

**HISTORIC PRESERVATION COMMISSION
HEARING MINUTES
MAY 10, 2012**

Commissioners

Scott Winnette, Chairman
Robert Jones, Vice Chairman
Gary Baker
Shawn Burns (not present)
Stephen Parnes
Tim Wesolek
Michael Simons
Brian Dylus, Alternate (not present)

Aldermanic Representative

Michael O'Connor (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 Albaugh, 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.

Announcements

Mr. Jones announced that he would need to recuse himself from HPC12-203 located at 21 W. All Saints Street.

II. Approval of Minutes

1. April 26, 2012 Hearing/Workshop Minutes

Motion: Timothy Wesolek moved to approve the April 26, 2012 hearing and workshop minutes as written.
Second: Michael Simons
Vote: 5 - 0

III. HPC Business

2. Administrative Approval Report

3. Endorsement of a letter regarding the Historic Preservation Overlay and Individual Properties Identified in the Comprehensive Plan

Discussion

Mr. Winnette stated that a letter has been crafted to go to the owners of 26 different properties to ask if they would like to designate the property into the Historic Preservation Overlay. Ms. Martinkosky stated that staff hoped this letter would have a positive effect and that people will be encouraged to apply to become an HPO.

Mr. Wesolek stated that he would like the word voluntarily to be seen somewhere in the letter so that the property owners know this is a voluntary request. Mr. Winnette asked Mr. Wesolek if he would like the letter to state “If you are interested in voluntarily initiating designation of your property.....” Mr. Wesolek answered yes. The Commission accepted that change.

Motion: Scott Winnette moved to approve the letter as amended.

Vote: 5 - 0

IV. Consent Items

a. Cases to be Approved

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| <p>4. HPC12-240
Substitute fiber cement siding for previously approved siding on new addition
<i>Lisa Mroszczyk Murphy</i></p> | <p>228 E. Church Street</p> | <p>Robert Cassidy</p> |
| <p>5. HPC12-260
Amendments to Level II approval
<i>Lisa Mroszczyk Murphy</i></p> | <p>20-22 E. 7th Street</p> | <p>Habitat for Humanity
Roger Schroeder, agent</p> |

Motion: Scott Winnette moved to approve the consent agenda.

Vote: 5 – 1, Michael Simons opposed

b. Cases to be Continued

V. Cases to be Heard

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| <p>6. HPC12-203
Replace door
<i>Christina Martinkosky</i></p> | <p>21 W. All Saints Street</p> | <p>Calista Phillips</p> |
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Staff Presentation

Ms. Martinkosky entered the entire staff report into the record and stated that the applicant seeks post-installation approval for a six-paneled metal door that replaced a historic glass and wood door. The hardware from the former entry door was retained and is now featured on the new door. The historic glass and wood door remains in storage at the property.

Applicant Presentation

Calista Phillips, owner of 21 W. All Saints Street, stated that when she moved into the house she did not feel safe with the glass door the way it was and it was loose so she replaced it without knowing that there were processes to follow. She added that there are several doors on her street that are metal. She went on to say that when she realized she needed to get approval for the replacement of the door she made sure it was a six panel door and tried to meet all the Guidelines she could.

Commission Questioning/Discussion

Mr. Winnette asked if the applicant still had the original door. Ms. Phillips answered yes because she did not want to get rid of it since it is part of the house. Mr. Winnette asked if she would consider installing a storm door as well. Ms. Phillips answered that she would put a storm door on with the new door because if she were to put the old door back in it would not be energy efficient and she would still like more security.

Mr. Parnes asked why hardware was reused when it did not fit into the new door. Ms. Phillips answered that it was the original hardware and she just put it back on. She added that the reason the hardware is sunk into the new door is because it is thicker than the old door.

Mr. Winnette stated that their Guidelines are before them and “Solid wood doors are required unless a code requirement for a fire rated door prohibits a solid wood door.” Ms. Phillips stated that the front is wood it is just that the core itself is an insulated metal. Mr. Winnette stated that the new still would not be approved by the Guidelines.

Mr. Winnette asked if the applicant would be willing to put an all wood door in with six panels. Ms. Phillips answered that it would be a lot of money and she has already spent money on one that looks the same which is more energy efficient.

Mr. Wesolek stated that he would be willing to allow the applicant to keep the replacement if the hardware was changed to fit the door because the door is wood on the outside and no one knows what is on the inside.

Mr. Parnes stated that he would not feel comfortable not abiding by the Guidelines since the Commission is there to in his view interpret them.

Mr. Winnette stated that while they are mindful of the request that they be compassionate they have many cases come before them and they do the best they can to hold to the Guidelines that they have before them.

Ms. Martinkosky added that the Planning Department has photos from 2002 and 1976 with the same door in place.

Public Comment

John Kirkpatrick, neighbor to Ms. Calista Phillips, stated that there are concerns for the degradation of the historic district. He added that she has a door that is wood on the outside and as far as anyone would know is solid wood. He went on to say that the aggravation and expense of buying another door is the kind of thing that prevents people from making appropriate changes and as a result the homes are owned by slum lords and inhabited by people that are destroying the homes. Mr. Kirkpatrick stated that the previous door may date backs to the 1930's but that it has not been on the house long at all. He said that the house has been torn apart and fixed up very poorly without any permits or discussion with the Historic Preservation staff because it was thought to be too difficult. He went on to say that he has been before the Commission with changes of his own and the Commission was very nice and cooperative and he hoped that they would continue in that direction and continue to give home owners that are trying to make proper changes a break.

Staff Recommendation

Staff recommends denial of the application because the historic glass and wood door is not deteriorated beyond repair.

Motion: Scott Winnette moved to deny the application for the installation of the door that is currently installed because it is a wood clad door and the Commission’s Guidelines state “Clad doors and hollow core doors will not be approved.” on Page 75 of the Guidelines also “Solid wood doors are required unless a code requirement for a fire rated door prohibits a solid wood door.”

Second: Michael Simons

Vote: 3 – 1, Timothy Wesolek opposed

<p>7. HPC12-268 Vinyl pergola with metal dome, misc. landscaping <i>Lisa Mroszczyk Murphy</i></p>	<p>221 E. Church Street</p>	<p>Patrick McFappen Jared Herman, agent</p>
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Staff Presentation

Ms. Murphy entered the entire staff report into the record and stated that this application concerns the following landscaping work in the rear yard of a contributing resource:

- Construction of a 16’ x 16’ vinyl pergola with a decorative metal dome.
- Installation of accent lighting for the pergola and dome.
- Installation of a ceiling fan at the center of the pergola.
- Expansion of an existing bluestone patio to correspond with the pergola and the addition of a brick border.
- Installation of bluestone coping at an existing water feature at the north end of the yard.

Applicant Presentation

Jared Herman, representing the owners of 221 E. Church Street, stated that they would like to go with the vinyl because it will not be a permanent structure so it could be removed easily and it is very similar to the look of what painted wood would be. He added that they would like to put the lights up top so they could provide lighting for any activity at night.

Commission Questioning/Discussion

Mr. Wesolek asked for more explanation on the three different lighting options being proposed. Mr. Herman answered that the lights that are under review are right at the top beam and there are three that are hooked to the dome that would shoot up the dome as wisteria would grow up there. He added that there are four of them that would shoot down from the beam onto the patio and the lights on the ground are just accent lights that shoot up the columns. Mr. Wesolek asked staff if their issue was with the lights that shoot up on the columns. Ms. Murphy answered that the recommendation is to permit the ground mounted light features that are facing up and not permit the up-lighting that is mounted on the structure so it would be the three for the dome. Mr. Herman stated that they would like to keep that lighting because they feel it will look nice.

Mr. Winnette asked if the applicant would be willing to go with wood since the Guidelines are pretty clear on non-vinyl. Mr. Herman answered that they would really like to keep it vinyl because it lowers the cost extremely and makes it very low maintenance. He added that if they were to go with wood columns it would look exactly the same. Mr. Winnette asked if they have thought about other composite materials other than vinyl. Mr. Herman answered that they certainly could use but the main reason they would like to use the vinyl is because it does lower the cost of the project. He added that it makes something that is a unique custom design more affordable.

Mr. Parnes asked how long they would it be before they expect the wisteria to cover it so there is not light

other houses. She added that they did make one window smaller because it is in a bathroom and they could change it to a larger window but they would have to adjust the bathroom on the interior of the house. She stated that the main reason for changing the house was because of the center stair in the house makes for very small rooms and the client is interested in pushing the stair to the exterior to the interior wall.

Commission Questioning/Discussion

Mr. Winnette asked if the light fixture would still be installed on the rear elevation since it was not on the drawing. Ms. Creamer answered yes and it would be just like the others.

Mr. Winnette asked if they would be taking two windows out on the left elevation. Ms. Creamer answered yes.

Mr. Baker stated that the staff report was correct and he thought the three windows in the back should be as large as the windows up front and the window in the bathroom could be a little bit bigger.

Ms. Creamer stated that they would not have an issue with changing the center window on the front of the house on the second story. She added that they have maintained the sizes that were on the original approval. Ms. Murphy stated that they did make changes to the rear elevation but the original approval did include a variety of window sizes so it is not like they are suddenly moving to smaller windows on the back. Mr. Baker stated that you can have a variety of window sizes but they should be positioned correctly with the rhythm established by the historic district. He went on to say that the windows should have consistent sizes and widths. Mr. Baker added that they should go with the same size window across the second story on the front elevation. Mr. Winnette asked the applicant if she would be willing to do that. Ms. Creamer answered that the window in the middle of the second story front elevation is an egress window so they have to stick to that size but she could make the other two second story windows the same width as the middle window.

Ms. Creamer stated that she could make the dining room window which is to the right of the door on the rear elevation narrower and taller to match the windows above it. Mr. Baker stated that he did not think it had to be any taller but making it narrower is a possibility because than all the windows would be the same width and there would be a better balance.

Ms. Creamer stated that she could make the middle window on the second story front elevation match the window below it in width and it would match the height of the other second story windows.

Mr. Baker stated that he thought one of the windows on the top of the north elevation needed to be smaller which would be proportional more correct. He added that the window is in a gable and they are not traditionally a large window. Mr. Wesolek asked Mr. Baker if would like to see it match the window above the door on the front elevation. Mr. Baker answered that it potentially could be that size. Mr. Winnette asked the applicant is she would be willing to reduce the top window in size. Ms. Creamer answered yes.

Public Comment – There was no public comment.

Staff Recommendation

Staff recommends approval of these amendments to door and window locations and sizes only with the modification that the center window on the second floor is enlarged to match the size of the larger second floor window.

Motion: **Scott Winnette moved to approve the amended application with the changes in door and window locations as follows:**

- **On the front elevation the second story middle window match the width**

- of the window below it.
- **On the left elevation the third story window become a W-5.**
- **On the rear elevation the light fixture be installed and that the window to the right of the door be reduced in width to match the one directly above it.**

Second: Gary Baker

Vote: 6 - 0

The meeting was adjourned at approximately 7:45 PM.

Respectfully Submitted,

Shannon Albaugh,
Administrative Assistant

APPROVED