

**HISTORIC PRESERVATION COMMISSION  
HEARING MINUTES  
APRIL 26, 2012**

**Commissioners**

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

**Aldermanic Representative**

Michael O'Connor

**Staff**

Lisa Mroszczyk Murphy, Historic Preservation Planner  
Christina Martinkosky, Historic Preservation Planner (not present)  
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**

Ms. Murphy announced that Preservation Maryland is hosting a Restoration and Renovation Fair on Saturday April 28, 2012 in Baltimore and there is a \$10 fee. She added that the public is welcome and it seems like there will be some good demonstrations and presentations.

Ms. Murphy also announced that the City will hold their Historic Preservation Awards on Thursday May 3, 2012 at the Mayor and Board of Aldermen meeting which will be the kick off to National Preservation Month.

**II. Approval of Minutes**

**1. April 12, 2012 Hearing Minutes**

**Motion:** Tim Wesolek moved to approve the April 12, 2012 hearing minutes as written.  
**Second:** Gary Baker  
**Vote:** 5 - 0

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### III. HPC Business

#### 2. Continued Discussion of Comprehensive Rezoning

##### Discussion

Mr. Winnette stated that he had a few questions regarding the Nexus Homes intent to be taken out of the Historic District and he asked if they have officially withdrawn their request for the zoning change. Mr. Waxter answered that it is his understanding that communication would be sent to Joe Adkins, Deputy Director of Planning and Community Development, and he was not in the office to be able to verify if the applicant had indeed withdrawn or not.

Mr. Winnette asked what process would be followed if Nexus Energy or any other property owner were to apply for a transitional zone. Mr. Waxter answered that any type of new legislation or creation of a new zone would follow the mandates of the Land Management Code. Mr. Winnette asked if those changes would be required to go to a public hearing where public comment would be offered. Mr. Waxter answered yes.

Mr. Winnette asked how the City's CLG status would be affected if large areas were to be removed from the Historic District. Ms. Murphy answered that there would be potential that it could affect the City's Certified Local Government status but that would be something that would be up to the Maryland Historical Trust to determine and it could vary based on what properties were removed as well as other circumstances.

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### IV. Consent Items

#### a. Cases to be Approved

#### b. Cases to be Continued

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### V. Cases to be Heard

#### 3. HPC12-234

#### 10 S. Bentz Street

Replace storefront and frame wall, infill openings, repoint

*Lisa Mroszczyk Murphy*

Curt Schreffler

Kevin Kneer, agent

##### Staff Presentation

Ms. Murphy entered the entire staff report into the record and stated that this application concerns alterations to 1930s contributing commercial building. The proposal includes the following:

1. Replacing the existing storefront with a new metal storefront system with tinted and spandrel glass.
2. Fill in the basement door on the north side of the building with recessed and painted concrete block.
3. Remove a door and two windows from the rear of the building and fill in the openings with painted brick.
4. Remove the c. 2003 stoop at the rear of the building.
5. Remove the garage door and wood siding from the rear, non-historic frame wall and install smooth fiber-cement siding and an embossed metal entry door.
6. Remove the windows for offsite repair, replace the non-historic window framing on the south

side of the building and reinstall all windows.

7. Install a pre-finished metal coping at the parapet.
8. Install new round profile gutters and downspouts.
9. Repoint as needed.
10. Remove two vent stacks from the roof.

### **Applicant Presentation**

Kevin Kneer, with Proffitt and Associates, stated that at some point in the future the applicant will be back to request approval for the construction of a free standing garage on the rear portion of the lot and that may have some impact on what would be seen from the Carroll Creek frontage. He added that in general they take no exception to the staff comments however they would like to ask for approval of a Sungate 500 window which is a tinted glass. He went on to say that the owner does have some concerns regarding security in the back of the building and he would like to address them by infilling the openings in the back.

Curt Schreffler, owner of 10 S. Bentz Street, stated immediately to their north is a bar and they have had problems with vandalism and two of the basement windows on the side have been kicked in. He added that in his opinion the back of the building would look better with those openings closed in with masonry and it would then be consistent to the building to their north. He stated that you would have to really look to see the back of the building from the creek and once the building is occupied there will be cars in the parking lot which will make it even harder to see from the creek.

### **Commission Questioning/Discussion**

Mr. Baker stated that the storefront on the west side of the building should be replaced but he was not certain if the aluminum framing that was selected was the most appropriate but it seems to be something that may be acceptable. He went on to say that his biggest issue about this case was the fact that the Carroll Creek Park is used by people every day and there are no guarantees about a garage being built so saying it will be there is the wrong approach. He stated that the HardiePlank is also a conflict against the Guidelines because he did not see it as a secondary elevation and it is a block building. He went on to say that he did not think there was a back to the building since you can see the rear elevation from the Carroll Creek Park.

Mr. Winnette stated that his two concerns were the HardiePlank and infill of the door and two windows. He stated that the Guidelines are rather clear on the blocking in of historic openings and many applicants come before them with most of them not being allowed to unless there are extenuating circumstances. He went on to say that there are ways to secure the door from the inside so that no one could gain entry into the building and as staff suggested there are ways to prevent entry through the windows. He added that this is not a secondary elevation nor is it new construction on the rear of the building which is typically what they have approved HardiePlank for in the past.

Mr. Winnette asked if they have seen the tinted glass in the sunlight. Mr. Kneer answered that he has not seen it in the elevation in the sunlight but he did not anticipate a great difference between the tinted and clear glass.

Ms. Murphy stated that she tried to include some pre-1989 photos that show the warehouse on the back of the building and there was also a plat from 1988 that shows how that warehouse intersected with the concrete block building. She added that the wall they are talking about with the wood siding now dates from 1989 so at least in staff's perspective that was treating it the same way they would have treated new construction in terms on materials.

Mr. Baker stated that the fact of it is the environment has changed and the context is now a community park and putting your back with no doors or windows is adding to the problem. Mr. Winnette stated that the Guidelines that are put before the Commission require them to look at the entire envelope of the house

and whether the entire envelope is visible to other people or not they are to protect the fabric of the house. He added that their interest was protecting the history of the building and the history of this building as evidence in the photographs had a stoop and door in the rear so if you were to take the stoop off you would still have a door there but it would still show the history of the building. He added that if they were to approve the infill of the door it should be in such a way to show that there had been a door there.

Mr. Schreffler stated that they would be in agreement with the staff report and their recommendation.

Mr. Baker stated that they are asking to put a coping around the top of the building which currently does not have one so it would be adding another architectural feature to a building that was rather plain and unadorned. Mr. Kneer stated that the existing roof is intended to be maintained in terms of the membrane but the way it is terminated on the back wall of the parapet is unacceptable and over time it can allow water to enter the building. He added that they would like to install the coping cap so that they can properly terminate the flashing and waterproof the wall from the back side.

Mr. Winnette asked what they would imagine doing with the garage door if the Commission were to go with wood because they are proposing a pedestrian door. Mr. Kneer answered that they definitely want an entry door but beyond that they have not given any consideration on how they would fill out the opening. He added that they could possibly do a recessed panel of some material to recognize the opening of the garage door and then have the man door in it. Ms. Murphy stated that the warehouse extended off the back of this building and that was approved to be demolished in 1989 as well approval to be in-filled with what they see now. She went on to say that she did not see any evidence of what was there before. Mr. Baker stated that putting HardiePlank on there with a man door without acknowledging the garage door that was there is against the Guidelines. He went on to say if the proposed material was different and recessed about 2 inches it would be more compliant with the Guidelines in his opinion. Mr. Winnette stated that the Guidelines are focused on the in-filling of historic openings and this is not a historic opening. Mr. Kneer stated that they are essentially taking what is now a stud wall covered with wood siding and replacing it with a new stud wall covered in HardiePlank siding of similar profile. He added that the slab was cut to the expansion in the back and you can see floor tile in the back of the building indicating that at one time a floor had extended back to the rear of the property. He said that the building has deteriorated and the applicant would like to replace the concrete slab on the inside of the building and they proposed to provide some type of foundation under that existing wall so it would be a new wall regardless. Mr. Kneer added that at this point it would not matter if the siding material was HardiePlank or some other material. Ms. Murphy stated that in staff's opinion the application of HardiePlank in this case is not unlike an application for an addition where its material is routinely approved. She added that it does differentiate from the masonry structure and it is clear in her opinion that when you look at it something else was there. She went on to say that while the rear of this building is more visible than the rears of other buildings in the Historic District it still is the rear of the building and she wouldn't encourage too much being adding such as openings and fenestration to detract from the historic walls.

**Public Comment – There was no public comment.**

### **Staff Recommendation**

Staff recommends approval of the following:

- Replacement of the storefront with a new Kawneer Trifab VG 451T storefront with 2" mullions and 190 Narrow entrance, or comparable to be approved by staff, with the following conditions:
  - The horizontal mullion is lowered so its top edge is no higher than 30" above the floor.
  - The bottom panels are constructed from metal.
  - The glass is clear; and
  - The final finish selection is submitted for staff approval.
- Fill in the basement door on the north side of the building entirely with painted concrete block to be recessed approximately one inch due to site conditions.
- Removal of the c. 2003 stoop from the rear of the building with the condition that any damage to

the underlying wall is repaired in kind with any work exceeding repointing being submitted for staff approval.

- Removal of the garage door and wood siding from the rear frame portion of the building and replacement with HardiePlank beaded smooth lap siding and a new entry door with the condition that the door is a fiberglass, field painted, and submitted for staff approval.
- Removal of the windows for offsite repairs to be limited to no more than 25% replacement in-kind per window, replacement of the window frames on the south side of the building to match the remaining historic frames, and reinstallation of all windows in their original locations.
- Installation of a pre-finished metal coping, round profile aluminum gutters and downspouts, removal of two vent stacks, and repoint as needed to match the existing mortar joints.

Staff recommends denial of the request to fill in the existing door and window openings on the rear of the building because the guidelines call for the retention of historic openings and there are no unusual site or environmental conditions that would preclude preserving these elements in place.

**Motion:** Scott Winnette moved to approve the following:

- **Replacement of the storefront with a new Kawneer Trifab VG 451T storefront with 2” mullions and 190 Narrow entrance, or comparable to be approved by staff, with the following conditions:**
  - The horizontal mullion is lowered so its top edge is no higher than 30” above the floor.
  - The bottom panels are constructed from metal.
  - The glass is clear; and
  - The final finish selection is submitted for staff approval.
- **Fill in the basement door on the north side of the building entirely with painted concrete block to be recessed approximately one inch due to site conditions.**
- **Removal of the c. 2003 stoop from the rear of the building with the condition that any damage to the underlying wall is repaired in kind with any work exceeding repointing being submitted for staff approval.**
- **Removal of the garage door and wood siding from the rear frame portion of the building and replacement with wood plank beaded smooth lap siding and a new entry door with the condition that the door is a fiberglass, field painted, and submitted for staff approval.**
- **Removal of the windows for offsite repairs to be limited to no more than 25% replacement in-kind per window, replacement of the window frames on the south side of the building to match the remaining historic frames, and reinstallation of all windows in their original locations.**
- **Installation of a pre-finished metal coping, round profile aluminum gutters and downspouts, removal of two vent stacks, and repoint as needed to match the existing mortar joints.**

**Second:** Shawn Burns

**Vote:** 4 – 1, Gary Baker opposed

**Motion:** Scott Winnette moved to deny the request to fill in the existing door and window openings on the rear of the building because the guidelines on Pg. 66 regarding the in-filling of historic openings state that “they generally will not be approved and proposals to infill non-historic openings will be evaluated according to the impact of the entire wall” and because the Guidelines call for the retention of historic openings and there are no unusual site or environmental conditions that would preclude preserving these elements in place.

**Second:** Shawn Burns

**Vote:** 5 - 0

**4. HPC12-235****117 E. 5<sup>th</sup> Street****Kate McConnell**

Install fixed awning, relocate and replace door

*Lisa Mroszczyk Murphy***Staff Presentation**

Ms. Murphy entered the entire staff report into the record and stated that this application concerns modifications to a c. 1970s frame addition at the rear of an early 20th century duplex. Proposed modifications include:

- Relocating and replacing an existing door on the first floor on the rear or north side of the building. The new opening will align with an existing second floor window and will consist of a salvaged wood door with wood trim. The resulting opening will be filled in with wood siding to match the existing.
- Removal of the existing concrete stoop at the rear door and construction of a 36" x 54" concrete stoop at the new door location.
- Installation of a fixed wood frame shed awning with asphalt shingles at the new rear entrance.
- Installation of a full view aluminum storm door and light fixture at the rear door.

**Applicant Presentation**

Kate McConnell, owner of 117 E. 5<sup>th</sup> Street, concurred with the staff report but added that she would like to reduce the width of the stoop and awning to 44" because that is what is there now. She added that she had been debating whether she wanted to make it wider but she would not like to do that.

**Commission Questioning/Discussion**

There was no Commission questioning or discussion.

**Public Comment – There was no public comment.**

**Staff Recommendation**

Staff recommends approval of the application with the following conditions:

- That a revised drawing of the awning showing the overall height of the awning and dimensions of individual components is submitted for staff approval prior to applying for permits.
- All wood is non-pressure-treated wood that is painted or stained with a solid color opaque stain.
- The finish color of the storm door matches the color of the surrounding trim or primary door.

**Motion:**

**Shawn Burns moved to approve the application with the following conditions:**

- **All wood is non-pressure-treated wood that is painted or stained with a solid color opaque stain.**
- **The finish color of the storm door matches the color of the surrounding trim or primary door.**
- **The dimensions of the stoop will be 36" by 44" and the awning will be 44" in width as well.**

**Second:**

**Tim Wesolek**

**Vote:**

**5 - 0**

The meeting was adjourned at approximately 7:15 PM.

Respectfully Submitted,

Shannon Albaugh,  
Administrative Assistant