

From: Patrick Cummings
To: [JWMNR Exhibits](#)
Subject: Fwd: HB 2007
Date: Wednesday, June 21, 2017 4:59:15 PM
Attachments: [HEART Founder Facebook1.png](#)
[HEART Founder Facebook2.png](#)
[HEART Founder Facebook3.png](#)

To the Members of the Natural Resources Subcommittee of the Joint Ways and Means Committee:

My name is Patrick Cummings and I am writing you in regards to HB 2007. I urge this committee to support HB 2007, and in particular, to support disconnecting National Historic Designation from local land use rules.

I am a resident of the Eastmoreland Neighborhood in Portland. Our neighborhood has been bitterly divided for the past year over the issue of national historic designation precisely because of the linkage between national designation and local land use protection. In this email I hope to provide your committee with some background on the acrimony here, some data on where we stand, and this will hopefully serve as an example of the destructive nature of this linkage.

For those of you from outside the Portland area, this neighborhood consistently ranks among the wealthiest in the city, an important fact to consider when examining what has happened here. This is important to keep in mind, as it is this type of neighborhood that is most likely able to afford to "opt out" of the need for more housing in our cities and to effectively wall themselves off from the density needed to meet this increased demand. This is, on the face of it, an unfair situation as it avoids any oversight from local agencies or governmental officials.

A short history of what has happened in our neighborhood:

In April of 2016, the Eastmoreland Neighborhood Association (ENA) Board decided at a private board retreat to hire a consultant to craft and submit an application to the National Park Service for the neighborhood to become a National Historic District. They did so because they were upset that the city hadn't been willing to rezone the neighborhood as "R7", meaning that the city hadn't agreed that the neighborhood needed a larger minimum lot size. The historic district (HD) was therefore sought out purely as a result of anger/pique from the board members who had unsuccessfully lobbied the city for this new zoning and were angry when they were rejected. The HD process would allow the board to circumvent city planning and zoning processes and, by fiat, stop any development in the neighborhood.

In May of 2016, an email was sent to the neighborhood email list informing everyone of a meeting to be held a little over a week later. This meeting was, according to the email, to "Discuss the possibility of a historic district in Eastmoreland."

Because of the short notice, the meeting was lightly attended, with only 60 people (including many board members) participating in an informal show of hands for supporting the idea of pursuing a historic district nomination. This was taken as permission to continue, and the process began to roll forward, with the consultant (AECOM, lead by a man named Kirk Ranzetta, who you will hear more about later) hired and volunteers, many drawn from this same small group, sent around the neighborhood to conduct a survey of properties.

This survey was conducted over the summer of 2016 and had many problems. Surveyors were improperly told that as long as a home "appeared" historic, it should be considered historic even if it was a new build, or a remodel so extensive that nothing of the original home remained. Surveyors were also improperly told they needed to find 80% of the homes to be historic for the district to pass. This pre-loading led to the desired outcome, as these untrained surveyors found the desired percentage to be historic. Later in the process, local architects opposed to the district found that 15-20% of the homes were misidentified as historic based on permit data.

It was in the fall of 2016 that many people in the neighborhood started to become aware of what was going on and questions began to be asked. At this juncture, however, the process was essentially a fait accompli. The survey had been completed and the consultant had completed their application. The small group in charge of the ENA board had nothing to stop them from submitting the application, despite a large and growing chorus of neighbors asking them to stop long enough to educate the neighborhood about what was going on.

At this juncture the undemocratic nature of the process became apparent to those opposed to the nomination. With the application submitted, the only things that could stop the neighborhood from becoming a historic district and onerous local land use controls snapping into place were: The Portland Landmarks Commission (PLC) could fail to recommend the application. The State Historic Preservation Office (SHPO) could find the application lacking. Or, of all property owners in the neighborhood, 50% + 1 could sign a notarized objection.

This last is a nearly impossible task. Take a typical election, for example. An 85% participation rate would be fantastic. To reach 50% of all voters given that level of participation would mean you'd actually have to win 58% of all votes, a ridiculous and undemocratic hurdle. By a more reasonable metric of those voting, counting objections as opposed and support letters as in support: So far 77% of people oppose the district, while only 13% have supported it. Yet as things stand today, the SHPO has passed the nomination on to the national park service and it is quite possible that Eastmoreland will become a historic district despite this incredible disparity.

What of the other steps in the process? The Portland Landmarks commission asked SHPO to consider waiting as they saw problems with the nomination. (This despite the chair of PLC being Kirk Ranzetta, the same consultant who has charged the ENA board at least \$60,000 in fees so far to present this nomination.) SHPO ignored this request and moved the process along. All the members of the committee who made this recommendation were historic preservationists. One had the impression at their meeting that they had never met a proposed historic district or home they didn't like. It was a pure rubber stamp process, plain and simple. All the aforementioned errors were brushed past, and the committee moved it along against PLC's recommendation and the recommendation of the SHPO professional staff.

Throughout this process, the ENA board has followed a logical (from their perspective) playbook. They want this to go through, and since it is effectively a ball rolling down hill, their only task to ensure it passes is to make sure that 50% + 1 of the neighborhood don't sign objections. They've therefore refused access to mailing lists to neighbors opposed to the HD, they've demonized those opposed as schills for developers, they've demonized developers, they've overstated the problem, they've scared people, they've threatened people, etc... It's been truly disgusting behavior from start to finish, but again it is completely logical given the reality of the national park service nomination process. Lest you think I am being hyperbolic,

please see the attached snapshots from Facebook of the ENA Board's neighborhood pro-HD mouthpiece, called "HEART" threatening to punch a neighbor in the throat.

This vitriol is the logical end result of the link between NPS designation and local land use protections.

Why are we here? What can we do to stop this sort of thing from happening in the future?

We are here because the national historic district was intended as an honorary designation, plain and simple. The process is therefore not intended to result in local land use restrictions that have all sorts of unintended consequences and impose all kinds of unintended costs on both homeowners and the city as a whole. It was therefore designed to be undemocratic and not to take into consideration any of these costs. Why would it when it is purely honorary? But this is no way to conduct local land use decisions.

What can we do to stop this kind of nonsense from happening in the future?

Pass HB 2007 as written, in particular with the Historic Designation linkage broken. Oregon is currently the only state with this linkage, and it is creating a loophole exploited by the worst of NIMBYism, removing those with the means from the control of local government and creating all kinds of downstream consequences.

I again urge this committee to pass HB 2007 and support it's passage in the larger House. My only regret is that I will be travelling and cannot be there to support this bill in person.

Please contact me with any questions or for clarification, and thank you for reading this far.

Best regards,

Patrick Cummings
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83



HEART threatening violence against her neighbor

Melissa Wyman from Eastmoreland · 19m ago

One of the leaders of HEART wants to punch her neighbor in the throat. This is a new low.



Shared with Eastmoreland + 14 nearby neighborhoods in General

THANK · 1

REPLY · 2

★ Susan thanked Melissa

Derek Blum from Eastmoreland · 16m ago

Melissa, you need to remove this immediately.

Thank

Susan Bozlee from Eastmoreland · 10m ago

All of these comments are awful, especially the threat of violence. What's stunning as well is that several people agreed. People who are our neighbors. No one had the integrity to say: this is wrong. I guess when they can't refute the real facts that have been researched and proven about what it would actually mean to have to live in an Historic District, some people like this will keep resorting to more and more outrageous behavior ... but

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Manda Bonilla Blum feeling pissed

June 3 at 10:12pm

Okay, Eastmoreland is getting bullied and censored on Nextdoor from the Leads who are opposed to the Historic District. Every time we try to post anything about House Bill 2007 the leads are deleting it and saying that it has to do with the Historic District so therefore it needs to be deleted. I posted photos of the demolition from a couple of days ago with just the address, date built, date demolished and that it would be 60,000 pounds of landfill waste. It was removed by the leads for violating the Historic District ban from general feed. This is total bullshit. If you live in in: Brooklyn, Sellwood, Westmoreland, Reed, Woodstock, Creston-Kenilworth or Brentwood Darlington and are also on Nextdoor, would you be willing to do some collaborative posting for us? Post the links to the articles on House Bill 2007, video of the testimony from Peggy Moretti, photos of the demolitions that are going on in Eastmoreland and in your neighborhoods and then make sure to share them with Eastmoreland in the general feed of Nextdoor? **I'm so fucking sick of the bullying and censorship from people that have no freaking integrity and just want to see our City, homes and neighborhoods destroyed for their gain.** Censorship and controlling the narrative is NOT okay! Thanks guys, I'm so fired up right now.

Like Share

47

1 share

13 Comments



Bradford Playford How does one depose the leads? How are they appointed, is there a process for complaints?

Like 5 - June 3 at 10:16pm



Bob Schlesinger Nextdoor refuses to remove leads even after many complaints. Their support staff totally sucks.

Like 5 - June 3 at 10:33pm



Manda Bonilla Blum We have informed HD supporters to report him for lead abuse. He is abusing his power as a lead to censor discussion.

Like 6 - June 3 at 10:33pm



Manda Bonilla Blum I know that he won't get removed. I'm sure that they have been trying to get Robert removed for a year now and that hasn't happened.

Like 1 - June 3 at 10:33pm



Bradford Playford That isn't surprising.... it's disturbing that a for profit, private entity can fill a quasi governmental role in the community when there is no recourse for the citizens of that community.

Like 4 - June 3 at 10:35pm



Manda Bonilla Blum The only way around this is to get other people outside of Eastmoreland to post the information so that Eastmoreland

integrity to say: this is ... View more

Thank

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Invite 83

1 / 2



Amie Davis I am not at all surprised by this. The same thing happened with the leads on Nextdoor Richmond. They would cherry pick which posts they chose to delete. The YIMBY faction really does have a leg up on the organization. They saw this coming and got all of their YIMBY friends to become leads. My understanding is that to become a lead, you have to be approved by the other leads.

Like - 6 - June 3 at 10:46pm



Manda Bonilla Blum it will never happen. They have dominated the lead group for months now. The only way around this is to get other neighbors to post from our surrounding neighborhoods. I have tried to convince HEART neighbors to leave Nextdoor and to communicate exclusively via Facebook but I can't get people to step away from next door. There are some crazy, bored, alcoholics real estate agents that love to spend their time on Nextdoor saying awful things about HEART and the pro historic district effort.

Like - 5 - June 3 at 11:00pm



Amie Davis That's really too bad. I got off Nextdoor long ago. I got tired of being accused of being a racist and an elitist.

Like - 1 - June 4 at 5:58am



Amy Welshish I quit Nextdoor when I realized I didn't like my entitled neighbors. 😊

Like - 6 - June 3 at 11:11pm



Manda Bonilla Blum Amy I've only been actively participating for 2 days and I hate them all. Is it that they are the worst humans alive or is it that ND just brings out the worst in them? I want to walk over to a neighbors house and punch her in the throat. Not healthy for me. You are wiser than I. And if I wasn't actively trying to fight to pass Eastmoreland's historic district and against the House Bill then I would delete my account immediately. But I have to stay on it for for just 4 more weeks. Then I can delete my account and never go on it again. And no matter which way our HD effort goes, there are neighbors I will never speak to again for the rest of my life.

Like - 5 - June 3 at 11:14pm



Amy Welshish The shitty responses about our new Winco ("its quaint but I'd like to see a better organic section & why are there so many homeless people at the bottle return?" Crap) was the last straw. Ha! We need a new forum- chillnextdoor.com

Like - 6 - June 3 at 11:23pm



Veronica Schnidrig Nextdoor has far too many entitled whiners for my tastes (and very few longtime residents, at least for my neighborhood - they all quit).

Like - 4 - June 4 at 1:22am

integrity to say: this is ... View more

Thank