

**CITY OF ROCHESTER HILLS
HISTORIC DISTRICTS STUDY COMMITTEE
REGULAR MEETING
Thursday, November 8, 2007**

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

Vice Chairperson Whateley called meeting to order at 5:35 PM.

2. ROLL CALL

Present: Vice Chairperson Rev. Dr. Pamela Whateley; Members Peggy Schodowski, Dr. Richard Stamps, LaVere Webster

Absent: Members John Dziurman, Jason Thompson, Gerard Verschueren

QUORUM PRESENT

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

3. DETERMINATION OF A QUORUM

Vice Chairperson Whateley stated for the record that a quorum was present.

4. APPROVAL OF MINUTES

4A. September 17, 2007 Rescheduled Regular Meeting Minutes

Vice Chairperson Whateley asked for any comments or corrections regarding the September 17, 2007 Rescheduled Regular Meeting Minutes. Upon hearing no comments or corrections, Vice Chairperson Whateley called for a motion to approve.

MOTION by Webster, seconded by Schodowski, that the Minutes of the September 17, 2007 Rescheduled Regular Historic Districts Study Committee Meeting be approved as presented.

Ayes: All
Nays: None
Absent: Dziurman, Thompson, Verschueren

MOTION CARRIED

draft

5. ANNOUNCEMENTS/COMMUNICATIONS

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

6. PUBLIC COMMENT

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

7. UNFINISHED BUSINESS

7A. 1207 N. Livernois Road

- SHPO/Board of Review Comments
- Final Report (Draft)

The Committee noted that they found the State Historic Preservation Office (SHPO) and State Board of Review comments regarding the Preliminary Report interesting. It was noted that the SHPO did not support the recommendation of delisting, but did not explain their reasoning.

Mr. Delacourt stated that he had spoken to Kristine Kidorf, who indicated neither she nor Dr. Jane Busch agreed with the SHPO comments. It appears to them that the SHPO is hesitant to delist a property. Dr. Busch and Ms. Kidorf noted that the SHPO did not agree with the Committee's recommendation to designate 920 South Boulevard, and was now applying the standards differently in their review of the proposed delisting of 1207 N. Livernois. In reviewing the 920 South Boulevard Preliminary Report, SHPO had indicated there was not enough criteria to designate the structure.

Mr. Delacourt stated he had asked the State if just the fact of being the oldest frame house in Oakland County would qualify for designation. He noted Dr. Busch and Ms. Kidorf claimed the house did not meet the requirements for designation. It would require quite some time to do research of frame houses in Oakland County. He commented he had not received a response to his question from SHPO.

There was concern expressed with the SHPO comments about prior Historic Districts Commission (HDC) decisions. Regardless of how or why the HDC made their decisions, the Study Committee's review of the structure pertained to how it appeared now. The HDC is a nine member Commission that followed the Secretary of the Interior's Standards in its review of historic districts. It was also discussed whether the Preliminary Reports were presented to the Review Board differently because the SHPO had confused the City with being a Certificate Local Government (CLG), when the City had not been certified to date. It was unclear how heavily the Review Board weighed the SHPO comments in reviewing a Preliminary Report.

The Committee discussed whether additional research should be done to try to alleviate the SHPO concerns, or whether they should stay on the current course and proceed with their recommendation to delist, noting the local unit of government ultimately made the final decision.

draft

Mr. Delacourt stated he had asked SHPO if the City had gone ahead and designated 920 South Boulevard, despite the fact SHPO did not agree with the proposed designation; whether the home would qualify for tax credits, which is normally a contributing factor to an owner requesting designation. Ms. Arnold, the State SHPO Coordinator, had indicated it would not, because it would not meet the requirements for the tax credits.

It was noted that Mr. Conway had indicated in his September 20, 2007 letter that the local historic district coordinator for SHPO would be contacting the City to set up a meeting. Mr. Delacourt stated he had not yet discussed the meeting with the SHPO. He noted a meeting could be arranged that included the Committee, Ms. Kidorf and the SHPO coordinator. It would be helpful if the SHPO could supply a review that included bullet points indicating the areas they agreed or disagreed with.

It was commented that in the future perhaps a representative from the Committee should plan to attend the Review Board meetings to see how the Preliminary Reports are presented and to provide input regarding the Committee's recommendation.

Although the SHPO did not recommend designation of 920 South Boulevard for certain reasons, they then came back and did not agree with a recommendation to delist a property with the same concerns. It was questioned whether SHPO actually drove past and saw the house, if that would have changed their opinion.

The Committee agreed they would like to meet with the SHPO representatives, as it may provide some insight to what criteria the SHPO was looking for, and whether the Committee was doing its due diligence. The Preliminary Report would be held pending that meeting.

- 7B. 1470 W. Tienken Road
- SHPO/Board of Review Comments
 - Final Report (Draft)

Ms. Schodowski noted she had two different thoughts on this structure. She noted that in the matter of 1207 S. Livernois, the changes made had been significant enough to warrant a recommendation to delist. However, in the matter of 1470 W. Tienken, although there had been some additions, it was a nice historic property and the owners had gone through the proper channels. She questioned delisting a structure when it was clear that the home has been maintained as a showpiece for the City. There was a balance between the old and the new on this property, and she felt the property owners had tried to follow through with the design and colors.

Dr. Stamps noted that 1207 N. Livernois had been moved from Troy later in 1976. Ms. Whateley questioned if a structure had been moved from one part of Oakland County to another part of Oakland County, whether the oldest structure standard still applied. She noted the home currently had vinyl siding on it.

Dr. Stamps noted that based on the recent responses received from the State Historic Preservation Office (SHPO), sometimes vinyl siding is OK, but other times it is not. He would like to meet with the SHPO coordinator to have them explain that to both the Committee and the Historic Districts Commission (HDC).

Mr. Webster noted that not only was there confusion about the vinyl siding, there was also confusion about when a structure could be moved and when it could not be moved. Dr. Stamps agreed there appeared to be some discrepancy not only about vinyl siding and moving, but also about window replacement and tax credits.

It was agreed the Committee would like to know the State's interpretation of the standards, and how they applied to decisions made by the local unit of government.

Ms. Schodowski stated if the State would not approve tax credits for 920 South Boulevard if it had been designated, the Committee would like some guidance from the State regarding the criteria they used to recommend tax credits. She felt it was important the Study Committee knew that answer.

Mr. Delacourt suggested that when future reports are sent to SHPO for review, the letter include a paragraph that asks, if the SHPO did not agree with the Committee's recommendation to designate, whether the structure would qualify for tax credits if the property was designated.

Mr. Webster noted that one historic property owner in the Stoney Creek Historic District had encountered quite a struggle in getting the State to approve tax credits for renovations to his home.

The Committee agreed they would hold off on moving this Report forward until they had an opportunity to meet with the SHPO coordinator.

The Committee discussed the fact the City had been working toward a Certified Local Government (CLG) designation for many years. Mr. Delacourt stated that the necessary Ordinance Amendment was being prepared by the City Attorney, and if the proposed Amendment was accepted, the CLG application would be updated and resubmitted to the State. He noted that both the Study Committee and the HDC were interested in holding a joint work session with City Council after the first of the year, which would provide a good opportunity to discuss the proposed Ordinance Amendment.

Mr. Delacourt stated he would request some potential meeting dates from the SHPO coordinator and Ms. Kidorf, and coordinate a meeting with the Study Committee and the HDC.

7C. 56187 Dequindre Road

- SHPO/Board of Review Comments
- Final Report (Draft)

The Committee discussed the State Historic Preservation Office (SHPO) comments and agreed this report should be moved forward.

draft

MOTION by Stamps, seconded by Webster, that in the matter of HDC File No. 07-003, the Historic Districts Study Committee move forward with the recommended delisting of the property known as 56187 Dequindre Road, Sidwell 15-01-278-005. Upon receipt of comments from the State Historic Preservation Office (SHPO) agreeing with the recommendation to delist, the Committee accepts the Final Report and requests that the Report be forwarded for review by the City’s Planning Commission and to City Council.

Ayes: All
Nays: None
Absent: Dziurman, Thompson, Verschueren

MOTION CARRIED

Vice Chairperson Whateley noted for the record that the motion had carried. The Committee noted that the Public Hearing on the proposed delisting of this property had been held on September 17, 2007.

7D. Stiles School (3976 S. Livernois Road)

- Update
- Transmittal to SHPO

The Committee noted that no response had been received from the School Board regarding the proposed designation, and Mr. Delacourt recommended the Committee move forward with the process.

Ms. Schodowski reported that there had been a change in staff as their Business Administrator had left and had not been replaced. She commented the school had a lot to deal with recently with respect to the fire and having to hold classes at other locations. She stated the school did not have a principal, and explained the school board consisted of parents, not employees, who did not understand the impact of designation. She stated that only recently had the school hired someone to take over the operation of the school.

The Committee discussed who at the school should receive a copy of the report, and requested that they be invited to schedule a meeting to discuss the designation. The Committee expressed a desire to work with the school board to help this preserve a rare crown in the area.

Mr. Delacourt stated he was available for any member of the school or school board to contact him to discuss any concerns they may have.

7E. Frank Farm

- Preliminary Report

Mr. Delacourt explained that based on Dr. Jane Busch’s recent investigation of the Frank Farm property, a fourth parcel was found to be part of the original farmstead, identified as 1290 E. Auburn Road (Sidwell 15-36-126-004).

draft

Ms. Schodowski stated she had done some research of the Building Department's files, and had found some interesting things about the properties.

Mr. Delacourt stated that the 1304 E. Auburn property was a landlord situation, and there appeared to be many problems with the structures on the site, which were in bad shape. He commented that there had been some building inspections done, and violation notices issued that resulted in court cases. He stated Dr. Busch had noted further deterioration since she had conducted her original survey in 2002.

Ms. Schodowski noted the property had been noticed for the front porch falling off, exposed electrical wires, abandoned vehicles, and debris. She stated the Building Department records indicated that tents had been put up over the things that needed to be cleaned up. She questioned whether the well house and tool shed were structurally sound.

Ms. Schodowski referred to 1344 E. Auburn, and stated she understood that a relative of Ray Frank resided in that house.

It was noted that 1356 E. Auburn was the last house built on the property, and the various houses on the three parcels depicted the progression of housing built over the years. The comment was made that if the properties were designated, the Historic Districts Commission would have to consider duty to maintain and/or demolition by neglect for some of the structures.

Dr. Stamps suggested that if the property were designated, perhaps the City or the Rochester Community Schools could acquire the property and turn it into part of the local history, such as by creating a living farm (similar to the one in the City of Troy).

Ms. Schodowski commented that after reviewing the recent photographs and after having reviewed the Building Department files regarding the property, she wondered if designation would cause a financial hardship for Mr. and Mrs. Frank, or whether they had the means to make improvements to the structures. She also questioned whether any heirs to the property would be willing to maintain a historic property.

Dr. Stamps stated that several years ago, the thought had been to talk to the Frank Family heirs about the designation; a possible contribution to the Community or the school system, and the creation of a farm educational center. He noted Mr. Ray Frank was passionate about preservation, and might be willing to donate to the school system. The Committee questioned the cost or expense of establishing a living farm, along with bringing the current structures up to Code. Ms. Schodowski noted that currently the structures were a concern. Mr. Delacourt noted some were in danger of being cited as dangerous buildings.

Mr. Delacourt reminded the Committee that they had to treat all properties for potential designation the same, regardless of who owned them. He stated the Committee could invite the Frank Family to a meeting to discuss designation and what it would mean to them.

Mr. Webster stated he had spoken to Mr. Frank's daughter several years ago, and she was in favor of designation. Mr. Delacourt questioned whether Mr. Frank's daughter was aware designation could affect the resale of the property, particularly if her parents required some type of assisted living arrangement.

Dr. Stamps noted the historical value of the site, and the fact the Committee was acting as stewards of that history in making a recommendation to preserve it. He commented that if there was a financial burden, that issue would be discussed when the matter went to City Council.

Ms. Schodowski commented that based on the records in the Building Department, there were many health and safety concerns regarding the structures. It was noted the property was adjacent to a middle school. Some of the buildings would have to be mothballed or shored up until they could be repaired.

The Committee discussed the condition versus integrity of the site. Discussion involved whether the inclusion of some of the parcels dragged the integrity down, or if a parcel were eliminated, whether the site would still qualify. One of the parcels involves an absentee landlord and a dangerous building. It does not appear that an absentee landlord would be interested in preserving the history of the City.

Dr. Stamps noted that of all the structures in the City, less than 300 had a historic designation, and the Frank Farm site was a key site in the Community.

Mr. Delacourt commented it was not known whether designation would prohibit development of the property. He noted if the site was designated and a hardship created a need to sell, Council could be asked to delist the property.

The Committee discussed comments made at a recent City Council meeting about finding methods to fund rehabilitation and restoration of historic structures. They discussed a recent grass roots effort that resulted in a millage being passed in Oakland Township for historic preservation. It was noted that City Council would have to decide if a millage question should be placed on a ballot.

Mr. Delacourt stated he had talked to the Frank Family relative who resided in 1290 E. Auburn when he and Dr. Busch were at the property in September. The family member wanted to know what was going on. Dr. Busch had walked the property with Mr. Frank, and Mr. Frank had provided a lot of information about the genealogy of the Frank Family.

Mr. Delacourt suggested the Committee could identify the issues they found with local designation and the process followed in Rochester Hills, such as integrity versus condition, and discuss them with City Council at the joint meeting.

The Committee agreed to move forward with the process.

MOTION by Stamps, seconded by Webster, that in the matter of HDC File No. 04-005, the Historic Districts Study Committee accepts the Preliminary Report, and requests that the Preliminary Report be sent to the State Historic Preservation Office, and upon receipt of review comments from the State Historic Preservation Office, be scheduled for a Public Hearing.

Ayes: All
Nays: None
Absent: Dziurman, Thompson, Verschueren

MOTION CARRIED

Vice Chairperson Whateley noted the motion had carried.

Dr. Stamps suggested that in transmitting the report to the SHPO, that SHPO be advised that the Study Committee would like to receive comments as quickly as possible because the owners of the property are ageing, and some of the structures are under duress.

8. NEW BUSINESS

- 8A. 920 South Boulevard W.
- Update regarding City Council Meeting

Mr. Delacourt stated that City Council had received a copy of the Final Report on 920 South Boulevard W., and had thanked the Study Committee for their work. City Council accepted and filed the report.

Ms. Schodowski stated she had recently heard that one of the former owners of the property, Mr. Wardowski, had started a distillery on the property behind the home. This most likely occurred during Prohibition.

- 8B. 2040 South Livernois

Mr. Delacourt stated that the round-about design for the Hamlin and Livernois intersection had been approved, and a Memorandum of Agreement signed by the parties, which is a tri-party agreement. He noted at the beginning of the road design process, the house on the property had been identified as qualifying for National Register designation.

The Memorandum of Agreement requires that the National Register Application be completed and filed. The City's Engineering Department is working with the Michigan Department of Transportation (MDOT) and the Road Commission for Oakland County (RCOC) to determine if the City could recommend a consultant to complete the National Register Application. If possible, the City would like to hire Kidorf Preservation Consulting, as much of the information obtained for the National Register Application could also be used to prepare a Preliminary Report for the property. The work involved with the National Register Application is pretty extensive. The decision regarding the hiring of the consultant will be made by the RCOC.

draft

9. ANY OTHER BUSINESS

9A. Potential List

The Committee discussed the balance remaining from the 2007 budget, and the 2008 budget allocation of Five Thousand (\$5,000.00) Dollars. The Committee discussed the studies currently underway, and the potential for additional research being necessary with respect to 1207 N. Livernois and 1470 W. Tienken.

The Committee discussed whether a study could be completed on the National Twist Drill site, noting the allocated budget might not cover a complete study for the site. The Committee also discussed the fact that studies are required for the proposed redistricting of the Stoney Creek and Winkler Mill Pond Historic Districts.

MOTION by Webster, seconded by Stamps, that the Historic Districts Study Committee recommends that a study be started on the redistricting of the Stoney Creek Historic District.

Ayes: All
Nays: None
Absent: Dziurman, Thompson, Verschueren

MOTION CARRIED

Vice Chairperson Whateley noted for the record that the motion had carried.

The Committee discussed the fact that the redistricting project included preparation of a Preliminary Report; preparation of a new district map; identification of current Sidwell Numbers for all parcels included in the revised District, and preparation of a proposed Ordinance Amendment.

Vice Chairperson Whateley called for any other business.

Ms. Schodowski stated she had met the current property owners of 3610 S. Livernois, and it appeared to her that the property owners were unaware their home was a designated district. Discussion ensued about the fact the designation should appear on the Deed to the property, although the property owners may not have noted that fact. It was noted that invitations to the Earl Borden Award and Historic District Commission Open House had been mailed to that address earlier this year. The Committee suggested a letter be sent to the current owners regarding the designation of the property.

Vice Chairperson Whateley called for any other business. No other business was presented. Vice Chairperson Whateley noted that the next regular meeting was scheduled for Thursday, December 13, 2007.

draft

10. ADJOURNMENT

Upon motion duly made and seconded, Vice Chairperson Whateley adjourned the meeting at 7:12 PM.

Rev. Dr. Pamela Whateley, Vice Chairperson
Historic Districts Study Committee

Judy A. Bialk, Recording Secretary