



Rochester Hills Minutes

1000 Rochester Hills Dr.
Rochester Hills, MI 48309
(248) 656-4600
Home Page:
www.rochesterhills.org

Historic Districts Commission

Chairperson Melinda Hill, Vice Chairperson Brian R. Dunphy

Members: Maria-Teresa L. Cozzolino, John Dziurman, Micheal Kilpatrick, Paul Miller, Michael Sinclair, Dr. Richard Stamps, Jason Thompson

Thursday, October 9, 2008

7:30 PM

1000 Rochester Hills Drive

MINUTES of the **REGULAR ROCHESTER HILLS HISTORIC DISTRICTS COMMISSION MEETING** held at the Rochester Hills Municipal Building, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan.

1. CALL TO ORDER

Chairperson Hill called the meeting to order at 7:30 PM.

2. ROLL CALL

Present 9 - **Melinda Hill, Richard Stamps, Micheal Kilpatrick, John Dziurman, Brian Dunphy, Maria-Teresa Cozzolino, Jason Thompson, Paul Miller and Michael Sinclair**

Also Present: Derek Delacourt, Deputy Director, Planning & Development Dept.
Judy A. Bialk, Recording Secretary

3. DETERMINATION OF A QUORUM

Chairperson Hill announced a quorum was present.

4. STATEMENT OF STANDARDS

Chairperson Hill read the following Statement of Standards for the record.

"All decisions made by the Historic Districts Commission follow the guidelines of the Secretary of the Interior's Standards for Rehabilitation, MCL Section 399.205, and City Code Section 118-164."

5. APPROVAL OF MINUTES

5A. 2008-0512 **Minutes of the June 12, 2008 Regular Meeting**

Chairperson Hill asked for any comments or corrections regarding the June 12, 2008 Regular Meeting Minutes. Upon hearing none, she called for a motion to approve.

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

Aye 9 - Hill, Stamps, Kilpatrick, Dziurman, Dunphy, Cozzolino, Thompson, Miller and Sinclair

RESOLVED that the Minutes of the June 12, 2008 Regular Historic Districts Commission Meeting be approved as presented.

6. ANNOUNCEMENTS/COMMUNICATIONS

Chairperson Hill called for any announcements or communications. She noted the Creative Cities Summit was being held October 12-15, 2008 in Detroit, Michigan. Mr. Delacourt noted the main speakers would be at the seminar on Monday through Wednesday. He stated he had just registered for the conference and there were still openings available. He explained they had implemented a "no frills registration" for \$100.00, which included all the presenters and speakers, but did not include any lunches or other amenities, but reduced the cost down from \$300.00.

Chairperson Hill mentioned she had attended Oakland County's Heritage Conference held at the Upland Hills Farm a few weeks ago. She noted the primary direction of the conference was cultural tourism, which was very interesting. She stated the speakers tied tourism back to heritage, historic properties, and all types of things that could be part of the tourism package for the State of Michigan. She indicated that Dr. Anderson was the speaker, and it was a very worthwhile conference.

Chairperson Hill called for any other announcements or communications. No other announcements or communications were presented.

7. PUBLIC COMMENT

Chairperson Hill asked if there were any public comments on any non-agenda items. There were no public comments.

8. NEW BUSINESS

- 8A. 2008-0289 Location: Vacant Parcel Located at the Corner of Washington Road and Winkler Mill Road
 Applicant: Nathaniel Brock
 Sidwell: 15-01-201-009
 District: Winkler Mill Pond
 Request: Certificate of Appropriateness

Chairperson Hill read the request for the record, and invited the applicant to come forward to the presenter's table. She suggested the discussion follow an informal format, with the Commission hearing the Staff Report first, followed by a presentation from the applicant of his request. She suggested the Commissioner's ask questions as the presentations are made.

Mr. Delacourt stated the applicant had either purchased or was considering the purchase of a vacant parcel of property within the Winkler Mill Pond Historic District that had historically been used as an orchard. The applicant was considering the possibility of restoring its historical use as an orchard, and noted the parcel was located directly across the street from Mr. Brock's house. Mr. Brock's request for fencing was based on his concern for protecting the orchard once the restoration work began. He had held some discussions with the applicant about the proposed fencing, and the Commission had been made aware several months ago that this was being contemplated and could come forward with a formal request. He noted the packet included a map indicating where Mr. Brock would like to install the fence.

Mr. Delacourt referred to the findings included with the proposed draft motion in the packet materials and the description of the parcel as a "non-contributing" property in the District. He corrected the use of that word and explained it had not been established whether the property was in fact contributing or non-contributing. He pointed out the historic use of the property as an orchard in connection with other properties in the District and it may be a contributing property.

Mr. Delacourt stated he had sent an email with a copy of the packet information to the City's Preservation Consultants, both Ms. Kristine Kidorf and Dr. Jane Busch, and asked them if they had any experience with similar requests. He noted neither consultant did a full review of the packet materials, and did not opine formally, but did send back their initial thoughts, which he had provided to the Commission prior to the start of the meeting.

Mr. Nathaniel Brock, 6425 Winkler Mill Road, displayed an aerial photograph and pointed out the location of his house and the old Winkler Mill site. He stated he had purchased the orchard property, which had never been developed and had always been an orchard. He was currently trying to determine when the orchard was planted. He understood the Dillman family owned the property for many years and he knew it was worked as an orchard up until about 1980, and had spoken with a gentleman who had helped maintain the orchard from the early 1970s.

Mr. Brock stated it was his plan to restore the orchard, and he needed to keep the deer out and had spoken to several fence distributors. He noted that deer, under certain circumstances, could clear the 75-inch fence he was proposing to use. He pointed out the areas where he felt the fence would not be visible, and explained deer needed a running start to clear 6 or 7 feet, and he did not think that would happen.

He commented 8-feet was what was really needed, but he did not want the parcel to look like a penitentiary.

Mr. Brock stated it was his proposal to use a 75-inch fence. He explained one consideration was that the fence posts could be set at 7-feet, and if the deer got in, he could run another wire along the top at 7-feet. He stated Bekaert's made a nylon fence product that went to 7-feet because they felt that was the height limit for deer. He stated he had not included that with his submittal materials because it had not come up before he submitted his application. He was interested in the Commission's thoughts on leaving the posts at 7-feet, with the fence at 75-inches, or putting the posts at 84-inches, and leaving the option available to run a wire if necessary.

Mr. Brock stated it was his hope to hide the fence, but pointed out a clear area along Washington Road on the aerial. He noted the parcel contained a lot of buckthorn and ash trees and other scrub, but was more open in one area along Washington Road. He stated he would plant some vines and some low trees that would not get too tall and that would not affect the sun getting to the orchard, and eventually the fence would be covered in that area as well.

Mr. Brock said that his neighbors around the corner on Winkler Mill and Mead Road had a six-foot fence of a similar description. He noted they had very pointed posts, which he would not be using because he did not like that particular look. He displayed a photograph of Winkler Mill Road, pointing out the driveway to his house, and the view of the subject parcel along the road, which was really densely overgrown. He noted he liked the dense cover along the edges of the property. He also displayed a photograph depicting the driveway to the Clair property further down Winkler Mill Road, noting the dense growth along that stretch of the road.

Mr. Miller asked what material the fence would be made of. Mr. Brock stated it would be wire, noting they had considered another material, but wanted something that would stand up over time.

Mr. Miller inquired about the spacing of the wire. Mr. Brock explained the squares were larger at the top and as it got further down, the squares reduced in size. He stated that was meant to keep smaller critters out near the bottom.

Mr. Miller stated the applicant was describing a standard farm utility fence, made out of galvanized steel. Mr. Brock stated it sounded like the sturdiest material to use, as he did want to have to re-do the fence.

Mr. Miller thought the applicant was wise going as tall as he was suggesting, and he thought the applicant was wise in considering allowing for some additional height if

necessary. He commented the applicant would be upset if he installed the 75-inch fence and found he could not do anything else and the deer were still getting in. It was his experience that deer would routinely jump a six-foot, three-inch fence if they wanted to get to the other side. He noted an orchard with apple trees would be a large draw.

Mr. Brock stated he had been working with an orchard consultant from New Hampshire who said it took certain conditions under which the deer would jump. He did not think it was just that the deer were hungry, but that they would jump if there was no other option. If the deer could run along a fence and get out of the way of vehicles, they were more inclined to do so. He noted he did not like the look of an eight-foot fence. He stated he had started a small orchard at the school where he worked, and they had had good luck using liquid fence that they sprayed on the trees, but the subject parcel was too large for that.

Dr. Stamps stated he loved the concept of having an orchard in the middle of the historic district and thought it was a great idea. He was in favor of the fence and did not have a problem with the height. He asked if the orchard would be visible from the road or from the applicant's house.

Mr. Brock stated that phase one of his project would be to clear out about three-quarters of an acre in the middle of the parcel. He thought once it was cleared, more light would get in, and the orchard might be more visible. He stated it was hard for him to picture what it would look like with the area cleared. He did not mind the idea of the orchard being a bit more cleared so there was a visual. He stated it would be a family project, and because he wanted to maintain some privacy for the family, they would not clear-cut the parcel.

Dr. Stamps asked if the applicant had any idea about the age of the trees. Mr. Brock stated he was trying to find that out. He thought the Dillman's had moved in the 1920s, but needed more information about the Dillman family. He was trying to locate a daughter of that family who currently resides in California. He noted there were one or two apple trees that still had vestiges of life to them, and he would try to take out the dead. He stated they had found one apple on one huge dead tree, and they wanted to use the seeds from that apple to grow new trees.

Mr. Dunphy referred to the drawing included in the applicant's submittal documentation that represented where the fence would be installed in relation to the rest of the property. He noted the applicant indicated he would be clearing the center of the property, and asked if the outer perimeter would remain wooded, with the fence being installed in the wooded area. Mr. Brock stated that was correct. He explained when he purchased the property from his neighbor, there was an agreement that the fence would be buried along the back of their property line. He had talked to the City and was informed he could put a fence right up to the

property line, but he did not want to do that. He noted the drawing he submitted was a rough sketch, and the opening gates would be across from his driveway.

Mr. Dziurman suggested any motion made by the Commission contain language that the fence would be removed if the property ceased to be an orchard. He thought it would be an appropriate condition to include in any motion. Mr. Brock stated he did not have a problem with that. Mr. Dziurman noted that things changed over time.

Chairperson Hill stated she resided in that area. She appreciated the input from both Kristine Kidorf and Dr. Jane Busch. She stated she had some concerns primarily with the streetscape along Washington Road, and considered the orchard a contributing resource because it dated back to the time period even though it had ceased to function very well. She noted the applicant seemed to be indicating that the fencing along Winkler Mill Road would be back behind some of the existing trees or shrubs. She asked if the applicant had any contact with the Road Commission for Oakland County because there were plans for Washington Road. She noted some survey work had been done over the summer, but she had not seen any road improvement plans.

Mr. Brock asked if Chairperson Hill was referring to the paving of Washington Road. He stated he had talked to someone at the City and someone at the Road Commission. His property line extended across half of Washington Road. When he explained what he wanted to do and explained he would set the fence back twenty or so feet from the existing edge of the road, he was told he would not have any problems. He stated if they did pave the road, he wanted to be far enough back to avoid problems.

Chairperson Hill confirmed that the fence would be placed twenty back from the existing edge of the road. Mr. Brock stated that was correct. Chairperson Hill asked if the applicant would remove the existing trees and shrubs in that space prior to installing the fence. Mr. Brock responded "no". Chairperson Hill noted that some of the area would really be camouflaged and the fence would not be seen, except for the one open space along Washington Road. Mr. Brock thought the fence would be seen in the open space, and once the inside was cleared, more might be visible because the light would get in more and might make the fence more visible through the scrubby trees.

Chairperson Hill stated she was more comfortable hearing that the applicant was not going to clear which made better sense. She concurred with Mr. Dziurman's suggestion of asking that the fence be removed if the property ceased to be an active orchard. If the applicant was considering some type of low shrub or plantings, she commented that for many years there had been lilac bushes in the area, although some grew quite tall. She noted there were shorter versions of lilacs, and suggested the applicant might consider something like that along those lines in keeping with the area and what was in the District.

Mr. Brock stated they were big gardeners and were into the native plants, so in that area they would only consider native plants that would have been there; that liked living in the area, and that the deer did not like to eat.

Chairperson Hill referred to the discussion about the deer running along the drive, she thought the deer might have a tendency to jump more from the other two sides of the property rather than the street sides of the property unless they were just crossing. Mr. Brock did not think they would jump. Chairperson Hill stated that human activity or the dogs in the area might contribute to the deer jumping. Mr. Brock stated they could not jump on the Winkler Mill Road side because it was too dense. Chairperson Hill agreed, but thought there might be some jumping along the side adjacent to the Clair property, or on the driveway side. She noted in those areas the fencing would not be seen, although she agreed with the taller poles in case the applicant needed taller fencing on those two sides since it would not be visible.

Mr. Brock stated he wondered about installing an 84-inch fence on two sides of the parcel and then using the 75-inch on the other two sides. He asked whether the Commission could consider that option, although the plan was to use the 75-inch unless there were problems. He stated he would like to have the flexibility.

Chairperson Hill asked if the parcel was contributing, whether tax credits would be available for this project. She suggested the applicant contact the State Historic Preservation Office. Mr. Delacourt stated he could give the applicant some contact information for the State Tax Coordinator. Chairperson Hill noted that appropriate standards had to be followed in rehabilitating structures, but she was not sure what guidelines the State followed with respect to agricultural rehabilitation. She thought it might be worthwhile to check into.

Mr. Dziurman wondered if there were any archeological issues associated with the site because the applicant would be digging holes on the parcel. Dr. Stamps stated he had not checked the files to see if there was anything in that immediate area.

Mr. Dziurman wondered if Dr. Stamps was aware of anything that could be on the site and thought the question should be asked. Dr. Stamps stated they seemed to be thinking about Native Americans, but noted it could go back 12,000 years. Mr. Dziurman noted the nearby bodies of water. Dr. Stamps suggested the applicant contact him and he would look at the available documentation. Mr. Brock stated the parcel had not been developed for at least 75 years, and noted he did not think there had ever been a structure on the property.

Dr. Stamps hoped the property would be eligible for tax credits because the parcel would contribute to the neighborhood because it was being brought back to an agricultural setting. He thought perhaps some of the expense of the fence or new trees would be eligible. He agreed it would be worthwhile to check into the matter. He stated he was very pleased the applicant was restoring the parcel back to the agricultural setting. He noted the applicant could tell the State he had appeared before the City's Historic Districts Commission and the Commission liked the idea.

Mr. Miller stated he was in favor of the request and did not have an issue with the fencing. He noted the fencing was a little higher than the traditional 42-inch or 48-inch farm fence, but it was taller because the applicant was not trying to keep livestock in necessary, but was trying to keep the native fauna out. He thought it was great the applicant was going to try to renovate the orchard as he was a fan of old orchards, noting he had a few old apple trees on his property. He stated there were a fairly significant number of juice companies, both organic and natural, that got started with a small project of renovating an old orchard.

Mr. Dunphy clarified that Mr. Delacourt had indicated it was not clear whether the parcel was a contributing or non-contributing resource. Mr. Delacourt stated it had not been clarified whether the parcel was contributing or non-contributing resource, and suggested any motion made by the Commission refer to the parcel as a resource. Chairperson Hill stated the Commission could say the subject parcel was within the Winkler Mill Pond Historic District. She noted that was a key component to qualify for tax credits.

Mr. Brock commented he could reconstruct the mill and get tax credits for that as well. He asked if the Commissioners had any photographs of the mill itself. He stated he had a pretty good set of photographs of the exterior, but he would like to find something for the interior. He noted he had been to the Van Hoosen Museum, but they did not have anything of the interior. Chairperson Hill stated she had been inside the mill before it burned, but had not photographed it.

Chairperson Hill clarified the applicant wanted to install 84-inch posts. Mr. Brock stated he would like to have the flexibility to go to 84-inches. Chairperson Hill asked if the poles would be round. Mr. Brock responded "yes".

Chairperson Hill asked whether or not the applicant would want the flexibility or consideration of having 84-inch fencing on the northwest and southern sides of the parcel. Mr. Brock thought that would be useful. He stated from an aesthetic point of view, it would bother him to have a fence that was higher and lower, but he thought he would be more inclined to have it all lower. He agreed the flexibility might turn out to be helpful.

Chairperson Hill stated the applicant would be installing 84-inch posts, noting she was not sure the fence would be visible on those two property lines. She suggested the Commission provide some flexibility if that was the direction the applicant cared to go, and if the Commission was comfortable with that.

Mr. Miller highly recommended the applicant request the possibility of adding more on without having to repeat the approval process. He believed apples would draw the deer, and pointed out the better shape the applicant got the orchard in, the more of a draw it would be for the deer. He commented it would not just be the apples, but stated does particularly liked fenced-in, quiet areas to have their fawns in during the spring. He asked if the City had an ordinance on exterior boundary line fencing regarding height.

Mr. Delacourt stated if it was above six-feet, a permit might be required. He noted Mr. Brock had talked to the Building Department about permitting the fence. Mr. Miller wanted to be sure the Commission was not approving something the Building Department would not permit. He stated he would be willing to make a motion.

Chairperson Hill stated the packet documentation included a sample motion that would require some changes. Mr. Miller noted the reference to a contributing or non-contributing resource should be removed, and commented he thought the parcel would be considered a contributing resource. He thought open space and green space should be considered contributing historical resources within the City limits.

Mr. Dunphy offered the following motion for consideration:

RESOLVED that the Rochester Hills Historic Districts Commission, in the matter of File No. HDC 08-001, **ISSUES** a Certificate of Appropriateness for the vacant parcel identified as Parcel Identification Number 15-01-201-009, which is located in the Winkler Mill Pond Historic District. The work consists of the installation of protective fencing around the perimeter of the parcel to protect the existing orchard. This Certificate of Approval is issued with the following Findings and Conditions:

Findings:

1. The subject parcel is within the Winkler Mill Pond Historic District.
2. The proposed renovation work is compatible with the existing historic resources located in the Winkler Mill Pond Historic District, and the District itself.
3. The proposed work consists of the installation of a perimeter fence around a vacant parcel with an existing abandoned former orchard. The applicant intends to restore the former orchard, and the installation of the fence is to prevent the native deer population from destroying his efforts.

4. The proposed work also consists of the use of 84-inch round wood columns spaced every ten feet, with a 75-inch "fixed knot exclusion fence" as shown on the submitted application on the Washington Road and Winkler Mill sides of the property and either a 75-inch or 84-inch fence on the other two sides.
5. The proposed fence installation will not detract from the rural appearance/streetscape of Washington Road, nor affect any contributing resources in the Historic District.
6. The work, as proposed, meets "The Secretary of the Interior's Standards for Rehabilitation" Standard Numbers _____.

Conditions:

1. The work shall be consistent with the plans dated received by the Planning Department September 19, 2008.
2. The applicant shall obtain any permit required by the City's Building Department.
3. The fence shall be removed if the property no longer used as an orchard.

Ms. Cozzolino clarified that Finding #4 referred to a 75-inch fixed knot exclusion fence on two sides of the property, and noted the applicant would like to have the ability to add to that if necessary.

Mr. Dunphy stated his understanding was that there would be 84-inches on the two sides of the parcel not abutting the streets, but there would not be 84-inches on the two sides of the parcels that bordered the streets. He stated he was open to the consensus of the Commission.

Chairperson Hill believed the applicant indicated it would be the addition of a top wire if the 75-inch fencing on Winkler and Washington did not work once the orchard was in place.

Mr. Miller recommended that be included in the motion so the applicant had that flexibility.

Chairperson Hill suggested the applicant could come back and speak with City Staff if there was need for the additional wire. She noted it might be better to have the motion indicate 75-inches, and if the applicant needed to, he could come back and speak to City Staff if additional height was needed. She stated Mr. Delacourt could then update the Commission if the request was made.

Mr. Dziurman asked about the color, noting the applicant had indicated the fence would be galvanized and suggested that be included in the motion. Chairperson Hill clarified the applicant intended to use the single-knot fence. Mr. Brock stated the fence would be as depicted in his submittal documentation.

Mr. Dziurman asked if the wood posts would be finished or left to weather. Mr. Brock was not sure what was recommended, but something that would not rot, such as cedar. Mr. Dziurman commented if they were old-growth cedar or old-growth redwood, otherwise the posts would rot. Mr. Brock stated he did not know exactly what material the posts would be. Mr. Dziurman asked if the color would be green. Chairperson Hill asked if the posts would be a natural wood color versus something that would be painted. Mr. Brock agreed.

Mr. Dziurman suggested the motion include a condition regarding approval of the Building Department. Mr. Dunphy noted Condition #2 contained that language.

Chairperson Hill called for a second to the proposed motion on the floor. Ms. Cozzolino stated she would second the proposed motion. Chairperson Hill requested some verification regarding the wording for Finding #4.

Mr. Dunphy stated that Finding #4 would read as follows:

The proposed work also consists of the use of 84-inch round natural wood posts spaced every ten feet, with a 75-inch "fixed knot galvanized-wire exclusion fence" as shown on the submitted application on the Washington Road and Winkler Mill sides of the property and either a 75-inch or 84-inch fence on the other two sides.

Mr. Miller asked the applicant if he had talked to anyone about putting the posts every ten feet. Mr. Brock stated the spacing was based on the type of fence being used. One fence person advised him that the posts could be every 15 or 20 feet, but he was more inclined to believe the posts should be closer. However, he did not want to put them any closer than ten feet.

Mr. Miller stated that ten-feet would be common if the applicant had large animals like horses that would push against the fence; but with smaller animals, like goats and sheep, it was quite common to go larger. He noted it was not so much the posts, but how tight the fencing was strung when it was fastened to the posts, and also how thick the fencing was. He commented that putting posts every ten feet, depending on the perimeter of the parcel, was a lot of posts. He suggested placing the posts every 15 feet.

Mr. Brock asked if it could be left that he had some leeway of the posts being spaced every ten to fifteen feet, then he can leave it up the fence person to make a recommendation. Mr. Miller stated that using less posts would be a significant reduction in cost.

Chairperson Hill clarified the wording in Finding #4 would be amended to read "spaced every ten to fifteen feet". Mr. Dunphy and Ms. Cozzolino agreed that was correct.

Chairperson Hill referred to Finding #6 and asked the Commissioners which Secretary of Interior Standard they felt should be included. She noted that a copy of the Standards had been included in the packet materials. She did not believe Standard #4 applied. She referred to Standard #1 and suggested that Standard might be applicable other than the fact the Standard used the word "building".

Mr. Miller suggested Standard #10 could apply, as the fence could be removed and in a year's time no one would even know it had been there. He commented there might have been a fence around the subject parcel historically as there were many fences in that area at one time.

Mr. Brock stated he had signs of some old fencing on the property where his home was, but had not seen signs of fencing on the subject parcel.

Chairperson Hill asked if the Commissioners wanted to use Standards #1, 9 and 10 as the most applicable to this situation.

Mr. Dziurman suggested a condition be added to the motion such that the applicant verify any archeological findings. Mr. Thompson asked if Standard #8, which referred to archeological resources, would apply in this instance.

Mr. Dziurman responded no, but suggested a condition be included in the motion that the applicant work with Dr. Stamps to verify whether any known archeological resources existed on the site prior to any work taking place.

Chairperson Hill asked if the addition of that condition was acceptable to the motion maker, seconder and the applicant. Mr. Dunphy and Ms. Cozzolino agreed to the addition of a condition #4, and the applicant indicated he did not object to that condition.

Mr. Dunphy clarified the wording for Condition #4 would read:

4. The applicant shall investigate possible archeological resources of the property prior to completing the proposed project.

Chairperson Hill clarified that Finding #6 would read:

6. The work, as proposed, meets "The Secretary of the Interior's Standards for Rehabilitation" Standard Numbers 1, 9 and 10.

Chairperson Hill asked if the motion maker and seconder agreed with the proposed amendments to the motion as discussed. Mr. Dunphy and Ms. Cozzolino indicated they accepted the amendments to the motion.

Chairperson Hill called for any further discussion regarding the proposed motion on the floor. Upon hearing none, she called for a voice vote on the complete motion as amended.

Complete Motion (as amended and voted):

A motion was made by Dunphy, seconded by Cozzolino, that this matter be Approved. The motion CARRIED by the following vote:

Aye 9 - Hill, Stamps, Kilpatrick, Dziurman, Dunphy, Cozzolino, Thompson, Miller and Sinclair

RESOLVED that the Rochester Hills Historic Districts Commission, in the matter of File No. HDC 08-001, ISSUES a Certificate of Appropriateness for the vacant parcel identified as Parcel Identification Number 15-01-201-009, which is located in the Winkler Mill Pond Historic District. The work consists of the installation of protective fencing around the perimeter of the parcel to protect the existing orchard. This Certificate of Appropriateness is issued with the following Findings and Conditions:

Findings:

1. The subject parcel is within the Winkler Mill Pond Historic District.
2. The proposed renovation work is compatible with the existing historic resources located in the Winkler Mill Pond Historic District, and the District itself.
3. The proposed work consists of the installation of a perimeter fence around a vacant parcel with an existing abandoned former orchard. The applicant intends to restore the former orchard, and the installation of the fence is to prevent the native deer population from destroying his efforts.
4. The proposed work also consists of the use of 84-inch round natural wood posts spaces every ten to fifteen feet, with a 75-inch "fixed knot galvanized-wire exclusion fence" as shown on the submitted application on the Washington Road and Winkler Mill sides of the property and either a 75-inch or 84-inch fence on the other two sides.
5. The proposed fence installation will not detract from the rural appearance/streetscape of Washington Road, nor affect any contributing resources in the Historic District.

6. The work, as proposed, meets "The Secretary of the Interior's Standards for Rehabilitation" Standards Numbers 1, 9 and 10.

Conditions:

1. The work shall be consistent with the plans dated received by the Planning Department September 19, 2008.
2. The applicant shall obtain any permit required by the City's Building Department.
3. The fence shall be removed if the property is no longer used as an orchard.
4. The applicant shall investigate possible archaeological resources of the property prior to completing the proposed project.

2008-0289

Chairperson Hill stated for the record that the motion had carried, and noted the Commission looked forward to seeing an orchard on the parcel.

Mr. Brock thanked the Commission for their consideration.

Mr. Delacourt stated he would be very interested about how the State Historic Preservation Office (SHPO) would respond to a request for tax credits for the project.

Mr. Miller suggested that any proposal to the SHPO include the renovation and possible replacement of trees using historic varieties of fruit trees. He noted the applicant was attempting to restore a historic orchard making it useable, not just putting a fence around his property.

Mr. Delacourt thought that if the project were eligible for tax credits, then the cost of the clearing would be eligible. Mr. Brock asked how long the process took to be approved. Mr. Delacourt stated he was not sure how long it took to process a request.

Chairperson Hill stated that some tax credit applications ran in stages, but suggested that the applicant check in to the availability of the credits. She noted that some people started their projects prior to firming up the credits or understanding them, but those that have documented their projects well have been able to go back. She commented this was not an inexpensive project for the applicant.

Mr. Dziurman referred to the Juengel Orchard property along Rochester Road and noted that something was being constructed on one of those parcels. He believed the property was on the City's Potential List.

Mr. Delacourt stated he had never been informed that a permit was issued for the property as it did not come through the Planning Department. He explained that normally when a property on the Potential List is tagged for any type of change, he was notified, and a request was made of City Council that review rights be granted. He guessed because the property was a vacant parcel with no address associated with it, no notification was given.

Mr. Dziurman stated there was some history of review on that property. Mr. Delacourt stated he had just been made aware there was construction in that area when someone asked him what the use was going to be. He noted there were four parcels associated with the Juengel Orchard potential historic district and he was not sure the new construction was on one of those parcels. He explained that not all the vacant parcels in that area were included in the proposed district.

Chairperson Hill asked if there was other construction going on near that area or if the construction was near the Walgreen's. Mr. Delacourt stated there was a gasoline service station on the corner, with the Walgreen's adjacent to it, the side street, and then the parcels associated with the Juengel Orchards potential district. He noted there was another block of vacant parcels that were not within the potential district and he was not sure which parcel the current construction was taking place on.

Chairperson Hill thought the construction was right next to the Walgreen's. Mr. Delacourt thought the construction was further south. Mr. Dziurman stated that unless you were really looking for it, you would not see it because there was only excavation going on.

Mr. Sinclair thought the Juengel Orchards was originally an 80-acre parcel. Mr. Delacourt stated there was probably a large area that was once associated with the original orchard, but the parcels identified for the potential historic district included two houses and the vacant parcels in between. He explained the City's Building Department kept records by address with the two houses flagged as potential historic districts, but since the vacant parcels did not have addresses, there was no mechanism to flag those parcels.

Chairperson Hill thought there should be a map identifying potential properties. Mr. Delacourt stated he did not believe a potential historic district map existed. Chairperson Hill thought the issue would have to be corrected, particularly if there were potential properties that were vacant lots and had no addresses, something had to be done to prevent those parcels from sliding through.

Mr. Delacourt stated he was only speculating about a potential reason, but was not saying it was acceptable or could not be corrected.

This matter was Discussed

9. UNFINISHED BUSINESS

9A. 2008-0066 Historical Preservation Ordinance Amendment

Chairperson Hill asked for an update on this matter.

Mr. Delacourt stated the Commission had discussed the Ordinance Amendment several times in connection with the Certified Local Government (CLG) Application, and the corrections that needed to be made to the Ordinance. He stated the version included in the packet materials contained those amendments and the Commission had seen this particular version before.

Mr. Delacourt stated the Commission had previously decided not to move the Amendment forward to City Council until a joint meeting was held between City Council and the Commission. He noted no joint meeting had been scheduled as of this time. He asked if that was still the Commission's preferred course of action, or whether placing the Ordinance Amendment on a Council Agenda with a recommendation would be a more expedited method of moving the matter forward.

Mr. Miller thought it would expedite the process, but asked if that would bring about the desired result. He thought it was important under the current conditions that the City understood and appreciated the importance of the historic gems in the City and the importance of historic preservation within the City. Although he thought a joint meeting was important, he did not see a problem with having Council vote on the matter, and then the Commission could move forward with the CLG status. He anticipated that Council would be in favor of this, particularly if it was recommended by City Staff and the Commission.

Mr. Dunphy stated one area that could cause a potential issue, and one that Attorney Staran had pointed out, was the Section regarding demolition of hazardous structures (Section 118-169), which specifically took away Council's right to overrule a Historic Districts Commission decision. He would not want to rush the Amendment to Council and then have it be denied.

Mr. Dziurman questioned whether eliminating that Section would actually take away the ability of the City Council to overrule the HDC just because it was not listed in the Ordinance. He noted that Section was being eliminated because it did not conform to the State Law.

Chairperson Hill stated the State was saying that Council did not have the recourse to override the Commission. In other words, if the Commission deemed that a designated property should not be demolished, the recourse would be to go through

the process with the State and then to Circuit Court, and Council could not override that decision. She stated that Section had not been included with the original Ordinance, and it was put in because there was an issue going on back in the 1990s about demolition. At that time, the Council or the City wanted to be able to have the last word on those matters.

Mr. Dziurman asked if that also related to creating historic districts.

Chairperson Hill stated that was correct and stated she thought that section should be removed from the Ordinance.

Mr. Miller asked if that Section affected the Certified Local Government. Mr. Delacourt stated that Section had been one of the biggest stumbling blocks to submitting a completed CLG Application, along with the Study Committee process since he had been with the City. He explained the State insisted that Section be removed before the City could be certified as a Local Government.

Mr. Dziurman stated it was probably a good idea to submit the Ordinance Amendment to Council, but he thought the benefits of being certified as a Local Government should also be explained.

Mr. Delacourt stated he would invite the CLG Coordinator and would request time to give a brief presentation on what CLG was and why it was important. He did not know if the State CLG Coordinator would attend the meeting, but he would ask if they would consider doing so.

Mr. Dziurman stated that even if the CLG Coordinator did not attend the meeting, the benefits should be included in the information presented to Council.

Chairperson Hill stated that putting the Amendment in front of Council would help them decide if they were comfortable in making a decision about the Amendment. She stated she had discussed a joint meeting with the Council President, particularly since a joint meeting had not been held between the two Boards since 2004 or 2005. She agreed it would be helpful to ask a State Officer to attend, along with mentioning the benefits of being certified.

Mr. Delacourt stated that Council would have the power to remove that Section from the Ordinance, but they also had the power to put it back in. If an issue occurred where Council felt they were being unreasonably put in a position to do something, it was their Ordinance and they could change it if they felt it was a necessary tool to allow them to do their job.

Chairperson Hill agreed if Council felt there was something impeding them, none of the Ordinances in the City were set in stone and could be changed.

Mr. Miller thought the fact the CLG allowed the City to apply for grant money was important. Mr. Delacourt agreed the pro's outweighed the con's with respect to the amendment to the Ordinance.

Mr. Delacourt pointed out the other significant change was Section 118-129 (Initial determination and investigation), and noted the State had always insisted that the initial request go to City Council, and that by motion Council charge each individual study as it begins. The proposed Ordinance Amendment would also make that change.

He stated those were the two substantive changes to the Ordinance.

Chairperson Hill asked if the Commission had the actual Ordinance language. Mr. Delacourt stated the proposed wording was included in the packet materials.

Mr. Delacourt stated if the changes did not work for Council, the HDC or the Study Committee, it could be revisited in the future versus the benefits of the CLG. He noted the change to Section 118-129 brought City Council into the process at the start of a study.

Chairperson Hill stated that at the time Dr. Jane Busch did her study, there were a number of properties on the potential list that was narrowed down. At that time, Council said it was comfortable with that number, including recommendations for both elimination of districts and establishment of new districts. She asked if that group was approved by that Council at that time to allow the Study Committee to begin work on the studies.

Mr. Delacourt stated the group was accepted by Council as the Potential List, and was approved as the Potential List by the Historic Districts Commission. He noted if he recalled correctly, the formal request to Council was for money and time to conduct the studies, which Council was not willing to do. He stated the intent of the Ordinance Amendment language, in SHPO's eyes, was that each individual study before it started, would receive a motion from City Council. He stated Council could decide to work with the process, or could acknowledge the Potential List and give the Study Committee permission to begin those studies.

Chairperson Hill stated there were currently studies on-going. Mr. Delacourt stated there were, but the language in the current Ordinance did not require Council permission to start the studies. The current Ordinance language allowed requests for studies to be made to the Study Committee.

Chairperson Hill asked if the on-going studies were covered if the Ordinance Amendment was approved.

Mr. Delacourt stated it would not affect any studies that were currently on-going. As far as the SHPO is concerned, the study process is fine, i.e., they accept the reports, and they comment on the reports. It only affected the City's ability to be certified. It would not cause any of the reports in process right now to go back before Council for individual motions. Any new studies that were started after the Amendment became effective would have to receive a motion from Council. He indicated that was how it had been explained to him.

Chairperson Hill questioned whether the properties on the list were already considered to be in the works. Mr. Delacourt stated the Study Committee did not have the go ahead on all the properties listed on the Potential List.

Chairperson Hill stated that back when the Council discussed the Potential List, she recalled that Council had indicated they were particularly interested in a certain core group of the properties on the Potential List. Over the years, the Study Committee had requested money in order to move ahead with the studies, which had been the dilemma, not that Council had not given approval because it was not in the Ordinance. She was not trying to circumvent anything, but questioned if the Study Committee was free and clear with a certain number of properties.

Mr. Delacourt stated he did not have a recollection of a partial list of the potential districts being given approval or not. His understanding was that there was a list of 31 potential districts, with about six studies in process that did not receive a motion from Council for a study to begin. Anything in addition to that, should the Amendment be approved, would require the motion from Council. He noted he would go back and check the records.

Chairperson Hill stated she would like to review those Council Minutes because she remembered something about Council not being thrilled to have 31 properties on the Potential List, and although they took it under their wing, they were much more in favor of a short list.

Mr. Delacourt stated he would check the Council Minutes regarding the matter. He noted if the Ordinance Amendment were adopted, it would be his recommendation to the Study Committee, regardless of what happened in the past, that any new study started would go before Council.

Chairperson Hill stated if there were substantial evidence that indicated that Council had already approved a short list, those studies would not be affected. Mr. Delacourt stated that even if that was the case, with a new Council and a revised Ordinance, he would not have Study Committee reports show up that had not gone before the Council prior to being started. He would recommend the Study Committee follow the process identified in the revised Ordinance.

Chairperson Hill noted the Council President had mentioned at several Council Meetings that the studies should be completed and wrapped up, which she thought meant he seemed to be somewhat in favor of getting them completed so the City would know what resources it had, although there did not appear to be budgeted funds to complete all the studies.

Mr. Delacourt stated the Study Committee had been asked on several occasions to spend an enormous amount of time trying to work out the potential designation with the property owners, such as what designation meant, and the size of the parcel. He noted the Study Committee had held back several studies that were ready to go at the request of the property owners, as they worked it through. He explained that was part of the reason some of the studies were delayed.

Chairperson Hill referred to the possibility of modifying or reducing some of the contiguous districts, and stated she hoped that would happen as she thought people would feel more comfortable that the Historic Districts Commission was not trying to hang on to something that really did not belong in the District. She was also in favor of seeing other designations, but if there were areas that should be eliminated, perhaps that should happen. She stated she had seen other communities doing an excellent job of adding resources and recognizing their historic properties and the value of them within their communities. She noted that the recent conference she had attended discussed cultural tourism, and it was stressed that visitors to a community were looking for the broader picture and the value of the heritage of the historic structures and what they added to the community.

Mr. Thompson stated the Study Committee was trying to do their due diligence and were constrained by a small budget. At their last meeting, the Committee had discussed the direction they wanted to go and had priorities of which potential districts were at the most risk. Those are the ones the Committee studies first. He noted the Committee would like to get back to studying the contiguous districts to see if they could be reduced in size; however, conducting those studies versus a potential property facing development pressure had to be considered. He commented the Committee wanted to complete the studies as quickly as possible, but they also had to prioritize.

Dr. Stamps suggested the Study Committee members provide a thumbnail update to the Commission. He stated the Committee had been meeting with the property owners for the Stiles School and the Frank Farm. He noted that the Public Hearings had been held for both those properties. He commented that the family members associated with the Frank Farm were resistant to the potential designation, and the Stiles School owners were not sure if they did or did not want to be designated. He stated the Committee had researched some properties for delisting, but had heard there might be some development pressure for the National Twist Drill site, and had prioritized that site.

Mr. Delacourt stated the City's Preservation Consultants had begun studies on the National Twist Drill site and 2040 S. Livernois. The Stiles School and the Frank Farm properties will be scheduled for recommendation for designation on a City Council Agenda shortly. The Committee reviewed three potential delistings, of which one the State Historic Preservation Office (SHPO) agreed with the recommendation to delist, and the item was forwarded to City Council and delisted. After the Study Committee reviewed the SHPO and State Review Board comments and did some additional research on the other two properties, they decided not to delist one of the properties. The Committee has not made a decision on the other potential delisting at this time.

Mr. Delacourt explained the Study Committee took some time and scheduled a meeting with the State Historic Preservation Coordinator because there was confusion between the reviews conducted by the consultants and the State's comments, including what was eligible for tax credits. He noted the Study Committee decided not to move anything forward until they could get a better understanding of whether tax credits would be available to properties designated by the City that were not recommendation for designation by the State. He stated there appeared to be some confusion at the SHPO office because they were very adamant that designation is a local unit of government decision, but they were not as clear about once designated, if the State Review Board disagreed with the designation, whether tax credits would be available for those properties.

Mr. Delacourt stated that based on the meeting with the State Preservation Coordinator, both sides pledged to do a better job of communicating with each other throughout the process and to understand it. At this point, he was still not sure a clear answer had been given as to the question of if the City designated a property that the Review Board did not agree met the criteria, whether tax credits would be available for that property. The State was aware of the Committee's unhappiness with that situation because that made it appear it was not strictly a local unit of government decision. The Study Committee was hesitant to go forward until they had a better understanding of how that would work. It appeared that in order to receive the tax credits, the State was looking much closer at the National Register Standards than was previously sought for local designation.

Mr. Dziurman commented not just closer, but that the Committee follow those Standards period. Mr. Delacourt agreed that in order to receive the tax credits, regardless of whether it was locally designated, it should meet the National Register Criteria.

Chairperson Hill commented that once a report was written and sent to the State, if the State was in disagreement, she assumed that the State had looked at the reports and requests for designation, and determined that the properties meet the appropriate criteria, or the State would indicate it did not, which would send a signal back to the local unit of government that the State did not agree the resource met the criteria for designation. Otherwise, she did not understand the position, because if the State was willing to say the resource met the standards for designation, the local government would not be designating a non-contributing resource. It was her understanding that if it was a contributing resource, it qualified for tax credits.

Mr. Delacourt agreed one would think that would be the case, but it did not appear to work that way all the time.

Dr. Stamps asked which structure had been the test case for the Committee. Mr. Delacourt stated the question arose with respect to 920 South Boulevard. He explained the Committee had submitted four very-well written Preliminary Reports to the SHPO, and the State disagreed with the Committee's recommendation on three out of the four. Three reports were for delisting and one was for designation. It appeared to both the Committee and Staff that a higher standard was being used for designation, and even with properties that clearly fell below those standards, the State did not feel it was a good idea to delist them. He noted there appeared to be a difference, and that is what led to the tax credits question with respect to 920 S. Boulevard. The State did not feel that 920 S. Boulevard met the criteria, although it was a close call, but said it was the local unit of government's choice. Ultimately, it is the local unit of government's decision as the State does not determine, they only review. If the local unit felt the resource met the criteria, then the local unit should designate. The Committee then asked, if 920 S. Boulevard was designated, would the State consider it a contributing resource within a non-contiguous district and provide the tax credits. The State could not answer that question.

Chairperson Hill stated she would be surprised the State would refuse the tax credits. Mr. Delacourt clarified the State did not say they would refuse. Chairperson Hill stated she had heard of projects receiving the tax credits, and then there were others that had to revise their projects in order to receive the tax credits. She thought the non-answer could be taken as a positive rather than a negative. She noted that as long as the property owner was willing to do the appropriate work, she had not heard of too many projects there had been nixed.

Mr. Delacourt stated his concern was that when the recommendation was made to City Council to designate, the property owner and Council were told that once the property was designated, it would be eligible for tax credits providing the work was done appropriately. Chairperson Hill stated as far as she was aware, they were. Mr. Delacourt stated he would have appreciated a clearer response from the SHPO.

Chairperson Hill was not sure the SHPO could make any decision until they saw an actual plan and that the plan was or was not appropriate. Mr. Delacourt stated that the answer from the SHPO should have been "we don't know" and they would make a determination after the application is submitted. That was not an absolute benefit. He point was that no one at the State level would say for sure that if 920 S. Boulevard was designated, and if the process was followed, that the tax credits would be available.

Chairperson Hill pointed out that was not what the law said. Mr. Dziurman stated the State was being very strict on what they were going to do, because they did not want to give out the money. He indicated that was the directive the SHPO representatives said they had received from the Department of Treasury, which came from the Governor's Office. He stated they were working under constraints and were being very careful about what was approved. He thought the State had raised the bar.

Mr. Delacourt stated that was his concern, that the State was saying go ahead and designate what you want, and we will tell whether it gets tax credits later. Mr. Dziurman stated the Committee also had a situation where the SHPO staff disagreed with the Committee's recommendation, but the State Review Board agreed with the Committee's recommendation.

Mr. Delacourt stated the reason the Committee had invited the SHPO Coordinator to meet with them was to clarify why there was so much confusion. He noted the City had two very qualified preservation consultants and a very qualified Study Committee, and when the reports were sent to the State, he had a great amount of faith as City Staff that the potential resource met the requirements. Then to have three out four reports disagreed with by the SHPO was disconcerting.

Chairperson Hill asked if that was from SHPO, not the Review Board. Mr. Delacourt state the Review Board also disagreed with three out of four, and on one particular report, the SHPO and the Review Board disagreed with each other. He stated that was the Stiles School recommendation, which the Study Committee felt was rock solid in meeting the criteria. He explained it became disconcerting trying to deal with the property owner and City Council, and the fact that property owners wanted to know for sure what would happen if the property was designated, particularly when the qualified experts could not agree.

Mr. Miller stated it appeared to be a good idea to take the proposed Ordinance Amendment to Council. Mr. Delacourt stated he would recommend the Amendment be scheduled for a regular City Council meeting; invite the CLG Coordinator to attend, and put a nice package together on the benefits of the CLG. He stated he could also ask Kristine Kidorf to attend as she had a lot of experience with the CLG and the benefits CLG certification had for other communities. He stated he would also speak to Pat McKay from the Van Hoosen Museum because he

had an interest in the CLG and it could have an impact on the District and his work at the Museum. He noted the changes to the Ordinance would be highlighted, but the benefits would also be included. He stated if Council felt it necessary, they could set the matter aside for a joint meeting.

Mr. Dunphy asked if a joint meeting would still be scheduled with City Council. Chairperson Hill hoped a meeting could still be arranged, but noted Council did not have very many meetings left for the year. She would like to see a joint meeting scheduled for January 2009, and suggested Council could be invited to join the HDC at its January meeting before 2009 became too busy. She asked if Staff could forward a Memorandum to the Council President making the request. The Commissioners agreed they would like to ask Council to join the HDC for a joint meeting.

Chairperson Hill stated she had some concerns about both the contiguous and non-contiguous districts. She noted there were some things happening, with the shift in how the State was reviewing properties and districts and the concern about tax credits, whether some of the districts might be losing their context for being designated.

Mr. Delacourt asked if there were things being done that had not been approved by the Historic Districts Commission.

Chairperson Hill stated there were with some of the things she had seen. She felt the Commission should go over the districts and take a look at them. She thought some things had gone on in the Stoney Creek District that had not been approved.

Mr. Delacourt stated he did not have any updates and nothing had been brought forward. He noted if the Commissioners were aware of something that had happened, they should let either he or the City's Ordinance Enforcement Officers know. He commented if work was being done without approval, he would certainly like to know about it.

Mr. Dunphy stated it was the Commission's understanding that if someone pulled a permit and their property was designated, the Planning Department would be notified. Mr. Delacourt stated that was correct, but noted not all work required a permit. He commented that the City's Ordinance Enforcement Officers were aware of the Districts and did a good job of letting people know.

Chairperson Hill stated her concern was the big picture. Mr. Delacourt stated that could impact the integrity of the districts. He stated that most of the time, people were not aware certain work required a permit. He noted that a mass mailing had been sent to all the property owners in the districts about the revised Property

Owner's Guide and where it was available. He explained that Guide explained in great detail about what was acceptable and what required approval.

Chairperson Hill asked about the former Prewitt House (1046 E. Tienken) and whether it had changed hands again. Mr. Delacourt stated he had updated the Commission previously about a couple of self-described flippers who fixed and flipped, who came in and met with the Building Department, who he believed were the current owners. He stated they were well aware of the work that had to be done and had copies of the previously granted Certificates of Appropriateness. He noted those owners had not been back to the City since that time.

Chairperson Hill asked if the original Certificate of Appropriateness would still be valid. She noted much of the work had been stopped because no inspections had been requested from the Building Department. She asked if a new owner had the right to continue work.

Mr. Delacourt stated that normally a Certificate of Appropriateness would expire.

Chairperson Hill clarified any new owner would have to come before the HDC for approval for work on the exterior.

Mr. Delacourt stated that Staff had extended the Certificate of Appropriateness when there was good faith effort on the work. He believed no work had been done in a year, and it has always been the City Attorney's opinion that the clock on the one-year time frame began when no good faith effort was being made to complete the work. That is due to the fact that much of the work takes more than a year by its nature to complete, particularly for an individual property owner. He stated Staff had worked with the previous homeowner that as long as they were working in good faith to accomplish the tasks that were approved, to keep them going. He asked the HDC if they considered the Certificate of Appropriateness issued to the prior owner as still being appropriate.

Chairperson Hill stated she did not want to hold a long discussion on that issue at this meeting, but those were some of her concerns. She was also curious about the house on Crooks Road.

Mr. Delacourt stated that if Chairperson Hill was referring to Mr. Dunn's property at 1841 Crooks Road, Mr. Dunn's builder had recently come in and was given another copy of the Certificate of Appropriateness, and had pulled a building permit.

Chairperson Hill asked about the Gilbert property on Rochester Road, and stated she did not know how it stood with the Planned Unit Development (PUD) process or whether the PUD was ready to expire since nothing had happened.

Mr. Delacourt stated that the PUD Agreement ran with the property. Chairperson Hill stated she thought there was a time limit on PUD Agreements. Mr. Delacourt stated there were time frames based on significant construction. Chairperson Hill stated that nothing other than Phase I being completed, and Phase II had never been started.

Mr. Delacourt stated as far as he was aware the PUD Agreement was in good standing unless the City or the applicant acted to have it revoked. He explained someone would have to move to revoke the Agreement as it was recorded with Oakland County and ran with the land.

Chairperson Hill stated she thought some of the PUD Agreements had a time frame on them. Mr. Delacourt agreed some did; however, the Gilbert one referenced significant construction within two years, which is how it was finally negotiated with City Council. He did not believe PUD Agreements automatically expired, but rather the City would have to go back and have it revoked or terminated null and void.

Chairperson Hill stated she felt the Commission needed to have a discussion about the districts and what was happening in them and how they felt they were going. She felt it was important to the owners of the districts, and if they were losing their context and were no longer contributing, they may have a problem as far as being eligible for the tax credits. She stated the Commission would be remiss in not looking at that.

Mr. Delacourt suggested that any district the Commissioners wanted to receive an update on, he could put a list together or provide information for the next meeting. He requested the Commissioners let him know their questions.

Chairperson Hill suggested the Commission discuss these matters at the next meeting, which would allow the Commissioners to be more updated and informed about the districts when the joint meeting is scheduled with City Council. Mr. Miller agreed the Commissioners should schedule that discussion for the next meeting Agenda. Chairperson Hill agreed it would be a good discussion.

Mr. Delacourt suggested that specific questions the Commissioners might have about the districts be provided to Staff prior to the meeting. He noted if there were legal issues involved, he might ask the City Attorney to attend the meeting.

Chairperson Hill stated the Commission could quickly review the list, and noted there were some districts that were part of development projects and the Commission could receive an update of the status of those projects. She stated some districts had some individual things happening, and suggested the Commissioners take a look at the districts.

Mr. Dunphy asked if the Commission had decided to go forward with the request for the Ordinance Amendment prior to a joint meeting with City Council. Mr. Delacourt stated it appeared there was a consensus among the Commissioners to move the Ordinance Amendment forward to Council, which he would do.

Chairperson Hill requested that the Commissioners be advised of the meeting date when the Ordinance Amendment is scheduled because she thought it was important the Commissioners attend that Council meeting.

This matter was Discussed

10. ANY OTHER BUSINESS

Chairperson Hill called for any other business.

Dr. Stamps suggested the Commission empowered the Chairperson to reach out to the local preservation groups who are holding programming events in the Community. He stated one group had a speaker a month or two ago talking about historic preservation, which the Commission could have supported. He thought there was an event in the City of Rochester identifying key features and structures, and the Commission could have supported and strengthened them. Even though they were two separate cities, perhaps history and historic preservation could bridge the gap. He noted if they were bringing in resources, it would be nice to share those resources, just as they would be invited to join in any activities or events put on by the Commission.

Chairperson Hill agreed, noting it was one large area that would benefit everyone.

Chairperson Hill called for any other business. No other business was presented.

11. ADJOURNMENT

Upon motion duly made and seconded, Chairperson Hill adjourned the meeting at 9:30 PM.

Melinda Hill, Chairperson
City of Rochester Hills
Historic Districts Commission

Judy A. Biak, Recording Secretary

Approved as _____ at the _____ Regular Historic Districts Commission Meeting.

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT