might change the dynamics of the outdoor seating, as it would be more than just outdoor seating. He was also a little concerned about the limited parking.

Roberts reminded Commissioners that the future of the project (Phase 2) was not in the purview of this particular meeting. However, he pointed out that addressing the current modification (pavilion) to the Grill patio was an urgent matter for the owners. Dinnan stated that after his review and approval, the Ordinance also stated that the site plan would have to be approved by the Village Council. Roberts said he had reviewed this plan with Pam Hansen, the VC liaison to the HDC, and she was in favor of it.

HDC Commissioners voiced their opinions. Timmis questioned if the roof material of the pavilion would be different from that of the Franklin Grill building? Finnicum's answer was in the affirmative and stated his reasoning was to give the new structure an "agricultural" feel. Roberts stated that for him the metal material gave it a hint of being an agricultural "out-building." Roberts added that before work could begin Kochensparger and Finnicum would have to come back to HDC for approval of the roof material, colors of the walls, etc. All the Commissioners were in favor of this conceptual plan.

**Motion by Timmis, seconded by Kokoszka to approve the Historic District Application for the conceptual plan A-01, prepared by Finnicum Brownlee Architects for the Franklin Grill patio modifications, dated January 4, 2021. The plan is in accordance with the Secretary of the Interior's Standards for Rehabilitation #10, subject to return to the HDC for final color and Material.**

**Roll Call:**

<b>Stchekine</b>	<b>Aye</b>
<b>Timmis</b>	<b>Aye</b>
<b>Brassfield</b>	<b>Aye</b>
<b>Kokoszka</b>	<b>Aye</b>
<b>Wilke</b>	<b>Aye</b>
<b>Roberts</b>	<b>Aye</b>

**Motion carried.**

**VIII. DISCUSSION ITEMS**

**A. Report on Historic Study Committee Progress.**

Davis updated the Commissioners on the Committee's progress. The survey inventory forms for all the properties, with the exception of the FCA properties, had been completed. Some photos were still needed, the narrative portion of the report was almost completed, and she would be submitting the report to the Committee for review.

For the benefit of Stchekine and Mydloski's benefit, Roberts explained this report involved the expansion of the Historic District: The Church and its grounds, the house across the street from the cemetery, the Kreger House and other properties around the Village Green, and the FCA property. He was in favor of the Study Committee recommending to the Village Council that it include the FCA property as part of the Historic District.

According to the Village attorney, there was no residency requirement to stay on the Committee so Harryvan could still participate as well as Gallasch, who was no longer on Council.

Nena Downing, Bruce Lane, questioned if the Committee needed to be re-appointed by Council as she thought the term had expired? Regarding the report, Davis said she will be presenting a draft of the report to the Committee before sending it to Council. There was further conversation concerning some potential properties.

**IX. ADJOURNMENT**

Proceedings, Village of Franklin Historic District Commission  
Regular Meeting, Wednesday, January 6, 2021, 7:00 P.M.

**Motion by Roberts to adjourn the meeting.  
Motion was approved unanimously.**

The meeting was adjourned at 8:51 P.M.

Submitted,

Gail Beke, Recording Secretary

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Heather Mydloski, Village Clerk