

**HISTORIC PRESERVATION COMMISSION
HEARING MINUTES
APRIL 24, 2014**

Commissioners

Scott Winnette, Chairman
Robert Jones, Vice Chairman (not present)
Stephen Parnes
Tim Wesolek
Michael Simons
Brian Dylus (not present)
Rebecca Cybularz
Chase Tydings, Alternate

Aldermanic Representative

Donna Kuzemchak (not present)

Staff

Lisa Mroszczyk Murphy, Historic Preservation Planner
Christina Martinkosky, Historic Preservation Planner
Scott Waxter, Assistant City Attorney
Matt Davis, Manager of Comprehensive Planning
Shannon Pyles, HPC Administrative Assistant

I. Call to Order

Mr. Winnette called the meeting to order at 6:00 P.M. He stated that the technical qualifications of the Commission and the staff are on file with the City of Frederick and are made a part of each and every case before the Commission. He also noted that the Frederick City Historic Preservation Commission uses the Guidelines adopted by the Mayor and Board of Aldermen and the Secretary of the Interior's Standards for Rehabilitation published by the U. S. Department of the Interior, National Park Service, and these Guidelines are made a part of each and every case. All cases were duly advertised in the Frederick News Post in accordance with Section 301 of the Land Management Code.

II. Public Hearing – Swearing In

“Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Historic Preservation Commission will be the whole truth and nothing but the truth? If so, answer “I do.”

III. Announcements

Ms. Murphy announced that the applicant for HPC14-229 at 122 E. Patrick Street requested a continuance and wanted the case to be discussed at the workshop after the hearing and a copy of the e-mail is in the file.

Ms. Murphy also announced that there was a letter in the Commissioners packets from Trileaf Environmental & Property Consultants in response to the Section 106 review for the Frederick Fairgrounds that the Commission submitted comments for about a month ago that notes they are looking into alternatives based on the comments received.

Ms. Murphy announced that she would encourage everyone to tune in or attend the Mayor and Board of Aldermen meeting on Thursday May 1, 2014 as the Historic Preservation awards will be given out at the beginning of the hearing.

IV. Approval of Minutes

1. April 10, 2014 Hearing/Workshop Minutes

Motion: Scott Winnette moved to approve the April 10, 2014 hearing and workshop minutes as written.
Second: Timothy Wesolek
Vote: 5 - 0

V. HPC Business

2. Certification of the Report on FY15 Historic Preservation Property Tax Credits and Recommendation to the Director of Finance

Motion: Scott Winnette moved to certify the recommendations attached to the memorandum dated April 7, 2014 regarding the 2013 Historic Preservation property tax credits and that it be forwarded to the Director of Finance.
Second: Rebecca Cybularz
Vote: 5 - 0

3. Discussion & Public Comment on Draft Design Guidelines for Individual Properties & Small Districts

Discussion

Ms. Murphy stated that they were looking for any additional discussion or public testimony on the document.

Public Comment

Alan Imhoff, President of the Board of Directors for the Frederick County Landmarks Foundation, stated that they have one property in the City that is on the list and they wanted to express their support of the direction that this Commission is taking with the Guidelines for preserving as much as possible some of the historic fabric within the City. He said that they will be reviewing the final draft with any comments at a later meeting.

VI. Consent Items

Ms. Martinkosky entered the entire staff report into the record.

Motion: Scott Winnette moved to approve the proposed addition including the diagrams in the packet with the revised diagrams PR-4 and D-7 presented tonight with the following conditions:

- All infilled wall openings shall retain the lintels and sills; and
- The blocking material is recessed in accordance with page 66 of the Design Guidelines.

Materials Approved:

- Brick veneer from Glen-Gery Brick
 - 900 Red Mat Extruded Brick to infill windows
 - 56-DD Molded Brick to cover elevator portion of addition
- Wood Ultimate Double Hung windows with 1/1 and 2/2 configurations (Marvin)
- RubberGuard EPDM roof membrane (Firestone)
- Smooth-faced HardiePlank lap siding
- AZEK trim (for window trim)

Second: Timothy Wesolek

Vote: 5 - 0

<p>7. HPC14-168 Demolish roof structures <i>Lisa Mroszczyk Murphy</i></p>	<p>301 N. Market Street</p>	<p>301-303 N. Market St., LLC Boaz Yavnai, agent</p>
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Ms. Murphy entered the entire staff report into the record.

Motion: Timothy Wesolek moved to approve the demolition of the gable roof over the c. 1820 wing and the shed roof over the c. 1860 wing subject to the approval of a replacement plan with the following conditions:

- The existing dormers are retained and preserved in place or removed, preserved, and reinstalled in their original location; and
- A final preservation plan for the dormers is submitted to staff for final approval once they figure out the structural set up during demolition.

Second: Stephen Parnes

Vote: 5 - 0

<p>8. HPC14-70 Reconstruct roofs, add dormers and roof deck <i>Lisa Mroszczyk Murphy</i></p>	<p>301 N. Market Street</p>	<p>301-303 N. Market St., LLC Boaz Yavnai, agent</p>
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Ms. Murphy entered the entire staff report into the record.

Motion: Scott Winnette moved to approve the application with the following conditions:

- The height and slope of the replacement gable roofs match the existing;
- The new standing seam metal roof shall have seams not to exceed 1”;

Motion: Stephen Parnes moved to approve the application to replace the concrete stoop with the modification that the new stoop replicates the existing as closely as possible in form and material as permitted by Codes and to include the addition of a metal railing with square posts and pickets and a molded top rail with the condition that revised drawing should be submitted for final staff review.

Second: Rebecca Cybularz

Vote: 6 - 0

11. HPC14-100ZMA 199 Baughman's Lane (Belle-Air Conley Farm)
 Historic Preservation Overlay Zoning Map Amendment
Christina Martinkosky

Ms. Martinkosky entered the entire staff report into the record.

Public Comment

Tim Hogan, with FredRock Partners, stated that his remarks are fairly brief because he was aware that the Commission is pretty familiar with this property. He went on to say that the key points that they wanted to go over are relative to the limits of the overlay as far as the actual boundary lines. He said that there are three suggested overlays and the one that they proposed of course makes the most sense in their opinion. He stated that the key focal points on their specific recommended overlay are with regard to the two stone outbuildings one the north end of the site. He said that while staff recommended a 100 ft. overlay from the main structures of the historic complex they felt it was not necessary to have such an extensive overlay as it relates to the stone outbuildings. He went on to say that the 100 ft. boundary would be a bit cumbersome and unnecessary for this body to have to deal with in the future so they suggested a constrained overlay on the northern end of the property. He stated that the second key item is regarding the stable/calf barn on the west side of the site and they felt that is not a building that is significant to this historic complex so they asked for the Commission's consideration of that not being part of the overlay. He said that when they first started this process the property sellers shared with them the report that Goodwin had prepared and that report called out four of the eighteen structures that they felt in their opinion were historically significant so they relied on that and since that time they have come to understand that there is a desire to have a more significant complex. He stated that they have been quite flexible in that regard despite disagreeing on some of those points and they hope that throughout everyone has understood that they are certainly care about Frederick City and County as well as the historic fabric.

Kathryn Kuranda, with R. Christopher Goodwin & Associates, stated that they were retained by FredRock Partners, LLC and their firm is responsible for the extensive MIHP form on the Conley Farm. She said that while there are certainly areas of agreement between the staff recommendations and the analysis taken by their firm. She stated that she must respectfully disagree with the staff recommendation to include all of the agricultural buildings within the historic preservation overlay. She went on to say that she would like to spend a minute on the fundamentals of resource evaluation. She stated that NPS technical guidance for evaluating historic properties establishes two requirements for recognizable entities. She said that the first is a concentration, linkage and continuity of features that must exist and she believed that they would all agree that this measure is met by the common agricultural character of these buildings. She stated that the second requirement is significance, the recognizable entity must have demonstrated importance for historical, architectural, engineering or cultural values. She went on to say that the argument that the collection is recognizable because they are all agricultural buildings and should be designated because the collection was built for agriculture does not document their significance. She said that the argument establishes agricultural association but does not demonstrate importance. She stated that the subset of the area the encompasses the Wisconsin barn, milk house and silo specifically embody the architectural response to sanitation and pasteurization requirements and the introduction of

these standards was an important event in agricultural history since they dramatically changed the appearance and operation of dairy farms. She said that the remaining agricultural buildings were secondary structures in an earlier complex that has since been lost over time and do not embody the significance so she would therefore urge the Commission to limit their recommendation to the historic preservation overlay to the Wisconsin barn, milk house and silo.

Dale Dowling stated that she had not intended to speak because she reviewed the staff report earlier and she concurred with everything in the report. She added that she taught architectural history and American geographical history on the college level so she is somewhat familiar with the growth of towns and the growth of properties such as farms. She said that towns and farms grow and just because farms weren't originally inside City boundaries does not mean that they are not part of the City's history. She stated that most towns and cities started as very small entities and depending on where you are located geographically they grew in different ways. She went on to say that it is most typical to go out and annex farms to bring those in and for example there is a house on Dill Avenue before you get to Hood College that was originally a farmhouse because that was a farm and those were fields and this has now been part of the town for more than 100 years. She added that the farms outside of the town that brought produce into the town could walk to the market because they were so close so she thought they need to consider that this farm is really part of Frederick. She stated that farms grew over time as technology grew so buildings that are outside of the time period of the majority of the buildings aren't necessarily up for demolition. She said that they tell the story of the history of the growth of the farm overtime and whereas she would not suggest that they hold onto the 1960 building or even the earlier tenant house building they need to look at the group because the farm buildings were all necessary. She stated that what they are really arguing is if they put this overlay on what it really gives them is an opportunity to review more closely what goes on in this property as opposed to if they did not.

Tim Hogan, with FredRock Partners, stated that they would agree with and are happy to have an overlay but it is stretching to continue to say it shows how a property has evolved and if that is the case the 1960's house shows us how the property has evolved. He said that it is reaching a bit too far and they have shown their willingness to be flexible despite a friendly disagreement between their historian and the City's historian with the regard to the number of significant structures. He said that when they first got into this it was four of eighteen and now they are proposing to preserve fourteen of eighteen. He went on to say that they do not think it should be so cumbersome so again they respectively request that they give consideration of the overlay that they have proposed for the reasons stated.

Peter Samuel, resident at 102 W. 3rd Street, stated that he is very concerned about the point that staff is making that the Commission may not consider the economic or financial consequences of their decisions because the Guidelines do not address that. He added that if they can only address a decision based on the Guidelines than the fact that something was going to fall down would be none of their concern and they wouldn't be allowed to consider that.

Motion: Scott Winnette moved to recommend to the Planning Commission and the Mayor and Board of Aldermen the rezoning of the farm complex in order to apply Historic Preservation Overlay zone considering the buildings are within the Guidelines 423b, 3b, 1, 2, and 4.4 to include the stone house, smokehouse, two stone outbuildings, wagon shed, corn crib, workshop, stable, carriage house outbuilding, stone pillar, dairy barn, milk house, silo, stone wall, and stable/calf barn with the boundaries corresponding with Option 2 that was provided through the GIS service of the City with the northern portion surrounding the stone outbuildings corresponding with the boundaries shown in the diagram submitted by the Hogan Company which is dated March 17, 2014.

Second: Michael Simons

Vote: 4 – 2, Timothy Wesolek & Chase Tydings opposed

The meeting was adjourned at approximately 8:08 PM.

Respectfully Submitted,

Shannon Pyles,
Administrative Assistant

APPROVED 05/08/2014