

#192830

open

**Other:**

Other: Opposing making Green Acres a Conservation District: I am writing today as a member of the real estate community here in Bloomington having been an agent for close to a decade. I'm also writing from my experience as a commissioner of both the Planning Commission and Board of Zoning Appeals for the past several years. I can very much value and appreciate the history and architectural history of the Green Acres neighborhood. I thank the residents who put in the work and told the story of how Green Acres has evolved from the beginning. Stories like these are worth telling and being displayed to the public as much as possible. As far as the petition itself to deem Green Acres a conservation district leading to full fledged historic district designation, I believe is a very broad overreach of the intentions of historical preservation. Having lived several years in the Near West Side/Prospect Hill neighborhood as well as having owned several properties in historic neighborhoods in other cities I can speak to the impact of this type of designation personally as well. Talking about a select handful of houses, which are notable and can be kept as such, and expanding that to include several hundred that have little to no historic significance is where the overreach comes into play. As a real estate agent and investor myself, I fully understand where many are coming from who oppose this broad reach. The point of historic designation is to single out properties that carry a story all their own, not to lump an entire neighborhood, with a large rental population and no historical significance, and confine the expansion and development that is desperately needed to support a growing University and the city as a whole. I've been a part of many discussions on the commissions which I serve about how we can balance preservation with expansion and development and I've seen cases where that blends very well together and is a win-win. This is not one of those cases but since it has been presented as such I'm strongly opposed to it. I believe the intentions are misguided and really crosses a line into government intrusion into the livelihood of many tax paying owners in that neighborhood who want to continue to house students and families at a time when more housing density, of any kind, is very much needed. There are checks and balances in place already to prevent what many are referencing as the Kmart type development here and I fully support the expansion of this neighborhood. I think the goal here should be to keep the current historically significant houses in Green Acres just as they are and work to preserve other individual properties one at a time. Not taking a very broad stroke and misusing the point of preservation in the first place and thus bottlenecking an area ripe for future development. Thank you for your time.



Cases	Locations	Report a problem
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#192312		
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### Other:

Other: Heard Green Acres wants a conservation district. This is an inappropriate use of historic preservation protections. Historic preservation should be to preserve history, not to prevent development as a NIMBY tactic. This area should be able to grow and evolve to meet the density and environmental priorities of the City. There are other areas that have superior and unique historic structures. Don't make a joke of historic preservation. Please include this in public comment in the packet. The City needs a plan for historic preservation of choosing key areas of the City to protect. Blocking general development helps no one. Areas adjacent to campus should maximize student housing for the benefit of all residents.



8/11/2024

Dear Members of the Bloomington Historic Preservation Commission:

We are writing to express our deep concern with the proposed conservation district for the Green Acres neighborhood. A conservation district, which would eventually become a historic district without significant intervention by residents, is out of step with the few historic buildings within the neighborhood and creates substantial barriers to property owners while locking out future residents.

Conservation and historic districts should be reserved for the most transparently clear cases of a neighborhood and its structures holding deep historical value. The data from the 2018 Historic Survey commissioned by the city casts a clear picture: this neighborhood contains few historic structures. In fact, over half the properties in the neighborhood were not included in the inventory. Further, most of the structures were only listed as “contributing,” meaning they did not on their own merit historic designation. According to this data, almost a dozen structures are non-contributing. Only one structure is on the National Register of Historic Places, and only five properties are notably historic; one is not a residence but the home of Bloomington Fire Department Station Four. This does not speak of a historic neighborhood but of a neighborhood with a few specific buildings that, on their own, may be considered historic. This distinction and data make clear that the Historic Preservation Commission cannot, in good faith, recommend this neighborhood be established as a conservation district.

A conservation district, which will likely become a historic district automatically due to the significant and anti-democratic hurdle of obtaining a majority of deed holders’ written opposition, also establishes significant barriers to homeowners’ property rights. The Historic Preservation Commission must approve all exterior changes to homes within historic districts. While members might appreciate having oversight, this undeniably takes away the ability for homeowners to freely do what they wish with their properties. It is antithetical to the very nature of property rights. Even if approved, it creates delays and would impose additional costs on homeowners who might want to renovate their homes. Considering the age of many of these homes and their rapid construction when originally built, renovations are undoubtedly needed to bring them up to modern building and amenity standards. Homeowners would face significant hurdles to make such renovations.

Conservation and historic district status would also create barriers to new construction in Green Acres. This neighborhood is highly desirable because of its walking distance to the Indiana University Campus and commercial corridor along East Third Street and College Mall Road. However, all demolitions and new buildings would have to get additional approval from this body. Given the lack of new construction in other historic neighborhoods in Bloomington, we believe this would curtail almost any new development in the neighborhood. This will force would-be residents elsewhere, as only a finite number of units currently exist. Increased competition for living in this neighborhood will drive up property values, increasing the tax load



for homeowners and landlords who pass along tax hikes to renters, causing economic harm to almost every existing resident.

In closing, we urge this body to reject the nomination for Green Acres to become a conservation district. The neighborhood's pronounced lack of historic structures exemplifies why this nomination is erroneous and should be rejected. Further, the significant hurdles for homeowners to exercise their property rights following establishing a historic district and the curtailing of new development that will raise property tax assessments for existing residents are clear financial harms to all who live in Green Acres. This Commission must reject the nomination of Green Acres for conservation district status.

Thank you,

**The Undersigned Residents of Bloomington**

Matt Gleason

Sam Tobin-Hochstadt

YY Ahn

Tim Dwyer

Adam Martinez

Jerrett Alexander

Isabelle Ruiz

Daniel Jenkins

Conner Wright



CLENDENIN  
JOHNSON  
& BOHRER, P.C.

**James F. Bohrer**

*Attorney at Law  
Board Certified Indiana Trust & Estate Lawyer  
by the Trust and Estate Specialty Board*

[jfbohrer@lawcjb.com](mailto:jfbohrer@lawcjb.com)

August 1, 2024

Bloomington Historic Preservation Commission  
City Hall  
401 North Morton, Suite 135  
Bloomington, IN 47404

Re: **Owner:** 3<sup>rd</sup> Street NJ Indy LLC  
**Property:** 2607 East Third Street, Bloomington, IN  
Lot 16, Hillside First Addition  
tax parcel 53-01-34-036-000.000-005

Commission Members:

I am the resident agent listed with the Indiana Secretary of State for **3<sup>rd</sup> Street NJ Indy LLC**, an Indiana limited liability company (the "LLC").

The LLC is the record titleholder to the real property legally described as Lot Number 16, Hillside First Addition to the City of Bloomington, Lot 16 and commonly known as 2607 East Third Street, Bloomington, Indiana (the "Property").

The Property is a vacant. The Property is situated at the eastern fringe of the Green Acres Conservation District under consideration. The Property is bounded on the east by the property that has recently been renovated into a mixed residential and commercial use and is now known as LOFTON EAST THIRD. The southern boundary of the Property is East Third Street. The northern and western property boundaries adjoin homes that have rented for many years and which have no distinguishing features.

Since this Property is vacant, there is no structure on the Property that was inventoried in the 2018 Historic Resources survey.

This Property does not contain a structure that is contributing, notable or outstanding. Likewise, the Property does not adjoin a structure that was inventoried and classified as notable or outstanding on the Historic Resources Survey.

409 W. PATTERSON DR., SUITE 205, BLOOMINGTON, IN 47403

201 N. ILLINOIS STREET, SOUTH TOWER, 16TH FLOOR, INDIANAPOLIS, IN 46204

T 812-332-1000 186 812-332-7601

[WWW.LAWCJB.COM](http://WWW.LAWCJB.COM)

**The LLC desires to have the LLC's Property EXCLUDED from the Green Acres Conservation District.**

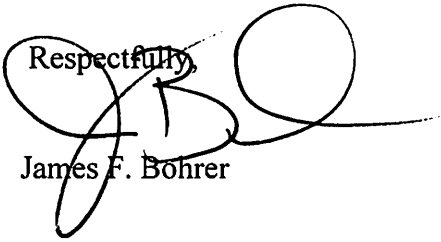
The basis for the EXCLUSION OF THIS PROPERTY FROM THE CONSERVATION DISTRICT BOUNDARIES ARE:

- (1) there is no structure on the Property;
- (2) the Property does not adjoin any notable or outstanding historic structures;
- (3) the Property is on the easternmost edge of the Green Acres Neighborhood Conservation District under consideration by the Commission;
- (4) the LLC owners did not sign the Petition to designate the area a Conservation District.
- (5) the Conservation District boundary can be redrawn to exclude the LLC's Property without damaging the integrity of the Green Acres Conservation District.

**We oppose the Conservation District designation for the property commonly known as 2607 East Third Street, Bloomington, Indiana owned by 3<sup>rd</sup> Street NJ Indy LLC for the reasons stated in this letter.**

**If the Commission enacts a Conservation District for the Green Acres Neighborhood, we request that the property at 2607 East Third Street be EXCLUDED from the boundaries of the Conservation District.**

Respectfully,



James F. Bohrer



CLENDENING  
JOHNSON  
& BOHRER, P.C.

**James F. Bohrer**

*Attorney at Law*

*Board Certified Indiana Trust & Estate Lawyer  
by the Trust and Estate Specialty Board*

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August 1, 2024

Bloomington Historic Preservation Commission  
City Hall  
401 North Morton, Suite 135  
Bloomington, IN 47404

Re: **Owner:** Athena Hrisomalos  
**Properties:** 228 South Hillsdale, Bloomington, IN (Hillsdale Lot 43 and Pt Lot 42)  
214 South Hillsdale, Bloomington, IN (Hillsdale Lot 45)  
218 South Hillsdale, Bloomington, IN (Hillsdale, Lot 44)  
208 South Hillsdale, Bloomington, IN (Hillsdale, Lot 46)  
2401 East Third Street, Bloomington, IN (Hillsdale Lot 3)  
East third Street, Bloomington, IN (Hillsdale Lots 1 &2)  
217 South Clark, Bloomington, IN (Highland Homes Lots 78,79 &80)  
213 South Clark, Bloomington, IN (Highland Homes Lots 75,76 & 77)  
207 South Clark, Bloomington, IN (Highland Homes Lots 73 & 74)  
218 South Clark, Bloomington, IN (Highland Homes Lots 23 & 24)

Commission Members:

I represent Athena Hrisomalos (the "Owner").

The Owner is the record titleholder to the 18 Lots which consist of 10 distinct parcels listed above which we believe are part of the Petition that has been filed to designate the Green Acres Neighborhood a Conservation District.

Among those parcels is the Owner's personal residence where she has resided and which has been the Owner's homestead for over 60 years. The Owner's husband, Dr. Frank Hrisomalos, was referenced in the Petition filed with the Commission to designate the Green Acres Neighborhood a Conservation Area..

The Owner raised her family in the Green Acres neighborhood. The Owner supports healthy residential neighborhoods in Bloomington. The Owner and her family have contributed to their neighborhood and the larger Bloomington community through their service on many of Bloomington's boards, commissions and community organizations.

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WWW.LAWCJB.COM

The Owner believes that current zoning and planning laws and public processes are sufficient to protect the Green Acres Neighborhood. She further believes that the map for the proposed Conservation District that encompasses 125 acres of the Bloomington east side is too large since (a) many properties in the neighborhood have been remodeled or modified; and, (b) the Indiana University Trustees own many of the properties in the proposed District.

The Owner understands the Petitioners desire to protect property values; however, she feels the Conservation District Designation may prevent owners and investors from making needed improvements and changes that are required to attract families and homeowners to the area.

Many of the Owner's properties have been renovated and remodeled. The exteriors have been changed. The Owner's personal residence has significantly renovated and updated multiple times. It was not inventoried on the last Historic Survey but it was nevertheless included on the map that was attached to the Application.

The Owner opposes the designation of the Conservation Designation for her personal residence and for the 10 distinct parcels listed on the first page of this letter for the following reasons:

1. A Conservation District is not necessary to prevent demolition of any structure. Owners must already seek demolition permits from the City of Bloomington under current regulations.
2. Public processes and ordinances are currently in place to protect the neighbors and community from rampant development of properties in Green Acres.
3. A Conservation District designation (which becomes a Historic District in 3 years) makes the process of maintaining and renovating properties more cumbersome which makes housing in the area more expensive and less affordable.
4. The goals of the neighbors who oppose the development on Jefferson Street could be accomplished by mapping a much smaller Conservation District that did not encompass the 125 acres of Bloomington's east side that would not have affected so many other property owners.

**For the above reasons, the Owner OPPOSES the adoption of a Green Acres Neighborhood Conservation District as it is presently mapped and drawn. Specifically, the Owner OPPOSES a Conservation District that would include the Owner's properties listed on page 1 of this letter.**

Respectfully,

James F. Bohrer



Green Acres Interim Protection on the Proposed Conservation District External Inbox x



**Delgar Woodruff** <ubattulg@gmail.com>  
to me ▾

Fri, Sep 6, 2:19 PM (3 days ago) ★ ↶ ⋮

Hi Noah,

I reside at 218 S Jefferson St, Bloomington, IN 47408 with my husband, Todd Woodruff. I wanted to send a note indicating that we do not approve of the proposed plan for a conservation district for our neighborhood in Green Acres.

There was a woman who came around and asked for signatures. My husband felt very intimidated and the exchange was aggressive and he was misled into signing the document supporting the conservation district. I would like to make clear that his signature on the list is not accurate and we actually, in fact, DO NOT support this measure.

Sincerely,  
Utzielger Woodruff

## Some thoughts on the Green Acres Conservation District

3 messages

**Tim Clougher** <timclougher@gmail.com>  
To: City Council <council@bloomington.in.gov>

Wed, Aug 14, 2024 at 2:16 PM

Greetings Council Members,

While I currently live in the Near Westside neighborhood, I did reside on a couple occasions in the Green Acres neighborhood. As a student in the late 80's (Clark St.) and post college (Jefferson St), approximately 2yrs each time as a renter. I just wanted to share a few thoughts that you might find relative, having recently watched my neighborhood (NWS) go through this same process.

-The Conservation District sounds nice, but the reality is (and the HPC knows this), that is just a precursor to a Historic District. The way the rules are written, after 3 years if the neighborhood property owners do not get 50%+ of the property owners in the district to vote to retain conservation status, the district automatically becomes historic. There's a BIG difference. The Near Westside Neighborhood Association limited this voting to property owners on each deed and limited owners of several properties, generally rental properties, to one vote. After many concerned property owners showed their opposition, the NWSNA regrouped and formed a committee (which I served on) to communicate with property owners. Even after this effort, only 29% of property owners, the ones that were allowed to, voted. They took the majority of that 29% to decide the neighborhood was in favor of this. That's not a majority.

The members of the NWSNA and the HPC knew the outcome would eventually make the Near Westside a Historic District, the whole process, beginning with the State Laws regarding Conservation/Historic Districts, is flawed and unfair.

I disagree with the HPC's interpretation of what should be considered historic. Creating a blanket historic district that includes properties that are not architecturally significant, where nothing of historical merit took place or no person of historical importance lived does not serve all of the residents lumped into the designation.

Thanks for listening!

Tim Clougher

----- Forwarded message -----

From: **Cheryl Underwood** <[cherylunderwood@me.com](mailto:cherylunderwood@me.com)>

Date: Mon, Sep 16, 2024 at 12:18 PM

Subject: Let's address the real problem here. Everyone is sick of big, ugly...

To: Kerry Thompson <[mayor@bloomington.in.gov](mailto:mayor@bloomington.in.gov)>

Dear Mayor Thompson,

Forgive the lack of editing and please forward to the city council before the meeting tomorrow.

Let's address the real problem here. Everyone is sick of big, ugly student rental apt bldgs. There are vacancies all over town in those that are already built and this does nothing to solve the lack of housing for families. Families don't want to live with students and more importantly, cannot afford the rents that a group of students pay. After a year or two students want a house and will pay high rents for any available driving up the purchase price of those houses which makes them unaffordable for a family.

The houses in Green Acres are by and large simple houses yet command high prices due to the price being set on their rental value. A family can maybe afford the purchase price but most in that price range of around \$250,000 don't have the extra cash to pay for repairs or improvements. A new bath costs \$10,000 and a new simple kitchen costs \$25,000. Many of these houses do not warrant this cash outlay because they were never high quality buildings to begin with.

The vast majority have no architectural design value that's outstanding and you can say famous people lived in neighborhoods all over Bloomington. Although the Historic commission would like to do so, the whole town cannot be designated historic.

For background here, I have purchased and owned a few truly historic properties that I proudly restored in a true historical restoration. I am a realtor who has represented several purchasers of historic homes. I sat on the Historical Commission for one year being appointed by former Mayor Tomi Allison as someone who understood construction, did the work and could be a voice of practicality on the commission. I found that while the commission members were very knowledgeable about the history of properties they had no idea of what it cost to restore and maintain a building and many times misidentified something as being old when it wasn't.

That is the case with Green Acres. There is nothing exceptional about the vast majority of those houses. If an individual owner wants their house to be designated historic they have every right to petition the commission to do so. But mandating every house to have to deal with the historic commission is unfair and impractical.

Let's address the real problem of the huge apt bldg and ask the city council to negate the zoning that would allow it. That is the real issue and why the whole idea a Green Acres change of zoning was proposed to begin with.

I'll give one example of the ridiculousness of the historic commission's demands. I owned a truly historic house in every way on N Washington St that we worked 12 years to restore. I asked the commission for an extension of time to have it painted as it is a 2 1/2 story 4500 sq' house with a 5 color exterior color scheme. I had already painted it twice before and knew the cost was over \$20,000. When I asked for 6 month delay, one of the members said that was ridiculous as she had a painter that could paint my house in a day! The previous 2 paint jobs had taken 3 people ten days and required extensive scaffolding. I was astounded that anyone could be so ignorant but here I was dealing with them. No property owner wants that even those of us who love historic homes and do our best to maintain them.

Deal with the issue of big apt buildings and forget the conservation district.

## **Cheryl L Underwood**

Aronis & Underwood Realty

[825 N Walnut St, Ste A](#)

[Bloomington, IN 47404](#)

Ph (812) 327-0948

[cherylunderwood@me.com](mailto:cherylunderwood@me.com)

## Opposition to Green Acres neighborhood being designated a conservation district

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Paul Smedberg <paul.smedberg@gmail.com>

Mon, Sep 16, 2024 at 1:43 PM

Reply-To: paul.smedberg@gmail.com

To: council@bloomington.in.gov

Deart Bloomington City Common Council,

This letter is in opposition to the declaration of the Green Acres neighborhood as historic. And since conservation districts most often lead to historic designation, I oppose that as well.

There's a common type of prejudice that's of the form "All X are Y." I hesitate to even type some examples, but -- all Americans are uncouth slobs, all Zoroastrians are good at math, all people of Lithuanian descent are concerned about taxes.

Clearly "All X are Y" is fraudulent at worst, prejudiced and deeply misleading at best.

"All of Green Acres is historic." is of this form. There are some interesting buildings that should have historic protection -- Millen house on Bryan is an obvious choice. And there's a beautiful mid-century home with a small courtyard. I guess there may be others.

But to label Green Acres as a historic district makes a mockery of the word "historic".

This designation paints, with a wide brush, a neighborhood that has wonderful variation and diversity. Don't lump all these homes together. Please.

Are we not, as a city, trying to support affordable housing? Declaring whole neighborhoods historic works against this goal. It's especially galling when those declaring the historic district use the thinnest and most vaporous of reasons. Here's a good example.

"Development of Green Acres largely coincides with the tenure of Bloomington president, Herman B Wells, from 1937 to 1962, a period of massive expansion in the size and academic breadth of the university,"

Really. This passes as a reason worth enumerating? This is the leavings of the bull. Every house built in Bloomington -- ever -- was during some historically interesting period. C'mon historic commission, don't you see the level of self-parody in this statement? I was born the same year as John Travolta. So what!

I recently visited my daughter in Denver. She lives in a very Green Acres-like neighborhood. (She was born in Green Acres as were her two brothers.) Flecked through the neighborhood are 3-, 4-, and 5-plexes. They look good. Mostly better or more interesting architecture than the older homes. They aren't destroying the neighborhood character, they're enhancing it.

Nobody wants crappy apartment blocks like some of the new ones south of 3rd St, east of the mall. I would join you in trying to stop that. But designating the whole neighborhood as historic is not the way.

Don't do something clearly against the best practices of affordable housing.

I know that the historic commission is made up of good people trying their best to do the good work of preserving historic buildings. I wish that they would do this work on a case by case, building by building basis. And I believe this mission can be accomplished without the mass labeling of hundreds of homes as historic -- which they clearly are not by any well known definition of that term.

Paul Smedberg

P.S. My wife and I own 6 homes in Green Acres, including the one in which my family started. I may be a landlord, but I love Green Acres.

Paul Smedberg

[PaulSmedberg.com](http://PaulSmedberg.com)  
[@paul.smedberg](mailto:@paul.smedberg)

317-334-0177 | he/him



9/17/2024

Dear Members of the Bloomington City Council:

We are writing to express our deep concern with the proposed conservation district for the Green Acres neighborhood. A conservation district, which would eventually become a historic district without significant intervention by residents, is out of step with the few historic buildings within the neighborhood and creates substantial barriers to property owners while locking out future residents.

Conservation and historic districts should be reserved for the most transparently clear cases of a neighborhood and its structures holding deep historical value. The data from the 2018 Historic Survey commissioned by the city casts a clear picture: this neighborhood contains few historic structures. In fact, the vast majority of the properties in the neighborhood were not included in the inventory. Further, most of the structures were only listed as “contributing,” meaning they did not on their own merit historic designation. According to this data, more than 100 structures are non-contributing. Only one structure is on the National Register of Historic Places, and only five properties are notably historic; one is not a residence but the home of Bloomington Fire Department Station Four. This does not speak of a historic neighborhood but of a neighborhood with a few specific buildings that, on their own, may be considered historic. This distinction and data make clear that the Historic Preservation Commission cannot, in good faith, recommend this neighborhood be established as a conservation district.

A conservation district, which will likely become a historic district automatically due to the significant and anti-democratic hurdle of obtaining a majority of deed holders’ written opposition, also establishes significant barriers to homeowners’ property rights. The Historic Preservation Commission must approve all exterior changes to homes within historic districts. While members might appreciate having oversight, this undeniably takes away the ability for homeowners to freely do what they wish with their properties. It is antithetical to the very nature of property rights. Even if approved, it creates delays and would impose additional costs on homeowners who might want to renovate their homes. Considering the age of many of these homes and their rapid construction when originally built, renovations are undoubtedly needed to bring them up to modern building and amenity standards. Homeowners would face significant hurdles to make such renovations.

Conservation and historic district status would also create barriers to new construction in Green Acres. This neighborhood is highly desirable because of its walking distance to the Indiana University Campus and commercial corridor along East Third Street and College Mall Road. However, all demolitions and new buildings would have to get additional approval from this body. Given the lack of new construction in other historic neighborhoods in Bloomington, we believe this would curtail almost any new development in the neighborhood. This will force would-be residents elsewhere, as only a finite number of units currently exist. Increased



competition for living in this neighborhood will drive up property values, increasing the tax load for homeowners and landlords who pass along tax hikes to renters, causing economic harm to almost every existing resident.

In closing, we urge the council to reject the nomination for Green Acres to become a conservation district. The neighborhood's pronounced lack of historic structures exemplifies why this nomination is erroneous and should be rejected. Further, the significant hurdles for homeowners to exercise their property rights following establishing a historic district and the curtailing of new development that will raise property tax assessments for existing residents are clear financial harms to all who live in Green Acres. The Council must reject the nomination of Green Acres for conservation district status.

Thank you,

**The Undersigned Residents of Bloomington**

Matt Gleason  
Sam Tobin-Hochstadt  
YY Ahn  
Tim Dwyer  
Adam Martinez  
Jerrett Alexander  
Isabelle Ruiz  
Daniel Jenkins  
Conner Wright  
Collin Nielsen  
Thomas Landis  
Deborah Myerson





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## **Fwd: Against Conservation District for Green Acres**

1 message

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Dear Mr. Sandweiss,

On our phone conversation today, you said you would pass along this email.

For decades I have owned a rental property in Green Acres. The same tenant has lived there for almost 9 years. I have a rental permit through HAND and follow all the guidelines. If Green Acres becomes a Conservation District, it will significantly restrict my ability to follow HAND guidelines. Financially it will destroy my long-term investment and deprive me of my livelihood. I am recently retired and depend on this income. You need to ask yourself, are those that are pushing for Conservation trying to force out property owners that do not reside on-site? I think they call that a land grab.

I believe the folks who made the petition in support of conservation did so by going door to door. Thus homes not occupied by the owner, only heard from the tenant. The tenant has little or no skin in the game. Landlords were in effect kept in the dark and left out. Why? Because a few residents want to stand in the way of progress and are willing to have government control their property in order to be able to restrict the use of their neighbor's property.

Lastly, the vast majority of the homes in Green Acres have no historic value. They are simple low-cost homes built in the 1960s. There's nothing architecturally valuable about them. Green Acres as a Conservation District makes about as much sense as making Pigeon Hill a Conservation District.

-Laura Gentry