

**Minutes of the
Kane County Historic Preservation Commission
(with corrections approved August 27, 2015)**

**Held at the South Burlington Community House
49W474 Ramm Road, Maple Park, Illinois**

July 23, 2015

The Kane County Historic Preservation Commission held a meeting on Thursday, July 23, 2015, 7:00 p.m. at the South Burlington Community House, 49W474 Ramm Road, Maple Park, Illinois.

Members in attendance: Vice Chairman Rick Gilmore, Members Barb Alexander, Larry Becker, LuAnn Bombard, Sarah Petersdorf, Tim Vetang. Absent: Chairman Shauna Wiet and Member Jim Cooke. Also Present: Historic Preservation Coordinator Julia Thavong; and James Middleton, President with the South Burlington Cemetery Association and other members.

I. Roll Call

Vice Chairman Gilmore called the meeting to order at 7:00p.m. A quorum was established.

II. Approval of Minutes

Minutes of June 25, 2015 - Motion by Gilmore, seconded by Alexander to approve the minutes, as presented. Motion carried unanimously by voice vote of 6-0.

III. Tour and Discussion of South Burlington Community House

Ms. Thavong gathered the commissioners from their tour of the building and asked if there were questions. Alexander asked whether the roof leaks were before the roof was replaced or after, wherein Mr. James Middleton, President of the South Burlington Cemetery Association (the "Association") indicated the roof was intact and any water damage was prior. He estimated the roof was repaired 7 or 8 years ago.

Thavong brought Vice Chair Gilmore up to speed on what was discussed at last month's meeting regarding the building. Gilmore proceeded to review a number of slides on his laptop and provided some history about the Memorial Washington Reformed Presbyterian Church which was founded in 1840 and explained the structure was a Greek Revival which never had electricity or plumbed. A potbelly stove was added later. He reported the congregation is also populated by descendants of the founding members. The building is on the National Register of Historic Places and was plaqued with the founding families. Gilmore stated the Memorial Washington Reformed Presbyterian Church had hired him prior to do a HABS drawing (detailed plans) so that the building could be rebuilt to exact specifications if anything would happen to it. He also shared that the Memorial Washington Reformed Presbyterian Church takes good care of the building and still holds its annual meetings there. Grave sites were still available. Funding for the Memorial Washington Reformed Presbyterian Church is through an endowment-type fund with much family interest in it but Gilmore assumed an occasional funeral would take place in the building besides the Memorial Washington Reformed Presbyterian Church annual meeting.

Mr. Middleton proceeded to explain that many of the family members have moved away and the remaining families are few and they have no money to maintain the building in an appropriate way. He stated, however, that Sandy Deutsch and her family have expressed an interest in maintaining the

building. In the last year, he estimated the Association's income was about \$200 to \$300 from grave openings. The last plot of lots sold was about 4 to 6 years ago. While he stated there was money available, Mr. Middleton explained that he attempted to encourage some of the remaining members to come up with a plan to apply for a grant, etc., but there was no interest in a plan. The Ladies Aid Association used to be the main fundraising organization but they disbanded in the late 1960s due to lack of interest. Comments followed regarding the changing culture in general.

Mr. Middleton discussed prior plans for the building which included drilling a well, adding a septic, and adding a drain field, but the land configuration and the proximity of the cemetery was not conducive for a septic and drain field. Also, the costs involved would drain the last remaining funds from the Association.

Gilmore mentioned, in general that the commission was also being challenged to find adaptive reuses for historic buildings but at the same time, the commission has placed conditions on developers who have come in with projects and have required them to preserve certain buildings before starting their own project. Mr. Middleton proceeded to add that main reason the building was landmarked was because the building was located in the middle of a potential regional landfill site.

In referencing the Secretary of Interior Standards, Gilmore explained to Middleton that the standards speak to keeping a building in context (same location) but if the only way to save a building is to relocate it, then it was better than losing the building entirely.

Mr. Middleton asked the commissioner what parameters they would use, individually, to determine whether the building should be relocated or for the Association to keep the building where it sits now and expire the funding because he stated the county's code stated the county can take over possession of the property if an economic hardship exists or by use of eminent domain. Mr. Middleton proceeded to read verbiage from the Illinois code, noting that it appeared the county could either purchase the property or take the property by eminent domain. Vetang added that in some instances there are some tax advantages to using eminent domain for the property owner but he did not see how it would work in this case because the Association was a not-for-profit.

Discussion then followed by Mr. Middleton about a gentlemen's agreement, dating back to the 1960s, between his own father and Frank Middleton's father and Burlington Township Cemetery Association with Burlington Township Cemetery Association agreeing to maintain (landscaping/mowing) the South Burlington Cemetery, in exchange for the Association allowing them to take the full tax levy that would have otherwise come to the Association. He believed the Burlington Township Cemetery Association may be willing to take over management of the cemetery since they were already receiving levy money. Also, not owning the building but just having the cemetery, the Association's financial obligation diminished significantly. Ms. Kathy Smith added that the Ladies Aid always took care of the building, maintained it, but once the Ladies Aid disbanded that responsibility fell on the Association.

Should the Association disband, Thavong explained that she believed state law mandates that townships will regulate all cemeteries. Further dialog followed with Mr. Middleton mentioning he wanted to see what the commission's willingness was with regard to the building before seeking legal counsel. Per Vetang's question, Mr. Middleton was not aware of any existing covenants binding the Association to the cemetery but Middleton did confirm the building was owned by the Cemetery Association. Thavong also pointed out that the building, not the property it sat on, was landmarked by the county but current practice now was to landmark parcels with buildings.

Asked what would happen to the land should the building be relocated, Mr. Middleton stated he would be seeking legal counsel to discuss what would occur. He also envisioned speaking to the township,

since he did speak with them recently, and added that they may be interested in taking over the land but not the building.

Ms. Sandy Deutsch, the interested party for the building, explained to the commissioners that she would like to preserve the building since she already had six preserved buildings on her property currently and would most likely use it as an antique shop and keep it original. Ms. Deutsche stated the building would be set back on her property. Asked if she was aware that county code required any restorations to the building would have to come before the HPC, Ms. Deutsche was not aware but was amenable to it.

The vice chairman proceeded to explain to Ms. Deutsche the allowances for using an air conditioner – either window or central, and what the HPC required. Commissioners also provided examples of the types of materials or restoration work that could be done to the building. Dialog followed as to what would happen if Ms. Deutsch did not want to keep the building as a historic landmark and how that could occur, i.e., economic hardship. However, Alexander explained that if Ms. Deutsch was not interested in keeping the building historic, she was probably better off not trying to obtain it. Commissioners emphasized that the building was historic and the reason behind preservation was to not make the building something it never was, which was why there was an ordinance in place.

Commissioners agreed to look at this case as the start of a discussion, with the next step to find out what other options were available, i.e., find out if the township would take over the building, visit the Deutsch farm property, and discuss what Ms. Deutsch planned for the building once she obtained it.

Ms. Deutsch stated she would not add plumbing but she would add the heating/air conditioning.

Commissioners also emphasized they were not being discouraging, but instead, were interested in a discussion about preserving a building in the correct context. Thavong also appreciated the Association coming to the commission before the building fell into disrepair.

Lastly, Mr. Middleton asked how the commission planned to make its decision, i.e., based on county, state or federal code, wherein commissioners and Thavong stated they would be basing their decision off of the county's code but the case would be sent to the Development Committee first followed by the full County Board, for a final decision. The process was explained in more detail for Mr. Middleton. However, Thavong shared that if the Association and this commission came to a reasonable understanding, the case would not have to go to the full board. Thavong confirmed with Mr. Middleton that there would be a discussion on this case in August.

IV. Staff Report

Thavong shared that the commission will hold a dinner meeting this year at Fisherman's Inn.

VI. Other Business - None

VII. Adjourn

The commissioners adjourned at 7:50 p.m. to a tour of the Deutsche property.

Respectfully submitted,

Celeste K. Weilandt
(as transcribed from MP3 recording)