

CITY OF MACKINAC ISLAND

MINUTES

HISTORIC DISTRICT COMMISSION

Tuesday, February 13, 2024 at 10:00 AM

City Hall – Council Chambers, 7358 Market St., Mackinac Island, Michigan

I. Call to Order

The Meeting was called to order at 10:04 AM.

II. Roll Call

PRESENT

Andrew Doud

Lee Finkel

Alan Sehoyan

Lorna Straus

ABSENT

Nancy Porter

Staff: Gary Rentrop, Richard Neumann

III. Pledge of Allegiance

IV. Approval of Minutes

a. January 9, 2024 Minutes

Motion to approve the minutes as written.

Motion made by Straus, Seconded by Finkel.

Voting Yea: Doud, Finkel, Sehoyan, Straus

V. Adoption of Agenda

Motion to approve the Agenda as amended. The amendment is to add HDC Fines Discussion under Old Business.

Motion made by Sehoyan, Seconded by Straus.

Voting Yea: Doud, Finkel, Sehoyan, Straus

VI. Correspondence

None

VII. Committee Reports

None

VIII. Staff Report

Motion to approve the Staff Report.

- a. SHPO CLG Annual Report for your review

The Commission approved the submittal of the Annual CLG report.

- b. C24-010-002(H) Benser Opera House Wood & Trim Repairs

Dombroski stated the like for like job is to replace banged up and rotted wood details. Roy confirmed it will be all wood, like for like.

- c. MD24-017-008(H) GHMI Parker Apartments Soffit, Fascia and Gutter Repairs

Dombroski stated the applicant would like to repair a back side gutter and fascia damaged by ice buildup

IX. Old Business

- a. MD23-067-023(H) Corner Cottage Reno Permit Extension Request

The applicant was not able to start so they are requesting an extension. Motion to approve the extension.

Motion made by Sehoyan, Seconded by Doud.
Voting Yea: Doud, Finkel, Sehoyan, Straus

Straus asked if Dombroski got weekly reports on the retaining wall project. Dombroski said no. Straus suggested asking for updates.

b. C23-083-019(H) Gatehouse Reno Permit Extension Request

Motion to approve the extension.

Motion made by Straus, Seconded by Sehojan.

Voting Yea: Doud, Finkel, Sehojan, Straus

HDC Fines Discussion

Finkel asked Rentrop if one contractor does unauthorized work on two properties, would that be assessed the \$5,000 fine? Rentrop stated that the fines follow the individual, not the property. Doud gave an example of a violation at Doud's and then Patrick Doud's Pub, it is one or two violations. Rentrop stated it could be either. All the commission members want this distinction to be clear, no grey areas. It should follow the contractor, OR the property. Straus stated that consistency counts for alot and she believes the entire commission should be present for this discussion and a clear policy should be created. Rentrop reminded the Commission that this would be an ordinance amendment and City Council makes the final decision. The HDC can make a recommendation to City Council. Sehojan gave an example of a violation at a commercial establishment and a residential home, owned by the same person, wondering how the fine would work in this instance. Finkel asked Dombroski what he thought about this. Dombroski stated that he has heard that owners think it is better to ask for forgiveness than permission and he is all for holding owners responsible for any violations. Doud stated he likes the \$5,000 fine for a second offense. Motion to table to March for further consideration.

Motion made by Doud, Seconded by Sehojan.

Voting Yea: Doud, Finkel, Sehojan, Straus.

X. New Business

a. C24-021-001(H) Benser Chippewa Hotel Roof Top HVAC Replacement

Roy Shryock explained why he proceeded with job due to no quorum and couldn't afford to stall the project. He feels HDC should make an exception in situations like this. He does not feel the violation is fair in this case. Finkel asked Rentrop if the HDC could have the ability to waive the fee for good cause? Rentrop stated yes, due to extenuating circumstances. Dombroski stated it needed HDC approval because it is not like for like. Motion to approve

Motion made by Doud, Seconded by Sehoan.
Voting Yea: Doud, Finkel, Sehoan, Straus

Finkel pointed out that the revised fine schedule has not been approved, so this violation does not count toward his first offense. Doud stated we should think about this and discuss next month.

b. R123-066-103(H) Callewaert Shed

Dombroski stated this was started without approval. Construction was ordered to stop until the project was approved by the HDC. Motion to table for more information as recommended by Neumann.

Motion made by Sehoan, Seconded by Finkel.
Voting Yea: Doud, Finkel, Sehoan, Straus

c. C24-019-007(H) Coal Dock Improvements

McGreevy stated they are reinforcing footings and beams in the center of the building and adding a substantial amount of drywall for fire safety. In addition they are adding a new flooring system for a 2nd floor for storage. There will be an added stairway on the roadside of the building to access the 2nd floor. They would like to add a sliding door on south end on the 2nd floor to load pallets. McGreevy stated they are also adding drywall to the existing hardware store building. Sehoan confirmed the HDC is just reviewing phase I. Neumann added that exterior changes that relate to 2nd floor are the new door which adds access and egress, and a new double window that is egress size window. The sliding barn door would also be added and all are appropriate to the character of the building and function of the building. Motion to approve.

Motion made by Doud, Seconded by Sehoan.
Voting Yea: Doud, Finkel, Sehoan, Straus

d. C24-026-004(H) Lilac Tree Door Reconfiguration

Shryock stated they are joining two west end retail spaces, reducing two entrances to one. The elevation will look just like the Little Luxuries entrance. Neumann thinks it will be an improvement as it will be more traditional in its appearance and a more symmetrical treatment of the building facade along Main Street.

Motion to approve.

Motion made by Sehoan, Seconded by Doud.
Voting Yea: Doud, Finkel, Sehoan, Straus

e. HB24-041-009 Jaquiss House Demolition

Rentrop stated that he disagreed with Murray, in that Neumann and Clements were discussing designs based on keeping the front of the home and adding a new back portion. Neither Rentrop or Neumann ever discussed a design that involved demolishing the entire structure and building a new modular home. Sehoyan clarified that the plan Neumann saw a year ago is not in front of them today. Doud stressed that he does not feel the architect and attorney should be striking deals with the applicant. Neumann stated there were no deals, they were just discussing design ideas, as he does with many applicants. Rentrop stated you cannot approve demolition without establishing one of the grounds that allow for demolition. Murray stated undue financial hardship and retaining the resource is not in the interest of the majority of the community, were the grounds he was stating. The burden is on the applicant to prove the grounds.

Doud stated when considering a project the commission is the decision maker. How much are they to consider, such as zoning. Rentrop stated yes you can consider all points in the statute of the ordinance.

Murray addressed the Commission with points in support of demolition. No one is happy asking to tear down the red house or the having the inability to save the front. The Nephew family commitment to historic preservation is not in dispute. In regards to section 10.164 standards, there is serious financial hardship, retaining the structure is not in the interest of the community, and it is a balancing act of the rights of the owner and the rights of the city. In regards to the financial hardship, the modular home is the clear choice. Dickinson Homes and Belonga both submitted letters stating the foundation cannot be saved. Currently the structure is being used as a boardinghouse. It is an old house and in the best interest of the community a single family home meeting all codes is better for the community than an old non-conforming structure. In addition a single family home is a smaller footprint than a hotel or boardinghouse. Murray stated this has always been the only set of plans so he disagreed with Neumann and Rentrop. Many aspects of the proposed house are identical or similar to the existing structure which Murray went over. Murray stated that by working with city architect 10 compromises were made and it is the best plan to duplicate the red house meeting all the standards they needed to meet. Saving the front of the house was never the plan because they did not know the condition of the foundation. The applicant applied almost two years ago, before any study committee was appointed. The City immediately imposed a moratorium, that expired, and now due to the resolution from City Council stating they need to go to HDC for review, they are here. Murray hopes the Commission will agree that this plan is in the best interest of the City and will approve the demolition.

Rentrop stated that we have been through this before with the Iroquois bike shop. The grounds stated there was financial hardship. The Commission elected to have the building inspected by their own expert to see if the structure could be saved,

financially within reason. Rentrop asked, to maintain the same standard, do you want to have our own engineer look at the foundation? Rentrop also commented that both he and Neumann were never under the impression that a pre-fab home was being discussed. Straus stated that she wanted to remind everyone that the structure has been used for employee housing for a couple of summers. So if it was wise or convenient to use for employees and now we are being told it is a financial hardship I think financial hardship was not considered when being used to house employees. Straus further stated that the main point she wanted to put on the table and was not addressed by Murray, the important word not used is history. A lot of people look at the HDC and have suffered as a group, criticism, for that emphasis, and she does not want us to forget it now. History is what brings people to the island, in addition to fudge and horses. Straus hopes fudge and horses will continue to draw visitors but history is what draws people from all over the United States and Canada. Will history continue to be as much of a magnet 5-10 years from now? History is more vulnerable and she speaks very strongly against demolition of a historic building on Mackinac. She is saying to her colleagues and the public that the attention must be paid to history. If history is let go, the magnetism of history will diminish. History is our main long standing thing that we stand for. When demolition of a historic building that has been used for employee housing for the last few years, is in front of the HDC, we have to stand and say it is a historic building and we cannot authorize its demolition. The structure can be made more functional and she believes more questions could have been asked to the contractors. The HDC needs to stand up for the "H" in their name; Historic District Commission. Straus states she takes her position on the Commission very seriously. She wants all of us to not forget that history is what is our legacy and we must not forget fudge won't last forever, horses will last longer, history is harder to maintain but we have to start by refusing to allow the house to be demolished.

Murray asked why there was no architectural review. Neumann stated that the plan he saw today took him by surprise. It was his understanding that the front portion would be retained. Neumann added that he didn't want to impugn the Dickinson assessment, but he has worked on many buildings where the building was lifted and the foundations were able to be repaired. Neumann doesn't understand the existing circumstances to understand why the existing foundation has to be replaced and a whole new house had to be built. Doud asked Rentrop and Neumann that in the future they not negotiate without a commissioner being involved. Neumann stated they were not negotiating, they were just having discussions on the design with the applicant, as he does often. Neumann stated he is representing the HDC while doing so in a way that responds to the Secretary of Interior Standards that he is required to review the applications on. Rentrop stated that the Commission specifically asked Rentrop and Neumann to meet with the applicant to see if anything could be worked out. Doud asked if a deal had been struck and Rentrop stated no deal was made. Finkel stated the question is whether it is practicable to restore the house as opposed to replacing. We have the applicants set of opinions that it is not, so he is asking if an outside expert should be brought in. Rentrop stated that is what the HDC has done in the past. Straus asked Murray why the building was still being used as employee housing if it is considered unsafe. Straus also asked why they would want to build a single family home on a parcel zoned hotel / boardinghouse. Murray

answered Straus by saying the delay is because of the City, not the applicant. Doud stated that whatever happened in the past, the HDC needs to review what is in front of them.

Rentrop stated if you want to be consistent, the next step would be to hire a structural engineer to come in and assess the cost of making the building stable. Doud clarified the setbacks required and the requirements of a landscape buffer. Sehoan stated he apologized for the length of time this process is taking, but as it stands we do not act without an architectural review. In addition Rentrop is recommending an engineer come in for an independent study. Sehoan confirmed we have that authority. After some further discussion there was a Motion to table until we have an architectural review from Neumann and an independent study done by an engineer on the condition of the existing foundation and structure, and the feasibility of replacing or repairing the existing foundation under the historic structure.

Motion made by Sehoan, Seconded by Doud.
Voting Yea: Doud, Finkel, Sehoan, Straus

Doud clarified the timeline. Demolition was applied for in March 2022 in the form of a building permit. Dombroski said the application should go to the Planning Commission. About a year later the Planning Commission added an amendment to the ordinance for demolition. In July 2022 the application went to the Planning Commission. The Planning Commission amended the ordinance to make it more clear that a zoning permit must be obtained for demolition. City Council imposed a moratorium after that. The moratorium ended and was then extended. Doud asked Michael Straus about the Planning Commission review of the application. At the time Planning Commission was told that City Council was considering a moratorium and was advised not to take action. Straus said we may have tabled for more information and then the moratorium was imposed. Finkel remembered it that way as well. Murray has a letter dated August 2022 with Planning Commission denial based on the moratorium. Rentrop stated he would try to get engineering study done before next meeting. Rentrop will keep Doud informed about the study and Doud will go

XI. Public Comment

None

XII. Adjournment

Motion to adjourn at 11:53 AM

Motion made by Sehoan, Seconded by Doud.
Voting Yea: Doud, Finkel, Sehoan, Straus

Lee Finkel, Chairman

Katie Pereny, Secretary