

**MINUTES OF THE REGULAR MEETING OF THE HISTORIC DISTRICT COMMISSION
HELD TUESDAY, JULY 14, 2020 AT 1:00 P.M. IN THE COUNCIL CHAMBERS, CITY HALL,
MACKINAC ISLAND, MICHIGAN**

Chairman Finkel called a regular meeting of the Mackinac Island Historic District to order at 1:04 p.m.

PRESENT: Andrew Doud, Lee Finkel, Lorna Straus, Alan Schoyan, Nancy Porter (all via Zoom)

ABSENT: None

STAFF: Zoning Administrator, Dennis Dombroski, Architect, Richard Neumann (via Zoom),
Attorney, Gary Rentrop (via Zoom)

Motion by Porter, seconded by Doud to approve as written, and place on file the minutes of the regular meeting Tuesday, June 9, 2020. All in favor. Motion carries.

Motion by Straus, seconded by Doud to approve as amended, and place on file the Agenda. Amendment included adding "Verizon Update" to *Old Business*. All in favor. Motion carries.

CORRESPONDENCE

- **Gary Rentrop Statement – March 10, 2020**

Rentrop summarized his statement. The Historic District Commission portion was \$1,960.00.

COMMITTEE REPORTS

- **None**

STAFF REPORTS

- **MD20-009-033(H) Hart's Inn Siding Replacement**

Dombroski stated the rotted siding and trim need to be replaced.

- **MD20-030-036(H) Lucky Bean Storm Door**

Dombroski stated the Health Department ordered that a new door be installed because the existing door would not close. The same style door was installed.

- **R320-058-038(H) GHMI – D. Dean Front Porch Repair**

Dombroski stated the front porch of the Grand Hotels employee housing for Doug Dean needed to be repaired and then repainted.

OLD BUSINESS

- **C17-055/56-027(H) Mr. B's/Murdick's Revision**

Doud started out by citing other projects and their approved setbacks. Benser stated that he presented plans in June for Murdick's that would break up the vertical plane. He feels the 12', rather than 44', setback will not be obvious from the street. Benser stressed that the Murdick's building is a hazard and there is no fixing or repairing that can be done. Benser stated he didn't think the building could be considered a building anymore. The structure is more of a lean-to. He stated his desire is to keep the look the same and feels the 12' setback retains the one story look. Finkel stated he was very uncomfortable with Benser stating it could not be called a building. Straus went back to Doud's citing of other jobs and stated that additional stories were discussed in all those applications. Straus stated that to Lee's point, the applicant knew the condition of the building when the first approval was granted in 2017. Benser stated the building is at the end of its life

and Straus reiterated that Benser knew that when he submitted his first application in 2017. A lot of discussion regarding historical buildings and setbacks went in to that decision and this new revision is a major change from the approved 44' setback. Doud stated he did not recall approving the 44' setback and he feels that setback would not work for any building on Mackinac. Neumann and Rentrop confirmed that the 44' was indeed approved. Doud requested copies of the August and September 2017 minutes. Neumann reminded Doud that the approval of the demolition of the Mr. B's building was tied in with the approval of the 44' setback on the Murdick's building. Benser again stated that the building is fully depreciated, it is more of a shack or lean-to and years from now it will not be here. It is the worst building in town and is a hazard and can't be made safe. He feels it will look odder to have the new building wrapped around the lean-to building. He feels the 12' is a fair compromise given the condition of the building. Finkel asked wasn't the 44' setback in the plans he submitted? Benser stated yes, he is not disputing that. Straus again stated that Benser knew the condition of the building in 2017 and it hasn't suddenly changed. He knew what he bought, he knew what he had. Benser stated he worries about the safety of the building and would prefer that it be sprinkled and he feels it will look the same as it did in the 1800's. Stephanie Fortino asked Dombroski if the Murdick's building is condemned. Dombroski stated that no it is not, it is in operation. Doud asked Benser if he was going for demolition. Benser stated no, he was not. He went on to say that the 12' setback fits in nicely with the surrounding buildings and does not create a tunnel affect. Neumann stated he recalls the original approval was based on maintaining air space and variety of building heights along Main Street. The idea was to setback the Murdick's building quite a bit to retain the one story look. Doud stated he was baffled how Ira Green was allowed to build the second floor right out to the street and Benser's proposed 12' would not be OK. Neumann stated that was a different project. Benser's project was two buildings with one being demolished and the Murdick's would setback the 2nd and 3rd stories to maintain the airspace while still allowing him space for development. Benser agreed that his how he presented it at first. He again referred to the disrepair of the building and the improvements he would like to do are not unreasonable. Rentrop stated that in 2017 demolition was allowed without citing the findings to support the demolition. Rentrop feels it is important to rectify that original Motion. Rentrop has drafted a Motion that would rectify that situation. Fortino asked Benser if he is advocating for the demolition of the Murdick's building. Benser stated yes, but from 12' back. The front 12' would be maintained. Straus stated that the appearance from 500' back needs to be considered, as it was back in 2017. Straus stated the history on the island is what brings the tourists. Elements of a historic district have to be considered by the Historic District Commission. If the Historic District Commission determines that a building had a historic value and is part of the historic district application, then the Historic District Commission has to remember and acknowledge what an historic district is. Sometimes people may wish the elements in an historic district were different, but in her opinion that is not what happened here. We the Historic District Commission have a responsibility for the districts and so Straus feels that a judgement was thoughtfully made, made with professional advice, and she feels they should stay with the original approval. Straus feels angles are important. The straight on view isn't the only one. The variation of heights is not visible in Benser's proposed rendering. Benser stated he feels there are several angles and views of interest. He does not feel he is asking for anything unreasonable. Straus stated looking at the open 2nd floor and deck on the new rendering is not 19th century or even early 20th century. If the Historic District Commission takes a position on a contributing or old building, we have to stick with the original decision. Benser feels if a building has good bones you should work with it, but that is not the case with this building. Neumann stated that any building can be repaired. Straus asked Benser why he feels he could not repair the building without getting the new setbacks. Benser stated the 32' difference fits in well.

Neumann stated that Benser keeps saying it can't be fixed. The building can be fixed; it may cost more money but it can be done. After Benser continued to talk about the condition of the building, Doud again stated that Benser does not want to demolish. Benser stated he could not be convinced that it is not a building; it is a lean to. Finkel stated that if Benser insists it is not a building, he isn't sure what we should legally classify it as. Doud stated he now understands what Neumann is saying about the original approval, but he feels the Historic District Commission has let other applicants do way more than what Benser is proposing. Neumann stated the Commission allowed the applicant to replace a one story building with a new three story building, and allowed three stories, set back, on the Murdick's. Rentrop stated the Commission needs to decide what the appropriate setback is, and put it to a vote. Motion by Doud, second by Porter the Commission makes the following findings:

- Mr. B's and Murdick's Fudge are under common ownership.
- Mr. B's was built in 1955 and does not have the historic architectural façade features found on Murdick's Fudge and neighboring buildings which contribute to the historic district. The Intensive Survey for Main Street makes no finding of architectural historic features contributing to Mr. B's building being listed as a historically contributing resource.
- Applicant's design for proposed work on the Murdick's Fudge building and proposed setback of the 2nd floor of 12 feet and 18 feet to the 3rd floor of the Murdick's Fudge building as illustrated in the plans dated June 17, 2020 the ("Plans") p. A 1.3 make a contribution to the historic façade streetscape in the immediate area.
- This design concession by the Applicant for Murdick's Fudge building supports a finding that retaining the resource, Mr. B's, was and is not in the interest of a majority of the community.
- Unlike other establishments in the area, customers previously purchased food and beverages from the front of Mr. B's building, which created significant congestion on the sidewalk in front of Mr. B's, forcing pedestrians into the street this will be eliminated with the completion of the construction as set forth in the Plans.
- The Commission finds that retaining Mr. B's building was and is not in the interest of the majority of the community and that demolition was and is necessary to substantially correct that condition and to allow for the proposed work on the Murdick's Fudge building as set forth in the Plans.

Now Therefore: This Commission ratifies and affirms its action allowing demolition of Mr. B's at its September 12, 2017 meeting with a Notice to Proceed with the demolition of the building known as Mr. B's. and approve the revision, as submitted with a 2nd floor setback of 12' and 3rd floor setback of 18' as shown on page A1.3 dated June 17, 2020. Roll call vote: Ayes: Doud, Sehoyan, Porter. Nays: Finkel, Straus. Majority in favor. Motion carries.

Rentrop stated it is about preserving what was. It is a very high standard when you start disrupting what was there. The standard is if the building is dangerous it has to meet the standard of being hazardous and being incapable of being corrected. The correction doesn't have to make the building functional; it just has to stabilize it. The Commission adopted guidelines only allowing 1 story additions. Bulletin 14 says you are trying to preserve the 1, 2 and 3 story mix. Your intensive study talks about the 1 story 2 story concept. Neumann was trying to preserve the 1 story concept on Main Street and have it not be lost. This is about historic preservation and nothing more. The standards are very strong if you want to enforce them. Doud stated that if the Commission did decide on only one story additions, we have already violated that. Rentrop clarified it states there are exceptions.

- **Verizon Update – Gary Rentrop**


Rentrop gave a brief update on the status with Verizon. There was a meeting with Scott Hubble from Verizon, Robb LaBelle, Attorney for Verizon, Dennis Dombroski, Gary Rentrop and Tom Evashevski and Tripp May, Telecom (via telephone). At this point, with the help of Benser, Porter, SHPO, and National Park Service, we are in the driver's seat in terms of controlling the 5G effort with Verizon. SHPO has ordered that the antenna must go in the center of the roof, which is not possible. Verizon is going to provide a future 5G plan, up front, that the Historic District Commission can approve. Verizon feels they can do this without any small cells up and down Market and Main Streets. They intend to use roof tops. Verizon is looking for help from Cloverland and the National Park Service. Rentrop was expecting new plans last week, but he has not yet received any. Rentrop expects them soon, after Verizon has a walk through town with Dombroski.

NEW BUSINESS

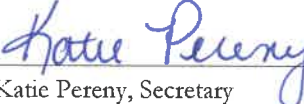
- None

PUBLIC COMMENT

With no further business there was a Motion by Doud, second by Sehoyan to adjourn the meeting. Meeting was adjourned at 2:19 pm.



Lee Finkel, Chairman



Katie Pereny, Secretary