

Michigan State Historic Preservation Review Board Meeting Minutes May 20, 2022

Minutes of the State Historic Preservation Review Board Meeting

Friday, May 20, 2022, 10:00 a.m.

*Lake Michigan Room, Michigan Economic Development Corporation
300 North Washington Square, Lansing, Michigan 48913*

BOARD MEMBERS PRESENT

Devan Anderson, Daniel Bollman, Kemba Braynon, Matthew Daley (arrived: 10:05), Lane Demas, Sharon Ferraro, Lakota Pochedley (arrived: 10:09)

BOARD MEMBERS ABSENT

Dean Anderson, Krysta Ryzewski (both pre-excused)

STAFF MEMBERS PRESENT

Amy Arnold, Martha MacFarlane-Faes, Nathan Nietering, Mark Rodman, Sarah Surface-Evans, Todd Walsh; State Historic Preservation Office (SHPO)

Michele Wildman; Michigan Economic Development Corporation (MEDC)

Jon Stuckey, Austin Wright; Michigan Office of the Attorney General (AG)

MEMBERS OF THE PUBLIC PRESENT

From list.

1. CALL TO ORDER AND ROLLCALL

Board Chair Kemba Braynon called the meeting to order at 10:03 a.m.

Braynon introduced Sharon Ferraro and Lakota Pochedley as newly appointed Review Board members attending their first meeting.

NOTE: Daley arrived at 10:05 a.m., Pochedley arrived at 10:09 a.m.

2. APPROVAL OF AGENDA

Motion to approve the agenda of the May 20, 2022 regular board meeting.

Motion: Devan Anderson

Second: Bollman

Vote: 7-0

3. APPROVAL OF MINUTES – January 23, 2022

Board Comments: None

Motion to approve the minutes as proposed.

Motion: Demas

Second: Bollman

Vote: 5-0 (Abstain: Ferraro, Pochedley)

4. SHPO STAFF REPORT – Martha MacFarlane-Faes

- MacFarlane-Faes introduced Michele Wildman, executive vice president for economic incentives with the MEDC. Wildman noted the realignment within MEDC aimed at better serving the citizens of Michigan. The “Community Development” business unit name is no longer being used but the SHPO falls nicely within continued efforts to develop vibrant and resilient places. The Michigan Arts and Culture Council now joins the attractive places team along with SHPO, the Michigan Main Street Center, and other place-based initiatives.
- Wildman shared how busy the unit has been with the \$100 million Revitalization and Placemaking (RAP) program, which is currently seeking applications enabled by federal American Rescue Plan Act dollars. Historic preservation is a key project type for this grant funding source, which is meant to have statewide distribution. Up to \$5 million can be awarded per project to help revitalize key properties.
- Wildman welcomed the new board members and thanked them for their service. She then turned the presentation back to MacFarlane-Faes.
- MacFarlane-Faes continued by highlighting that May is National Historic Preservation Month and noting some of the events and activities falling during May, including the Governor’s Awards for Historic Preservation (May 5), and the Michigan Historic Preservation Network annual conference in Holly.
- State Tax Credit update: It has taken over a year to wind through the complex rulemaking process, but the program is almost ready to launch. Informational webinars are being created to assist the public in preparing their materials. The online application portal will open on June 15, and will close after all credits for this year are expected to be reserved.
- In June, SHPO intends to launch the Resilient Lakeshore Heritage Grant Program. This is enabled by a \$750,000 Paul Bruhn Preservation Grant from the National Park Service (NPS) which will create a subgrant program in Michigan designed to assist smaller maritime communities with physical building repairs. Eligible communities will be active Certified Local Government (CLG) participants, or communities which participate in Michigan Main Street, or MEDC’s Redevelopment Ready Communities program, about 24 communities in all. The program details are presently available on the SHPO website. Deadline to apply will be September 1.
- Due to an agency slowdown in MEDC Human Resources, we have been delayed in backfilling some of our vacant positions. Positions we expect to fill soon are a Historian position to assist with Section 106, a replacement for Joelle Letts, who left in March as our Budget Analyst, and another historical architect to replace Robb McKay.

- SHPO is seeking funding to replace our existing office database system, which will be an outlay of about \$1.5 million. Possible state grant funding may be available, and the legislature is interested to see this funded.
- Sarah Surface-Evans (SHPO Senior Archaeologist) summarized that archaeology has assigned over 150 new state site numbers so far this year. Archaeology concerns are being factored into several upcoming Programmatic Agreements, including with USDA Rural Development and HUD/the City of Detroit. SHPO is working with a consultant on a joint project to conduct NAGPRA reviews and case projects for materials which are held by various State of Michigan agencies (SHPO/DNR/MHC). Archaeology has a backlog of site data and reports in the database, and staff are now working backwards to make sure this critical dataset is included.
- SHPO Archaeology has been involved in several new and recent outreach efforts. All 3 SHPO archaeologists attended the Council on Michigan Archaeology meeting in May. Mike Hambacher and Stacy Tchorzynski (DNR) presented a joint Archaeology in the National Register session at the MHPN conference also in May. Save the date! Michigan Archaeology Day will be October 29, 2022 this coming fall, to be held in person at the Michigan History Center here in Lansing. More details will follow!

5. CORRESPONDENCE & PUBLIC COMMENT

Several letters of support were received in support of and one letter of objection was received for the East Ludington Avenue Historic District nomination, individual letters of support were received for the Humphrey Farm nomination and the McGraw House nomination, and one letter of objection was received from a property owner in the Heartside Historic District Boundary Increase nomination.

Summary of Public Comment:

NOTE: Comments offered by the public are limited to 2 minutes per speaker.

- Marilyn Tuchow – agenda item 6d., Elijah Bull House nomination – spoke in support of the nomination presented today.
- Tony and Velma Rucker - agenda item 6e., Orsel and Minnie McGhee House nomination – spoke in support of the nomination presented today.

6. NATIONAL REGISTER NOMINATIONS

a. East Ludington Avenue Historic District, Ludington, Mason County Presented by Cheri Szcodronski

Board Comments: Ferraro inquired about the short series of non-contributing bungalows and noted they were the only example of residents building rentals in order to keep up their property value, and wondered if they should not be considered contributing. Szcodronski responded that because they had such little

detailing to begin with and all of those original materials have been removed, there wasn't much left of original fabric. Szcodronski will follow up with Walsh to revisit the idea of contributing status.

Motion to approve the nomination as presented.

Criteria and Level: A&C, local

Motion: Demas

Second: Ferraro

Vote: 7-0

b. Grace Ingersoll McGraw House, Grosse Pointe, Wayne County

Presented by Kristine Kidorf

Board Comments: Daley asked about the Merckell family and subsequent owners on page 14 and wondered if there was anything else known or worth adding about subsequent owners. Kidorf responded that they were named because of the long term (thirty year) duration of their ownership. Since the Merckell's owned it for thirty years, Daley suggested that explanation should be included.

Motion to approve the nomination as presented.

Criteria and Level: C, local

Motion: Devan Anderson

Second: Daley

Vote: 7-0

c. Ernest J. and Edna Humphrey Farm, Ewen, Ontonagon County

Presented by Jane Busch

Board Comments: Bollman noted that this property reminded him of the railroad depot nomination seen at the previous meeting, being so complete including interior spaces. Braynon added that it was a pleasant surprise to see such a well-preserved arts and crafts bungalow as the farmhouse.

Motion to approve the nomination as presented.

Criteria and Level: A&C, local

Motion: Bollman

Second: Ferraro

Vote: 7-0

d. Elijah Bull House, Bloomfield Township, Oakland County

Presented by Laurie Sommers

Board Comments: None.

Motion to approve the nomination as presented.

Criteria and Level: A&C, local

Motion: Devan Anderson

Second: Demas

Vote: 7-0

e. **Orsel and Minnie McGhee House, Detroit, Wayne County**

Presented by Melanie Markowicz

Board Comments: Daley commented that it was a personal treat to be able to review this nomination as he has taught about this case in university history courses. He continued that the area of Seebaldt Street saw earlier racial disturbance in 1925 leading up to the Ossian Sweet House incident elsewhere in the city, so the ethnic turmoil was not new in this neighborhood when the McGhees moved in to the house. Demas complemented that the nomination was well written and makes a great case for national significance, and it makes a sophisticated analysis of the relationship between national and local court cases and legal actions, while always keeping a focus on the McGhee family, who really had to face the brunt of everyday life through this time. This is an excellent example which can be given to history students. Demas urged SHPO to continue to press forward with making national level significance arguments where appropriate. Daley added that he appreciated the narrative going beyond just the court case and final decision, discussing the next few decades. Braynon mentioned her appreciation of the discussion of the changing interfamily relationship between the McGhees and the Sipes family next door over the long term.

Motion to approve the nomination as presented.

Criteria and Level: A, national

Motion: Ferraro

Second: Daley

Vote: 7-0

f. **Sojourner Truth Homes, Detroit, Wayne County**

Presented by Lillian Candela

Board Comments: Daley complimented the overall structure of the narrative but suggested the Journal of Detroit Perspectives from 1981 as a good source for discussion of how heavily Detroit leadership dragged its feet in the approval of the various housing projects. He added there was a huge tension between the federal and city governments over the placement and approval of various housing projects during this time. Footnotes 128-133 discuss Race Relations in Wartime Detroit and other sources which refute the commonly thought narrative that racial tensions were largely stoked by southern Whites; most of these were led by other Midwesterners. Daley would be pleased to suggest other sources that add to the narrative that set the context for how Sojourner Truth Homes developed as a result of early housing projects. Daley also noted the formatting

of several footnotes should be reviewed. Demas added that this nomination has the challenge to make the greater argument for national significance as there were more pieces involved and spread over a wider area. This is the exact kind of story that really adds to the national context of race in public housing from this time period. Braynon added that this experience is close to her as her father grew up in the Brewster Wheeler projects in Detroit and it was interesting to see how the outcome here was different than at other projects.

Motion to approve the nomination as presented.

Criteria and Level: A, national

Motion: Daley

Second: Pochedley

Vote: 7-0

g. Marygrove College, Detroit, Wayne County

Presented by Cassandra Talley

Board Comments: Braynon commented that this nomination presented another interesting history, in particular as it related to women's education.

Motion to approve the nomination as presented.

Criteria, Consideration and Level: A&C, consideration a., local

Motion: Ferraro

Second: Daley

Vote: 7-0

NOTE: the Board took a lunch break starting at 11:58 a.m. The meeting business resumed at 12:26 p.m.

h. Heartside Historic District Boundary Increase, Grand Rapids, Kent County

Presented by Nathan Nietering

Board Comments: Ferraro commented that it was actually in Kalamazoo where the first Ladies Library Club began in 1878, and that Grand Rapids appears to have followed. Ferraro also added that the Heartside neighborhood's designation as a Renaissance Zone provided an important tax advantage for some of the early redevelopment efforts over the past two decades in this boundary increase area. Walsh acknowledged and thanked both Rhonda Baker and PastPerfect Inc. for their earlier work and research on this nomination.

Motion to approve the nomination as presented.

Criteria and Level: A&C, local

Motion: Demas

Second: Ferraro

Vote: 7-0

i. 2022 National Register of Historic Places removals

Presented by Nathan Nietering

- Trowbridge Road/Grand Trunk Western Railroad Bridge, Bloomfield Hills, Oakland County
- Boldman, David and Elizabeth Bell, House, Canton Township, Wayne County
- Fort Street/Pleasant Street and Norfolk and Western Railroad Viaduct, Detroit, Wayne County
- Cass, Lewis, Technical High School, Detroit, Wayne County
- Grand Rapids Cycle Company Factory, Grand Rapids, Kent County
- Oscoda County Courthouse, Mio, Oscoda County
- New York Central Railroad Raisin River Bridge, Monroe, Monroe County
- Fuerst, Jacob and Rebecca, Farmstead, Novi, Oakland County
- East Ward School, St. Johns, Clinton County
- Union School, St. Johns, Clinton County
- Tiger Stadium, Detroit, Wayne County
- Dingledey, Phillip and Maria Hasselbach, House, Canton Township, Wayne County
- Saint Boniface Roman Catholic Church, Detroit, Wayne County
- Longyear Hall of Pedagogy - Northern Michigan University, Marquette, Marquette County
- Fourth Ward Polling Place, Petoskey, Emmet County

Board Comments:

Motion to recommend that the so-named resources presented May 20, 2022, be provided to the National Park Service to be removed from the National Register.

Motion: Ferraro

Second: Devan Anderson

Vote: 7-0

7. LOCAL HISTORIC DISTRICT STUDY COMMITTEE REPORTS – Amy Arnold

a. Flint & Pere Marquette Potter Street Station, Saginaw, Saginaw County

Board comments: None.

b. Robert and Erma Hayden House Local Historic District, Ann Arbor, Washtenaw County

Board comments: None.

8. APPEALS

a. Pinch LLC v. Grand Rapids Historic Preservation Commission

Board Comments: Bollman stated that he was generally sympathetic with the petitioner, and it is unfortunate that the Commission could not see a way to make this work acceptable. Ferraro pointed out that other cities, such as Kalamazoo, handle this sort of replacement differently by putting a window “mask” over new glass block to give it the viewed impression of being more akin to the original style, but the fact of the matter is that this applicant did not obtain the needed Certificate of Appropriateness (CoA) before the work was undertaken. Devan Anderson stated that Grand Rapids is like Kalamazoo, Detroit and other cities which can make some allowances for glass block windows, but the problem here is that the applicant did not follow the process to learn under what design circumstances these would be permitted.

Motion to adopt the proposal for decision that the appeal filed in the case of Pinch LLC v. Grand Rapids Historic Preservation Commission be upheld.

Motion: Bollman

Second: Ferraro

Vote: 7-0

b. Ethel Chapp v. City of Boyne City Historic District Commission

Board Comments: Ferraro stated that this appears to be sloppy work on the part of the Commission. The applicant appears to provide substantial evidence of other work which was approved by this Commission and the Commission appeared to make an inconsistent decision here. Bollman stated that his greater concern is that it appears that elsewhere in the district, work was done in which a CoA was not sought, but in this case the applicant tried to follow the process and the proposed work was denied. Devan Anderson inquired if the board’s decision was actually not whether their decision to use vinyl was right or wrong, but the way they crafted their motion and handled their hearing should be set aside so that they can revisit it and reconsider it in a less haphazard kind of way. It may be that the Review Board agrees with the Commission’s decision, they just made it in the wrong way. Perhaps it’s more of an issue of procedure. Ferraro added that there had been a previous decision in which the Administrative Law Judge’s (ALJ) decision was to set aside the Commission’s decision which resulted in the Commission issuing a CoA.

Anderson summarized that there are actually different things: first that the Review Board may find that the Commission may have actually resolved incorrectly and therefore should issue the CoA, but separately that there is a procedural issue and they should undertake another hearing. Ferraro asked if they were actually cedar shingles or shakes. Demas stated that what resonated with him was that the review was done by considering photographs instead of actually visiting the site for in-person inspection. Bollman noted that there is no detailed discussion of what other alternative products or materials might be considered. Devan Anderson noted that there is such a broad range of materials and qualities of materials and some approval decisions may be similar, but each instance must be considered on their own merits. Ferraro added in her own

experience there is always some other example in a district that can be pointed to, but it may or may not apply as relevant to a specific case.

Demas asked if it was common for a Commission to make a finding based on photographs instead of a site visit. Ferraro suggested that photographs may be provided but a site visit should be included. Devan Anderson added that in Detroit, which might hear 500 cases in a year, the Commission can aspire that a commissioner will visit each applicant property, but in many cases decisions are made solely from the photographs provided. Bollman pointed out that the location of the vinyl – and what it may be replacing – matters. He continued that he felt that the approval or denial of the use of vinyl in one case does not necessarily mean that a different ruling on vinyl is arbitrary or capricious. Devan Anderson surmised that it felt that the end decision was the right one but the fault was in the process of arriving at the decision. Demas disagreed stating that it would be difficult to go against the ALJ and ask that the case be reheard if the process if flawed.

Ferraro summarized that the Review Board's role is to support or deny the judge in the proposal for decision. Stuckey reminded everyone that the Review Board can approve the proposal for decision in full, or only in part, and can modify specific portions of the proposal for decision. Ferraro suggested the motion that the proposal be approved and that the case be remanded back to the local Historic District Commission to be reheard and that more information and specification be provided on the proposed vinyl material to be used. Bollman stated that he wasn't completely comfortable with giving the Commission a second chance to hear the application again and the precedent that might set. Demas agreed. Bollman reiterated that he was very concerned that additional properties were cited in the applicant's evidence and there was no discussion one way or the other of if they were considered by the Commission. Demas stated that this applicant shouldn't suffer as a result of the Commission needing to reexamine its procedures. Devan Anderson asked if this ALJ had ever heard a HDC appeal before. Stuckey responded that yes, the ALJ had heard several.

Motion to adopt the proposal for decision that the appeal filed in the case of Ethel Chapp v. City of Boyne City Historic District Commission with the caveat that the application be remanded back to the historic district commission for a new hearing and request more specifics on how the proposed replacement material will replicate as closely as possible the physical appearance of the house.

Motion: Ferraro

Second: Devan Anderson

Vote: 5-2 (Aye: Devan Anderson, Braynon, Daley, Ferraro, Pochedley, Nay: Bollman, Demas)

9. DATES OF NEXT MEETING

September 23, 2022; January 20, 2023

10. ADJOURNMENT

Motion to adjourn: Devan Anderson

Second: Ferraro

Vote: 7-0

Meeting adjourned at 1:50 p.m.

Minutes prepared by Nathan Nietering