



Rochester Hills Minutes

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

Historic Districts Study Committee

Chairperson Jason Thompson, Vice Chairperson Dr. Richard Stamps

Members: John Dziurman, James Hannick, Peggy Schodowski, LaVere Webster, Murray Woolf

Thursday, March 12, 2009

5:30 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

Committee Secretary Derek Delacourt called the meeting to order at 5:35 PM.

2. ROLL CALL

Present 5 - John Dziurman, LaVere Webster, Peggy Schodowski, James Hannick and Murray Woolf

Absent 2 - Richard Stamps and Jason Thompson

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

Mr. Delacourt stated that in view of the fact that the Study Committee's Chairperson and Vice Chairperson were both absent, he would serve as Acting Chairperson, noting he was the duly elected Secretary of the Committee.

3. DETERMINATION OF A QUORUM

Acting Chairperson Delacourt stated for the record that a quorum was present.

Acting Chairperson Delacourt welcomed Mr. James Hannick and Mr. Murray Woolf to the Committee. He stated that both gentlemen had recently been appointed by City Council to complete the two vacancies left by Mr. Kibby and Mr. King, with terms that expire December 31, 2009.

The Study Committee members introduced themselves to the new members.

4. APPROVAL OF MINUTES

4A. 2008-0658 September 11, 2008 Regular Meeting Minutes

Acting Chairperson Delacourt asked for any comments or corrections regarding the September 11, 2008 Regular Meeting Minutes. Upon hearing no comments or corrections, he called for a motion to approve.

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

Aye 5 - Dziurman, Webster, Schodowski, Hannick and Woolf

Absent 2 - Stamps and Thompson

RESOLVED that the Minutes of the September 11, 2008 Regular Historic Districts Study Committee Meeting be approved as presented.

4B. 2009-0016 December 11, 2008 Regular Meeting Minutes

Acting Chairperson Delacourt asked for any comments or corrections regarding the December 11, 2008 Regular Meeting Minutes. Upon hearing no comments or corrections, he called for a motion to approve.

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

Aye 5 - Dziurman, Webster, Schodowski, Hannick and Woolf

Absent 2 - Stamps and Thompson

RESOLVED that the Minutes of the December 11, 2008 Regular Historic Districts Study Committee Meeting be approved as presented.

5. ANNOUNCEMENTS/COMMUNICATIONS

- A. Ordinance No. 527 (Amendment to delete 56187 Dequindre)
- B. Ordinance No. 528 (CLG Related Amendments)
- C. P. Davis Updated Information re 2040 S. Livernois MOA
- D. MHPN Network News, January 2009 Edition
- E. 51st Annual Michigan in Perspective Conference Brochure
- F. Oakland Co. Movement and Migration Presentation Information
- G. The Rochester Era, March/April 2009 Edition

Acting Chairperson Delacourt 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. NEW BUSINESS

Acting Chairperson Delacourt suggested that Agenda Items 8B (3976 S. Livernois - Stiles School) and 8C (Frank Farm) be moved ahead on the Agenda as there were members of the audience who were in attendance for each of those specific projects.

The Study Committee members agreed to move Agenda Items 8B and 8C ahead on the Agenda.

8B. 2005-0537 3976 S. Livernois (Stiles School)
- Discussion re Presentation of Final Report to City Council

Acting Chairperson Delacourt summarized that the Preliminary Report had been prepared for this property; a Public Hearing held; the report was ready to be presented to City Council, and a discussion would be held about which of the Committee members were willing to assist with the presentation before City Council.

Acting Chairperson Delacourt noted that nothing had been changed in the report since the Public Hearing was held, and asked if there were any issues or concerns or if any additional information was available about the property.

Ms. Katherine Thivierge, Administrator for the Oakland Steiner Schools, 3976 S. Livernois, was present. She stated the School had some concerns, although they valued the historical portion of the building that was built in 1929. The School felt that designation would put an economic burden on the School, and also felt that the area proposed for designation was too wide because it included property that was currently being used as soccer fields. The School did not feel that was what was historical.

The Committee discussed the fact the 1929 portion of the building was designed by architect Frederick Madison, who designed several school buildings in Royal Oak that were subsequently demolished. The interior of the 1929 school building contains Flint Faience tiles, which could have more importance than the better-known Pewabic tiles. At the time it was built, the school played a large role in the Community and its development. Ms. Schodowski explained that although the additions to the 1929 building did not add much visually, they had gained their own historic significance over the years.

Acting Chairperson Delacourt explained that the charge of the Committee was to make a recommendation to City Council about whether the property met the National Register criteria for designation based on their research. Both the Committee and the City's consultant had determined that the property met two of the four National Register criteria. The National Register Guidelines do indicate that the designation should include any additions to the structure.

Ms. Thivierge asked that a copy of the National Register Guidelines be provided to the School. Acting Chairperson Delacourt stated a copy would be mailed to Ms. Thivierge.

Acting Chairperson Delacourt explained that issues of economics did not fall within the purview of the Study Committee, but rather those were issues that were considered by the legislative body. He asked if there was any new or additional information that had been discovered about the property since the report was prepared. He noted the School had received some comments from their insurance company and asked if the insurance company had given anything to the School in writing that could be included in the report when it was presented to City Council. No additional information was provided.

Acting Chairperson Delacourt stated that since there was nothing to add to the report, it would be scheduled for a City Council Agenda. He explained that City Council would allow public comment on the matter, and would also be provided copies of the Minutes from the Public Hearing held by the Study Committee.

Acting Chairperson Delacourt stated a draft PowerPoint presentation was included with the packet materials. Mr. Dziurman stated he would assist in the preparation of the PowerPoint presentation and with making the presentation to City Council. Acting Chairperson Delacourt stated he would inform the Committee of the Council meeting date.

Mr. Dziurman explained to Ms. Thivierge that the Committee would be making a recommendation to designate to City Council. He noted City Council would make the final determination on whether the property should or should not be designated. He advised Ms. Thivierge that she and any other representatives from the School who attended the City Council meeting would have an opportunity to speak on the matter.

The Committee discussed the background on how the report came to be prepared. While the property was still owned by the Avondale School District, it came under development consideration. At that time, the Steiner School was a tenant in the building, and those associated with the Steiner School sought designation in an effort to save the school. The study commenced; the report was prepared, and the next step in the process was to take the recommendation to City Council. The Steiner School would have an opportunity to speak and voice their opinion at the Council meeting.

The Committee discussed the fact that City Council was known to be fair, and some Council members were aware of the historical value of the school.

Ms. Thivierge stated she understood and noted there was no point to arguing the Steiner School's position at this time.

Acting Chairperson Delacourt advised Ms. Thivierge that her points were valid, but that the Committee had a very narrow charge. The Committee would make their presentation and discuss the reasons why the property met the criteria. City Council wanted the Committee to make a recommendation and to see the presentation about why it was important. However, Council would also take the School's concerns into consideration.

The Committee noted the property had been on the City's Potential List for study. Acting Chairperson Delacourt stated that while the property was owned by the Avondale School District, it was exempt from local designation. The property was now under private ownership. The school district had put the site up for sale, and a private developer considered the site for a commercial development. The property was moved up on the potential list for study, partly facilitated by the Steiner School community support for the study.

The Committee noted that the developer backed off from his offer on the property, and the Steiner School subsequently purchased the property. Mr. Dziurman explained that even though the Steiner School was a non-profit, there were some positive things that could happen as a result of the local designation. He explained that through a private individual partnership, the school could qualify for tax credits. He stated that by taking advantage of a private partnership, the school could be eligible for Michigan tax credits for things such a new furnace or a new roof. They could not destroy the original historical items, but could even use tax credits for things like kitchen cabinets. He stated he wanted to point out there were some positive aspects to local designation.

Acting Chairperson Delacourt stated that designation would require an additional layer of review and approval by the Historic Districts Commission (HDC). However, if at any time the School felt aggrieved by an HDC decision, or felt an inappropriate decision had been made, there was an appeals process. Furthermore, if the School felt it had been significantly aggrieved, the School could ask City Council to delist the property.

Acting Chairperson Delacourt explained that the additions would be considered non-contributing resources, and the HDC would review any work done on the additions to ensure the work did not negatively impact the contributing resource. Mr. Dziurman added that if the site were designated, the School would work with the HDC, not the Study Committee. Ms. Thivierge acknowledged she understood that.

The Committee noted that the Avondale School District had intended to bulldoze the entire building down, and the school building would not still be there if it had

not been for the study. Ms. Thivierge stated that the Steiner School loved the 1929 building.

Acting Chairperson Delacourt summarized that Mr. Dziurman would assist with the completion of the presentation, and would make the presentation to City Council. Ms. Schodowski stated she could assist with the Council presentation if the matter was scheduled for the April 27th Council meeting.

Mr. Woolf commented that his wife taught in the Rochester Community School District, and she had heard about the fireplace and murals at the Stiles School. Acting Chairperson Delacourt agreed everyone loved the historical portion of the building.

Ms. Schodowski stated she was aware of how much the Steiner School loved the building and that they would take care of it.

Ms. Thivierge noted the Steiner School was a non-profit, and they were struggling in the current economy, and with their economic obligations for the future. She stated their insurance company had told the School it was likely their rates would increase because of the designation.

Mr. Dziurman explained that the HDC was there to help the designated property owners, and would go out of their way to do so. He thought it was a common misconception that the HDC only tried to make property owners spend extra money. He pointed out that because of age and time, the additions to the 1929 school building had achieved some historical significance.

Acting Chairperson Delacourt stated that the HDC could be a valuable resource, and suggested even if the School was not designated, the School administrators could still come and talk to the Commission about potential renovations. He noted the Commission did not want to have a contentious relationship with any property owner.

Acting Chairperson Delacourt suggested if there was anything the Steiner School would like to have included in the information provided to Council, they could forward it to the Planning Department. He thanked Ms. Thivierge for attending the meeting and providing the School's input.

Ms. Thivierge departed midway through the discussion on the following Agenda Item, Item 8C (Frank Farm).

This matter was Discussed

8C. 2006-0425

Frank Farm

- Discussion regarding Presentation to City Council

Acting Chairperson Delacourt stated the Committee would discuss the report prepared for the Frank Farm properties. He summarized the Preliminary Report had been completed; the Public Hearing held, and the matter was ready to be presented to City Council with a recommendation. He noted a representative of the property owner, Ms. Anita Holtz, was present. Ms. Holtz had attended other Study Committee meetings to discuss and understand the potential designation.

Acting Chairperson Delacourt stated the presentation on the Frank Farm might be scheduled for the same Council meeting as the Stiles School, although that would depend on the number of items Council had scheduled that meeting. He noted the Council President set the Council Agenda.

Ms. Anita Holtz, 1290 E. Auburn Road, stated she had attended the meeting to find out where the matter stood; if the recommendation was to designate, and what the next step would be.

Mr. Dziurman explained the next step in the process was to make the presentation to City Council.

Ms. Holtz stated the farm property was much grander thirty years ago, before the loss of the barn.

Acting Chairperson Delacourt stated that some flexibility was provided in the City's Master Plan for designated properties. He discussed another project in the City that involved a designated property. In that particular project, the developer agreed to restore the historic house on the site and use the house as its corporate offices. The flexibility provided because of the historical designation allowed that developer to construct sixty residences, which was about twice what would have been allowed through the Zoning Ordinance.

Ms. Holtz asked if any response had been received from the property owner of 1304 E. Auburn Road. She was advised that property owner was noticed for each meeting, but had never contacted the City.

Acting Chairperson Delacourt asked if Ms. Holtz had the opportunity to discuss the designation with Ray Frank, owner of 1356 E. Auburn Road. Ms. Holtz stated she was becoming the next torchbearer for the property, as Mr. Frank's grandson had moved from the property. She was contemplating cleaning up the house and taking it over and making it her permanent residence. She noted she would be the sixth or seventh generation of the Frank Family to reside on the property. She stated if her plans did not work out, the family had talked about donating the property as some type of educational farmstead.

Acting Chairperson Delacourt stated that if the property were designated, the City would have the right to enter the property and mothball it to stabilize the structure. He explained the "demolition by neglect" provisions of the Historical Preservation Ordinance, which were utilized under circumstances where clear damage was occurring to a contributing resource. He noted a Court Order was required in order for the City to enter a property under those circumstances.

Ms. Holtz stated the 1304 E. Auburn Road property was clearly blighted at the current time. She commented it was hard to compare its current condition to what it was before. She noted the front porch had fallen off the home.

The Committee noted it would be nice to find an alternate use for the property. The Historic Districts Commission (HDC) tried to help property owners and there were advantages to re-use. The property should be looked at to see how it could be reused.

Ms. Holtz stated she had resided in Florida for twenty-five years, and had moved back to Michigan because of her mother's deteriorating health. She noted she had a strong attachment to the property. She indicated 1304 E. Auburn Road was Ray Frank's mother's home. She was considering taking over and living on the property, with a view toward it becoming a nice, alternative-farming center. She noted the land had never been touched by chemicals, and pointed out the recent growth of organic restaurants.

Mr. Dziurman noted the potential for Ms. Holtz to work with those restaurants and grocers who wanted organic produce.

Ms. Holtz stated she was familiar with the owner of the Busy Bee Farm on Rochester Road, who was in his 90's, and who could teach her beekeeping, and she was considering replanting fruit trees on the property.

Acting Chairperson Delacourt stated that tax credits might be available for restoring an orchard.

Ms. Holtz stated she would like to have the 1304 E. Auburn Road house back, as that was the house her father was born in. She commented the current owner, Harry Daley, recently had a dumpster delivered to the site, and had installed new windows. She was considering turning the property back to an active farm that she could manage, including organic products and perhaps using a fruit stand to sell produce on the property.

Acting Chairperson Delacourt stated that a property owner in the Winkler Mill Pond Historic District was in the process of restoring a former orchard. That property

owner had contacted the State, and was informed tax credits were available for the removal of brush and the purchase of historical orchard trees, because the property was being restored to its historical farming use. He wanted Ms. Holtz to be aware the State did consider those activities to be eligible for tax credits.

Ms. Holtz stated she would see what City Council decided. She commented Ray Frank still did some farming on the property. She discussed the growing of tarragon, and the heritage asparagus that still existed on the property.

Ms. Schodowski stated the school her children attended had a small organic farm and the parents participated and shared in the work.

Ms. Holtz stated the property was no longer large enough to sustain livestock, which would prevent it from being a living, working farmstead. The Committee noted a non-animal farm was still a valuable learning experience.

Acting Chairperson Delacourt stated the discussion had been very positive, and the matter would be scheduled for a City Council meeting.

Ms. Holtz stated she thought a negative was being turned into a positive. She now saw the significance of the property and its rarity in the area going back to its roots. She noted when she attended the Public Hearing, she thought designation could be too restrictive for the heirs of the property. Now she saw things differently, although her comments at the Public Hearing would not reflect that change.

Acting Chairperson Delacourt suggested Ms. Holtz could send something to Council prior to the meeting indicating her current thoughts.

Ms. Holtz commented she had previously objected to the designation, although Ray Frank wanted the property to be historical. Mr. Dziurman stated Mr. Frank was on the Historic Districts Commission when he was first appointed back in the 1980s. The question was asked whether Mr. Frank would be able to attend the City Council meeting. Ms. Holtz stated he was very hard of hearing, but she would ask him if wanted to attend.

Mr. Webster stated he had talked to Ms. Holtz' mother several years ago and her mother was ecstatic that someone had called her about it. Ms. Holtz agreed the property meant a great deal to them.

Ms. Holtz stated there used to be a Centennial Farm plaque in front of the property that had rotted and disintegrated. She asked if it would be possible to get another sign. She noted the Brooklands School used to be called the Frank School, and it was across the street from the Ferry Seed property.

This matter was Discussed

(Depart Ms. Holtz: 6:35 PM)
(Arrive Dr. Stamps: 6:35 PM)

Present 6 - Richard Stamps, John Dziurman, LaVere Webster, Peggy Schodowski,
James Hannick and Murray Woolf

Absent 1 - Jason Thompson

7. NEW BUSINESS

Acting Chairperson Delacourt stated the Committee would return to Agenda Item 7A (Joint Meeting - City Council, HDC, HDSC).

7A. 2009-0109 Joint Meeting - City Council, HDC, HDSC
- Discussion

Acting Chairperson Delacourt stated he had spoken to the City Council President about the joint meeting. President Hooper suggested a meeting packet be prepared that included a short Agenda Summary, and copies of the Historical Preservation Ordinance, the District Map, and the Secretary of Interior's Standards.

The Agenda Summary would include a brief description of the Committee and the Commission, their respective charges and processes. The Joint Meeting would not be an opportunity to debate any current study, nor to debate the merits of any current study. The members would discuss the process and procedures of both boards, and the Certified Local Government (CLG) application and its process. The Commission would also discuss its public information and education efforts, as well as the process of demolition by neglect.

The purpose of the joint meeting was so everyone could understand what each Board did. Time will be allocated for a question and answer period. The meeting will be set up in the back of the auditorium, and will be televised.

Mr. Dziurman suggested another topic of conversation could be tax credits, which is a positive benefit to the designated property owners. He noted he had a copy of the slide presentation used by the State of Michigan Coordinator for his brief tax credits presentation at the Commission's Open House in May of 2007.

Acting Chairperson Delacourt stated the suggestion would be passed along to the Council President. He noted the Committee Members could email any other discussion topics or copies of information they wanted to provide to Council prior to the meeting.

Ms. Schodowski stated a discussion about what designation really meant might be helpful as many people were so resistant to the idea, and did not understand there

could be benefits associated with the designation. She noted in the case of the Frank Farm property, the property's representative had time to consider the idea and had completely changed her mind about it.

Mr. Webster noted that communities in New England had much stricter standards and design guidelines, and designated property owners had many complaints. That was not the case in this City.

Mr. Dziurman noted the Commission had to follow the Secretary of the Interior's Standards. He stated that when a Commission decision had been appealed to Court, the City won because the Commission was so consistent in its application of the Standards.

Acting Chairperson Delacourt stated those were all good comments for the joint meeting discussion. He suggested Dr. Stamps might want to discuss the archeological aspects of historic preservation, particularly the fact that history that is not seen can be associated with an area.

This matter was Discussed

7B. 2008-0663

National Twist Drill

- 6875 N. Rochester Road
- 6841 N. Rochester Road
- Review Preliminary Report

Acting Chairperson Delacourt noted that Preliminary Reports had been prepared for both the National Twist Drill property and 2040 S. Livernois. He asked if the Committee wanted to proceed with the process outlined under the old Ordinance, or whether they wanted to move forward under the recently revised Ordinance. The revised Ordinance required City Council's approval motion prior to beginning a study.

Mr. Dziurman stated that the Twist Drill property was a really important piece of property in the City, and perhaps the City could work with the property owner to find another use. He thought the site would make a great movie studio. He thought City Council should be included as part of the discussion.

Dr. Stamps concurred noting the process began under the old Ordinance and was moving along, but it was a good idea to advise Council the properties were under study and get Council's input.

Acting Chairperson Delacourt stated the five studies underway could be discussed at the joint meeting, including the fact the Committee had been working with the property owners of two of the studies; one study was a proposed delisting, and two studies were just at the Preliminary Report stage. The joint meeting was more of an informal meeting, and Council would not be required to vote on any matter at that

time. The Ordinance process would also be discussed, which would allow both boards to review the process. The Committee agreed a clear idea of how Council wanted the Committee to proceed was necessary.

Acting Chairperson Delacourt summarized the Committee would hold the Preliminary Reports on the National Twist Drill and 2040 S. Livernois until after the joint meeting discussion. No Public Hearings would be scheduled at this point. Both matters would be rescheduled for the April Study Committee Meeting.

Mr. Dziurman suggested a joint meeting should be held with the City's Planning Commission regarding the National Twist Drill property. He asked if there were any other City Boards or Commissions that should be aware of the significance of the site. Dr. Stamps thought there could be some economic benefit from development of the site.

Acting Chairperson Delacourt stated that could be discussed at the joint meeting.

This matter was Discussed

**7C. 2007-0313 2040 S. Livernois
- Review Preliminary Report**

Acting Chairperson Delacourt noted that Preliminary Reports had been prepared for both the National Twist Drill property and 2040 S. Livernois. He asked if the Committee wanted to proceed with the process outlined under the old Ordinance, or whether they wanted to move forward under the recently revised Ordinance. The revised Ordinance required City Council's approval motion prior to beginning a study.

Mr. Dziurman stated that the Twist Drill property was a really important piece of property in the City, and perhaps the City could work with the property owner to find another use. He thought the site would make a great movie studio. He thought City Council should be included as part of the discussion.

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Acting Chairperson Delacourt stated that could be discussed at the joint meeting.

This matter was Discussed

8. UNFINISHED BUSINESS

- 8A. 2007-0392 1207 N. Livernois
- Discussion regarding delisting or leaving designation

Acting Chairperson Delacourt indicated that due to the fact some of the Committee members had another meeting to attend at 7:30 PM, this matter would be rescheduled to the next Study Committee Meeting.

This matter was Discussed

9. ANY OTHER BUSINESS

- 9A. 2009-0017 Election of Officers

- (1) Election of Chairperson:

Acting Chairperson Delacourt opened the floor for nominations for the position of Chairperson. Dr. Stamps nominated Jason Thompson, seconded by Mr. Webster. There being no other nominations, the floor was closed for nominations. Jason Thompson was unanimously elected to the office of Chairperson of the Historic Districts Study Committee for a term ending December 31, 2009.

- (2) Election of Vice Chairperson:

Acting Chairperson Delacourt opened the floor for nominations for the position of Vice Chairperson. Mr. Dziurman nominated Dr. Stamps, which was duly seconded. There being no other nominations, the floor was closed for nominations, and Dr. Stamps was unanimously elected to the office of Vice Chairperson of the Historic Districts Study Committee, for a term ending December 31, 2009.

(3) Election of Secretary:

Acting Chairperson Delacourt explained it was common practice for Boards and Commissions to nominate City Staff for the position of secretary, and the nomination of the Planning & Development Department was so made and seconded. There being no other nominations, the floor was closed for nominations and the Planning & Development Department was unanimously elected to the office of Secretary of the Historic Districts Study Committee for the term ending December 31, 2009.

This matter was Approved

9B. 2009-0018 Establish 2009 Meeting Schedule

After a brief discussion, and upon motion duly made, the Committee established their 2009 Regular Meeting Schedule.

This matter was Approved

Aye 6 - Stamps, Dziurman, Webster, Schodowski, Hannick and Woolf

Absent 1 - Thompson

RESOLVED that the Rochester Hills Historic Districts Study Committee establishes its 2009 Regular Meeting Schedule as follows:

The meetings will be held on the second Thursday of each month at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan, and will begin at 5:30 PM Michigan Time.

2009 Meeting Dates

January 8, 2009	July 9, 2009
February 12, 2009	August 13, 2009
March 12, 2009	September 10, 2009
April 9, 2009	October 8, 2009
May 14, 2009	November 12, 2009
June 11, 2009	December 10, 2009

10. ADJOURNMENT

Upon motion duly made and seconded, Acting Chairperson Delacourt adjourned the meeting at 7:15 PM.

Derek Delacourt, Acting Chairperson
City of Rochester Hills
Historic Districts Study Committee

Judy A. Biak, Recording Secretary

{Approved as _____ at the _____, 2009 Regular Historic Districts Study Committee Meeting}

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