

**REGULAR MEETING OF THE WALLACE PLANNING, ZONING
AND HISTORIC PRESERVATION COMMISSION
Wallace City Hall-Council Chambers
August 7, 2024**

CALL TO ORDER:

Chairman Marlow called the meeting to order at 6:00 p.m. at Wallace City Hall in the Council Chambers.

COMMISSIONERS PRESENT:

Emma Marlow, Chair
Sarah Murphy, Vice Chair
Courtney Friehe
Dave Kuns
Heather Barnhart

STAFF MEMBERS PRESENT:

Ben Allen, Legal

COMMISSIONERS ABSENT:

FLAG SALUTE:

MOTION TO AMEND: (ACTION ITEM)

STAFF COMMENTS:

COMMISSION COMMENTS:

Chairman Marlow stated she met with the new Wallace City Deputy Minier to discuss W.C.C. as well as refining the process of investigating claims. The deputy will draft and provide the commission with a standard violation letter for review. Also, Deputy Minier has agreed to be present at our meetings from this point on as he is available.

APPROVAL OF MINUTES: (ACTION ITEM)

S. Murphy motioned to approve the minutes of the July 3, 2024, P&Z Historic Preservation Regular meeting.

C. Friehe stated she wanted to make a correction of the minutes of the July 3, 2024 P&Z Historic Preservation Meeting specifically relating to the discussion about absences. C. Friehe stated she would need to listen to the audio to confirm, but she didn't recall Chairman Marlow speaking generally about absences, but that she directly spoke to D. Kuns about his absences and possible removal, and that C. Friehe had stated the Chair was not authorized to remove a commissioner and in the last 15 years no commission member has been removed for absences even though some have missed far more.

Discussion held with legal input.

S. Murphy stated she didn't remember all the words that C. Friehe had recalled and withdrew her motion.

D. Kuns was asked by C. Friehe if he was in agreement with her and if his recollection of the meeting was the same. He stated with what he recalls, it was generally what was stated.

H. Barnhart was not in agreement with C. Friehe and her recollection of what was stated and believes the written minutes should stand without modification and portrays the summary of what was stated.

H. Barnhart motioned to approve the minutes of the July 3, 2024 P&Z Historic Preservation Regular Meeting as presented.

Discussion held with legal input.

H. Barnhart withdrew her motion.

C. Frieh motioned, seconded by H. Barnhart to defer approval of July 3, 2024 P&Z Historic Preservation Regular Meeting minutes for the next meeting so all Commission Members can listen to the audio.

ROLL CALL:

Commissioner Frieh	Voted	Yes
Commissioner Murphy	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes

Motion carried.

PUBLIC HEARING:

1. Applicant: Ryder Gauteraux
Location: 708 Olive Street
Request: Certificate of Appropriateness – Installation of wood and chain-link fence

Chairman Marlow stated Mr. Gauteraux would be the first to present his application in the hearing and she would be calling him directly with her own cell phone due to landline issues at City Hall.

Ryder Gauteraux made the following comments.

- Provided pictures of the property
- Wants to put a fence all around property
- Trying to sell and spoke of debris and blight on neighboring property that is spilling on to city right-of-way as well as onto his property and has been dealing with a lot of dogs that come on to the property
- Proposing chain link fence in the back and sides, and cedar wood fence in front, three feet high

Commission Comments:

Chairman Marlow read into the record the written proposal for 708 Olive Street.

Chairman Marlow asked if there was any concern from the city with regards to installation of the fence abutting city right-of-way.

None were indicated.

C. Frieh asked if anyone in the commission could direct her to the fencing provision in the code.

Discussion held regarding W.C.C. fencing and when chain link has been approved before.

S. Murphy asked Ryder if he planned on fencing all three of his properties indicated on the provided survey copy.

Ryder stated yes.

H. Barnhart asked if Ryder is the owner of all the properties indicated.

Ryder stated yes and also has business partners.

H. Barnhart asked if there are any homes on these parcels, and has concerns about driveways and/or right-of-way with the fencing.

Ryder stated yes, 708 Olive has house, but not livable.

H. Barnhart wanted clarification regarding marking “yes” on the application for disturbance within 5-feet of property line and that the fence would be within the property.

Ryder stated that he would be digging a hole for the fence post, so it will disturb the ground, but will be within his own property.

C. Frieh wanted clarification of the survey, and asked if the property has survey markers.

Ryder stated there a numerous pins located around the property.

Chairman Marlow stated that vertical cedar fence is a preapproved item and asked Ryder to state the rational for using the chain-link fence on the sides and back of property.

Ryder stated that cost and durability is why is asking for chain link.

D. Kuns asked if the back of one of his properties face the front of another property.

Ryder stated no.

Ben Allen asked to address Mr. Gauteraux and stated that on the written explanation of the project, “the rear portion of the property, along with the sides of the back half of the property, will be fenced with metal cyclone fencing.” In a separate portion of the explanation, it is indicated that all of the fenced areas are indicated in red on the attached survey. In looking at the attached survey, it appears that there are as many 15 different sides, which could be the subject of that explanation, with four separate rectangles that have been circled in red line. Is there any way additional detail can be provided to the commission regarding the boxed areas in red on the survey will be fenced in.

Ryder stated that yes, he can. Stated that he considers the front of the property to be facing Olive Street, which on the map is facing north will have the cedar wood fence. The south facing property will have chain link as well as a portion the sides, possibly a 40/60 split between wood and chain link.

D. Kuns asked for more clarification of where the wood fence would be placed on one of the provided documents.

Chairman Marlow and Ryder offered more clarification with which properties would be fenced.

Chairman Marlow read into the record W.C.C. as well as the Preapproved document.

Public Testimony Open:

None

Public Testimony Closed:

Commission Comments:

C. Frieh stated she appreciated the applicant minimizing the visual impact with the chain link fence being placed on the back of the property with the wood fencing facing the paved platted city streets.

C. Frieh motioned to approved the installation of a chain link fence specifically described in the audio and in the written application located at 708 Olive Street.

Ryder stated he believes he still needs approval for the wood fence as well.

Chairman Marlow recommend to approve as submitted.

C. Frieh stated she would modify her motion, seconded by S. Murphy to approve the fencing as submitted and described as both wood and chain link as long as it is only three feet tall and described in the locations in compliance with the survey that has been provided.

ROLL CALL:

Commissioner Frieh	Voted	Yes
Commissioner Murphy	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes

Motion carried.

- 2. Applicant: Episcopal Diocese
- Location: 312 Fourth Street
- Request: Certificate of Appropriateness - Sign

Tammy Copelan representing 312 Fourth Street made the following comments.

- Provided pictures with application of proposed sign design as well as location
- Replica of the depot sign
- 90” width 36” in height
- Also been in communication with Cory from the city and had no issues of placement
- Would pay for installation

Commission Comments:

Chairman Marlow disclosed she was contacted by Silver Valley Signs who asked general questions and W.C.C. prior to the meeting.

C. Frieh asked which option did Tammy prefer.

Tammy stated she liked the rounded top.

Public Testimony Open:

None

Public Testimony Closed:

Commission Comments:

C. Frieh motioned, seconded by S. Murphy to approve the 90” sign in the first application for the Barnard Stockbridge Museum.

ROLL CALL:

Commissioner Frieh	Voted	Yes
Commissioner Murphy	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes

Motion carried.

- 3. Applicant: Episcopal Diocese
- Location: 312 Fourth Street
- Request: Certificate of Appropriateness – Sign

Tammy Copelan made the following comments.

- Stated it is a replacement of a sign existing
- Want to install a sign that is in a lit box
- Stated existing sign is in rough shape

- Will fit in exactly same location, no change in size

Commission Comments:

S. Murphy asked what type of lighting would be used.

Tammy stated possibly LED strips inside the wood frame.

H. Barnhart asked what color it would be.

Tammy stated she would like it to match the other sign to create uniformity.

Public Testimony Open:

None

Public Testimony Closed:

Commission Comments:

S. Murphy motioned, seconded by H. Barnhart to approve the new sign in the same location as the old sign with solar panels and LED light strips for evening that reads “Historic Photos”.

ROLL CALL:

Commissioner Friehe	Voted	Yes
Commissioner Murphy	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes

Motion carried.

4. Applicant: Bruce Baraby
 Location: 16 Second Street
 Request: Certificate of Appropriateness – Reconstruction of carport

Bruce Baraby, speaking for his sister, made the following comments.

- Stated the carport is aging as indicated by the images provided in packet
- Needs to be replaced that is stronger and to code
- Stated it is attached to the house with lag screws and has the potential to come down if it pulls loose.
- Will replace with better, sturdier construction and materials

Commission Comments:

S. Murphy asked who the contractor that will be working on the carport.

B. Baraby stated Rex Bilaski.

D. Kuns asked if the new carport will be detached from the house.

B. Baraby stated it will not be attached.

D. Kuns asked if the new carport will be in the same footprint as the old one.

B. Baraby stated it will be exact.

Public Testimony Open:

None

Public Testimony Closed:

Commission Comments:

S. Murphy motioned, C. Frieh seconded to approve carport reconstruction located at 16 Second Street.

ROLL CALL:

Commissioner Frieh	Voted	Yes
Commissioner Murphy	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes

Motion carried.

CLOSE OF PUBLIC HEARING

ADMINISTRATIVE/BUSINESS: (ACTION ITEM)

1. Executive Session Per Idaho code § 74-206(1)(f): to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

S. Murphy motioned, seconded by D. Kuns at 6:49 pm to exit the regular meeting and enter into Executive Session Per Idaho code § 74-206(1)(f): to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

ROLL CALL:

Commissioner Frieh	Voted	Yes
Commissioner Murphy	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes

Motion carried.

H. Barnhart motioned, seconded by C. Frieh at 8:18 pm to exit executive session and re-enter the Planning and Zoning Historic Preservation Regular Meeting.

ROLL CALL:

Commissioner Frieh	Voted	Yes
Commissioner Murphy	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes

Motion carried.

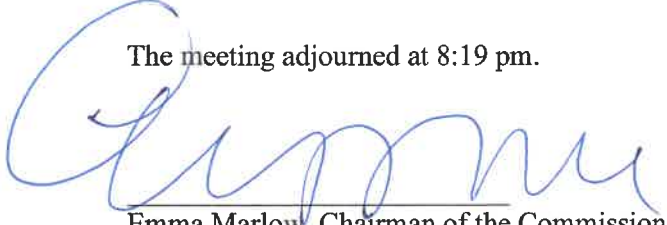
There being no further business to come before the Commission, C. Frieh motioned, seconded by D. Kuns to adjourn.

ROLL CALL:

Commissioner Frieh	Voted	Yes
Commissioner Murphy	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes

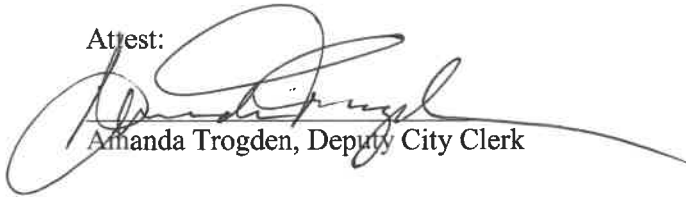
Motion carried.

The meeting adjourned at 8:19 pm.



Emma Marlow, Chairman of the Commission

Attest:



Amanda Trogden, Deputy City Clerk