

February 23, 2016

To Whom It May Concern:

Please forward these remarks regarding House Bill No. 5232 to the House Local Government Committee

Attention: Representative Afendoulis

Arguments against suggested Revisions of Michigan House Bill No. 5232

Opening Remarks:

In looking over the suggested revisions, there is a general theme of focusing on the perceived rights of property owners in historic districts as being more important than the rights of the rest of the community in which the historic district exists. This point of view is without merit! While the property owners in a historic district may feel that they have a special burden, they are not the only community members who are required to follow laws and ordinances. Any citizen is required to maintain their property, apply for building permits before remodeling, and generally observe certain protocol outlined by city leaders. Living in a historic district in Michigan means that there are clear guidelines aimed to help preserve the integrity of the resource. In fact, seeking a certificate of appropriateness in a historic district is often more streamlined than going before the general Planning Commission to receive permission to build. And a Historic District Commission helps to guide the homeowner towards quality materials and architecture, ensuring a high quality outcome. Planning Commissions leave the burden of proof up to the homeowner, who may have to return numerous times before their plans are approved.

I would argue that the establishment of historic districts in any community is done to educate the population, preserve the architecture and natural landmarks of a region, celebrate historic acts, and foster the culture of the areas in which we live. It is my belief that a historic district is an asset to the **whole** community and exists so that we **all** may honor and learn from our past in order to rise to the demands of the future. Focusing only on the property owner in the historic district discounts the value this district adds to the whole community. So it is with great care, that we should strive to learn all that we can about these resources and, with that information, do all that we can to preserve and protect for the value that it brings to the whole community.

In revising this Bill, please consider the following points that that are embedded in the issue of historic preservation:

- Historic preservation is an important forum for preserving and valuing our past for future generations. We, as a state already include local and state history in our school curricula. How can our children learn from our own history if we allow historic sites to be undermined or destroyed by a lack of emphasis on preservation? Rather, we need to send a clear message of the importance of historic preservation to all generations through this House Bill – that we value what came before and we will rise beyond popular culture to protect it!

- Historic preservation is green by its very nature. Instead of demolishing and loading landfills with building materials, as is practiced in the current building trades, preservationists use what is already present and refurbish those quality materials wherever possible. As the old adage says, “waste not, want not!” So let’s teach our children that there is value in old things and that in many cases, the old materials in a historic resource are better quality than anything available today.
- Preservation of historic homes teaches, “Less is more!” Historic homes are often smaller in scale than current trends in building. They are also often more solidly built with better materials and architectural details that are functional and aesthetically pleasing. They honor our past and give shelter to those who don’t need to live in a modern palace with a bathroom for every family member! If we continue to tear down historic homes in order to retrofit to current building trends, we will max out our infrastructure before cities have time to adjust. The newer, larger homes that max out property and put a strain on sewer and water availability do us no favors. (Remember the flooding in the Detroit Metro area in August of 2014?) At least give people a fair choice by encouraging historic preservation and living more modestly as an alternative.
- Historic preservation is a field of opportunity! There are so many trades to be learned and innovative building materials to be reclaimed. We, as a state, should be encouraging the field of preservation as a viable career. When the automotive industry faltered, people lost jobs and were retrained for new professions. Not everyone is suited to sitting at a computer. It’s a mistake to send our building and manufacturing to other countries. We have some of the best furniture design and manufacturing resources in the country right in the Grand Rapids area. Kendall and Ferris are educating our young people in all types of design that deal with functional living and aesthetics. Why not support our own universities by giving our young designers a field in which to apply their talents?
- Do not allow money to weaken the historic districts in Michigan. We are all painfully aware that the cost of living is a challenge, everywhere! Ultimately, people have made the choice to live where they do. If it happens to be in a historic district, there are factors that can affect the property owners. Michigan citizens live on flood plains, lakes, rivers and streams, on farms, in downtown areas and in suburbs, all having issues with which they must contend. The point is that it’s a **choice**. To buckle under and weaken the Historic Preservation system just to appease residents who have, in essence, made their own problem by **choosing** to live in a historic district, is not valid. They can choose to move, if they don’t like the requirements of that area.

Page 5 (A)

Requiring **preliminary approval of 2/3 property owners within the proposed Historic District**, gives a small percentage of citizens the power to make a decision, which will affect a whole community. That’s rather elitist in nature. In other words, you have denied citizens the opportunity to weigh in on what happens in their community. Furthermore, any decision made **before a study has been done** means that the decision is made on feelings, rather than facts. No one should be encouraging citizens to vote in **ignorance of the facts!**

In our legislative system, candidates are allowed to campaign in order to win their seat in the legislature on the merits of what the public learns about them. Revision (A) removes informative

decision-making right at the start! I think it is fair to say that people will vote against what they don't know about. This measure could effectively shut down historic districts before they ever get established. Our only hope of maintaining what we do have, at that point, would be to Grandfather in what is already established!

In the present system, the purpose of conducting a study of a proposed historic district is to uncover any historic facts, survey the architecture, count the historic resources, discover why and how the community within the district developed, and *then* determine whether enough resources and historic connections exist to warrant establishing a district. Once the facts have been uncovered, the public is invited to learn about the history and resources worthy of protection. The information is made available through public meetings, flyers, gatherings and word of mouth. The local unit is then charged with listening to the voices of the community through public forums in order to make a decision that will benefit the whole community. And even at that point, there is further study and a report is generated that will be submitted to the historic preservation office at the state level. The system already works. If citizens are unhappy with how a district is established, it is probably because they didn't avail themselves of the information right from the start!

Page 5 (B)

This revision is shortsighted in that you assume there will be the prescribed candidates willing to volunteer their time to serve. You have not taken into consideration the possibility that some smaller communities might not have citizens with backgrounds you outline. In addition, we want those people who are passionate about preservation to do the work because they are the ones who will do the best job! Finally, a group of less than 7 is not sufficient to engage in a variety of viewpoints and knowledge in order to get to the best decisions. For this reason, I suggest the original wording be kept in this section of the House Bill.

Page 9 (2)

In this section you move the appeals process from the state historic preservation office to the local governing body. By doing so, you undermine the natural checks and balances which normally occurs in our system of Democracy. The legislative body of the local unit means a city commission. This body is already overburdened with the nuances of running a city and cannot possibly have the expertise necessary to make an informed decision in the case of an appeal. They would have to defer to the Historic District Commission, which has already weighed in on the issue. Rather, appealing to the state historic preservation office insures that experts in historic preservation and the standards and guidelines set forth by the Secretary of the Interior are applied and interpreted appropriately. Let the independent experts make the final decision in the case of an appeal! They can be objective about the situation and they will have a broader view of general practices in the case of an appeal.

Page 10 (3)

Use of the word **CONSULT** in place of **follow** implies that it is acceptable to deviate from the United States Secretary of the Interior's Standards and Guidelines. This word substitute renders the standards and guidelines ineffective! It is not an either/or situation! The Standards and Guidelines are there to protect the resources when homeowners and individuals serving on a Historic District Commission lack the expertise or experience to make an appropriate decision regarding the preservation of a resource. For example, using vinyl siding is cheaper for the homeowner. The Standards and Guidelines prohibit this material for a variety of reasons including lack of historic relevance, appearance, quality, and environmental impact. Without the guidelines, the Historic District Commission might feel pressured or compelled to allow vinyl siding in order to lessen the financial burden of the homeowner. The Standards and Guidelines are the underpinning of preservation. They require certain measures be followed in order to maintain the integrity of the structure and aesthetic aspect of the resource. They instruct and inform so that all can be made aware of the expectations! And the Standards and Guidelines insure consistency in how historic Districts are maintained. To deviate from them or regard them as only for consultation undermines the very nature of "Standards."

Page 10 (d)

Remove "AND THE REASONABLENESS OF THE ADDITIONAL COSTS REQUIRED TO COMPLETE A HISTORICALLY ACCURATE REHABILITATION."

By including this statement in the Bill, you put money before preservation, which has no place in the spirit of historic legacy! Either we, as a state, value our historic roots, or we don't. Any Historic District Commission will already be sensitive to the costs of historically accurate renovations. They are neighbors of these homeowner applicants.

By including this phrase in the Bill, you give license to spec builders to come into a historic neighborhood and use cost as their excuse for undermining historic accuracy in order to turn a profit. These speculators are not community members and are not interested in the integrity of the historic district. Do not give them a shoehorn into exploiting a neighborhood!

If you are truly concerned with the cost of historically accurate renovation, the state should continue to provide tax incentives to people in historic districts who renovate using the proper materials and building practices to achieve historic accuracy. This sends a very clear and important message that historic preservation is of value to the citizens of Michigan. This also provides incentive to those who are thinking of moving into historic districts. We need more people embracing our heritage and taking on the stewardship of our historic resources.

Page 13 (11) line 16 & 17

Remove "WITH THE APPROVAL OF THE LEGISLATIVE BODY OF THE LOCAL UNIT"

This phrase is not necessary because either of these responses require that city employees such as the Building Inspector, Code Enforcement, etc. be involved. This assumes Legislative Body awareness because city employees serve at the pleasure of the Legislative Body and carry out those duties. Inclusion of such a phrase would suggest that the matter be brought before the Legislative Body Meeting. This may not occur for a month, during which time, the problem can escalate.

Page 16 Section 14. (1)

You have eliminated the historic district study committee in this section. Then you change the Bill to require a 2/3 approval from property owners in order to establish a proposed historic district. With these changes you ask property owners to make a decision based upon zero information. That is the quickest way to defeat a historic district proposal.

Again, you cannot take a historic district commission or study out of the decision as to whether a historic district should be established, enlarged, or eliminated. Without the facts and an inventory of the resources, there is nothing to be voted on. In addition, **all** property owners within the community should have the opportunity to voice their opinions and concerns regarding the establishment, change or elimination of a historic district. This kind of resource affects **all** the citizens in the community and all deserve to have all the facts before a historic district is proposed. The present system has been successful in requiring that proper steps are set forth and a path is taken to establish the facts, educate the public, and find the correct solution for the community. This is why no changes should be made to this part of the original process.

Furthermore, I question the validity of asking the public, who may or may not be informed, to vote on the issue of establishing a historic district. It is very expensive to run a vote for something that can be easily decided by the legislative body within the community. If all the steps have been followed, the study is in place, the report has been made available, and the public has had a chance to respond through survey, public forum, word of mouth and writing, why shouldn't the local legislative body make the final decision? After all, they were voted in to represent the community. They perform their duties by educating themselves and making all decisions affecting the property owners including, but not limited to paving roads, fixing infrastructure, maintaining public safety and fire departments, overseeing the community Master Plan, supporting policy that makes the community the best home for all the property owners. It should be up to the local legislative body to decide whether to have a community vote or choose to decide for the community.

Final Remarks:

I ask you to reconsider your stance on the revisions which will undermine the Historic Districts in the State of Michigan. This is one instance where the standing procedures really do work, thanks to passionate, dedicated citizens. Do not listen to the complaints of those who would modernize, cheapen and destroy areas of pride in our state, just to get a bigger house. I have sat in on enough Historic District Commission meetings and reviewed enough proposals to know that preserving the integrity of these districts outweighs the demands of people who do not appreciate the quality craftsmanship and design that these old buildings offer. If they feel that "bigger is better", there are already plenty of newly built homes that satisfy the desire for master bedroom suites, open concept kitchen and family living space, a bathroom for every family member and easy maintenance. Do not lower the standards to appease people who should just buy a different house!

Many years ago I had the opportunity to tour the Michigan capital building after the interior renovation. It was beautiful! I didn't see any use of inferior materials. It looked like the highest quality work was done to restore and renovate. I am grateful that someone valued the architecture and the historic significance of this building enough to see to its preservation. I, too, want to protect valuable resources throughout the state. Do not cheapen our historic districts with an HGTV mentality. Rather, support your preservationist constituents! Our voices should matter! And I can guarantee that the homes we strive to protect and preserve will last a lot longer than these new builds, *if* you do the right thing and **stand with us!**

Thank you for your consideration! Please don't disappoint me!

Martha G. Shrode

Vice Chair, Huntington Woods Planning Commission
Former Vice Chair, Huntington Woods Historic District Commission

10024 Elgin
Huntington Woods, MI 48070
248-546-3784
mgshrode59@hotmail.com