

A motion was made by Stamps, seconded by Dziurman, that the Minutes be Approved as Presented. The motion CARRIED by the following vote:

Aye 4 - Stamps, Dziurman, Thompson and Webster

Absent 3 - Schodowski, Hannick and Thomasson

RESOLVED that the Minutes of the January 14, 2010 Regular Historic Districts Study Committee Meeting be approved as presented.

4B. 2010-0115 February 11, 2010 Regular Meeting Minutes

Chairperson Thompson asked for any comments or corrections regarding the February 11, 2010 Regular Meeting Minutes. Upon hearing no comments or corrections, he called for a motion to approve.

A motion was made by Stamps, seconded by Webster, that the Minutes be Approved as Presented. The motion CARRIED by the following vote:

Aye 4 - Stamps, Dziurman, Thompson and Webster

Absent 3 - Schodowski, Hannick and Thomasson

RESOLVED that the Minutes of the February 11, 2010 Regular Historic Districts Study Committee Meeting be approved as presented.

5. ANNOUNCEMENTS / COMMUNICATIONS

Chairperson Thompson asked if there were any other announcements or communications. He stated that Ms. Schodowski had resigned from the Committee on March 4, 2010 and would be missed by the Committee. On behalf of the Committee, he thanked Ms. Schodowski for her service and dedication.

Mr. Webster suggested Ms. Schodowski might still be contacted to provide research should the need occur. Chairperson Thompson agreed Ms. Schodowski could be contacted regarding whatever resources she was willing to provide.

6. PUBLIC COMMENT (Non-Agenda Items)

Chairperson Thompson called for any public comments on any non-agenda items. No public comments were heard.

7. UNFINISHED BUSINESS

- 7A. 2009-0411 1585 S. Rochester Road (HDC File #03-003)
1) Public Hearing / Preliminary Report
2) Discussion regarding City Council Update

Chairperson Thompson stated the Committee would take public comments on this item.

Melinda Hill, 1481 Mill Race, stated the Preliminary Report attempted to show that the resource was not significant in the way previously defined, which she did not believe had been sufficiently demonstrated. She agreed that when designated, historic districts had less stringent rules to follow and local communities had more autonomy in determining what they considered historic or worthy of protection. A resource not meeting National Register criteria is not necessarily grounds for delisting, although there is a difference between meeting National Register status and using today's rules and guidelines for determining whether a resource has obtained insignificance. She did not feel the Report contained conclusive evidence of insignificance because the house's exterior details appear very much the same today as they did when designated in 1978, just in need of rehabilitation. She believed the original Study Committee knew a great deal more than "we know today" although it may be difficult to uncover recorded facts. She thought the Study Committee needed more time to complete the report because more research is needed along with more discussion of the National Register evaluation criteria regarding insignificance. She asked if the State Historic Preservation Office had provided their review comments, noting there was nothing in the packet.

Chairperson Thompson stated the Committee had not received any comments from the State at this point.

Julie Dobies, 708 Tewksbury Court, stated she represented the homeowners, Stan and Toni Dobies, who could not be at this meeting. She loved seeing the house because it was a link to the past. She thought the owner purchased the property knowing it was a historic district, and if the house had been kept up it would not be in its present condition. The expense to fix the house should not be part of the equation because it was the owner's fault. She thought it was ludicrous to declassify the house to allow development the City did not need. She and her neighbors liked have the building there and thought it had historic significance because it was part of a farm. She would like to see it turned into a community center and be made useful for the Community.

John Gaber, 380 N. Old Woodard, Suite 300, Birmingham, stated he represented the property owner. He acknowledged the public comments from the Public Hearing and this evening about preserving the structure for some purpose. He pointed out the cost of rehabilitation or the adaptive reuse of the house was not within the scope of the Committee's review. Ordinance Section 118-134 defines the criteria to be applied by the Committee, including "insignificance". He questioned what the original designation was based on, noting the 1978 and 2020 survey sheets indicated the reason was the architectural significance. The Preliminary Report states "it must possess a high level of integrity of design under the National Register criteria" to be designated under criteria of architectural significance. He discussed historic architect William Finnicum's opinion about the architectural integrity of the home. Those sentiments were echoed in the

Committee's Preliminary Report. He urged the Committee to look at their scope of review and to apply the criteria. He did not feel any potential adaptive reuse or feasible rehabilitation of the house was within the Committee's purview. The Committee's feelings about the property owner or the neighbors did not fall within the Committee's narrow scope of review. He noted the Committee had the Preliminary Report for about four months and had an opportunity to conduct additional research and review. He felt there was substantial information available for the Committee to make its recommendation to City Council.

Chairperson Thompson reminded the Committee they were charged with determining whether or not the structure met the criteria for designation. He agreed additional information such as the date the house was changed from the Queen Anne style to a Neoclassical style and who made those changes; additional information on the Eddy family or the company Mr. Eddy worked for; or minutes or notes from the original Study Committee to determine if they considered the other farm buildings important to the property's significance would be helpful. He did not know if any of that information was available and asked if any Committee Members had found any of that information. He was not comfortable moving forward without having received the State Historic Preservation Office (SHPO) and State Review Board comments.

Mr. Dziurman inquired about the urgency of the 180 day time limit. Mr. Delacourt stated the applicant had requested the City Council take action the night of the meeting; the City Attorney explained a process had to be followed and it should be forwarded to the Study Committee. Based on an extensive discussion about how long it took to bring a report to City Council, a minimum of 180 was decided upon. He clarified Council asked for the report or the Committee could explain where they were in the process.

Mr. Dziurman did not think the Committee should meet with City Council until they had SHPO's response because sometimes SHPO's response had been surprising to the Committee. He referred to the process of holding the Public Hearing before the SHPO comments had been received and asked if that was rule, law or just what the Committee had been doing.

Chairperson Thompson noted the Ordinance contained a time frame for the Committee to hold the Public Hearing. Mr. Delacourt explained the Public Hearing could not be held sooner than 60 days after the Preliminary Report is transmitted to SHPO. In trying to meet the Council time frame, the Public Hearing was scheduled after the 60 day transmittal date assuming the State's comments would have been received by then. He stated he knew the Report had been forwarded to the State Review Board along with SHPO's Staff Comments about a month ago. He did not know why SHPO had not sent the formal comments, although he had asked for them to be transmitted.

Mr. Dziurman referred to the public's confusion at the Public Hearing about why the Public Hearing was held when the Preliminary Report had already been sent to SHPO. He believed the Public Hearing should be held and then the Report sent to the State. Mr. Delacourt explained the Ordinance did not permit that.

Mr. Dziurman stated the process may be questioned and there may be reason to question SHPO about that. He pointed out the Committee learned things at the Public Hearing they did not know about, but had already sent the report to the State. He asked if anyone had ever looked for the 1978 Avon Township records or if they were available for review.

Mr. Delacourt stated the Rochester Hills Library and the Museum had been searched and all records available regarding the 1978 designations had been reviewed. The extent amounted to the original report and perhaps some minutes.

Mr. Dziurman asked for a copy of the 1978 Study Report. Chairperson Thompson asked that a copy be emailed to the Committee Members.

Mr. Dziurman clarified the Committee could request additional time from City Council, particularly since they had not received the State's comments. He asked when the 180 day time limit expired. Mr. Delacourt stated the six-month deadline was March 28, 2010.

Chairperson Thompson wanted to provide some clarification about the Preliminary Report. He noted that the Committee had not voted on any recommendation or come to a consensus at this point.

Dr. Stamps appreciated Ms. Kidorf providing her expertise to the Committee. He commented he was not at the meeting when it was decided to submit the report to the State and stated he disagreed with the delisting and did not support the Preliminary Report.

Mr. Dziurman stated it was a fact properties changed over time and was nothing unusual because property was renovated to be brought up to date. He mentioned an Italianate home in Ann Arbor that had been renovated in the early 1900s into a Colonial Revival, which Ann Arbor treats as a historic structure. Even if this property was changed over a period of time did not make it less of a historic structure, and just because a property changed its style did not automatically make it a candidate for delisting.

Dr. Stamps felt the original Study Committee was closer to the surrounding support structures before they were destroyed and were closer to the City's history, and he

respected their decisions and expertise. He did not want to say that because it was changed or added onto or aluminum siding was put on, that it had to be gotten rid of. He felt there was a core value and the Committee would be setting a terrible precedent if someone made a change it should be gotten rid of. He did not have much sympathy for the way the building was treated and was in favor of protecting and preserving it.

Chairperson Thompson asked if it was the Committee's consensus to request additional time from City Council.

Mr. Webster did not think the Committee had enough total information at this point. He commented he had almost abstained from voting on the matter when the decision was made to transmit the report to SHPO and was ready to reconsider. He thought the Committee needed the State's comments before moving forward.

Chairperson Thompson asked the Committee for specifics about what in the report they would like to change or what additional information the Committee wanted to see.

Mr. Delacourt clarified that when the report was transmitted to the SHPO, no vote was taken at the Study Committee meeting on any motion to agree or disagree with the recommendation. Staff asked if there were any changes, and if not, was the Committee comfortable transmitting the report to the State to get the State's comments and allow the process to move forward. No Committee Member indicated they had accepted the recommendation at that meeting. He explained the intent of the process is to allow the Committee to hear from the Public and the Planning Commission and gather additional information to be used to formulate the Final Report. He asked the Study Committee members to attend the City Council meeting to answer any questions Council might have about the report and the additional time requested.

Dr. Stamps stated the Committee should ask Council for additional time given the fact they had not received a response from SHPO.

Mr. Dziurman stated he did not think the designation was done incorrectly, which is why he wanted the original Study Committee information. He thought any destruction or deterioration of the building was allowed by the owner, and should not be used as an excuse to have it delisted.

Dr. Stamps felt the owner should have come to the Study Committee to request a delisting, rather than going before City Council. Mr. Delacourt stated Section 118-129 of the Ordinance indicates that any request to delist was required to go to City Council first. Dr. Stamps felt the Study Committee should have been at the

Council meeting to provide a counterpoint to the request, especially in light of the demolition by neglect aspect. Chairperson Thompson cautioned the Committee that demolition by neglect was not within the purview of the Committee, but rather was a Historic Districts Commission charge.

Mr. Gabor stated the Committee was asking for more information but pointed out he had not heard anyone ask Ms. Kidorf what she did, what sources she searched or what research she did. He asked what process she followed or what records she looked through to arrive at her conclusion. He thought the Committee would want to understand what Ms. Kidorf did before they searched for additional information.

Chairperson Thompson stated Ms. Kidorf had provided that information in the packet materials.

Ms. Kidorf stated she used the resources of the local history room at the Library; talked to Staff at the Museum who gave her everything they had; did some searching at the Burton Collection and some internet searching as well. She noted her resources were listed in the Bibliography of the report.

Mr. Delacourt stated Staff would not be able to provide anything more than what had been provided in the packets and did not have anything additional to add.

Mr. Dziurman asked if there were records available from 1978. Mr. Delacourt explained the original report was a list of addresses and the survey sheets. Mr. Dziurman asked if there were minutes from the meetings or research background. He wanted to know who the members of the original Study Committee were. Mr. Delacourt stated the names of the original Committee members were included with the report, and no other background information was available.

Mr. Dziurman referred to Mr. Gabor's comments about the City's preservation consultant, and stated the Study Committee looked to her for advice and as a source of information.

Chairperson Thompson asked if the Committee could gather the information they wanted prior to the next regular Study Committee meeting, and still have sufficient time to put that information in the report before they would appear before City Council.

Mr. Delacourt stated the request for an extension on this matter would most likely be scheduled for the April 12, 2010 City Council Meeting. The Council meeting packet information would have to be prepared and provided to the Clerk's Office prior to the next Study Committee on April 8, 2010.

Chairperson Thompson stated that any additional information the Committee wanted to add to the report should be brought to the April 8, 2010 Regular Meeting.

This matter was Discussed

7B 2009-0437 2371 S. Livernois Road (HDSC File #04-006)
- Preliminary Report

Chairperson Thompson reminded the Committee this delisting request had been referred to the Committee by City Council with a 180 day time frame and was due back to City Council by April 26, 2010.

Mr. Delacourt stated the Preliminary Report was provided to the Study Committee at the January 14, 2010 meeting and the Committee had asked that Ms. Kidorf be made available for questions regarding the report. He noted Ms. Kidorf was present and available to answer questions.

Chairperson Thompson stated a request for public comments had been received on this matter.

Melinda Hill, 1481 Mill Race, stated the Preliminary Report discussed insignificance. She thought there was more information "out there" although it could be difficult to find. At the time of designation, people knew the property owners of the resources and knew about the moves and changes that took place, which was an evolution of history over time. As property owners accumulated wealth or prominence, they were able to make changes to these older structures because that was part of the progress of the Community. Some of the properties that were designated indicated the progress and they were only certain examples of a particular architectural style. Although she was not an expert in National Register criteria, she thought the criteria talked about what made things significant within a community. Qualifying for listing under the National Register criteria was not a factor in whether the property should be delisted. Was an appropriate decision made at the time of original designation, and if so, we should be saving our history. She did not feel the Committee should feel pressured to bring something back to City Council because the State Act gave them more time. Research takes a long time and she thought more could be done before a recommendation was made to Council.

Chairperson Thompson stated it would be helpful if the Committee could find photographs or other documentary evidence about the appearance of the house before it was moved, or any other information about the architectural practice of the property owner. He noted the Report had not been forwarded to the State Historic Preservation Office (SHPO) or the Public Hearing held. He stated he would like to have the State's comments before coming to a decision. He suggested the Committee might consider requesting additional time from City Council.

Mr. Dziurman clarified the Committee also had a 180-day time frame on this request.