

HISTORIC DISTRICT COMMISSION

Council Chambers, City Hall
70 Maple Street
Manistee, MI 49660

MEETING MINUTES

February 2, 2017

A Meeting of the Manistee City Historic District Commission was held on Thursday, February 2, 2017 at 3:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 3:00 p.m. by Chair Kracht.

ROLL CALL

Members Present: Aaron Bennett, T. Eftaxiadis, Teena Kracht, Jim Matthews, Mary Russell, Lee Trucks

Members Absent: John Perschbacher (excused)

Others: Thad Taylor (City Manager), Richard Wilson (City Attorney), Jim Smith (Mayor, 353 Frist Street), Nichole Knapp (318 River Street), Frank Greco (4450 Lakeshore Road), Mark Fedder (Museum Director) Steve Harold (Museum Curator), Denise Blakeslee (Planning & Zoning Administrator) and others

APPROVAL OF AGENDA:

MOTION by T. Eftaxiadis, seconded by Mary Russell that the Agenda be approved as prepared.

With a voice vote this motion passed unanimously.

APPROVAL OF MINUTES:

MOTION by Mary Russell, seconded by Aaron Bennett that the Minutes of the January 5, 2017 Meeting be approved as prepared

With a voice vote this motion passed unanimously with Commissioner Eftaxiadis abstaining because he was not present at the meeting.

PUBLIC COMMENT ON AGENDA RELATED ITEMS

City Manager Thad Taylor spoke to the Commission about meeting with two commissioners relating to potential conflicts of interest and publicly stated that he did not tell one of the members that they had to either vote in favor of the project or recuse from deliberation.

Mayor Jim Smith expressed his appreciation to the members of the Historic District Commission that participated in the Council Worksession, and their work in the district.

Commissioner Matthews asked for clarification, if you are a member of a committee do you not still have a public voice?

City Attorney Richard Wilson – said that when a person serves on a committee as a public official he or she does give up some rights. The applicant has due process rights that include an unbiased board. He spoke of the need to give the request fair consideration, based on evidence presented at a public forum, and that discussion must be held in a public forum. Members who serve on committees have a duty of loyalty and good faith which may be breached if they prejudge an application or make public announcements of opposition before the matter is heard. Sending a letter to the editor when you serve on a commission is not appropriate as a city representative and members should refrain from expressing their view on matters before the commission.

Nichole Knapp, 318 River Street – is supportive of change and growth, she has concerns about the appearance of the building and is not in favor of first floor residential.

NEW BUSINESS:

Chair Kracht asked if any commissioners have a conflict with the requirement to impartially render a decision in regards to the requests from Hollander Development and if so they are asked to declare it before deliberation begins.

Commissioner Eftaxiadis said he had been asked by the City Manager if he had a conflict of interest relating to this project and clarified his financial interest is in the North Channel LLC not Edgewater. He is not in conflict with the By-Laws and has reviewed Section 3.11 Conflict of Interest with his attorney and will not recuse himself from deliberation.

HDC-2017-01 - Hollander Development, 400 River Street – Demolition Permit

Hollander Development, 400 River Street has submitted a request to demolish all building and structural elements above but not including the first floor level at the River Street Level.

The commission deemed the application completed and felt that a site visit before taking action on the request was not necessary.

MOTION by T. Eftaxiadis, seconded by Lee Trucks that the Historic District Commission approve the request from Hollander Development, 400 River Street for a demolition permit and issue a Notice to Proceed. This permit is conditioned upon approval of a Certificate of Appropriateness to allow the construction of a three story building on the remaining slab, basement and foundation system remaining after demolition of the first floor of the building at 400 River Street and receipt of all necessary permits.

With a roll call vote this motion passed 6 to 0.

Yes: Bennett, Matthews, Eftaxiadis, Trucks, Russell, Kracht

No: None

HDC-2017-02 - Hollander Development, 400 River Street – Request for a Certificate of Appropriateness

Hollander Development, 400 River Street has submitted a request for a Certificate of Appropriateness to allow the construction of a three story building on the remaining slab, basement and foundation system remaining after demolition of the first floor of the building at 400 River Street. The Commission deemed the application complete.

The request was reviewed against the requirements for Infill Construction using a checklist developed by staff with responses from the applicant as follows:

FACADE SHAPE - The concepts and characteristics presented on the following page are those of the existing architecture which should determine the “rough” shape, size and location of the in-fill facade.

Height - Historically commercial buildings are generally similar in height. An in-fill building should not be much higher or lower than the mean height of surrounding structures.

- The proposed building is in the same height range as adjacent buildings at the intersection of River and Maple Streets. At approximately 40’ tall, it is slightly taller than the structures on the northeast corner and southwest corner, but somewhat shorter than the structure on the southeast corner.

The Commissioners began discussion on the proposed height of the building.

Joe Hollander, Hollander Development asked the commission to table deliberation on his request until a later date. He expressed his concerns about Commissioner Matthews deliberating on the request after sending a Letter to the Editor.

Chair Kracht asked for clarification from the City Attorney. City Attorney Richard Wilson said it is up to the Commission if they want to table the request.

Commissioner Matthews said that he wanted to submit his resignation.

Chair Kracht asked for clarification from the City Attorney. City Attorney Richard Wilson said it was up to the Commission if they wanted to accept Commissioner Matthews’s resignation.

MOTION by Lee Trucks, seconded by Mary Russell to accept Commissioner Jim Matthews resignation from the Historic District Commission.

Motion passed with a roll call vote 3 to 0 with Commissioner Bennett and Eftaxiadis Abstaining.

Yes:	Trucks, Russell, Kracht
No:	None
Abstained:	Bennett, Eftaxiadis

MOTION by Aaron Bennett, seconded by T. Eftaxiadis to table deliberation on the request from Hollander Development, 400 River Street for a Certificate of Appropriateness to allow the construction of a three story building on the remaining slab, basement and foundation system remaining after demolition of the first floor of the building at 400 River Street until the next meeting of the Historic District Commission (March 2, 2017) unless a Special Meeting can be scheduled.

Motion passed with a roll call vote of 3 to 2.

Yes: Eftaxiadis, Bennett, Kracht
No: Trucks, Russell

The Commission took a short recess.

OLD BUSINESS

Expired Permits: 347& 349 River Street, Paula Rozmarek and 411 River Street, Jeff Gordon

At the request of the Historic District Commission staff reached out to Jeff Gordon for updates on outstanding permits. Mr. Gordon was present and spoke of his intention to apply for DDA facade grants. The applications are due in early May with a DDA decision by July. The window to complete the grant work is one year, so our request is that the historical permits be extended through the end of July 2018 for all the outstanding permits for both buildings.

347& 349 River Street, Paula Rozmarek

Mr. Gordon spoke to the commission about the outstanding items on the three permits PHDC08032, PHDC09014 and PHDC11009.

MOTION by T. Eftaxiadis, seconded by Aaron Bennett to extend permits until July 31, 2018.

With a Roll Call Vote motion passed 5 to 0.

Yes: Bennett, Eftaxiadis, Trucks, Russell, Kracht
No: None

411 River Street – Jeff Gordon

Mr. Gordon spoke to the commission about the outstanding items on the three permits PHDC1201, PHD1504 and PHDC1505.

Motion by Lee Trucks, seconded by Mary Russell that the Historic District Commission permits until July 31, 2018.

With a roll call vote this motion passed 5 to 0.

Yes: Russell, Eftaxiadis, Trucks, Bennett, Kracht
No: None

PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA

Frank Greco 4450 Lakeshore Road – Recommends that the City Attorney be contacted on the ability of members to express opinions.

CORRESPONDENCE

Commissioners received a copy of a letter from the Michigan State Housing Development Authority relating to the Manistee Manufacturing Co. Building Rehabilitation and Site Cleanup, 87 Washington Street.

STAFF REPORTS

Denise Blakeslee, Planning & Zoning Administrator – This is the second time the Architect for the project at 400 River Street brought samples for the commissioners to review and asked if the commissioners wanted to review the samples so he would not need to bring them back a third time.

The commissioners reviewed the samples.

MEMBERS DISCUSSION

The Next meeting of the Historic District Commission will be on Thursday, March 2, 2017 at 3:00 p.m. in the Council Chambers, City Hall, 70 Maple Street.

ADJOURNMENT:

MOTION by Mary Russell, seconded by Lee Trucks that the meeting be adjourned. Motion passed unanimously.

MEETING ADJOURNED AT 4:23 P.M.

MANISTEE HISTORIC DISTRICT COMMISSION

Denise J. Blakeslee, Recording Secretary