



**HISTORIC DISTRICT COMMISSION
REGULAR MEETING MINUTES
February 2, 2010, at 4:00 p.m.**

*Judith Fouts, Commissioner
Monte Morrison, Commissioner
Mary Maercklein, Commissioner
Ellie O'Donnell, Commissioner*

*Don Curran, Commissioner
Suzell Eisenberger, Commissioner
Betty Breclaw, Commissioner
Blaine DeGrave, Staff Liaison
James V. O'Toole, City Manager*

Escanaba City Hall, Council Chambers, 410 Ludington Street, Escanaba, MI 49829

The meeting was called to order by Liaison Blaine DeGrave at 4:04 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mary Maercklein, Suzell Eisenberger, Don Curran, Matt Sviland, Blaine DeGrave, Judy Fouts, Betty Breclaw, Ellie O' Donnell

Absent: Monte Morrison

Also Present: Kristi Kidorf, John Slatton, Debbie Slatton, Jean Arnold, Pat Johnson, Judy Schroeder, Cori Triest

No approval of minutes.

ADJUSTMENTS TO THE AGENDA

NONE

CONFLICT OF INTEREST DECLARATION

NONE

TREASURER'S REPORT

NONE

UNFINISHED/OLD BUSINESS

NONE

NEW BUSINESS

A. Historic District Commissioner Training

All those in attendance went around the room and introduced themselves. The question of why historic preservation is important to that person was also asked to each.

The requirements to be a Historic District Commissioner are they must be a resident of the City, majority must have a demonstrated interest or knowledge in historic preservation, members must serve a 3 year term, 2 people need to be from a list submitted by 1 or more preservation organizations, and one member should be a registered architect if available.

A study report is important because it sets an ending date. A building can be considered historic if it falls within the time period of that set forth in the report.

A Historic District Commissioners main responsibilities include reviewing all exterior changes in local historic districts, issuing Certificates of Appropriateness, Notices to Proceed, or Denials, developing design guidelines, and promoting preservation in the community.

Review of changes to historic buildings is important because knowing what the consequences of work will be in the planning phase provides the basis for more informed judgments about the irreplaceable material record. What we choose to repair, replace, or demolish ultimately determines how the property is understood by today's and tomorrow's viewers. Signs fall down and interpreters aren't always there. So essentially, the work itself is the explanation.

When the Historic Commission reviews proposed changes to a historic building some things that need to be considered are the US Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (36 CFR part 67), design review standards and guidelines if they exist, the historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area, the relationship of any architectural features of the resource to the rest of the resource and to the surrounding area, the general compatibility of the design, arrangement, texture, and materials proposed to be used, and other factors, such as aesthetic value, that the Commission finds relevant.

Before the Historic District makes the decision to approve changes, it may be necessary to ask some questions. Samples of questions were given.

- ◆ Why is the property significant?
- ◆ What information is contained in the study committee report?
- ◆ Is the resource important by itself or as a piece of a larger district?
- ◆ Is it important for its architecture, its history, or both?
- ◆ Does it contribute to the district?
- ◆ What are the key features of this resource?
- ◆ What is the character of the proposal?

When it is deciding on the proposed changes, the Commission has four options: Certificate of Appropriateness, denial, Notice to Proceed, or postpone to a certain date.

If the Commission decides to issue a Certificate of Appropriateness, the Commission must ensure that the work meets "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings." The Secretary of Interior Standards include:

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- (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.
- (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- (4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (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.

When evaluating an application, it is also important for the Commission to remember some key points:

- ◆ Review application, assessors information – take note of what’s important about the resource
- ◆ Assess current condition, is the material original? Is it repairable?
- ◆ What are the qualities of the proposed materials?
- ◆ What do the Secretary Interior Standards say?
- ◆ Are there extenuating circumstances?
- ◆ Don’t be afraid to say no!

A denial may also be issued by the Commission. A denial may be issued when the work does not meet “The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings”. A denial would then be issued. The applicant can re-apply with new information/changed application; or appeal to the State Historic Preservation Review Board.

The Commission may also issue a Notice to Proceed. A Notice to Proceed may be issued if the following conditions are met:

- ◆ The resource constitutes a hazard to the safety of the public or the structure’s occupants.
- ◆ The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing and environmental clearances.
- ◆ Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner’s control created the hardship, and all feasible alternatives to eliminate the hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the district, have been attempted and exhausted by the owner.
- ◆ Retaining the resource is not in the interest of the majority of the community.

Finally, the Commission may decide to postpone to a certain date. The Commission can postpone the application for the following:

- ◆ More information about the application.
- ◆ Clarify information provided.
- ◆ Cannot get a motion passed

- ◆ Be careful of 60 days, to be safe get a written extension from the applicant.

Before the Historic District Commission meeting, it is important to do the following:

- ◆ Ensure applications are complete – develop application guidelines
- ◆ Ensure given proper notification for meetings – Agenda set ahead
- ◆ Ensure reviewing applications within 60 day time frame
- ◆ Do your homework! Review the applications BEFORE you get to the meeting! Visit the site.

After the Historic District Commission meeting, it is important to do the following:

- ◆ Written decisions sent to applicants
 - Why application approved or denied
 - If denied: reason, how to correct, how to appeal
 - Must be sent within 60 days
 - Good idea to send denials registered mail and 1st class
- ◆ Decisions are communicated to Building Department

Violations of the Ordinance include:

- ◆ Property owners who do work before getting a permit or do not do what the Commission approved.
- ◆ Law allows for the Commission to order work corrected if it does not meet “The Secretary of the Interior’s Standards.”
- ◆ If work not corrected Commission can get a court order to enter property, correct work, and put a lien on the property.

Exit Commissioner Eisenberger

Demolition by neglect gives the Commission powers to correct situations where property owners are neglecting their historic properties. The Commission can order repairs be made. If the owner does not make repairs the Commission can get a court order to enter property, make repairs, and put a lien on the property.

Booklets are available from the National Parks Service for \$2-3 apiece. The book contains a copy on the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings.

Applications must meet all ten standards. A few standards may be more prominent than others, but the application does need to satisfy all.

Design guidelines are helpful for common types of work. The guidelines must be approved by the State Historic Preservation Office. The guidelines should be easy for the public to understand. It is also important to get comments from the public before adopting them so that there is public buy-in.

Some helpful hints for creating a positive outreach for the Commission include:

- ◆ A year-end wrap up with a slide show of before and after photographs of applicant properties
- ◆ Evaluate HDC's work – what can be improved? Invite elected officials
- ◆ Send agendas with results to elected officials so they can see you're approving most applications
- ◆ Meet annually with elected officials
- ◆ Celebrate Preservation Month with an ice cream social with the HDC – Open House

GENERAL PUBLIC COMMENT

NONE

COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS

NONE

ADJOURNMENT

The Historic District Commission adjourned from training at 6:13p.m.

Respectfully submitted,

Judy Schroeder
Cori Triest
DDA Co-Directors

Approved: _____

Don Curran, Chairman

Approved: _____

Betty Breclaw, Secretary

Approved: _____

Blaine DeGrave, Staff Liason