

Chapter 1, Introduction

Section:	N/A	Title:	Introduction	Source:	HPC Workshop
				Date:	3/22/18

Public Comment: Provide additional support for the concept of guidelines and that deviation could be appropriate in certain circumstances. Give examples of good reason repairs to deviate from the guidelines. Preserve the opportunity for flexibility. State overall goal of maximizing utilization of downtown Frederick and preserving the historic context.

Response: Deviation is addressed under section Q and the criteria are outlined.

Section:	G	Title:	Rehabilitation	Source:	Special NAC Meeting
				Date:	2/28/18

Public Comment: Concern about the removal of section **(3), Application of Other Treatments**.

Response: Instead of removing this section it was retained and edited to clarify that the applicant may propose a project that follows the standards for preservation, reconstruction, or restoration, and the Commission will evaluate appropriateness. The goal is to make it clear that the Commission cannot require treatments other than rehabilitation.

Section:	J	Title:	General Parameters for Reviewing Changes...	Source:	HPC Workshop
				Date:	3/22/18

Public Comment: **(3) Original materials**- Retain "if possible"

Response: This will be retained. Side note: subsection may be more appropriately titled "historic materials instead of "original materials" because both original and non-original materials are addressed.

Section:	J	Title:	General Parameters for Reviewing Changes...	Source:	HPC Workshop
				Date:	3/22/18

Public Comment: **(7) Open spaces**- Concern about requirement to retain formal yards. How are formal yards defined? Can a rear yard be a formal yard?

Response: "Formal yard" is not otherwise used in Chapter 8, Landscapes and Streetscapes. It is recommended that "formal yard" either be eliminated from this section or replaced with "designed plantings" which is defined. In Chapter 8 this topic should be referred to as "designed landscapes" not "designed plantings."
Edited "formal yard" to "formal landscapes." A detailed definition is provided in chapter 8.

Section:	N	Title:	Degree of Importance	Source:	Special NAC Meeting
				Date:	2/28/18

Public Comment: A question was asked about how the definition for a "contributing resource" has changed and what this means for the process.

Response: This question was addressed in the workshop. The change in definition is more consistent with professional standards in determining contributing and non-contributing resources. The amendment does not make the interpretation more or less strict, just clearer.

Comments received as of August 23, 2018 and Staff Responses

Section:	T	Title:	Resubmitting Denied Applications	Source:	Email
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Public Comment: Where is this in the City Code? Please state.

Response: (1) and (2) are located in the Rules of Procedure and Regulations of the Historic Preservation Commission. Specific references to sections of the City Code are not noted throughout the guidelines since the City Code can be amended separately from the guidelines which may make references obsolete.

Section:	U	Title:	Deadline to Commence Work and Expiration...	Source:	Email
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Public Comment: Concern about change from two year expiration to three year expiration with staff extension.

Response: This change is being made to be consistent with the Land Management Code (LMC) which sets deadlines for expirations in Section 423(n). This section of the LMC was changed in 2012 from two years to three years. Historic Preservation Commission approvals have been valid for three years since this change was made to the LMC in 2012 regardless of the outdated language in the guidelines. No changes are proposed to the LMC regarding expiration of approvals and therefore the proposed amendment will remain.

Section:	W	Title:	Workshops	Source:	HPC Workshop
				Date:	3/22/18

Public Comment: Add language to better describe how the Commission can work with the applicant during the workshops to develop a stronger likelihood of future success. This might be more of a procedural request.

Response: This is the goal and purpose of workshops. Improving the workshop process is best addressed through Commission training and education and/or through the Rules of Procedure.

Section:	X	Title:	Hearings	Source:	HPC Special Workshop
				Date:	2/15/18

Public Comment: Change "approved with modifications" to "approved with conditions" and change "rejected" to "denied" to be consistent with Section S.

Response: This change was made. It it was also made consistent with language in Section 423 of the LMC.

Section:	N/A	Title:	"HPC Applications" Text Box	Source:	HPC Special Workshop
				Date:	2/15/18

Public Comment: Limit who can submit applications to property owners or authorized agents

Response: Currently applicants must either be the property owner or the owner's agent. Agent authorization forms are not required per the Planning Director. Any changes to this procedure would be more appropriately addressed in the Commission's Rules of Procedure and/or the LMC.

Section:	N/A	Title:	"HPC Applications" Text Box	Source:	HPC Workshop
				Date:	3/22/18

Public Comment: Strongly support that anyone with owner consent should be able to complete the HPC process.

Response: See previous response. No changes are being proposed regarding who can submit a HPC application.

Section:	N/A	Title:	"HPC Applications" Text Box	Source:	HPC Special Workshop
				Date:	2/15/18

Public Comment: "Administrative Approval"

- Staff level approvals vs. administrative approval-- consistently call the process the same thing.
- Guidelines should list out what can receive administrative approvals.
- Concerns that state procedures for administrative approval process were not being followed.

Response: "Administrative Approval" and "Staff Approval" are two different processes and the terms are used consistently in all documentation. "Staff Approval" involves minor changes to plans already approved by the HPC. This procedure is not established in the design guidelines. However, the names for the two review processes should be more clearly identified and the names can be changed.

The "Administrative Approval Authority" is established through the Rules of Procedures and Regulations of the Historic Preservation Commission. The Administrative Approval Authority outlines the categories of work that can be approved by qualified staff if that work is consistent with the applicable design guidelines. Since the Administrative Approval Authority can be amended by the Commission alone, and the guidelines require Mayor and Board approval, it is recommended to leave the Administrative Approval Authority in the Rules of Procedure. A hyperlink will be provided in the new guidelines to provide a direct link to the Administrative Approval Authority categories of work.

There is no conflict between the Maryland Land Use Article Section 8 and the Commission's Administrative Approval Authority.

Text box was retitled as "HPC Applications & Types of Reviews". The various types of applications are going to be combined into one form with the hopes of alleviating confusion and the updated language reflects this. Information was added to explain the differences between administrative and Commission reviews.

Section:	N/A	Title:	"HPC Applications" Text Box	Source:	HPC Workshop
				Date:	3/22/18

Public Comment: Retain paragraph describing obtaining an approval in an emergency.

Response: Retained and edited to reflect current procedures.

Section:	N/A	Title:	"HPC Applications" Text Box	Source:	HPC Special Workshop
				Date:	2/15/18

Staff Comment: "Administrative Approval"—The word "requirement" is missing from the last sentence.

Response: This correction was made.

Section:	N/A	Title:	"HPC Applications" Text Box	Source:	HPC Special Workshop
				Date:	2/15/18

Public Comment: "Construction Phase Modifications"

- HVAC equipment should not be included
- Public notice should always be required for HVAC equipment

Comments received as of August 23, 2018 and Staff Responses

- Noise levels should be part of the review for HVAC equipment
- HVAC equipment should always go to hearing

Response:

No changes are being proposed to this section. The Administrative Approval Authority should be amended if a hearing is to be required for all HVAC equipment. Noise levels are not among the criteria for historic preservation and would be more appropriately addressed through other codes/ordinances.

“Construction Phase Modifications” was edited for new terminology, “Minor Modifications to Approval”.