

**HISTORIC PRESERVATION COMMISSION  
HEARING MINUTES  
NOVEMBER 12, 2020**

**Commissioners**

Matthew Bonin, Chairman  
Peter Regan, Vice Chairman  
Philip Bailey  
Thomas Hornyak  
Michael Seibert  
Gregg Horner  
Carrie Albee  
Jes Smith, Alternate

**Aldermanic Representative**

Donna Kuzemchak

**Staff**

Lisa Mroszczyk Murphy, Historic Preservation Planner  
Christina Martinkosky, Historic Preservation Planner  
Brandon Mark, Division Manager for Community Development & Urban Design  
Scott Waxter, Assistant City Attorney  
Shannon Pyles, Administrative Assistant

**Call to Order:**

Mr. Bonin 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.

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**I. 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.”*

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**II. Announcements**

There were no announcements from staff or the Commission.

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**III. Approval of Minutes**

**1. October 22, 2020 Hearing/Workshop Minutes**

**Motion:** Matthew Bonin moved to approve the October 22, 2020 hearing and workshop minutes as written.  
**Second:** Gregg Horner  
**Vote:** 7 – 0

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**IV. HPC Business**

**2. Administrative Approval Report (23)**  
**3. Request for Demolition Review- 503 Highland Street**

**Motion:** Carrie Albee moved to not make an application for designation for 503 Highland Street.  
**Second:** Peter Regan  
**Vote:** 7 – 0

**4. Request for Demolition Review- 198 Monroe Avenue**

**Motion:** Carrie Albee moved to not make an application for designation for the property at 198 Monroe Avenue because it does not meet the City’s criteria for designation.  
**Second:** Philip Bailey  
**Vote:** 7 – 0

**5. Reapproval of the 2021 Historic Preservation Commission Schedule**

**Motion:** Matthew Bonin moved to reapprove the 2021 Historic Preservation Commission schedule.  
**Second:** Gregg Horner  
**Vote:** 7 – 0

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**V. Consent Items**

<b>6. HPC20-829</b>	<b>100 W. Patrick Street</b>	<b>Frederick County Government</b>
Install temporary screening station		Tyler Muntz, agent
<i>Lisa Mroszczyk Murphy</i>		

**Motion:** Matthew Bonin moved to approve the consent agenda which includes HPC20-829 located at 100 W. Patrick Street.  
**Second:** Philip Bailey  
**Vote:** 7 – 0

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**VI. Continuances**

There were no continuances.

**VII. Cases to be Heard**

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| <p><b>7. HPC20-579</b><br/>                 New construction of single-family dwelling<br/> <i>Lisa Mroszczyk Murphy</i></p> | <p><b>159 W. Patrick Street</b></p> | <p><b>Matthias Link Properties of Maryland, LLC</b><br/>                 Paul Fitzgerald, agent</p> |
|--|-------------------------------------|---|

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

**Motion:** Philip Bailey moved to approve the application.  
**Second:** Carrie Albee  
**Vote:** 7 – 0

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|---|-----------------------------------|--|
| <p><b>8. HPC20-816</b><br/>                 Mural<br/> <i>Lisa Mroszczyk Murphy</i></p> | <p><b>69 S. Market Street</b></p> | <p><b>Marvin Ausherman</b><br/>                 Charlotte Marra, agent</p> |
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Ms. Murphy entered the entire staff report into the record.

**Motion:** Matthew Bonin moved to approve the application with the condition that the mural remains in the 18x15 area shown in the original submission.  
**Second:** Peter Regan  
**Vote:** 6 – 1, Gregg Horner opposed

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|--|--------------------------------------|---|
| <p><b>9. HPC20-489</b><br/>                 Level 1 New Construction<br/> <i>Lisa Mroszczyk Murphy</i></p> | <p><b>418-430 Maxwell Avenue</b></p> | <p><b>One Eleven, LLC</b><br/>                 Jessica Underwood, agent</p> |
|--|--------------------------------------|---|

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

**Public Comment**

Karen Thomassen, resident at 107 E. 4<sup>th</sup> Street, stated that the proposal does not meet the design guidelines in terms of massing and that the massing is incorrect for the surrounding historic structures. She said that she had concerns about the height of the structures and the safety of the 80 year old tree. She stated that she would like the Commission members to slow down this process and to remember that what is approved will set precedent for the future of historic buildings.

Andrea Mayer, resident on E. 4<sup>th</sup> Street, stated that she is opposed to the current design of the Maxwell Avenue project even though it has evolved a bit but they are still looking at a four story townhouse that will abut right against a number of contributing properties. She said that the new design contains two features that are not anywhere in the historic district which are a series of rooftop decks and first floor garages. She said that the historic preservation process works best with a supportive community.

Susan Leibman, resident at 101 E. 5<sup>th</sup> Street, stated that the individuals that live in the historic district do so because they love historic architecture, and they find the preservation of it worthy of their time. She added that they carefully as required select historically appropriate materials and maintain historically appropriate scale and design while the Maxwell Avenue project does not. She asked where the loyalty of

the Commissioners to the owners of the adjacent historic properties and she respectfully asked the Commission to work with the applicant to find a more appropriate design for this project.

Robert Emerick, resident on E. 4<sup>th</sup> Street, stated that the height and massing of this project is much too large. He stated that this project does not meet any of the criteria set forth in the guidelines in terms of height and massing. He also stated that a precedent would be set to have street facing first floor garages.

Kevin Sellner, resident at 102 E. 5<sup>th</sup> Street, stated that the massing and height are still too large even though they have been reduced from the original design. He said that street facing garages and rooftop decks are not found anywhere in the historic district. He stated that there is concerns that there is a double standard between new construction and the preservation of historic properties. He also said that the proposed industrial design for 110 E. 5<sup>th</sup> Street does not match the design of any of the surrounding historic properties.

Steve Jakubczyk, resident at 424 N. Market Street, stated that the proposed structure is too massive for the area and that only thing that has changed is the Commission’s view on what is too massive. He urged the Commission to continue the application on behalf of the residents who have consistently called in and wrote letters stating their concerns about this project.

Barbara Mann, resident on E. All Saints Street, stated that the proposed townhouses are way too tall, and she did not like the penthouses. She went on to say that none of the design is appropriate for the area. She said that the proposed townhouses would take away from the charm of the historic district.

**Motion:** Carrie Albee moved to grant Level 1 approval in accordance with the elevation drawings dated 10/29/2020 and 10/30/2020 and the sketch plan dated 9/29/2020.  
**Second:** Matthew Bonin  
**Vote:** 4 – 3, Peter Regan, Gregg Horner & Thomas Hornyak opposed

<b>10. HPC20-564</b>	<b>106 E. 5<sup>th</sup> Street</b>	<b>One Eleven, LLC</b>
Level 1 New Construction		<b>Jessica Underwood, agent</b>
<i>Lisa Mroszczyk Murphy</i>		

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

**Motion:** Carrie Albee moved to grant Level 1 approval in accordance with the elevation drawings dated 10/29/2020 and 10/30/2020 and the sketch plan dated 9/29/2020.  
**Second:** Matthew Bonin  
**Vote:** 4 – 3, Peter Regan, Gregg Horner & Thomas Hornyak opposed

<b>11. HPC20-565</b>	<b>108 E. 5<sup>th</sup> Street</b>	<b>One Eleven, LLC</b>
Level 1 New Construction		<b>Jessica Underwood, agent</b>
<i>Lisa Mroszczyk Murphy</i>		

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

**Motion:** Carrie Albee moved to grant Level 1 approval in accordance with the elevation drawings dated 10/29/2020 and 10/30/2020 and the sketch plan dated 9/29/2020.  
**Second:** Matthew Bonin

**Vote:** 4 – 3, Peter Regan, Gregg Horner & Thomas Hornyak opposed

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**12. HPC20-566**                      **110 E. 5<sup>th</sup> Street**                      **One Eleven, LLC**  
 Level 1 New Construction                      **Jessica Underwood, agent**  
*Lisa Mroszczyk Murphy*

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

**Motion:** Carrie Albee moved to grant Level 1 approval in accordance with the elevation drawings dated 10/29/2020 and 10/30/2020 and the sketch plan dated 9/29/2020.  
**Second:** Matthew Bonin  
**Vote:** 4 – 3, Peter Regan, Gregg Horner & Thomas Hornyak opposed

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**13. HPC20-522**                      **179 W. All Saints Street**                      **Brandon Newman**  
 Rehabilitation & construct rooftop deck  
*Lisa Mroszczyk Murphy*

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

**Motion:** Gregg Horner moved to approve the application pertaining to only the following items subject to the noted conditions:

- Replacement of the six panel door shall fit the existing opening and be painted with hardware to be submitted for staff approval.
- The cast stone cap at the front stoop must match the size, color, and texture of the existing.
- Replacement of the gate in-kind with the following conditions: site plan and photograph are submitted showing style/location and non-pressure-treated wood used where street-facing.
- The HVAC equipment shall be ground mounted and any related accessories attached to the building shall be into the mortar joints only. Dimensions of exterior equipment shall be submitted for staff approval.
- The second-floor porch decking shall be non-pressure-treated painted tongue-and-groove flat wood boards (not beaded) and any new porch posts shall be 4x4 non-pressure-treated painted wood posts or any new posts shall match existing posts and be non-pressure-treated painted wood posts. The railing shall not be altered.
- The motion sensor light with dimensions to submitted for staff approval and a color temperature not to exceed 4500 K.
- Any work that exceeds that outlined on the Minor Rehabilitation List shall have prior HPC approval.
- All staff approval items shall be submitted prior to applying for a permit.

**Second:** Philip Bailey  
**Vote:** 7 – 0

**Motion:** Matthew Bonin moved to continue any remaining elements of the application submitted for the November 12, 2020 hearing to the December 10, 2020 hearing.  
**Second:** Gregg Horner  
**Vote:** 7 – 0

**14. HPC20-789**                      **200 E. 2<sup>nd</sup> Street**                      **James O’Hare**  
 Level 2 New Construction                      **Jack Radowich, agent**  
*Lisa Mroszczyk Murphy*

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

**Motion:**            **Jes Smith moved to approve the Level 2 application as submitted.**  
**Second:**           **Matthew Bonin**  
**Vote:**                **7 – 0, Carrie Albee recused**

**15. HPC20-802**                      **122 E. 7<sup>th</sup> Street**                      **James Salley**  
 Construct garage  
*Lisa Mroszczyk Murphy*

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

**Motion:**            **Philip Bailey moved to approve the application with the following conditions:**

- **The garage door shall be either paneled wood, or flush panel steel (no embossing).**
- **Siding shall be either traditional wood siding or smooth fiber cement.**
- **Product information for the garage door and siding shall be submitted for staff approval prior to applying for a permit.**

**Second:**           **Gregg Horner**  
**Vote:**                **7 – 0**

**16. HPC20-817**                      **29 E. 3<sup>rd</sup> Street**                      **Amy Dirocco**  
 Faux slate    **Mitch Earle, agent**  
*Christina Martinkosky*

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

**Motion:**            **Carrie Albee moved to continue this application to the December 10, 2020 hearing.**  
**Second:**           **Peter Regan**  
**Vote:**                **7 – 0**

**17. HPC20-832**                      **159 W. Patrick Street**                      **Paul Fitzgerald**  
 Install pump station                                      **Dave Olson, agent**  
*Lisa Mroszczyk Murphy*

Ms. Murphy entered the entire staff report in the record.

**Motion:**            **Matthew Bonin moved to approve the application as submitted with the following conditions:**

- **Standing seam metal roofing shall have 1” tall seams, flat panels, and a rolled or crimped ridge—without a cap.**

- The light fixture shall not have a color temperature greater than 4500 K.

**Second:** Gregg Horner  
**Vote:** 6 – 1, Michael Seibert opposed

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**18. HPC20-843**                      **252 E. 7<sup>th</sup> Street**                      **Luke Markey**  
Partial demolition  
*Christina Martinkosky*

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

**Motion:** Matthew Bonin moved to continue this application to December 10, 2020 hearing.  
**Second:** Philip Bailey  
**Vote:** 7 – 0

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**VIII. Citizen Comment**

There was no citizen comment.

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The meeting was adjourned at approximately 10:50 PM.

Respectfully Submitted,

Shannon Pyles  
Administrative Assistant

APPROVED 12/10/2020