

**REGULAR MEETING OF THE WALLACE PLANNING, ZONING  
AND HISTORIC PRESERVATION COMMISSION  
Wallace City Hall-Council Chambers  
October 2, 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  
Heather Barnhart  
Courtney Frieh  
Adam Guthrie

**STAFF MEMBERS PRESENT:**

Ben Allen, Legal

**COMMISSIONERS ABSENT:**

**FLAG SALUTE:**

**MOTION TO AMEND: (ACTION ITEM)**

**STAFF COMMENTS:**

**COMMISSION COMMENTS:**

Chair Marlow stated that an emergency demo COA application was submitted by Ron Niemi for the Elks Lodge located at 419 Cedar Street. The building has a balcony over the front entry that has safety issues with the potential of being a hazard to the public and may need to be removed before the next meeting in November. Idaho Heritage Trust has done an assessment on the exterior and found that there are several issues, but the Juliet Balcony over the double-door entry is of the most pressing concern because of chunks of concrete falling onto the ground below. A grant has been approved and a contractor secured for it, but they may have to begin demo on the balcony asap.

C. Frieh read from W.C.C. 155.084 and stated that the mayor, building inspector, and chair all need to sign off on the emergency demo at the Wallace Elks.

Discussion was held. All were in agreement to have the appropriate heads sign off on the emergency request.

Chair Marlow wanted to welcome Adam Guthrie to the P&Z Commission who was appointed by City Council at the September 11, 2024 regular meeting.

**APPROVAL OF MINUTES: (ACTION ITEM)**

**Motion by S. Murphy, seconded by H. Barnhart to approve the September 4, 2024 Planning, Zoning, and Historic Preservation regular meeting minutes.**

**ROLL CALL:**

Commissioner Frieh	Voted	Abstained
Commissioner Murphy	Voted	Yes
Chairman Marlow	Voted	Yes
Commissioner Barnhart	Voted	Yes
Commissioner Guthrie	Voted	Abstained

Motion carried.

**PUBLIC HEARING:**

- 1. Applicant: Jamie Baker
- Location: 209 5<sup>th</sup> Street
- Request: Certificate of Appropriateness – repair and replacement of existing metal support poles

Jamie Baker made the following comments.

- Replace railing on the south side of building
- Change out to wood railing, board and baton style siding repair
- Provided images indicated the work proposed

**Commission Comments:**

C. Frieh asked if the images provided are indicating above the roof area or street level.

J. Baker stated it was on street level.

J. Baker provided an additional image of the existing poles and exterior not included in the packet prior to the meeting.

Chair Marlow asked J. Baker to email that image so that it could be included and labeled for the record.

S. Murphy stated she walked by the property to today and is familiar with the building and is ok with the proposed repair/replacement.

**Public Testimony Open:**

None

**Public Testimony Closed:**

**Commission Comments:**

**S. Murphy motioned, seconded by C. Frieh to approve the replacing of damaged 4 ½’ round post and railings on south side of the corner of 5<sup>th</sup> & Pine Street to the replacement with 8’x8’ cedar posts and 8’x10’ cedar rail.**

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

Motion carried.

- 2. Applicant: Daniel Neff
- Location: 724 Pearl Street
- Request: Certificate of Appropriateness-tree removal, installation of concrete retaining wall, construction of stairs

Dan Neff made the following comments.

- Stated he is the owner and the place had been neglected for quite awhile
- Provided pictures included in the packet that show the existence of what used to be a retaining wall along with what used to be stairs.
- Proposing to dig back and pour new foundation for retaining wall and remove tree where the hill is sluffing in order to install a new stairway
- Stated the tree that there is right at the top of where the hill sloughs off
- Stated that there is no way to install the retaining wall without the removal of the tree
- Will have the retaining wall engineered and probably be a poured concrete wall

**Commission Comments:**

S. Murphy asked who the engineer for the retaining wall.

Dan Neff stated he couldn't remember.

H. Barnhart asked about the existing stairs on the east side of the property and if they belong to him.

Dan Neff stated he is unsure at this point. Stated his neighbor thought they were his, but that they may be on both of the property lines.

Chairman Marlow confirmed that in the Site Development chapter in W.C.C., any retaining wall over 5' must be engineered which is what the applicant is doing.

Dan Neff stated that there is no much room for parking a car up on Pearl Street.

Ben Allen, Legal Counsel stated that there is a provision in the W.C.C. pertaining to the design standards section that indicates a design aesthetic aspect to retaining walls and states "the use of retaining walls is to be limited in scope and height as feasible to ensure visual predominance of vegetation" and a point for the applicant to keep in mind.

H. Barnhart asked if there was an arborist he was using for the tree removal.

Dan Neff stated yes.

Chairman Marlow stated that there are three parts to the COA. Chairman Marlow agreed with C. Frieh that the Commission's role for the retaining wall is that the applicant is following the code in the Site Development Section which includes engineered designs because of the height and that he will then follow-up with the building inspector because it will require a building permit. The tree removal and construction of stairs falls within the Commission's jurisdiction for approval.

C. Frieh thanked the applicant for taking on the project of restoration and repair of the property.

**C. Frieh motioned, seconded by H. Barnhart for the owner at 724 Pearl Street for the removal of the tree to make room for a retaining wall and extra parking.**

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

Motion carried.

**Commission Comments:**

Discussion was held regarding the stairs. Chairman Marlow asked if there was enough information to make a decision on them.

D. Neff stated he doesn't know if he has any information. Stated if the retaining wall is there, one side of the stairs would be anchored to the retaining wall and would have to have posts to anchor the other side. Would like to use metal stairs in between the two stringers, that would be his preferred material for the climate.

Chairman Marlow stated because the applicant doesn't have a drawing, nor does he know yet what materials he's using, we could as a commission request that he withdraws the request for stairs and come back to the commission when he is closer to doing them.

C. Frieh agreed and stated there isn't enough information at this point to make a decision.

**Public Testimony Open:**

None

**Public Testimony Closed:**

D. Neff stated for the record that he would like to withdraw his request for the installation of the stairs and resubmit when he has more information.

**CLOSE OF PUBLIC HEARING**

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**ADMINISTRATIVE/BUSINESS: (ACTION ITEM)**

1. Workshop to consider Barnard Stockbridge Museum as a resource for COA application examples and help.

Chairman Marlow stated that it has been suggested that COA applications are not submitted in a manner that complies with our code and that they are incomplete and missing important information. This could be due in part to the applicant not aware of what is required, or they are unfamiliar with how to put the information together. To try to help the applicant instead of penalize them, we reached out to the Barnard Stockbridge Museum Director to maybe steer them in the right direction and help with whatever may be available and Tammy was very much willing to offer whatever she could if available, which could possibly lead to grants that they may qualify for the museum because they are helping the community. Discussion was held. It was agreed by all to have the clerks make a half page informational sheet that can be handed out with the application if needed or even a sample application. C. Frieh stated the County has some really good examples and she would email the clerks what she finds. Chairman Marlow stated she would let Tammy at the museum know what the Commission decided and we'll work on that informational for the applicants and if more direction or guidance is needed for Tammy or her people, we would have them meet at City Hall with the clerks. Ben Allen, Legal Counsel added that maybe more meetings should be attended by Tammy and her team as to how the Commission conducts the meeting and to help form her thinking on how she might give guidance to an applicant if they were to ask her for help.

**There being no further business to come before the Commission A. Guthrie motioned, seconded by S. Murphy to adjourn.**

**ROLL CALL:**

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


Motion carried.

The meeting adjourned at 6:35 pm.



Emma Marlow, Chairman of the Commission

Attest:



Amanda Trogden, Deputy City Clerk

