



Rochester Hills Minutes

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Historic Districts Study Committee

Chairperson Jason Thompson, Vice Chairperson Dr. Richard Stamps
Members: John Dziurman, David Kibby, Peggy Schodowski, LaVere Webster

Thursday, June 12, 2008

4:30 PM

1000 Rochester Hills Drive

MINUTES of a **ROCHESTER HILLS REGULAR HISTORIC DISTRICTS STUDY COMMITTEE** meeting held at the City Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan.

1. CALL TO ORDER

Chairperson Thompson called the meeting to order at 4:30 PM.

2. ROLL CALL

Present 4 - **Richard Stamps, Jason Thompson, LaVere Webster and David Kibby**

Absent 2 - **John Dziurman** (*Arrive 4:41 PM*) and **Peggy Schodowski** (*Arrive 4:34 PM*)

Others Present: Derek Delacourt, Deputy Director, Planning Department
Judy Bialk, Recording Secretary

Chairperson Thompson informed the Committee that Mr. Dennis Mueller had resigned from the Committee due to a job transfer to Illinois. He stated that Mr. Mueller's unexpired term had been posted by the Clerk's Office, and applications would be accepted until June 16, 2008.

3. DETERMINATION OF A QUORUM

Chairperson Thompson stated for the record that a quorum was present.

4. APPROVAL OF MINUTES

4A. 2008-0265 March13, 2008 Regular Meeting Minutes

Chairperson Thompson asked for any comments or corrections regarding the March 13, 2008 Regular Meeting Minutes. Upon hearing no comments or corrections, Chairperson Thompson called for a motion to approve.

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

Aye 4 - **Stamps, Thompson, Webster and Kibby**

Absent 2 - **Dziurman and Schodowski**

RESOLVED that the Minutes of the March 13, 2008 Regular Historic Districts Study Committee Meeting be approved as presented.

4B. 2008-0266 April 30, 2008 Special Meeting Minutes

Chairperson Thompson asked for any comments or corrections regarding the April 30, 2008 Special Meeting Minutes. Upon hearing no comments or corrections, Chairperson Thompson called for a motion to approve.

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

Aye 4 - **Stamps, Thompson, Webster and Kibby**

Absent 2 - **Dziurman and Schodowski**

RESOLVED that the Minutes of the April 30, 2008 Regular Historic Districts Study Committee Meeting be approved as presented.

(Arrive Ms. Schodowski: 4:34 PM)

Present 5 - **Richard Stamps, Jason Thompson, LaVere Webster, Peggy Schodowski and David Kibby**

Absent 1 - **John Dziurman**

5. ANNOUNCEMENTS/COMMUNICATIONS

Chairperson Thompson asked if there were any announcements or communications. No announcements or communications were provided.

6. PUBLIC COMMENT (Non-Agenda Items)

No public comments were received on any non-Agenda items.

7. DISCUSSION

7A. 2007-0887 Meeting with State Historic Preservation Office

Chairperson Thompson stated that a representative from the State Historic Preservation Office was present.

Mr. Delacourt introduced Amy Arnold, Preservation Planner with the State Historic Preservation Office (SHPO). He explained that the Committee had been concerned about the fact that there was such a difference of opinion between the Committee's

determination regarding potential historic districts or the delisting of local historic districts, and those comments received from the SHPO, and had requested an opportunity to sit down with a representative of the SHPO to discuss where the Committee was missing the mark. He stated Ms. Arnold had agreed to meet with the Committee to discuss the State's process and guidelines in reviewing Preliminary Reports.

Mr. Delacourt stated that the City's Consultant, Kristine Kidorf, had requested an opportunity to participate in the discussion via conference call, which was done.

Ms. Arnold reviewed the process followed by the SHPO. She stated that Preliminary Reports are submitted to the SHPO, which are logged in, and she typically reads before the Commission meetings or the Review Board Meetings.

Ms. Arnold explained the Commission is an advisory board for the Museum education; the Review Board reviews the historical process. The Review Board gives approval before a report goes on to the Keeper. The members of the Review Board have knowledge of the historical process; the Commission may have some experience.

Ms. Arnold explained that after she reads the reports, she prepares comments. If she is uncertain about something, she will ask other members of the SHPO staff, such as the National Register Coordinator, or someone in Environmental Review. Comments are then sent out.

Ms. Arnold stated she had looked through her records to determine how many delistings the SHPO had received since they began keeping track in 2002. Only ten (10) had been received, and four (4) were from Southeastern Michigan, three (3) from Rochester Hills. She noted that sent up a red flag with the SHPO, who began to wonder what was going on.

The Committee inquired about the relationship between the Commission and the Review Board. Ms. Arnold stated they had a good relationship. She explained the Commission comments on areas they have some history of, noting one person on the Commission was from Ann Arbor. She noted the Review Board talked about the interpretive aspects.

With respect to the National Register comments regarding the Stiles School, the structure was not considered eligible because of the additions on the back, the setting, and the feeling, which detracted from the sense it would really qualify to be listed on the National Register.

Ms. Arnold stated that the guidelines for local historic districts had changed somewhat since 2002. In 2002, the guidelines were adjusted and the SHPO was told they had to use those revised guidelines.

The discussion moved to the concept that a resource did not have to be eligible for the National Register to be a local historic district. Ms. Arnold indicated the Committee should not be recommending structures for designation that do not qualify for the National Register. The State Tax Credits guidelines are based on the National Register guidelines.

(Arrive Mr. Dziurman: 4:41 PM)

Present 6 - Richard Stamps, John Dziurman, Jason Thompson, LaVere Webster, Peggy Schodowski and David Kibby

2007-0887

Ms. Kidorf stated both she and Dr. Jane Busch disagreed with the comment about being National Register eligible to be locally designated. It was noted the State bases its review on those guidelines. Ms. Arnold noted that National Register could still be a local situation. Integrity is important because of the tax credits. A structure could be important locally, but not meet the National Register guidelines.

Ms. Arnold provided an example of the Charles Meers barn in Oceana County. Mr. Meers is locally known because of his involvement in the establishment of the area; however, all that is left is the barn. If the National Register criteria are applied, because the farmhouse, farmstead and related outbuildings are gone, there is just a barn sitting in a field. The barn's association with Mr. Meers is not enough to be listed on the National Register, although it is a visual landmark for that community.

Public Act 169 is protective of those types of resources. However, since the Tax Credits legislation was passed, single-resource districts are less likely to qualify for State Tax Credits. Ms. Arnold stated that the State Treasurer had sat on the Commission and had informed them that was not how the State expected the credits to be used because those did not provide a benefit to the State. Rather, it would have to be a local district similar to the City's Stoney Creek District. It was noted if a resource is not a contributing resource, it is not allowed tax credits.

Ms. Arnold noted the SHPO office had received applications and had to tell the applicants they did not meet the guidelines, even though the resource is important to the community.

Dr. Stamps pointed out that Rochester Hills was originally just a group of farms around the Village of Rochester. Therefore, some of the individual districts, because of the nature of what they were, had to be isolated. He noted in the case of the Stiles Schools, there would not be a district of school buildings.

The Stiles School was marginal because of the changes that occurred, which would not meet the National Register guidelines. Ms. Arnold stated if she sent it to the Keeper, the Keeper would not approve it. Ms. Arnold commented that the Review Board looked at things differently. She noted the architect on the Review Board thought the additions to the school building could be removed and the core would remain. The windows had been changed, but they had not been blocked out. The Review Board erred on the side of the building.

The Committee discussed delisting versus proposed designation, with the same set of standards being used. Ms. Arnold commented that it was not the same set of standards. She referred to the farmstead located on Tienken that was recommended by the Committee for delisting. She was curious when the changes, such as the gazebo, were made to the property and whether they were recent changes. If it's protected, leave it.

Dr. Stamps noted in looking at the timeline, back in 1976, around the time of the Centennial, a group of well-meaning citizens created the districts. They started a process; didn't finish the process, and moved along. They created a list of the structures and created some isolated districts; however, other structures were left alone. When the Committee looked at 920 South Boulevard, they thought they had a potential. When they took it to the City Council to try to save it or preserve it, the Council did not agree because one person did not want it designated.

Dr. Stamps noted the Committee went back to its Potential List and began working on the Frank Farm. He questioned whether it was worth doing if the State's guidelines or controls were tighter than they had been in the past.

The Committee discussed how the guidelines compared to other states' guidelines around the Country, and who made that decision. It was noted the guidelines were tightened up because of pressure from the tax. It was questioned whether each time a new administration came in to the State, and a new tax person appointed, whether that made a difference. Ms. Arnold did not think that would happen as everyone liked that things were handled consistently. She noted the State Marker legislation had changed. It was more consistent for everyone to follow the same standards and guidelines.

Mr. Dziurman referred to a bungalow in the Stoney Creek Historic District that had a request coming before the Historic Districts Commission (HDC) at its next meeting. He noted he had been on the HDC for over twenty (20) years, and over the years the HDC had tried to work with the homeowners and had perhaps been more lenient. He clarified that no matter where a resource was located, it should follow the National criteria. Ms. Arnold agreed that was correct.

Dr. Stamps questioned whether the same applied to a non-contributing resource in a district. Mr. Dziurman commented that created problems and actually made the Commission's charge harder. Chairperson Thompson noted that City Council could repeal the Ordinance.

Mr. Delacourt stated that City Council understood that the Study Committee was doing its job, but had a hard time separating a homeowner asking not be designated. The City Attorney has made it clear to Council that Council has the ability to consider whatever factors they want, and even if a structure met the criteria, Council did not have to designate. Ms. Arnold agreed noting that is what the Ordinance said.

Mr. Delacourt stated that the recent Preliminary Report for 920 South Boulevard was prepared under pressure of development. During the study, the Study Committee believed the structure met the standards, and had requested the property be placed under the review of the HDC for six months to finish the report. The report was sent to the State, and comments came back that it did not meet the criteria and should not be designated. The Council then doubts what the Study Committee is doing because the State seems to be disagreeing with the Committee. The Council is less likely to take the matter seriously, and starts to question the whole process. He questioned how the Committee could resolve that issue.

Ms. Arnold stated the SHPO included comments in their response letters. The SHPO Office always refers to P.A. 169 in their discussion. The Council could have designated the structure if they wanted to protect it. Mr. Delacourt asked if it would then qualify for tax credits. Ms. Arnold noted that was another review.

Ms. Schodowski noted it was confusing. The Committee studied a farmhouse where the homeowner had done upgrades to the house, that may or may not have gone through the Commission. The home is located on Livernois and looks like a new home and no longer looks historical. With respect to the Stiles School, the windows may have been changed, but everything else is in tact. The State indicated Stiles should not be designated because of the windows; but the Livernois home should remain. She found this very confusing.

Mr. Kibby noted that if the changes to the Livernois house were not approved, and the property was not delisted, it nullified the reasons to keep other homeowners from making changes, unless they wanted the tax credits.

Ms. Arnold asked if the historical documentation since 1983 indicated whether the work happened with or without the HDC's approval. Mr. Dziurman noted it was a whole different Commission back then, as they did not have as much experience. Ms. Arnold stated it was the same thing the SHPO Office faced with the tax legislation restrictions.

Mr. Dziurman asked if other communities were having the same issues, and commented that as it stood, less and less sites would be designated, and only the “pure” sites would qualify. Ms. Arnold commented it was hard to tell, noting she thought most communities were dealing with fewer staff members to do the work, and historic designation was taking a back burner. She noted the SHPO Office was not seeing many districts coming in, which they attributed to staffing issues.

Mr. Dziurman asked if other communities were struggling with these same issues. Ms. Arnold stated it appeared to be an issue in Southeastern Michigan.

Mr. Delacourt referred to delisting versus designation. He noted that just because something was already designated, the criteria did not change, whether or not additions were approved. The only thing the Study Committee could consider was how the structure currently appeared.

Ms. Arnold suggested the Committee consider whether some still met the criteria. Mr. Delacourt thought the Stiles School was much closer to the original. Mr. Dziurman referred to the Rice House located on Tienken Road, and stated he agreed with the State’s comments because of the history of the site.

Ms. Arnold referred to the Stiles School and noted the SHPO comments were based on the size and massing of the additions. In response to a question about the home on Dequindre that was recently delisted, she noted that the SHPO Office only had the photographs submitted with the Preliminary Report to go on. She commented that if only a few photographs are submitted, or the photographs are taken from a distance, it does not provide the SHPO Office very much detail.

Ms. Schodowski referred to the Stiles School, and pointed out the 1929 schoolhouse was still fairly prominent. She noted that the library was in one of the additions and it was connected to the main building with a small hallway. She stated she had met a brother and sister who were now in their 80’s who were former students of the school. They had told her that at one time there was a two-room schoolhouse that sat directly behind where the 1929 School Building is located.

Ms. Arnold noted that the additions appeared to be three times the size of the original school building. Mr. Webster asked why the additions would affect the integrity. Ms. Arnold stated it related to the setting and feeling. The question had to be asked “did it remind you of a 1920’s school”, with the answer being “sort of”.

Mr. Dziurman noted that schools were difficult because the schools did not have to come to the City and the City standards were not part of any work the schools did. He questioned how the Study Committee would factor that in. Ms. Arnold suggested that the more information that could be included in the report to make the case, the better.

Mr. Delacourt noted that perhaps more research could be done. He commented the Committee was currently working from a list of 30 potential sites. Because of the volume of sites under study, the City's consultants had been advised that when they were sure they could make a confident case, to complete the study and move on. He noted a report could always be supplemented. Currently, if a proposed structure met one of the four criteria, the report was completed and sent on to the State.

Ms. Arnold noted that the SHPO Office did not need an explanation of the criteria a structure did not meet. She suggested including any relevant documentation, including historical photographs that depicted how the structure previously looked, along with current photographs to document how the structure currently looked. She also suggested the Committee review HDC Minutes to see if additions or other changes had gone before the Commission.

Ms. Kidorf recalled that HDC minutes had been researched and no additional documentation had been discovered on the properties. Although she understood SHPO wanting additional information, she noted that sometimes it just was not available.

Ms. Arnold stated that just because a home had vinyl siding or new windows did not mean it would not qualify for National Register. She referred to the Committee's preliminary report about the 1820's house that was moved, which was also noted as the first frame house in Oakland County. She commented that in terms of the State of Michigan, that was an important structure because of the construction technique. If the structure was important because of the construction technique, the siding did not matter as much. She noted there were not that many built in Michigan during that time period.

The Committee clarified the "oldest frame house" could qualify under the criteria. They questioned whether the Review Board would make the assumption, that even if moved, it would still be considered as meeting the criteria. It was felt that even if it is the oldest frame house, it still does not retain enough to meet the guidelines.

Ms. Arnold stated that the Review Board thought it did meet the guidelines and thought it still could be considered.

Dr. Stamps stated the Committee had operated under the assumption that if a structure was moved, it no longer qualified. He noted apparently some criteria could override. Ms. Arnold commented they needed to weigh the integrity issue. Mr. Delacourt stated the Committee might have come to another conclusion.

Ms. Kidorf noted that the Dequindre house had been moved in the late 1960's and was not original to Rochester Hills. She noted that Committee also did not have any documentation from the original study committee to refer to regarding the original designation.

Ms. Arnold stated it was preferable to err on the side of the structure.

The Committee questioned if the site were to be designated today, whether it would meet the criteria.

Ms. Arnold responded that there would have to be information on the significance statement, such as "highly important historically." Mr. Delacourt questioned whether there was enough integrity to recommend designation, despite the additions and the siding. Ms. Kidorf noted it looked like a new house. She indicated what she was hearing was "since it already was, it can stay." Ms. Arnold noted the home was constructed in 1826 in the nearby area. Structures built before 1830 in Michigan should be protected.

Mr. Delacourt noted that was not in the guidelines. Ms. Arnold noted there were not many resources from that time period.

Dr. Stamps inquired about what the State would say about a log home encased inside a new home, such as the structure on Walton Boulevard. Ms. Arnold thought it would be that the structure should be protected because of the construction technique.

Mr. Delacourt referred to prior HDC decisions and noted the Commission was a nine-member board. He stated votes could have been 5 to 4 on any project being reviewed at that time or when a certificate was issued. He noted that Commission made an educated guess based on their understanding of the criteria at that time.

Mr. Dziurman inquired about cell tower reviews, as they applied to historic structures. Ms. Arnold stated that criteria had been changed, and suggested Mr. Dziurman contact the SHPO Offices to find out if that criterion had been released.

Dr. Stamps inquired if there would be historic reviews for cell towers. Ms. Arnold stated the criteria applied to height and radius. Mr. Dziurman stated the regulations had changed. Ms. Arnold suggested Mr. Dziurman speak to the environmental review section. Mr. Delacourt asked if that was covered under "essential utilities". Mr. Dziurman stated they were trying to disguise the towers. Mr. Delacourt stated there were requests for towers on school properties, which were exempt from local review.

Dr. Stamps inquired about the log cabin. Ms. Arnold stated it would fall under construction techniques or construction methods.

Mr. Webster questioned the fact it was inside another structure. Ms. Arnold commented the HDC did not review the inside of a structure.

Ms. Schodowski commented on all the interior fixtures that were still in use in the Stiles School, such as the original bathrooms, original coat hooks, and a dumbwaiter.

Ms. Kidorf noted that if the HDC is told to review the interior, they could. Ms. Arnold agreed, noting the City Council could tell the Commission to do so for a specific building. It would be up to the City Council to make a decision about reviewing the interior. She referred to a museum where it was important that the inside remain the same. This could not be done to a privately owned property, unless the property owner requested and agreed to the review, and if the property owner came forward.

Ms. Schodowski referred to the architect for the Stiles School, Fred Madison, who also designed several schools in Royal Oak. The schools in Royal Oak have since been demolished, which she felt added another more important feature to the Stiles School.

Mr. Webster commented that when the building was owned by the Avondale School District, it was discussed at a Board Meeting that the school was facing the wrecking ball.

Dr. Stamps commented that the architect had built five school buildings, four of which were gone, and asked whether it made a difference if the Stiles School was the last remaining. Mr. Dziurman pointed out it depended on how famous the architect was. Ms. Schodowski stated there was a theatre in Royal Oak built by Mr. Madison. Mr. Delacourt stated the Committee would have to establish Mr. Madison's significance.

Ms. Arnold asked about the status of the Stiles School. Ms. Schodowski stated the Committee had held the Public Hearing, and had put the report on hold pending any additional insight they might gain from the discussion at this meeting with SHPO.

Mr. Delacourt noted the current owners of the school were not embracing the designation, and were not supportive of it. The Study Committee will try to work with the school on the size of the proposed district, in an effort to get the school to support the designation.

Dr. Stamps stated a representative of the school spoke at the Public Hearing and told them that their insurance agent advised them they should not embrace the designation because their insurance rates would go up. Ms. Arnold stated the SHPO had heard that comment before, although it was not true. She noted the National Trust periodically tries to respond to that issue by getting accurate information out.

Ms. Schodowski stated that at the Public Hearing, the school's representative informed the Study Committee they might consider the designation if the district was just the 1920's school building. She commented that the owners of the school did value the 1920's building.

Ms. Arnold stated the Committee could send a letter and request some clarification on why the Review Board overrode the SHPO comments about the proposed Stiles School District.

Mr. Delacourt stated the Study Committee would discuss the change in the size of the proposed district with the school administrators.

At this time, Mr. Delacourt asked Ms. Kidorf if she had any further questions or comments about the process and procedures. Ms. Kidorf did not, and the conference call was ended at 5:30 PM.

Ms. Arnold stated the Committee could send some preliminary questions to SHPO and get some feedback prior to submitting a preliminary report. She asked if the Committee had any other delistings proposed.

Mr. Delacourt stated that when the City's Intensive Level Survey was done, the survey sheets on each property, and all structures, both contributing and non-contributing, were done in the Ruskin format and submitted to SHPO. He noted that the Intensive Level Survey only indicated the three properties for consideration of delisting, and all those preliminary reports had been done. He commented the Survey also suggested reducing the size of the two contiguous districts.

The Study Committee felt it was important to let City Council know they were not just about designating properties, but were also willing to delist some properties. That was the reason why the Committee proceeded with the delisting reports.

Ms. Arnold commented that Farmington Hills had also run into some property rights issues and a request to delist a house. She noted that SHPO received four delisting reports from Southeastern Michigan at the same time, which appeared to indicate a trend.

Dr. Stamps acknowledged that individual rights such that homeowners feel "it is my house and I can do whatever I want" often came up. Homeowners view designation as more restrictive than other neighborhood or subdivision requirements or restrictions.

Ms. Arnold stated that the SHPO Staff had wondered if those homes had new owners that were requesting delisting. Mr. Delacourt explained that all three homeowners had been notified, and none had requested to remain designated.

Ms. Arnold stated she would send the reports back to the Review Board for a more detailed look. She noted that Rochester Hills was not the only community experiencing these issues, and commented that Franklin was having some similar problems.

Dr. Stamps stated that the Winkler Mill Pond Historic District had several new buildings in the area, and the Survey recommended that district be reduced. Mr. Delacourt stated that the Survey recommended both contiguous districts be reviewed. He commented the entire Stoney Creek District was part of the National Register.

Dr. Stamps noted the new buildings in those Districts were subject to review under the Standards. He pointed out those buildings did not have anything to do with the history of the area. He advised Ms. Arnold that when those reports are sent to SHPO, SHPO can be assured the Committee is not trying to eliminate history, just trying to make things more manageable.

Mr. Dziurman asked about acceptable substitute materials as the Commission would be reviewing a request for siding replacement. Ms. Arnold noted HardiePlank was an acceptable substitute material. Mr. Delacourt noted the home being reviewed by the Commission was built in 1996, although it was a replica of a historic home. One of the requests was for replacement windows, and questioned if simulated divided lights would be an issue on a non-contributing resource. Ms. Arnold did not think that would be an issue.

Dr. Stamps asked if Ms. Arnold had any suggestions or advice for the Committee. Ms. Arnold suggested more communication between SHPO and the Study Committee would be helpful.

Chairperson Thompson asked if there were any other questions or comments. Dr. Stamps suggested the Committee request another review of the two delisting reports.

Chairperson Thompson thanked Ms. Arnold for travelling to the area and meeting with the Committee. He noted the Committee thought the meeting was very helpful.

This matter was Discussed

8. ANY OTHER BUSINESS

Chairperson Thompson called for any other business. No other business was presented. Chairperson Thompson noted that the next regular meeting was scheduled for July 10, 2008.

9. ADJOURNMENT

Upon motion duly made and seconded, Chairperson Thompson adjourned the meeting at 5:45 PM.

Jason Thompson, Chairperson
City of Rochester Hills
Historic Districts Study Committee

Judy A. Bialk, Recording Secretary

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