



Rochester Hills Minutes

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Historic Districts Commission

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

Thursday, January 8, 2009

7:30 PM

1000 Rochester Hills Drive

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

1. CALL TO ORDER

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

2. ROLL CALL

Present 6 - John Dziurman, Brian Dunphy, Maria-Teresa Cozzolino, Paul Miller, Nicole Franey and Melissa Luginiski

Absent 3 - Richard Stamps, Micheal Kilpatrick and Jason Thompson

Also Present: Derek Delacourt, Deputy Director, Planning Department
Judy A. Bialk, Recording Secretary

3. DETERMINATION OF A QUORUM

Vice Chairperson Dunphy announced a quorum was present.

4. STATEMENT OF STANDARDS

Vice Chairperson Dunphy read the following Statement of Standards for the record:

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

5. APPROVAL OF MINUTES

5A. 2008-0681 Minutes of the November 13, 2008 Regular Meeting

Vice Chairperson Dunphy asked for any comments or corrections to the November 13, 2008 Regular Meeting Minutes.

Vice Chairperson Dunphy stated that the Amendment was again discussed at the December 15, 2008 Council meeting and was passed by a six to one margin for First Reading. The Amendment must now come before Council for a Second Reading and Adoption, which has been scheduled for the January 12, 2009 Regular Meeting. He explained if a majority of Council voted to approve the Second Reading, the Amendment would become effective, and the Commission could go forward to complete the CLG Application.

Mr. Miller recalled the dissenting vote was not because of the liability issue, but rather the question of legal authority lying within the Council as opposed to lying within the Historic Districts Commission.

Vice Chairperson Dunphy stated a community member comment was made as to whether the power should be taken from the elected body, the Council, and given to the HDC. He thought with six Council members voting in favor of the Amendment, it was a very positive sign that the Council was willing to accept the HDC's role in the process and to see any potential issues as fairly remote possibilities.

Mr. Miller pointed out it would be no different than the Planning Commission, the Zoning Board or a number of other commissions that are appointed by Council that have their own authority.

Vice Chairperson Dunphy noted the Commission would see what happened at the January 12, 2009 Council meeting, and encouraged any Commissioner who could do so to attend the meeting.

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

7. PUBLIC COMMENT

Vice Chairperson Dunphy asked if there were any public comments. There were no public comments.

8. NEW BUSINESS

8A. 2008-0682 Establish 2009 Regular Meeting Schedule

Vice Chairperson Dunphy stated that the Commissioners had received a proposed schedule for the 2009 meetings in their packet materials, along with a draft resolution to formalize the schedule and asked if there was any discussion regarding

the proposed schedule. Upon hearing none, he called for a motion to accept the proposed meeting schedule.

A motion was made by Cozzolino, seconded by Miller, that the 2009 Meeting Schedule be established as presented. The motion CARRIED by the following vote:

RESOLVED that the Rochester Hills Historic Districts Commission establishes their 2009 Regular Meeting Schedule as follows:

The regular meetings will be held on the second Thursday of each month at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan, beginning at 7:30 PM Michigan Time

2009 MEETING DATES

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

2008-0682

Vice Chairperson Dunphy stated for the record that the Meeting Schedule had been approved, and noted that the next regular meeting was scheduled for February 12, 2009.

This matter was Discussed

8B. 2008-0683 Election of Officers

A. Chairperson

Vice Chairperson Dunphy stated that the Commissioner's had received an excerpt from last years Minutes regarding the election of officers; could begin the process for this year, and opened the floor for nominations.

Mr. Dziurman noted that several of the Commissioners were not at this meeting, and questioned whether the election of officers should be postponed to the next meeting.

Mr. Miller asked if any Commissioners were willing to volunteer for the Chairperson and Vice Chairperson positions.

Mr. Dunphy stated he would be willing to take on the Chairperson position if it was the consensus of the group that it was appropriate.

Mr. Miller stated he would be delighted to nominate Mr. Dunphy and make that motion, and asked if the only other officer position was the Vice Chairperson position.

Vice Chairperson Dunphy stated the Commission also needed a secretary, which was filled by Mr. Thompson during 2008.

Mr. Delacourt stated that Mr. Thompson had left him a message indicating he would be willing to serve again as secretary or any other nominated office.

Ms. Cozzolino stated she would be delighted to second Mr. Miller's motion to elect Mr. Dunphy as Chairperson.

Vice Chairperson Dunphy asked if there were any other nominations. There being no other nominations, Vice Chairperson Dunphy closed the floor for nominations. **Brian Dunphy** was unanimously elected to the office of Chairperson.

Mr. Dunphy thanked the Commission for his nomination and election, and continued the meeting serving as Chairperson.

B. Vice Chairperson

Chairperson Dunphy opened the floor for nominations for Vice Chairperson.

Mr. Dziurman nominated Ms. Cozzolino for the position of Vice Chairperson. Ms. Cozzolino stated she would be happy to accept the nomination. Mr. Miller seconded the nomination.

Chairperson Dunphy asked if there were any other nominations for Vice Chairperson. There being no other nominations, Chairperson Dunphy closed the floor for nominations. **Maria-Teresa Cozzolino** was unanimously elected to the office of Vice Chairperson.

C. Secretary

Chairperson Dunphy opened the floor for nominations for Secretary.

Mr. Miller nominated Mr. Thompson for the position of Secretary. Mr. Dziurman seconded the nomination.

Chairperson Dunphy asked if there were any other nominations. There being no other nominations, Chairperson Dunphy closed the floor for nominations. **Jason Thompson** was unanimously elected to the office of Secretary.

This matter was Approved

8C. 2008-0684 2009 Earl Borden Award

Chairperson Dunphy pointed out that a wealth of information was included in the meeting packet, including a Memorandum from the Planning Department summarizing the materials provided.

Chairperson Dunphy stated he wanted to call the Commission's attention to Item #3, the selection criteria for the Earl Borden Award. He noted this was the same document included with last year's award discussion, but wanted to be sure the Commissioner's all agreed with the selection criteria. He pointed out the document dated back to 1994, and from what he understood was a codification of the practices of the Commission up to that time. He also understood that at one time there was a standing sub-committee of the Commission that focused on the Earl Borden Award, and the selection criteria was a codification of how that sub-committee had handled the Award over a period of some years.

Chairperson Dunphy noted the document did not have any official standing as it was not part of the Commission's By-Laws, but he thought it appropriate the Commission review it to be sure they were all comfortable with it and they could look at any nominations made for the Award with the understanding that the Commission was clear on the criteria and in full agreement that was what the criteria should be.

Chairperson Dunphy stated he was not requesting any formal action from the Commission, but suggested if the Commissioner's had any questions about the criteria, or felt an area should be clarified or revised, this was the appropriate time to do so. Then a clean, up to date copy of the criteria could be prepared. He stated he had reviewed the criteria and thought they were in the ballpark.

Mr. Dziurman stated that from a historic perspective, the Award had never been given to a standing member of any committee the Commission was associated with. He thought that made sense or it might give the impression the Commission was just taking care of its own. He did not know if the criteria indicated that specifically, but that had always been the case.

Chairperson Dunphy agreed that had been the Commission's understanding, and noted the Commission's concern about having either standing Commission or Study Committee members nominated for the Award had been discussed at previous Commission meetings.

Chairperson Dunphy noted the selection criteria contained repeated references to the nominating committee and the work of the nominating committee, which was an area that would have to be addressed when the criteria is updated. He commented the Commission had moved away from a nominating committee, and he was not sure that committee would be reinstated. He pointed out that for the last several years, the responsibilities had been parceled out amongst the Commission members, and everything seemed to be getting done and the Commission was finding quality nominees and award recipients.

Chairperson Dunphy stated there were several potential individuals the Commission may want to consider for the Award, as well as the property at 941 Runyon Road owned by Mark and Miki Kowal that had been suggested by neighbors of the Kowal's for a historic preservation award. He noted there was information about two City residents who had recently gained some prominence as supporters of local history that might potentially be considered as recipients of the historic leadership award.

Mr. Dziurman thought 941 Runyon Road was a good suggestion, noting the Kowal's had done a great job restoring the home. He commented the Kowal's had appeared before the Commission and seemed to be true preservationists and interested in historic preservation.

Ms. Luginski agreed with that and noted the Kowal's had been working on their house for about three years, down to reclaiming the woodwork and taking off a porch that was not historically accurate. They also restored the porch with something the Commission agreed with and had followed all the rules. She thought it would send a good message to reward the Kowal's for that.

Mr. Miller concurred, noting he was particularly impressed when the Kowal's came before the Commission with Mr. Kowal's desire to restore the home to its previous appearance despite the extra expense and work. It certainly appeared they met all the criteria and in his opinion would be the top nominee for the Award for a property.

Mr. Dziurman asked if the Commission should make their nominations at this time. Chairperson Dunphy suggested the Commissioners discuss any nominations at this time, and bring any suggestions forward for consideration. He commented that the selection criteria provided a rough timeline for the process, which stated that the nominating committee should make nominations by mid-February to go to the full Commission for voting at the March meeting. He noted that the award presentations were usually made at a Council meeting in May.

Chairperson Dunphy thought at this point it was a matter of making sure the Commissioners were thinking about nominations for the award, either for preservation leadership or for the preservation award. He wanted to be sure the Commissioners were all in agreement that the selection criteria were the guidelines the Commission wanted to use when they considered nominations.

Mr. Dziurman informed the Commissioners about Cecile Jensen, who is a retired art instructor from Adams High School, and who is very much involved in a project at St. Mary's of Orchard Lake called "Polonica Americana", which is a new research institute. It is a phenomenal project using a tremendous resource of history from Poland and throughout the United States.

Ms. Jensen is part of the effort to put the project together, which will become a national if not inter-national undertaking. The Polish Government is involved in some of the funding for the project. He noted it was located at St. Mary's of Orchard Lake, but Ms. Jensen is a Rochester Hills resident, and has been very instrumental in initiating the project. She has also written two books on Polonica, part of the Polish heritage.

Mr. Dziurman noted it was a much broader scope project and not so much local, but being a resident, Ms. Jensen was eligible for the award. He wanted to mention this project, but noted they were in the beginning stages of the project and it might be more appropriate to wait another year to see how the project goes. He commented that even the fact that she had written two history books that could be purchased at the local bookstores was an interesting feature. He stated Ms. Jensen had a long history in the community particularly since she taught in the area for most of her professional career at Adams High School.

Chairperson Dunphy suggested Mr. Dziurman put some information together for the Commission to review.

Ms. Cozzolino asked if Mr. LaVere Webster had received the award. Chairperson Dunphy stated Mr. Webster was a member of the Study Committee. Mr. Dziurman stated he had not received an award. He commented that Dr. Stamps had been nominated and received the award during a period when he was not appointed to either the Commission or the Study Committee due to some scheduling conflicts. Dr. Stamps had since been reappointed to those committees.

Ms. Cozzolino asked if the Commission had any information about Bret Rasegan. Mr. Dziurman stated Mr. Rasegan is a resident of the Stoney Creek Village. He is an architect; is currently employed by Oakland County in their Planning and Economic Development Department, and was very much involved on the City's Historic Districts Commission at one time. He was very much involved in the study conducted regarding the Brooklands clubhouse located near M-59, as well as a number of other studies, including a property on Livernois, which was subsequently designated. He is currently very involved in Oakland County's Mainstreet Program, which is a historic preservation program. Mr. Rasegan's department is also becoming involved in the Polish Mission project at Orchard Lake St. Mary's.

Chairperson Dunphy stated the Commission would give that some further consideration and would discuss it again at the next meeting. He encouraged the Commissioners to provide information on any other candidates they felt should be considered.

Ms. Luginski asked if there was a particular number of awardees the Commission targeted each year. Chairperson Dunphy stated there was not, and explained the Commission was not obligated to give the award each year. He noted the Commission had some flexibility in the matter.

Mr. Dziurman stated there were a lot of people who had done historic work in the Community, and he thought the award should be really special and should be awarded for a long-term commitment to preservation and for something very significant. Otherwise, it diminished the award. He noted there were many good candidates discussed, but he thought they really had to stand out. He thought that 941 Runyon Road stood out and commented the Commission had not given out an award for a residence in several years.

Mr. Dziurman referred to the preservation leadership award, and stated that last year the award had been given to the committee that worked on the open space millage, which was pretty special. He thought that should be kept in mind as the Commission thought about the candidates.

Chairperson Dunphy stated the Commission would discuss the recipients at the next meeting. He called for any further discussion regarding the Earl Borden Award. There was no further discussion.

This matter was Discussed

9. ANY OTHER BUSINESS

Chairperson Dunphy welcomed the new Commission members, Nicole Franey and Melissa Luginski, and noted the Commissioners were looking forward to working with them.

Chairperson Dunphy noted the next regular meeting date is February 12, 2009, and called for any other business.

Mr. Dziurman referred to the Lorna Stone Development at 3681 N. Adams, and stated he had driven past that house and noticed boards on the windows. However, the windows were not entirely covered, and commented that if the house had been mothballed, it had to be ventilated. He asked if Staff could contact the developer to discuss that. He stated if the developer was going to board up the house to help preserve it, it had to be vented. If it was not vented, it would deteriorate and rot from the inside out. He suspected that most times boards were just put on the windows, which was not proper mothballing and could cause problems. He suggested some type of vent be installed, as just venting the house would be helpful. He understood there had been some vandalism at the house and asked how bad the vandalism had been.

Mr. Delacourt stated it had been a constant issue with multiple houses around the City, and that house was no exception.

Mr. Dziurman assumed the project had not moved forward due to the current economy. Mr. Delacourt thought that was a safe assumption.

Mr. Dziurman stated it seemed as if the project had been stalled longer than the economy had been stalled. Mr. Delacourt stated it was a very ambitious project, and explained the developer had been working hard to assemble land when the bottom fell out. He did not think there would be any movement on the project for quite some time.

Mr. Dziurman asked if the developer had come back for a renewal of their Certificate of Appropriateness. Mr. Delacourt stated they had not.

Mr. Dziurman questioned whether the Certificate of Appropriateness had expired after a year. Mr. Delacourt stated the Certificate of Appropriateness did expire, but the Planned Unit Development (PUD) Agreement did not. He explained the developer never received full site plan approval, so there were no other approvals outstanding.

Mr. Dziurman clarified the developer owned the property and owned the house. Mr. Delacourt confirmed that was correct.

Mr. Dziurman stated that at a minimum, as part of the Commission's responsibility to preserve the resource, the Commission should be discussing the resource with the developer. Particularly about properly maintaining the building, even if the developer wanted to mothball the resource. Mr. Delacourt agreed, and stated he would contact the developer; provide them with a copy of the mothball standards, and let them know the Commission was concerned. He commented it had always been a grey area as to whether or not they were required to meet the mothball standards. He commented the Commission did not know if occupied resources were properly ventilated.

Mr. Dziurman pointed out if the resource was occupied, it was a different issue. Mr. Delacourt agreed, but noted it was a question of what had to be established first before the Commission could require any work, although they had a duty to maintain the home. Mr. Dziurman stated it was often a lack of understanding of what they had to do to maintain the home. It was the responsibility of the Commission to inform property owners about that.

Mr. Delacourt stated he would pass along the mothball standards. Mr. Dziurman stated that the ventilation was the most important issue, unless the roof was leaking.

He was not sure they would understand what the mothball standards entailed. He pointed out the developer could decide not to complete the project, or could sell the property.

Mr. Delacourt stated he would contact the developer to find out what their understanding of the situation was; what they had done, and what they were willing to do. Mr. Dziurman suggested the contact be more proactive, including the fact the Commission was concerned and there was a correct way to preserve the house to prevent deterioration. The house needed to be waterproofed and ventilated, which was within the Commission's right to request.

Mr. Delacourt agreed but noted he was not sure if there was not a finding of demolition by neglect or if the Commission could not establish a loss of integrity, whether the Commission was in a position to demand any work. He thought that finding would have to be established before the City could require work to be done.

Mr. Dziurman suggested that depending on the response of the developer, Staff ask if the City could be given permission to enter the property to see if there has been any loss of integrity. Mr. Delacourt agreed he could ask that question.

Mr. Dziurman stated that a former Chairperson of the Commission owned that house at one time many years ago. Mr. Delacourt commented it was one of the oldest of that style of home in Oakland County. He stated he would contact the developer and find out if the developer was willing to meet at the site and talk about what might need to be done.

Chairperson Dunphy stated that the historic house north of Bordine's on Rochester Road was also part of a PUD Agreement, and recalled that the Commission did issue a finding of demolition by neglect because of mold concerns and other issues. He asked about the current status of that property.

Mr. Delacourt stated the outside repairs had been completed, such as fixing the pillars, and shoring up holes in the foundation and the roof. He did not know whether or not the house was properly ventilated, as that was hard for the City to ascertain. He commented the City and Commission was aware there was a mold issue, but the City had not entered the house to ascertain whether that situation had gotten better, worse or remained the same. The outside concerns had been rectified.

Ms. Cozzolino asked if that property owner had been willing to allow the City access to the inside of the home. Mr. Delacourt stated that the Building Department was unwilling to go inside due to the mold situation. He noted it was difficult to ascertain if a home had been properly ventilated. In this instance, it appeared that the outside issues and exposure to the elements had been completed. He did not know if the property owner had done anything to resolve the mold issues inside the house.

Mr. Miller asked for some clarification on ventilation. Mr. Dziurman stated ventilation could be obtained by use of a louver and did not need to be mechanical. Air just needed to be brought through the house. Mr. Miller stated in his familiarity with old houses that was usually not a problem. Mr. Dziurman stated that what usually happened was that the windows were just covered. A louver vent could be put at the bottom of the window, which would allow some air to move through the house, while still protecting it from vandalism.

Mr. Miller clarified that would be more air than what would come through the crooks and crannies of the house. Mr. Dziurman stated it would and noted he assumed the home had been fixed up a little, but could not be sure.

Ms. Luginski asked if there would be a louver per window or just set randomly. Mr. Dziurman stated it depended on the size of the house and the situation. A few could be put on the first floor; a few on the second floor, or to open up the attic. It was just a way to get air into the structure. He commented that was good for the structure all year round.

Ms. Luginski stated there had been a change in the Prewitt House located on Tienken Road. She advised the Commission there had been significant vandalism in the last two or three months. Specifically, the realtor's lock boxes were removed and a number of windows in the front and back were broken. The home has been boarded up, and she expressed some concern that blue tarps had been nailed down on the roof.

Mr. Dziurman stated that was okay because it was one way of keeping the house from leaking without going through a lot of cost. He noted he did not know how the work had been done, but that was one way to keep the water out.

Ms. Luginski asked if that allowed ventilation to the home. Mr. Dziurman stated it did not, but that was where the windows were important.

Mr. Miller noted it had been mentioned that vandalism was a problem with many properties in the City and asked for some elaboration. Mr. Delacourt stated that vandalism was an issue with any vacant property in any community.

Mr. Miller asked if there had been any significant damage done inside a property that had been reported. Mr. Delacourt referred to the house on Rochester Road north of Bordine's, and noted the issue that caused the mold was that vandals broke into the house and broke some water lines before the water had been shut off. He understood a serious amount of water damage occurred inside the home.

Mr. Miller asked if copper was being stolen from the vacant properties. Mr. Delacourt was not aware of any reported incidents, but agreed that seemed to be happening all over.

Chairperson Dunphy assumed the City would keep tabs on the situation and would keep the Commission apprised of any changes they needed to be aware of. Mr. Delacourt stated the City did their best, but with some properties, the ownership changed quickly. Just as soon as the City brought one owner up to date, another owner took over and the process started over again. In some instances, the properties are owned by development companies that are more worried about what they consider to be significant other problems than a project they have not begun. He noted many were vacant, and some might be better off if they were rental properties because they would be occupied. He stated the Ordinance Enforcement Officers were aware of the various properties, and the Sheriff's Department was aware of those properties that had experienced vandalism.

Chairperson Dunphy called for any other business.

Mr. Miller suggested the Commission send a letter to Melinda Hill thanking her for her service and in chairing the Commission the last couple of years. Chairperson Dunphy stated that a Certificate of Appreciation was being prepared.

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

10. ADJOURNMENT

Upon motion duly made and seconded, Chairperson Dunphy adjourned the meeting at 8:19 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 }

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