



Rochester Hills Minutes

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Historic Districts Commission

Chairperson Brian R. Dunphy, Vice Chairperson Maria-Teresa L. Cozzolino
Members: John Dziurman, Nicole Franey, Micheal Kilpatrick, Melissa Luginski, Paul Miller, Dr. Richard Stamps, Jason Thompson

Thursday, July 16, 2009

7:00 PM

1000 Rochester Hills Drive

(This meeting was Rescheduled from July 9, 2009)

MINUTES of the RESCHEDULED 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 Dunphy called the meeting to order at 7:00 PM.

2. ROLL CALL

Present 9 - Maria-Teresa Cozzolino, John Dziurman, Paul Miller, Richard Stamps, Micheal Kilpatrick, Brian Dunphy, Jason Thompson, Nicole Franey and Melissa Luginski

Also Present: Derek Delacourt, Deputy Director, Planning Department
Paul Davis, City Engineer, Engineering Department
Paul Shumejko, Transportation Engineer, Engineering Department
Jeff O'Brien, Road Commission for Oakland County
Judy A. Bialk, Recording Secretary

3. DETERMINATION OF A QUORUM

Chairperson Dunphy announced a quorum was present.

4. STATEMENT OF STANDARDS

All decisions made by the Historic Districts Commission follow the guidelines of the Secretary of the Interior's Standards for Rehabilitation, MLHDA Section 399.205, and local Ordinance Section 118-164(a).

5. APPROVAL OF MINUTES

Chairperson Dunphy asked for any comments or corrections to the June 11, 2009 Regular Meeting Minutes. Upon hearing none, he called for a motion to approve.

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

Aye 9 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Thompson, Franey and Luginski

RESOLVED that the Minutes of the June 11, 2009 Regular Historic Districts Commission Meeting be approved as presented.

6. ANNOUNCEMENTS/COMMUNICATIONS

Chairperson Dunphy called for any announcements or communications. He stated the Commissioners had received current copies of the By-Laws and the Secretary of Interior's Standards for reference.

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

7. PUBLIC COMMENT (Non-Agenda Items)

Chairperson Dunphy asked if there were any public comments. He reminded the audience members in attendance that if they wished to speak on any non-Agenda items, they should complete a speaker's card and turn it in to the recording secretary. There were no public comments.

Chairperson Dunphy stated that if any member of the audience wished to speak on an Agenda item, they should also complete a speaker's card and provide it to the recording secretary.

8. NEW BUSINESS

- 8A. 2009-0269 Location: 1520 Mill Race Road
 Sidwell: 15-01-100-014
 File No.: HDC 09-001
 Applicant: Larry C. Lizzet
 Request: Certificate of Appropriateness
 1. Demolition of portions of existing resource
 2. Renovation of and additions to existing resource
 3. Demolition of existing outbuilding (potential)

Chairperson Dunphy read the request for the record and invited the applicant to come forward to the presenter's table to discuss his application. He asked for a brief summary from Staff.

DRAFT DRAFT Mr. Delacourt stated the applicant was requesting two Certificates of Appropriateness; one for the demolition of portions of the existing structure, and

one for the approval of new additions and renovations of the structure. He explained a third Certificate of Appropriateness might be requested because the applicant was considering the removal of an out structure on the property. He stated he had provided a sample motion in the packet materials should the applicant make that request. He noted survey sheets for the buildings associated with the subject address had been included in the packet.

Larry Lizzet, 1253 Stone Barn Road, Milford, Michigan 48380 was present representing the property owner. He explained the existing house was about a 2900 square foot ranch that was being remodeled with a second story of about 1800 square feet. They would be adding about 500 square feet on the first floor that would include a sunroom and a front entry. In order to accommodate some of the construction, it was easier to demolish one wing of the existing house down to the foundation. When complete, the total square footage would be around 6000 square feet.

Chairperson Dunphy mentioned that the information provided in the packet indicated that the subject property was a non-contributing resource in the Stoney Creek Historic District.

Mr. Lizzet pointed out that the existing house could not be seen from any other adjacent properties or from the road because of the trees and vegetation on the site.

Ms. Luginski asked about the size of the subject parcel. Mr. Lizzet thought it was a five-acre parcel.

Mr. Miller stated he did not have any issues with the plans for expanding the house and applauded the applicant for building up rather than out. He asked if the out building predated the construction of the existing house. Mr. Lizzet stated the house was built in 1973, and he was not that familiar with the outbuilding other than the fact the homeowner had expressed a desire to demolish it after the new construction was completed. He commented it looked like an old frame garage that would not fit with the new construction.

Mr. Miller asked if there was any other information about the outbuilding other than what was contained on the survey sheet. Mr. Delacourt indicated there was not.

Ms. Cozzolino asked if the existing home could be seen from the street during the winter months. Mr. Lizzet indicated it could not because of the number of pine trees, and the fact the house itself sat far back on the site.

Dr. Stamps stated he appreciated the applicant helping to maintain the value of the District and felt was a positive action to improve the value of the District and he did not have any reservations about the plan as presented.

Mr. Thompson asked if the various motions should be considered separately. Chairperson Dunphy thought it was more manageable to handle each motion separately.

Mr. Dziurman asked about the color for the garage door as the plans indicate the doors will be painted. Mr. Lizzet stated that generally everything would be earth tones or neutral colors.

Ms. Cozzolino verified that the home would not be seen from the street even with the addition of a second story. Mr. Lizzet stated that was correct.

Mr. Dziurman stated that he had less technical questions to ask because of the fact the home was a non-contributing resource. He explained he would normally ask for more detail and require color samples. He assumed the applicant did not have color samples with him. Mr. Lizzet stated he did not.

Mr. Dziurman thought the same questions should be asked for this structure that would be asked for all other structures in the District, even though the subject home was non-contributing. He understood the home was non-contributing and could not be seen from the road, but he wanted to have a more defined definition of the colors that would be used. Mr. Lizzet stated the homeowners were very conservative and everything would be earth tones or neutral colors.

Mr. Dziurman stated there were many different shades of white. He commented the Commission was very detailed when it came to contributing homes in the District, and felt he should be consistent.

Dr. Stamps stated he also liked to be consistent, but with respect to non-contributing resources he was a little more lenient. Especially in this instance where the structure was set back on the parcel and could not be seen, he would feel comfortable moving forward without paint chips.

Mr. Dziurman asked the applicant if it would affect his schedule if he was requested to submit paint chips. Mr. Lizzet replied that would probably not affect them as their schedule was to start construction as soon as everything went through the City. He stated he had already told the homeowners they would have to select the roof and shingle colors and in order to do that, they would have to select a siding color. The homeowners have some idea, but did not have specifics yet. He suggested they could submit colors in the next couple of weeks if that was requested.

Mr. Dziurman stated he did not want to make this a big issue, but it was an issue of consistency. He suggested if anything is approved at this meeting, it be conditioned on the applicant submitting samples to ensure they match the earth tones.

Chairperson Dunphy called for any other questions or discussion. Upon hearing none, he called for a motion. Mr. Thompson proposed the following motion, seconded by Mr. Miller. Chairperson Dunphy called for discussion on the proposed motion on the floor. Upon hearing no discussion, Chairperson Dunphy called for a roll call vote.

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

Aye 9 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Thompson, Franey and Luginski

RESOLVED in the matter of File No. HDC 09-001, that the Historic Districts Commission **APPROVES** a request for a Certificate of Appropriateness to allow the removal (demolition) of portions of the home located at 1520 Mill Race, Parcel Identification Number 15-01-100-014, with the following Findings and Conditions:

Findings:

1. The existing 1973 home is a non-contributing resource located within the Stoney Creek Historic District.
2. The removal of the indicated portions of the existing resource will not have a negative impact on the character of the Stoney Creek Historic District.
3. The removal of the indicated portions of the existing resource (home) are applicable under the Secretary of the Interior's Standards #2 (i.e. "2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided") as the resource does not contribute to the Stoney Creek Historic District.

Conditions:

1. The demolition shall be completed in accordance with the plans dated received by the City's Planning & Development Department July 7, 2009.
2. Prior to removal of any portions of the existing non-contributing resource, the applicant will obtain all appropriate permits and approval of the proposed work plans from the City's Building Department.

2009-0269

Mr. Thompson moved the following motion, seconded by Mr. Miller. Chairperson Dunphy called for discussion on the proposed motion on the floor. Upon hearing no discussion, Chairperson Dunphy called for a roll call vote.

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

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Aye 9 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Thompson, Franey and Luginski

RESOLVED in the matter of File No. HDC 99-011, that the Historic Districts Commission **APPROVES** the request for a Certificate of Appropriateness for the construction of additions to the non-contributing resource located at 1520 Mill Race, Parcel Identification Number 15-01-100-014, with the following Findings and Conditions:

Findings:

1. The existing home with the construction of the new additions will remain a non-contributing resource within the Stoney Creek Historic District.
2. The plans for the additions appear to be compatible in mass, height, scale and design features with the other existing resources in the District.
3. The additions will not have a detrimental effect on the existing resources in the surrounding area or on the District itself.
4. The proposed design, texture and materials of the additions and rehabilitation are compatible with the existing structure and similar resources within the District.
5. The proposed additions and rehabilitation of the existing non-contributing resource are in keeping with the Secretary of the Interior's Standard for Rehabilitation and Guidelines Numbers 9 and 10 as follows:
 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Conditions:

1. The new construction shall be completed in accordance with the plans dated received by the City's Planning & Development Department July 7, 2009.
2. All materials, colors and design shall be in accordance with the plans dated received by the City's Planning & Development Department July 7, 2009. Materials have been noted as follows:
 - A. Red/orange brick
 - B. Natural stone (grey in color)
 - C. An architectural grade asphalt shingle (weatherwood)
 - D. Aluminum trim and vinyl siding in earth tones or neutral colors
 - E. Windows will be clad vinyl or aluminum casement units (sandwood)
 - F. Garage and entry doors will be painted embossed steel
3. All work proposed for the subject site shall receive all appropriate Building Department permits prior to any work being performed.
4. No work is being requested or approved regarding other outbuildings or site features on the property at this time. Any work, other than what is indicated on the plans dated received by the Planning & Development Department July 7, 2009 will require additional review and

approval by the City's Historic Districts Commission.

5. Color samples shall be submitted to the City's Planning & Development Department for review to ensure compatibility with the earth tones noted above, and that the selected colors do match the approval of the conditions.

2009-0269

Mr. Thompson suggested the following motion regarding the future removal of the outbuilding, seconded by Mr. Dziurman. Chairperson Dunphy called for discussion on the proposed motion on the floor.

Mr. Miller suggested that perhaps some of the materials slated for demolition could be reused or recycled through the various agencies. Mr. Lizzet stated he was not aware of what condition the outbuilding was in. Mr. Miller suggested recycling be considered if at all possible.

Chairperson Dunphy called for any other discussion. Upon hearing none, he called for a roll call vote.

A motion was made by Thompson, seconded by Dziurman, that this matter be Approved.

The motion CARRIED by the following vote:

Aye 9 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Thompson, Franey and Luginski

RESOLVED in the matter of File No. HDC 09-001, that the Historic Districts Commission **APPROVES** a request for a Certificate of Appropriateness to allow the removal (demolition) of a non-contributing outbuilding located at 1520 Mill Race, Parcel Identification Number 15-01-100-014, with the following Findings and Conditions:

Findings:

1. The existing outbuilding is a non-contributing resource located within the Stoney Creek Historic District.
2. The removal of the non-contributing resource will not have a negative impact on the character of the Stoney Creek Historic District.
3. The removal of the existing resource (outbuilding) is applicable under the Secretary of the Interior's Standards #2 (i.e. "2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided") as the resource does not contribute to the Stoney Creek Historic District.
4. The removal (demolition) of the outbuilding will occur after the renovation and new construction is completed on the main building (house) located on the property.

Condition:

1. Prior to removal of the existing non-contributing resource (outbuilding), the applicant will obtain all appropriate permits and approval of the proposed work plans from the City's

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Building Department.

2009-0269

Chairperson Dunphy advised the applicant the Certificates of Appropriateness had been approved by the Commission. The applicant thanked the Commission for their time and consideration.

This matter was Discussed

9. UNFINISHED BUSINESS

9A. 2008-0678 Stoney Creek Village (Tienken Road Bridge)

- Discussion with Road Commission for Oakland County

Chairperson Dunphy stated that representatives from the Road Commission for Oakland County and the City's Engineering Department were present to provide some additional information to the Commission and discuss the renderings submitted in their packets. He invited them to come forward to the presenter's table.

Paul Davis, City Engineer, City of Rochester Hills, and Jeff O'Brien, Design Engineer, Road Commission for Oakland County, were present. Mr. O'Brien thanked the Commissioners for taking the time to continue the discussion regarding the proposed bridge replacement project along Tienken Road. He stated that the information presented in the packet included the Type, Size & Location (TS&L) Plans, which had been submitted to the Michigan Department of Transportation (MDOT), although the TS&L meeting with MDOT had not yet been held.

Mr. O'Brien explained that since the submission, the Road Commission had been requested by MDOT to submit various other pieces of supporting information. Some of that related to the geotechnical reports associated with the bridge replacement; some waterway Department of Environmental Quality (DEQ) type information, to see whether or not the proposed structure passed the 100-year flood, and some road profile comments had been received from MDOT.

Mr. O'Brien believed that as of today the comments had gone back to MDOT. The three-sided box culvert (the Con/Span®) that was shown on the TS&L Plans had been changed to a "Hy-Span®" (a trade name), which is less of an arch type structure with a flatter top. The reason for that was due to the waterway opening consideration. The more arched type structure was not able to pass the required flood and have the necessary waterway opening. In order for the bridge to have the sufficient waterway opening, the center of the structure would be forced up, which would affect the road profile and affect adjacent properties. The Road Commission had no choice but to go back and reconsider that type of structure. The Road Commission does have a flatter top-type structure that works and will pass the required flood and have the required waterway opening. He wanted to note that change had occurred and updated information can be provided to both the Commission and City Staff.

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Mr. O'Brien referred to the conceptual renderings that were provided, and emphasized they were conceptual in nature. Since there is very limited design work completed to date, they depict the two-lane roadway with a path on the bridge, which was the primary focus of the renderings. He noted there were some discrepancies on the renderings. He pointed out that one view had a beam guard rail going across the concrete barrier, which is not correct. The TS&L Plan did not show the curb and gutter on the structure and leading up to the structure; limits of the pathway appear to be extended beyond what would be proposed as part of the structure. He emphasized that the renderings were conceptual and were to promote discussion and to give the Commissioners an idea of what was being proposed, and are by no means the final rendering.

Mr. O'Brien stated he took comments back from the May 14, 2009 Commission meeting and tried to incorporate the comments about the deck width, the size of the structure and the confining elements. At this point in time they are showing the solid concrete barriers on the structure itself trying to mimic what is out there today, whether it is appropriate or not appropriate, which has not yet been decided, as well as keeping the confined type of facility. He stated they were still discussing railing, so that is by no means a final determination at this point.

Mr. O'Brien referred to the photographs of the existing bridge taken for the Commissioners' reference. He explained they tried to superimpose between the renderings and what existed to be able to compare and contrast.

Mr. O'Brien stated the Road Commission had met with the State Historic Preservation Office (SHPO) which was more of an early coordination-type meeting held on July 8, 2009. It was attended by the MDOT Environmental Staff and a representative from SHPO. Essentially it was to get SHPO's opinions and views about the proposal to replace a two-lane structure with or without the pedestrian facility and the impacts. He noted it was an early conceptual coordination-type meeting, and the Road Commission wanted to get a feel for anything that may have been missed or anything that could be incorporated.

Mr. O'Brien stated the other issue brought up at the May Commission meeting was the surface of the existing facility, and whether or not it would be improved. An on-site meeting was held with the Road Commission's bridge consultant who performs their bridge inspections, and it was the consultant's recommendation that the surface be left as it is at this point in time. This was because if the intent was truly to improve the riding surface of that facility, hand patching or selective patching did not do a very good job of that. That would mean there were a couple other options - one to mill off the existing asphalt surface and replace it. The bridge consultant felt that putting a mill machine on the structure would do more damage than good. It was determined to leave that facility as it is.

Mr. O'Brien stated the rendering as shown is what a Hy-Span® actually looks like. The bridge shown on the TS&L plan is more of an arched-type structure. The rendering is correct from a scale and scope perspective of what it would look like.

Chairperson Dunphy thanked Mr. O'Brien for his and the Road Commission's work in developing the material for the Commission's review. He reminded the Commissioners that the Road Commission was not present applying for approval, rather this was strictly an informational meeting and an opportunity for the Commission to provide comment, ask questions and provide the feedback the Road Commission needs to move forward.

Chairperson Dunphy asked the Commissioners to keep in mind during the discussion that the bridge was a non-contributing resource in the District, and that was the level of standard the Commission would apply to any considerations about the bridge. He stated the issue was how the Commission applied the Secretary of the Interior's Standards in that context to this type of a structure, and that was how the Commission would be guided. He called for discussion from the Commission.

Mr. Miller stated he was confused by the report from the consultant regarding repair of the bridge. He thought the previous recommendation from the bridge inspection consultant was to repair the surface.

Mr. O'Brien stated it was a work recommendation that was contained in the 2008 report for a complete superstructure replacement. He explained in looking at the facility itself, they had talked to their bridge consultant about those recommendations. Ultimately, the bridge itself is functionally obsolete and structurally deficient. Both of those factors combined results in a really low sufficiency rating, about 16.6. Given that the bridge was originally designed in 1940 and physically constructed in 1947, the design loadings used at that point in time were probably around an H15 loading or an H20 loading, which is significantly different than what legal loadings are today. Even if the superstructure itself was replaced, there would be widening required of the structure because it does not meet current AASHTO (American Association of State and Highway Transportation Officials) Standards; that would extend abutment walls, and the facility itself would not rate sufficiently high on the Federal Sufficiency Rating because of the all the other aspects that pertain to that structure. Full replacement is necessary for this structure.

Mr. Miller stated he did not follow some of the trade language, such as load ratings; however, one consultant inspected the bridge and recommended repairing the surface and doing some painting and cleaning of the girders and so on, but that was a different consultant than the one Mr. O'Brien just referred to. Mr. O'Brien clarified it was the same consultant.

Mr. Miller stated the difference from last September's inspection was to see what was necessary to get the bridge in decent shape, and the second inspection was that the bridge would be replaced and what should be done first.

Mr. O'Brien stated he did not submit the bridge applications, but it was his understanding from his bridge consultant at the time of the last bridge inspection, was to replace the structure. While it does not physically state that in the report, that was the recommendation, and that was what was communicated to the Road Commission.

Mr. Miller stated the Commission did not have that same understanding. He thought the idea from the last Commission meeting was to try to get some different options from the standard bridge replacement to fit the standard road bridge replacement model for a standard road widening construction project. He thought the current proposal was the same as what was presented before and asked about the options available.

Mr. O'Brien explained that the TS&L plans had three options from a structure perspective. When the Commission says "options" he thinks more in the line of options from a railing appearance type facility. He stated there was a lot of discussion at the May Commission meeting about what a two-lane facility would look like in the District. That is what the rendering represents. He asked for clarification or expansion on what the Commission meant by "option".

Mr. Miller clarified his understanding was not options such as add-ons for a standard model, but alternatives, such as Option A or Option B. Such as one option would be a 48-foot standard concrete cast; another option would be a 34-foot or 36-foot, steel construction, or something like that in terms of alternatives.

Mr. O'Brien stated the Road Commission did look at three options. He explained the focus of the Road Commission was to use funds in as efficient manner as they could, yet try to get the structure to blend in to the surrounding area, but not create a long-term maintenance issue with regard to a certain facility. A concrete-type facility has longer durability. He thought there were options available to get the structure to blend. The Road Commission had other considerations such as certain types of structures take longer to build, and there were two schools in the area that the Road Commission had to consider. All those things had to be evaluated when the Road Commission evaluates options because of those competing factors. From a structure perspective, the TS&L plans have three very viable options, but not with the bells and whistles that have yet to be ironed out. He noted there were lots of other needs across the County from a bridge perspective, so the Road Commission was trying to maximize the use of the funds, as well as trying to get the structure to blend and fit with the area.

Mr. Miller acknowledged he probably misspoke in using the term "steel" as he understood concrete was the material that would be best for the Road Commission to work with. He stated that in terms of the Secretary of the Interior's Standards, there were a few key points, some of which were size and mass. He noted some of the renderings looked great and portrayed a good idea of what the bridge might look like. He commented some of the renderings were from a distance and oftentimes things look good from a distance, especially with respect to size and massing, and the context in terms of scale would be important.

Mr. O'Brien stated it was made very clear at the May Commission meeting for the Road Commission to minimize the width of the structure as much as possible. That is what the plans depict. He explained the alternatives such as an offset pedestrian facility or detached pedestrian facility, would essentially widen the structure, take up more vegetation and would have a greater footprint. They attempted to keep it as tight as they could because of the concerns raised by the Commission and by the SHPO representative to keep the size and mass as small as possible while still providing a safe and convenient road surface.

Mr. Miller clarified this was as small as the bridge could get. Mr. O'Brien explained from a road surface perspective that was correct. The only way to make the structure smaller would be to eliminate the pedestrian facility. From a road cross-section perspective, what was shown on the plans was the bare minimum.

Mr. Miller noted the pedestrian portion was proposed as 10-feet. He understood the City had standards for pedestrian paths which comes down to the size of the snow plow and snow removal equipment, but he was not sure if there were Federal guidelines that required the 10-feet. He asked if there was an option to narrow the pedestrian walkway.

Mr. O'Brien stated that his first discussions with MDOT were for a 14-foot wide path, although they had not completed the TS&L review. What that means is the City has a master path plan, and from an AASHTO path design perspective, on a structure, it is 10-feet wide with two-foot clearances to all fixed objects on either side, making it 14-feet wide. He felt relatively confident he could get it down to 10-feet which is what they were trying to do. However, the request could come back from MDOT and FHWA (the Federal Highway Administration) that it had to be wider. He wanted to emphasize the Road Commission thought they could keep it at 10-feet, but to go smaller than 10-feet would be a real fight and a real struggle. He was not sure it would be approved to be participating, noting he was not sure how the local Community cost played into that. He was anxious to get through the TS&L to ask those very questions.

Mr. Miller stated the Commission had heard that internal funding would be used and had heard that Federal funds would be used, and indicated it would be nice, once the funding was straightened out, to know for sure where the funds were coming from.

Mr. O'Brien stated that the bridge itself is funded 95% State funds, 5% Road Commission. That is for the participating construction costs only. Any right-of-way acquisition or preliminary engineering costs were not eligible. Any extras, such as decorative pedestrian railings, would be a local cost to the local Community because they are ineligible for that funding.

Mr. Miller understood that the primary basics were covered, but other bells and whistles were not. He asked for more detail about the SHPO comments, other than the discussion about scale and massing.

Mr. O'Brien stated that was a very early coordination-type meeting and they did not discuss specifics. It was more of an overall scale and scope conceptual meeting. SHPO made the comment that the stream itself was very important to the District and potentially having a more open-type railing for a view of the stream, which were considerations the Road Commission would look at from a railing perspective. SHPO did not have any sway one or the other about the pedestrian facility, but did not have any problem keeping it on the structure. SHPO said if the pedestrian facility was kept tight to the structure that kept the impact as tight as possible without making it any wider than it needed to be. He stated there had been one meeting with both MDOT Environmental and SHPO.

Mr. Miller asked if SHPO would provide a report once final approved plans are complete. Mr. O'Brien stated SHPO did not have any formal say in the project, although the Road Commission was more than happy to submit plans as they progress to get SHPO's opinions and views, particularly if SHPO felt there was something the Road Commission had overlooked or something that should be considered. The Road Commission would keep in close contact with SHPO and would get their opinion along the way.

Mr. Miller stated it was his understanding that if even One Dollar of Federal money was being spent on this project, it keyed in a Section 106 review. Mr. O'Brien stated no Federal funding was included in this project, rather it was 95% State funds and 5% Road Commission funds.

Mr. Dziurman stated that at the last meeting the Commission had specifically requested another concept that depicted the bridge with a separate pedestrian crossing, which had not been provided. He thought the rendering that had been provided was another "King's Cove Bridge".

Mr. O'Brien stated that if a separate pedestrian facility is ultimately requested, it would not be part of the Road Commission's project. Mr. Dziurman stated he understood that but still wanted to see what that would look like.

Mr. Davis did not believe Mr. O'Brien committed to providing that information. He thought if that information was going to be provided it would be the City.

Mr. Dziurman wanted to know why it had not been submitted, which was an issue for him. He stated it was brought up that the bridge was a non-contributing resource, which was accurate, but noted it was the gateway to the Stoney Creek Historic Village. Therefore, they should not have a "King's Cove Bridge" going into that District. Mr. Dziurman stated that the renderings depicted a stone architectural finish, and the Commission had previously talked about fake stone finishes on the structure. He requested that be removed because it did not make it historic.

Mr. O'Brien stated that SHPO also indicated they would prefer to see plain concrete instead of the stone faux finishing. SHPO indicated that if it was done, it would have to be done extremely well or not done at all. While the submitted plans show that, since the TS&L plans were developed, that had been deleted from the plans. The renderings showed the concrete structure and not the faux stone form liner.

Mr. Dziurman stated Mr. O'Brien mentioned that SHPO talked about a railing system to see to the creek, which would be much more appropriate because that was what was there in 1978. He stated stone could be appropriate if it looked like part of a structure. He would like to see the railings, but recalled the discussion at the last meeting and the concern about whether railings would pass the requirements for crash barriers. He referred to a bridge in Charlevoix that was replaced a number of years ago and the controversy about it. MDOT put in a reproduction of the original railings on that bridge after community input. He thought that was what he expected to see as that would work and be more related to what was there in 1978.

Mr. Dziurman asked for the names of the representatives from SHPO and MDOT that met with the Road Commission. He suggested that information be provided to the Planning Department and forwarded to the Commission.

Mr. Delacourt stated he could also contact SHPO and ask for that information directly, but he did not know that Mr. O'Brien was required to provide that information. He wanted to clarify that he could not demand that information, although he did not believe there were any issues in providing the information.

Mr. O'Brien stated that the railing was still being evaluated. SHPO indicated that they would like to see a more open barrier, but did not indicate that it had to revert back to the older style railing. He did not believe the older style railings would meet the crash testing requirements; but the Road Commission was willing to look

into what railing systems did meet those requirements, what would be appropriate, and what would fit, all of which was still being investigated. He stated MDOT would provide the Road Commission with examples they had used on other structures throughout the State to provide some guidance and assistance.

Mr. Dziurman noted that the renderings depicted the pedestrian crossing as part of the bridge. Because it was part of the bridge, it appeared to him that guardrails had been added on both sides of the bridge for a certain length of distance. He could understand that because it was part of the bridge, but the guardrails were not there before, and were going further into the Village, and a separate pedestrian crossing would not have to have them. It was bothersome to him because a feature was being added that was never there before. He did not see that as minimizing the impact on the Village.

Mr. Dziurman stated he had sent Mr. O'Brien a copy of a photo of what the City of Rochester did on Ludlow down from Dilman and Upton, which depicted a separate pedestrian bridge next to a concrete bridge. He mentioned the steel railing system that was actually the structure itself on the pedestrian facility which was part of the bike path system in the area. He referred to the use of stone to tie it all together, which he thought was a good example of something he thought the Commission was looking for. He stated that bridge was next to a park, right across from the Paint Creek, and contained many of the same things the Commission had discussed.

Ms. Cozzolino stated the diagrams were confusing to her. She wanted to understand the original amount of space between the guardrails, which currently varied from 24.5 feet to 27 feet. The proposed looked like 30 feet, and asked if she was reading the renderings correctly.

Mr. O'Brien asked if Ms. Cozzolino was referring to the plans, not the renderings. Ms. Cozzolino indicated she was and explained she was trying to understand whether the extra space was coming from the north or south side.

Mr. O'Brien stated it was wider on the proposed structure because of the wider travel lanes and the 4-foot offsets, which had been discussed previously. Primarily the widening was all to the south, although there may be a slight widening to the north of a couple feet. They were trying to minimize the alignment shift on Tienken Road, but not impact the home and structure located on the northeast quadrant, which was a primary concern.

Ms. Cozzolino recalled the Commission had discussed load limits at the prior meeting, and asked if those were changing. Mr. O'Brien stated the structure was currently load posted because of structural deficiencies. Those load postings would no longer be there upon replacement of the structure. The structure would be able

to handle legal loadings. Currently, if a legally loaded truck in excess of what is posted on the structure wanted to traverse that road, they could not legally. In the future, the load posting would disappear, much as it did on the Paint Creek Bridge, and there would not be any load limits on the structure.

Dr. Stamps asked why the weight limits would be raised. Mr. O'Brien explained since the Road Commission was using State funds to replace the structure, part of the Federal sufficiency rating is based on loadings and sufficiency of the structure to handle legal loading. MDOT would not be supportive of replacing a structure and immediately posting that structure because it was not sufficiently designed to handle legal loadings. In order to use those funds, the Road Commission would have to construct a structure that would be able to handle legal loads.

Dr. Stamps clarified the project was state funded, but would be ineligible for Federal funds if it did not meet the Federal standards. Mr. O'Brien explained whether State or Federal funds were used, the same rules are followed, such as the AASHTO guides. They want to use funds in an efficient manner through good investments, and building a sub-standard bridge would not be a good investment.

Dr. Stamps asked who determined the weight loads. Mr. O'Brien replied the State of Michigan from a legal loading perspective and through some Federal laws. He was not sure who governed what.

Dr. Stamps noted the road ran through the City and he hoped that City Council had the ability and authority to determine what happens in the City, and asked if the City Council could post a weight limit. Mr. O'Brien did not believe so because the City wrote Traffic Control Orders (TCOs) for facilities under their jurisdiction, and the Road Commission wrote TCOs for facilities under their jurisdiction. It became a jurisdictional issue.

Mr. Delacourt stated the City could request a TCO from the Road Commission for Oakland County. He did not know the details regarding how such a request would be reviewed. He believed the request went before the Road Commissioners for review and consideration based on their standards.

Mr. Shumejko stated the City had made requests in the past for "no through trucks", primarily on gravel roads because the heavy weights deteriorate the roads in a rapid manner. To make a request in this situation, which would be reviewed on a traffic engineering basis, there was a good likelihood it would be denied.

Chairperson Dunphy stated that the issue with the traffic was primarily its affect on the Historic District. He understood the Road Commission mainly focused on roads, but what happened on the roads did not stop at the end of the right-of-way. He noted the issues with noise and vibrations that could have a serious effect on whether the District remained stable and protected. He thought that would be the argument to be made in taking that type of request forward, because there was a potential affect in raising the weight limits, and should be considered in the process.

Dr. Stamps stated that in essence they were accepting a gift from the State and the County to build a road through the Historic District that will then exceed the weight limits they wanted, and potentially exceed the speed limit they wanted, and by accepting the gift, they were putting themselves in a position to receive a nice surface on the bridge, but also getting things they did not want. He thought it was important to realize there were some who were not excited about building a big, heavy-weight bridge, and increasing the potential for the speed limit in the District. He indicated those were key issues they were concerned about.

Mr. O'Brien stated he did not see the speed limits changing as a result of the project. He did not want to speak for the Board of County Road Commissioners as to whether they would approve or deny a City's request for a TCO. He did not have the authority to tell the Commission how such a request would fair.

Dr. Stamps stated he would be hesitant to accept a gift given those kinds of conditions. He stated the other issue he was concerned about was the wider road and the wider bridge and how the increased traffic would impact the Historic District. Currently there was a nice little Historic District, but if the road was widened, the traffic increased, which opened the door to faster cars, bigger trucks, and more of them. He asked if Tienken Road was on the truck route.

Mr. O'Brien stated they were not widening the road. This project did not increase traffic in any way through the District.

Dr. Stamps asked if the bridge would be a two-lane bridge. Mr. O'Brien stated it was a two-lane bridge.

Ms. Franey asked if Washington Road was posted "no trucks". Mr. Shumejko believed the County had posted it because of the maintenance necessary due to the heavy vehicles. He referred to the discussion about the bridge, once rebuilt, would be posted for heavier load limits. He pointed out that before the bridge was identified as being deficient, there was no load restriction in place. It would go back to what it was before the deficiency rating rated low enough that necessitated for safety purposes that the bridge be reduced in loading. It would be built back to what it was prior to the load restriction being imposed.

Mr. Davis stated that according to the Road Commission's consultant, if the project was such that only the bridge deck was replaced and kept the abutments and did not fully reconstruct it, the structural ratings would not raise high enough to go above 50. He explained 50 or below meant the bridge was a candidate for replacement. There would be point in time where the bridge would have to be replaced. He noted the bridge was not going anywhere and the homes were not going anywhere. Funding was available now for the project. If it was just a deck replacement, it would still not be sufficient for the bridge rating and would still be a candidate for replacement. It would still almost be in a failed condition.

Ms. Franey believed Washington Road was projected to be paved. Mr. Shumejko stated there was a current project through the Oakland Federal Aide Committee that was submitted by the Road Commission. Every year they receive "x" amount of dollars to pave a mile of gravel road within the County. Washington Road was submitted about four years ago and is currently scheduled for the 2012 budget year, which may be pushed back because of other priorities. Oftentimes the funding for those projects goes over delaying other projects. It is on the list for 2012 at the earliest, but most likely probably sometime after that. He noted paving that road would be a standard two-lane roadway cross section.

Ms. Franey asked if when the road was paved, whether the "no trucks" sign would come down. Mr. O'Brien stated that the current TCO for the posting of "no trucks" is premised on the road being gravel. If it were paved, that posting would be lifted. He did not know what other things could occur between now and then or subsequent to paving, but that was the current status.

Mr. Shumejko referred to the "no truck route" posting, and explained the County would have to do an analysis on what other viable routes existed. Based on the geography and the road network in that area, the next likely candidate would be to move them to Avon Road, which is several miles out of the way. A primary issue would be whether they could find a viable alternate to Washington or Tienken.

Ms. Franey stated that how the bridge is developed, there would not just be the current truck traffic, but additional truck traffic affecting multiple areas of the Historic District. She thought that played into the discussion about whether limits could be placed on the bridge.

Mr. Shumejko suggested another option that could be looked at. Rather than a formal TCO restricting trucks, perhaps posting trailblazing signs to identify a truck route recommending a preferred route for trucks to take. It would be up the driver whether or not they followed that suggested route. It would not be an enforceable regulatory sign, but a guide that suggested taking Dequindre to Avon.

Ms. Franey stated she did not work with blueprints and drawings on a daily basis, but noted she had pictured receiving an overview or an aerial of the current bridge with the proposed over the top or vice versa. That would allow her to see visually the current bridge and the surroundings, with the proposed over that, to show how it would affect the landscape on the side.

Mr. O'Brien was not sure that could be done with the rendering software they used. He stated they had aerial photographs of the area and they could superimpose them on the plans to show the existing line work which could be enhanced with different colors to show what overlapped what or how it fit together.

Ms. Franey said she pictured something on the order of a transparency which would show dimensionally what they were looking at. Mr. O'Brien thought that could be done so it could be compared and contrasted. Mr. Delacourt suggested that grading limits be included so it showed the extent of the removed vegetation. Mr. O'Brien believed that could be done.

Ms. Franey stated the last discussion mentioned 54-feet, which was now down to 48-feet. The conversation before the end of the May meeting indicated the Commission wanted to see the current 24-foot bridge; how it would stay if repaired instead of replaced, and how it would look if it was just 24-feet plus the barriers as a 32-foot bridge. She thought that was what the Commission had hoped to see mapped out for each different option.

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Mr. O'Brien stated that from a design or funding perspective, he did not want to mislead the Commission in showing something that would not be funded. He would rather show them something that could be funded, and showing an existing deck replacement would not be funded. He stated he could show the current proposal and potentially one without the pedestrian path in that type of context with potential slope stake lines. Slope stake lines are the limits of earth disruption. That would help give the Commission a feel for the result.

Ms. Luginski stated that she wanted to make some clarifications. The current load limit is 52 tons, and the revised weight allowance on the new bridge would be 80 tons. Mr. O'Brien explained the loading limit is 18,000 pound axle loads. From an axle configuration, typically the maximum seen that was not an overweight truck is an 80-ton type truck. Ms. Luginski stated that information had been discussed previously, and the signage on the bridge today, the maximum tonnage was 52, and would go up to 80.

Ms. Luginski acknowledged that the bridge in its current configuration, in talking about size and scale and what was appropriate for the Village, she thought a good

starting spot was to say the size and scale of the structure that is there today is the correct size and structure. Obviously there were other things to deal with, such as AASHTO Standards, but she wanted to acknowledge that MDOT and the FHWA dealt with many other standards in terms of context sensitive design. She thought there were opportunities to go beyond a canned solution like the "King's Cove Bridge". She knew some people in the MDOT environmental group are involved in the AASHTO group, and she thought there was some flexibility. She thought the Commission would like to talk about that at some point. At what point can they deviate from the standard, because the environment was not standard.

Ms. Luginski also wanted to acknowledge that the bridge in its current configuration, being appropriate in size and scale for the Village, acted as a traffic calming device. She understood that it would not in and of itself bring in more traffic to the Village. Currently the bridge was very narrow and slowed traffic down to some degree. She thought that as the shoulders were widened and visually widen the structure, it would give the feeling it was a much more wide open area. In her opinion, they did not have appropriate enforcement in that area. Even though it was posted at 40 mph, there were significant hills approaching on either side, and a lot of excessive speed. Her concern was that opening the bridge further would increase speeds in the District that is a thriving neighborhood. She noted there were a lot of visitors to the Village and they hoped to increase that in the future. As there were faster speeds and bigger trucks, it became more difficult to encourage the public to come there to enjoy the Village.

Ms. Luginski thought everyone agreed and acknowledged, especially MDOT and the FHWA who did such a nice job on their context sensitive design and education, that a bridge like that was a very good traffic calming device.

Ms. Luginski referred to Mr. O'Brien's comment about the bridge size itself, and if there is a separate pedestrian path and bike path, that would enlarge the structure. That would be a bigger footprint in the Village and may have a negative impact. She wanted to acknowledge that she viewed those structures, if they were separate, as two separate structures. She thought the bridge and the roadway, visually, colorwise, between the railings or the New Jersey barriers that are there today, the construction barriers, that definitely physically has a different vantage point or view, and if there is a separate pedestrian path in a wooded or wetland area, she thought that had a different vantage point and view from any resident perspective. She thought there are nice opportunities in working with paths to create interest and blend it in with the environment.

Mr. O'Brien noted just as Ms. Luginski stated she viewed the separate pedestrian facility as two separate facilities, most likely their funding partners would as well. The Road Commission, in their professional opinion, would like to get a pedestrian crossing over that facility. If it did not happen with the structure, he was not sure when it would occur.

The Road Commission would like to see it occur purely from a safety consideration. He explained with a separate pedestrian facility, additional widths may be required. He was not sure what those requirements were, but they may ultimately be wider than what is being proposed.

Ms. Luginski stated that the Parkdale Road bridge was also slated to be updated. She was not sure if anyone was aware, but that had a fantastic separated pedestrian bridge. Mr. O'Brien stated it was a truss-type separated pedestrian facility. He believed the City paid to construct that. He was not sure when it was physically constructed but it was on their network.

Ms. Luginski thought it was an excellent example of separating the two. She guessed that the City of Rochester probably wanted input into how that pedestrian path looked and how it was engineered, and went ahead and did it separately.

Mr. O'Brien was not sure what predicated that, whether it was a City vital link in advance of a bridge replacement project. He noted that area may have been more open with less vegetation as he did not recall a lot of vegetation around that structure.

Ms. Luginski stated there were wetlands in that area. Mr. O'Brien agreed there were wetlands and a stream, which were primarily to the south of the road bridge. To the north there were some wetlands, but also a lot of development, and he was not sure how much vegetation they impacted during that construction.

Ms. Luginski stated it was very natural and the homes were separated from the roadway quite a bit and there were berms, giving it a rural feeling. Based on some statements made earlier in the discussion, she wanted to clarify whether Federal funds were being used for this project. Mr. O'Brien stated if he used the word "federal" that would have been a misstatement.

Ms. Luginski stated the reason she needed to clarify that was because as a resident she had been trying to research the funding of the bridge and she knew that had been a question. She had notes from last October that stated it was Federal funding. She believed the Parkdale bridge was Federal funding, but the bridge in the Historic District which would benefit from a Section 106 review, was being locally funded. Mr. O'Brien did not know what type of funding was being used for the Parkdale bridge. Ms. Luginski stated that bridge would have a Section 106 review, but the Historic District would not.

Mr. Kilpatrick asked about the Road Commission's time frame. Mr. O'Brien stated they hoped to be back in front of the Commission next month requesting an approval.

He clarified he was not sure that would occur because there were still issues with regards to the railings and impacts. Or, they may be back with a more formal presentation but not for approval. The Road Commission hoped to get their TS&L meeting underway and completed this month. They would like to get an MDOT grade inspection in September, with a December bid letting for the project. He explained they would like to bid both Parkdale and Tienken together. If one projects lags for any reason, the projects can be split into separate projects, but from a traffic coordination perspective they would like to have the same contractor and a more coordinated effort. He acknowledged they still had a lot to do and still had some right-of-way issues to address on both projects; come back before the Commission, as well as other requirements they have to satisfy. He noted this was 2010 money and the fiscal year starts October 1st and they have to obligate the funds in that fiscal year.

Mr. Kilpatrick asked if a study could be done regarding the impact of trucks having more weight going through the Village. He assumed if the project was approved, the speed limits might increase because the current bridge decreased speed for traffic from the west heading east. His concern was the sensitivity to the structures caused by the vibrations and the additional weight.

Mr. O'Brien explained that some of the vibrations could be due to the current pavement conditions on the road facility beyond the actual bridge structure itself. He knew the City had requested that the Road Commission look into a particular area just outside the project limits from an artesian well perspective to see if that could be rolled into the project to repair or address. That area was just up the slope just outside the project limits. They were requested to address not only the water issue, but some failed pavement. He noted that with failed pavement, vibrations would be caused more from an empty truck than from a loaded truck, because the empty truck would have more bounce and suspension, which is legally allowed to cross the bridge. A loaded truck keeps the suspension down and there is not the bouncing mechanism. He was not aware how to fund or conduct such a study as the Commission was requesting.

Mr. Kilpatrick stated he was not requesting, but wanted to know if it could be done. Mr. O'Brien stated he could talk to the Road Commission's consultants to see if something like that had been completed in the past or could offer an opinion.

Mr. Kilpatrick pointed out there were various structures along Tienken Road in various conditions, such as the former Prewitt home (1046 E. Tienken). Mr. O'Brien stated some of those concerns might be related to pavement condition.

Mr. Kilpatrick stated that some of the Commissioners had made some requests, and asked if those requests could be complied with by the August meeting. Mr. O'Brien stated the requests as he understood them were for the aerial photographs and an overlay of both a structure without a pedestrian facility and one with, which he would have for the next meeting.

Dr. Stamps assumed the funding, in addition to doing the bridge especially if it had the pedestrian addition to get people across the span, would also cover the massive groundwork on the east side of the bridge. He referred to the rendering, and noted the topography really dropped off, probably about 15 feet, and questioned how that area would be filled in.

Mr. O'Brien stated that the current plans show a pathway that is beyond the back of guardrail. Dr. Stamps commented it was free-floating in space right now. Mr. O'Brien stated when the Road Commission came back before the Commission, they would have a more detailed design covering whether retaining walls were required to minimize vegetation impacts and to keep as much of the natural vegetation as possible. They would also deal with the question of whether they could move the path closer to the back of guardrail than what was currently depicted in the renderings, which was being investigated to minimize the footprint. He wanted to emphasize the renderings were high-level conceptual plans for a discussion of the structure design and adequacy. Once they were further into design, if they felt they should not go quite so far with the path, meaning when or if the City comes back and wants to discuss a particular path route, that might be a consideration. He noted it was not fully flushed out at this point. When they come back for an actual approval, they would have that flushed out.

Dr. Stamps inquired about the input from the Oakland County Planning and Economic Development (PED) Office, who held an open hearing on a Saturday morning, which was the third of a series of public meetings he attended. He knew one of the options proposed there was to cross the river with a pedestrian bridge, maybe not attached to the road bridge, then drop south and go along the floodplain and then come up through the Museum or south of the Museum. He asked what input the Road Commission had received from the Oakland County PED review.

Mr. O'Brien stated he was not aware of what input that Department had received.

Dr. Stamps stated that when his plumbing broke, he called a plumber; and when his car breaks down, he goes to a mechanic. He felt sorry for the Road Commission because the Commission was asking them plumbing questions and they were not a plumber. He suggested at the next visit, the Road Commission ask someone from that part of the Road Commission who handles those things that were not in Mr. O'Brien's background to answer. He asked that a high-level planner attend the next meeting, or someone who had received the feedback from that intensively resident attended walk and input, noting he was not seeing that input.

Mr. Delacourt stated that group just met yesterday to review some of the compiled recommendation from those meetings and conversations with the residents. The concerns of the residents relayed to that Advisory Committee were exactly the same as what the Commission had relayed regarding as little possible impact from the bridge project; minimizing the footprint; using the existing characteristics of the bridge as a traffic calming device; and expressed a strong desire for a pedestrian connection. The Advisory Committee looked at the potential for alternate designs for a pedestrian path.

Mr. Delacourt explained the issue for the Road Commission was that unless a pedestrian path was funded by their rules, they cannot and would not propose a separate pedestrian path they cannot fund. He understood the Commission would like the Road Commission to design that conceptually and bring it for the Commission's consideration. But until the Road Commission has the OK that it would be funded, they cannot do that. The Road Commission cannot design and present something to the Commission that they are unable to fund. If the City were to fund that as part of its normal pathway projects, then the City would be responsible to present the design. It would go through the normal pathway process unless there was some action by City Council. It would be submitted as a Capital Improvement Project (CIP) and evaluated by the CIP Policy Team. It was his understanding that a separate pedestrian path would not be proposed by the Road Commission and will not be part of their presentation. To expect the Road Commission to design and present that, until they are told it can be funded through the bridge project funding, would not happen.

Mr. Delacourt explained the issue before the Commission, and what the Road Commission was requesting, was an evaluation of the minimum standard the Road Commission could receive funding for. He commented that what had been stated was with or without a pedestrian path, not evaluating separate opportunities. He stated although it appeared to be the Commission's opinion that they would like to evaluate a separate pedestrian path as part of this project, at this point he did not think that would be presented. Mr. O'Brien agreed it would not from the Road Commission's perspective.

Mr. Delacourt clarified that would have to be a CIP project and evaluated separately from the road bridge, which would also require the approval of the Commission if it were done with pathway funds.

Mr. Davis added it was a little difficult for the Road Commission to speak on this issue. He noted he had not been before the Commission very often and was not aware of what was typically requested of applicants, but a bridge with three slight design changes had been proposed, and the Road Commission needed some direction on whether that would be acceptable or not. He thought to discuss the separate pedestrian or attached pedestrian was an important issue, but it was not entirely the Road Commission's issue to go into designs and deal with the visioning committee that was not part of this submission.

Mr. Davis stated it was his understanding that the Road Commission would submit something to the Commission, and there was a decision on whether it was an adverse impact to the District or not. That was the feedback they were requesting. He knew there were many opinions about preference, but he thought at some point the Road Commission needed some definite feedback on what would be approved. If the current submission would not be approved, that would give the Road Commission clear direction to submit a design that does not have that on it.

Mr. Davis agreed Mr. Delacourt had stated appropriately that a separate pedestrian bridge would go through a different process if it is not attached to the proposed bridge. It would go through City Engineering through a CIP project and would come before the Commission if that is supported and ultimately approved to not have the pedestrian path attached to the proposed bridge project or built as part of this project.

Mr. Davis referred to the time frame, and reiterated as was stated at the last meeting, there was no guarantee how that project would rate if it is separate. He thought this was an area in need of a pedestrian accommodation because of the high school and museum in the area, and it could rate very high. It was frustrating because that was the main issue behind the Commission's questions, whether it would be attached or not. To expect the Road Commission would review a host of different options for showing attached or not, was not his understanding about how the Commission's process typically worked when an applicant submitted something for review and comment.

Chairperson Dunphy stated the Commission appreciated all the efforts the Road Commission and City Staff had gone through in developing the material for them to review. He wanted to be careful about not prejudging something. He explained the Commission would approve an application, and to do anything else would be a disservice to the process and the people of the Community. He commented the Commission could try to provide an informal reading, but the Commission was not comfortable stating this was what the Commission would approve or not approve. He emphasized the Commission approved specific applications. They were willing to work with the Road Commission, and noted there had been much give and take on the matter. He thought they were making progress, but the Commission was not in the position to definitely approve or disapprove anything at this meeting, because they had to have something more specific. The Commission could tell the Road Commission what their preferences were, which is what had been happening. Anything else would be inappropriate for the process that had to be followed to be consistent with the Ordinance.

Dr. Stamps asked if the bridge could be built without the pedestrian path. Mr. O'Brien stated that was one of their questions for the TS&L meeting with MDOT - whether they would approve the use of State funds to replace a structure without a pedestrian facility with known pedestrian destinations in the area. He did not know the answer to that question. He suspected if the Community desire was to fund a crossing somewhere else and not adjacent to the structure, MDOT would fund the bridge replacement. He would want to discuss that with MDOT, particularly because of the use of State funds.

Dr. Stamps stated that would be useful for the Commission in making their decision. Mr. Delacourt stated part of that question was if it was the Community's desire and the Commission's desire, if an acceptable separate pedestrian path could be built within the budget, whether MDOT would approve that. He assumed the Commission would like that question asked at the TS&L review. Also, if MDOT would consider the difference in cost, but still allocate the funding to that.

Chairperson Dunphy agreed that would be helpful.

Mr. Dziurman stated he wanted to know what the unfundable portion was, because the opposite of that was unapprovable. He referred to discussion in the May meeting minutes about a request from both the City and from the DCS (Department of Citizen Services), and asked what Department that was.

Mr. O'Brien stated it was a Road Commission Department that took in all customer concerns and distributed them agency-wide for a response.

Mr. Dziurman stated the May Minutes contained the comment "to include a pedestrian facility with the actual structure". Mr. O'Brien explained the request that the DCS Department received was that the project should include a pedestrian facility. Mr. Dziurman asked if that meant within the structure or just a pedestrian facility, because the Road Commission's pedestrian facility was different from his. He asked if this was something the City of Rochester Hills asked to be done as part of the bridge. Mr. O'Brien stated it was an initial scope request.

Mr. Dziurman stated they had talked about the "safe routes to school grant program" at the May meeting, which he understood had to come from the schools. He thought the City should start looking into that immediately, and see if they could work with the schools to develop a process to fund that as a separate span. He personally would not approve the project right now, speaking as an individual, because he thought it was too wide and did not fit the Village. If it could be separated, he could turn around. He wanted to give the Road Commission his honest opinion.

Mr. Dziurman thought the separate pedestrian crossing, with these other programs, was doable. He commented that at the May meeting one of the City Council representatives expressed the desire to do just that as well.

Mr. Dziurman thought the Road Commission did not get the context sensitive design idea. He stated they wanted the Road Commission to do something that was a little bit different. He pointed out it was a 150-year old Village and was still one of the purest Villages of any sort in the whole State. The only other one was Franklin Village which was the only other one in Oakland County that was close. This was a very special spot, and they could not lose sight of that just because they might lose some funds. They were saving something more than money and that was what they were after. They needed the Road Commission to help them because he did not know where this would go if they kept going down this road and were just wasting time.

Mr. O'Brien respectfully disagreed with the comment that the Road Commission does not get it. He thought the Road Commission worked very hard to work with the Community and the various stakeholders. He stated he was at the meeting to discuss the bridge project, and to get constructive feedback as to what they could incorporate into the structure. He felt the Road Commission will ultimately do that. He did not want to invest significant dollars and go down a path in which everyone disagrees. He commented "beauty was in the eye of the beholder" and everyone had different views of what was acceptable and what was not. He was there to discuss what the Commission would like to see so it could be incorporated. As he stated previously, the renderings were conceptual for discussion and were not by any means final. He stated the Road Commission was attempting to incorporate the context sensitive design referred to as part of the process and to discuss Community concerns.

Mr. Delacourt asked if a request was being made of Staff, it be clarified exactly what that request was. He stated he was referring to investigating the safe routes to school grant.

Mr. Dziurman stated that and the pathway funds. He wanted to know if there were separate funds available to pay for the pedestrian crossing, since that seemed to be the issue. He wanted to know if the City had the ability to work with the School District to get a grant and add to it because the City had funds for the pathway, and see if there is enough to cover it. He stated this was a very important part of the City, and there was no question a pedestrian pathway was needed there. It was difficult for him to say it needed to be postponed for the good of the Community. He would like to hear what the residents had to say about it, because it could take another year.

Mr. Delacourt stated he just wanted clarification. He indicated the grant could be investigated, but there would not be an answer about whether a grant could be obtained before this project came back before the Commission. He heard a request

to ask City Council to fund the separate pedestrian path outside the normal CIP process, and asked that be done by motion and sent to City Council by motion. If the Commission wanted that request to be taken to City Council, it should be done through a motion.

Dr. Stamps referred to proposed rendering number 6, and stated he had zoomed in on that rendering on the screen by about 150%, and it appeared to him that the bridge could hold four cars as well as a car on the bike path. His point was that the image presented was somewhat deceptive. Mr. O'Brien explained the image was as good as the software they used.

Dr. Stamps stated the software did not do the Road Commission justice. He thought what was being shown was to build a road that was big enough to drive a car on the bike path and four cars between the barriers on the bridge. Mr. O'Brien stated that would be adjusted.

Ms. Franey stated there had been a lot of discussion about what was fundable and what was not fundable. She asked if Mr. O'Brien could spell out the guidelines regarding what was fundable. She thought there was confusion because it appeared certain sizes were not fundable.

Mr. O'Brien stated those questions would be answered through the TS&L review meeting. He had hoped to be through the TS&L by this time, but was not. He indicated he would try to get clear answers about the questions discussed at this meeting regarding funding the structure without a pedestrian path; funding the structure with a separate pedestrian path; allocating certain funds to a totally separated pedestrian path such as anything in excess of the bridge replacement costs, and what was fundable or not fundable from the width of a pedestrian path perspective. He would like to receive clear confirmation from their funding partner, so he could pass that information along to the Commission.

Ms. Franey mentioned information about the dimensions, specifications, weight limits, in addition to how close a pedestrian path had to be in order to be fundable; what the angles had to be because there might be a possibility it could be connected in some manner, would be helpful. Mr. O'Brien stated those questions would be asked. The Road Commission knew from an AASHTO standard or fundability perspective that would be 14-feet. As had been discussed, AASHTO guidelines and standards are guidelines and there was some flexibility and the Road Commission had exercised some of that flexibility in proposing 10-feet, and had exercised some of that flexibility with request to offsets to the barriers in order to shrink the size as much as possible of the actual structure itself. He would follow-up with the questions as well.

Chairperson Dunphy stated he would take public comment from those in attendance who had turned in speaker cards. He requested that public comments be limited to three minutes.

David Tripp, 960 E. Tienken, stated he appreciated the Road Commission's willingness to listen to the residents' concerns and input. In going through that process, it had become evident to them that the Road Commission had one way of doing things. He stated Mr. McEntee did attend a resident's public forum and agreed to have the residents submit input to a three-lane design, and the bridge design; however, it did not appear they listened to anything the residents said because the residents had some of the same input discussed by the Commission at this meeting. He referred to the Woodward/Ludlow bridge in Rochester, and noted that pedestrian pathway was part of the bridge although it was visually separate and maintained the integrity of the width of the roadway. He thought the width of the current bridge could be maintained, which was 29-feet wide, and still have the "attached" pedestrian path. No one seemed to listen. It appeared that five-lane roads were the only way to relieve congestion, and two-lane bridges had to be two 12-foot lanes with two 8-foot shoulders which were the AASHTO standards. The Road Commission had cut it down to two 4-foot shoulders, but when the pedestrian path was added, there was still a 48-foot wide shoulder. He suggested they go out and measure 29-feet and then measure 48-feet to see the difference. If people really wanted a visual, they should go to the Village and take a tape measure 48-feet to the south of the current bridge railing to see how much vegetation needed to be removed to accommodate that structure. He stated he spent some time on the HDC and had a fair understanding of the Secretary of the Interior's Standards. As a former member, his first consideration would be the size and scale. He heard it was a non-contributing structure and in the historic vernacular that was correct. However, there was not a single resident that felt the bridge was not a contributing structure. He stated Mayor Barnett recently sponsored a visioning session that Dr. Stamps referred to. There was more input than he had anticipated, and the bridge was the single most talked about physical asset in the Village. Everyone considered the bridge the gateway to the Village. Everyone wanted to keep it narrow because it was a natural traffic calming device. If the shoulders are opened up and the lane width increased it would encourage traffic to travel through faster.

Gail Berry-Tripp, 960 E. Tienken, stated the study the Commission discussed about the negative impacts was the Section 106 Study. Since the bridge was on the critical bridge list, she could not believe that Federal Funds were not funding the State to fix those bridges. The Friends of Tienken would continue to pursue that. She did not think the Road Commission engineers got the context sensitive design. The bridge was a part of a community and the engineers had to get outside of the box and work towards trying to come to a solution. She said it was technically correct that the bridge was not a contributing structure, but it would affect many contributing structures, her house (At the Sign of the Black and White Cow) was one. She suggested a drive through the area looking at her house, the cracks in the stone fence. She did not believe trucks carrying heavier loads would not do more

damage. Her house was about 16-1/2 feet from the road, and had no stone windows because they were blown out by rocks thrown up. She felt the weight limits needed to be minimized or it would destroy the structures within that Community. She suggested looking at the King's Cove Bridge which was a three-lane bridge with a five-lane alternative. She did not think shoulders were necessary on the proposed bridge because it was a very short span of a bridge. She hoped the Commissioners had received a copy of the letter from the Michigan Environmental Legal Group about certain factors that had to be taken into consideration and the data that is being used about the traffic because what was being used was not current. She stated things had changed in 2009 versus the 2000 SEMCOG study and the 2007 update.

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Joe Luginski, 985 E. Tienken, stated he was one of the residents who sat in on a meeting last week with the Road Commission and the City in regards to the design of the bridge, along with Melinda Hill. The proposed bridge is very much like the five-lane, and it all comes down to the money, as it is a funding issue. A separate pedestrian path will not be funded. He stated that during the meeting, Tom Blust asked him if he would pay for the separate pedestrian path. He stated he could not answer that, and Mr. Delacourt stepped in gave the correct answer that that was a Council issue. He wanted to know who would design a truly two-lane bridge. He heard at this meeting that the Road Commission did not do that, and asked who had the onus on them to design a truly two-lane wide bridge, two 12-foot lanes and 4-foot shoulders and a separate pedestrian path. He thought someone should step up to the plate and say it was their job and they would design it and give it a cost. When he was asked the question "would we pay for it" his first response was give me a design and give me a cost. If he goes to City Council to tell them he wants them to pay for it, their first question would be how much it cost. Where does the money come from and who will pay for it. Someone had to step up to the plate, whether it was the City, the Road Commission or the Historic Districts Commission, say they would design it and how much it would cost so they have information to take to City Council to tell them what they want and the cost. Bottom line, they had heard load limits, degradation of the Village, the homes that are being destroyed, all of which were 100% true. This is the last line of defense for the Village and for this road. He was part of the Friends of Tienken Road, and was asked by Tom Blust why they did not trust the Road Commission. He stated that they had been told just because there was a five-lane bridge by King's Cove, it would not be a five-lane road. Now they were fighting a five-lane road on that particular stretch of highway today. It was the Commission's job to make sure the Village did not get compromised.

Chairperson Dunphy called for any other speakers. No other speakers came forward. He asked if the Commissioners had any further comments.

Chairperson Dunphy stated it was his understanding that the Road Commission would come back for August 13th meeting for either formal approval or an additional discussion. He stated he would like to have another discussion prior to an approval being requested. Based on the discussion held at this meeting, there were still some unanswered questions, and suggested additional due diligence might be necessary before a formal vote on a submitted application. He thought it would be helpful to see an option of a narrower bridge with no pedestrian pathway, and the Commission would figure out what needs to be done with the pedestrian pathway if that route is explored. He noted the Commission understood it was not the Road Commission's charge to take that on. He mentioned Mr. Tripp's comment about the fact that the City of Rochester was able to connect and yet separate the pedestrian path from the main bridge structure on the Ludlow Street bridge, and asked if there was any way that could be looked at and some information from the Road Commission as to why that would or would not work in this case. He understood that the terrain was different and there was other issues involved, but he thought if the Commission could get a clear statement on that as an option, if it could be pursued and if not, why not.

Mr. Dziurman made the following motion:

MOTION by Dziurman, seconded by Miller, that the Rochester Hills Historic Districts Commission requests the City's Engineering Department to investigate and submit to the Historic Districts Commission the preliminary costs and design options for a separate pedestrian crossing adjacent to the Stoney Creek Bridge.

Mr. Dziurman explained the Engineering Department could use the examples from the City of Rochester. He stated he was not sure that could be done in a month, but it was important the Commission have the understanding of what the costs and design options are.

Chairperson Dunphy called for a second to the proposed motion. Mr. Miller seconded the motion. Chairperson Dunphy called for discussion on the proposed motion on the floor.

Mr. Delacourt stated the Commission had previously indicated they wanted to go to City Council to ask them if they were willing to pay for the separate pedestrian bridge. Mr. Dziurman stated the Commission could not ask until they knew what it would cost. Mr. Delacourt clarified Staff was not being asked to go to City Council at this point. Mr. Dziurman stated the Commission could not ask without the information.

Chairperson Dunphy agreed the Commission could not ask for a blank check. If they wanted Council to pay for something, the Commission needed to give them a dollar amount. He called for any other discussion on the proposed motion. Upon hearing none, he called for a roll call vote.

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

Aye 9 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Thompson, Franey and Luginski

RESOLVED that the Rochester Hills Historic Districts Commission requests the City's Engineering Department to investigate and submit to the Historic Districts Commission the preliminary costs and design options for a separate pedestrian crossing adjacent to the Stoney Creek Bridge.

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Chairperson Dunphy stated that the motion carried. He summarized that there were a lot of assignments for the next meeting.

Ms. Franey inquired about the road counters she had noticed in the area. Mr. O'Brien stated he would have to investigate that and he did not know whose counters they were. He explained he was not in charge of permits and was not sure if it was the Road Commission's consultants or consultants for the Tienken Road Corridor Study or someone else.

Ms. Franey asked what information the counters would provide. Mr. Shumejko stated that the City's Traffic Technician mentioned there were counters out and that he believed they were conducting a vehicle classification count, such as trucks versus passenger cars. He stated that there were counters out throughout the City on the County roads which could be part of the Road Commission's annual traffic count done city-wide.

Ms. Franey noticed the counters out today, and noted that on Tuesday they were on the opposite side of the bridge, and were out at Livernois. Mr. O'Brien stated he was not sure if that was a function of the Road Commission's traffic safety department doing an annual update, or it was a consultant.

Ms. Luginski proposed the following motion:

MOTION by Luginski to hold a special meeting on the premises in the Stoney Creek Historic District to view the District and specifically the bridge and the roadway where this project will take place.

Ms. Luginski thought there was confusion based on the renderings and a premise visit and a meeting would be very helpful for the Commissioners to get a better view.

Chairperson Dunphy called for a second to the proposed motion. Mr. Dziurman stated he would second the motion for discussion. He wondered if the next meeting could be held at the Museum so both items could be done at the same time.

Mr. Delacourt stated if the motion was approved, he could contact Pat McKay to check on the Museum's availability.

Chairperson Dunphy asked for clarification, noting the motion as made was to hold a special meeting. It appeared the discussion was now about relocating the regular meeting.

Mr. Delacourt understood the motion to be a special meeting, which would require some date specific posting. He did not know the Commissioner's availability for a special meeting.

Ms. Luginski stated she did not have a problem with Mr. Dziurman's suggestion because the Commission was going to have more discussion at the next meeting, not being asked for approval. Then she would be happy to motion that the next meeting be at the Museum and that the Commission conduct a site visit sometime during that meeting to the bridge location.

Ms. Franey thought that would be nice since the Commission would already be there. They could discuss some of the elevation questions and how things would transpire.

Chairperson Dunphy asked if it was feasible to hold the August 13th meeting at the Museum. Mr. Delacourt stated that if the Road Commission decided to submit a formal application and it met all the requirements, it would be scheduled for the August 13th Meeting Agenda. He explained that did not mean that the Commission had to act on it, but if that request is made and meets all the requirements, that request had to be forwarded to the Commission. The Ordinance would deem that an automatic approval if it was not reviewed.

Mr. O'Brien stated that given the level of uncertainty and questions that were raised, and since there is a three week prior to the meeting submission requirement for an application, he was not sure the Road Commission would be in a position to submit an application.

Chairperson Dunphy clarified with the motion maker that the motion would be revised to state the next regular meeting. Ms. Luginski responded yes. Chairperson Dunphy asked if the motion seconder was in agreement. Mr. Dziurman responded yes. Chairperson Dunphy called for any further discussion on the proposed motion on the floor. Upon hearing none, he called for a voice vote.

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

DRAFT

DRAFT

Aye 9 - Cozzolino, Dziurman, Miller, Stamps, Kilpatrick, Dunphy, Thompson, Franey and Luginski

RESOLVED that the Rochester Hills Historic Districts Commission will hold the next regular meeting (August 13, 2009) on the premises in the Stoney Creek Historic District to view the District and specifically the bridge and the roadway where this project will take place.

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Chairperson Dunphy noted for the record that the motion had carried and the next meeting would be held at the Museum. He asked Mr. Delacourt to check on the availability. Mr. Delacourt stated that it should be understood that moving the meeting would depend on the availability of the Museum. Chairperson Dunphy agreed that was understood. Mr. Delacourt stated he would work with the Chair to determine how to schedule the walking portion of the meeting.

Mr. Delacourt wanted to respond to the question about whether the Commission had received the information from the Environmental Law Center. He stated that information had been received earlier in the day and had been forwarded to the City Attorney and copies provided to the Commissioners. He stated it did not appear to impact the Commission's review process, but it did contain some legal issues the City Attorney would review.

This matter was Discussed

10. ANY OTHER BUSINESS

Chairperson Dunphy called for any other business.

Mr. Thompson inquired about the Dunn Property (1841 Crooks Road), noting the Commission had made a motion at the previous meeting regarding that non-contiguous district.

Mr. Delacourt stated he had met on site with the owner of the property and the Deputy Director of the Building Department, and walked through and around the structure. They had since held a subsequent meeting with both the property owner and his attorney, who wanted to discuss the full range of options and requests they were allowed to make to the Commission. He stated he had not heard back from them.

Chairperson Dunphy reminded the Commissioners that the next regular meeting of the Commission was August 13, 2009 at 7:00 PM, and asked if there was any other business. No other business was presented.

11. ADJOURNMENT

DRAFT

DRAFT

Upon motion duly made and seconded, Chairperson Dunphy adjourned the meeting at 9:28 PM.

Brian Dunphy, Chairperson
City of Rochester Hills
Historic Districts Commission

Judy A. Bialk, Recording Secretary

{ Approved as _____ at the _____, 2009 Regular Historic Districts Commission Meeting }.

DRAFT DRAFT DRAFT DRAFT DRAFT

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