



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELLCOTT CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

2018 Minutes

February

March

April

May

June

July

September

October

November

December



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February Minutes

Thursday, February 1, 2018; 7:00 p.m.

The February meeting of the Historic Preservation Commission was held on Thursday, February 1, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the December minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Samantha Holmes, Beth Burgess, Dan Bennett, Lewis Taylor, and Renee Novak

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CONSENT AGENDA

HPC-18-01 – 3530 Sylvan Lane, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Matthew Krist

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1956. The Applicant proposes to build a 484-square foot addition at the rear, right side of the existing 1,288 square foot ranch style house.



Figure 1 - Existing house

The exterior of the addition is proposed to exactly match the existing house. The existing siding, fascia, soffit and gutters are gray and white vinyl. The new roof will be black asphalt shingle to match the existing. The new windows and exterior doors will match the existing vinyl windows and doors as closely as possible in material and finish.

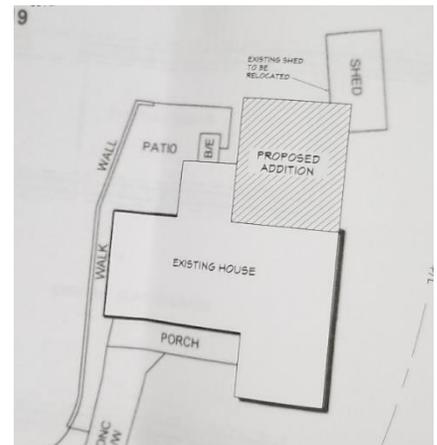


Figure 2 - Site plan for new addition



Figure 3 - Rear Elevation



Figure 4 - Right Side Elevation

Staff Comments: The house was constructed prior to the creation of the Historic District in 1956 and as such, is not a historic structure and is considered a non-contributing building to the Historic District. Although it is not a historic building, the Application complies with Chapter 7 recommendations as the addition will be located behind the house, “attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from public ways.” The addition will be visible from the side as Sylvan Lane turns around the house. However, on this right-side elevation, the addition will appear to have always been there and will blend with the existing building.

The addition also complies with Chapter 7 recommendations, “for any building, design the addition so that its proportions (relationship of width to height), the arrangement of windows and doors, and the relationships of solids (wall area) to voids (window area) are compatible with the existing structure. Use a roof design that echoes or complements the original roof line.” The proposed new roof will directly tie in with the existing roof and the entire addition will appear to always have been part of the house. Chapter 7.A.5 recommends, “on any building, use exterior materials and colors (including roof, walls and foundations) similar to or compatible with the texture and color of those on the existing building. Avoid

exact replication that would make an addition appear to be an original part of a historic building.” In this instance, the building is not historic, so an exact replication is more appropriate, so that no new features on the building unnecessarily stand out. While the use of vinyl is not typically permitted in the Historic District, in this case the vinyl on the structure predates the creation of the district, is appropriate for the rancher architectural style and the continued use complies with the Guidelines as it is similar to and compatible with the vinyl on the existing structure.

Staff Recommendation: Staff recommends Approval as submitted.



Figure 5 - Rear view of house

Testimony: Mr. Reich asked a few questions about the structure being over 50 years old and whether that qualified it as historic. Staff answered that 50 years in age alone is not sufficient to designate a building as historic, but other factors are also involved. Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Mr. Reich seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-02 – 3786 Old Columbia Pike, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Amber Georgieff

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1899. A zoning complaint was submitted to the Department of Planning and Zoning regarding the construction of the fence and a case has been opened. The Applicant seeks retroactive approval for the following:

- 1) Repair/reconstruction of steps leading from the back patio to parking Lot D. The application explains that the steps were a “haphazard mixture of crumbling low quality concrete base and stone. The steps had deteriorated to an unsafe condition especially in wet or icy conditions. Wide bare earth spaces between the concrete and stone created channels for rainwater, accelerating erosion on an already steep slope. Hillside reinforced and steps poured using better quality of material than previously used, keeping original retaining walls intact and incorporating as much of the previous stone as could safely be integrated.”
- 2) Painting of siding – The application explains that portion of siding covered in black was tarred by the adjoining property owner without consent and the Applicant would like it painted green again, but has been denied access by the adjoining property owner.
- 3) The porch has been identified as altered and is now covered in a black mat coating. The application indicates that the roof was in the existing condition when the house was purchased. Google Streetview shows the roof in its current condition in 2011 and the house was purchased

by the Applicant in 2013. The porch roof is covered in the same material as the neighboring porch roof.

- 4) A gravel and paver patio exists in the rear yard and it is unclear from aerial photography when this patio was added. The patio is not visible from the public right of way.

Staff Comments: The application generally complies with the Guidelines. Chapter 9.E states, “maintaining, repairing and replacing existing features, such as walls, fences, walks, steps, terraces and driveways, using materials that exactly match the existing materials” is Routine Maintenance and does not require a Certificate of Approval. Aerial photography shows some type of staircase in this area, but cannot show exactly what was there before the new staircase. The Applicant has explained that the stairs were a combination of concrete and stone and that the stone has been reused as much as possible. Due to the steep grade at this location, the existing stairs are appropriate from a safety perspective. The stairs are not visible from Old Columbia Pike and are minimally visible from Parking Lot D, as shown in Figure 7.

The application explains that the painting/tarring of side of the building was done without the Applicant’s consent. Staff recommends it be changed back to green when possible and recommends tax credit pre-approval for the work.

The front porch roof appears to be standing seam metal with a coating. Google Streetview shows the front porch roof in 2007 in Figure 6. The exact finish is unclear, but it appears to be in poor condition at this time. The coating was added prior to the Applicant purchasing the property and appears to be Routine Maintenance due to the poor condition of the roof in 2007.



Figure 6 - Google Streetview 2007



Figure 6.A - Google Streetview 2016

Chapter 9.E of the Guidelines states, “installing new patios, terraces, walkways or steps in locations not visible from other properties or public ways at any time of year, provided no alterations are made to existing features such as buildings, walls, fences, steps or other structures” is considered Routine Maintenance and does not require a Certificate of Approval. The patio is not visible from Old Columbia Pike. Figure 7 below, was taken in January 2017 of the rear of the property and the patio is not visible. Given the location of the patio, as shown in the aerial in Figure 8, it may not be visible from the neighboring property. Therefore, Staff finds this patio is in fact Routine Maintenance and did not require approval.



Figure 7 - Rear view from Parking Lot D

Staff finds the repairs and alterations to the steps and patio appear to be Routine Maintenance. However, in order to clear up any misconceptions, Staff recommends the Commission address these items now, so that there is a clear record in the file.

Staff Recommendation: Staff recommends Approval of the alterations to the steps, patio and porch roof. Staff recommends the siding that was tarred be replaced with new siding and painted, when possible, and recommends tax credit pre-approval for the work.

Testimony: Mr. Shad swore in Ms. Amber Georgieff. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Georgieff did not have any additions. Mr. Reich said the work was maintenance and appropriate work. The Commission had no other comments.



Figure 8 - Aerial view of patio

Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

HPC-18-03 – 8307 Main Street, Ellicott City

Certificate of Approval for exterior alterations

Applicant: Chris Eatough, Howard County Office of Transportation

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. This application was originally posted on the Minor Alterations website as MA-17-61, but was removed due to an objection. A bikeshare station was previously approved by the Historic Preservation Commission (HPC-17-40) at this location. Black flex posts with white reflective strips were approved for installation around the station in MA-17-56. The Applicant now proposes to change the location from that previously approved at the ADA parking space in front of Su Casa to a regular parking space on the edge of the lot.

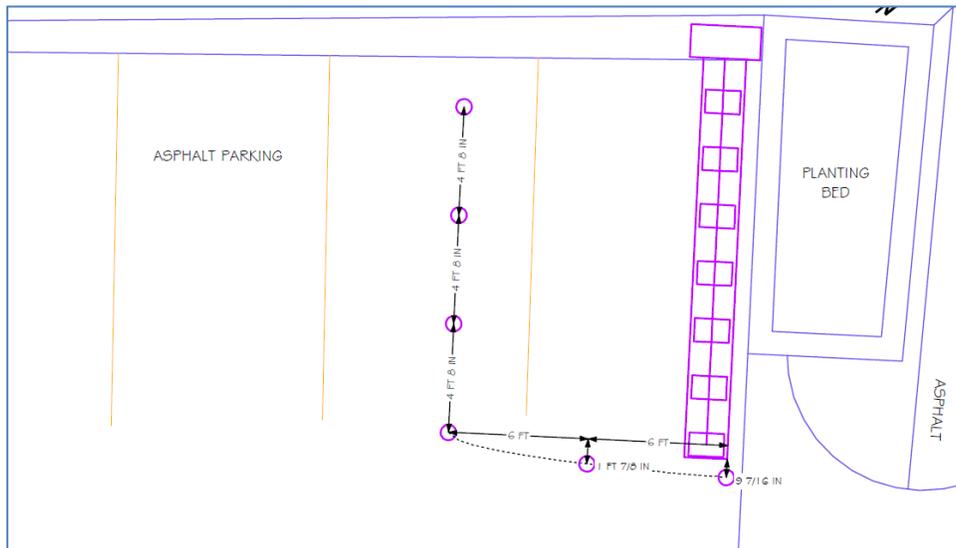


Figure 9 - Revised site plan/new location

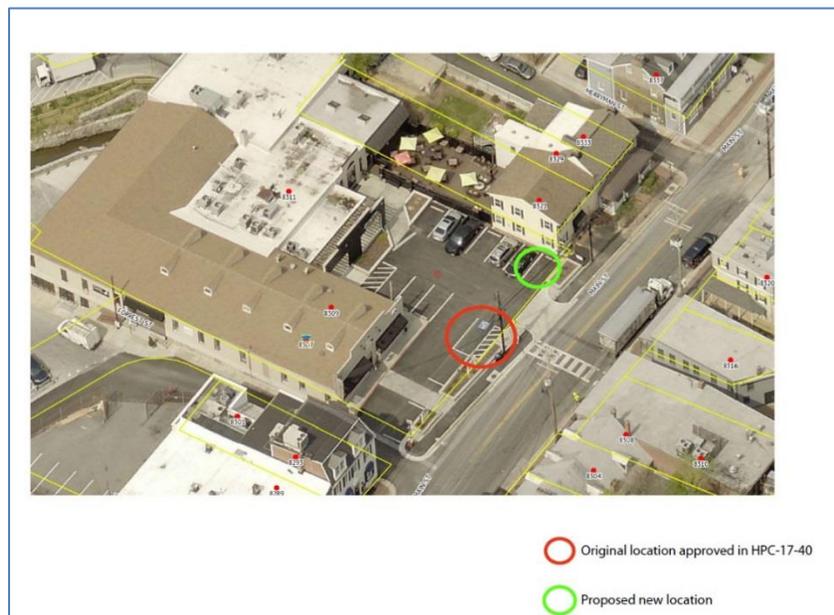


Figure 10 - Aerial showing revised location

Staff Comments: The new location complies with Chapter 10.B recommendations, “locate new parking facilities to minimize the impact on historic buildings and streetscapes. Design parking areas, curb cuts and driveways to be no larger or wider than necessary to accomplish their function.” The new location will be located at the edge of the parking lot and is a more appropriate choice than the original location as it will be set off to the side of the building. This location will also enable the station to tie into a power source more easily.

Staff Recommendation: Staff recommends Approval as submitted.

Testimony: Mr. Shad swore in Mr. Chris Eatough and Mr. Phil Nichols. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Eatough said the report was accurate, but one clarification was that everything will remain as previously approved, but only the location changed per the property owner’s request. Ms. Zoren said that she prefers this location and several

other Commissioners agreed. Mr. Reich asked about the bollards going through the middle of the adjacent parking space, taking up two spaces. Mr. Eatough explained due to the amount of space needed for people to access the bikes, the spaces where the bollards will be unusable. Mr. Reich said the bikeshare station is a great idea and may help to reduce traffic in Ellicott City.

Mr. Shad asked about the bollards being part of the original application. Ms. Holmes said the bollards were submitted and approved separately through the Minor Alteration Process. Mr. Shad asked if the owner was onboard with this now taking up two spaces. Mr. Eatough said the owner mentioned making the half space into motorcycle space. Mr. Eatough said the bike rack is not installed, but is ready to go, pending approval.

Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Ms. Tennor moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

HPC-18-04 – 3787 Old Columba Pike, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: John D. Baker III

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1917. A zoning complaint was submitted to the Department of Planning and Zoning regarding the construction of the fence and a case has been opened. The Applicant seeks retroactive approval for the installation of a white, wood picket fence that measures 36 inches in height and 56 feet in length. The fence was added for safety for the walkway to the house. The application explains that there is about a 40 foot drop down the hill to Old Columbia Pike and that the fence serves to stop someone from falling into the road from the house walkway. The fence was added in July 2008.

Staff Comments: Chapter 9.D explains, “a simple, painted picket fence is suitable for many of the district’s residences.” The white picket wood fence complies with Chapter 9.D recommendations, “install open fencing generally not more than five feet high, of wood or dark metal.” The historic home is visible through the fence and the simple pickets in the fence are compatible with the pickets in the front porch railing behind it.

Staff Recommendation: Staff recommends Approval as submitted.

Testimony: Mr. Shad swore in John D. Baker III. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Baker said no. Mr. Reich said the application was straightforward and the fence complies with all of the Guidelines. The Commission said the fence looked nice. Mr. Baker said the fence was installed for

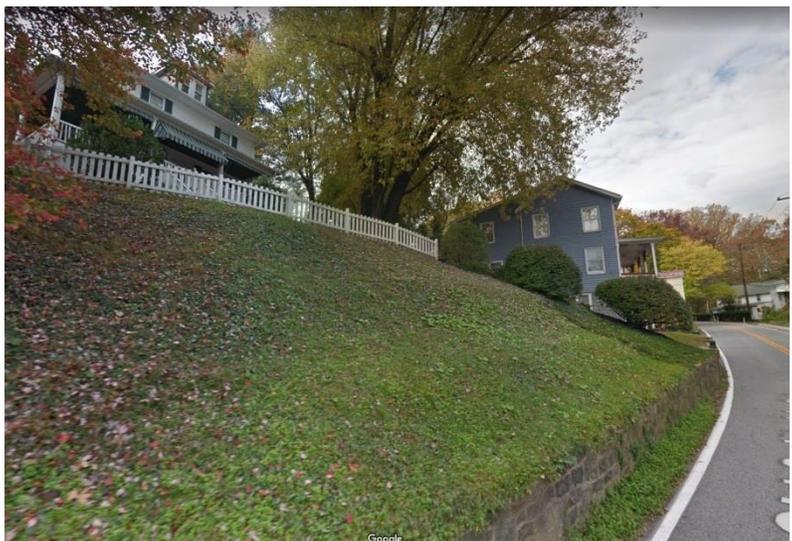


Figure 11 - View of hillside and fence from street

the safety of his two children. Ms. Tennor asked if Mr. Baker was aware of making an application for approval and Mr. Baker said he was not aware. Mr. Shad confirmed that any future work done to the exterior of the house will be brought to the Commission for approval.

Motion: Ms. Tennor moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

MA-17-43c – 9564 Baltimore National Pike, Ellicott City, HO-25

Final tax credit 20.112 approval

Applicant: Edward B. Rogers

Background & Scope of Work: This property is not located in a historic district, but is listed on the Historic Sites Inventory as HO-25. This application was pre-approved through the Minor Alterations/Executive Secretary process in September 2017 to replace the asphalt roof with cedar shingles, repair and paint the dental molding and add copper gutters and downspouts. The Applicant has submitted documentation that \$21,934.00 was spent on eligible, pre-approved work. The Applicant seeks \$5,483.50 in final tax credits. Staff is waiting to receive licensing information for the roofer.

Staff Comments: The work complies with that pre-approved and the invoices and cancelled checks add up to the requested amount.

Staff Recommendation: Pending receipt of the roofer's licensing information, Staff recommends Approval as submitted for \$5,483.50 in final tax credits.

Testimony: There was no testimony. Ms. Holmes passed out the new invoice for the work and the Commission reviewed it and found it satisfactory. Mr. Shad swore in Ned Rogers and asked if he had any comments. Mr. Rogers did not have any comments.

Motion: Mr. Roth moved to approve the application as submitted for \$5,483.50 in final tax credits. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-05 – 8572 Frederick Road, Ellicott City, HO-482

Certificate of Approval to install solar panels.

Applicant: Gayle Charlene Killen

Background & Scope of Work: This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-482, the Catherine Kuhn House. The Historic Sites Inventory form states that this building, "is a good example of the vernacular style in Ellicott City, representative of a two part, stone and frame, nineteenth century architecture, as well as a good example of late nineteenth century adaptive reuse. Historically, it is associated with the Mercer-Kuhn families, and is mentioned as early as 1861 in a deed, which refers to an ice house, which was part of the property of Isaiah Mercer, who lived in the brick house on the north side of the Turnpike. This ice house is reputed to have once occupied the stone section of the present building. By 1890 a stone and frame building is mentioned in the will of Michael Kuhn and again is mentioned in the will of Katherine Kuhn, in 1891, believed to be the stone and frame house we see today." This area is one of the main gateways into the Historic District when approaching east bound, and as such, is a prominent location.

The Applicant proposes to install 12 solar photovoltaic (PV) modules on the asphalt shingle roof. The modules will be not be angled, they will be flush against the roof. The solar PV modules are proposed to be located on the front of the side gable roof, facing Main Street/Frederick Road. The roof on the building is a light brown asphalt shingle roof. The modules will have a black aluminum frame and the photocells will be black. The Applicant has provided an image of what the house would look like with solar panels installed, as shown in Figure 12 below.



Figure 12- Proposed solar panels on front of house

Staff Comments: The solar panels, proposed to be located on the front of the house, do not comply with the Guideline recommendations for the “Use of Solar Panels and Other Solar Devices in Historic Districts,” which recommend, “add solar panels on roof surfaces not visible from a public way” and “place solar panels and other solar devices on roofs on a non-character defining roofline of a non-primary elevation (not readily visible from public streets).” The roofline that would be used for the proposed solar panels is the primary elevation, directly faces Main Street/Frederick Road and is highly visible due to it being a side gable roof.

The Guidelines also recommend using, “solar panels and solar devices that are similar in color to roof materials.” The proposed panels will be black panels with a black aluminum frame. The roof on the historic structure is a light brown asphalt shingle roof, and the black panels will stand out in contrast against the roof, as shown in Figure 12 above, and detract from the architectural integrity of the historic building and neighboring historic buildings.

However, the Guidelines state that “solar shingles may be added to a roof surface visible from a public way if low or non-reflective shingles are used.” There are certain roof shingles available in the market today, such as Tesla shingles, that look very similar to asphalt roof shingles, and those could be appropriate for this roofline. The current roof shingle is not historic, so a replacement of the existing shingle with this type of solar shingle could be a more viable solution.

Another possible option could be the use of detached solar arrays. The Guidelines recommend, “locate detached arrays of solar panels and solar devices at a historic site in the rear or side yard if the arrays are not highly visible from the public streets and do not detract from other major character defining aspects of the site. The location of detached solar arrays should also consider visibility from adjacent properties, which shall be reduced to the extent possible while still maintaining solar access.” While most the Applicant’s property appears to be in the floodplain, as shown in Figure 13, there is a side yard area that does not appear to be within the floodplain. If this area is in fact outside of the floodplain, the Applicant could consider a detached solar array in this area. The ground slopes down and the arrays would not be highly visible from the street, as shown in Figure 14.



Figure 13- Floodplain at subject property



Figure 14- View of side yard and streetscape

The proposed solar panels do not comply with The Secretary of the Interior Standards for Rehabilitation, Standard #2 and #9, which state, “the historic character of a property shall be retained and preserved...The alteration of features, spaces and spatial relationships that characterize a property shall be avoided,” and “new additions, exterior alterations or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.” The proposed panels do not comply with these Standards as the proposed alteration will not be compatible with the historic materials on the building. The black solar panels will be highly visible against the light brown roof. The size, scale proportion and massing of the panels is not compatible with the historic structure and will become a focal point on the building, detracting from the integrity of the building and neighboring buildings.

While the existing roof is not a historic roof, Chapter 6.E of the Guidelines recommends, “replace historic roof materials when necessary due to extensive deterioration; use replacement material that matches or is similar to the original. If this is not possible, a different material characteristic of the buildings, style, construction methods and period may be used.” The original roof on this building has been replaced with a light brown asphalt roof. Due to the age of construction of the house, it would be reasonable for this building to once have had a wood shingle roof; proposals in the file for this property

show there was a layer of cedar shingle on the side porch roofs at one point. The existing asphalt shingle roof is similar to the possible original roof in color and shape. The proposed solar panels are not a material characteristic of the building, architectural style, construction method or period of construction.

The National Park Service, Secretary of the Interior Standards for Rehabilitation contain *Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings*. These Guidelines address solar technology and recommend against, “placing a solar device in a highly-visible location where it will negatively impact the character of the historic building or site or the surrounding historic district.” The Guidelines also recommend against “installing on-site, solar technology without first implementing all appropriate treatments to the building to improve its energy efficiency.” The Guidelines explain that other appropriate treatments to improve energy efficiency of the building, “often have greater life-cycle cost benefit than on-site renewable energy.” To improve the energy efficiency of the building, the Guidelines recommend, “analyzing the condition of inherently-sustainable features of the historic building, such as shutters, storm windows, awnings, porches, vents, roof monitors, skylights, light wells, transoms and naturally-lit corridors, and including them in energy audits and energy modeling, before planning upgrades” and “identifying ways to reduce energy use, such as installing fixtures and appliances that conserve resources, including energy efficient lighting or energy-efficient lamps in existing light fixtures, low-flow plumbing fixtures, sensors and timers that control water flow, lighting and temperature, before undertaking more invasive treatments that may negatively impact the historic building.” This could include maintenance items, such as those recommended in the *Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings*.

Overall, the use of the proposed solar panels does not comply with the Commission’s Guidelines or the Secretary of the Interior Standards for Rehabilitation. The Secretary of the Interior Standards on Sustainability include many key points that all other efforts to make the building energy efficient should be undertaken prior to investigating the use of solar panels on the front façade of a historic building. Additionally, it is worth noting that the use of solar panels may affect the Applicant’s ability to seek State tax credits from the Maryland Historical Trust for rehabilitation.

Staff Recommendation: Staff finds the proposed solar panels do not comply with the Guidelines and recommends denial as submitted.

Testimony: Mr. Reich recused himself. Mr. Shad swore in Ms. Gayle Killen. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Killen said she can provide more information if any is needed. Ms. Tennor questioned the statement in Ms. Killen’s handout – “the improvement of solar panels will foster expedited runoff disaster recovery and resilience in the historic community.” Ms. Killen said that she would be able to provide power for her neighbors when the neighborhood loses power. Ms. Killen stated her house has served as a refuge to neighbors in need in past floods. Ms. Killen asked if Ms. Tennor was familiar with the July 30th flash floods that hit on the west end. Ms. Tennor said she was very aware of the flood and did not agree that Ms. Killen’s residence was different from the other properties in Ellicott City as a refuge. Ms. Killen gave examples of when people rushed into her house, for supplies, managing volunteers, etc. Ms. Killen described the physical location of her house on the bend, more out of the floodplain as Fig.13 illustrated and stated that was why it was a community refuge.

Mr. Roth found that solar panels were not appropriate in the Historic District and that the location did not comply with the Guidelines. Ms. Killen asked why. Mr. Roth said the solar panels diminish the character of the area and alter character defining elements on the house. Mr. Roth said the Commission also must take into account the precedent that would set on allowing solar panels in the Historic District

that would be a detriment to the District. Ms. Killen asked Mr. Roth which character defining features. Mr. Roth said the roof. Ms. Burgess clarified that other solar panels have been approved in the District but they were not visible from the public view. Ms. Killen asked about the solar panels on Fels Lane. Mr. Shad explained that the solar panels are not visible from Fels Lane and are only visible from Ellicott Mills Drive during certain times of the year.

Ms. Killen addressed the Guideline in the solar panel and wanted to discuss lack of visibility that contradicted the Staff comment that the roof is highly visible. Ms. Killen finds the roofline is obstructed by power lines. She said the roof is 5 feet away from Main Street and obscured to motorists. Ms. Killen read some items from her document about the visibility of the roof. Ms. Killen said the solar panels are not in a visible location based on her three points. Mr. Taylor asked if she took the photographs submitted in the application. Ms. Killen said she was unsure who took the photos. Mr. Taylor said the photos appear to be taken at ground level. Mr. Shad said the roof is also visible coming from Rogers Avenue [west headed east]. Ms. Burgess showed a Google Street View image taken from a car height and the entire roof is visible. Ms. Killen said that viewpoint is impractical from the car. Ms. Holmes asked if she had a photo of her house taken from the sidewalk. Ms. Killen did not.

Ms. Zoren appreciated what Ms. Killen is trying to do with the solar panels, but asked if she has exhausted all other areas where solar panels could go. Ms. Killen said yes and further said that the Commission may consider the solar panels when all other options have been exhausted. Ms. Killen said Staff's suggestion for ground mounts would not be ideal. Ms. Killen referred to Figure 13 to discuss the floodplain. Ms. Killen said the area also faces a hillside of trees and that solar panels would not work and that the rooftop would be the only place to achieve energy independence. Mr. Taylor said that the guideline Ms. Killen is referring to pre-dates the solar panel guidelines and that mentions HVAC, etc. He explained that subsequent to that, the Commission adopted Guidelines specifically to solar panels.

Ms. Killen asked if anyone else had a question about visibility or placement. Ms. Killen asked why tan solar shingles were recommended. Ms. Burgess clarified that the point was black solar panels on a tan roof creates a big color contrast. Ms. Tennor said that the Commission is not against saving energy and other worthy objectives, but that the Commission has to look at the application in the context of historic Ellicott City and said that these panels would be visible and would not be in the character of historic Ellicott City. Ms. Tennor said she would not be able to approve the panels. Ms. Killen thanked her for her opinion. Ms. Tennor clarified that it is not an opinion, it is a fact and the Commission's mission. Ms. Killen wanted to address the color contrast. Ms. Tennor said Staff comment noted the solar panels would not be so visible compared to solar panels installed on a tan roof. Ms. Tennor said Staff was not making a suggestion to change the color of the shingles. Mr. Roth pointed out a guideline that says "use solar panels and solar devices that are similar in color to roof materials". Ms. Killen asked if she could install solar panels if her roof was black. Mr. Taylor clarified the point of the guideline and explained that would be relevant for the rear of the building.

Mr. Shad asked if there is anyone in the audience that wanted to provide testimony for the case. There was no one. Ms. Killen read a statement from the Secretary of the Interior's in the Staff report. Mr. Taylor explained the Secretary of the Interior's Standards are used as a reference. The specific Guidelines adopted by HPC are binding. Ms. Killen asked if she should table this until the guideline revision is complete. Mr. Shad asked if Ms. Killen would like to withdraw her application. Ms. Killen said yes, withdrawing the application would be a smart decision and thanked Mr. Shad for his suggestion.

Motion: There was no motion. The Applicant withdrew her application.

HPC-18-06 – 6289 Old Washington Road, Elkrige, HO-803

Advisory Comments for subdivision.

Applicant: Scott Godstrey

Background & Scope of Work: This property is not located in a local historic district, but is listed on the Historic Sites Inventory as HO-803 as part of the Old Washington Road Survey District. This inventory survey district consists of over 100 buildings that are mostly single family residential homes. The inventory form explains, “Historically, the Old Washington Road Survey District is a significant example of suburban development over a period of 100 years, and architecturally, the District exhibits an important array of vernacular domestic architecture embellished with decorative details from "popular" architectural designs. The Old Washington Road Survey District is significant under Criteria A and C for its association with broad patterns in American history and its vernacular architecture ranging in date from 1850 to 1953. This district is located immediately to the west of the historic settlement of Elkrige Landing and their histories are intimately connected. This District derives its primary significance from its role as a commuter suburb related first to the railroad and later to the automobile. It also contains a good collection of vernacular architecture, mostly domestic, exhibiting the stylistic trends of 100 years of building.”

Regarding the house at 6289 Old Washington Road, the inventory form states, “the neoclassical style house rests on a rusticated concrete block foundation and has a side gabled slate roof. A hipped roof dormer adorns the front slope of the roof. The four-bay front (north) façade features an entry in the far left bay with a transom and sidelights. Stacked bay windows decorate the west façade. All of the windows in the house are replacements. A full width front porch features Ionic columns on rusticated block supports. The neoclassical style and the rusticated concrete block foundation indicate a circa 1920 date.”

The Applicant proposes to subdivide the 2.35-acre property into 7 buildable lots and 1 open space lot, for a total of 8 lots. Two structures, the main historic house and a detached garage, will be retained on Lot 6. One structure is proposed to be demolished. The property around the house will be subdivided into 6 new 12,000 square foot lots for single family homes. The application explains that, “five of the new lots will be located behind the existing historic house. One lot is to be located west of the existing house and closer to Old Washington Road. This house has been located as far west as possible to minimize the visual impacts to the historic house. The area in front of and east of the historic house is to be open space and stormwater management for the subdivision.”

Staff Comment: Staff is glad to see that the historic structure will remain in place. Overall the site plan is complementary to the historic structure and Staff finds the proposed plan generally complies with Section 16.118 of the Code, for the Protection of Historic Resources.

The preservation of the house complies with Section 16.118(b)(1), “Historic buildings, structures and landscape features which are integral to the historic setting should be located on a single lot of suitable size to ensure protection of the historic structure and setting.”



Figure 15 - Front view of house

The proposed plan generally complies with Section 16.118(b)(4), “The new subdivision road should be sited so that the lot layout does not intrude on the historic resources. The road should be oriented so that views of the historic property from the public road are of its primary façade.” The historic house will remain oriented to Old Washington Road. However, the new shared driveways for the new lots will be located in close proximity to the southeast corner of the historic home. The driveway for the existing historic house will be abandoned and the new shared driveway for the historic house on Lot 6 and the new construction on Lot 7 will run directly in front of the historic home. Section 16.118(b)(3) states, “access to the historic property should be via its existing driveway, wherever possible.” In order to determine compliance with this criteria, the Applicant should demonstrate whether it is possible to maintain the existing driveway.



Figure 16 - Streetview of property

There will be one house located on Lot 7 in front of the historic home, as well as Open Space Lot 8. The location of the open space lot is ideal, as it will allow the original view of the historic structure to remain intact and complies with Section 16.118(b)(5), “grading, construction and landscaping on the adjacent lots should enhance views to and from the historic property, while buffering views of new development.” The location of Lot 7 is in front of the home, but is pushed closer to the western property line so it is not directly in front of the historic home. Due to the elevation change, the new house should not block the views of the historic home.

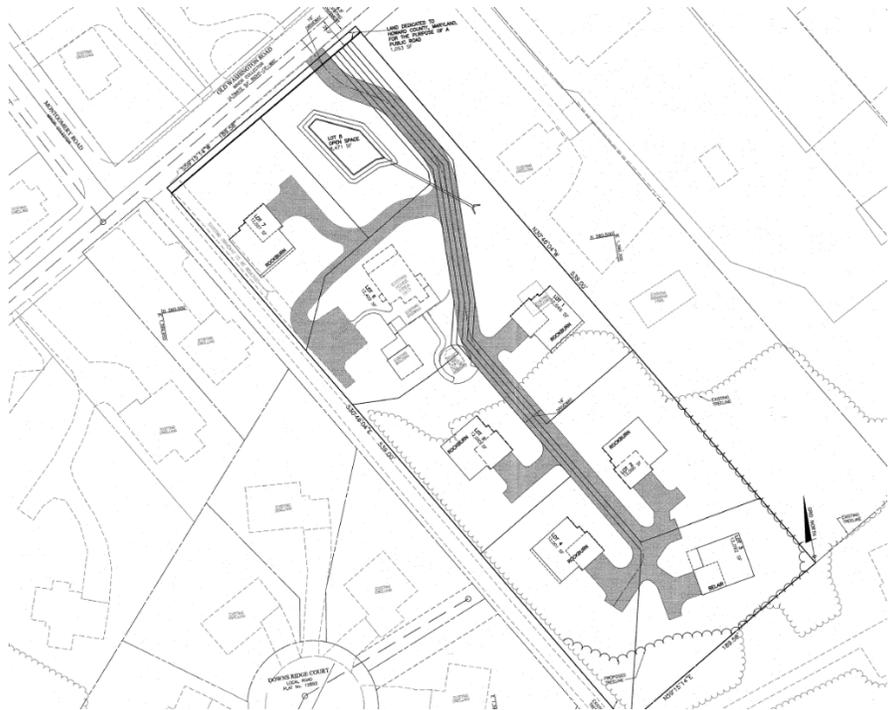


Figure 17 - Site plan

Staff Recommendation: If possible, Staff recommends running the shared driveway closer to the east property line in order to provide a slightly larger buffer around the historic house or utilize the existing driveway to access the lots thus avoiding a driveway from crossing directly in front of the historic house.

Testimony: Mr. Shad swore in Mr. David Thompson, with Benchmark Engineering. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Thompson had a comment about Staff’s recommendation of moving the shared driveway east to provide a larger buffer for the historic house. Mr. Thompson said he will look into ways to shift the driveway about 5 or 10

more feet away from the historic house. Ms. Zoren was very excited about the efforts to save the historic house. Ms. Zoren had some minor recommendations (Ms. Zoren showed Mr. Thompson sketches) to further pull the driveway away from the house so that cars would not be parked in front of the house. Ms. Zoren showed Mr. Thompson ways of moving the driveway and parking to make a less awkward turn on lot 7. Mr. Thompson said he will look further into these options. The Commission thanked Mr. Thompson for saving the historic house and not over developing the site.

Mr. Shad asked if anyone in the audience wished to present testimony. There was no one.

Motion: There was no motion, this case was for Advisory Comments only.

HPC-18-07 – 8407 Main Street, Ellicott City – this case was tabled and will be heard in March

Certificate of Approval for exterior alterations.

Applicant: Courtney Kehoe

Background & Scope of Work: This property is located in the Ellicott City Historic District, but is not a historic structure. According to SDAT the building dates to 2001. The Applicant propose to paint the exterior of the brick structures as follows:

- 1) The brick would be painted Benjamin Moore CW-290, English Ochre, a bronze/brown hue.
- 2) All surfaces that are currently a gray/taupe color would be painted Benjamin Moore CW-10, Capitol White.
- 3) All surfaces that are currently green (metal roof of windows, brackets in the cornice, inset window and door trim) would be painted Benjamin Moore CW-180, Bucktrout Brown, a blackened brown.

Staff Comments: Chapter 6.N recommends, “use colors that are generally compatible with (and do not clash with) the colors used in the district, particularly on neighboring buildings. On attached buildings, use the same colors or a coordinated color scheme whenever possible. In general, use calm or subdued colors, reserving bright colors for small, important details, such as doors or trim.” This building is not historic, so the painting of the brick would not be destroying a historic building material.

It is hard to read the true hues of the proposed colors and Staff has requested a sample board showing actual paint samples of these colors painted on. The bronze/brown hue reads as an orange color which would not comply with the Guidelines, as it would clash with neighboring buildings. This area is also a gateway to the Historic District and any colors chosen should not detract from the architectural and aesthetic integrity of the neighboring historic structures.

The areas on the building that are currently gray/taupe will be painted a shade of white. However, on the bay windows, which are contemporary in design, the light color makes them stand out as features that appears stuck on the building. Staff recommends an alternative color be looked into for this element that incorporates it more into the building façade rather than drawing attention to it.

There have been some alterations to this building in the past few years without approval. There is a round two-dimensional illuminated sign on the upper right hand corner of the building representing the logo of the property owner’s company. Additionally, a black hanging bracket for planter baskets was added. The sign does not comply with the Guidelines and should be removed prior to the issuing of any Decision and Orders. The bracket could be approved, but need to be applied for.

Staff Recommendation: Pending receipt of a sample board showing the actual paint (not color chips or print outs), Staff recommends this application be continued.

Testimony: The Applicant requested the application be tabled until the March hearing.

HPC-18-08 – 8398 Court Avenue, 8307 Main Street, 8202 Main Street, 8143 Main Street and 8085 Main Street, Ellicott City

Certificate of Approval for installation of cameras

Applicant: Ron Peters

Background & Scope of Work: These properties are located in the Ellicott City Historic District and are a mix of historic and non-historic buildings. The Applicant proposes to install a networked series of web-based cameras throughout the Historic District for the purpose of monitoring the conditions of the stream. The cameras would be a small white camera, the Avigilon H4 mini dome camera. In a few locations, such as Portalli’s, the Applicant is interested in using the Avigilon H4 Edge Solution camera, which is a slightly larger camera, but has the ability to tilt. The application explains that “the installation of these cameras will allow for real-time access of stream conditions, potential threats of flooding as well as recorded documentation of stream response to precipitation events that will be useful for multiple stakeholders and Howard County.” A few buildings identified in the application are located outside of the historic district and do not require approval from the Commission. The buildings and cameras subject to HPC approval are:

- 1) Camera 5 – 8398 Court Avenue
- 2) Camera 6 – 8307 Main Street
- 3) Camera 7 and 8 – 8202 Main Street
- 4) Camera 9 – 8143 Main Street
- 5) Camera 10, 11 and 12 – 8085 Main Street



Figure 18 - H4 Mini Dome Camera



Figure 19 - H4 Edge Solution Camera

Staff Comments: The Historic Preservation Commission has previously approved security cameras in case HPC-13-50 for 8267 Main Street, the Visitor’s Center. The cameras approved in this case were white gooseneck cameras. The current proposal is for smaller cameras that will be less visible than those approved in HPC-13-50.

The Guidelines do not specifically address cameras, but Chapter 6.M (page 49) of the Guidelines addresses equipment and hardware. Chapter 6.M states, “whenever possible, install equipment out of sight of public ways or other properties.” The Applicant has provided photos showing the area of

installation on each building. On 8085 Main Street, Portalli's, two cameras are proposed for the front façade at the third story windows. This location is not ideal given its high visibility. The cameras are available in black, and it is possible that a black camera at this location would blend into the trim. Otherwise, the other locations do not seem highly visible. While the cameras at 8202 Main Street are on the front façade, they are tucked into the porch and not highly visible.

As long as the cameras are not mounted on character defining features and elevations of the building and an attempt is made to put them in minimally visible locations, the public benefit will outweigh the slight disturbance to the building. In most cases, these cameras will be less visible than some of the current gas meters and wires coming from the street lines.

Staff Recommendation: Staff recommends Approval as submitted.

Testimony: Mr. Shad swore in Mr. Ron Peters. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Peters said the cameras are the size of the camera in the CVG meeting room and the camera is on a white base that can be painted any color. Mr. Peters said the cameras on the Howard House have been there three years and no one has noticed them. Mr. Peters explained that the cameras cannot be out of the way or sight because they would be useless. Mr. Peters said his cameras have already helped the Police Department and that cameras are recommended to business owners by Ellicott City Partnership (ECP) and the Police Department. Mr. Peters explained that the cameras are multipurpose. Ms. Tennor asked who has access to the footage. Mr. Peters explained that he has a camera on his West End properties to watch if the creek rises. He can pull the videos up anytime because the cameras are web based and a few of the cameras may be made open to the public. Mr. Peters explained that everyone who has a camera will have access to view the footage.

Ms. Burgess clarified that Mr. Peters is serving as the Applicant/project leader for the group and compared the process to when the rain barrels were approved. Ms. Burgess said each person will own and purchase their own cameras and that Mr. Peters is just spearheading the effort. Ms. Burgess said the main purpose was to capture flooding, but ECP and the Police Department have recommended the installation for other reasons as well. Ms. Burgess said she has attended some of the ECP meetings and keeping an eye on the streams is one of the goals. Mr. Roth was worried about every store or address requesting a camera for their façade.

Mr. Taylor said that Mr. Peters is the Applicant and he is seeking specific locations for each camera in the photos. Mr. Taylor said the Commission would be approving a specific camera at a specific location. Ms. Tennor was worried that if the cameras are not being utilized, the cameras should be removed. Mr. Taylor said such stipulation could be added to the approval.

Ms. Zoren asked why two cameras were in front of Portalli's. Mr. Peters said the ECP wanted to see up and down the street and only having two cameras would provide the entire view. Mr. Reich thinks the cameras are a great idea for the next flood situation. The Commission discussed the eight cameras in five locations. Ms. Zoren said where there is a white background, a white camera should be installed and where it is black, a black camera should be installed. Mr. Taylor asked if Mr. Peters would work with Staff to paint the equipment to match the building. Mr. Peters said yes. Ms. Holmes gave a detailed explanation of where each camera will be located:

- Camera 6 will be installed on 8307 Main Street, the back of La Palapa's, nestled underneath their sign overlooking the stream. This camera will be slightly visible from lot D.

- Cameras 7 and 8 will be located 8202 Main Street, Howard House installed on the porch. One of the cameras has already been installed.
- Camera 9 will be on 8143 Main Street, installed on the back of a non-historic building overlooking the stream and will not be visible from the public right of way.
- Cameras 10, 11, and 12 will be located at Portalli's. Two cameras are proposed to be installed on the third floor around the window trim. The third camera will be located on the Tiber Alley side of the building near the roof line overlooking the stream. The camera will be slightly visible from Tiber Alley.

Mr. Shad asked if anyone in the audience wanted to testify on the application. There was no one.

Motion: Mr. Roth moved to approve the application as submitted in the specific locations with Staff approval of color coordination. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-09 – 3775 Church Road, Ellicott City

Tax credit pre-approval for repairs.

Applicant: Eric and Marianne Roth

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1872. The Applicant seeks tax credit pre-approval for the following work:

- 1) Fireplace - The current masonry fireplace is missing the damper and is need of other repairs to be made functional. For better efficiency, less emissions and to prevent future structural deterioration the Applicant proposes to install a wood stove and liner.
- 2) Second Chimney – The second chimney is used for venting the boiler and hot water heater. It is recommended to have a liner installed to prevent deterioration of mortar. The crown also needs to be repointed due to mortar deterioration.
- 3) HVAC - The house is missing a central HVAC system and has four aging/inefficient mini split unites in the kitchen, master bedroom, and two in the sun rooms. The Applicant wishes to replace the aging units as well as add six units: one in each of the remaining three bedrooms, one in the living room, one in the basement, and one in the attic. Mini splits are chosen instead of a central AC system in order to reduce the impact to the internal aesthetic of the house that would be needed to run the duct work.
- 4) Water Main - The house has intermittent water pressure issues that indicate the water main needs replacement. The Applicant wishes to have the galvanized steel water main replaced with a copper main.
- 5) Bathroom Remodeling - Two second story bathrooms need remodeling. Hallway bathroom has stand up shower with toilet and pedestal sink. Second bathroom is shared bathroom between two bedrooms with tub, toilet and single vanity. Pipes connecting to shower, toilet and sink are loose which could lead to future leaks and structural damage. No heat in both bathrooms. No ventilation other than windows. Tiles and bathroom fixtures used during the last renovation by the previous owner do not match historic style of house.
- 6) Kitchen remodel – The Applicant wishes to update appliances with more efficient appliances, improve kitchen layout, run gas line to kitchen for gas range/cooktop. Goal will be to maintain style of house as part of remodel.
- 7) Windows – The windows need refinishing of the wood frames and repainting due to frames having cracks, rotting, paint and glazing issues.

- 8) Floors – The floors need sanding and re-staining. They have holes/cracks/scratches as well as color/shading issue due to sun bleaching and prior staining inconsistency.

Staff Comments: The Applicant has identified all interior work in this application, with the exception of the window repair. Section 20.112 of the County Code states:

(ii) *Eligible work* includes:

- a. The repair or replacement of exterior features of the structure;
- b. Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing;
- c. Maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code;
- d. Repair or replacement of historic landscape features such as masonry walls, fences, or other site features, if determined to be of historic or architectural significance by the Commission; and
- e. Repair or maintenance of existing gravestones, walls, fencing, or other site features of an eligible property that is a historic cemetery.

(iii) *Eligible work* does not include:

- a. New construction;
- b. Interior finish work that is not necessary to maintain the structural integrity of the building; or
- c. Landscape maintenance or new landscape plantings, except as defined above for historic landscape features.

Staff finds that the following items do not qualify for the tax credit as they are interior finish work and not structural issues.

- Item 3 - HVAC
- Item 4 – Water Main
- Item 5 – Bathroom Remodeling
- Item 6 – Kitchen Remodeling
- Item 8 – Floors

Staff also finds Item 1, the installation of the wood burning stove and fireplace liner do not qualify for tax credits as they do not meet the criteria established in the Code. An argument could be made that the installation of the stainless-steel liner qualifies because it makes the chimney safe for use regardless of the condition of the mortar. However, the liner is only needed for the installation of the wood stove and would not otherwise be used without a wood burning stove. While the installation of the liner could qualify, the bigger question that is raised is whether or not the installation of this item is historically appropriate. Staff finds the fireplace and mantle in question are character defining features of the historic home and the installation of the wood burning stove would permanently damage them as the quote specifies cutting 10 bricks from the firebox. Staff presumes this would be to fit the wood burning stove into the firebox. This does not comply with the Secretary of the Interior's Standard, #5, "distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved." If the chimney stack requires repointing, replacement of brick courses or other non-invasive measures to make the chimney safe for use and protect the structural integrity of the home, that may qualify. Photos would need to be provided that show damage to these features. Because the proposed fireplace and liner are interior items that do not require HPC approval, the Applicant is able to make the alterations, but Staff finds the County Tax Credit Program should not be funding them.

Regarding Item 2, the second chimney, the installation of a liner appears to qualify for tax credits since it is actively used for exhaust. Repointing would also qualify, but photographs showing damage are needed. Repointing is only referenced in relation to the crown, so it is unclear if more repointing is needed. If any other repointing or replacement of bricks is needed, that should be part of the tax credit approval, meaning that the liner could qualify only if the other items are repaired as well, so that there is no risk of leaving the historic features to deteriorate.

The repair of the windows, Item 7, qualifies for the tax credit, but Staff requires photographs of each elevation of the house showing which windows require repair and a more refined scope of work for what the repair entails. It is also unclear how many windows are damaged. More information is needed on this item.

Staff Recommendation: Staff recommends tax credit pre-approval for:

- 1) The installation of the liner in the second chimney, and repointing/replacement of bricks as needed contingent upon receiving photographs that show damage and using brick and mortar that exactly match the existing.
- 2) The repair of the windows, contingent upon receiving a more refined scope of work and photographs for all exterior elevations showing the damaged windows.

Testimony: Ms. Holmes passed around photos of the exterior of the house that the Applicant brought to the meeting. Mr. Shad swore in Mr. Eric Roth. Mr. Shad asked if there were any additions or corrections to the Staff comments. Mr. Eric Roth discussed preventative maintenance that could lead to structural damage such as the water main. Mr. Eric Roth said if he waited until structural damage occurred, the repair could be costlier than fixing the water main before it breaks. Mr. Eric Roth had a few questions on the tax credit for preventative maintenance and the policies around it. Mr. Eric Roth said he was obtaining more quotes for the repointing but could not get quotes in time for tonight's meeting. Mr. Eric Roth said the first 5 rows of the of brick on top of the chimney may need to be replaced. He said the crown is held up by brick pillars with a slab of slate on top and it looks like it may fall. Ms. Burgess asked if the chimney is ornate or square. Mr. Eric Roth said the chimney is ornate and he would want to retain the same design.

Mr. Eric Roth would like to keep as much of the original windows as possible during the restoration. Ms. Holmes asked if any of the windows may need to be replaced. Mr. Eric Roth said he did not think so. Mr. Taylor asked if the water main has been inspected by anyone. Mr. Eric Roth said the water main has not been inspected. Mr. Reich said the same happened to his house when the water filter needs to be changed. Mr. Drew Roth asked if there are radiators. Mr. Eric Roth said he has steam radiators. Mr. Reich said watermain breaks are not a structural or aesthetic item according to the Guideline. Therefore, watermain breaks would not be eligible for tax credits since. However, everything else looks good and the Commission could approve the bricks on the chimney for tax credit if needed.

Motion: Mr. Reich moved to Approve the application and work that is being done, tax credit pre-approval for the chimney; Item #2, the repair of windows; and anything associated with repair of the windows on the exterior of the house; all per staff recommendations. Mr. Roth seconded. The motion was unanimously approved.

HPC-18-10 – 3741 Hamilton Street/3756 Old Columbia Pike, Ellicott City

Certificate of Approval for new construction and exterior alterations.

Applicant: Nathan Sowers and Kimberly Kepnes

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to the Historic Sites Inventory, the building dates to about 1845-1851. The Applicant proposes to add an addition on to the side of the building. The application explains:

“Applicants are operating a food service establishment on the property. The existing building supports an interior food service area for ice cream service and pizza preparation. An exterior side patio has been utilized to support exterior cooking in a wood-fired pizza oven and serving of the wood-fire pizza from a customer counter. In order to meet current County and Health Department guidelines, a more permanent enclosure over the exterior “cooking patio” and other improvements will be required. The applicant proposes to construct a 17’6”x16’6” porch addition to the side of the existing building. In connection with this porch addition, Applicant requests approval to remove the existing elevated stamped concrete patio and replace it with a concrete patio that is on grade with the building, convert the existing side window to a doorway, which will allow direct access from the interior food prep area to the exterior cooking patio, connect a hand wash sink to public water and sewer lines through the stone wall and construct a two level customer counter, which will offer a handicap accessible counter section. Applicant also proposes to replace existing building asphalt shingle roof with a new asphalt shingle roof.”

Other building code requirements required a restroom be available for use by patrons of the establishment.

The Applicant seeks approval for the following work:

- 1) New covered porch on 6x6 wooden posts. Posts and roof rafters to be painted aesthetic white.
- 2) Low slope roof to be black metal classic rib steel roof panel.
- 3) The door replacing the window will be a steel black single 15-light French door.
- 4) Customer counter to be wood with simple trim. Counter to be painted Duron Aesthetic White.
- 5) New concrete patio to replace the existing stamped concrete patio. The patio will not be stamped and is proposed to be poured and sealed in its natural light gray color. New patio to be on grade with the building.
- 6) A small concrete retaining wall, if required, will be used to retain grade at the edge of the patio and hillside and will be used to support the back porch posts. The retaining wall will be about 1-foot high.
- 7) An exterior plastic and steel hand wash sink will be connected to water and sewer through the stone wall/mortar joints.
- 8) Replace the existing brown asphalt shingle roof on the historic building with Timberline HD Charcoal Lifetime architectural asphalt shingles.
- 9) The application also explains that the removal of existing stamped concrete patio may require the removal of the tree located at the edge of patio and courtyard. The Applicant said they will take all efforts to save the tree in the construction, but that if the tree needs to be removed they will plant a new tree at the edge of the property along the white picket fenced area.

In December 2017 the Applicant submitted an application for retroactive approval for several items on this property in case HPC-17-82. There were two items not approved in this application that should be addressed in the current proposal – approval of the wood shed and the storage shed. Additionally, an item not referenced in the application that needs to be approved is the pizza oven. An outstanding item

from this application is the River House Pizza and ScoopAhhDeeDoo signs and relocated rain barrel. The Applicant has indicated the signs may be applied for next month.

Staff Comments: The roof is in poor condition, as seen from Google Streetview. While not referenced in the application, the replacement roof would qualify for tax credits per Section 20.112 of the County Code. The replacement of the deteriorated roof complies with Chapter 6.E recommendations, “replace historic roofing with asphalt shingles or other modern materials only if historically accurate materials cannot reasonably be used. Use asphalt shingles that are flat, uniform in color and texture and of a neutral color.” The building does not have historic roofing materials, all roofing materials are modern. The replacement of the brown asphalt shingle roof with a charcoal architectural shingle will make this building match the other buildings along Tonge Row.



Figure 20 - Existing roof

The addition generally complies with Chapter 7 recommendations for new construction. The addition will be located on the side of the building, which complies with Chapter 7.A, “attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from public ways” and “design additions so that the form and integrity of the historic structure would be unimpaired if the addition were to be removed in the future.” Chapter 7.A also recommends, “design additions to be subordinate to the historic building in size, height, scale and details and to allow the form of the original structure to be seen. Distinguish the addition by using a setback or offset or a line of vertical trim between the old section and the new.” The addition is an open air porch, so it is clearly distinguished from the historic stone structure as an addition. Staff has requested a color rendering of the addition and has some concern over the proposed white color for the posts, roof rafters and counter. The existing pavilion on the site has black posts and a black metal roof and it would be more compatible if the addition followed suit with black posts, counter and rafters. The white would stand out, while black would better blend in with the surroundings and weather more appropriately from dirt and stains.

Due to the restroom requirements, the existing front door is proposed to lead directly to the public restroom. The existing front door will have a tint applied to the windows or a screen on the interior so it will not be see-through. As a result, the window on the side of the building is proposed to be altered into a door for egress from the patio cooking area into the kitchen. Chapter 6.H recommends against, “removing, adding or altering a window opening on a building’s primary façade or in any location where it affects historic features key to the building’s character.” This window is not located on the primary façade and will not affect any key features to the building’s character. The proposed door for this location is for a black steel door, which the Applicant said will match the other steel doors on the building. The location of the new door will be minimally visible. Chapter 6.G explains, “simple paneled doors of wood or wood and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance.” The style of the door, a 15-light single French door, will match the other exterior doors on the rear elevation. Due to the location and visibility, the material will not be noticeable. The current stamped concrete patio appears above grade and may prohibit a standard door height. The window opening is original and the preservation of the top granite window lintel should be preserved in this conversion.

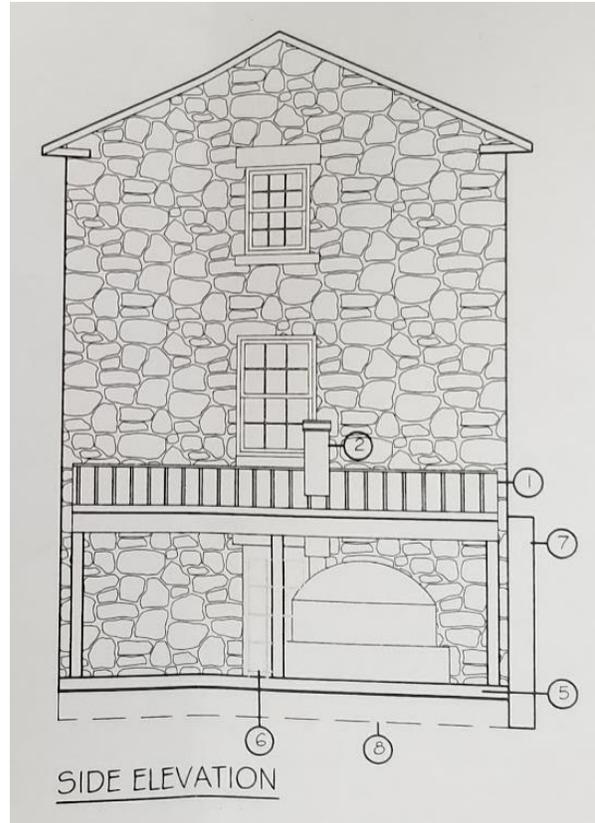


Figure 21 - Proposed side elevation

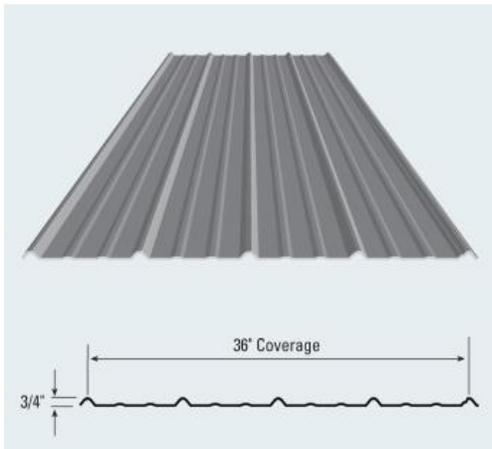


Figure 22 - Example of roof; actual material to be black



Figure 23 - Side view of existing window

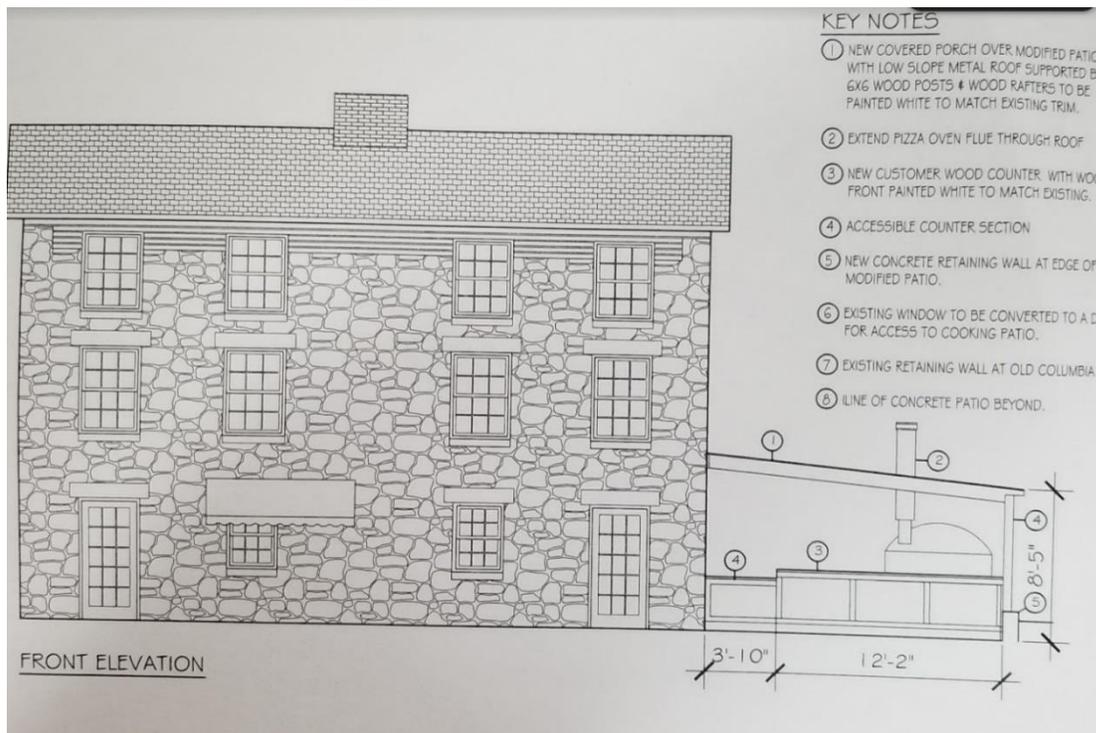


Figure 24 - Proposed front elevation

The Applicant also proposes to install an exterior steel and plastic hand wash station within the cooking patio, which is required by the Health Department. Due to sanitary issues, Staff has no objection to the proposed sink that appears to be installed (See Figure 23). However, if the Applicant ever departs from this commercial space, the exterior hand wash station should be removed.

The Applicant proposes to remove the stamped concrete patio and pour a new concrete patio. Staff has inquired if this patio will be stamped and tinted/color concrete. Chapter 9.D recommends against “new patios of poured concrete slabs in readily visible locations.” While the patio will not be highly visible behind the proposed addition, if the addition or counter were to be removed for a future business, the patio would then be highly visible. Therefore, Staff recommends a stamped and colored concrete patio be put back in place, to best comply with Chapter 9.D recommendations, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way” and “construct new terraces or patios visible from a public way from brick, stone, or concrete pavers designed to look like indigenous stone.” Likewise, the low retaining wall should be faced with stone to best comply with these recommendations.



Figure 25 - Existing bracing of counter on tree

The Commission will need to address the approval of the wood shed, the wood storage shed and the pizza oven.

The current wood counters are supported by the aid of a tree, as shown in Figure 25. Future counters should be self-secured and not be attached to any trees and should be more than one dimensional so

that each counter can take on the necessary weight or load per any safety codes. The counters should be finished on both sides since it is accessible and visible.

Staff Recommends: Staff recommends:

- 1) Approval and tax credit pre-approval of the roof replacement.
- 2) Approval of the addition as proposed, but recommends the posts and roof rafters be painted black instead of white.
- 3) Approval of the side window being converted to a door and the approval of a steel side door, provided the door jambs are within the current window opening and extends down to the ground without removing the current top historic stone window lintel. The only disturbance to the granite wall should be below the window lintel.
- 4) Approval of the hand wash station, but that it should be removed if the business ever relocates.
- 5) Approval of the patio, contingent upon it being stamped concrete tinted gray.
- 6) Approval of restaurant counters painted black, finished on both sides and stable to stand alone.
- 7) Approval of the retaining wall, contingent upon it being be faced with a stone that blends with the historic building.
- 8) The tree should be preserved if possible.

Testimony: Mr. Shad swore in Ms. Kimberly Kepnes. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Kepnes said that she would like to amend the application to comply with Staff comments and Ms. Kepnes agreed that painting the counters black would be a good improvement. Ms. Kepnes would also like to amend the application for the new patio to be stamped concrete in the event the counter opens. Ms. Kepnes said the architect suggested a small retaining wall may be needed. Ms. Kepnes asked if she can return to Staff with a stone veneer product for approval later. Ms. Kepnes said she was unsure if the retaining wall is needed. Ms. Kepnes said she would like to retain the tree although she was unsure of the root system.

Ms. Burgess asked when the patio was built. Ms. Kepnes thought around 2008-2009. Ms. Kepnes said currently there is nothing public inside the building. Ms. Tennor asked if there were any plans to change the interior and Ms. Kepnes explained that it is a very small building and a handicap accessible bathroom was required in addition to a covered space required for cooking. Ms. Kepnes said the building will have one of the only handicap accessible bathrooms in the district. Mr. Reich asked what was wrong with the canopy. Ms. Kepnes said there are code issues because the canopy was not attached and was not a permanent improvement. The health department wanted a permanent covering for outdoor cooking. Ms. Tennor asked when Ms. Kepnes will know if the retaining wall is needed. Ms. Kepnes said once she has the Commission's approval she will meet with the contractor to look at the slope. The architect is concerned about water coming down the hillside that may undermine the patio.

Ms. Tennor asked if the other pavilion remains. Ms. Kepnes confirmed that it would remain.

Ms. Kepnes said the rain barrels were causing a problem with water and ice. However, Ms. Kepnes likes the look and incorporated the business sign into the barrels. Ms. Kepnes will be back next month to apply for the rain barrels.

Ms. Kepnes said that not including the mobile wood fired oven on the patio in the application for approval was an oversight. The oven is on a trailer and there are stanchions because the tires deflate in the winter but the oven will stay on a mobile trailer all year long. If Ms. Kepnes relocates the business, the oven will come along.

Mr. Shad asked if the oven chimney flue has enough distance away from the roof. Mr. Bennett said the flue is far away enough. Mr. Reich said the flue must be 2 feet away any roof within 10 feet and has enough distance.

Mr. Reich was concerned about the addition of exposed kitchen equipment. Ms. Kepnes said she thought keeping designs simple would be the best solution to not draw attention away from the building. Ms. Zoren does not mind the structure but concerned about the ribbed roof panel having a very modern industrial look. Ms. Zoren would prefer to see a standing seam metal roof. Mr. Reich agreed and recommended using a 1x1 rake fascia board painted that would look more appropriate for Ellicott City. Ms. Kepnes agreed that was a good idea.

Ms. Kepnes said all four doors are steel. Ms. Kepnes said the door that goes into the café is a 4:1 wood door. Mr. Reich thinks wood doors are more appropriate and would be better since Ms. Kepnes is replacing them. Ms. Holmes asked for clarification on which door we are talking about. Ms. Burgess said just the side door.

Mr. Shad swore in Mr. Charles Alexander. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Alexander said the posts are heavy timbers and recommended the Applicant not paint them, but use rough timbers for the 16-foot span. Mr. Alexander said there will be more articulation on the roof rafters than is seen in the rendering. Mr. Alexander questioned how the timbers are secured to the building and recommended adding posts to the side of the building so the timbers are not securing into the existing stone. Mr. Alexander thinks the roof is too flat for standing seam and Mr. Alexander said one can see a crimped metal that is in historic Ellicott City. Mr. Reich said a straightforward corrugated roof would work too. Mr. Roth said the big rough cut lumber would look good.

Mr. Bennett asked about the 16-foot span and discussed loads with Mr. Reich. Mr. Bennett said the timber should tie into the wall with good sized bolts in the masonry. Mr. Bennett said the timbers do not have to be put on the masonry, but need a wood beam and columns across the back side. Mr. Bennett said when the architect and engineer may use metal, not joist hangers. Ms. Kepnes thinks black paint would match the customer counter, but that rough cut would work too, which ties back into the wood sheds and other structures on site.

Ms. Tennor said she wished something could be done about trash receptacles on the front of the property. Ms. Kepnes said the bathrooms and trash bins have been removed from the front of the property. Ms. Kepnes said now the view is the fence and not the receptacles.

Mr. Taylor asked the Commission to discuss damage to the historic structure and if the Commission have concerns about damage to the structure. Ms. Tennor said the damage seems reversible. Ms. Zoren said adding additional columns outside the structure will assist in supporting the structure. Ms. Tennor said in some locations changing a window to a door would be an issue, but not in this location.

Mr. Reich asked about the framing work. Ms. Kepnes asked if she can work with Staff for approval for the natural rough cut or 6x6 with 1x1 wrapping on the outside. The Commission agreed that Ms. Kepnes can have the option of rough cut or painted wood and working with Staff for approval. Ms. Kepnes asked if she can work with Staff on facing for retaining wall if wall is needed. The Commission agreed. Mr. Shad said the Applicant can work with Staff on standing seam metal material. Mr. Reich said he cannot think of corrugated metal roofs used in Ellicott City. Ms. Zoren is ok with Staff approving a standing seam, but if corrugated material is used, the Applicant should at least go through the Minor Alteration process.

Mr. Reich said there is a lack of architectural details and would like to see construction drawings. The current details do not call out the connections, post and framing, or dimensions of elements exposed to view. Mr. Reich recommended the Applicant return next month with detailed drawings. Ms. Kepnes said waiting until next month's meeting will further delay the project into April. Mr. Taylor said Staff can draft a letter for DILP to get the building permit through. Mr. Taylor agreed with Mr. Reich's recommendations for construction drawings for details. Mr. Taylor asked if there will be any lighting. Ms. Kepnes said yes, the pendant lighting is in the application. Mr. Taylor said the Commission can approve the application upon contingencies such as submitting all architectural details later.

Mr. Taylor asked if there are other questions other than Item number 2. Mr. Taylor asked if the Applicant is replacing the steel door with wood. Ms. Kepnes agreed.

Sheds and oven: The Applicant is seeking approval for the wood garden shed and the 3-sided wood holder. The wood garden shed is located by proposed addition, past the pavilion. Ms. Kepnes is requesting retroactive approval of the shed in existing locations. Mr. Taylor asked what color are the sheds. Ms. Holmes said the sheds are a natural wood color with a black metal roof. Mr. Reich is ok with the sheds existing location. Ms. Tennor wished there was a better solution. Ms. Kepnes pointed out photo was taken from the air which provided a much higher view. Ms. Burgess showed a photo taken inside courtyard. Mr. Roth said the wood is more attractive view than cars in parking lot.

Ms. Zoren asked if the wood shed should be moved next to shed on perimeter so it looks like one structure. Ms. Kepnes tried to push it as far back, but access to get a cord of wood difficult. Ms. Kepnes said the restaurant uses a cord of wood once a week. Ms. Kepnes said typically a truck pulls in and dumps the wood for employees to stack. Mr. Roth said he would move the storage shed to block the parking lot. Mr. Taylor said the view of historic structure from public way should be the Commission's focus, not the customer's experience. Mr. Taylor said to focus on how the sheds relate to the view of the structure from the public way. Ms. Kepnes said the umbrellas interfere more than the wood sheds with the view scape. Ms. Holmes asked if the sheds would be removed from the property if the business ever relocated. Ms. Kepnes said yes. Ms. Zoren said the accessory structure should be out of the way on the side. Ms. Kepnes said the structure could be moved three or four feet onto the blue stone.

Mr. Reich recommended to table sheds approval to next month's meeting. Ms. Kepnes agreed. Mr. Taylor asked about what the oven is constructed of. Ms. Kepnes said corten steel.

Motion: Mr. Roth moved to approve the following items and the tree should be preserved if possible. Ms. Tennor seconded. The motion was unanimously approved.

- a. Approval and tax credit pre-approval of the roof replacement on the historic building.
- b. Approval of the side window being converted to a door and the approval of a wood side door, provided the door jambs are within the current window opening and extends down to the ground without removing the current top historic stone window lintel. The only disturbance to the granite wall should be below the window lintel.
- c. Approval of the hand wash station, but that it should be removed if the business ever relocates.
- d. Approval of the patio, contingent upon it being stamped concrete tinted gray.
- e. Approval of restaurant counters painted black, finished on both sides and stable to stand alone.
- f. Approval of the retaining wall, contingent upon it being faced with a stone that blends with the historic building
- g. The tree should be preserved if possible.

Motion: Mr. Reich moved to approve the addition as proposed, but recommends the posts and roof rafters be painted black instead of white, contingent on subsequent submission of architectural details, showing what framing members and trim will look like, use of a standing seam roof, approving a concept to use an exposed rough cut timber framing or a typical framing covered with painted wood trim. Mr. Roth seconded. The motion was unanimously approved.

Motion: Mr. Roth moved to approve the garden shed in its current location. Ms. Zoren seconded. The motion was unanimously approved. The approval of the wood shed was continued.

Motion: Ms. Tennor moved to approve the location/installation of the oven. Mr. Roth seconded. The motion was unanimously approved.

HPC-18-11 – 8210 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Charles Alexander

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The Applicant seeks retroactive approval for the installation of a horizontal closed board wood fence and low concrete planter curb. The fence acts as a mechanical screen and is 5 feet 8 inches high. The application states, “this height not only screens the mechanical equipment from view at the adjacent sidewalk but also provides screening from farther up Church Road which is at a higher elevation and looks down on this property.” The closed board fence consists of alternating thickness, pressure treated pine boards. This fence will be referred to in the remainder of this report as Fence A.

The application explains that the low concrete planter curb, “serves to prevent rain water that flows down Church Road from overflowing the broken curb entering our property and our building, which currently happens several times a year. The planter boxes will be planted with nandina domestica (heavenly bamboo) and liriopse to buffer the mechanical screen wall. The former mechanical screen was removed when the outdoor mechanical unit needed replacing. The new screen wall was moved forward, toward the street in order to provide a trash and recycling container storage area for both our office and for Pure Wine café, our downstairs tenant. This area behind the screen will keep the trash containers out of sight of the public. The containers were previously stored along the sidewalk near our building.”

The application also states the Applicant proposes to replace the fence on the side yard of 8212 Main Street in-kind. This fence is a vertical board fence that more closely resembled the fence that was replaced at 8210 Main Street, as seen in Figure 26. This fence will be referred to in the remainder of this report as Fence B.

A zoning complaint was submitted to the Department of Planning and Zoning regarding the new horizontal board fence and concrete planter, and a case has been opened.



Figure 26 - View of rear of building prior to new fence



Figure 27 – Fence A and mismatched gate style



Figure 28 – Fence A with gate and concrete planters

Staff Comments: A closed board vertical fence existed on this site prior to the construction of Fence A, the closed board horizontal fence. Chapter 9.D explains, “solid board fences have been used since Colonial times and are currently found enclosing side or rear yards in a few areas of the historic district. They are not common, and should be used only in areas where a precedent exists. They are also helpful for enclosing dumpsters or screening roof-mounted equipment.” In this case, Fence A has been used to screen large mechanical equipment and will now also screen trash and recycling containers. Chapter 9.D of the Guidelines recommends, “install open fencing, generally not more than five feet high, of wood or dark metal. Use closed wood fences only for side and rear yards in areas where a precedent exists. Construct closed wood fences of painted vertical boards, with straight or angled rather than scalloped tops.” Fence A adjoins a neighboring property, which has a vertical board fence. Fence A effectively screens the equipment, but stands out against the different style of the neighboring fence. The previously existing fence and the adjoining property fence were not the same styles, either but better blended due to being vertical board. Staff recommends this fence be stained a darker color, which would help it appear more aged and blend into the surroundings.

Another potential issue is that the Applicant proposes to replace the fence on the other side of the property, Fence B, in-kind with a new vertical board fence (see Figure 29)



Figure 29 – Fence B proposed to be replaced in-kind

This will create a series of three different closed board fence types that are not cohesive. Fence A and the adjoining fence at 8202 Main Street, shown in Figure 27, do not abut properly as the gate does not match the style of Fence A or the adjoining fence at 8202 Main Street. The various fence types at this location do not comply with Chapter 10.C recommendations, “improve consistency in design throughout the historic district for items such as street lights...and other street furniture.” Fence B, shown in Figure 29, is screening equipment, so there is a need for a privacy fence at this location. In order to be consistent, the proposed new fence for Fence B should mimic the style of Fence A. Height does not appear to be an issue at this location and the proposed new fence for Fence B should not be any taller than the existing closed board vertical (excluding the arbor above the fence), which is a sufficient height to screen the equipment, shown in Figure 30.

The design of the concrete planters is overtly modern and is not compatible with the historic buildings and streetscape (see Figure 32). Chapter 9.D recommends against, “poured concrete or concrete block walls in a location visible from a public way.” Staff understand the functionality aspect of the planter by providing a curb to guide stormwater. However, the design of the planter curb does not comply with the Guidelines, which could have been avoided if approval was sought prior to construction. A more appropriate style of planter would be faced and capped in stone, such as the one



Figure 30 - Equipment behind Fence B



Figure 31 - View of Fence A and B on both sides of the Applicant's building

shown in Figure 33, which is located on Main Street. A planter of this style would comply with Chapter 9.D recommendations, “construct new site features using materials compatible with the setting and with nearby historic features, particularly for features visible from a public way.”



Figure 32 - Concrete planters in front of Fence A



Figure 33- Example of stone retaining wall

Regarding the plantings in the new concrete planter, *nandina domestica* (heavenly bamboo) is considered a Tier 2 invasive plant by the State of Maryland and is listed on the Maryland Department of Natural Resources “Do Not Plant” List. This plant is toxic to birds and other animals and should not be used in Ellicott City. Staff recommends the *nandina domestica* plant be removed as soon as possible and native plants be planted instead, to better comply with Chapter 9.B, which recommends, “in most cases, use plant varieties native to the area.”

Staff Recommendation: Staff recommends:

- 1) Gate be removed and replaced with something to match the style of Fence A.
- 2) Fence B, the vertical board fence at 8212 Main Street, match horizontal board Fence A.
- 3) The planter box be faced and capped in stone and that the materials and design be submitted to the Commission for approval.
- 4) Removal of the non-native poisonous plant, *nandina domestica*.

Testimony: Mr. Shad swore in Charles Alexander. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Alexander said he had not finished the gate yet, he will go back and fix the gate in the same style as the rest of the fence. Mr. Alexander said there are three wall heights to match up. Mr. Alexander said he wants the fence height to match the neighboring fence. Mr. Alexander said the application was in-correct in stating that they wanted to replace Fence B in-kind, it will in fact match the horizontal board used on Fence A. He explained that the fence height would start at the existing height, 4.5 to 5 feet high, and as one descends down the sidewalk, the fence will get taller.

Mr. Alexander said Mr. Peter’s camera captured the flooding on Church Road. Mr. Alexander said there have been several floods before the big flood on Church Road. Mr. Alexander said the curb does not exist because of frequent paving. Mr. Alexander said in repairing that wall, it was designed as a buttress wall to stabilize the sidewalk, but is referred to as a planter. Mr. Alexander said if faced in stone, the wall extend over the sidewalk. Mr. Alexander said since the planter is new, it has not patinaed and Mr. Alexander would prefer for the planter to age and match the sidewalk’s patina. The construction was done in concrete for the structural solution to hold up the sidewalk.

Mr. Alexander said the bamboo has already been removed.

Mr. Shad asked why the application was coming in for retroactive approval. Mr. Alexander said the project started as repair that was needed and being an architect, he dealt with other issues in the

solution. Mr. Alexander said the fence had to come down because of the damage from the flood. The HVAC died when used to dry out the building from the flood and had to be replaced. Mr. Alexander said the fence was up to hide everything that was being stored on-site. Mr. Shad said there should be no more retroactive approvals. Mr. Alexander agreed and said he is applying for the new fence now.

The Commission discuss planting options with the Applicant. Mr. Alexander will look into different plantings that is best for the area. The Commission agreed the plantings could be approved by Staff.

Motion: Ms. Tennor moved to Approve the per Staff recommendations. Approval of Item 1 - match Fence A gate height to match neighboring fence. Approval of Fence B to match the horizontal board design used on Fence A. In recognition that the space is small, the curb to stabilize walkway will not be required to be faced in stone, but can weather naturally. Retroactive approval of planter. The Applicant should consult with Staff for planting approvals. Mr. Roth seconded. The motion was unanimously approved.

OTHER BUSINESS

Ellicott City Historic District Design Guidelines Discussion – Draft Table of Contents

Ms. Burgess said the existing Guidelines do not address floodproofing, rain gardens, etc. Ms. Burgess explained the role of the Commission and items under the Commission’s purview for approval. She explained that some comments have been received from folks concerned about density, which is beyond the purview of the Commission.

Mr. Shad swore in Fred Dorsey. Mr. Dorsey said he has been comparing the existing Guideline content to the proposed content the last few days. Mr. Dorsey would like to see a discussion for alternative materials as he has observed a number of cases where people have brought forth other materials that could be used in restorations. Mr. Dorsey saw how some content was taken out of existing chapters to create new chapters. Ms. Burgess explained that the Staff are reviewing modern materials in the update.

Mr. Shad swore in Doug Yeakey. Mr. Yeakey commented on Chapter 16, line item 4, regarding the use of sidewalks. He explained that while he believes there is a need to limit the number of items on a sidewalk when a safety hazard is posed, Mr. Yeakey objects to the Guideline that talks about requiring permits for retail establishments to use the sidewalk – there would be a fee and that would be a tax which could hurt small business owners. He suggested the use of the sidewalks should be allowed as long as the use did not create a safety hazard or impede pedestrian traffic.

Mr. Shad moved to adjourn. Mr. Roth seconded. The motion was unanimously approved and the meeting was adjourned at 10:30 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

Yvette Zhou, Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL Historic District

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

March Minutes

Thursday, March 1, 2018; 7:00 p.m.

The March meeting of the Historic Preservation Commission was held on Thursday, March 1, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the February minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Erica Zoren

Members Absent: Bruno Reich

Staff present: Samantha Holmes, Beth Burgess, Dan Bennett, Lewis Taylor, Yvette Zhou

PLANS FOR APPROVAL

Consent Agenda

1. HPC-16-84c – 8116 Main Street, Ellicott City
2. MA-17-46c – 8202 Main Street, Ellicott City
3. HPC-18-12c – 8086 Main Street, Ellicott City
4. HPC-18-13c – 8137 Main Street, Ellicott City
5. HPC-18-14c – 8390 Main Street, Ellicott City
6. HPC-18-15c – 8133 Main Street, Ellicott City

Regular Agenda

7. HPC-18-16 – 3426 Deanwood Avenue, Ellicott City
8. HPC-18-17c – 8081 Main Street, Ellicott City
9. HPC-18-10 – 3741 Hamilton Street/3756 Old Columbia Pike, Ellicott City (continued from February)
10. HPC-18-18 – 3741 Hamilton Street/3756 Old Columbia Pike, Ellicott City

OTHER BUSINESS

1. Ellicott City Watershed Master Plan Schedule Update

There will not be a discussion on the Ellicott City Design Guidelines Update

CONSENT AGENDA

HPC-16-84c – 8116 Main Street, Ellicott City

Final tax credit 20.112 claim.

Applicant: Charlene Townsend

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1830. The Applicant was pre-approved for tax credits on October 6, 2016 for repairs to the front façade due to damage from the July 30, 2016 flood. The Applicant has submitted documentation that \$2,236.54 was spent on eligible, pre-approved work. The Applicant seeks \$559.13 in final tax credits.

Staff Comments: The work complies with that pre-approved and the receipts, invoices and bank statements add up to the requested amount.

Staff Recommendation: Staff recommends approval as submitted for \$559.13 in final tax credits.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Zoren seconded. The motion was unanimously approved.

MA-17-46c – 8202 Main Street, Ellicott City

Final tax credit 20.112 claim.

Applicant: Ron Peters

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1850. The Applicant was pre-approved for tax credits on October 11, 2017 through the Executive Secretary pre-approval process to repoint the granite front façade. The Applicant has submitted documentation that \$13,063.73 was spent on eligible, pre-approved work. The Applicant seeks \$3,265.93 in final tax credits.

Staff Comments: The work complies with that pre-approved and the invoices and cancelled checks add up to the requested amount.

Staff Recommendation: Staff recommends approval as submitted for \$3,265.93 in final tax credits.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Zoren seconded. The motion was unanimously approved.

HPC-18-12c – 8086 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$106,700. The difference in the assessment that is eligible for the tax credit is \$105,700.00. The application states that \$36,417.50 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$10,717.98. As a result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirms that there are \$20,956.49 in qualified expenses for restoration work that includes installing a new gas furnace and associated components, interior repairs, painting, electrical and gas line repairs.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Zoren seconded. The motion was unanimously approved.

HPC-18-13c – 8137 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1906. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$323,700. The difference in the assessment that is eligible for the tax credit is \$322,700. The application states that \$128,590.44 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$32,721.78. As a

result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirmed \$42,803.53 in qualified expenses for restoration work that includes interior repairs, HVAC and electrical work.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Zoren seconded. The motion was unanimously approved.

HPC-18-14c – 8390 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1938-1939. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$669,900. The difference in the assessment that is eligible for the tax credit is \$668,900. The application states that \$32,730.59 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$67,826.46. However, since there are only \$15,539.74 in qualified expenses, the estimated potential tax credit cannot exceed this amount. Staff confirmed \$15,539.74 in qualified expenses for restoration work that includes dehumidifier rentals, electrical work, plumbing work and interior cleanout. The Applicant incurred other expenses on repair, but they relate to site work and are not eligible for the tax credit.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Zoren seconded. The motion was unanimously approved.

HPC-18-15c – 8133 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1900. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$175,800. The difference in the assessment that is eligible for the tax credit is \$174,800. The application states that \$73,363.29 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$17,724.72. As a result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirmed \$25,599.54 in qualified expenses for restoration work that includes HVAC, plumbing and electrical work.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Zoren seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-16 – 3426 Deanwood Avenue, Ellicott City

Certificate of Approval for exterior alteration and tree removal.

Applicant: Kelly Guerrier

Background & Scope of Work: This property is located in the Ellicott City Historic District within the Woods of Park Place subdivision. The structure dates to 2005 and as such, is not a historic structure. The Applicant seeks approval for the following work:

- 1) Change color of front door, shutters and garage door from green to Sherwin William Roycroft Pewter, a dark gray.
- 2) Remove four trees in the rear yard that are located close to the house. The application explains that the trees are causing moisture problems to the deck and are also constantly filling the gutters with leaves, causing overflow and rust issues. The trees are concerning to the Applicant from a safety perspective as well. The trees are located 6 feet from the rear deck and 18.5 feet from the house. The trees have a diameter at 4.5 feet above ground level of 24 inches, 28 inches, 30 inches and 36 inches.

Staff Comments: The change of the trim/accent color from green to dark gray complies with Chapter 6.N recommendations, “use colors that are generally compatible with (and do not clash with) the colors used in the district, particularly on neighboring buildings...In general, use calm or subdued colors, reserving bright colors for small, important details, such as doors or trim.” The proposed dark gray will be compatible with the existing off-white siding color and with the neighboring buildings which share similar color schemes.

The four trees are located 6 feet from the deck and about 18.5 feet from the house, as shown in Figure 2. The Applicant has indicated they have experienced moisture and other problems on their deck and gutters as a result. The Applicant stated they would like to remove the trees from a safety perspective as well, due to how close the trees are to the house. Chapter 9.B recommends against the “removal of live mature trees, unless it is necessary due to disease or to



Figure 1 - Aerial view of property

prevent damage to historic structures.” While the house in question is not historic, the proposed removal of the trees would be to prevent further damage to the structure. Chapter 9.B recommends, “plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling limbs and roots as the plants grow.” The trees pre-date the construction of the house as they were not planted after the fact, but their proximity is causing issues to the structure. The Applicant’s property backs up to open space, so the area in general will remain heavily wooded (see Figure 1).



Figure 2 - Location of trees next to deck

Staff Recommendation: Staff recommends Approval as submitted.

Testimony: Mr. Shad swore in Maida Guerrier and Kelly Guerrier. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Guerrier said no. Ms. Tennor said the proposed removal of the four trees closest to the rear of the house are not problematic since there are still extensive tree covers around the area.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-17c – 8081 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$117,100. The difference in the assessment that is eligible for the tax credit is \$116,100. The application states that \$78,164.66 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$11,772.54. As a result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirmed \$21,930.00 in qualified expenses for restoration work that includes interior repairs.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

The historic true divided light wood windows with historic glass survived the flood, with minimal damage on the first floor. However, all the historic windows on the front façade were replaced on the first and second floor after the flood. The replacement appears to be a simulated external divided light.



Figure 3 - Damaged historic window after flood



Figure 4 – Current replacement window



Figure 5 - Front facade of building after flood

More information is needed on the product specification used in order to make a recommendation. However, based on a visual inspection of the windows, they do not appear to be an in-kind replacement which would require retroactive approval. The cost of these replacement windows was not included in the amount of qualified expenses referenced above.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Staff needs further specs on the type of window product to make a recommendation.

Testimony: The Applicant was not present. Mr. Taylor asked if Staff knew the estimated age of the windows. Ms. Burgess said the glass is very old, if not original.

Ms. Zoren asked if the replacement windows are 9 over 6 like the original windows or half and half. Ms. Burgess said the Applicant had indicated the replacement windows were custom. Mr. Roth asked if the first floor windows were replaced. Ms. Homes said all the windows were replaced on the first and second floors.

Ms. Tennor said window work requires special skilled contractors who are hard to find. Ms. Tennor asked if Staff could recommend window resources to Applicants. Ms. Burgess said the Ellicott City Partnership (ECP) has a contractor directory compiled by the design committee that has useful resources, but the County does not make recommendations. Ms. Burgess said Staff have referred Applicants to the directory. However, ECP migrated to a new website and the directory is not currently available but will be uploaded soon. Ms. Holmes said although the Applicant hired window contractors for the work, the Applicant served as their own general contractor.

Mr. Roth asked if the question before the Commission is if the replacement windows are eligible for tax credit due to the property being in current violation.

Mr. Taylor advised the Commission to go into closed session. Mr. Roth motioned to go into closed session. Ms. Tendor seconded. The motion was unanimously approved. The meeting went into closed session at 7:52pm.

Closed session: Mr. Taylor provided legal advice on the application.

Open Session: Mr. Roth moved to open the meeting session. Ms. Tendor seconded. The motion was unanimously approved. The meeting went into open session at 7:54pm.

The Commission requested the Applicant's presence at the next meeting.

Motion: Mr. Roth moved to postpone the application to next month's meeting and requested the Applicant to be in attendance. Ms. Tendor seconded. The motion was unanimously approved.

HPC-18-10 – 3741 Hamilton Street/3756 Old Columbia Pike, Ellicott City (continued from February)

Certificate of Approval for new construction and exterior alterations.

Applicant: Nathan Sowers and Kimberly Kepnes

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to the Historic Sites Inventory, the building dates to about 1845-1851. This application is continued from February 2018 in which the Applicant proposed to add an addition on to the side of the building. The Applicant was approved for the majority of the work, but the Commission requested the Applicant return with more detailed drawings showing what the framing members will look like and other architectural details. The Commission also continued the request for approval of the wood shed. The location of the garden shed was approved.

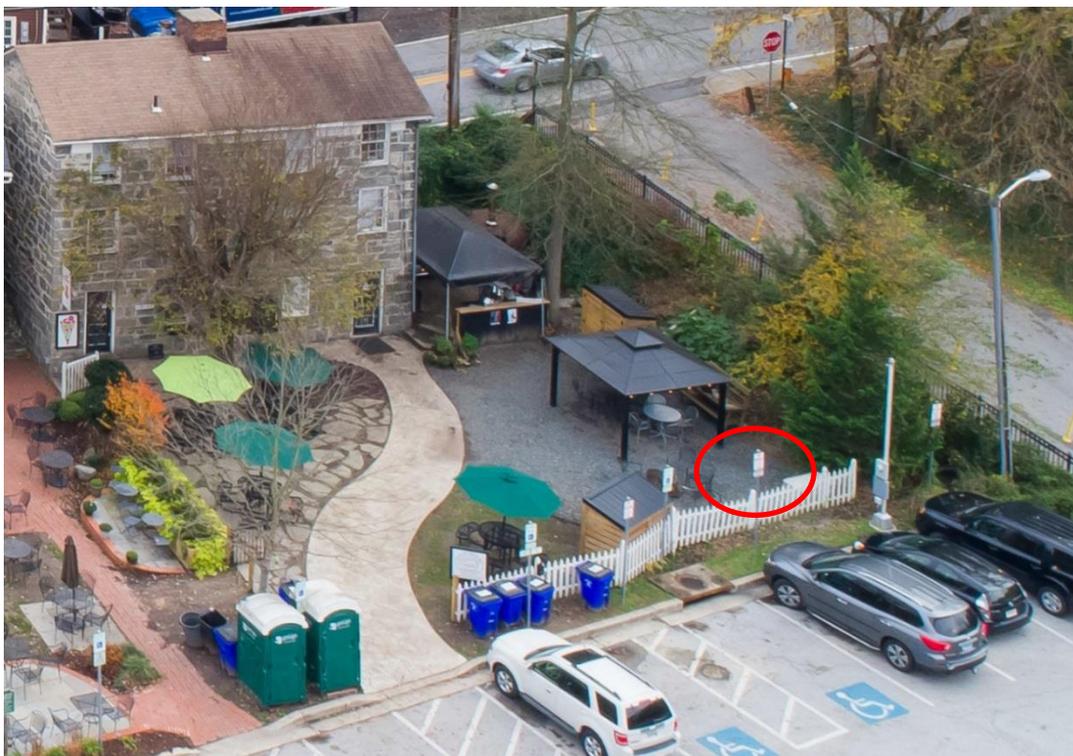


Figure 6 - Aerial view of property. Photo provided by Applicant.



Figure 7 - View approaching building from parking lot



Figure 8 - View directly in front of building

Staff Comments: The discussion and vote on the wood shed was continued from the February meeting. At that meeting, the Applicant said it would be possible to move the wood shed back a few feet onto the gravel area. Staff finds this location would be more appropriate than the existing location, as placement in the gravel area would shift the shed out of the direct line of sight of the historic building. A suggested placement is shown in Figure 6, where the red circle is located. The Applicant has confirmed that the shed would not remain on the property if the business was ever to relocate. The Applicant explained that truck has to back up onto the property weekly in order to deliver the wood used for the business. There is one patch of grass remaining on the property at this location, which could be replaced with the gravel on-site, allowing the truck to back up farther to unload the wood, which would assist in the relocation of the shed.

The Applicant has not yet submitted the requested architectural details for the addition.

Staff Recommendation: Staff recommends Approval contingent upon the shed being shifted out of the direct line of sign of the historic building, and recommends Approval of the remainder of the area being landscaped with gravel, if desired.

Testimony: Mr. Shad swore in Nathan Sowers and Kimberly Kepnes. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Holmes said the red circle in Figure 6 is not shown correctly and got moved in editing; the circle should be up to the other side of the fence and has been corrected for the minutes.

Ms. Kepnes said the Commission requested detailed drawings at the previous meeting showing how the structure would be attached to the building. Ms. Kepnes provided renderings to the Commission which showed that there are two posts against the building. Ms. Kepnes said the design is for a standalone structure that is against the building but does not have a ledger board attached to the building. The roof will have a trim board against the stone side of the building that will have flashing and will be caulked to the building. Ms. Kepnes said the roof is standing seam metal, posts will be wrapped with one inch wood boards and there will be a rake board on the front.

Ms. Tennor asked if the Applicant will have any attachments into the adjacent stonewall. Ms. Kepnes said no, the structure will be freestanding pavilion up against the building.

Ms. Zoren asked about the roof materials. Ms. Kepnes said the roof is standing seam metal in black. Ms. Holmes asked what the seam will look like. Ms. Kepnes said she did not have a specification sheet but the rendering shows the seam. Ms. Tennor asked how to proceed if the seam information is not present. Ms. Holmes said the Commission can stipulate the roof should have a traditional seam subject to Staff approval.

Mr. Shad asked about the countertop material. Ms. Kepnes said the material is wood.

Ms. Tennor asked if the physical access to the area under the roof is only through the door or is there an alternate way to access the pavilion. Ms. Kepnes said the intention is to provide a barrier to the public, not to be used for traffic. Mr. Roth asked if the Applicant will build a stone wall behind the structure. Ms. Kepnes said there is a hillside that will have short retaining walls finished with stone on the outside.

Mr. Shad asked about the lighting fixtures. Ms. Kepnes said the fixtures are recessed lighting. Mr. Shad said the lighting fixtures should be subject to Staff's approval. Ms. Zoren asked how the recessed lighting will be installed on the open structure. Ms. Kepnes said the recessed lights are installed inside the frames of the ceiling beams.

Ms. Tennor asked about the dimensions of the beams. Ms. Kepnes said she would need to obtain the dimensions from the previous application. Ms. Tennor asked if the recessed lights will be no deeper than the ceiling beams. Ms. Kepnes said yes. Ms. Tennor asked if the rendering showed the exhaust feature on the wood stove that was approved prior. Ms. Kepnes said the rendering does not shown the exhaust but will be installed. Ms. Burgess asked to confirm that the exhaust is still within the roof. Ms. Kepnes said yes.

Ms. Tennor asked if the four support beams are wrapped, and painted. Ms. Kepnes said yes.

Ms. Kepnes said she is willing to move the shed six feet per Staff recommendation. Ms. Holmes said Staff also suggested the Applicant can continue using gravel in the corner to facilitate delivery truck access.

Ms. Tennor said there are many elements being added to the open space around the historic structure, yet the Guidelines do not have language pertaining to such situations. She explained that if the Commission can influence the organization of the elements, the outcome would benefit the Historic District and aesthetic of the property. Ms. Tennor said moving the shed back towards the far right of the site is an improvement. Ms. Tennor recommended the shed to be turned in the same orientation that would parallel the shed on the other side of the pavilion for the elements to appear more organized. Ms. Kepnes said her property is unique in that all sides of the building are exposed to public view, not having areas to hide features but Ms. Kepnes said she is willing to move the shed six feet per Staff's recommendations. She said that she is not willing to turn the shed, as the angle was determined based on weather and keeping the wood dry.

Mr. Taylor asked the Commission if the organization of multiple accessory structures in the yard of a historic building would lessen the negative impact on the appearance of the historic structure. Ms. Tennor said yes. Ms. Kepnes said she believes the accessory structures are organized.

Mr. Shad said applications should be submitted before the structures are installed. Ms. Kepnes agreed.

Ms. Zoren asked for clarification of moving the shed six feet against the fence. Ms. Kepnes said the angle of the shed will remain the same, only moving the shed over six feet to be even with the pavilion.

Ms. Zoren recommended drainage to be integrated into the pavilion to avoid water collection. Ms. Kepnes agreed.

Motion: Ms. Tennor moved to approve the relocation of the shed six feet south onto the gravel, and the structure of the cooking pavilion as described in the drawing submitted in tonight's meeting. The lighting fixtures and standing seam roof will be subject to Staff's approval. Incorporation of Commissioner Zoren's drainage recommendations. Mr. Roth seconded. The motion was unanimously approved.

HPC-18-18 – 3741 Hamilton Street/3756 Old Columbia Pike, Ellicott City

Certificate of Approval for signs.

Applicant: Kimberly Kepnes

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to the Historic Sites Inventory, the building dates to about 1845-1851. The Applicant seeks retroactive approval for the installation of three signs:

- a) Sign #1 – River House Pizza Company is a flat framed freestanding sign that is mounted on the former rain barrel, using a wood bracket. The sign is 35 inches high by 34.5 inches wide, for a total of 8.39 square feet. The sign has a white background with black text and a black graphic. The sign contains the logo of the business which has a graphic of the oven and would read:

River House Pizza Co.
Wood-fired oven

- b) Sign #2 – ScoopAHHdeedoo flat mounted framed sign, which is hung on a hook near the ice-cream window. The sign hangs from a black metal chain, which is fixed to a mitered frame around the metal sign. The sign is 45 inches high by 28 inches wide, for a total of 8.75 square feet. The sign has a white background with pink and green text with a black border. The sign would read (in the shape of an ice cream cone):

Scoop
AHH
DEE
DOO

- c) Sign #3 – ScoopAHHdeedoo ice cream banner, which is hung on the corner of the building to allow visibility from the parking lot. The banner is hung from a metal bracket fixed into the mortar joints on the building. The sign is 48 inches high by 24 inches wide for a total of 8 square feet. The sign has a white background with pink and green text with a black border. The sign would read:

ScoopAHHdeedoo
Ice Cream
(arrow pointing down)
ScoopAHHdeedoo



Figure 9 - Sign #1 - River House Pizza



Figure 10 - Signs #2 ScoopAHHdeedoo ice cream



Figure 11 – Banner for ScoopAHHdeedoo

Staff Comments: The proposed location of Sign #1 for River House Pizza is about 8 feet from the edge of the parking lot, but there is a series of parking spaces located along the property, in front of the sign. This sign is located on top of the former rain barrel, which is a whiskey barrel. The Applicant would like to retain the whiskey barrel for visual interest. Chapter 11.B recommends, “where they are permitted, limit a freestanding sign to a height below the window sill of the second story of the building with which it is associated” and “to respect the pedestrian scale, limit the size of a freestanding sign to four to six square feet in area.” The proposed sign would be 8.39 square feet, which is slightly larger than recommended. However, the sign is set back from the parking lot and the size will make it visible above the fence line. The sign otherwise complies with the Guideline recommendations, “use simple, eligible words and graphics” and “keep letter to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used.” The sign also only contains two neutral colors, which complies with Chapter 11.A recommendations, “use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade.” The trim on the building is black and white, which matches the sign. While the barrel was originally approved to be a rain barrel and since been repurposed, the use as a sign holder is a creative solution to a freestanding sign and removes the need for a tall post to hold the sign above fence level. In this situation, the sign and barrel are located entirely on private property within a large yard and do not impede the public right of way or pedestrian traffic.

Sign #2 and #3 would be located on the building, and would be about 52 feet from the edge of the parking lot. These signs comply with Chapter 11.A recommendations as well. The flat mounted sign is limited to the name of the business with two colors on a white background. The black frame around the sign coordinates with the black trim on the building, and matches the frame around the River House Pizza Co. sign. The banner contains wayfinding information for customers with the text “order here,” but otherwise only contains the business name in small text to tie the signs together. Chapter 11.B explains, “in a few cases a location may call for two signs for a business. When the two signs are on the same building façade, the best combination will often be once flat-mounted or window sign and one projecting sign. Multiple signs need to be coordinated so that the cumulative effect does not clutter or obscure the building façade.” The signs comply with this recommendation as the two signs are coordinated through the business name and colors. The projecting sign is not highly visible when looking at the front faced of the building, but is visible from the side views. The façade does not appear cluttered due to this arrangement.



Figure 12 - View of signs from the parking lot

The Guidelines recommend a maximum of eight square feet in area for any one sign, but explains that “more sign area is appropriate for some of Ellicott City’s larger buildings, where these signs would result in signs that are ineffective or not in scale with the building.” The flat mounted sign is 8.75 square feet, which complies with the Guidelines. The projecting sign/banner is 8 square feet, which is slightly larger than the recommended 4 to 6 square for projecting signs. However due to the large setback from the parking lot and the size of these buildings, the use of two signs, slightly above the recommended size is appropriate.

Staff Recommendation: Staff recommends Approval as submitted.

Testimony: The Applicant, Ms. Kepnes, was already sworn in on the previous case. Mr. Roth asked if the banner shown in located at the same place as the cooking pavilion. Ms. Kepnes said the cooking pavilion is on the opposite end.

Ms. Tennor agreed that the signs complied with the Guidelines. Ms. Tennor said the panel mounting to the rain barrel is a great idea for adaptive reuse.

Mr. Shad said the Application should be submitted before installation. Ms. Kepnes agreed.

Motion: Ms. Tennor moved to approve the application per Staff recommendations. Mr. Roth seconded. The motion was unanimously approved.

OTHER BUSINESS

- Ellicott City Watershed Master Plan Schedule Update.
Ms. Holmes said the next Ellicott City Watershed Master Plan meeting will be on March 22, 2018 from 7:00 pm-9:00 pm at Roger carter Community Center. The master plan consultant recommended the Commissioners attend and hear community feedback. Mr. Taylor said there should be no issues in attending, but advised to avoid conversations between the Commissioners. Mr. Shad confirmed his attendance at the Master Plan Advisory Team on March 7, 2018.

Ms. Tennor asked about the format of the meetings. Ms. Burgess said the format is interactive using presentation slides and small group collaboration.

Ms. Burgess anticipates an application to be submitted in May or June for the HPC to give advisory comments on the master plan.

- Ellicott City Design Guidelines Update – There will not be any discussion of the Guidelines update this month. Future meeting dates, once available, will be posted on the website: www.howardcountymd.gov/ECdesignguidelines. Ms. Holmes explained why the Guidelines were not being discussed that night.

Mr. Shad moved to adjourn. Mr. Roth seconded. The motion was unanimously approved and the meeting was adjourned at 8:01 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

Yvette Zhou, Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

April Minutes

Thursday, April 5, 2018; 7:00 p.m.

The April meeting of the Historic Preservation Commission was held on Thursday, April 5, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Roth moved to approve the March minutes. Ms. Tennor seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich

Members Absent: Erica Zoren

Staff present: Samantha Holmes, Beth Burgess, Dan Bennett, Renee Novak, Lewis Taylor, Yvette Zhou

OTHER BUSINESS

1. Ellicott City Design Guidelines Update

PLANS FOR APPROVAL

Consent Agenda

1. MA-17-32c – 3749 Church Road, Ellicott City
2. HPC-18-19c – 8202 Main Street, Ellicott City
3. HPC-18-20 – 8221 Main Street, Ellicott City

Regular Agenda

4. HPC-18-21 – 3626 Church Road, Ellicott City
5. HPC-18-22 – 6219 Lawyers Hill Road, Elkridge
6. HPC-18-23 – 3598 Fels Lane, Ellicott City
7. HPC-18-24 – 8307 Main Street, Ellicott City
8. HPC-18-25 – 8217-8225 Main Street, Ellicott City
9. HPC-18-17c – 8081 Main Street, Ellicott City

OTHER BUSINESS

Ellicott City Design Guidelines Update

Mr. Shad asked if anyone in the audience would like to speak on the Design Guidelines update. There was no one in the audience who wished to speak on the Design Guidelines. Ms. Burgess explained the change in the editing process of Chapters 1-5. The Staff realized that the updates may be confusing to review with text only, without the visual benefits of graphs, images and formatting. The Staff will use Chapters 1-5 as a prototype to create an InDesign template to present to the general public for input before moving forward with other chapters.

Ms. Burgess asked if there were any comments or concerns about Chapters 1-5 and the revised process. Mr. Reich asked about the timeframe and how many total chapters. Ms. Burgess said although the new process may delay the timeframe to fall, Ms. Novak has continued editing the Guidelines. Ms. Burgess said there are several chapters and new chapters may be added.

Mr. Reich asked how the Guideline update integrates with the Ellicott City Master plan (ECMP). Ms. Burgess said the ECMP should have proposals at the end of June which is not conflicting with the Guideline update and anticipates flood mitigation chapters to be ready at the end of fall.

Ms. Tennor said if the public can see the text and images, then the feedback will be more meaningful. Ms. Tennor said even if the process will take longer, it will be worth the time for the more comprehensible product She said we should get more meaningful feedback with the text in concert with the images and we may realize DPZ Staff needs a different illustration.

CONSENT AGENDA

MA-17-32c – 3749 Church Road, Ellicott City

Final tax credit 20.112 claim.

Applicant: Kimberly Kepnes

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1830. The Applicant was pre-approved for tax credits for the repair of the stucco and battlements through the Minor Alterations/Executive Secretary process in MA-17-32. The Applicant has submitted documentation that \$20,300.00 was spent on eligible, pre-approved work. The Applicant seeks \$5,075.00 in final tax credits.

Staff Comments: The work complies with that pre-approved and the invoice and checks add up to more than the requested amount.

Staff Recommendation: Staff recommends Approval as submitted for a final tax credit of \$5,075.00.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. Mr. Shad swore in Kimberly Kepnes. Ms. Kepnes recommended the Commission increase tax credit options for owners in the Historic District due to the high cost to maintain the buildings. Ms. Holmes said the State would have to enable legislation, not the Commission. Ms. Kepnes said she is interested to lobby for a legislative change by providing the information to residents in the District. Mr. Reich asked if the Guidelines explained the tax credits. Mr. Taylor said the tax credits are not in the Guidelines because the Guidelines

provide guidance on appropriate exterior alterations, and not focusing on tax credits, although further discussion may be needed to determine if tax credits should be included in the Guideline revisions.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-19c – 8202 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Ron Peters

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1850. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$859,100. The difference in the assessment that is eligible for the tax credit is \$858,100.00. The application states that \$61,637.93 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. Staff confirms that there are \$33,168.45 in qualified expenses for restoration work that includes rebuilding the front porch, repairs to the fire alarm system, HVAC system and interior repairs. The estimated potential tax credit this property could qualify for, based on the current assessment, current tax rate and amount of qualified expenses is \$33,168.45.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-20 – 8221 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Trae Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The Applicant seeks approval to remove the existing service door that is located on the side of the building along Old Columbia Pike and install a new service door on the rear of the building that will be accessed from the off-street parking area. The new door will be hollow metal,

painted the same color brown as the existing door. The bricks that are removed on the rear for the new door will be used to fill in the void from the previous door opening, so all brick will match.

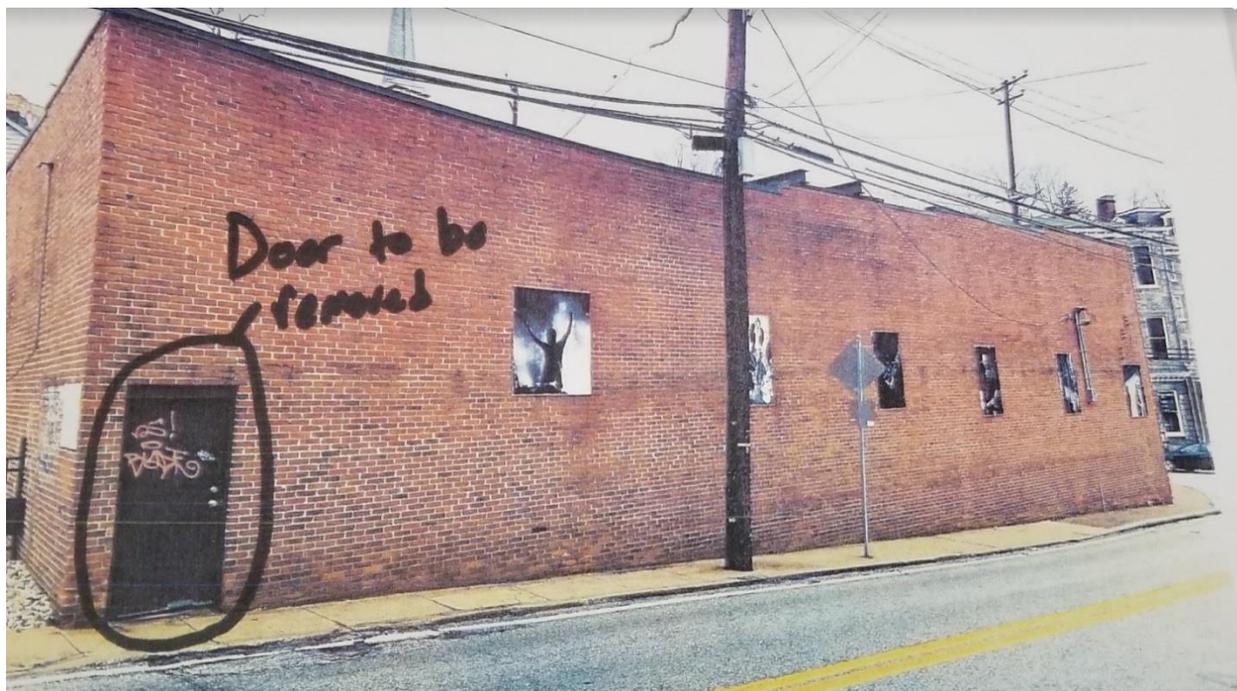


Figure 1 - Side door on Old Columbia Pike to be removed

The proposed new door will be larger than the existing and will be 4 feet wide by 8 feet tall. Although the sketch in Figure 2 shows a door with two leaves (as does the application form), the plan is being amended to one 4-foot wide door due to requirements from the Department of Inspections, Licenses and Permits.

Staff Comments: Chapter 6.G generally recommends against, “changing the size of door openings; blocking or filling door openings, transoms or sidelights” and “cutting a new entrance into a primary façade or in any location where it destroys historic features important to the buildings character.” The proposed location for the new door does not contain any unique historic features whose loss would degrade the architectural integrity of the building more so than the existing location of the service door. The rear location is not a primary façade. The relocation of the service door from the Old Columbia Pike side of the building to the rear of the building results in a safer access point than the existing location provides.



Figure 2 - Proposed location of new door

The proposed door is a flush metal door, which will replace a flush wood door. Chapter 6.H recommends against, “using flush doors without trim or panels...on historic buildings or on non-historic buildings in a highly visible location.” However, given the

ornate and unique nature of the paneled doors on the front of the building, the most appropriate design for a rear service door is the proposed flush door. A flush door will blend into the rear façade, rather than standing out as potential entrance door, which could happen if the door was more decorative.

The color of the mortar was not referenced in the application, but the mortar color should be matched to the existing, in order to for the brick fill to blend seamlessly into the side of the building.

There are two outstanding issues for this building that need to be addressed. The main sign on the front of the building was changed without approval and six signs/music posters were added to the Old Columbia Pike side of the building without approval.

Staff Comments: Staff recommends Approval of as amended. Staff recommends the music posters be removed from the Old Columbia Pike side of the building and that an application for Certificate of Approval be submitted for the main sign.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

Motion: Mr. Roth moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-21 – 3626 Church Road, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Ed Fortunato

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920. The Applicant proposes to replace the existing green asphalt shingle roof with GAF Camelot II asphalt shingles in the color Antique Slate, a medium gray. The existing roof is in visibly poor condition, as shown in the photo from the recent real estate listing in Figure 3. The Applicant seeks tax credit pre-approval for the work.



Figure 3 - Roof to be replaced

Staff Comments: The existing roof material is asphalt and the roof was last replaced in 1998. Chapter 6.E recommends, “use asphalt shingles that are flat, uniform in color and texture and of a neutral color. A modern material similar in appearance to the original, such as a synthetic that reproduces the appearance of slate, may be used.” The proposed asphalt shingles are larger than a typical architectural shingle to mimic the size of slate. It is unknown if this house ever had a slate roof, however the neighboring house to the south has a slate roof and the neighboring house to the east had a slate roof. It is possible the house may have had a slate roof given the status of the neighboring properties.

The house is not visible from Church Road and is located off a drive shared with another residence and the Patapsco Female Institute. The details of the existing roof are not highly visible from the base of the private driveway, as shown in Figure 4. The difference between a standard architectural



Figure 4 - View from base of driveway

shingle and the proposed shingle would not be noticeable from this distance. The change to a medium gray color will better comply with the Guidelines than the green roof, which is not a neutral color. The shingles will be uniform in color, but will not be flat. The recommendation for a flat shingle is outdated based on roofing technology available at the time the Guidelines were first published. The architectural roof shingles (and variations such as the proposed roofing shingle) that are available today are a higher quality roof material than a standard 3-tab flat asphalt roof shingle.



Figure 5 - Front of house

The roof replacement is also eligible for tax credits per Section 20.113 of the County Code. The historic house has a modern addition that is not eligible for the tax credit, but the Applicant has supplied materials showing the total square footage of the roof. The roof on the historic structure is 2,521 square feet. The roof on the addition, which is not eligible for the tax credit, is 842 square feet. This square footage can be used to prorate the final cost of the replacement for purposes of calculating the tax credit.

Staff Recommendation: Staff recommends Approval as submitted and tax credit pre-approval for the work.

Testimony: Ms Holmes said the Applicant is also approval to replace the garage roof, and that not included in the Staff report. Mr. Shad swore in Ed Fortunato. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Fortunato said there is a new addition on the house that is not historic, but Mr. Fortunato believed that the garage was part of the house and perhaps the tax credits could be adjusted. Mr. Fortunato asked if the roof and the garage were included in the review. Ms. Holmes said the square footage of the addition roof and garage roof were not included for tax credits since they are not historic. Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify

Motion: Mr. Roth moved to approve the application as submitted. Mr. Reich seconded. The motion was unanimously approved.

HPC-18-22 – 6219 Lawyers Hill Road, Elkridge

Advisory Comments for subdivision and site development plan.
Applicant: Donald Reuwer Jr.

Background & Scope of Work: This property is located in the Lawyers Hill Historic District but does not contain a principal structure. There is an abandoned wood shingle sided outbuilding and other debris on the site. The application explains that Land Design and Development has been hired to lead the development of the property and that they would like to get feedback from the Commission before they look too closely at one scenario versus another. The property consists of 7.524 acres and zoned R-ED and the application explains that both detached and attached housing is allowed within that zoning district. This section of Lawyers Hill Road is designated a Scenic Road.

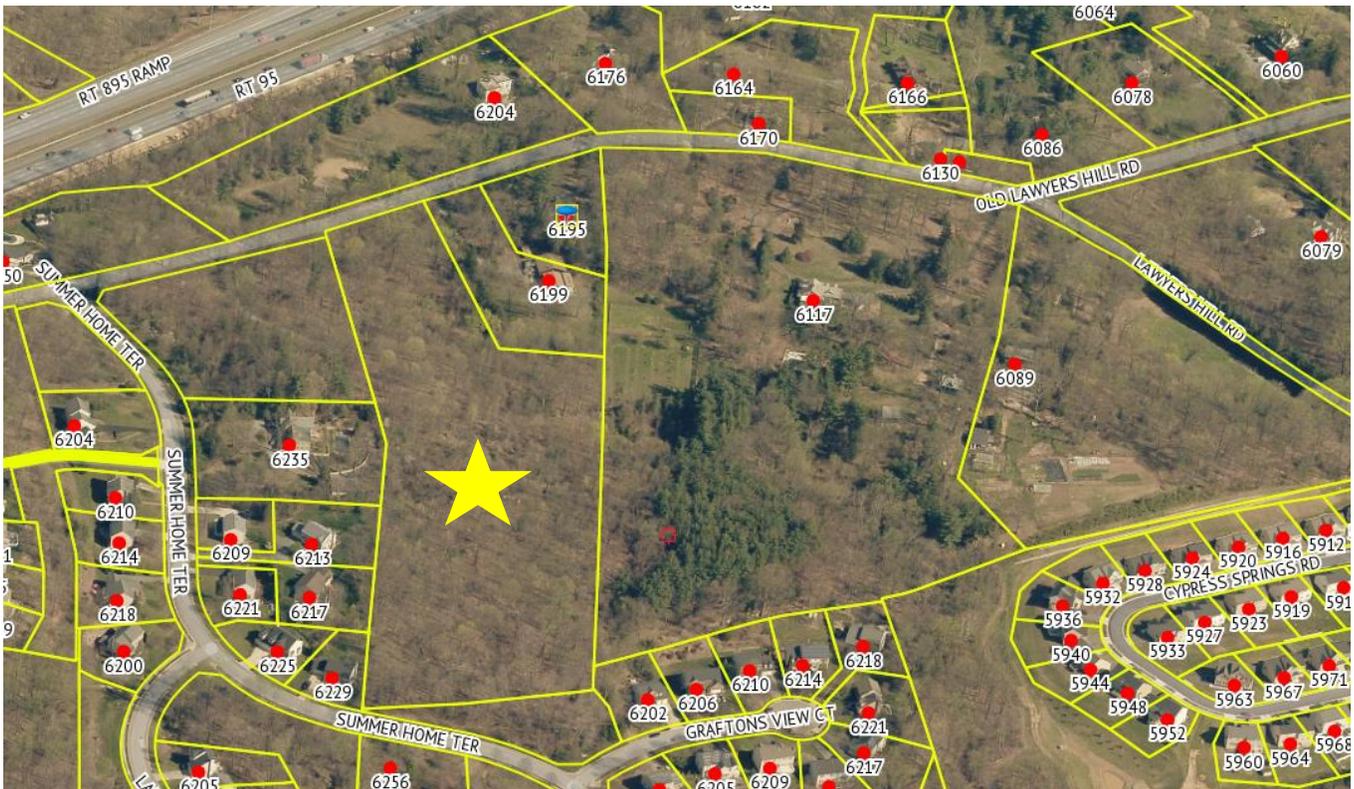


Figure 6 - Aerial view of property

Staff Comments: The Lawyers Hill Historic District is a local historic district and a National Register Historic District. The National Register District spans I-95 and is significant for its contributions in architecture as well as community planning and development. The National Register nomination states, “The Lawyers Hill Historic District is significant for its diverse collection of Victorian-era architecture and for its role as a 19th century summer community and early commuter suburb for prominent Baltimoreans...The Hill’s unique character is based on its concentration of 19th century domestic dwellings located in the center of the community along Lawyers Hill and Old Lawyers Hill roads. The structures represent a range of 19th century architectural styles. While the buildings vary in style, they are closely related in setting, scale and materials. Lawyers Hill is also significant for its landscape architecture and community planning. Houses were built to fit the contours of the hillside and blend with the natural landscape. Most of the buildings are set back at least one hundred yards from the narrow and winding roads, evoking the spirit of the pre-auto era. The natural and man-made landscape

has been allowed to mature, shrouding the houses in foliage and creating thick canopies over the roads.”

The nomination form also explains that “houses were often architect-designed and usually included room for servant’s quarters, but in general the scale remained in keeping with the rural landscape...Construction is predominately wood, both post and beam and balloon frame, with wood siding, usually clapboard, shingles or board and batten. Roof materials included wood shingles, metal or slate...The architecture in the Lawyers Hill Historic District encompasses a broad array of styles ranging from 1738 Georgian Colonial to 1941 Georgian Revival. The collection of Victorian domestic architecture (circa 1841 to 1880) clustered around the Lawyers Hill Road and Old Lawyers Hill Road area is unparalleled in the county. While the houses are similar in terms of mass, proportion and materials, no two are exactly like. As a result, the Lawyers Hill landscape reads like a chronology of American architectural history, which each house reflecting the style of the time and expressing the individuality of its building. There are variations of the American Gothic Revival Form, Italianate, Queen Anne and Shingle-style structures. There is also a range of Colonial Revival houses, from Craftsman era rustic cottages to more formal Georgian, and mass-produced Dutch Colonial models from the early 20th century.” Some notable houses in Lawyers Hill include The Lawn, which built by Judge George Washington Dobbin in 1835 and located on Old Lawyers Hill Road. The Lawn is individually listed on a National Register of Historic Places, contains a Maryland Historical Trust easement and is considered a textbook example of the American Gothic Revival style. Maycroft, located on Old Lawyers Hill Road, is listed on the Historic Sites Inventory as HO-447 and dates to 1881. Maycroft is noted as being the finest example of Queen Anne in the County.

Aside from architecture, the landscaping in Lawyers Hill is also important. The nomination form explains, “historically, there has been a great emphasis on landscaping in Lawyers Hill...A wide diversity of forest trees continue to flourish on the hill, among them ash, beech, chestnut, sugar maple, oak, hickory, cedar, blue spruce, pine, lindens, dogwoods and hollies. Numerous ornamental trees and shrubs also survive on Lawyers Hill, some over one hundred years old, including boxwoods, paulownia, wisteria, rhododendron and roses. Mature fruit trees planted in the yards of many houses include apples, pears, peaches and cherry. The landscape is a carefully guarded legacy.” This legacy has been further guarded through voluntary land easements that many property owners have added over the years. The easements in Lawyers Hill include Rockburn Land Trust easements, Conservation easements, Maryland Environmental Trust

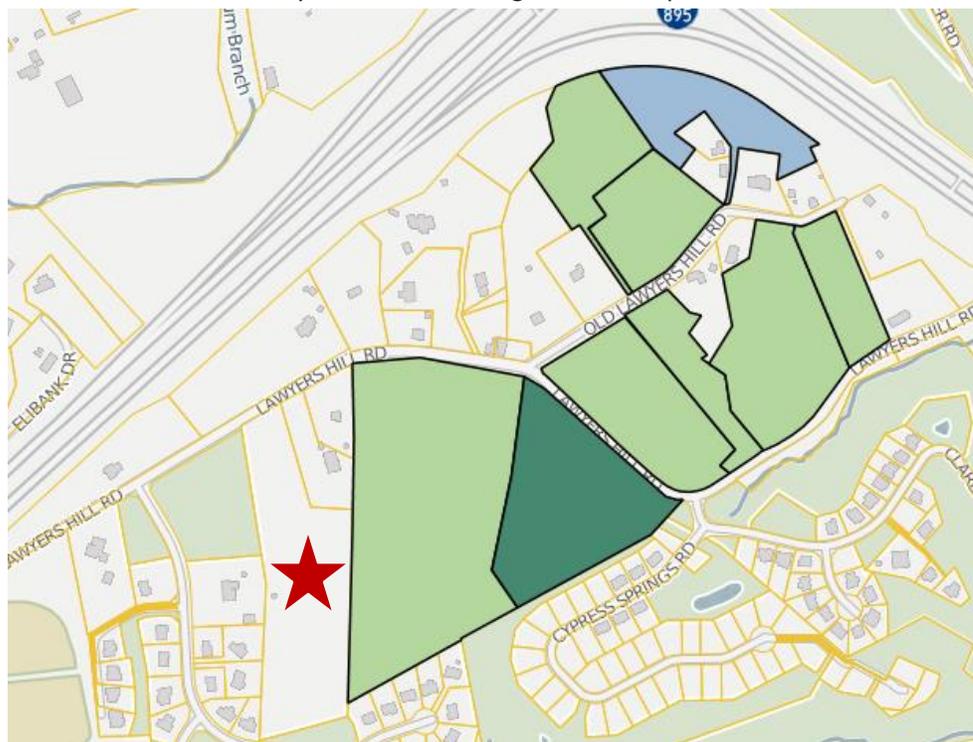


Figure 7 – Location of preserved land in Lawyers Hill

easements and Maryland Historical Trust easements (easements shown in green and blue below, subject property shown with a red star).



Figure 8 - Former historic house on property

While the subject property today only contains an outbuilding, there was a historic structure on the property known as The Rohleder House, HO-443. Aerial photography shows the house in 1993, but it appears to be rubble by 1998. The house was a two and a half story brown shingled structure, built in the Queen Anne style.

Staff Recommendation: Staff recommends any site plan that is developed takes into account the architectural and historical significance of Lawyers Hill and respects and complements these characteristics described above.

Testimony: Ms. Holmes noted a correction on the agenda that 6219 Lawyers Hill Road is located in Elkridge, not Ellicott City. Mr. Taylor clarified that although the agenda stated this matter was for a Certificate of Approval for exterior alterations, it is actually for should be Advisory Comments.

Mr. Shad swore in Donald Reuwer Jr. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Reuwer explained that the R-ED zoning allowed cluster development that can be attached or detached housing. He said the parcel is 8.6 acres based on a recent field run survey. Mr. Roth said the tax record showed the parcel as 7.54 acres. Mr. Reuwer said the field run survey should be accurate and that it is typical for the tax records to differ.

Mr. Reuwer showed the Commission the base plan using the information from the field run survey that included topography and identification of wetlands. Mr. Reuwer said specimen trees over 30 inches at diameter breast height (DBH) were marked and surveyed. Mr. Reuwer said the green tagged trees are in good condition while brown tagged trees are in poor to fair condition. Mr. Reuwer said the property fronts on Lawyers Hill Road and the site contains a lot of debris. Mr. Reuwer referred to the historic Gables house next to the parcel that is part of the neighboring subdivision of Summer Home Terrace.

Mr. Reuwer said there is an easement and connection to the sewer and water line and the County will require a loop water line. There is also water available from Lawyers Hill Road.

Mr. Roth said that a Certificate of Approval is required per the Guidelines for the removal of trees over 12 inches DBH. Mr. Roth recommended to revise the tree survey plans to identify such trees. Mr. Reuwer agreed.

Mr. Reich asked about the blue area on the map. Mr. Reuwer said the blue area shows the wetland and wetland buffer.

Mr. Reich asked about the difference in topography between GIS and the map. Mr. Reuwer said the map is a field run survey that is more accurate.

Mr. Reuwer began his presentation to show the Commission three different designs. The first scenario he showed was for active adult townhouse design options with 32 homes that would not impact schools and would be more environmentally sensitive. Mr. Reuwer said the townhouse design shown would not be in tradition with Lawyers Hill because there are no attached homes in the area.

The second design Mr. Reuwer showed was for a typical R-ED subdivision consisting of a 6,000 square foot minimum lot size and 50% open space requirement. Mr. Reuwer said he met with DPZ and modified the design options by re-arranging the plan to create a large open space area. Mr. Reuwer said there would be 16 total lots. He explained that the closest new house to the neighboring historic Gables house would be 300 feet. The houses would be setback about 400 feet from Lawyers Hill Road. Mr. Reuwer said the homes would average about 3,000 square feet and the selling price will be from the high \$700's to \$1 million. Mr. Reuwer said the proposed homes will not be visible from Lawyers Hill Road.

Mr. Taylor clarified that the plan depicted only 15 lots. Mr. Reuwer acknowledged the correct number of lots should be 15.

Mr. Roth asked if there is a 30-foot building restriction line around the development. Mr. Reuwer said yes.

Mr. Reich asked if the parcel to the right of the proposed development is in preservation. Mr. Roth, who is the owner of the land, said the land is under conservation with a Maryland Environmental Trust Easement. Mr. Roth said the conservation plan requires 9 of the 16 acres to be in forest conservation. Mr. Roth said the back part of the lot is protected forest under the forest conservation plan.

Mr. Reich asked about the other neighboring houses. Mr. Roth said the house at 6199 Lawyers Hill Road dates to the 1960s. Mr. Reuwer asked if Mr. Roth's house is historic. Mr. Roth said yes, his house at 6117 Lawyers Hill Road is a contributing structure and was built in 1930, with two barns that date to the 1840s. Mr. Roth said the Gables house at 6235 Lawyers Hill Road (on the west side of the property) and the house at 6195 Lawyers Hill Road (on the east side neighboring 6199) are contributing structures to the Lawyers Hill Historic District.

Mr. Reuwer presented the third design option. He explained that when fronting a scenic road in a historic district, a traditional residential neighborhood is permitted in Section 128 of the zoning regulations. Mr. Reuwer reviewed the regulation with the Commission. Mr. Reuwer said an example of this type of design would be Maple Lawn or Terra Maria. Mr. Reuwer said the 8 acres is not wide enough to create a grid street pattern. He explained that the traditional design allows for zero lot line dwellings

and a 4,000 square foot minimum lot size instead of a 6,000 square foot minimum lot size. He explained the difference in lot size results in a larger buffer of 35 feet instead of 30 feet around the new development. Mr. Reuwer said some elevation designs include detached garages on the rear or underneath the house.

Mr. Reuwer provided photos of the Terra Maria design and Maple Lawn houses to the Commission. Mr. Reuwer said such design allows the house to have the porch near the sidewalk and garages at the rear of the house, in addition to a turnaround at the end of the street for firetrucks. Mr. Reich asked if the topography rises up and then back down after the first four houses in the proposed development. Mr. Reuwer pointed to the map to show where the topography changes and which lots would rise up then down. Mr. Reuwer said none of the lots are final and there will be a lot of tweaking to be done, but he would like feedback from the Commission.

Ms. Tennor said the footprints of the proposed traditional design looks smaller than the R-ED cluster version, but the unit numbers increase from 15 to 18 lots. Mr. Reuwer said yes, but the proposed units are not as valuable as the R-ED version.

Mr. Roth asked if the lot was going to be regraded. Mr. Reuwer said he intends to do minimal grading. Mr. Reich asked if 90 percent of the property will be cleared. Mr. Reuwer said 50 percent stays and will be open space. Mr. Reuwer explained that the cost to clear an acre is about \$5,000 per acre, and he prefers not to clear trees unless required.

Mr. Roth asked if there are issues with sewer access for houses located on the north side of the property. Mr. Reuwer said no. Mr. Roth asked if the knoll in the center of the property will be removed. Mr. Reuwer said no.

Mr. Reich asked if there is any insight into the density. Mr. Reuwer said the proposed density is within the allowed density and importing density of 10% is also permitted.

Mr. Taylor asked if the road in the development will be public. Mr. Reuwer said yes, and the plan is to install more than the required landscaping for the buffer.

Mr. Reich asked if the development will be buffered from the historic district. Mr. Reuwer said yes. Mr. Reich asked about the development's entrance and how it will work with the neighboring community. Mr. Reuwer said since there is a scenic road, a four feet high stone entrance monument is an option. Mr. Reich asked if there will be a feature to buffer the view of the rest of the neighborhood. Mr. Reuwer said he will save the woods in the front of the property. He explained that the first house is located about 400 feet from the front of the property, back through the woods. Mr. Reuwer said he has only identified trees over 30 inches DBH, but he will go back and identify trees over 12 inches DBH.

Ms. Tennor commented the desire is not to have front loading garages be a dominant feature. She said but the proposed layouts are different from other properties in the historic district in its density, which is not ideal.

Mr. Reich asked about the Commission's authority of density within the historic context. Mr. Taylor said this parcel has R-ED zoning and a historic district overlay. Mr. Taylor recommended the Commission review Chapters 8 and 9 of the Lawyers Hill Design Guidelines to make an informed decision. Mr. Taylor said although the ultimate approval of a subdivision plan is by DPZ, the Commission can indicate the proposed development has high density since this case is for Advisory Comments. Mr. Roth said there may be ways to discuss density within the historic context of the District.

Mr. Taylor referred to the Guidelines for new construction which explain that new construction should be setback substantially from public roads and compatible with existing architecture in the District. Mr. Reich said the Commission can approve or disapprove the final design of the proposed development. Mr. Taylor clarified that DPZ is the approval authority for the design of subdivisions, but the Commission has to approve the architecture of each structure. Mr. Reich said he wants to understand how much authority the Commission has. Mr. Taylor said the Commission's decision will need to be supported by evidence that is consistent with the intent and purpose of the Lawyers Hill Historic District Guidelines.

Mr. Reuwer said new homes can represent the style of their own period and do not need to replicate. Mr. Taylor said the development should be compatible and reflective of the existing neighborhood.

Mr. Shad asked if anyone in the audience wished to present testimony.

Mr. Shad swore in David Errera. Mr. Errera said he would not recommend building a development that looks like a suburban subdivision. The development should reflect the surrounding scenic area, not cookie cutter homes, even if they sell for \$800k. Mr. Errera said zero lot lines are not ideal and the proposed density is too high. Mr. Errera said single family homes should be further apart to reflect the other structures on Lawyers Hill Road. Mr. Errera said the installation of sidewalks and street lamps are typical in a modern development but are not found in Lawyers Hill. Mr. Errera said the style of the homes should be varied and they should avoid building overly large mansions to stay in character with other homes in the District. Mr. Errera hopes the proposed plan would look more like Lawyers Hill and less like Claremont Overlook.

Mr. Shad swore in Howard Johnson. Mr. Johnson said he lives south of the proposed development. Mr. Johnson said the topography of Claremont Overlook changed completely because the hill was blasted away. The development of the Gables/Summer Home Terrace was watched carefully and reflects the District's characteristics. He explained there are larger homes and larger lots in the area and that should be reflected in the proposed development by reducing the density in half and increasing setbacks and buffers.

Mr. Shad swore in Michelle Klein. Ms. Klein said the Guidelines stipulate setbacks to protect viewshed of homes in the area. Ms. Klein said the entire back wall of her home is floor to ceiling windows where the view would be impacted, and a buffer is needed. Ms. Klein said the eastern property line on the plan is covered in evergreens and not specimen trees but should not be cut down. Ms. Klein said there is lots of wildlife in the area. She explained that the District was split by the construction of Interstate 95, and other residential developments, reducing the habitat for wildlife. Ms. Klein said although the density is allowed, the proposed density is not ideal. The District's characteristics should be preserved. Ms. Klein said an entrance feature would look out of character and would not be compatible with the historic nature. The Guidelines is to honor the intention of the District, especially since there are not many others like it. Ms. Klein said the Guidelines reference topography and grading and recommend creating driveways that are wide enough for a one lane road. She said the proposed two lane road may require serious grading that impacts the environment. Ms. Klein is worried about the impact of connecting to sewer, water, electric and fiber optic. Ms. Klein recommend the access to the development be constructed off of Summer Home Terrace. She said townhomes are not in keeping with the District and that new construction should be built in the styles documented in Chapter 3 of the Guidelines. Ms. Klein asked if there will be sidewalk. Mr. Reuwer said yes, a sidewalk is required on one side of the street. Ms. Klein asked if the sale closed on the property. Mr. Reuwer said he did not know.

Mr. Shad swore in Angela Shiptet. Ms. Shiptet echoed comments of previous speakers about the density. Ms. Shiptet said she lives on a half-acre lot and she believes there should be more space between lots. She explained that she does not live in the district, but they try to conform and have tree lined pathways. Ms. Shiptet said townhome and neo traditional designs are not characteristic of the community. Ms. Shiptet asked if the new development will have an HOA. Mr. Reuwer said yes.

Mr. Shad swore in Finn Ramsland. Mr. Ramsland said he has two testimonies to present, one for himself and another for Mr. Josh Robinson who lives in the historic Gables house. Ms. Burgess said Mr. Robinson emailed his testimony in advance and Ms. Burgess already forwarded the testimony to the Applicant. Mr. Ramsland said he moved into the historic community about a year ago with his family. The houses are farther apart and kids can walk up and down the street. He explained there are currently about 30 houses in the historic district. He said the proposed development would be an increase of 50% of density on 10% of the land. He said if townhomes are built then the density increase would be 106%. Mr. Ramsland hopes Mr. Reuwer will find a way to preserve the uniqueness of the community.

Mr. Ramsland read Mr. Robinson's testimony. Mr. Robinson is concerned the historic Gables house will be cut off from the rest of the Historic District by the new development. Mr. Robinson would like to see the woodlands and landscaping preserved by creating an entrance on Summer Home Terrace. Mr. Robinson said many people walk on Lawyers Hill Road and the new development will cause an increase in traffic that would create safety issues for pedestrians. Mr. Robinson suggested a land conservation easement to preserve land around the historic Gables house and Mr. Robinson also quoted the Guidelines that recommended against blocking views of historic homes.

Mr. Shad swore in Cathy Hudson. Ms. Hudson said the Lawyers Hill community is a tight knit community with a great history that Mr. Reuwer will become a part of. Ms. Hudson said many owners gave up development rights by putting property under easements in order to preserve the land. Ms. Hudson recommended Mr. Reuwer build two houses and put the land into an easement. Mr. Roth said the parcel can be a sending density site. Mr. Reuwer said the parcel can only send three lots. Ms. Hudson asked if Mr. Reuwer is the property owner. Mr. Reuwer said he was unsure who the owner is.

Mr. Shad swore in Kristy Mumma. Ms. Mumma said she echoed similar concerns about lot lines and high density. Ms. Mumma said the development should be single family homes with more design variety to include diverse building styles from different time periods with unique characteristics like large windows, fireplaces, porches that would echo the characteristics of existing homes. Ms. Mumma was concerned about lot layouts that does not seem to reflect the contours of the land. Ms. Mumma said the plan should fit with the contours of the natural landscape. Ms. Mumma was also worried about removal of large specimen trees and hopes the plan can include more trees to be saved. Ms. Mumma said there are many small streams on the lower portion of the land and significant elevation changes and that could alter the landscape at the entrance on Summer Home Terrace. Ms. Mumma reiterated the importance to save trees and provide dense buffers to make sure that houses are not seen from adjoining properties.

Ms. Burgess asked for clarification about the concern or consideration of having the entrance through Summer Home Terrace which seems to be designated open space. Ms. Burgess said she is not making a recommendation but simply asking for clarification based on the comments heard this evening. Mr. Reuwer said that parcel is owned by the Summer Home Terrace HOA and the HOA would have to agree on access in that area.

Mr. Roth said he thinks that the map is correct (looking at a part of the stream on the HOA parcel in reaction to Ms. Mumma's testimony) that there are more streams than shown. Mr. Reuwer said flags are marking the wetlands right now.

Mr. Roth said he lives next door to the property and is familiar with its history. Mr. Roth researched the land records and said before lawyers came to Lawyers Hill – Mary Dorsey of Rockburn estate sold five acres to her cousin, Jason Petticord around 1840. The area is the most southern side of the parcel being reviewed. There are remains of a home and hearth there would be an interesting archeological site.

Mr. Roth said the Commission needs to make sure the proposed development is compatible with the historic character of the District. He explained that Chapter 3 of the Guidelines states that no two homes are alike in Lawyers Hill and the land should have minimal clearing and grading to preserve the natural landscape. Mr. Roth said Chapter 4 states that archeological resources should be protected and preserved, which is why he referenced the historic Petticord home. Mr. Roth said the Guidelines state that spatial relations should not be destroyed. He said the proposed development should be compatible with size, scale, proportion, and massing to protect the integrity of the property and its environment. Mr. Roth said he does not believe any of the proposals meet the criteria.

Mr. Roth said that excessive grading, such as that at Claremont or Cypress Springs, could compromise the historic context of the landscape and finds the proposals are inconsistent with Chapter 10 of the Guidelines.

Mr. Roth said Chapter 8 of the Guidelines outlines new construction requirements. Mr. Roth said the Commission should protect the environment and its sensitive resources; minimize site disturbance; and not disturb contours of the site. Mr. Roth said although the plans seems to buffer wetlands, the overall development plan threatens the contours of the land.

Mr. Reuwer said there are no steep slopes on the plan. Mr. Roth said if hillsides are removed, trees root systems could be exposed causing them to die.

Mr. Roth said homes should be screened from each other to match existing character and not just screened from the road. Mr. Roth recommends single family homes to be built that do not obstruct other homeowners' views.

Mr. Roth said the historic driveway should be maintained and new driveways should be one lane per the Guidelines. Mr. Roth said the access road is not consistent with maintenance of historic driveway. Mr. Roth said a modern subdivision should not be built in a historic district. Mr. Roth suggested perhaps only building two to three houses along the ridge line and recommended one lane driveways.

Ms. Tennor said she agreed with Mr. Roth. Ms. Tennor said if the justification for the development is based on the houses not being visible, then the plan is not ideal.

Mr. Reich said he agreed with Mr. Roth. Mr. Reich said there is a need to provide a dense buffer all the way around the site, like the viewshed preserved around the Gables house. Mr. Reich said the plan should show how grading will really be with the twenty-foot rise and drop over the hill because the plan seems like most of the parcel would be regraded and leveled out. Mr. Reich asked for a revised plan showing more trees to be saved.

Mr. Roth said the development should not be hidden, but rather be compatible with the existing District. Mr. Roth believes that 16 units would not be compatible with the community.

Mr. Reuwer said that he would like Mr. Roth to recuse himself from the Commission on this case. Mr. Reuwer cited the Commission's rules and that he believes Mr. Roth has a conflict of interest. Mr. Roth did not think he had a conflict of interest.

Mr. Shad said he echoed the Commission's comments. Mr. Shad said although zoning allows a certain amount of density, the proposed density is not wise. Mr. Shad encourage Mr. Reuwer to look at reducing the density with fewer homes that would be in keeping with the area.

HPC-18-23 – 3598 Fels Lane, Ellicott City

Advisory Comments for Site Development Plan.

Applicant: Matthew Pham

Background & Scope of Work: This property is located in the Ellicott City Historic District and does not contain any structures. The Applicant seeks Advisory Comments on the site development plan for the construction of a new single family house. The property is 0.518 acres and is zoned R-VH (Residential: Village Housing). In December 2014 the Commission approved the construction of a new single family house. However, that house was never constructed and the approval has since expired. The location of the current plan is slightly different and was chosen to minimize disturbance to the steep slopes and stream buffer. The previous plan approved would have required significant retaining walls.

Staff requested additional information on the site plan and the Applicant provided the following: The footprint of the house will be 44 feet wide by 34 feet deep and will be under 1500 square feet. A side porch will be 10 feet wide, which brings the total width of the house to 54 feet. The Applicant has provided a sketch of the front elevation of the house (there are two elevations on the sketch, the Applicant prefers the one on the bottom), which was included in the application packet. The house will have a covered front porch and side deck with a second story balcony. The back of the house will have a covered deck.



Figure 9 - Aerial view of property



Figure 10- Location of lot along street

There will be a porous asphalt parking pad off the street that will hold two cars. The parking pad will be connected to the house via a covered four-foot wide pervious paver walkway.

The Applicant identified nine trees that have a DBH (diameter at breast height) of 12-inches or greater that will need to be removed for construction of the front walkway, front yard rain garden, foundation of the house and other grading that will be needed for construction. The Applicant explained that the “pervious nature of the walkway, parking pad, and two rain gardens will be purposely designed and constructed to exceed the requirement of managing storm water runoffs of a 100-year storm by a margin of 10%.”

Staff Comments: Chapter 8 provides recommendations and guidance on the construction of new principal structures and explains “new buildings should respect historic development patterns. In most cases, this will mean siting new buildings in a similar manner to neighboring buildings. Within the constraints of the particular building lot, new buildings should maintain setbacks from streets and other buildings consistent with those of nearby historic buildings and should avoid blocking important views of Ellicott City and its terrain.”

Chapter 8 recommends, “whenever practical and consistent with neighboring buildings, orient new buildings with the front door and primary façade facing the street. This is a consistent pattern through most of Ellicott City, but may not work in some locations due to the hilly terrain, winding streets and irregular lot patterns.” The proposed building will not line up with neighboring historic structures, however the siting is limited by a number of factors, such as the shape of the lot, topography and the stream buffer. The house will be sited as close to the street as possible and the front of the house will face the street, which complies with the Guidelines.

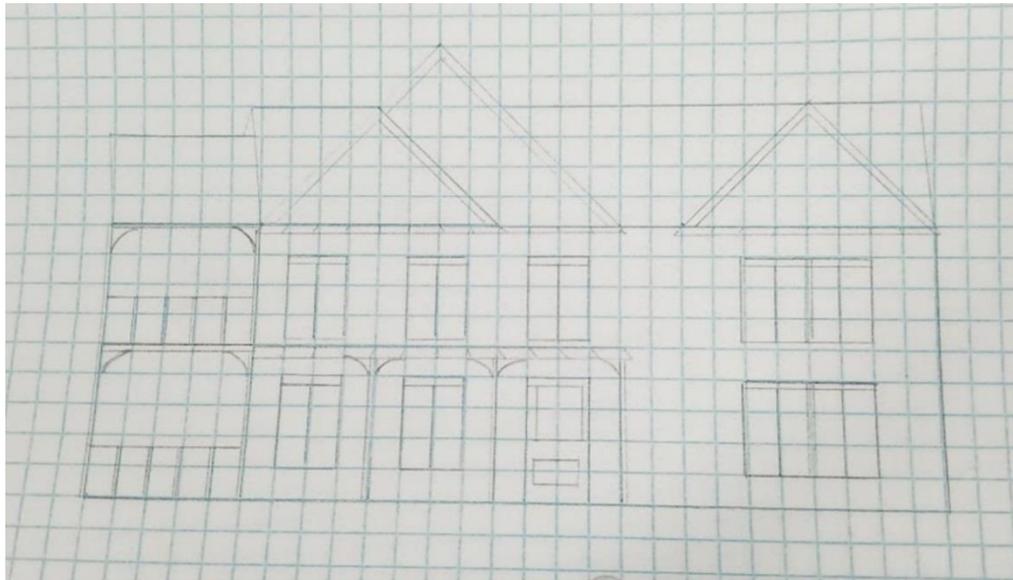


Figure 11 - Sketch of front facade of proposed house

The Applicant has provided a sketch of the front façade of the house, which will require a future Certificate of Approval, along with all other building elevations and materials. Chapter 8 recommends, “design new buildings to be compatible with neighboring buildings in bulk, ratio of height to width and the arrangement of door and window openings.” Chapter 8.B also recommends “use a building form or shape compatible with historic buildings that are part of the same streetscape. This is particularly important for new buildings on infill lots where existing buildings along the street are similar in form.” The proposed building is significantly wider, at 54 feet (including the side porch) than the neighboring historic structures, which range approximately from 30 feet to 39 feet in width. Most of the houses on Fels Lane are 3 to 4 bays wide and the proposed house would be 5 bays wide with a void between the right and center sections that could almost count as an additional bay. There is only one house on Fels Lane with a side porch (which is listed on the Historic Sites Inventory as HO-1131 and is the most historic house on the street.) This house was constructed by Ezra Fell, for whom the street is named, and dates approximately to 1820-1825. The other houses along Fels Lane do not have side porches and only have front porches. The building form and shape is much wider than the historic houses on the street and should be shortened and the side porch removed in order to comply with the Guidelines.

Chapter 8.B of the Guidelines recommends, “integrate a new building wider than neighboring buildings by breaking the new building façade into sections that are similar to the width of neighboring buildings.” The sketch of the front façade has broken the building up into different sections with a side porch on the left, three bay section with a double front gable in the center and a two-bay section with one front gable and paired windows on the right. While an attempt was made to break up the wide front façade, the design does not comply the Guidelines as the building form is not compatible with existing historic structures. The majority of the historic buildings on the street have side gable roof. There is one historic house with a cross gable roof and two historic houses with a homestead ell (half of the house has a front gable section that stands out prominently and a side gable section that is set back.) Some of the styles found on Fels Lane are shown below in Figure 10.



Figure 12 - Historic houses on Fels Lane

Chapter 8.B of the Guidelines recommends, “use a roof shape and slope that echoes the roof forms of neighboring historic structures” and “use a building form or shape compatible with historic buildings that are part of the same streetscape. This is particularly important for new buildings on infill lots where existing buildings along the street are similar in form.” The roofline does not echo the forms of neighboring historic structures due to the number of front gables, and therefore should be simplified to one front gable. The double set of gables can be found in Craftsman architecture and some high style Queen Anne buildings, as a bay projecting from the building, but is more commonly seen in this area in new construction. This feature is not compatible with the historic buildings on Fels Lane.

The area of the house on the right, referred to above as the second bay with paired windows and one gable, reads as an addition to the house and appears detached from the rest of the house. There is no local historic precedent for the two gable roofs to be placed side by side. Detailed construction drawings are required for the future Certificate of Approval. In particular, there should be a detail drawing of the paired windows to understand what the trim will look like and what the window sash arrangement will be. Based on previous meetings where the Commission has reviewed similar applications, detail drawings should also be provided that show what the porch railings, posts and roof will look like and how they will connect.

The siting of the house complies with the Guidelines as best it can given the site constraints. However, the footprint of the house is larger than all houses on the street and as a result, the design of the house does not comply as explained above. The architectural design of the house is inherently tied to the footprint, and may affect the final design of the site plan.

Staff Recommendation: Staff recommends the footprint of the house be reduced in width and the roofline reconfigured, to better comply with the Guidelines.

Testimony: Mr. Shad swore in Gabriel Pham. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Pham disagreed with some Staff comments. Mr. Pham said the house was designed with the Guidelines in mind and incorporated several different designs that are on Fels Lane, and the surrounding neighborhoods of Church Road and Deanwood Avenue. Mr. Pham said he noticed the side porches and double gables on the other houses and the side deck comes from the Ezra Fell house. Mr. Pham said the house should be viewed in three separate sections, the center consists of a center cross gable mimicking a Queen Anne style and another Fels lane house. Mr. Pham said the right side of the house has another side gable combined with the center is meant to reference a craftsman style and is consistent with the homes on Deanwood Ave. The left side of the house consist of a side deck meant to emulate the Ezra Fells house that is a neo-classical design. Mr. Pham finds the proposed design is in accord with the Guidelines.

Mr. Reich said he agreed with Staff's comment that a thinner girth, in reference to the width, would look better in the neighborhood. Mr. Pham said the proposed design favored minimal grading.

Mr. Reich said the double overlapping gable is a 1980s/90s suburban design feature. The cross gable on the front reflects old Howard County farmhouses. Mr. Reich recommended creating a larger and wider front porch that would better fit into the historical context. Mr. Reich said the Commission need more architectural details such as quarter inch scaled drawings showing the trim, sizes, colors, windows and other design details. Mr. Reich agreed with Staff's recommendation to make the design reflective of the neighborhood then return to the Commission with revised drawings.

Mr. Pham asked how much the scale of the house should be reduced. Mr. Pham said a previous approved design four years ago was a much larger footprint at 60x40 feet. Ms. Burgess said the previous design is different from Mr. Pham's proposal as the 40-foot width paralleled the road. Mr. Pham said he wanted the house to be more proportional to the lot itself. Mr. Pham said if the side of the house was thinner, the distance would isolate his house from the neighbors. Mr. Shad also agreed with Mr. Reich's comment that a smaller footprint would be more welcomed with the neighborhood.

Mr. Reich said there is a 10-foot drop across the front of the house that is not reflected in the elevation. Mr. Reich asked about the design of the rear and side with the existing topography, as the submitted elevation shows it all level. He recommended the Applicant revise the drawing then return to the Commission to explain how the revisions fits into the historical context.

Ms. Tennor said the covered deck on the side is uncommon when compared to other houses in the District. Ms. Tennor said a wraparound porch would be more compatible. Mr. Pham said he wanted to minimize the footprint with the side deck but will consider Ms. Tennor's recommendation.

Mr. Reich said the Applicant can make the structure thinner and longer and wrap the front porch around the side with a cross gable that would better fit the context of the neighborhood. Mr. Reich said the area underneath the porch could be a walk out basement.

Mr. Pham asked again how much of the house dimension should be scaled down. Mr. Reich said scale is a visual thing – 10 feet may work, but he asked the Applicant to show a picture of the proposed house in relation to other adjacent homes.

Mr. Roth agreed with Mr. Reich's comments and had no further comments.

Ms. Burgess said the Applicant seeks the Commission's comments before submitting a site plan and environmental concept plan to DPZ. Mr. Shad said a smaller footprint would be ideal. Ms. Holmes asked if the Commission would like to see the revised plan. Mr. Reich asked if the revisions can be reviewed by email. Ms. Holmes said no.

Mr. Taylor asked the Commission if the changes in topography required would be in accordance with the Guidelines. Mr. Reich said the plan does not show any retaining walls and has a storm water management pond to make the grading work. Ms. Holmes said when she spoke with Mr. Matthew Pham, the design was done with the intention of minimal grading not requiring retaining walls.

Mr. Reich said there is a 20-foot drop across the diagonal of the house in the existing topography. Mr. Reich recommended filling in 10 feet of the drop with a walkout basement. Mr. Reich said a double basement is another option to minimize grading and comply with the Guidelines.

Mr. Taylor noted that that Chapters 8 and 9 of the Guideline state that significant changes to the topography are not appropriate in the Ellicott City Historic District. Mr. Taylor asked the Board to clarify whether the Commission was opposed to building a house on the property, or whether a house was appropriate but needs to comply with the Guidelines. The Commission indicated that constructing a house was appropriate, but that it must be in accord with the Guidelines.

Mr. Roth referred to Chapter 7, which advises against destroying the natural topography and minimizing disturbance.

Mr. Pham asked if a subbasement would be the best approach. Mr. Reich said yes. Mr. Roth said a subbasement would make the backyard more usable with less slope.

Ms. Holmes asked if there is a covered walkway. Mr. Pham said he prefers a covered walkway for weather protection although the design is not final. Ms. Holmes said detailed drawings are needed for the covered walkway when they apply for the Certificate of Approval.

Ms. Holmes said the Applicant should take into account the appropriate materials for the historic district. Vinyl siding is not appropriate. Mr. Pham agreed.

Motion: There was no motion. The application was for Advisory Comments, which is reflected through the comments.

HPC-18-24 – 8307 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Megan Reuwer, Esq.

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The Applicant seeks approval to construct a brick patio on the rear of the building in front of the Main Street Ballroom commercial space. The existing parking spaces will be relocated on-site, as shown in Figure 12, and will frame the patio. There will be a six-foot wide concrete sidewalk along the river wall to provide access to the retail space that is shown as Clippers Canine Café in Figure 11, while events are taking place on the patio and sidewalk space in front of Main Street Ballroom.

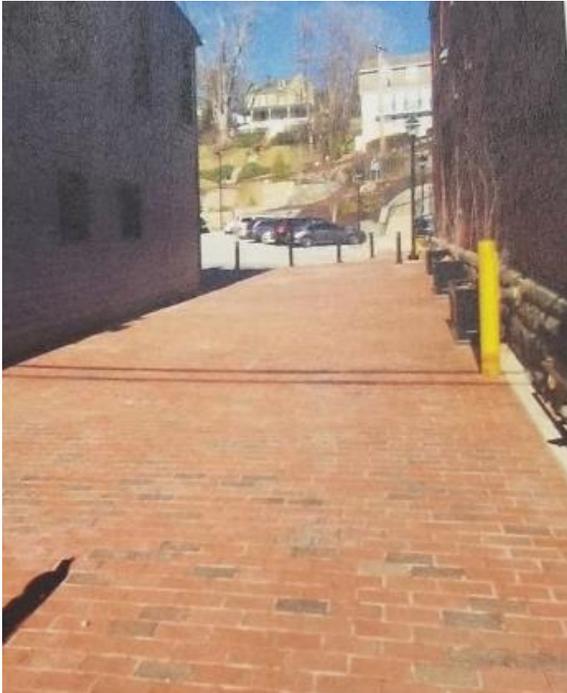


Figure 13 - Proposed brick

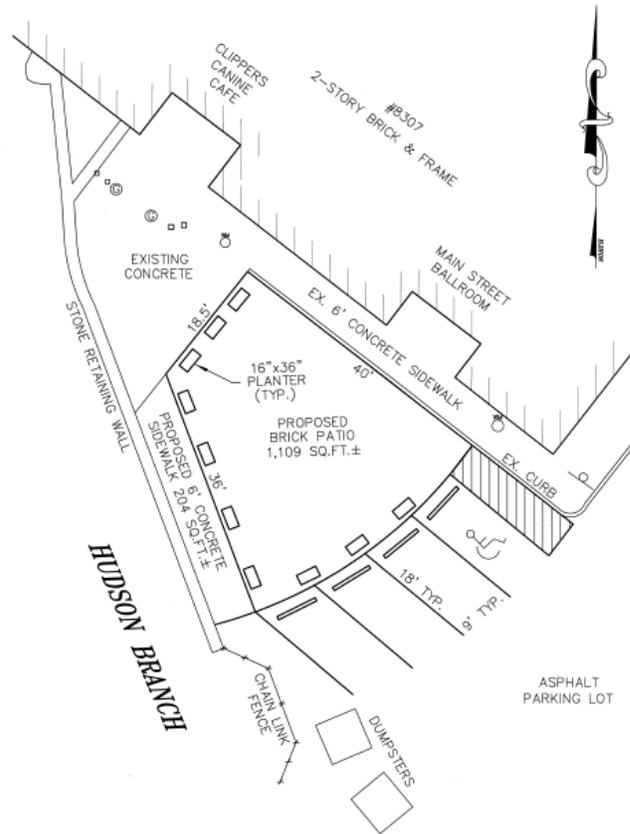


Figure 14 - Proposed site plan

The proposed brick will match that used by the County in the plaza and alley in Parking Lot E. The brick patio will be installed flush with the level of the adjoining asphalt to prevent a trip hazard. The brick pavers will be commercial grade. The patio will drain slightly downhill toward the parking spaces, as it currently does. All curbs will be a standard height. The walkway to Canine Clippers Café will be a ramp at the end so that it is accessible.

Staff Comments: The application complies with Chapter 9.D, “construct new site features using materials compatible with setting and with nearby historic structures, particularly for features visible from a public way,” and “construct new terraces or patios visible from a public way from brick, stone or concrete pavers design to look like indigenous stone.” The brick will complement the historic building, which features a stone exterior wall and will complement the adjacent stone stream walls. The proposed brick also complies with the Guidelines and will improve consistency in design throughout the historic district.

The Applicant proposes to place 10 planters on the patio (the style is shown in Figure 15) forming a barrier to the surrounding area. The Applicant may also want to consider a removable railing system to contain the space and to prevent spill-over. A removable system would be preferred over a permanent railing so that there is flexibility in the space as tenants and building use changes over time.



Figure 15 - Proposed planters



Figure 16 - Example of temporary fencing

Staff Recommendation: Staff recommends Approval of the patio design as submitted and recommends the Applicant also identify a removable railing system.

Testimony: Mr. Shad swore in Megan Reuwer and Ronald Green. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Reuwer said the design is to provide an attractive outdoor area for events at Main Street Ballroom and pedestrian access to Canine Clippers Café store at all times. Ms. Reuwer said the objective was to relocate private parking owned by the landlord so that parking is always open, including relocating a handicap space and another reserved space for Canine Clippers Café's use. Ms. Reuwer also wanted to identify appropriate permanent planters and screens for the patio area. Ms. Reuwer said the Canine Clippers Café has their own existing concrete patio for events. Ms. Reuwer said the proposed new patio will allow both tenants and their customers equal access.

Mr. Reich said the plan looks good and the patio will look very nice. Mr. Reich asked if the planters and railings are removable. Ms. Reuwer said yes, the planters and railings are removable.

Ms. Tennor asked under what circumstances would the planters and railings be removed. Ms. Reuwer said for snow removal or maintenance purposes.

Mr. Taylor asked if there are four existing parking spaces that will be relocated. Ms. Reuwer said yes, the parking spots are located on a private property. Mr. Green said one of the existing parking spaces is a handicap spot with a ramp and will serve the same purpose after it is relocated.

Ms. Tennor asked if the brick pavers would be on top of the existing paving. Mr. Green said the intent is to mill existing asphalt to an appropriate level then install new pavers flush with the asphalt. Mr. Green said the installation would eliminate all tripping hazards and improve drainage. Mr. Green said the pavers will be set in mortar, like the pathway. Mr. Green said the brick will be full depth and traffic bearing commercial brick.

Ms. Reuwer said she is trying to obtain fabricated metal railings similar to Figure 16. Ms. Reuwer would like to submit the details to Staff for approval. The Commission agreed.

Mr. Shad asked if anyone in the audience wished to present testimony. There was no one.

Motion: Mr. Reich moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-25 – 8217-8225 Main Street, Ellicott City

Advisory Comments/Pre-Application Advice for future application.

Applicant: Trae Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The Applicant seeks pre-application advice from the Commission regarding an emergency egress door that is being required by the Department of Inspections, Licenses and Permits. The application explains that DILP is requiring an emergency egress from the second floor of the building. The existing door that leads to a former second floor apartment was intended to be used, but the swing of that door interferes with the required egress width of the first-floor main doors. Therefore, that door location cannot be used for this egress.

The application states that the ideal location for the egress door is at the base of the staircase, which is the area outlined in yellow below, where there is an aluminum movie poster frame and ceramic tile below. The Applicant proposes the following solutions to achieve the needed egress and seeks feedback from the Commission:

- 1) Preferred scenario- Remove the movie enclosure and use this location for a door. Because it is an emergency egress door, there is no requirement for hardware on the exterior of the door, and a new aluminum movie enclosure to match the finish and construction the existing would be sourced and installed on the door to hide the fact that it is a door, with matching aluminum trim to fit the original width. The course of ceramic tile below the enclosure would be removed to bring the door down to exterior grade level.
- 2) Scenario 2- Reuse the existing enclosure. The existing enclosure is 45 inches wide and 7 feet 6 inches tall. A custom door and frame would be fabricated to match those dimensions and the existing enclosure mounted to that. If this were to be reused, the course of ceramic tile would still need to be removed to bring the door to grade, but it could be reinstalled above the new door, matching the existing materials on the building and would bring the header height in line with the storefront display windows adjacent.
- 3) Scenario 3- Keep the existing header height and extend the new enclosure/door down to street level.



Figure 17 - Location of emergency egress door

Staff Comments: The proposal generally complies with Chapter 6.K recommendations for storefronts, “preserve the form and details of existing historic storefronts.” The goal of the project is to install a door for emergency egress, but keep the form and details from the existing façade so that a door does not appear visible from the exterior. The Applicant presents three scenarios for discussion purposes. However, the differences between the scenarios are not clear and further clarification is needed. In Scenario 2 a course of ceramic tile below the movie poster enclosure will need to be removed for the installation of the door, and the ceramic course would be installed in the header space above the door. This would result in the movie poster enclosure frame lining up with the storefront windows. Chapter 6.K recommends against, “using a new storefront design that is not based on the building’s historic façade.” In all photos reviewed by staff, the movie poster enclosure frame is always higher than the storefront windows.

Staff Recommendation: Staff finds the plan is a creative solution to the egress problem and recommends using whichever scenario alters the historic façade the least.

Testimony: Mr. Shad swore in Trae Reuwer. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Reuwer said the egress door is required by DILP. He explained there is about a 6-inch elevation difference between the sidewalk and the interior stairs. Mr. Reuwer said one option is to make the tile part of the door and the movie poster board case would become the door. Mr. Reuwer said the second option would be to recreate the movie poster board extending down to the ground, to be the whole door length, and then remove the tiles below the existing poster case. The third option is to remove the tile, extend the length of the door at street level. Mr. Reuwer said the door will only be used in emergencies, such as in a fire. Ms. Tennor asked if the remodeled door would still have the same look as now. Mr. Reuwer said yes, for the most part.

Mr. Reich asked if the staircase is being built. Mr. Reuwer said the staircase exists but exits to the side of the front doors and is not permitted to swing out and block the flow of an egress door.

Ms. Tennor said the poster board case/door should remain elevated up and not be extended down. Mr. Shad asked why the existing door condition is not feasible. Mr. Reuwer said the emergency egress door cannot impede the flow of another egress door.

Mr. Roth asked if the door hinges can be reversed. Mr. Taylor said the issue is not with the door but has to do with how people flow in and out of the door, which is why DILP is requiring an egress door. Mr. Reich asked if the poster board door is original. Mr. Reuwer said he was unsure. Ms. Holmes said the oldest photo on file dates back to the 1970s and the movie poster enclosure was there.

Mr. Shad asked if the door shown in Figure 19 can serve as the egress door. Mr. Reuwer said in emergencies, the distance would be too far for people on the second floor to escape.

Ms. Holmes said at the time of the application, there was not enough time to submit drawings for a Certificate of Approval, so Ms. Holmes recommended Mr. Reuwer submit for Advisory Comments with the thought that this could later be approved through the Minor Alterations process.

Mr. Roth said any of the 3 scenarios are appropriate for the Minor Alteration process. The Commission agreed.

Motion: There was no motion, as the application was for r Advisory Comments. The comments are reflected through the testimony.

HPC-18-17c – 8081 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$117,100. The difference in the assessment that is eligible for the tax credit is \$116,100. The application states that \$78,164.66 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$11,772.54. As a result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirmed \$21,930.00 in qualified expenses for restoration work that includes interior repairs.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

The historic true divided light wood windows with historic glass survived the flood, with minimal damage on the first floor. However, all the historic windows on the front façade were replaced on the first and second floor after the flood. The replacement appears to be a simulated external divided light.



Figure 18 - Damaged historic window after flood



Figure 19 - Current replacement window



Figure 20 - Front facade of building after flood

More information is needed on the product specification used in order to make a recommendation. However, based on a visual inspection of the windows, they do not appear to be an in-kind replacement which would require retroactive approval. The cost of these replacement windows was not included in the amount of qualified expenses referenced above.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Staff needs further specs on the type of window product to make a recommendation.

Testimony: Mr. Trae Reuwer was previously sworn in. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Reuwer said the windows installed are real wood on both sides and meets the intent of the Guidelines. The windows are Jeld-Wen windows. Mr. Reich said the windows are simulated divided lite that the Commission approved on other properties.

Ms. Burgess said the issue before the Commission is there may be a possible violation and if the possible violation should be resolved first before other work requests are received on the property. Mr. Taylor said the property had work done without approval, but they are now applying for tax credits for different work, and the question is should the Commission process the local assessment tax credit while there is a violation on the work not approved. Mr. Shad stated the replacement windows are not true divided lite. The remaining Commission said they are ok with moving forward with the tax credit. Mr. Taylor said the Commission can make a contingent approval.

Mr. Roth read from the Guidelines stating the windows should have true divided lights. Mr. Taylor said although there are grounds for approval, the replacement windows are not an in-kind replacement. Mr. Reich said visually, the difference of a true divided light compared to simulated divided lights may be hard to tell from a distance. Mr. Taylor said approval is required since the work was not in-kind by installing simulated divided lights instead of true divided lights.

The Commission recommended the Applicant submit an application for the approval of the simulated divided light windows. The case will be continued next month to May.

Motion: There was no motion. The Applicant will submit a new application for May's meeting.

Administrative Business

Ms. Holmes said a homeowner who has been approved by the Commission, would like to know if he can act as his own contractor with an MHIC license. Ms. Holmes recommended the following requirements: the homeowner present a copy of his active MHIC license, the business be registered on SDAT, the Applicant should provide itemized invoices, along with evidence to show payment from a personal account to business account. Ms. Holmes said the homeowner will get estimates for comparable labor costs in order to determine how much he charges for his labor.

Ms. Holmes asked the Commission for advice on changes to a recent Minor Alteration case. The Commission agreed that using the Minor Alterations process again for the changes would be appropriate.

Ms. Burgess said she will be out for the May meeting and Mr. Shad will be out for the June meeting. The July 5th meeting date may not be convenient due to July 4th holiday. Mr. Taylor said he will not be available for the July 5 meeting. For quorum and scheduling reasons, the Commission agreed to schedule the July meeting on Wednesday, July 11.

Ms. Burgess said the Ellicott City Master Plan (ECMP) will have finalized items to present in June. Ms. Burgess said the ECMP meeting materials are posted on the County’s website and a Staff member from the ECMP may come to then next meeting to give an update to the Commission.

Ms. Tennor moved to adjourn. Mr. Roth seconded. The motion was unanimously approved and the meeting was adjourned at 10:21 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

Yvette Zhou, Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

May Minutes

Thursday, May 3, 2018; 7:00 p.m.

The May meeting of the Historic Preservation Commission was held on Thursday, May 3, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the April minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Samantha Holmes, Dan Bennett, Renee Novak, Lewis Taylor, Yvette Zhou

Staff absent: Beth Burgess

OTHER BUSINESS

1. Ellicott City Design Guidelines Update
2. Discuss start time for June 7, 2018 HPC meeting
3. Notice: July meeting will be held Wednesday, July 11th

PLANS FOR APPROVAL

Regular Agenda

1. HPC-18-26 – 8472 Hill Street, Ellicott City
2. HPC-18-27 – 3598 Fels Lane, Ellicott City
3. HPC-18-28 – 8081 Main Street, Ellicott City
4. HPC-18-17c – 8081 Main Street, Ellicott City
5. HPC-18-29 – 3592 Fels Lane, Ellicott City
6. HPC-18-30 – 6040 Old Lawyers Hill Road, Elkridge

OTHER BUSINESS

Ellicott City Design Guidelines Update

Ms. Holmes asked if there was anyone from the public who wished to comment on Chapter 6 from the existing Design Guidelines.

Mr. Rob Brennan of 8333 Main Street, Ellicott City wished to testify. Mr. Brennan is the owner of Brennan + Company Architects and he is the Chair of the Baltimore County Landmarks Preservation Commission. Mr. Brennan said Chapter 6 is about rehabilitation and maintenance of existing buildings but understanding criteria can be confusing and the revisions should clarify the specific criteria. Mr. Brennan said the Secretary of Interior's Standards are the only national criteria, they are important to reference in the revision. He explained that the National Park Service also offers a series of 50 briefs about how to preserve buildings, with topics ranging from masonry to lighting.

Mr. Brennan said the revisions should also define the period of significance for Main Street instead of a using "historic" in a general term. Mr. Brennan recommended the revisions identify the differences between contributing and non-contributing historic structures, rather than the existing historic and non-historic reference. Mr. Brenna said the revision should include character defining features that highlight the distinctive periods.

Mr. Shad asked about how Baltimore County addressed new technologies and building materials. Mr. Brennan said the preference is for solar panels to be in a remote location on the building or out of sight.

Ms. Holmes said they have been incorporating the Preservation Briefs into the guideline update.

June 7, 2018 HPC Meeting

Ms. Holmes said there will be more information forthcoming at the June meeting, but an earlier start time is not currently needed.

July 11, 2018 HPC Meeting

The July HPC meeting will be held on Wednesday, July 11th at 7pm instead of Thursday, July 5 due to the holiday. The application deadline will remain June 13.

REGULAR AGENDA

HPC-18-26 – 8472 Hill Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Greg Busch

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1872. The Applicant proposes to make several exterior alterations on the house, as described below.

Alteration to Existing Addition

The Applicant seeks to better integrate a 2000-era addition with the exterior of the 1872 home and convert the ground floor of the existing addition into finished space. The existing addition is built on three piers extending from ground level to the second floor and the ground below is unfinished as the addition was built over a brick patio. The ground floor of the addition is sided with white 4'x8' HardiePanels. The Applicant proposes to install strip footing around the addition and install a CMU granite-veneered wall up to the level of the ground floor slab to act as the foundation line. An exterior insulation finishing system (EIFS) painted yellow, to match that existing on the second floor, will be installed above the new granite veneered foundation on the first floor of the addition (this is where there are currently off-white HardiePanels).

The addition is not highly visible from Hill Street looking east, due to its position being set back and the topography, as seen in Figure 1. When looking at the side of the house from the west and rear of the house, the addition is highly visible. Figure 2 shows the addition from the east when standing on the property.

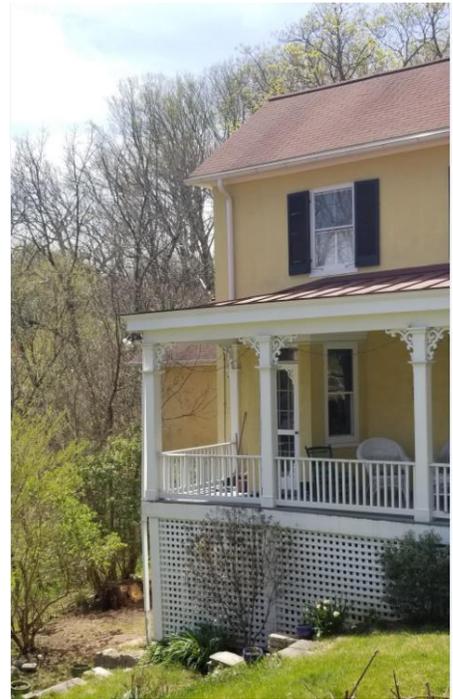


Figure 1 - Front facade of house



Figure 2 – East side of historic house and existing addition as seen from property



Figure 3 - Rear of historic house and addition as seen from Merryman Street



Figure 4 - West side of historic house and addition as seen from Hill Street

Roof

The existing roof pitch will remain the same, but a new roofline will be added to match the 12/12 pitch of the 1872 house and will resemble a shed dormer. Red asphalt shingles, to match those on the existing roof, will be used on the new roof.

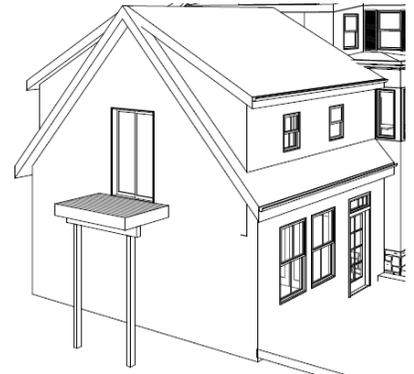


Figure 5 - Proposed roof alterations

East/Northeast Elevation

On the ground floor, two 2:2 white simulated divided light vinyl clad wood windows (31" wide by 54" high) will be installed on the northeast elevation. A new fiberglass over a graphite polystyrene core, 10-light single French door with a transom, will be installed next to the windows. The application states the windows will be full divided lights (not true divided lights), which is a term Anderson has coined for their simulated divided lights with an aluminum spacer between the glass.

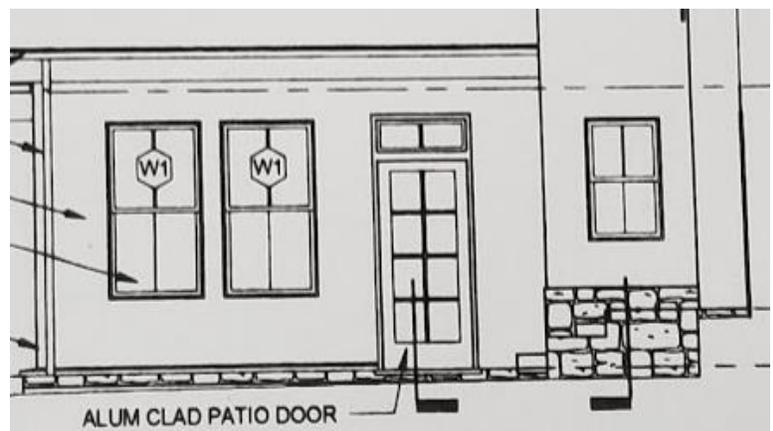


Figure 6 - Proposed windows and doors

Three white vinyl clad wood casement windows are proposed to be added to the east corner overlooking the future patio. The casement windows will not have muntins, matching the design of existing historic windows on the west side of the house. Diamond patterned wood transom windows will be constructed above the new casement windows, to match the historic windows on the west side of the house.

Please note the drawings incorrectly state a proposed material and door light/panel arrangement and Staff has requested the drawings be updated to match the specs provided.



Figure 7 - Proposed casement windows



Figure 8 - Proposed east/northeast elevation



Figure 9 - Existing east/northeast elevation of addition

West Elevation

Two 2:2 white vinyl clad wood double hung windows (31" wide by 54" high) will be installed on the west elevation of the existing addition on either side of a new door. The new door will be a white 6-paneled door. The 6-panel door will be from Feather River. The material is not completely evident but appears it may be Fiberglass based on the information available from the manufacturer's website.

Based on the drawings and photos of the existing conditions, there may be some grading and/or fill happening in order to make this area level. Clarification on this is needed and whether or not a retaining wall will be needed. The HVAC unit will also need to be moved for the proposed changes and the new location will need to be identified and approved.



Figure 10 - Existing west elevation of addition



Figure 11 - Proposed west elevation

There are three double hung 2:2 wood windows on the west elevation that will be restored, as shown in Figure 12. The Applicant seeks tax credit pre-approval for the work.



Figure 12 – Historic west elevation wood windows to be restored

Enclosed Second Floor Rear Porch

There is a former enclosed porch on the second story at the rear of the house where the historic house ends and the addition begins. The Applicant proposes to install a shed roof dormer at this location in order to increase the existing ceiling height, from 6'0" to 8'0". Three small awning windows with a muntin bar in the center of each window, will be installed. See Figures 13 and 14.

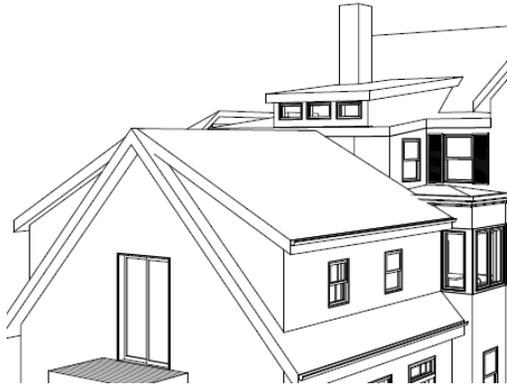


Figure 13 – Proposed shed roof dormer on enclosed rear porch

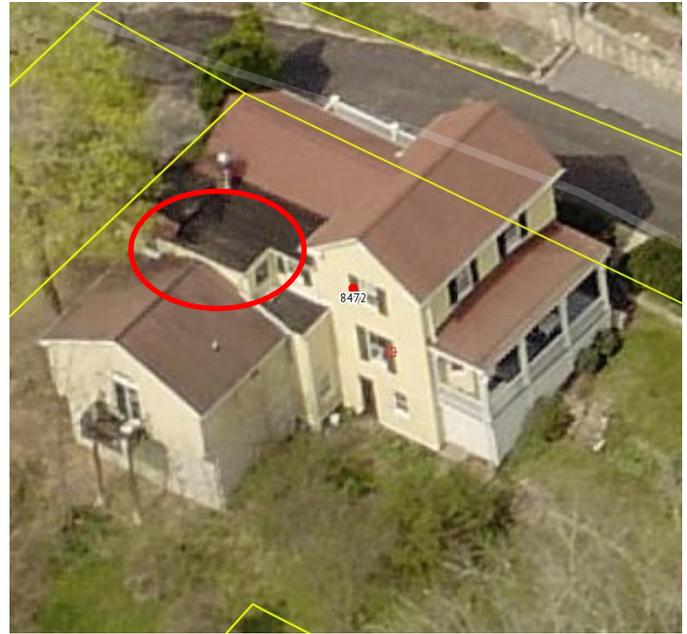


Figure 14 - Enclosed rear porch to have shed style dormer roof installed

Patio and Patio Doors

The application explains that the proposed patio and triple patio doors shown on the plans (Figure 15) are not part of the current application. These items will be subject to a future application for Certificate of Approval if the Applicant decides to build them.

Staff Comments: The application generally complies with the Guidelines. There are several historic motifs on the house, such as the 2:2 windows and the diamond muntin transom pattern, that will be incorporated into the addition. This incorporation complies with Chapter 7.A recommendations, "additions may be contemporary in design or may reference design motifs from the historic building, but should not directly imitate the historic building" and "design windows to be similar in size, proportion and arrangement to the existing windows. On historic buildings, or any building visible from a public way, windows should have true divided lights rather than interior or sandwiched muntins. A possible alternative is windows that do not have divided lights, but have permanent exterior grilles, appropriately detailed to be compatible with historic wood windows." The proposed windows are Anderson 400 series vinyl clad wood windows. The depth and profile of the muntin bars is not evident from the Home Depot quote and a spec sheet, picture or sample that shows this information is needed. If the depth of the muntin bar is appropriate, then these windows would be acceptable for the less visible sides of the house. Chapter 7.B states, "on any building, use exterior materials and colors similar to or compatible with the texture and color of those on the existing building. Avoid exact replication that would make an addition appear to be an original part of a historic building." The windows on the historic building appear to be wood, while the proposed windows are all a vinyl clad wood. The new windows on the west side of the building will be the most visible and an all wood window would be preferable to best comply with the Guidelines in matching the texture of the materials on the existing building. This would



Figure 15 – Patio doors that are not currently proposed

not be an exact replication because it would not be a true divided light window. The windows on the rear of the house on kitchen and former enclosed porch will not be highly visible and the proposed material is acceptable.

The new doors (10-light single French door and 6-panel solid door) will be Fiberglass. It would be preferable to use historic building materials to best comply with the Guidelines, such as a wood door, on the most visible west elevation. The single French door on the east elevation will be minimally visible, but the west elevation is highly visible.

Overall the proposed alterations will make the existing addition better comply with Chapter 7 recommendations, "for any building, design the addition so that its proportions (relationship of width to height), the arrangement of windows and doors, and the relationship of solids (wall area) to voids (window area) are compatible with the existing structure. Use a roof design that echoes or complements the original roof line. Gable and shed roofs are common for additions in Ellicott City." The addition of windows and doors on the current blank walls of the addition will better fit in with the arrangement on the existing historic house. This will also add an element of the human scale, which is missing from the addition since it does not have any architectural details on it.

The Applicant stated via email that all new wood trim will match the existing trim on the historic part of the house. Gutters were not specified in the application, but the Applicant stated that they can use half round gutters to match those on the historic house.

Staff Recommendation: Staff recommends Approval as submitted, contingent upon the following:

- 1) The proposed vinyl clad wood windows having an appropriate muntin profile.
- 2) Using wood windows and doors (without cladding) on the west elevation.
- 3) The grading or fill situation on the west elevation be determined. If a retaining wall is required, that will be subject to a future application.

Testimony: Mr. Shad swore in Greg Busch. Mr. Shad asked if there was anyone in the audience who wish to testify. There was no one. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Busch said the west elevation is currently highly visible because bamboo was cleared along the hillside on the west elevation, but evergreen shrubs will be planted. Once the new trees matures, then the view will be less visible. Mr. Busch said the west elevation has lots of sun exposure and using a wood door would require maintenance, but he agreed to use a wood door if necessary.

Mr. Reich confirmed that they are adding on to the gable end of the existing roof to create the pitch of the roof that will look like a shed dormer. Mr. Busch said yes. He said if they had new construction this is not the approach they would be taking, but are doing so as a result of the existing addition. Ms. Tennor said the proposed work will make the building look much better.

Ms. Zoren asked what type of granite will be used on the foundation. Mr. Busch said the foundation will be granite veneer, and be a real granite, not manufactured stone.

Ms. Zoren asked if the aluminum window with lattice work on the corner is a new window proposed to be added in. Mr. Busch said the window, which his shown on the elevation, would be located on an older addition that could be around 100 years old, it is not part of the 2000 addition. Ms. Zoren said the two diamond windows proposed in the corner looked out of place from the rest of the windows, which appears to have 2 over 2 windows. Mr. Busch said the intention was to match the diamond pattern on the windows on the west side of the house. Ms. Zoren thought it would make more sense if the new

windows were on the same elevation as the historic windows, but looked out of place on the different addition. The Commission recommended using two over two windows, to match the width of the window below it on the east elevation. Mr. Busch was ok with the recommendation. Mr. Reich asked which elevation is visible from Hill Street. Mr. Busch said the visibility is from all sides being on a hillside, but the east elevation is less visible.

Ms. Zoren asked which room the two proposed diamond shaped windows are in. Mr. Busch said the proposed diamond windows are in the kitchen. Ms. Zoren asked if the three historic diamond windows are in the dining room. Mr. Busch said yes. Ms. Tennor asked if there was a functional reason to use casement windows. Mr. Busch said to get more light into the house because it is a dark corner of the house.

Mr. Reich asked which windows were proposed to be vinyl clad wood windows. Mr. Busch said all of the new windows are proposed to be vinyl clad with full divided lights. Ms. Holmes explained that Andersen Windows calls their product a full divided light, which is a simulated divided light with exterior muntins. Ms. Holmes said simulated divided light is appropriate for this case since the elevation is not that visible from the street and the alterations will be taking place on a modern addition. Ms. Holmes said their main question was about the depth of the muntins since the product estimate did not contain that information. The Commission said the Applicant can work with Staff on approval of the muntin depth.

Mr. Reich asked if fiberglass doors will be used. Mr. Busch said yes. Mr. Reich said a wood door is more appropriate in the historic district. Mr. Busch said due to sun exposure on the west elevation, he will need to add a roof or entryway over it to protect it. Mr Reich said the manufacturers can apply a protective coating on the door to extend the life. Mr. Reich said the polyurethane on wood will last just as long as vinyl and said that Andersen makes such product, if that is the product they are using. Mr. Busch agreed.

Mr. Reich asked Staff for clarification on the grading and fill issue. Ms. Holmes said the west elevation had a steep grade change from the street and showed the rendering of the elevation, which showed flat ground. Ms. Busch said he plans to use block foundation with granite veneer where the foundation is exposed. Ms. Holmes asked if there will be fill in the area. Mr. Busch said yes. Ms. Tennor said the location of the existing AC unit will become a new door. Ms. Tennor asked where the AC will be relocated. Mr. Busch said the AC unit will be relocated behind the tree. Ms. Tennor asked how using granite foundation cladding will resolve the grading issue. She asked if it will need to be more level than it currently is. Mr. Reich says it will need to be more level where the door will go. Ms. Tennor asked if he anticipates doing grading at the corner. Mr. Busch said he anticipates minimal grading that could be held up with groundcover. He said that if a retaining wall was needed, he would return to the Commission for approval, but they don't want to install a retaining wall if they don't need to. Mr. Reich said anything below the floor level would be a foundation wall covered with granite. Mr. Busch said yes.

Mr. Taylor asked about using wood windows on the west elevation. Mr. Busch said the two existing upper windows on the west elevation are vinyl 6 over 6. Ms. Holmes asked if these windows will be replaced. Mr. Busch said not at this time. Mr. Reich asked if the Applicant is willing to use wood windows on the west elevation. Mr. Busch said he preferred vinyl but will use wood based on the Commission's recommendation.

Ms. Holmes said the application also qualifies for tax credit pre-approval for the restoration of the three two over two double hung wood windows on the west elevation, which was not in the Staff recommendations. Mr. Busch confirmed these were historic wood windows.

Mr. Reich asked about the wood vs. vinyl window on the west elevation. The Commission said wood is more appropriate for the Historic District, per Staff recommendations.

Motion: Mr. Reich moved to approve the application with the following amendments: The two windows on the lower part of the west elevation be wood.

1. The exterior doors that were shown as fiberglass should be wood.
2. Any place where the foundation wall is exposed below the lower level be clad in the granite veneer.
3. Tax credit pre-approval for three two over two upper windows on the west elevation.
4. The three windows on the kitchen will be two over two, as opposed to the diamond transom pattern, on the east elevation and the kitchen window on the south elevation will be one over one.
5. The muntin depth to be approved by Staff.

Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-27 – 3598 Fels Lane, Ellicott City

Advisory Comments for Site Development Plan.

Applicant: Matthew Pham

Background & Scope of Work: This property is located in the Ellicott City Historic District and does not contain any structures. The Applicant seeks Advisory Comments on the site development plan for the construction of a new single-family house. The Applicant came before the Commission in April 2018 with a plan for Advisory Comments and the Commission advised the footprint was too wide and did not fit in with the streetscape and neighboring historic structures. The Commission requested a plan showing the topography and how the house will fit on the steep embankment.

The Applicant is returning with a revised front elevation and seeks the Commission's feedback and would like to have a footprint approved by the HPC to submit to the Director of DPZ. The house was reduced in width from 44 feet to 40 feet. The side porch has been reduced from 10 feet in width to 7 feet. The roof has been reconfigured to a single center gable. The overall width of the house is now proposed to be 47 feet and was originally proposed to be 54 feet. The depth of the house will remain 34 feet.

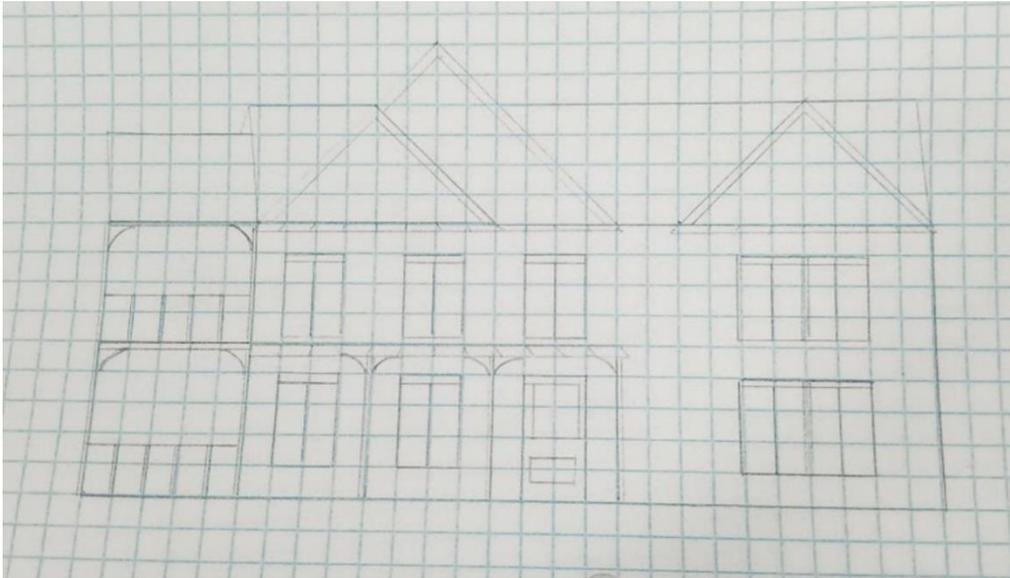


Figure 16- Sketch of front facade of proposed house from April 2018



Figure 17 - Revised elevation for May 2018

Staff Comments: The overall reduction in width is minimal and not highly noticeable. While the Applicant removed the dead space and multiple gables from the April front facade, the structure is still proposed to be 5 bays wide, which is wider than any house on the street. New construction should blend in with the neighboring historic structures and not stand out. The proposed building is still significantly wider, at 47 feet (including the side porch) than the neighboring historic structures, which range approximately from 30 feet to 39 feet in width. Reducing the house 10 feet in width would make the new structure compatible in width with the neighboring historic structures.

The sketches provided are very rudimentary, so there are not many details to evaluate. However, the front porch only covers $\frac{3}{4}$ of the front façade, which is not balanced. The front porch should run the full

width of the house, which better complements the majority of the historic structures on the street. The porch roof is shown as shed roof, similar to that found on 3612 Fels Lane, but a hipped roof would be more appropriate for a wrap around porch. However, these are details that can be further examined when the required drawings are submitted for a Certificate of Approval.

The design of the windows may also contribute to the overall appearance of the wide front façade. The windows drawn on the sketch would indicate they are proposed to be casement windows versus double hung. An appropriately scaled double hung window, which is found on all houses on the street (1:1 or 6:6), would be a more appropriate to have on the front façade of the proposed new house.

At the April 2018 meeting the Commissioners explained that the sketch provided is drawn as though the house would be sitting on level ground, when in reality there is a very steep slope at this location. The new sketch still assumes a level building surface, so it is not representative of the actual building situation.

Staff Recommendation: Staff recommends the overall footprint be reduced at least 10 feet in width in order to fit in with the neighboring historic structures. Alternatively, Staff recommends rotating the footprint of the house 90 degrees to allow the shorter length of the house to front on Fels Lane.

Testimony: Mr. Shad swore in Matthew Pham and Gabriel Pham. Mr. Shad asked if there was anyone in the audience who wish to testify. There was no one. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Matthew Pham provided the Commission with new revised drawings.

Mr. Gabriel Pham explained that they have purchased the property since the last meeting and the revised plans were in accordance to the Commission's recommendations from last month's meeting. Mr. Gabriel Pham explained some of the changes that have been made, such as changing the gable and reducing the width by 7 feet. However, Mr. Gabriel Pham disagreed with the Staff's recommendation of further reducing the house by 3 more feet because such reduction would compromise the interior square feet to accommodate a large family.. Mr. Gabriel Pham said the depth of the house was limited to 34 feet in order to minimize the disturbance of the steep slopes and stream buffer. He said their depth is restricted to 34 feet and they can only adjust the width of the house. Mr. Gabriel Pham said the revised design also improved the symmetry of the windows and added even spacing between the windows. He said reducing further would make the bedrooms too small. Mr. Gabriel Pham said the side deck is anticipated to be used as a cover for a future carport but a further reduction of the deck's width will defeat such purpose.

Mr. Gabriel Pham said the neighboring house at 3612 Fels Lane is 4 bays wide, measured at 36 feet and the proposed house without the side deck is 40 feet. If the 3612 has a side deck the total length will be 43 feet. Mr. Gabriel Pham believed that the front façade of his proposed house (at 47 feet wide) would be compatible to neighboring homes when seen from the street 70 feet away. Mr. Gabriel Pham described a historic house on the street, at 3612 Fels Lane, as justification for their design. Mr. Shad said 3612 Fels lane has an addition on the left side of the house. The original house was only 3 bays wide and the house is not a good comparison example.

Mr. Gabriel Pham said he agreed with the Staff's recommendation to use 3x5 double hung windows instead of casement windows (Staff Note: Staff did not recommend a dimension for the proposed windows). Mr. Gabriel Pham believed the revised design reflects the reduction in the width of the house that are in line with the historic district. Mr. Gabriel Pham would like to keep the width of the house at 47 feet.

Mr. Reich said the house design is close, but needs further fine tuning in keeping with the neighborhood. Mr. Reich sketched optional house designs. Ms. Zoren said the side mass would need to be pushed 2-3 feet back, which would read as an addition and reduce the overall bulk of the house. Mr. Reich said the topography drop off should be kept, instead of changing the contour of the land. He explained this could be accomplished by building a basement and subbasement. Ms. Zoren said the second floor balcony can be relocated to the rear of the house, which would minimize the width of the house. Mr. Matthew Pham said the second floor balcony is ideal facing the south side with the most sunlight. Ms. Tennor said the balcony can be done without a roof that reduce the visual scale. Mr. Mathew Pham said without a roof balcony is a great idea.

Mr. Matthew Pham said the lot has many design challenges and he is looking to hire a designer. Mr. Taylor said any changes to the topography will require the Commission's approval. Mr. Matthew Pham said there are two waivers required: the minimum disturbance on steep slopes and the stream buffer zone.

Ms. Tennor said a subbasement would be ideal. Mr. Matthew Pham said he consulted with his engineer who believed that a subbasement required more soil and a retaining wall that will drive up the cost. Mr. Reich said the cost of bringing fill will cost more than building a subbasement where the contour allows. Ms. Zoren recommended rotating the orientation of the house 90 degrees, which would push the house forward and closer to the road, which would get it further out of the stream buffer. She said this would also reduce the visual impact to Fels Lane. Ms. Zoren sketched a drawing of the recommendations for Mr. Matthew Pham to see. Mr. Matthew Pham said he will consult with his engineer.

Mr. Reich said 3785 Church Road has a subbasement and a sub subbasement all built into the hillside for the Applicant to see. Mr. Matthew Pham said DPZ's concern was the footprint of the house and the impact of impervious area for a 100-year storm.

Ms. Tennor asked why the lot was chosen given the constraints of the land. Mr. Matthew Pham said the challenges were priced into the lot, but the location is attractive, with a great view. Mr. Roth said the challenge is keeping the size of the house proportionate to its neighbors. Ms. Tennor said the goal of HPC is to preserve the look of the streetscape and neighborhood. Mr. Shad said the footprint of the house should be compatible with the neighborhood.

Ms. Zoren said because of the grading, the subbasement and full basement can be used for living space. Mr. Matthew Pham said his engineer believed the site will need to be deeper. Ms. Zoren said there is no need to dig deeper because the site will be filled. Mr. Matthew Pham said he will consult further with his engineer. Mr. Reich said that engineers usually works on spec houses, but a specialized designer is required for this unique lot. Mr. Taylor said the Commission's approval is required for any changes in topography. Ms. Tennor said the recommendations from Ms. Zoren and Mr. Reich minimizes topography changes. Mr. Taylor agreed and said the Guidelines specifically recommends there not be changes in topography. Ms. Holmes asked if 10 feet of fill will be added to the site. Mr. Matthew Pham said the rear left corner will be filled about 4 to 6 feet and the gradual slope will eliminate the need for a retaining wall. Mr. Reich said the rear left corner has enough grade to put in a subbasement without the need to fill.

Ms. Holmes said the application is for Advisory Comments. Once the Applicant obtains approval from DPZ, the Applicant will need to return to the Commission with detailed plans showing elevations and materials for Certificate of Approval. Mr. Reich recommended submitting the application for Certificate of Approval in order to get the Commission's official approval on the site plan.

Motion: There was no motion, but Ms. Zoren provided the following summary:

1. Utilize the basement and subbasement as living space.
2. Shrink the footprint to minimize site and construction costs and environmental impact.
3. The design should be more compatible with other historic houses in the neighborhood.

HPC-18-28 – 8081 Main Street, Ellicott City

Certificate of Approval for retroactive window replacement.

Applicant: Megan Reuwer, Esq.

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The Applicant seeks retroactive approval for the replacement of the historic, true divided light wood windows with new custom simulated divided light windows. The application explains that the new windows exactly match the configuration and light pattern as the original windows and are wood construction with permanent exterior grilles. Only the windows sashes were replaced, the trim and sills remain the same. The application references Chapter 6.H of the Guidelines, which states, “windows with permanent exterior grilles are an alternative that can be similar in appearance and reflective qualities to true divided lights.”



Figure 18 - Damaged historic window after flood



Figure 19 – Current replacement window

The replacement windows are Jed-Wen wood windows with simulated divided light with a 5/8-inch permanent wood traditional bead. The existing trim and sill remained on the building and were not part of the new windows.

Staff Comments: It is unclear why all windows on the building were replaced, when there appeared to be minimal damage to the windows after the July 30, 2016 flood. Chapter 6.H of the Guidelines state, “when repair is not possible, replace original windows, frames and related details with features that fit the original openings and are of the same style, materials, finish and window pane configuration. If possible, reproduce frame size and profile and muntin detailing.” The Guidelines recommend against “replace sound wood windows and frames, even if paint, putty and glazing need repair or replacement.”



Figure 20 - Front facade of building after flood

Staff Recommendation: If this was not a retroactive application, Staff would recommend restoration of the original windows. Any replacement would have been approved with a true-divided light window and not a simulated divided light.

Testimony: Mr. Shad swore in Megan Reuwer and Trae Reuwer. Mr. Shad asked if there was anyone in the audience who wish to testify. There was no one. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Reuwer said the work was done after the flood, due to concerns to secure the property and help the tenant reopen the business as soon as possible. Ms. Reuwer cited section 6.H of the Guidelines about replacement windows and said the tenant has long complained that the windows were not energy efficient and bugs were able to get inside the building.

Ms. Tennor asked if the tenant requested the replacement of all the windows including the non-damaged windows on the second floor. Ms. Reuwer said yes, all the lower level windows were damaged by the flood and the second floor windows were not in great condition, allowing bugs and air flow into the building. Mr. Reich asked if the sashes were replaced but not the frames. Mr. Reuwer said yes, only the sashes were replaced. Mr. Reuwer said the tracks are new but the exterior frame is the same. Ms. Holmes asked what damage occurred to the windows on the first floor that couldn't be repaired since only a few panes of glass were broken. Mr. Reuwer said the panes and wood were broken, but he did not evaluate the windows for repair, only for replacement. Mr. Reuwer said there were 3 shutters bolted to the building that were washed away from the flood.

Mr. Taylor asked what specific language Ms. Reuwer referred to in 6.H of the Guidelines. Ms. Reuwer said "windows with permanent exterior grills are an alternative that can be similar in appearance and reflective qualities of true divided lights." Ms. Reuwer believed the replacement windows meet the Guideline recommendations.

Mr. Reich asked if the glass is insulated. Mr. Reuwer said the window glass are double insulated. Mr. Reich said the original glass windows were more sustainable than modern glass windows because the seal on modern windows breaks after 20 or 30 years. Mr. Reich said the downside of old sash windows is tracks become loose causing airgaps allowing insects and weather elements to get into the building and the muntins may snap. Mr. Reich said it is difficult to tell if the replacement windows are simulated or true divided lights.

Ms. Tennor said the concern is the building is a very prominent historic building and the Commission's decision about a replacement of modern windows on a historic building would set a precedent for others. Ms. Reuwer asked to take the flood into consideration and the lengthy time of time to reglaze and repair the windows. Ms. Tennor said the replacement windows look different from the original windows.

Mr. Reich said after 150 years, the sashes were worn after extensive wear and tear. Ms. Holmes said the original windows had wavy glass. Mr. Reuwer said he can purchase wavy glass to install, using all new windows.

Ms. Zoren said the muntins on the new windows seem thinner compared to the original. Ms. Zoren did not understand why the second floor windows were replaced since they were not damaged. Ms. Reuwer said she did not have a comment.

Mr. Taylor asked the Commission to consider other possible resolutions if a denial was issued. Mr. Shad said a true divided light wood windows would need to be replaced. Ms. Reuwer said the replacement windows are wood.

Ms. Tennor said she was concerned about setting the precedent of replacing true divided light windows with simulated divided lights in the historic district. Mr. Shad said the Applicant should have obtained pre-approval from the Commission. He said that although the Guidelines permit other window options, this building had true divided lights and the Applicant installed wood windows with simulated divided lights without approval.

Mr. Taylor asked if the profile on the old muntins was measured. Mr. Reuwer said he got the measurements to be as close as possible and believed the profile is the same compared to the original. Mr. Taylor asked if the simulated divided light with the exterior piece on the glass is wood. Mr. Reuwer said yes. Mr. Shad said the same Applicant has been seeking retroactive approvals over and over, which is a precedent the Commission should avoid. Mr. Roth said the Applicant should not use the flood as a reason to replace non-damaged windows on the second floor.

Motion: Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. Mr. Taylor recommended the acting Executive Secretary poll the Commissioners. The motion was approved 3 to 1, Ms. Zoren abstained, and Mr. Shad denied.

HPC-18-17c – 8081 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Donald Reuwer

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has

been re-assessed at \$117,100. The difference in the assessment that is eligible for the tax credit is \$116,100. The application states that \$78,164.66 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$11,772.54. As a result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirmed \$21,930.00 in qualified expenses for restoration work that includes interior repairs.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Testimony: Megan Reuwer and Trae Reuwer were previously sworn in. Mr. Shad asked if there was anyone in the audience who wish to testify. There was no one. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. There was none.

Motion: Ms. Tennor moved to approve the tax credits per Staff recommendation. Mr. Reich seconded. The motion was unanimously approved.

HPC-18-29 – 3592 Fels Lane, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Cleveland Ham

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the property dates to 1922. The Applicant seeks approval to construct a side deck and install a retractable awning over the deck. The proposed deck would be located on the side of the home and be highly visible from Fels Lane, as shown in Figure 21. The deck would be 16 feet wide by 20 feet deep. The height of the deck would match up with the sliding glass door on the rear of the building. The location of any potential steps off of the deck is unclear and requires clarification. The decking would be a photo composite decking in a light brown color and the railing would be white PVC with 2x2 pickets and 4x4 posts. The awning would be retractable with a scalloped edge and white and brown stripes, as shown in the advertisement provided in the application.

Staff Comments: Chapter 7 of the Guidelines explains that the guidelines for building additions apply to new decks and that all views of a building should be considered when designing an addition. Chapter 7 recommends, “Attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from public ways.” The side of this house is highly visible from Fels Lane and the rear of the house would be a more appropriate location to add a deck.

Chapter 7.B of the Guidelines explain that “proposals to add decks (without walls or roofs) of unpainted, pressure treated wood to the rear of historic buildings are not uncommon. Although these additions are obviously modern, they usually obscure little of the building façade and require little change to historic building features.”

The proposed location of the deck does not comply with the Guidelines and it is not common to find a deck on the side of the house. The Commission had a similar case for another property on Fels Lane, and the Applicant withdrew the request and instead applied for a patio. Chapter 7.C recommends, “design new porches and decks to be simple, compatible in design with the existing building and in scale with the existing building in size and roof height.” The proposed deck is not compatible with the design of the house, which historically never had a deck or even a porch on the side of the house. It would be more historically and architecturally appropriate for painted wood steps to be added that lead to a stone patio at grade.

The retractable awning would be highly visible from Fels Lane and is not architecturally appropriate to be installed on the house. A more appropriate alternative would be to use an outdoor umbrella.

There are several outstanding issues on this property that should be resolved, which is that the siding and the corresponding color was changed from a brown/maroon asbestos siding to a cream color fiber cement shake. The front windows have been altered from a bowed ribbon window to three separate windows. The front door and storm door have also been changed from a solid panel door and scrolled storm door to a $\frac{3}{4}$ light over two panel front door and full view retractable screen metal storm door. There were white shutters on the building, which were removed and not put back on. It appears all of the windows on the house were replaced as indicated from the manufacturer’s stickers in the windows. The windows appear to be a vinyl simulated divided light with flat interior spacers.



Figure 21 - Proposed location of deck and awning



Figure 22 - Google Streetview 2011



Figure 23 – Front façade of house

Staff Recommendation: Staff recommends Denial of the deck as proposed. Staff recommends the Applicant submit an application for retroactive approval of all other alterations to the structure, including the new siding, doors, windows and shutters.

Testimony: Mr. Shad swore in Cleveland Ham and Elsie Ham. Mr. Shad asked if there was anyone in the audience who wish to testify. There was no one. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Ham said the steps will be in the center of the deck. Mr. Ham said there was a deck on the house. Ms. Holmes clarified that there was not a deck on the house historically, but there was a pressure treated wood step off of the sliding glass doors, which was a modern alteration. Mr. Ham said there was an existing deck when he purchased the house but the deck had to be removed to access the foundation wall that was leaking into the basement. Mr. Ham said he had to dig down 12 feet to access and waterproof the foundation walls and a permit was not required. Mr. Ham thought the proposed deck was a replacement in-kind, so he purchased new composite decking materials already. Mr. Ham hired a land surveyor that allowed him to submit the deck drawings.

Mr. Taylor asked if the house had red or white siding when Mr. Ham purchased. Mr. Ham said red siding. Mr. Taylor asked when the new siding was installed. Mr. Ham said 2017. Mr. Taylor asked about the size of the proposed deck in comparison to what was there. Mr. Ham said the proposed deck is bigger than the previous.

Mr. Reich asked if the previous deck was behind the house. Mr. Ham said the old deck was along the side of the house at the sliding door, due to the 10 feet drop behind the house. Ms. Holmes said a similar request on the same street was denied. Mr. Reich said a stone patio is more appropriate for the Historic District, instead of a pressure treated deck on the side of a house. Mr. Reich said another option would be build the deck on the rear of the house, which is less visible. Mr. Reich asked if the Applicant is ok with the patio instead of a wood deck. Mr. Ham said his neighbor has a deck on the front of the house. Ms. Holmes clarified that the neighboring houses had front porches, , not decks. Ms. Zoren said a porch has columns, a roof and railings. Ms. Tennor said historically, people built front porches as outdoor space, but not a side deck.

Ms. Tennor said composite wood decking material is not approved for the Historic District.

Mr. Ham said there is no door in the rear of the house for deck access. Mr. Reich suggested the Applicant use the side door to access a rear deck. Mr. Reich recommended a stone landing outside the side door then have the wood deck wrap around to the rear of the house, which is less visible from the street. Mr. Taylor said the Commission has approved composite materials on a rear deck in the past if the deck is not visible to the public way. Ms. Holmes said the decking is the least visible element compared to the railings. The Commission said the details of the railing and deck design wrapping around the door will need to be submitted for approval.

Ms. Holmes asked the Commission to consider the open violation on the property before making a motion because the Commission has not approved any applications with open violations in the past. Mr. Roth recommended the Applicant change his application to build a side deck and to Advisory Comments, then return to the Commission with revised drawings to seek retroactive approval for the siding, windows and other alterations done without approval.

Mr. Taylor asked the Commission about the shutters. Ms. Zoren wanted to see the shutters put back on, in an appropriate color. Ms. Zoren asked if the shutters were working or decorative. Mr. Ham said the shutters were decorative and made of vinyl. Ms. Holmes asked if the siding is fiber cement. Mr. Ham said no, the siding is a composite product called Cedar Discovery. Ms. Holmes asked if the red siding was asbestos. Mr. Ham said he thought the siding was cedar shake, but he was not certain.

Mr. Roth asked Mr. Ham to work with Staff to apply for retroactive approval for the windows, reinstallation of the shutters, a detailed plan for a rear deck plan with paver access from the side door.

Mr. Ham agreed to change the application to Advisory Comments then work with Staff on retroactive approvals of the siding, shutters and a rear deck plans. Ms. Holmes said the Applicant would also need to provide a statement in the application of what the previous window materials and other materials were compared to the existing since there is not a way to verify that information. Ms. Holmes said the new windows looks like simulated divided light instead of true divided light.

Ms. Ham asked if the shutters need to be a certain color. Mr. Roth said colors should be historically appropriate colors. Mr. Taylor asked Ms. Ham to work with the Staff to identify an appropriate color.

Mr. Shad asked about the awning. Mr. Roth said awnings would not be appropriate on the side of the house. Ms. Holmes said Staff finds the awning would not be appropriate on the back of the house either, but a patio umbrellas could be an option.

Motion: There was no motion. The application was changed to Advisory Comments.

HPC-18-30 – 6040 Old Lawyers Hill Road, Elkridge

Certificate of Approval for exterior repairs and alterations.

Applicant: George Dougherty

Background & Scope of Work: This property is located in the Lawyers Hill Historic District. According to the National Register nomination form, this building is Rose House, a 1 ½ story cottage associated with The Lawn (which is individually listed on the National Register of Historic Places), dating to the 1850s. The house sustained damage in the recent wind storm when a tree fell on the house. The application

was accepted as an emergency addition, but was advertised on the legal ad. The Applicant seeks approval to make the following repairs:

1. Replace all roof shingles. The roof is currently green asphalt and will be replaced with green 3-tab Tamko asphalt shingles.
2. Rebuild half the roof and the entire front dormer.
3. Rebuild porch to the same size of the previously existing. The porch will have a pressure treated frame, Douglas Fir tongue and groove flooring, Douglas Fir railing and a Douglas Fir tongue and groove ceiling. The porch railings will be painted the same green as the door. The porch will have square posts and railings. The proposed color of the wood decking is currently unknown.
4. Install fiber cement siding where asbestos was damaged. Staff has requested clarification that the fiber cement siding is only being installed where asbestos was damaged and that GAF Weatherside shingles will be used. The contractor explained they will replace the existing asbestos shingles on the white side of the house with tarping and the shingles will match those found on the front, brown side of the house. There are different kinds of asbestos shingles on the house.
5. Repair wood front door and aluminum storm door.
6. Replace one broken metal windows with new a new wood Marvin window. The contractor said there was no muntin pattern in the previous window and the proposed window will match that.
7. Paint the house brown with green trim.
8. Replace bargeboard on two sides of the house -the white side with tarping and the brown side where it is missing.

Staff Comments: Because this application was accepted as an emergency due to the tree falling on the house, there are some questions that require clarification, as mentioned above. Some of the work appears to be Routine Maintenance per Chapter 5, such as replacing the roofing shingles, painting the exterior of the building and repairing the doors, but clarification is needed to determine this. DPZ does not have a file on this building as no applications have been submitted to the HPC in prior years, and as such, only has a photograph from the Lawn's National Register nomination form available to determine the previously existing condition.



Figure 24 - Current condition of house

Staff would need to know exactly which windows are being replaced to confirm the replacement is appropriate and complies with the Guidelines. Chapter 6.I states, "If replacement is necessary, use windows that fit the original openings and are made of materials and in a style compatible with the style of the house. Reproduce window pane configuration, frame size and muntin detailing whenever possible."

The application references rebuilding the entire front dormer. It is not clear where the dormer is on the building and this may in fact be referencing the front gable.

The Applicant proposes to paint the house brown with green trim. The house currently has white siding on one side and brown siding on another (see Figure 26). There is a first-floor door that is blue and a second story door that is green (see Figure 25). Staff recommends all the siding be painted white and

the doors green. The house appears to be white in the 1976 photograph in Figure 27 and there is a historical precedent for keeping that color scheme. The brown appears to have been painted at some point without approval.

The previously existing configuration, design and materials on the deck/porch are unknown to Staff. The Applicant proposes to use Douglas Fir for the porch construction. Chapter 6.F recommends, “replace deteriorated features with new materials that match the original as closely as possible in material, design and finish.” The contractor said the porch will have square posts and railings, which will be painted green. He said a color was not picked out for the decking yet.



Figure 25 – Two door colors and front gable



Figure 26 - White and brown siding visible

If the siding is being replaced in damaged areas only with the GAF Weatherside fiber cement siding, that would comply with Chapter 6.E recommendations, “replace deteriorated features with new materials that match the original as closely as possible in material, design and finish.” The GAF Weatherside accurately matches the look of asbestos siding. Conversely, if the Applicant wanted to remove all asbestos and restore the original wood siding that may be underneath (according to the Inventory form), that would also comply with Chapter 6.E, “remove asbestos shingles or other covering to restore original wall material.”



Figure 27 - 1976 photograph from neighboring HO-141 National Register nomination form

Recommendation: Staff recommends Approval of the following:

- 1) Replacement of the existing green asphalt shingle roof with the proposed Tamko 3-tab green asphalt shingle to match the existing.
- 2) Reconstruction of the front gable to match the dimensions of the previously existing.
- 3) Reconstruction of the porch with Douglas Fir wood, with square posts and balusters, painted green.
- 4) Replacement of siding with GAF Weatherside fiber cement siding, to replicate the asbestos siding, to be painted white with green trim.
- 5) Repair the existing doors.
- 6) Replacement of the broken metal window with a wood Marvin window.
- 7) Replacement of the wood bargeboard, to be painted green, to match the existing in material and design.

Testimony: Mr. Shad swore in George Dougherty and Nomi Dougherty. Mr. Shad asked if there was anyone in the audience who wish to testify. There was no one. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Dougherty said the storm took out the porch and the second dormer.

Mr. Dougherty would like to make the porch open with balusters (like the Lawn) rather than closed with asbestos. Mr. Roth asked if that porch area was taken down by the fallen tree. Mr. Dougherty said yes, however, the porch was an addition to the house when the house moved in 1970. Mr. Dougherty would like to replicate the porch to mimic the style of the neighboring historic house, The Lawn (which this was originally part of) but said he will do the Commission recommends.

Mr. Roth said replicating the design would be nice. Mr. Dougherty said the steps are currently accessed from the side and the gingerbread hangs over the steps, but may not be original part of the house. Mr. Dougherty asked if the railing and steps can be changed to come directly from the front, rather than from the side. Mr. Dougherty wants to make it similar to what The Lawn has.

Mr. Roth asked if the house was originally a tenant house. Mr. Dougherty said yes and explained that the exit to 895 divided the property and caused the original owners to move the house. Mr. Taylor asked if the Applicant was agreeable to all Staff recommendations, except for Item 3, which he is requesting to

reconfigure the porch to be built open in a manner that mimics the open porch building on The Lawn and switch the staircase to directly in front of the door. Mr. Dougherty said Yes.

Ms. Zoren said having a center staircase is too formal for an informal cottage. The side staircase would be more appropriate. Mr. Dougherty is fine with Ms. Zoren's recommendation. Ms. Zoren asked if the scallop details can be replicated. Mr. Dougherty said yes. Mr. Roth explained that The Lawn is not a formal house. Mr. Taylor asked if the configuration changes of the side porch should return to the Commission for approval. The Commission said yes, the details of the proposed porch rearrangement should be submitted in a new application and drawings showing the changes are needed. Mr. Taylor explained the Commission is open to the idea of the open porch, but can't approve it without the details.

Mr. Taylor asked if the Applicant is eligible for tax credit pre-approval. Ms. Holmes said he is eligible but opted to not apply for them as the insurance claim is covering the work.

Motion: Mr. Roth moved to approve the application per Staff recommendations. Ms. Tennor seconded. The motion was unanimously approved.

Ms. Tennor moved to adjourn. Ms. Zoren seconded. The motion was unanimously approved and the meeting was adjourned at 9:54 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

Yvette Zhou, Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL Historic District

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

June Minutes

Thursday, June 7, 2018; 7:00 p.m.

The June meeting of the Historic Preservation Commission was held on Thursday, June 7, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Reich moved to approve the May minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Member absent: Allan Shad

Staff present: Beth Burgess, Samantha Holmes, Dan Bennett, Renee Novak, Lewis Taylor, Yvette Zhou

OTHER BUSINESS

1. Ellicott City Design Guidelines Update
2. Notice: July meeting will be held Wednesday, July 11th
3. Ellicott City Flood Update

PLANS FOR APPROVAL

Regular Agenda

1. HPC-18-31 – 6680 Martin Road, Columbia, HO-37
2. HPC-18-32 – 3614 Court House Drive, 3534 Church Road and 3655 Church Road, Ellicott City
3. HPC-18-33 – 8167 Main Street, Ellicott City
4. HPC-18-34 – 7134 Montgomery Road, Elkridge
5. HPC-18-35 – 6170 Lawyers Hill Road, Elkridge
6. HPC-18-36 – 3592 Fels Lane, Ellicott City
7. HPC-18-37 – 3592 Fels Lane, Ellicott City

OTHER BUSINESS

Ellicott City Design Guidelines Update

- At the June 7, 2018 HPC meeting, we will be seeking public comment on Chapters 7 and 8 from the [existing Design Guidelines](#).
- To help guide you in reviewing these chapters, please consider if there are items that need clarification, better definitions or if there are missing subject matters.
- The existing Design Guidelines, as well as future meeting dates (once available) will be posted on the website: www.howardcountymd.gov/ECdesignguidelines.

There was no one who wanted to testify on Chapter 7 (new constructions, additions and outbuildings) and Chapter 8 (new construction of principal structures) of the Ellicott City Design Guidelines Update.

The July meeting will be held Wednesday, July 11th

The July HPC meeting will not be held on July 5, but will be moved to the following week, Wednesday, July 11. The application deadline remains June 13.

Ellicott City Flood Update

Ms. Burgess showed a presentation of lower Main Street, mid Main Street and the West End. The slides illustrated a side by side comparison of the structures after the 2016 flood on the left and 2018 flood on the right side. Ms. Burgess pointed out that most of the items approved by the Commission withstood last month's flood. The presentation provided the Commission a good overview of existing building conditions and possible emergency HPC meetings ahead.

REGULAR AGENDA

HPC-18-31 – 6680 Martin Road, Columbia, HO-37

Advisory Comments for site development plan.

Applicant: Maria E. Miller, Shelter Development, LLC

Background & Scope of Work: This property is listed on the Historic Sites Inventory as HO-37, Athol. This property is not located in a historic district. The building dates to 1740, with alterations in the 18th, 19th and 20th centuries. In June 2014 the Commission reviewed a plan for Advisory Comments for the subdivision of this property to contain 11 single family detached lots, with the historic house to remain. Those development plans did not take place, and the property came under new ownership in 2016.

The property consists of 6.69 acres and is zoned CEF-M (Community Enhancement Floating – with mixed residential and commercial). The current plan proposes to create 3 buildable lots and will retain the historic house on one of those lots. A non-historic garage is proposed to be demolished.



Figure 1 - Site location



Figure 2 - Front facade of house

A senior living building will be constructed on the northern portion of the site. The site will be accessed from Martin Road and the entrance will be widened to accommodate two-way traffic. The application explains that:

“the building has been sited down the hill from Athol Manor to maintain the original home’s prominence. Care has been taken to maintain a generous distance from the Manor, and lawn and landscape will buffer the Manor from the new construction. Additionally, the building has been located to respect the visibility and viewshed of the Manor. With respect to scale, the shortest part of the building has been placed facing toward the Manor so as not to crowd or overbear the structure.”

Athol Manor is located adjacent to Martin Road Park and sidewalks will connect the senior living building to a new overlook area at the park and connect the Manor to the park.

The architecture of the senior living building was inspired by the Manor and will consist of a stone veneer, to be similar in shape, scale and color. The large chimneys on the Manor have been integrated into the design of the new building as seen on the front façade of the new building. The elongated windows on the Manor inspired the design of the windows on the new building.

Renovations are also planned for Athol Manor. The application explains the current conditions of the house and explains that:

“the house is in disrepair and has no working water or sewer. Although boarded up, and protected by fence and barbed wire, the house has frequently been vandalized. Once renovated into offices, the house will be donated to a local non-profit organization, along with a grant for additional maintenance. An ADA compliant ramp will be added to the structure. The ramp will be placed toward the back and will connect to the least historic part of the structure. By connecting to the more modern addition and composite deck we aim to preserve the integrity of the original stone structure. Minimal parking and a landscaped turnaround will be located in front of the Manor, and overflow parking will be located downhill.”

Staff Comments: Overall the design complies with Section 16.118 of the subdivision and land development regulations for the protection of historic resources. The section in Figure 3, shows how the new structure will relate to the historic structure. As explained in the application, the shortest side of the new building will face the historic structure. As a result, the new building will not overpower the historic building.



Figure 3 - Section new construction compared to historic building

Additionally, the new building was pushed as close to the eastern property line as possible, along Route 29, in order for the viewshed of the historic house to remain intact, which complies with Section 16.118(b)(4), “the new subdivision road should be sited so that the lot layout does not intrude on the historic resources. The road should be oriented so that views of the historic property from the public road are of its primary façade.” The view will not be of the primary façade of the historic structure, but it is not currently so as the property is landlocked and has been so for many years. The new driveway will remain in the same location as the existing driveway. The view of the rear of the historic structures (which can easily be confused with the front due to the design) will be visible with the new building being pushed against the eastern property line.

Section 16.118(b)(1) states, “Historic buildings, structure and landscape features which are integral to the historic setting should be located on a single lot of suitable size to ensure protection of the historic structure and setting.” The historic building will eventually be retained on a single lot. Section 16.118(b)(2) states, “Whenever possible, historic resources should be integrated into the design of the subdivision or site plan. If compatible, new and historic structures may be juxtaposed. Alternately, open space may be used to buffer the historic resources from new development.” The new building and historic structure will achieve both; landscaping will connect and integrate both structures, but yet open space will also provide a buffer from the new development. The subdivision regulations also recommend that access to the property be via the existing driveway, wherever possible. The driveway will remain in the same configuration and will run along the west side of the property, ending with a loop in front of the historic house, but will be slightly expanded to include parking within the loop and western driveway.



Figure 4 - Rear of house facing new development



Figure 5 - Proposed driveway configuration



Figure 6 - Existing driveway configuration

Staff Recommendation: Staff has no objection to the plan and finds the new development will complement the historic structure and provide a needed rehabilitation and adaptive re-use.

Testimony: Ms. Zoren recused herself. Ms. Tennor swore in Maria Miller of Brightview Development. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Ms. Miller gave a brief presentation on the development. She said the 6.7 parcel is located at the intersection of Martin Road and Seneca Drive. She explained that Athol Manor is on the southern side of the parcel and the building is listed on historic inventory as HO-37, Athol Manor. Ms. Miller said the adaptive reuse strategy is to integrate the historic manor as a key component of the overall development

Ms. Miller said the original manor was built around 1732-1740 and the stones were quarried on site. The manor is one the oldest residential homes in the County. The manor is set back far from the public view and has been vandalized. Ms. Miller said the property was boarded twice (ordinally from the inside and then again from the outside once the windows were being broken) and a chain link fence installed the perimeter to secure the property with permission from the owner. Unfortunately, the building continued to be vandalized. Ms. Miller said after Brightview acquires the property, further security measures will be taken to protect the building. Ms. Miller said she asked for owner's permission to restore power to minimize impacts like humidity damage to the structure over the summer

Ms. Miller said Brightview's goal on the interior is to preserve the original bannister and other historical architectural features of the Manor. Ms. Miller said the garage did not appear to be historic- the windows are vinyl and appear to be modern. The plan is to remove the garage, then widen the driveway from 10 feet to 24 feet to allow cars to pass on the driveway.

Ms. Miller said Brightview plans to gift the restored manor to the Community Foundation of Howard County. Ms. Miller said Brightview will grant the Foundation a replacement and reserve account to maintain the property in the future. Ms. Miller said the County requires the Foundation to open the Manor to the public. Therefore, an ADA ramp will be installed on the side of the newer addition along with the new deck to preserve the building's original features.

Ms. Miller said the project will consist of 170 units in the senior building on the northern portion of the site. The proposed designs maximize the prominence of the historic building. Ms. Miller said the viewshed of the historic building is preserved by pushing the senior building as far as possible to the east of the site, along the Route 29 soundwall. Ms. Miller said Brightview plans to provide a walking path connecting the development to the Martin Road park. Ms. Miller said the design incorporates the natural grade of the site. The highest elevation is 384 feet at the southern end of the site where the Manor is located and the grade drops heading north of the site. Ms. Miller said each Brightview Community is uniquely designed to be compatible with the surrounding neighborhood. Therefore the proposed elevations for the senior building are compatible with the aesthetics of Athol Manor.

Mr. Roth asked for an explanation of the 3 buildable lots. Ms. Miller said the most northern lot, Lot 1, will be dedicated open space. Lot 2 will be the senior building and Lot 3 is where Athol Manor is.

Mr. Reich complimented the preservation of Athol Manor with an adaptive reuse solution. Mr. Reich asked about a landscape plan. Ms. Miller said landscape details will be submitted later. Mr. Reich said the color rendered site shows landscaping and presents a general idea of what it will look like. Mr. Reich

said the scale of the design overpowers the mass of the historic structure, but the design was done well given the constraints. Mr. Reich said gifting the manor to the Foundation is a great idea.

Ms. Tennor said the project could be a model for other historic properties within new developments in the County. Ms. Tennor asked if the preservation work will start before building permits. Ms. Miller said Brightview does not own the property yet. Ms. Miller said the site and building permit approval is anticipated around the third or fourth quarter of 2019, which is when ownership will transfer.

Ms. Tennor asked if there is anyone who wanted to testify. Ms. Tennor swore in Fred Dorsey, President of Preservation Howard County. Mr. Dorsey said he has been involved with the Shelter group since the beginning of the project by providing historic reference to the developer. Mr. Dorsey was concerned that the house continued to be vandalized and agreed that further measures are needed to secure the site. Mr. Dorsey complimented the proposed design and the grant to the Foundation.

Motion: There was no motion. The application was for Advisory Comments.

HPC-18-32 – 3614 Court House Drive, 3534 Church Road and 3655 Church Road, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Avinash Dewani, Howard County Department of Public Works

Background & Scope of Work: These properties are located in the Ellicott City Historic District. While there are historic and modern buildings on these properties, the application deals with site alterations. The Department of Public Works, Real Estate Services Division, is in the process of acquiring easements for the parcels that are privately owned that this project falls within. The application is for the stabilization of a slope, that contains trees and a historic stone wall, along Court House Drive. At this section of roadway there is a stream and culvert that runs under the road. The application explains, “the existing natural stone headwall at the outfall of the pipe has experienced significant cracking and is severely damaged. The downstream embankment slope has erosion in several places. Runoff has resulted in damage to the existing gabion basket supporting the road edge at the top of the roadway embankment, and the cracks have developed in the roadway.”

The Applicant proposes the following:

- 1) Replace the existing asphalt curb and damaged curb opening with a concrete curb.
- 2) Bury the existing stone wall and add fill to create a more stable slope.
- 3) Install two combination inlets and a storm drain to capture roadway runoff from Court House Drive and convey the runoff to the suitable outfall close to the stream, to reduce the flow on the road embankment.
- 4) Replace the damaged portion of the existing 36” RCP storm drain pipe and extend and line with concrete.
- 5) Regrade the outfall and stabilize to reduce the flow of velocity from the pipe.
- 6) Remove 11 trees that are 12 inches or greater DPH, including one 30.5-inch tulip poplar specimen tree. The specimen tree is located along the southwest edge of the limit of disturbance adjacent to the proposed grading that will affect more than 33% of the critical root zone.

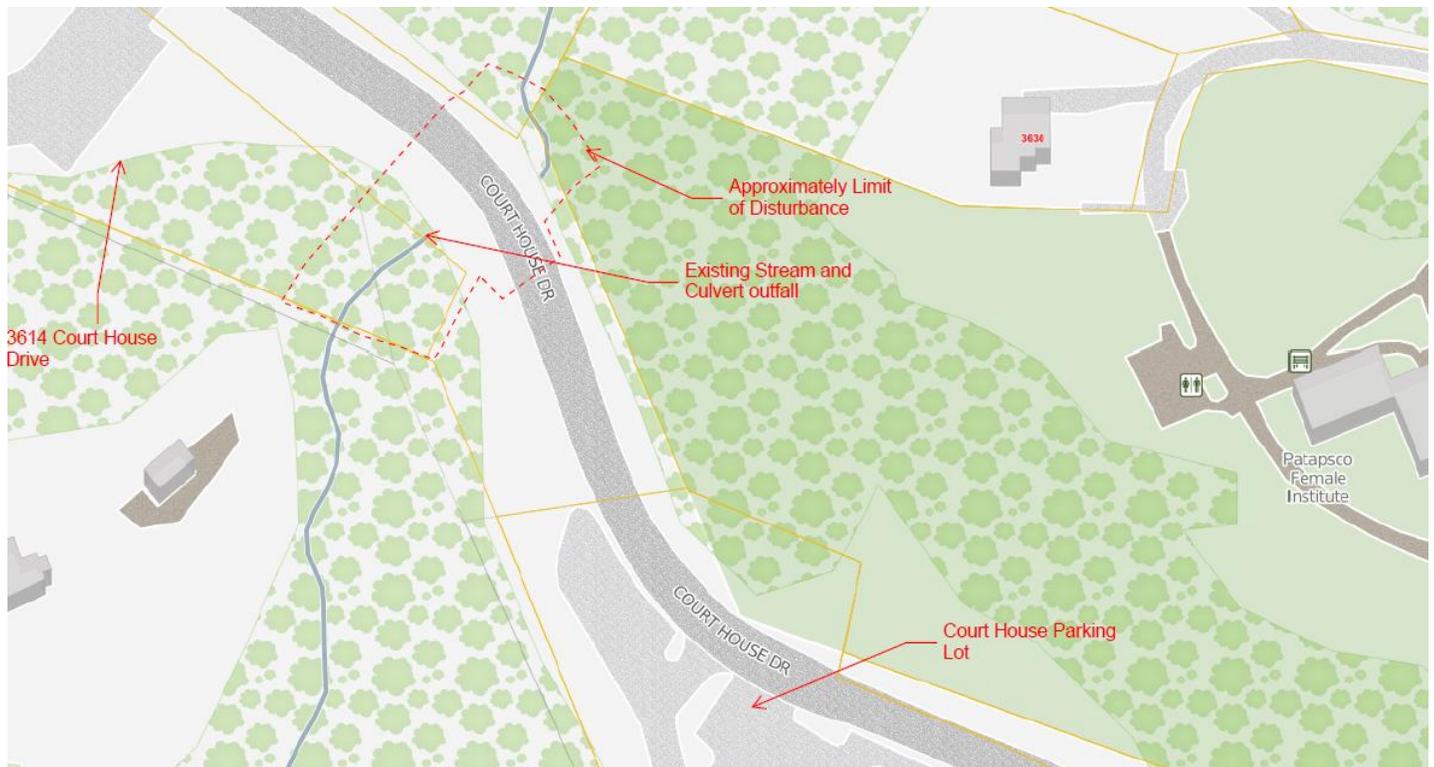


Figure 7 - Site map of project

Figure 8 below shows the existing stone wall on the south side of Court House Drive, that is proposed to be buried. The date of the wall is unknown, but the Applicant believes it may date to the construction of the road. Staff finds the wall is a historic wall that most likely dates to an earlier, lower road bed, as it would be unusual for the current road to have been constructed with stone instead of concrete. Figure 9 is an example of what the side with the stone wall will look like after it is buried.

Staff inquired if a structural analysis of the wall was done and the consultant replied, “We did not do any structural analysis of the wall. The degree of damage the wall has already sustained, and the variability of wall materials and their overall integrity would make it very difficult to accurately analyze the structure; doing so would likely require a test hole, which could further compromise the slope and wall stability and roadway safety. We also needed to lessen the steepness of the roadway embankment slope to make it stable and we could not do that with the existing wall.”



Figure 8 - Existing stone wall



Figure 9 - Example of site after burying wall

Eleven trees are identified for removal due to their location within the project area, but there is no information on the health of the trees. The trees to be removed are identified on the site plan and include:

Tree ID #	DBH (Diameter at Breast Height)	Common Name of Tree
22	13 inches	Boxelder
23	13 inches	Black Locust
25	24.5 inches	Tulip Poplar
26	14.5 inches	Boxelder
29	30.5 inches	Tulip Poplar (specimen)
30	16.5 inches	Tulip Poplar
31	19 inches	Tulip Poplar
41	20.9 inches	Green Ash
42	12.5 inches	Beech
43	12.5 inches	Tulip Poplar
52	16 inches	Red Maple

Figure 10 - Trees to be removed

Staff Comments: The application does not comply with the recommendations in the Ellicott City Historic District Design Guidelines. Chapter 9 explains, “Ellicott City’s natural setting is essential to its character...Ellicott City’s buildings and streets were fitted into the steep hillsides without major changes to the natural land forms. Retaining walls or the outer walls of buildings have been used to terrace the land to create the narrow, level areas needed for buildings, roads, gardens and other improvements.” Chapter 9 recommends, “retain landscaping patterns that reflect the historic development of the property” and “preserve historic features, such as retaining walls, freestanding walls, fences...and steps. When possible, reuse the historic building material to repair or restore these structures.” The stone wall is most likely a historic landscaping element and the burial of the wall would not comply with the Guidelines.

Chapter 9.B recommends against, “the removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structures.” There is cracking evident in the stone wall, however there are also trees growing into the wall, which are contributing to the damage. The trees should have been removed and should not have grown to this size. The removal of these trees would comply with the Guidelines as they are damaging a historic structure. The wall should be repaired, and repointed and weep holes installed as need to allow for proper drainage.



Figure 11 - Cracking in stone wall

An alternate plan for stabilization of the slope that does not bury the historic stone wall and minimizes removal of trees should be identified. There was no evidence submitted within the application that shows the cracking of the stone wall is due to anything other than trees growing into the wall and lack of proper drainage.

Staff Recommendation: Staff recommends an alternate scheme for the stabilization of the slope be considered rather than burying the wall. Staff recommends approval of the concrete curbing and the removal of trees that are growing into the stone wall and slope between the wall and Court House Drive, which includes trees 30 and 31.

Testimony: Ms. Tennor swore in Avinash Dewani from the Department of Public Works. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Mr. Dewani explained that this is a public improvement project where slope stabilization was performed, but the slope is still failing, causing cracks on the road and compromising the integrity of the road. Mr. Dewani said the proposed design to bury the wall in order to make the roadway safe is the best option.

Mr. Reich asked where the old wall is on the plan. Mr. Dewani showed the Commission where the wall is on the plan. Ms. Tennor asked Mr. Dewani to provide a copy of his drawings to Staff for record. Mr. Reich said the wall can be saved or rebuilt and refaced with the surrounding stones by removing the old mortar and repointing to preserve the historic wall. Mr. Reich said the Commission values the preservation of historic stone walls in Ellicott City. Mr. Dewani said the wall may be rebuilt but the slope stability issue remains.

Mr. Dewani said the wall is not visible from the road. Mr. Reich asked about the estimated project cost. Mr. Dewani said the estimated cost is about \$1 million. Mr. Reich estimated the cost to rebuild the wall to be around \$50K and stated the importance for preserving the historic wall. Mr. Dewani said his team can review Mr. Reich's recommendations since more studies and details are needed.

Ms. Zoren said she agreed with Staff's comments. She said the proposed solution is a very suburban solution without quantification of the stormwater management downhill. Mr. Dewani said the project is to save the roadway, not to improve water quality. Mr. Dewani said the proposal is the most economical way. Ms. Tennor said the Commission is not in favor in the lowest cost option, but the best preservation option.

Mr. Roth said the wall in the current location has historic value. Mr. Reich said the wall was once the historic access to the old court house. Mr. Dewani said he values that the wall is historic, but explained the wall is not visible from public view, even local residents do not know it exists. Mr. Dewani said part of the wall is on a private property and the County is working to get an easement from the property owner.

Ms. Zoren said rebuilding the wall with concrete then facing with the existing stone has less site impact. Mr. Dewani said any structure the County builds becomes the County's responsibility to maintain. Mr. Dewani said he will consult further with his team on alternate solutions

Mr. Bennett said the wall appeared to be gabion. Mr. Bennett asked how many feet of dirt are needed to bury the wall. Mr. Dewani said about 4-5 feet of dirt. Mr. Bennett was concerned that dirt will not stay in place. Mr. Dewani said the soil will be a selective type to maintain the stability of the slope.

Mr. Reich asked to clarify if the pipe beneath the wall will be damaged. Mr. Dewani said the pipe will be extended further from the wall which will not damage the pipe. Mr. Dewani said about 4 feet of the pipe behind the wall is already damaged and will be removed. Mr. Dewani said the concern with the wall is the lateral failure. Mr. Bennett asked how far the fill will be installed beyond the wall. Mr. Dewani said about 25-30 feet. Mr. Reich said the pictures do not seem to show lateral failure of the wall. Mr. Dewani

said there are cracks in the wall, but the upstream slope of the wall is the concern. Mr. Dewani said the intention is to move forward quickly to address the safety concern of the roadway.

Mr. Reich recommended changing the application to Advisory Comments and returning to show a scenario to preserve and rebuild the historic wall and save specimen trees.

Ms. Tennor asked if the Applicant is willing to amend his application to Advisory Comments. Mr. Dewani said yes, and he can bring consultants and engineers to the next meeting.

Mr. Bennett asked if the pipe has failed. Mr. Dewani said there is no water behind the wall, but the concrete pipe has a crack. Mr. Roth asked if the concrete pipe could have been installed after the wall. Mr. Reich said yes.

Motion: There was no motion. The application was amended to Advisory Comments.

HPC-18-33 – 8167 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Long Chen

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1987 and as such, is not historic. The Applicant proposes to remove the existing awning on the storefront and install a new shed style awning. The new awning will be 30 inches high by 24 deep x 204 inches wide. The awning will be black with white letters. The awning will have a graphic and then the name of the business (on one line): TASTE

The awning will be constructed of black Sunbrella fabric. The text on awning will be 26 inches high by 80 inches wide (including the graphic in the width), which roughly comes out to 14.44 square feet. However, the text and graphic are being applied directly to the awning and there will be not be separate background, so the overall square footage will be less than 14.44 square feet.

Staff Comments: The request for an awning generally complies with Chapter 6.L recommendations, “When installing awning or canopies, use shed-style awnings that are scaled appropriately for the building size and window spacing. Awnings should be made of nonreflective canvas or another strong fabric, in a color compatible with the building façade.” The awning is shed style, but will not have the typical valance. The Guidelines recommend, “provide a 10-inch to 12-inch valance on awnings. On commercial buildings, use only the awning’s valance for signage.” Because a 10-12 inch valance will not be on the awning, the size of the text proposed is larger to fit more proportionally on the shed style awning. The storefront windows are about 35 inches each, with 2-inch wood trim. This makes the two storefront windows (text is located above these windows) 76 inches frame to frame. The rendering looks like the entire message would fit within the two windows, but the dimensions indicate otherwise.



Figure 12 – Proposed awning

The rendering does not appear to be to scale. Based on the size of the text and graphic, the square footage of the sign is 14.44 square feet. However, this number is likely less as there is no separate background. A reduction in the height and width of the text and graphic, to 20 inches in height by 72 inches wide, would better comply with the Guidelines, but still fit proportionally on the awning.

Staff Recommendation: Staff recommends approval of the awning, and a reduction in the size of the text and graphic.

Testimony: Ms. Tennor swore in Long Chen. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Ms. Chen said her client is ok with the Staff recommendation, but preferred the larger font scale. Mr. Taylor asked if there are graphics. Ms. Chen said yes. Mr. Reich said the proportion and size of the sign is important in the historic district.

Ms. Zoren asked about the recommended dimensions. Ms. Holmes said Staff recommended reducing the sign to 20 inches high by 72 inches wide. Ms. Long said the actual size should be 20 inches high by 66 inches wide to keep in proportion. Mr. Tennor asked if the graphic next to the word “Taste” is fixed. Ms. Chen said yes to maintain proportion, the designs have to be scaled together. Mr. Reich asked if the 20x66 will consist of the total graphic, including text. Ms. Chen said yes. Ms. Tennor said the graphic is very close to the edge of the awning. Mr. Taylor said the photo is not to scale.

Ms. Tennor said the graphic can be reduced. Mr. Roth said the Applicant’s proposal of 20 inches high by 66 wide is reasonable.

Motion: Mr. Roth moved to approve the application with text and graphic to be no larger than 20 inches high by 66 inches wide. Mr. Reich seconded. The motion was unanimously approved.

HPC-18-34 – 7134 Montgomery Road, Elkridge

Advisory Comments for Site Development Plan

Applicant: Priscilla Ruiz Monterroso

Background & Scope of Work: This property is not located in a historic district or listed on the Historic Sites Inventory, but is a historic structure that dates approximately to 1866. The Applicant proposes to build an addition to the church and seeks Advisory Comments from the Commission on the site development plan for the addition to the church. The front of the church faces southeast. The street runs along the north side of the church building. The Applicant proposes to construct the addition along the south side of the church, adjacent to the front corner.

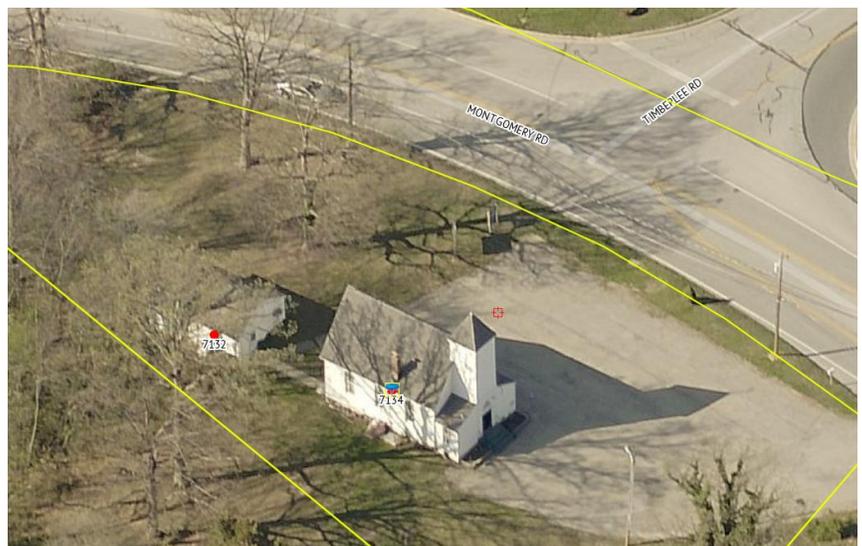


Figure 13 - Aerial view of site

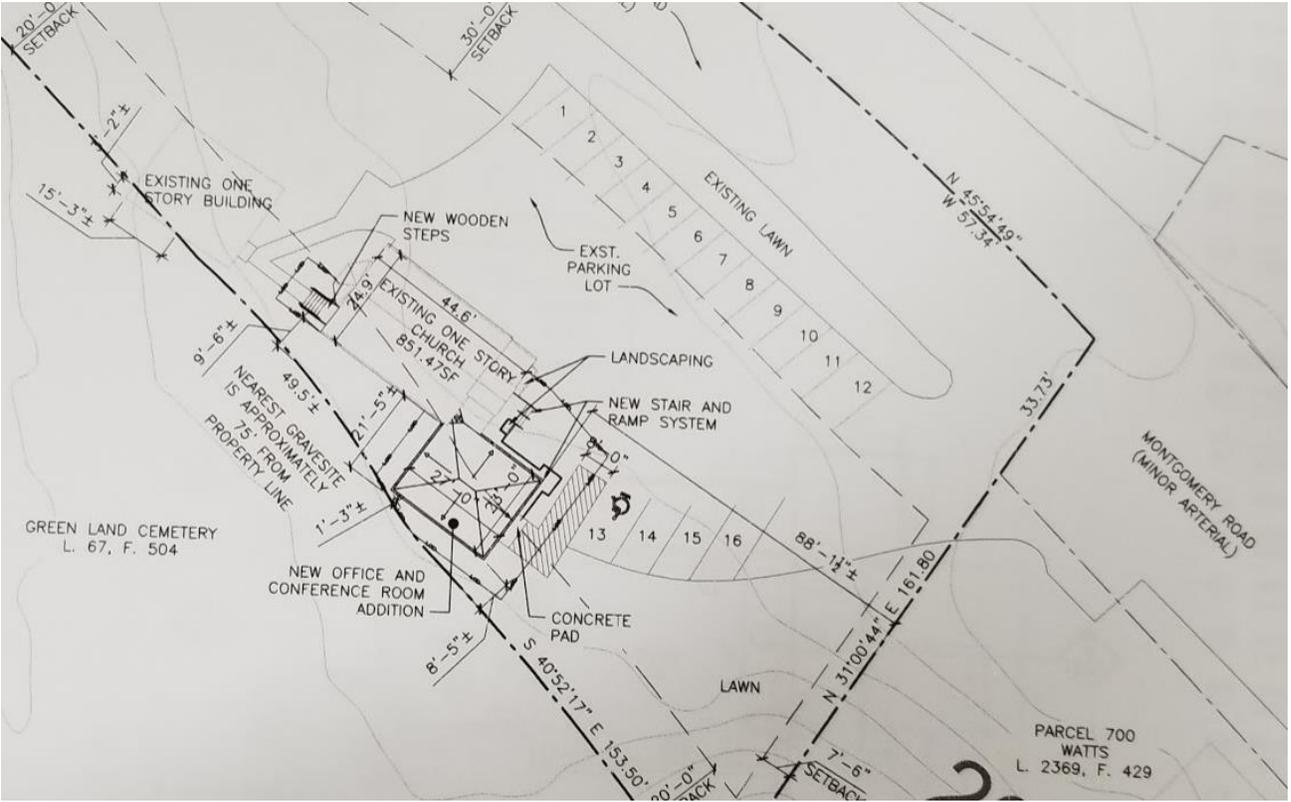


Figure 14 - Site plan showing proposed addition

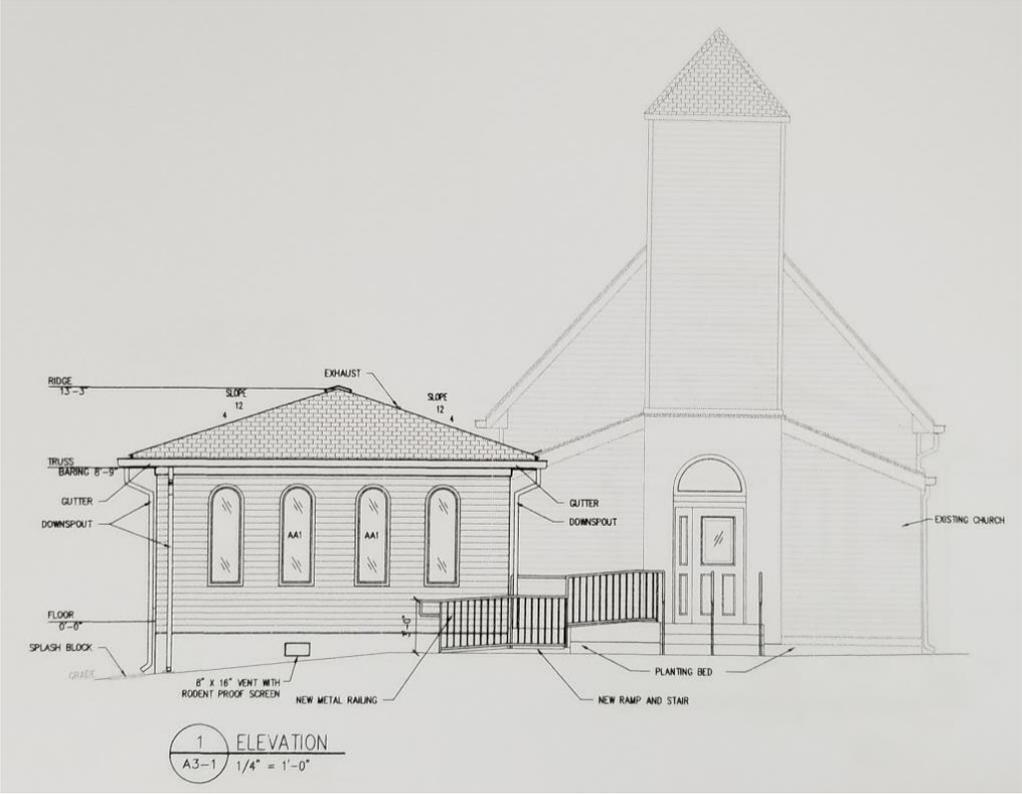


Figure 15 - Elevation showing proposed addition

Staff Comments: Additions to historic structure should be attached to the rear of buildings. This addition will be located on the front corner and will be highly visible. The location of the addition on the front of the building does not comply with the Secretary of the Interior Standards for Rehabilitation, Standards #2 and #9.

- #2 - The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
- #9 – New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The front of a historic building is the most character defining part of a building and the spatial relationship of the church to its surroundings will be comprised by the placement of the addition. If possible, the addition should be moved to the rear of the building, where the front façade and form of the church and steeple will remain intact.

The less visible facades of the new building, the rear (northwest view – Figure 16) and side (northeast view – Figure 17) elevations both contain rectangular windows. From the rear view, the arched windows on the historic building are highly visible next to the proposed rectangular windows. The addition is not a large building and it would be more consistent and historically appropriate for all of the new windows to be the simple arched window, rather than mixing types.

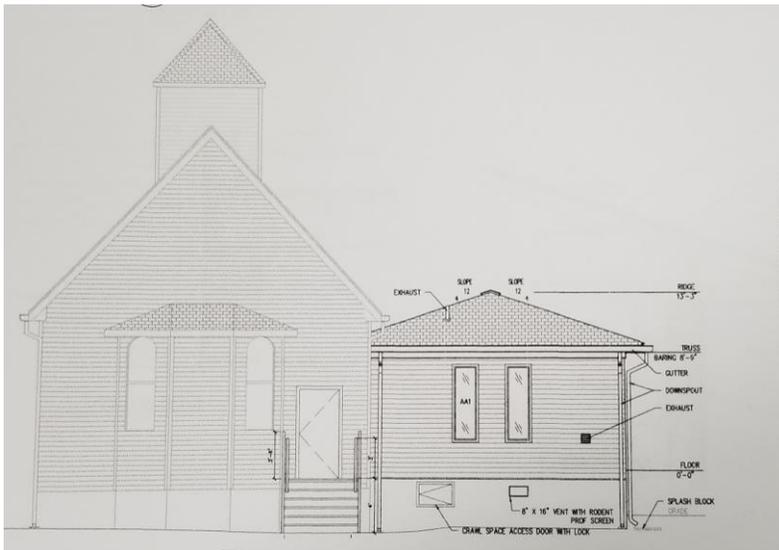


Figure 16 - Rear elevation

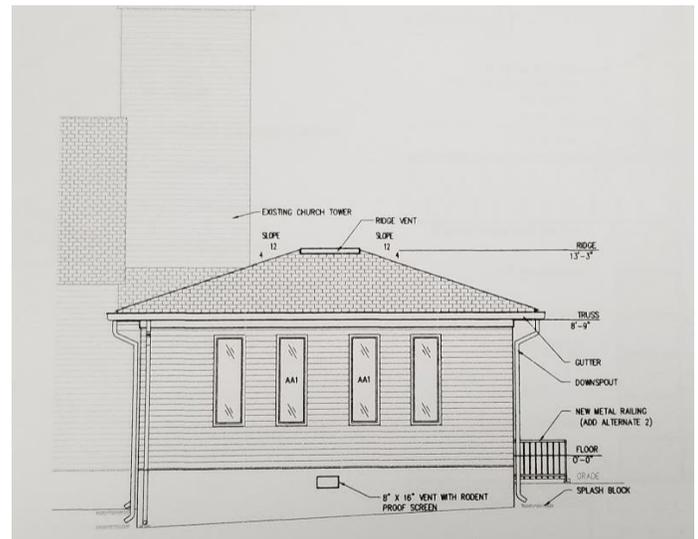


Figure 17 - Side elevation

Staff Recommendation: Staff recommends:

- 1) The addition be moved to the rear of the property
- 2) The windows in the addition be one consistent type using the arched window, to be compatible with the historic church.

Testimony: Ms. Tennor swore in Priscilla Ruiz Monterroso and Kathleen Sherrice, the project architects. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Ms.

Sherrice explained that while the front of the building is where the entrance is located the front of the church is where the altar is located, which is on the rear of the building. Although the addition is on the front of the building, it is not considered the front of the church. The altar area is sacred in church architecture and has a pronounced shape to the rear of the building.

Ms. Sherrice said consideration was given to pull the proposed addition further away from the road, but the church property lines were reduced when the road was widened. The bathroom is on the side of the church entrance to the church. . The church has vinyl siding with no fixed benches inside.

Ms. Ruiz explained the plan proposes to enlarge the existing bathroom and install an ADA ramp and parking, allowing easier access. Ms. Ruiz said a new woman's restroom will be in the addition with ADA access. She said that the church currently has no office. The proposed addition will have a conference room and office. Ms. Ruiz said in the rear of the church, a new exterior door will be installed that will be compliant with the current building code.

Mr. Reich asked if the building is within a 20-foot setback. Ms. Sherrice said yes, the proposed design was approved for a building permit in 2007 with a standing variance. Mr. Reich asked about time limit on the variance. Ms. Sherrice said the variance was granted in 2015 with 2 years left before expiration.

Mr. Reich agreed with Staff and said the addition in the front took most of the historical context of the church facade. Ms. Sherrice said there is a stained-glass window over the front doors that will be preserved. The arched windows, while old and now historic, were not original but added later.

Ms. Tennor said from a historic preservation perspective, the front is the façade not the placement of the altar. Ms. Sherrice said the building does not face the road but the side of the building faces the road. Ms. Sherrice said given the constraints, there is no separation between the original and new addition and there is limited plumbing connection. This was the only possible solution.

Mr. Reich recommended using gable roof and square windows, not to take away from the historic structure.

Ms. Zoren said agreed with Staff's comments. She said the addition takes prominence from the church. She said the addition should be less visible by tucking it a little bit behind the church, or installing a link coming from the other building. Ms. Zoren said whether the windows are arched or rectangular, they should all match. Ms. Sherrice said the way Montgomery Road curved, the view of the addition may not be prominent. The structure is tucked as far as possible without crossing into the cemetery.

Mr. Roth said the design was the ideal option given the constraints. Mr. Roth complimented the church on the preservation and revitalization plans, since there are not too many historic churches left in the County.

Motion: There was no motion. The application was for Advisory Comments.

HPC-18-35 – 6170 Lawyers Hill Road, Elkridge

Certificate of Approval to replace roof.

Applicant: Paige Zimmer

Background & Scope of Work: This property is located in the Lawyers Hill Historic District. This property is also listed individually on the Historic Sites Inventory as HO-748 and is referenced in the Lawyers Hill

Historic District National Register nomination form, HO-610, as a contributing structure to the Historic District. According to the HO-748 Inventory form, the structure dates to 1914.

In 2000 the HO-748 Inventory form for this property was created as a project to evaluate its eligibility for individual listing in the National Register of Historic Places. This was done as part of a noise barrier analysis, which was undertaken by the Maryland Department of Transportation. The HO-748 Inventory found that “the house was individually eligible for listing in the National Register of Historic Places under Criteria A and C because it is a simple example of Craftsman style constructed during the early 20th century development of Lawyers Hill.”

The historic house currently has a slate roof and the Applicant proposes to replace the roof with EcoStar Majestic Slate, a synthetic shingle made with recycled rubber and plastics, in the color smoke gray. The Applicant quoted Chapter 6 of the Guidelines as justification for the replacement of the slate with the synthetic material stating, “The recommendation is to repair roofs and maintain their original material, using material close to the original size, color and texture. The original roof is slate material and has been repaired many times, which has become quite costly. If the original roofing must be replaced, use material similar to the original or characteristic of the building’s style. Replacement with modern materials such as composition shingles may be approved if historically accurate roofing cannot be acquired for economic reasons.”



Figure 18 - Proposed synthetic product

Staff Comments: The application did not originally contain any product information for the proposed replacement material, aside from a general photograph of replacement composite shingle (which only showed the brand of the product). Staff requested a spec sheet for the proposed product and Applicant has since provided a spec sheet. The original photographs provided were taken from the ground looking at the historic slate roof and included some interior photos showing damage to the ceiling. Staff requested additional photographs taken from the third floor dormer and the Applicant provided those photographs.



Figure 19 - Close up view of slate roof



Figure 20 - View of slate roof

The Applicant quoted a guideline that explains that a composite roofing material may be used if historically accurate roofing cannot be acquired for economic or other reasons. However, the Applicant did not provide any quotes showing the cost of repair, in-kind replacement with slate, or replacement with the proposed synthetic material (of which the actual product and material is unknown). Staff has requested the Applicant provide quotes showing this information and the Applicant replied that they received a quote for \$38,000 to replace the roof with slate and \$19,000 to replace with the synthetic material. The application states that the roof has been repaired many times and that they have spent \$10,000 repairing the roof. However, the Applicant has not applied for tax credits for any of these repairs. Repairs costing \$500 or more are eligible for the County’s 25% property tax credit. This property is a contributing structure that is located in both a local and National Register district and therefore is also eligible for the State tax credit, in which homeowners can earn a state income tax credit equal to 20 percent of qualified rehabilitation expenditures that cost \$5,000 or more, with a cap at \$50,000 in a 24-month period.

If the Applicant proposes to replace the roof in-kind with slate, the County’s 25% tax credit program could be applied to the replacement. The 20% State tax credit could most likely be utilized for this scenario, and the Applicant should contact the Maryland Historical Trust for more information. If the Applicant utilized local and State tax credit programs, the estimated total tax credits could be around \$17,100.00, making the estimated out of pocket expenses for the replacement around \$20,900.00. Tax credits are not applicable for the synthetic product.

Approx. Cost of Slate Roof	\$38,000.00	Approx. Cost of Synthetic Slate	\$19,000.00
County 25% Property Tax Credit	\$ 9,500.00	County 25% Property Tax Credit	N/A
State 20% Income Tax Credit	\$ 7,600.00	State 20% Income Tax Credit	N/A
Estimated Final Cost of Slate Roof	\$ 20,900.00	Estimated Final Cost of Synthetic Roof	\$19,000.00

Figure 21 – Historic tax credit benefits

The photos that were initially submitted show the roof from the perspective of ground level and the condition of the slates is not visible. The interior photos show water damage in the ceiling. The Applicant submitted additional photos upon the request of Staff and some of the photos show that nails are missing from the slate. There has not been any documentation provided in the application that shows the slates are the source of the leak, requiring removal and replacement. Water can travel through a roof from a variety of sources, including flashing that is in disrepair and ice dams on the eaves. National Park Service *Preservation Brief #29, “The Repair, Replacement and Maintenance of Historic Slate Roofs,* explains, “Historic slate roofs should be repaired rather than replaced whenever possible. Before

replacing a slate roof, check for isolated damage, corroded and worn flashings, leaky gutters, poor ventilation in the attic, and other possible sources of moisture. All too often slate roofs are mistakenly replaced when, in fact, they could have been effectively repaired. Deciding whether an historic slate roof should be repaired or replaced can be difficult and each roof must be judged separately.” Brief 29 also explains, “Flashings are the weakest point in any roof. Given the permanence of slate, it is poor economy to use anything but the most durable of metals and the best workmanship for installing flashings. Copper is one of the best flashing materials, and along with terne, is most often associated with historic slate roofs. Copper is extremely durable, easily worked and soldered, and requires little maintenance. Sixteen ounce copper sheet is the minimum weight recommended for flashings. Lighter weights will not endure the erosive action of dust and grit carried over the roof by rain water. Heavier weight, 20 oz. (565 grams) or 24 oz. (680 grams), copper should be used in gutters, valleys, and areas with limited accessibility. Lead coated copper has properties similar to copper and is even more durable due to its additional lead coating.”

Before applying for a total roof replacement, the Applicant should submit evidence that shows the location and cause of water penetration. It is possible that only part of the slate roofing requires replacement. If a wholesale replacement is needed, the Applicant should determine if any of the existing slate can be salvaged and reused. This would require a contractor to take care when removing the slates. It is also important to know what kind of slate is on the house as slate comes in a variety of colors. Slate found in this region tends to be Peach Bottom slate, which is most likely the type on the house. *Preservation Brief #29* explains, “Pennsylvania HardVein slates and Peach Bottom slates, neither of which is still quarried, had life spans of roughly 100 and at least 200 years respectively. The durability of a slate roof depends primarily on four factors: the physical and mineralogical properties of the slate; the way in which it is fabricated; installation techniques employed; and, regular and timely maintenance.” According to National Park Service *Preservation Brief #29*, “the slates of Maine, Virginia and the Peach Bottom district of York County, PA are deep blue-black in color.” Any replacement slate should match the existing as closely as possible.

Brief #29 provides advice for maintaining a slate roof in good condition. For example, the Brief explains, “When many slates must be removed to effect a repair, the sheathing should be checked for rotted areas and projecting nails. Plywood is generally not a good replacement material for deteriorated wood sheathing due to the relative difficulty of driving a nail through it (the bounce produced can loosen adjacent slates). Instead, new wood boards of similar width and thickness to those being replaced should be used. Because the nominal thickness of today’s dimension lumber is slightly thinner than that produced in the past, it may be necessary to shim the new wood boards so that they lie flush with the top surface of adjacent existing sheathing boards. Pressure treated lumber is not recommended due to its tendency to shrink. This can cause the slates to crack and become displaced.” Depending on how previous repairs were made, these issues could be contributing to the water related problems.

Section 16.607(a), Standards for review, of the County Code states that the Commission shall give consideration to following items when reviewing an application for Certificate of Approval:

1. The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.
2. The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.
3. The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.
4. Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

If a complete replacement of the slate roof is determined to be necessary, the replacement should be in-kind, with slate. The replacement with a synthetic product does not comply with the Standards for

Review in Section 16.607(a) of the County Code. The house is a contributing structure to the Lawyers Hill Historic District. The loss of significant historic features (and subsequent replacement with a synthetic material constructed from recycled rubber and plastic) on this house would diminish the relationship of this contributing resource to the overall historic district by removing important character-defining architectural features on a highly visible roof. Currently, the house is sided with painted cedar shake and has a slate roof and wood windows, all of which collectively represent the Craftsman building style found throughout Lawyers Hill.

The proposed synthetic slate shingles are constructed of recycled rubber and plastic. While there may be some variation in color due to the manufacturing process, there is not the level and polychromatic variation that is inherent with actual slate. The color on synthetic slates is dull and matte, whereas slate has more of a natural sheen because it is a metamorphic rock comprised of shale or mudstone that contains minerals such as quartz, feldspar, calcite, pyrite and hematite. A rubber and plastic product cannot replicate the aesthetic and visual qualities of natural slate. Slate tends to be thin but is very durable, whereas the synthetic version is much thicker and creates a bulkier, heavier appearance on the historic structure. The proportion, texture and quality of the natural product is not accurately replicated in the synthetic version, and therefore, they are not comparable products. Natural slate can be replaced with the same material, and the replacement can utilize the financial incentives that are available for proper in-kind replacement.

Staff Recommendation: Staff recommends Denial as submitted.

Testimony: Ms. Tennor swore in Paige Zimmer and Brian Zimmer. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Ms. Zimmer said the slate roof had been repaired many times in the past 10 years. Ms. Zimmer is certain that the moisture in the house was due to the rain leaking through the roof. Ms. Zimmer only wants to replace the roof on the main house not the sunroom, on the side of the house. Ms. Zimmer said the tax credit does not work for the emergency roof repairs they have had to make over the years.

Ms. Zimmer said the price of slate is double the price of the synthetic slate shingles. Ms. Zimmer said she cannot wait for the tax credit to process since the roof needs to be replaced immediately and she needs to pay for the materials up front. Ms. Zimmer said the cost of slate is a big issue. Ms. Zimmer said the individual slate tiles are fragile and the house is surrounded by many tall and mature trees that drop acorns and branches that damaged the roof. Mr. Zimmer said a professional roofer inspects the roof yearly and replace damaged tiles.

Ms. Holmes clarified that the Staff report did not state the roof was not the source of leakage, but based on the lack of details provided in the application, other roof components such as flashing or ice dams, could cause moisture issues, aside from just the roof tiles. Ms. Holmes updated the Applicant on the minor alteration approval process and tax credit pre-approval process that can expedite emergency repairs.

Mr. Zimmer showed the Commission two sample pieces of slate roofing used to patch in his roof. Mr. Roth said that one of the roofing tiles was not slate, but asbestos. The Applicants were unaware the material was asbestos and not slate.

Mr. Roth said asbestos was popular in the 1920s and 1930s, but has not been on the market since the 1940s. He said that in-kind replacement cannot be done since asbestos roofing is no longer available. Mr. Roth said a slate roof lasts about 100 years while asbestos lasts about 60 to 80 years. Mr. Roth said

the Commission needs to know if the roofing material is asbestos, with slate added in for repairs or vice versa.

Ms. Tennor asked if there are financing options to help with the Applicants up-front cost. Ms. Holmes said no. Ms. Burgess said only a property tax credit. Mr. Zimmer said the staff reports indicates there is not a 100% guarantee for the State tax credit. Ms. Holmes said that because she does not work for the State, she cannot say that it definitely qualifies, although it most likely does. The Applicant will need to contact the Maryland Historical Trust directly, to obtain their approval as the administrators of the State historic tax credit program.

Ms. Tennor asked if the roofer is replacing the composite material with real slate during repairs. Mr. Zimmer said he was unsure since he provided the roofer with the materials to patch the roof. Mr. Zimmer said he has about 8 of the tiles (same as the sample shown to the Commission) remaining, but the Applicant provided one slate and one asbestos sample to the Commission.

Mr. Reich asked the size of the roof. Mr. Zimmer said about 19 squares. Mr. Reich asked about the cost of the roof replacement. Ms. Zimmer said they were quotes about \$19,000 for the synthetic slate and \$40,000 for the real slate.

Mr. Reich asked about the labor cost. Mr. Zimmer said there was no breakdown of labor and material, the cost is combined cost. Mr. Reich suggested buying from direct suppliers that may reduce the cost of the materials. Mr. Zimmer said structures in Lawyers Hill are unique and several homes have asphalt shingles. Mr. Zimmer proposed to use the synthetic slate. Mr. Roth said the Applicant's current roof may not be slate. The Commission recommended the Applicant investigate and confirm what their roof material is.

Mr. Taylor said the testimony presented was that the roof on the main house has slate material, but was patched in with another material that Mr. Roth thinks is asbestos. Mr. Roth said the testimony is speculative. Mr. Taylor said the testimony is based on the roofer the Applicants hired advising the roof is slate. Mr. Taylor said assuming the current material is slate, would Mr. Roth deny the Application. Mr. Roth said he would not approve the application for a synthetic replacement if the roof was slate

Ms. Zoren said the first things that fail in the roof is the waterproofing underneath, not the slate that usually lasts 100-200 years. Although the roof has been patched, the underlayment has not been fixed. Mr. Zimmer said finding slate roof installers has been difficult.

Ms. Holmes asked the Applicants if they have heard of a roofing product called GAF TruSlate, which is a slate product that does not overlap compared to traditional slate. GAF TruSlate is half the size of traditional slate. Ms. Holmes said the installation technique is different compared to traditional slate. Ms. Tennor asked if the product would be eligible for State tax credits. Ms. Holmes said the Applicants would need to contact the State for the State to make that determination.

Ms. Zoren said a professional roofer should have flagged that the roof is not slate. Mr. Zimmer said he provided the materials for the roofers to patch.

Mr. Zimmer asked if the current roof material is asbestos, will he need to return to the Commission for approval of in-kind replacement. Mr. Taylor said the Guidelines states replacement of in-kind materials is Routine Maintenance, but since asbestos is no longer available, no replacement can be done. Mr. Zimmer asked if approval would be required if he wants to use asphalt shingles. Mr. Taylor said yes. The Commission said slate is preferred.

Mr. Reich said buying slate directly from suppliers in Vermont is cheaper than going through a local retailer. Ms. Zoren said a professional licensed roofer should look at the roof to determine if the material is slate. Mr. Roth agreed. Ms. Zimmer asked if approval would be required if the replacement is done with slate. Mr. Taylor said replacing slate with slate does not require approval and the Commission can approve for tax credit approval tonight. Mr. Taylor said the Commission can also approve the GAF TruSlate product and tax credit pre-approval tonight if the Applicants decide to select GAF TruSlate. Mr. Taylor said if Applicant needs more roofing material options, the Applicant can return to the Commission or contact Staff. Ms. Holmes said the Applicants should contact MHT about the 20% income tax credit for GAF TruSlate eligibility.

Motion: Mr. Roth moved to approve the tax credits for slate or GAF TruSlate product. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-36 – 3592 Fels Lane, Ellicott City

Certificate of Approval for exterior alterations (retroactive approval).

Applicant: Cleveland Ham

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the house dates to 1922. The Applicant seeks retroactive approval for the following alterations made to the house:

- 1) Roof - Removal of the 3-tab brown asphalt shingle roof and replacement with a gray architectural shingle roof.
- 2) Double hung windows - Removal of possible 2:2 wood windows and replacement with a 6:6 vinyl windows with an internal flat muntins.
- 3) Bay window - Removal of non-historic 15 light bay window and replacement with three a 6:6 vinyl windows with an internal flat muntins.
- 4) Shutters - Removal of vinyl shutters.
- 5) Siding - Removal of previous modern siding material and installation of a composite product to resemble cedar shake in an off-white color.
- 6) Doors - Removal of non-historic solid wood front door and steel security door and replacement with a ¾ light over 2 vertical panel steel front door and burgundy steel 1:1 Anderson storm door.

The following request is not retroactive:

- 1) Shutters - Proposed replacement shutters to be vinyl louvered in the color burgundy

The following items are alterations that were made, but not referenced in the current retroactive application:

- 1) Vent – Installation of a galvanized vent on center front of house.
- 2) Lighting – Replacement of front door exterior light with a white fixture.

Staff Comments: Generally, the alterations do not comply with the Ellicott City Historic District Design Guidelines, with a few exceptions. The replacement of the brown asphalt shingle roof with a gray architectural roof complies with Chapter 6.E recommendations, “use asphalt shingles that are flat, uniform in color and texture and of a neutral color.” There is now a galvanized metal vent on the center of the roof, facing the street, that was not previously there.



Figure 22 - Vent on roof



Figure 23 - Previous view of roof

Chapter 6.N recommends against “installing equipment on a roof section visible from a public way, unless no other option exists.” It is unclear if this vent could have been installed on the roof pitch facing the rear yard. However, the impact of the vent would be minimized if a finish that blended with the roof, as opposed to galvanized metal, had been used.

The application states that the wood windows were 1:1, but from Google Streetview it appears the windows were 2:2. It also appears the windows on the neighboring house, which is of the same architectural style, are also 2:2. This leads Staff to believe the subject windows were 2:2, which it visually appears to have been. The 6:6 windows installed are vinyl and have flat internal muntins. The Guidelines recommend against “installing windows with interior snap-in or sandwiched muntins, or other types of windows that do not have the appearance of true divided lights, on historic buildings, or in location visible from a public way.” The condition of the previously existing wood windows is unknown, however, Chapter 6.H recommends, “maintain and repair original window openings, frames, sashes, sills, lintels and trim. Maintain glass, putty and paint in good condition” and recommends against, “replacing sound wood windows and frames, even if paint, putty and glazing need repair or replacement.” The Guidelines recommend, “when repair is not possible, replace original windows, frames and related details with feature that fit the original openings and are of the same style, material, finish and window pane configuration. If possible, reproduce frame size and profile and muntin detailing.” The replacement windows are not of the same style and window pane configuration. The profile and muntin detailing no longer exist.



Figure 24 - Previous windows



Figure 25 - Current windows

The removal of the modern bay window feature partially complies with Chapter 6.H recommendations, “replace inappropriate modern windows with windows of appropriate style. If documentary evidence of the original windows is available, choose new windows similar to the original. Otherwise, select windows appropriate to the period and style of the building.” While the removal of the modern features complies with the Guidelines, the replacement windows do not comply. The original window arrangement is unknown, but the neighboring house is the same architectural style and has a three-part window that appears to be wood and historic. Since it is unknown if the neighboring style is original, the three double hung windows is an appropriate style for the building, but the actual replacement window does not comply as explained above.



Figure 26 - Previous bay window



Figure 27 - Current configuration



Figure 28 - Neighboring window configuration

The removal of the previously existing vinyl shutters also partially complies with the Guidelines. The previous shutters were not sized correctly for the windows and were vinyl, which the Guidelines recommend against. The Guidelines recommend, “install shutters or blinds of painted wood. Shutters or blinds should be correctly sized for the window and operable, or at least appear operable with hinges and hold backs (shutter dogs) appropriate to the period of construction.” The Guidelines recommend against installing “aluminum or vinyl shutters or blinds.” The proposed new shutters are also vinyl, which are not appropriate per the Guidelines. The neighboring house of the same style does not have shutters, although the majority of houses along Fels Lane do have shutters. If shutters are to be used, they should be wood in order to comply with the Guidelines.

The previously existing siding material is unknown. At the May HPC meeting the Applicant said he did not know what the previous siding material was, but thought it was cedar. Google Streetview shows the house in 2011, when the previous siding was still on. It is unclear from Google Streetview if the siding is a large asbestos shingle or a large cedar shingle. If it is cedar, it is not a typical shake and is not historic. The previous siding most likely dates to when the other alterations were made to the structure, such as the bay window and the replacement front door, which may be a 1970s alteration. Chapter 6.D explains, “many frame buildings have been covered with modern siding materials such as vinyl, aluminum, asphalt or asbestos. These treatments obscure the historic materials and details such as cornerboards and cornices, and can cause damage to the structure by sealing in moisture.” The neighboring house, of the same architectural style, has German lap siding as the primary siding and a staggered wood shingle in the gable. German lap siding is a historic siding material commonly found in Ellicott City, but cedar shake is quite rare in the district. Most likely this house had German lap siding underneath the previous shake material. The Applicant removed the previous siding without approval and installed Mastic Cedar

Discovery Shake siding in the color Linen. Staff requested a spec sheet of the siding material, but the Applicant did not provide one. The material of the siding is a polypropylene compound, which is a type of plastic. Chapter 6.D recommends against, “using vinyl, aluminum...or other substitute materials on historic buildings or additions to historic building.” The new material does not comply with the material recommendations in the Guidelines.



Figure 29 - Previous siding



Figure 30 - Current siding

The previously existing door was not a door of a historic style, although it was a wood door. The new door is a steel door that is of a contemporary style with etched glass over two vertical panels. The new door does not comply with the Guidelines, which recommend against “using door or door frames that are overly decorative, out of character with the style of the building, or imitative of styles that do not fit the period or style of architecture.” The etched glass is not appropriate for the historic district and clearly dates the door as being modern. Chapter 6.G recommends, “when a new door is needed, it should reflect the character of the original door. Simple paneled doors of wood or wood and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance.” Metal doors would only be appropriate for less visible secondary entrances.

The storm door has a sash in the middle of the door, which is typical of modern storm doors that have self-storing screens. The old storm door was not of a historically appropriate style, so the removal does not include the loss of historic building features. However, the new door does not comply with the Guidelines, which recommends, “on historic buildings, use narrow-framed wooden screen or storm doors. If the entrance is not highly visible from a public way, simple, narrow-framed screen or storm doors of painted or enameled metal may be used. The paint of enamel color should match that of the primary door it covers.” The new storm door is enameled metal, but was used on a highly visible location. The color of the storm door does not match the primary door it covers. The sash on the storm door also does not line up with any feature on the primary door; this style of door would have only been appropriate if the primary door had a half light over a panel and had a division in the middle of the door.

The new lighting fixture is a white fixture, which does not comply with the Guidelines. Chapter 9.E recommends, “use dark metal or a similar material.”



Figure 31 - Previous front door



Figure 32 - Current front door

Staff Recommendation:

The following alterations comply with the Guidelines and therefore Staff recommends Approval of:

- 1) The roof vent, if painted a color to blend with the roof.
- 2) The roof replacement to a gray asphalt shingle roof.
- 3) The removal of the bay window and the change to an arrangement of three double hung windows.

The following alterations do not comply with the Guidelines and if the application was not retroactive Staff would recommend Denial of:

- 4) The proposed vinyl shutters.
- 5) All windows installed.
- 6) The replacement siding.
- 7) The replacement exterior lighting, primary front door and storm door.

Testimony: Ms. Tennor swore in Cleveland Ham and Elsie Ham. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Mr. Ham said he understands vinyl shutters are not permitted but his neighbors have vinyl shutters on Fels Lane. Mr. Ham explained that years ago his basement was leaking so he removed the side porch for access and dug 12 feet deep to access the foundation wall to waterproof the structure. Mr. Ham said he did not understand the difference between a side porch and a deck Ms. Holmes said the historic houses on Fels Lane have historic porches built as part of the house but the Applicant had, as seen from Google street view, pressure treated wood landing off the sliding door. Ms. Holmes said the Applicant proposed a significantly larger deck, which is not an in-kind replacement.

Ms. Tennor said the discussion should be the vinyl shutters. Mr. Taylor read last month's Minutes: "Ms. Zoren stated she wanted the shutters back on in an appropriate color. Mr. Ham said shutters were decorative and vinyl." Mr. Taylor asked for clarification on the Staff recommendation for wood shutters, because the shutters that were removed were vinyl. Mr. Taylor asked if the shutters were replaced at the time the siding was replaced. Mr. Ham said shutters were not added back on when the siding was replaced. Mr. Ham said an in-kind replacement would be vinyl shutters since he purchased the house with vinyl shutters. Mr. Taylor said the previous month's minutes did not mention wood shutters. Ms.

Burgess said Staff did not have record that vinyl shutters were approved. Ms. Holmes said wood shutters were recommended in the Staff report because they are recommended in the Guidelines. Ms. Burgess said there may be other vinyl shutters on Fels Lane that are in violation. Mr. Taylor asked if the Applicant wants vinyl shutters. Ms. Ham said they do not want to put shutters back on. Mr. Taylor said the Applicant can withdraw the shutters. The Commission and Staff discussed whether or not to have in-kind vinyl replacement shutters or no shutters. Ms. Holmes said that Staff found it would be better not to have shutters.

Ms. Ham said her uncle owned the house before they did, and he replaced the roof without approval. Ms. Ham now understands pre-approval of work is needed. Mr. Ham said the old windows were not energy efficient and the siding was rotting. Mr. Ham installed energy efficient vinyl windows and vinyl siding. Mr. Ham said he was told a permit was not needed. Mr. Ham said financially, he cannot replace the existing windows and siding to bring them into compliance with the Guidelines.

Mr. Reich said the Commission can approve the items in compliance with the Guidelines. Mr. Taylor explained that the Commission is bound to the Guidelines. The Commission addressed smaller items that the Applicant may be capable of replacing to bring into compliance. Ms. Zoren said the front porch lighting fixture should be dark metal. Mr. Ham said the original one was white. Mr. Taylor asked if Mr. Ham is willing to install a dark metal lighting fixture. Mr. Ham said yes. Ms. Zoren said the front door and storm door should be wood without the stained glass. The Commission and Staff discussed what the style of the doors should be. Ms. Holmes said the current doors are an historically appropriate style with the panels, but the door material and stained glass does not comply. Mr. Reich said the Commission cannot approve the vinyl windows, vinyl siding, and the metal front doors.

Ms. Zoren said the Commission typically does not approve new business (in this case, the deck) when there are violations. Mr. Taylor said Mr. Ham is amending application to change front porch lighting fixture to the dark metal.

Motion: Mr. Reich moved to approve the following:

1. The roof vent, if painted a color to blend with the roof.
2. The roof replacement to a gray asphalt shingle roof.
3. The removal of the bay window and the change to an arrangement of three double hung windows.
4. The installation of a dark metal lighting fixture on the front porch, to be approved by Staff.

Mr. Reich moved to deny the following:

1. All windows installed.
2. The replacement siding.
3. The replacement of the primary front door and storm door.

Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-37 – 3592 Fels Lane, Ellicott City

Certificate of Approval for exterior alterations (new deck and related items).

Applicant: Cleveland Ham

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the house dates to 1922. The Applicant seeks approval to install a 15-foot wide by 10-foot deep composite deck off the rear of the property and set the elevation 16 inches below the retaining wall that

runs parallel to the house. The deck majority of the deck would be located behind the retaining wall; only about two feet would be behind the house. The Applicant also proposes to install an 8-foot wide by 6-foot privacy fence attached to the house and sitting on top of the retaining wall. A 4-foot by wide by 8-foot long curving walkway would connect the side sliding door to the deck. The application explains that the location of the deck was chosen so that it did not encroach on the rear basement entry door and that is why the deck is shifted north.

The Applicant proposes to install evergreen shrubs in front of the sliding door stoop and walkway, to reduce the visibility. The Applicant seeks the Commission recommendations on what to plant.

The Applicant proposes to construct a new stoop off of the side sliding door. The new stoop would be no larger than 3 feet deep by 8 feet wide and would consist of one step down and would be centered along the width of the door. The Applicant proposes to use pressure treated wood or concrete, subject to Commission approval.



Figure 33 - View of side of house



Figure 34 - View of side and rear yard

Staff Comments: The Applicant has changed the location of the deck from the May application, but has still not provided information requested by the Commission, such as specs on the proposed railings. There are also no clear specs for the decking, other than a picture submitted with the May application.

Chapter 7.B explains, “proposals to add decks of unpainted, pressure treated wood to the rear of historic buildings are not uncommon. Although these additions are obviously modern, they usually obscure little of the building façade and require little change to historic building features. Decks should not be added to a historic building’s primary façade or a façade highly visible from a public way. They should be substantial in appearance...and should be related in detail as much as possible to the style and character of the building.” The location of the proposed deck is offset from the house and the deck will have little relationship with the house. It would be more appropriate to construct a patio off of the side sliding door or below the retaining wall, where the deck is proposed. Chapter 7.C recommends, “design new porches and decks to be simple, compatible in design with the existing building, and in scale with the existing building is size and roof height.” A deck detached from the house is not in scale with the building, is not a typical arrangement and is not seen in the Historic District.

Gray square pavers are proposed for the walkway, although the exact product is unknown. The Applicant states that they could use the same product approved at 3646 Fels Lane. The pavers shown in the photo, and those used at 3646 Fels Lane, comply with Chapter 9.D, “construct new terraces or patios visible from a public way from brick, stone or concrete pavers designed to look like indigenous stone.”

Regarding the proposed pressure treated wood or concrete stoop, the Guidelines recommend, “stoops and exterior stairways may be of poured concrete rather than wood if the location is unobtrusive or is masonry construction is more appropriate because concrete or stone is used or similar features on neighboring historic buildings.” There does not appear to be a strong precedent for concrete on Fels Lane, but there are steps of painted wood.

The Applicant proposes to install a 6-foot high closed board privacy fence. Chapter 9.D recommends, “install open fencing, generally not more than five feet high, of wood or dark metal. Use closed wood

fences only for side and rear yard in areas where a precedent exists.” There does not appear to be any closed board fences along Fels Lane, so there is no precedent for this fence style.

Staff Recommendation: Staff recommends Approval of the paver walkway and a painted wood stoop. Staff recommends Denial of the deck and privacy fence as proposed.

Testimony: Cleveland Ham and Elsie Ham were sworn in on the previous case. Ms. Tennor asked if there was anyone in the audience who wanted to testify. There was no one. Ms. Tennor asked if there were any additions or corrections to the Staff comments or application. Mr. Ham said he understood the Commission’s recommendations that the deck should not be visible from the public road. Mr. Ham proposed to build the deck 16 inches below the top of the brick wall which would hide the deck from public view. Ms. Tennor asked if the railing will be visible. Mr. Ham said the 36 inches tall railing will be visible from the back of the house.

Mr. Reich asked what fence types have been approved in Ellicott City. Ms. Holmes said wrought iron, wood picket and split rail fences have been approved in the historic district (in areas such as Sylvan Lane). Mr. Reich ask if the proposed fence is for privacy for the deck. Mr. Ham said yes. Mr. Reich said landscaping would be another option for privacy. Mr. Ham said he would like to install brick pavers that would not permit planting. Ms. Holmes said the proposed detached deck would be odd, a patio would be ideal. Ms. Zoren said a side patio would work. Ms. Tennor said the Applicant already purchased the plastic/composite decking material. Mr. Taylor said a patio is more historically appropriate. Ms. Holmes said the Applicant can build the patio on the side of the house where the deck was originally proposed.

Ms. Tennor asked about the location of the proposed deck. Mr. Ham said he selected the deck location because he did not want the rear door to be underneath the deck. Ms. Zoren sketched a drawing for the deck on the back of the house and the walkway to the side of the house that would be acceptable by the Commission. Ms. Burgess asked if the Applicant is clear about Ms. Zoren’s recommendations. Mr. Ham said yes and he is in agreement with Ms. Zoren’s proposed sketch. Ms. Zoren said the paver walkway is no longer needed. Ms. Zoren’s recommendation puts the deck behind the house, with a small portion extending beyond that is sufficient for egress from the house.

Ms. Tennor asked if the Applicant is amendable with Ms. Zoren’s sketch of the deck design. Mr. Ham said yes. Ms. Tennor said the Application has been amended.

Motion: Ms. Zoren moved to approve the amended application to location as shown on the sketch plan that Staff has. The privacy fence is denied. Mr. Reich seconded. The motion was unanimously approved.

OTHER BUSINESS

Mr. Taylor moved for the meeting to go to closed session to discuss Decision and Order language. The meeting went into closed session at 10:59pm.

Ms. Tennor moved to adjourn. Ms. Zoren seconded. The motion was unanimously approved and the meeting was adjourned at 11:30 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

Yvette Zhou, Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

July Minutes

Wednesday, July 11, 2018; 7:00 p.m.

The July meeting of the Historic Preservation Commission was held on Wednesday, July 11, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the June minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Renee Novak, Lewis Taylor

OTHER BUSINESS

1. Ellicott City Design Guidelines Update
2. Ellicott City Flood Update

PLANS FOR APPROVAL

Consent Agenda

1. HPC-18-38c – 8173 Main Street, Ellicott City

Regular Agenda

2. HPC-18-39 – 8394 Main Street, Ellicott City
3. HPC-18-40 – DPW Repairs to Ellicott City Historic District
4. HPC-18-32 – 3614 Court House Drive, 3534 Church Road and 3655 Church Road, Ellicott City

CONSENT AGENDA

HPC-18-38c – 8173 Main Street, Ellicott City

Final assessment tax credit 20.113 approval

Applicant: Historic Ellicott Properties, Inc., Bruce T. Taylor, M.D., President

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the July 30, 2016 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$131,700.00. The difference in the assessment that is eligible for the tax credit is \$130,700.00. The application states that \$57,726.57 was spent on restoring the building.

Staff Comments: Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. The estimated potential tax credit this property could qualify for, based on the current assessment and the current tax rate, is \$13,252.98. As a result, Staff reviewed expenses 30% higher than the estimated potential tax credit and confirmed \$18,526.00 in qualified expenses for work that includes HVAC replacement and repair.

The work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.” The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

Staff Recommendation: Staff recommends Approval as submitted for the final tax credit for 20.113, the assessment tax credit.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. No one in the audience wanted to testify. There was no discussion on this case.

Motion: Mr. Roth moved to Approve as submitted. Ms. Tennor seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-39 – 8394 Main Street, Ellicott City, HO-64

Certificate of Approval to relocate structure.

Applicant: Raul Delerme, Howard County Recreation and Parks

Background & Scope of Work: This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-64. The Thomas Isaac Log Cabin, according to the Historic Sites Inventory form, may date to the 1780s. The log cabin was originally located on Merryman Street and was dismantled in 1980 and stored by Recreation and Parks, until it was rebuilt in its current location in 1988. The May 27, 2018 flood resulted in a collapse of Ellicott Mills Drive, and the subsequent damage has compromised the structural integrity of the log cabin, as shown below in Figure 1.



Figure 1 - Aerial view of Ellicott Mills Drive at Main Street



Figure 2 - Damage at log cabin

There is also a culvert, approximately 5-6 feet in diameter, that runs under part of the log cabin. This presents additional concerns as work needs to be done directly under and around the structure. As a result, the Applicant proposes to relocate the log cabin in order to preserve the structure. A new permanent location and plan for relocation of the structure is in the process of being identified. The application explains that the building will likely be moved in one piece, instead of being dismantled.

The log cabin is also under an MHT Easement and Recreation and Parks will coordinate the easement review through MHT.

Staff Comments: Chapter 12 of the Guidelines states, “relocation will detract from the integrity of a historic structure and its site and requires strong justification. If relocation is approved, the building should be moved to a similar setting, preferably within the historic district.” The current location of the log cabin along Main Street is not the original location as the cabin was first moved from Merryman Street. The existing setting, while aesthetically pleasing, is also not representative of the original setting. Ideally, a new permanent location will be a similarly designed public space, but given the emergency nature of the request to move the structure, this information is not yet known.

Chapter 12 of the Guidelines explains, “for any demolition or relocation, the treatment of the site after removal of the structure and the new location and site design for a relocated building (if the location is within the historic district) must also be approved by the Commission.” Once a permanent location for the log cabin is determined, a new application will need to be submitted for approval, however in the interim, moving the log cabin to a temporary location is acceptable given the circumstances.

Staff Recommendation: Staff recommends HPC approve moving the log cabin from its current location to a temporary location as needed, until a permanent location within the Ellicott City Historic District can be identified.

Testimony: Mr. Shad swore in Raul Delerme and Caitlin Chamberlain. Mr. Delerme explained that the May 27 flood blew out the road and left the cabin sitting on the edge of the eroded area. He said they are still debating if they need to move the log cabin or not, but that if they have to move it, the move will need to happen quickly. Recreation and Parks is working with DPW to see if the pipes that run under the cabin can be moved away from it, in order to preserve the current location of the cabin. Mr. Delerme said they will know within the next week or two if the cabin needs to be moved. He explained that they have reached out to contractors and have received proposals for the relocation, so they are ready to move it if needed. If it is determined that the cabin needs to be moved, it would be temporarily moved to Parking Lot F or Parking Lot G until a permanent home can be determined. Mr. Delerme said the upper part of Lot F is ideal because they own the Bernard Fort house adjacent to it.

Ms. Tennor asked if the consultants think the cabin can be moved intact and Mr. Delerme replied that they could move it intact, which is the plan. Mr. Roth asked if the same foundation will be used and Mr. Delerme replied that they would like to use it if possible. Mr. Roth asked if the foundation dates to the current placement of the building on Main Street. Mr. Delerme said that was correct, the foundation is not historic and was constructed when the building was moved from Merryman Street to Main Street. Mr. Roth said that it seemed reasonable to move the building if it is needed. Mr. Delerme said they expect DPW to make a decision on moving the pipes within the next few weeks. Mr. Delerme said they would return to the Commission for approval of the final placement of the cabin, if it is moved temporarily.

Motion: Mr. Roth moved to approve the application per the Staff recommendation. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-40 – Department of Public Works Repairs to Ellicott City Historic District (Emergency Addition)

Advisory Comments for repairs.

Applicant: Mark DeLuca, Howard County Department of Public Works

Background & Scope of Work: The Applicant will present an overview of the emergency repairs needed within the Ellicott City Historic District, specifically at Ellicott Mills Drive and New Cut Road. The final repair plans are still in process and the Applicant will return to the Commission for approval once completed. A portion of the roadway at Ellicott Mills Drive and Main Street washed away and a portion of slope supporting New Cut Road also washed away. Both roads are closed until the repairs can be made. Photos of Ellicott Mills Drive and New Cut Road are shown below.



Figure 3 - Ellicott Mills Drive and Main Street



Figure 4 - Ellicott Mills Drive



Figure 5 - Ellicott Mills Drive



Figure 6 - New Cut Road

Testimony: Mr. Shad swore in Mark DeLuca, Deputy Director of the Department of Public Works. Mr. DeLuca explained that the damage to Ellicott Mills Drive and New Cut Road occurred because of the May 27, 2018 flood. Mr. DeLuca gave a PowerPoint presentation and started with an overview of the damage to Ellicott Mills Drive where the road washed away.

Mr. DeLuca explained how the road collapsed, stating that water was running through the pipe under the street and the pipe failed. He said the pipe dated to the construction of Ellicott Mills Drive around 1970 and was a corrugated aluminum pipe at the end of its design life. He explained how water got underneath the pipe and created a blockage inside so that the water went over road and then eroded the road away. When the road washed away they found a historic stone wall, two millstones and a piece of granite with the date 1875 carved into it. Mr. DeLuca explained that the historic stone wall is not in great shape. In order to fix the wall, it will require sheeting and shoring, using concrete and lagging to support the banks. Mr. DeLuca said they cannot incorporate the historic wall into the new design because of the necessity of the sheeting and shoring, but said that if a wall is needed there, it would have an architectural stacked stone treatment to replicate wall.

On the next slide, Mr. DeLuca showed where headwall originally was located and where new a headwall and pipe would be placed. Mr. DeLuca explained that it will all be covered. He said that a new headwall will be constructed and attach to new aluminum pipe, which will be much larger than the previously existing and be able to handle a 100-year storm. The old pipe could not carry a 100-year storm. He explained that the marks on the drawing on the PowerPoint slide indicate rip rap, which will help with erosion. He explained how they are working with the Army Corps of Engineers and Maryland Department of the Environment (MDE), which is required as they are seeking to repair the damage with in-kind hydraulics as an emergency repair. Mr. DeLuca said the goal is to get the road open as soon as possible, which they are hoping is by November, an ambitious goal. He said that MDE and the Corps agreed they would allow a rolling review of the project versus a one-time review, which could take months.

Ms. Tennor asked if the new road will be at the same elevation as the previously existing road and Mr. DeLuca confirmed that it would be. Mr. Taylor asked if the historic stone wall would be underground

again when the work was finished, and Mr. DeLuca replied that it would be underground, as it was before. Mr. Taylor asked if it was possible to harvest the stone, rather than burying it. Mr. DeLuca explained that it would create a bigger job and affect more of the slope and underground utilities if they tried to remove the stone.

Mr. DeLuca explained that the pipe will be buried underground and once it crosses under Ellicott Mills Drive, the new pipe will connect to the existing pipe. He said the headwall on the Parking Lot F side of the street might stick up a little bit and would get a veneer treatment similar to what was done on the Ellicott Mills Brewery wall after the 2016 flood. Mr. DeLuca explained that the ends of the pipe will remain in place until they can remove them and let the water freely flow into the stream, which could take years. Right now they can't remove them as the channel downstream cannot handle the water.

The Commission and Mr. DeLuca discussed the historic stone wall and what it may have been, possibly a mill race channel since there was a mill at this location historically.

Mr. Taylor confirmed that the only change on the surface from prior to the flood will be rip rap and some headwalls that will be veneered where the pipe is. Mr. DeLuca said that was correct. Mr. DeLuca explained that if this type of flooding happens again, the rip rap should help keep everything in place.

Mr. Roth asked if there was any thought in putting in a bridge and exposing the stream. Mr. DeLuca explained that exposing the stream would mean letting the 100-year flow go through, which they can't do yet as the downstream channels do not have the capability to handle that capacity of water. Mr. DeLuca said that MDE and the Corp won't allow that. Mr. DeLuca explained if a property is immediately downstream, that would be an issue because creating a bridge would simply push the water downstream. Mr. DeLuca explained that ideally a project like this would start downstream and be worked on heading upstream, as you shouldn't start in the middle, which can adversely affect people who didn't have any impact. Since the culvert failed and washed out the road, they have to work in the middle, but need to be sensitive to everyone downstream.

Mr. DeLuca explained that they are trying to re-establish road as quickly as possible and are making the repairs hydraulically equal as it was before. Sometime in the future they will be able to take the gates off to let it flow free, but can't do that now because channel can't handle that flow.

He said that as they refine the designs, in about another month, they will have the design down and then they can go out to bid, but that it shouldn't change that much.

Next Mr. DeLuca discussed the repairs needed to the New Cut branch, in order to get New Cut Road open. Mr. DeLuca showed an image of the location of the damage within the Historic District and oriented the Commission members. Mr. DeLuca explained that the grade of the road was raised sometime in the 1940s-60s by about 20 feet and as a result, sits much higher than the stream. He said prior to that the road would have been closer to the stream. He explained that the slope is a mix of soil and rock face. He said that rock face is very hard, about 65 tons per square foot and a 15-story building could be constructed on it. Mr. DeLuca showed a slide that broke the area of damage down into four areas: Area 1 is soil, Area 2 is rock, Area 3 is soil and Area 4 is rock. For Areas 1 and 3, which are soil, they will re-establish the grades that were there and armor the edge of the stream with stone rip rap. For Areas 2 and 4 they will construct walls. Mr. DeLuca said the consultants have created concepts for the repairs but need to finalize them and then talk to the adjoining property owners.

Mr. DeLuca explained that they have looked into several different kinds of wall systems and are looking at using the same wall system that was used on Old Columbia Pike behind the former Ellicott City Theater. The wall will consist of caissons, H-piles and then backfilled with concrete. This will be done on 8-foot centers and have precast planks that go between each of the 8-foot sections. Mr. DeLuca explained that they don't know how tall the wall will be yet and said that anything over 10-feet in height needs a tie back.

Mr. DeLuca explained that in the two areas where they need a wall (Areas 2 and Area 4), there is the road and private property. Some of the property is used as parking for nearby rowhomes, so they need to preserve that parking, as well as some existing paper lots (undeveloped lots). Mr. DeLuca said they would also put a treatment there (such as a guardrail or railing) to keep people from driving or falling over.

Mr. DeLuca explained that on the Old Columbia Pike wall by the Theater, (where they did the same type of wall), it is an H-pile caisson with tie backs and is about 12 -15 feet high. They also installed an imbricated wall in front (stacked stone) and then backfilled with loose concrete or flowable fill and placed rip rap at the base of wall. He said that this is the treatment they would use for the wall on New Cut Road. He explained that it is hard to get the big stones from the quarry, and he would like to put stone back along the area where a wall is needed as it looks better.

Mr. DeLuca explained that the wall is designed for the 100-year storm, but they also went down to the stream with USGS (United States Geological Survey) and marked the high-water mark and are making a wall design for the high-water mark from the May 27 storm. For this design, they will need to look at how high the wall ends up being and see what it will cost and exactly where it would go. This wall would only re-establish the slope, so the road can be fixed. He said that right now it's about 15 feet high and explained that if they went to high water mark, he's not sure how high that makes the wall, but said that if it's a 30-foot wall then they need to reconsider the wall and facing and examine the cost-benefit. The designers are still working on this design.

Mr. DeLuca summarized that the plans are all concepts right now, but he wanted to share this information with the Commission before the designs get farther along. Ms. Tennor asked if he will come back when he has more information. Mr. DeLuca said that he will return when they are at 90% completion of the design, before they finalize for a contract document set. Mr. Roth confirmed this application was for Advisory Comments. Mr. DeLuca said it was just Advisory, he didn't want to wait to present this until they were almost done designing.

Motion: There was no motion as this case was for Advisory Comments, but the Commission did not have any objections to the information presented.

HPC-18-32 – 3614 Court House Drive, 3534 Church Road and 3655 Church Road, Ellicott City
(continued from June)

Certificate of Approval for exterior alterations.

Applicant: Avinash Dewani, Howard County Department of Public Works

June Background & Scope of Work: These properties are located in the Ellicott City Historic District. While there are historic and modern buildings on these properties, the application deals with site alterations. The Department of Public Works, Real Estate Services Division, is in the process of acquiring easements for the parcels that are privately owned that this project falls within. The application is for the stabilization of a slope, that contains trees and a historic stone wall, along Court House Drive. At this

section of roadway there is a stream and culvert that runs under the road. The application explains, “the existing natural stone headwall at the outfall of the pipe has experienced significant cracking and is severely damaged. The downstream embankment slope has erosion in several places. Runoff has resulted in damage to the existing gabion basket supporting the road edge at the top of the roadway embankment, and the cracks have developed in the roadway.”

The Applicant proposes the following:

- 1) Replace the existing asphalt curb and damaged curb opening with a concrete curb.
- 2) Bury the existing stone wall and add fill to create a more stable slope.
- 3) Install two combination inlets and a storm drain to capture roadway runoff from Court House Drive and convey the runoff to the suitable outfall close to the stream, to reduce the flow on the road embankment.
- 4) Replace the damaged portion of the existing 36” RCP storm drain pipe and extend and line with concrete.
- 5) Regrade the outfall and stabilize to reduce the flow of velocity from the pipe.
- 6) Remove 11 trees that are 12 inches or greater DPH, including one 30.5-inch tulip poplar specimen tree. The specimen tree is located along the southwest edge of the limit of disturbance adjacent to the proposed grading that will affect more than 33% of the critical root zone.

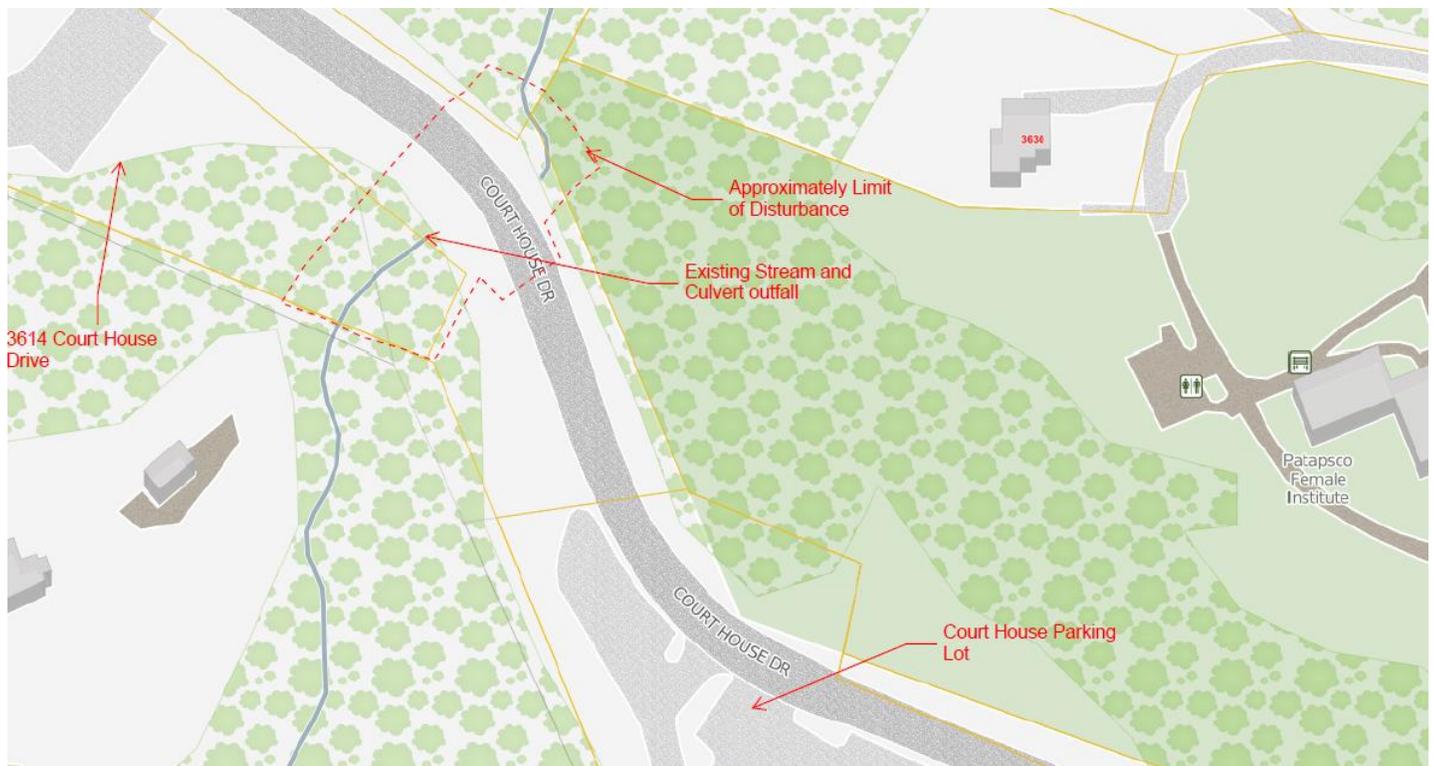


Figure 7 - Site map of project

Figure 8 below shows the existing stone wall on the south side of Court House Drive, that is proposed to be buried. The date of the wall is unknown, but the Applicant believes it may date to the construction of the road. Staff’s research suggest that the wall is historic and most likely dates to an earlier, lower road bed, as it would be unusual for the current road to have been constructed with stone instead of concrete. Figure 9 is an example of what the side with the stone wall will look like after it is buried.

Staff inquired if a structural analysis of the wall was done and the consultant replied, “We did not do any structural analysis of the wall. The degree of damage the wall has already sustained, and the variability of wall materials and their overall integrity would make it very difficult to accurately analyze the structure; doing so would likely require a test hole, which could further compromise the slope and wall stability and roadway safety. We also needed to lessen the steepness of the roadway embankment slope to make it stable and we could not do that with the existing wall.”



Figure 8 - Existing stone wall



Figure 9 - Example of site after burying wall

Eleven trees are identified for removal due to their location within the project area, but there is no information on the health of the trees. The trees to be removed are identified on the site plan and include:

Tree ID #	DBH (Diameter at Breast Height)	Common Name of Tree
22	13 inches	Boxelder
23	13 inches	Black Locust
25	24.5 inches	Tulip Poplar
26	14.5 inches	Boxelder
29	30.5 inches	Tulip Poplar (specimen)
30	16.5 inches	Tulip Poplar
31	19 inches	Tulip Poplar
41	20.9 inches	Green Ash
42	12.5 inches	Beech
43	12.5 inches	Tulip Poplar
52	16 inches	Red Maple

Figure 10 - Trees to be removed

June Staff Comments: The application does not comply with the recommendations in the Ellicott City Historic District Design Guidelines. Chapter 9 explains, “Ellicott City’s natural setting is essential to its character...Ellicott City’s buildings and streets were fitted into the steep hillsides without major changes to the natural land forms. Retaining walls or the outer walls of buildings have been used to terrace the land to create the narrow, level areas needed for buildings, roads, gardens and other improvements.” Chapter 9 recommends, “retain landscaping patterns that reflect the historic development of the property” and “preserve historic features, such as retaining walls, freestanding walls, fences...and steps. When possible, reuse the historic building material to repair or restore these structures.” The stone wall is most likely a historic landscaping element and the burial of the wall would not comply with the Guidelines.

Chapter 9.B recommends against, “the removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structures.” There is cracking evident in the stone wall, however there are also trees growing into the wall, which are contributing to the damage. The trees should have been removed and should not have grown to this size. The removal of these trees would comply with the Guidelines as they are damaging a historic structure. The wall should be repaired, and repointed and weep holes installed as need to allow for proper drainage.



Figure 11 - Cracking in stone wall

An alternate plan for stabilization of the slope that does not bury the historic stone wall and minimizes removal of trees should be identified. There was no evidence submitted within

the application that shows the cracking of the stone wall is due to the anything other than trees growing into the wall and lack of proper drainage.

July Staff Comments Update: The Applicant has asked the consultant to look into three possible solutions: 1) Constructing a wall between the roadway and existing wall, 2) construct a new wall and reuse the existing stone and 3) any other solutions that would save the historic stone wall. The Applicant is still waiting to hear from the consultant at the time this staff report was written, so Staff does not have any new information to present to the Commission.

June Staff Recommendation: Staff recommends an alternate scheme for the stabilization of the slope be considered rather than burying the wall. Staff recommends approval of the concrete curbing and the removal of trees that are growing into the stone wall and slope between the wall and Court House Drive, which includes trees 30 and 31.

Testimony: Mr. Shad swore in Avinash Dewani from DPW and Andy McLean from McCormick Taylor. Mr. Dewani corrected a budget estimate that he made at the June meeting regarding the cost of the project. He explained that the project will cost \$500,000 rather than \$1,000,000. He explained that since the June meeting, he asked the consultants to look at more options to preserve wall and fix the slope.

Mr. Dewani said they determined that it was not feasible to construct another wall between the roadway and existing historic wall. Another scenario that was looked into was seeing if the wall could be moved further up.

Mr. Dewani said the concept drawing submitted to the Commission for approval is to bury the existing wall, extend the pipe and construct a new concrete wall to be faced in stone, where the pipe ends. This will make the slope flatter than it currently is. The new wall will be designed to look similar to the existing wall.

The Commission had a few questions on the proposal as the rendering was confusing. Ms. Burgess confirmed that Mr. Dewani was proposing to bury the existing historic wall, lessen the pitch of the slope, construct a concrete wall with veneer stone facing, extend the pipe through it and then plant grass on top. Mr. Dewani said that was correct. Ms. Holmes asked if the same trees from June were still proposed to be removed. Mr. Dewani said that was correct.

Mr. Roth commented that a 30-inch Tulip Poplar will be removed. Mr. Taylor asked Mr. Dewani if trees were going to be planted. Mr. Dewani said they would be planting some trees to compensate for those they are removing, but he did not have an exact number. Ms. Holmes asked what type of trees would be planted. Mr. McLean said they would plant native trees. Mr. Roth and the Commission discussed the loss of the 30-inch Tulip Poplar. Ms. Burgess explained that Tulip Poplars are pioneer trees, which are fast growing. She said the trees is old, but most likely not historic. Mr. Taylor inquired about the life expectancy. Ms. Burgess said she did not know, but said a Tulip Poplar is not a slow grower like an oak tree. Mr. Dewani said they tried to save the trees, but the roadway is failing, and this is a public safety project. Mr. Taylor recommended the Applicant work with Staff on selecting new trees.

Ms. Holmes asked if any other public meetings are required for this project. Mr. Dewani said that no other meetings were required.

Ms. Holmes asked if they will be matching the stone in color and size. Mr. Dewani said they would. Ms. Burgess explained that the stone that Mr. DeLuca has been using for projects is more appropriate than the stone in Lot E, which is randomly placed versus stacked, as the historic wall here is stacked stone.

Motion: Mr. Roth moved to Approve the application as submitted. Ms. Zoren seconded. Three voted in favor, Mr. Shad opposed. The motion was approved.

OTHER BUSINESS

Ellicott City Design Guidelines Update

There was no one present to give testimony on Chapters 9 and 10 of the existing Design Guidelines.

Ellicott City Flood Update

Ms. Burgess explained that while Staff has been working on updating the Design Guidelines, there is need to come up with flood mitigation suggestions/recommendations for town. Ms. Burgess explained there is in-kind replacement happening on several buildings that are being repaired and said Staff has heard from a few people asking about flood mitigation and what that looks like. She explained they have been trying to work with companies to see what flood gates, panels, doors, etc. look like. Ms. Burgess explained that since the Guideline Update is not complete, Staff is working on a guideline update policy, similar to what was developed for solar panels. They were hoping to have a draft available for the current meeting, but explained it is a complicated topic and they are still working on it. She is hoping to discuss flood proofing at the August meeting and will eventually be sending a draft out for review.

Ms. Burgess explained that an intern would be starting soon to assist Staff with formatting the Guidelines in In-Design.

Ms. Burgess provided an update on the status of the Ellicott City Watershed Master Plan and said she will keep the Commission members posted on dates of public meetings.

Mr. DeLuca explained that DPW will be managing a \$150,000 grant for floodproofing for Valley Meade and Ellicott City.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner, Acting Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

September Minutes

Thursday, September 6, 2018; 7:00 p.m.

The September meeting of the Historic Preservation Commission was held on Thursday, September 6, 2018 in the Banneker room located at 3430 Court House Drive, Ellicott City, MD 21043. Ms. Tennor moved to approve the June minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Erica Zoren; Bruno Reich

Staff present: Beth Burgess, Samantha Holmes, Renee Novak, Lewis Taylor, Lisa Kenney

OTHER BUSINESS

1. Ellicott City Design Guidelines Update

PLANS FOR APPROVAL & ADVISORY COMMENTS

Consent Agenda

1. HPC-17-29c – 4730 Sheppard Lane, Ellicott City, HO-907

Regular Agenda

2. HPC-18-41 – 6195 Lawyers Hill Road, Elkridge, HO-749
3. HPC-18-42 – 8086 Main Street, Ellicott City
4. HPC-18-43 – 15081 Roxbury Road, Glenelg, HO-123
5. HPC-18-44 – Parking Lot D, Ellicott City
6. HPC-18-45 – Multiple Properties in the Ellicott City Historic District, Ellicott City
7. HPC-18-46 – Multiple Properties in the Ellicott City Historic District, Ellicott City
8. HPC-18-47 – 8390 Main Street and Ellicott Mills Drive right of way, Ellicott City

OTHER BUSINESS

Ellicott City Design Guidelines Update

- At the September 6, 2018 HPC meeting, we will be seeking public comment on Chapter 11 from the [existing Design Guidelines](#).
- To help guide you in reviewing these chapters, please consider if there are items that need clarification, better definitions or if there are missing subject matters.

CONSENT AGENDA

HPC-17-29c – 4730 Sheppard Lane, Ellicott City, HO-907

Final tax credit approval.

Applicant: Daniel J. Standish

Background & Scope of Work: This property is listed on the Historic Sites Inventory as HO-907. The Applicant was pre-approved for tax credits on May 4, 2017 for the installation of a high velocity, non-intrusive air conditioning system for the house. The Applicant has submitted documentation that \$61,927.00 was spent on eligible, pre-approved work. The Applicant seeks \$15,481.75 in final tax credits.

Staff Comments: The work complies with that pre-approved and the invoice and checks add up to the requested amount.

Staff Recommendation: Staff recommends approval as submitted for \$15,481.75 in final tax credits.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

Motion: Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-41 – 6195 Lawyers Hill Road, Elkridge, HO-749

Tax credit pre-approval for exterior repairs.

Applicant: David Errera

Background & Scope of Work: This property is located in the Lawyers Hill Historic District and is listed on the Historic Sites Inventory as HO-749. According to the Historic Sites Inventory form, the building dates to approximately 1927. A tree fell onto the house a few weeks ago and the Applicant proposes to make the following repairs and seeks tax credit pre-approval for the work:

- 1) Repair structural damage to the roof, including rafters, trusses, decking and other structural components that were damaged.

- 2) Install new plywood over entire roof. Replace entire roof covering, including felt underlayment and all shingles. Roof shingles to be replaced in-kind using, Owens Corning Berkshire shingles in Manchester Gray.
- 3) Replace damaged roof vent pipes.
- 4) Replace damaged cedar siding (shingles) with new cedar shingles painted white to match the existing.
- 5) Replace gable vent.
- 6) Repaint exterior left side of house.
- 7) Replace all existing k-style gutters and downspouts in the same white color and style to match the existing.
- 8) Replace damaged aluminum storm window with a new window to match the existing. Repair window molding.
- 9) Remove damaged awning. Replace all awnings in the same color back and same size as the existing.
- 10) Repair structural damage to wall in basement. The exact method of repair has not yet been determined.

The following items describe the damage to the interior of the home:

- 1) Remove and replace water damaged plaster walls and ceiling in the 2nd floor bathroom, 2nd floor hallway, master bedroom and middle bedroom and living room.
- 2) Repaint living room, master bedroom, middle bedroom, 2nd floor hallway and bathroom.
- 3) Replace ceramic tile floor in bathroom.
- 4) Reglaze 2nd floor bathtub.
- 5) Water damaged attic insulation has been removed. Remove remaining attic insulation that was not water damaged. Replace all attic insulation.
- 6) Inspect and repair and water damage to electrical components in the attic.



Figure 1 - Front view of tree damage



Figure 2 - Rear and side view of damage

Staff Comments: The repairs to the house will be in-kind, restoring the house to its condition prior to the tree falling and are considered Routine Maintenance, “repair or replacement of roofs, gutters, siding, external doors and windows, trim, lights and other appurtenant fixtures using the same materials and design” and “painting previously painted surfaces using the same color.” These repairs comply with Section 20.112 of the County Code and are eligible for tax credits. If the Applicant wanted to change the gutter style to half round, which is more historically appropriate, that would be eligible for tax credits. However, as the K-style was existing, there are no issues with replacing in-kind.

The Applicant also provided a description of the interior repairs needed and Staff finds Items #1 and #6 would also qualify for tax credit under the Section 20.112 criteria, “Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing”

Staff Recommendation: Staff recommends tax credit pre-approval for exterior items #1-8, and #10 (excluding the awning, #9, which is not a historic building feature) and interior items #1 and #6.

Testimony: Mr. Shad swore in David Errera. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Errera asked about the rationale for not including interior items 1-6 in the tax credit pre-approval recommendation. Ms. Holmes explained that interior finish work does not qualify for tax credits. Mr. Errera asked if the new insulation would qualify. Ms. Holmes said work that protects the integrity of the structure in regards to durability, weatherproofing or safety could qualify and the Commission could make that determination. Mr. Reich asked if the Commissioners agreed with including the insulation. They agreed.

Mr. Errera mentioned the crack in the basement wall, which he does not currently have repair plans for. Ms. Holmes said that if the repair is in-kind and doesn't change the appearance, it may qualify. If there are any changes, then an application should be submitted.

Motion: Mr. Reich moved to approve items 1-8 and interior items 1, 5 and 6. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-42 – 8086 Main Street, Ellicott City

Certificate of Approval for sign.

Applicant: John Eckenrode

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The Applicant seeks approval to install one projecting sign on the exterior of the building, most likely using the existing black metal bracket on the building. If re-use of the existing bracket is not possible, the Applicant will use the scroll bracket shown on the sign picture included in the application packet.

The proposed sign will be 24 inches high by 24 inches wide for a total of 4 square feet. The sign will be constructed out of ½ inch thick MDO wood with a double sided digital print overlay. The sign will have a white background with black text and a yellow smiley face graphic and a dark pink graphic of feet. The sign will read on three lines:

Happy Feet
Asian Foot Therapy
443.251.9622



Figure 3 - Proposed sign

Staff Comments: The application generally complies with Chapter 11 recommendations for signs, such as, “use simple, legible words and graphics, keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used, and use a minimum number of colors, generally no more than three. Coordinate sign colors with the building façade.” The sign bracket and sign material comply with Chapter 11 recommendations, “use historically appropriate materials such as wood or iron for signs and supporting hardware.”

The hierarchy of the sign is a bit unclear and a slight reorienting of the text and graphic could result in a more effective sign. The phone number is shown in a larger font size than “Asian Foot Therapy” and should be reduced in size as to not compete with the name of the business. The location of the graphic above the text also makes the business name a secondary feature of the sign, rather than a primary. Using basic clip art to replicate the sign, Staff proposes two alternate scenarios for consideration by the Applicant, as shown below (consideration for placement of words and graphics, Staff is not proposing the Applicant use the actual font or graphics below in place of their own):



Figure 4 - Suggested alterations to proposal

Staff Recommendation: Staff recommends approval as submitted. If the Applicant is willing to reorganize the sign as suggested, above, Staff recommends approval of those scenarios as well.

Testimony: Mr. Shad swore in John Eckenrode. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Eckenrode said that he liked the design options presented by Staff and would like to amend his application to use the graphic on the right side of Figure 4 on page 5 of the agenda.

Motion: Ms. Tennor moved to approve the application as amended by the Applicant to use the graphic on the right side of Figure 4 on page 5 of the agenda. Mr. Roth seconded. The motion was unanimously approved.

HPC-18-43 – 15081 Roxbury Road, Glenelg, HO-123

Advisory Comments for demolition and new construction.

Applicant: Dean Dubbe

Background & Scope of Work: This property is not located in a historic district, but is listed on the Historic Sites Inventory as HO-123, the Clark Family Farm. According to the Historic Sites Inventory form, the house was most likely built circa 1860. The Inventory form for this property was updated in 2008 and the form states that the then current owner was considering demolishing the brick house.

In this current application, the Applicant (and new owner) proposes to demolish the existing brick house. The application states, “the house has been abandoned for years and is uninhabitable in its current state. The report that was done on the house in 2008 indicated the house showed signs of extensive termite damage and was uninhabitable. Over the past 10 years, the house has been abandoned and has deteriorated. Once removed, a new house will be constructed on Lot 4 in the area of the removed structures.”



Figure 5 - Front facade of historic house – proposed to be demolished

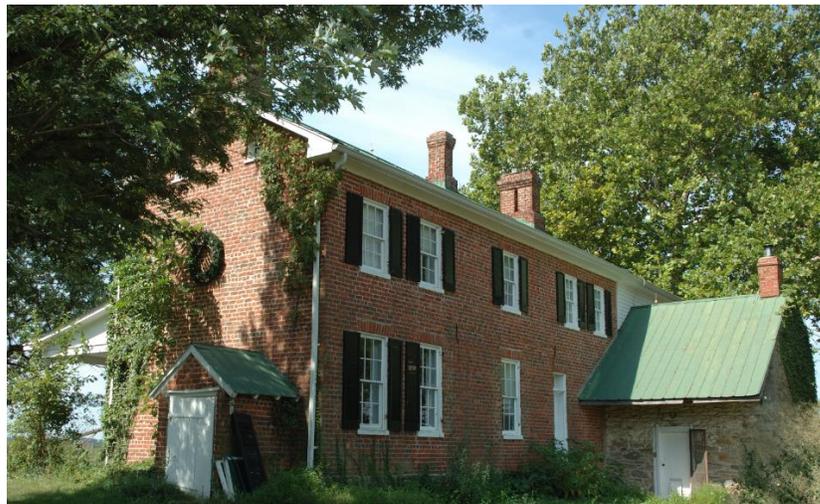


Figure 6 - Rear facade of historic house - - proposed to be demolished (except for stone addition)

The Applicant proposes to retain two structures which are shown below: a rear stone addition that was used as a summer kitchen and a board and batten outbuilding with a metal roof.



Figure 7 - Stone addition to be retained



Figure 8 - Historic shed to be retained



Figure 9 - Interior photo circa 2008



Figure 10 - Interior photo circa 2008

Staff Comments: While the current conditions of the interior of the structure are unknown, the photographs taken in 2008 do not appear to show a structure beyond repair.

Depending upon the scope of repairs needed to make the house habitable, there are two county tax credit programs that could be used concurrently for the rehabilitation of the house. The first tax credit provides a deduction of 25% of pre-approved repair expenses from a property tax bill for up to 5 years for exterior repairs and qualifying interior structural repairs. The second tax credit provides a credit for up to 10 years based on the increase of the assessment for a historic property that has undergone significant improvement, restoration or rehabilitation due to the repairs that are made and includes interior expenses needed to improve, restore or rehabilitate the property.

If the rehabilitation of the property is not desired, Staff recommends alternatively saving the brick façade, or entire brick shell, rather than demolishing the entire structure.

Staff Recommendation: Staff recommends the applicant consider retaining the main historic house utilizing tax credits for the rehabilitation. Alternatively, Staff recommends the Applicant consider saving the brick façade or entire brick shell.

Testimony: Mr. Shad swore in Dean Dubbe. Mr. Shad asked if he had any corrections or additions to the staff report. Mr. Dubbe explained that photos in the staff report are not representative of the current state of the house as they are Staff's photos from a decade ago. Ms. Holmes said the photos date to 2008 when the architectural historian updated the Inventory form. Mr. Reich advised against demolishing the house and said the interior could be torn out and rebuilt. Ms. Zoren echoed these comments and said that with an older brick masonry structure the walls wouldn't have wood and therefore it wouldn't be the entire structure that has termite damage. Mr. Reich said that because it is a simple brick box, anything could be done with it, such as adding an addition. Mr. Dubbe said that he understood that, but the house is not in-keeping with the architecture that they want to build there. He explained that he had a structural engineer look at the house, and while he didn't get a form report, the house was deemed structurally uninhabitable. Mr. Dubbe said they are happy to donate items to be saved and could possibly reuse items such as the brick from the house. Mr. Dubbe said there is a cemetery on the property that they want to keep up.

The Commissioners and the Applicant discussed the previous subdivision of land that led to the current 50-acre parcel. The property has an easement and there is no further subdivision potential.

Motion: The Commission did not make a formal motion since this case was for Advisory Comments, but all were in favor of seeing the historic house retained.

HPC-18-44 – Parking Lot D, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Sharon Walsh, Howard County Department of Public Works

Background & Scope of Work: This property is located in the Ellicott City Historic District in Parking Lot D. The Applicant proposes to install bollards between the parking lot and both sides of the stream channel. The goal is to prohibit large items from entering the stream channel if there is another flood that will cause heavy objects such as cars and dumpsters to float. The bollards are considered temporary barriers.



Figure 11 - View of Parking Lot D stream channel

The application presents two options for the bollards. The first option is for wood timber bollards. These bollards will be square posts, 10 inches by 10 inches, and spaced out every 6 feet on center. There should be no more than 60 bollards total. They will be anchored 4 feet into the ground and will be 4 feet tall above the ground. DPW is receptive to painting or staining the timbers black to mimic a metal bollard if desired. The second option is for a square steel bollard to be painted black and filled with concrete. These bollards would be 8 inches by 8 inches in size. The height and spacing would remain the same as the wooden bollards. DPW's first option is to use the wood bollard since this is intended to be a temporary safety measure.



Figure 12 - Option #1 wood bollard



Figure 13 - Option #2 metal bollard

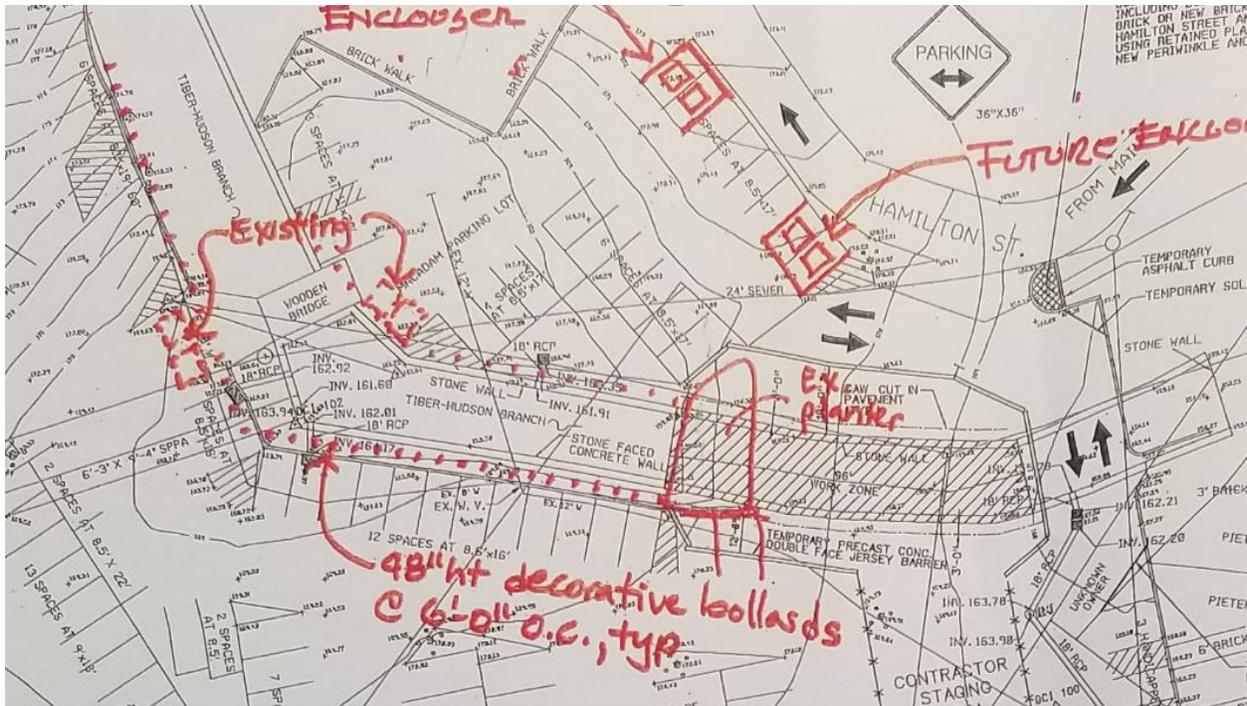


Figure 14 - Site plan for bollards

The old parking meters will be removed to allow room for the new bollards. The dumpsters that previously lined the channel have been relocated to higher ground; the possible final placement of the dumpsters is shown on the submitted plan, but DPW is waiting to hear the preferred locations from the waste removal contractor.

Staff Comments: The application complies with Chapter 10.C recommendations for Street Furniture, “use street furniture that is simple in design and constructed of traditional materials such as wood and dark metal.” The first option for the bollards is wood and the second option is metal. The wood bollard will blend nicely with the existing split rail fence (if the split rail is to remain along the stream channel). The location will be along the stream channel in Parking Lot D and will not obstruct pedestrian traffic. This complies with Chapter 10.C, “carefully evaluate the need before placing additional street furniture on narrow historic district streets and sidewalks” and “particularly along the commercial section of Main Street, place street furniture in areas where the sidewalk is wider or where adjacent public open space provides a more spacious environment.” The need for the bollards to keep large items, such as cars, out of the stream channel during a flood event has been proven as a known safety issue. The removal of the old parking meter posts also complies with the Guidelines, which recommend against “items of street furniture that are not necessary.”

Staff Recommendation: Staff recommends approval as submitted.

Testimony: Mr. Shad swore in Sharon Walsh from the Department of Public Works (DPW). Mr. Shad asked if she had any corrections or additions to the staff report. Ms. Walsh explained that DPW was tasked with coming up with suggestions to prevent cars and dumpsters from entering the stream channel during storm events. She explained they worked with different departments to see what could be done in the short term and they came up with two solutions – wood bollards that would have a more temporary feel or metal bollards that would feel more permanent. Ms. Walsh said the wood bollards

could be left natural, stained or painted and could have a decorative element at the top. The wood bollards would be 10x10 posts. She said the spacing would be 6 feet apart. The metal bollards would be the same height, 4 feet or 4 feet 6 inches. The metal bollards could be 6x6 posts instead of 10x10. Ms. Walsh said the bollards would be located on both side of the channel.

Ms. Walsh said they relocated the dumpsters that were at the low part of the parking lot to higher ground and also had a few ideas on how to keep them from moving, such as adding wings to the dumpster sides so that they catch on the surrounding bollards.

Ms. Tennor asked if the plan shows 50 bollards along the stream. Ms. Walsh said that number was approximate, they need to have a drawing done to scale, but it will be a substantial number. Ms. Tennor said that she found black metal to be preferable. Ms. Zoren agreed, that black metal bollards would be better as they won't be as large and will have more internal strength. Ms. Zoren said the square ones chosen are more contemporary looking and would prefer to see a more circular bollard with a cap.

Mr. Shad said he prefers a wood bollard, especially since the wood fence will remain. He said wood will appear more temporary than steel and the cost will be less. Mr. Roth also said he would prefer wood over metal. Mr. Reich agreed with Ms. Zoren that round steel would be more appropriate, but recommend the fence be removed or it would look strange to have both materials there.

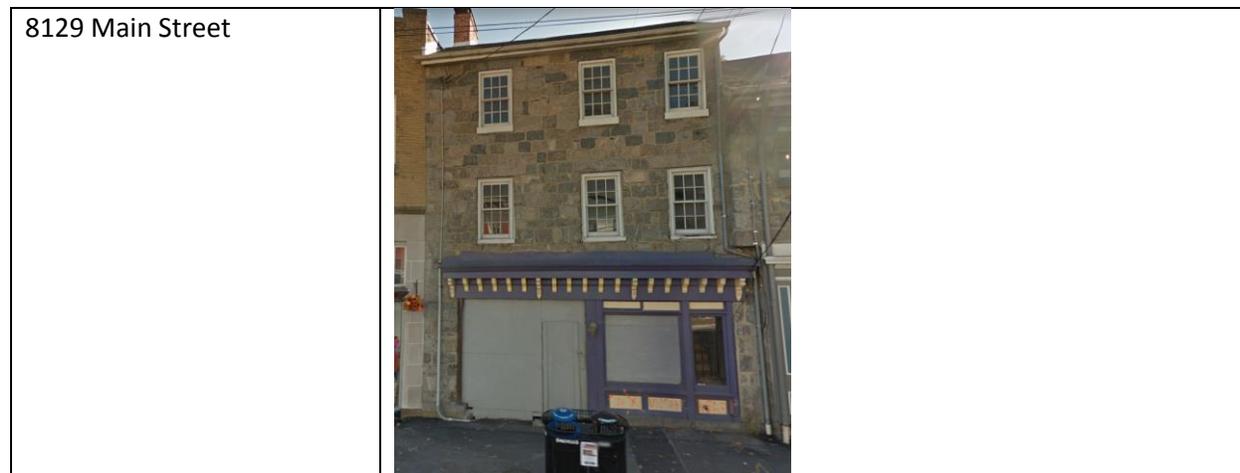
Motion: Ms. Zoren moved to approve the use of black metal bollards, in a more circular form, with a cap of some sort, to be approved by Staff. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-45 – Multiple Properties in the Ellicott City Historic District, Ellicott City

Advisory Comments for murals.

Applicant: The Fund for Art in Ellicott City

Background & Scope of Work: This application is for Advisory Comments for the creation of murals in the Ellicott City Historic District. The application contains a list of several candidates, which include:



8156 Main Street (the Howard County Times Building)



Ellicott City Granodiorite Outcrop between 8156 Main Street and 8180 Main Street



8197 Main Street (Taylor's Furniture Store)



8221 Main Street (The Ellicott)



8221 Main Street (The Ellicott – side and rear)



8229 Main Street (former Reedy Electric Building, now Sweet Elizabeth Jane)



8249 Main Street (Yates Market)



8307 Main Street (Ellicott Mills Brewing Co.)



8390 Main Street (The Wine Bin)



8407 Main Street (The Firehouse/former location of Vogel Engineers)



3709 Old Columbia Pike (Linwood Boutique)



3733 Old Columbia Pike (Manor Hill Tavern)



Staff Comments: The application does not contain any concept or proposed renderings for these buildings, so the Staff comments will be limited as the full scope is unknown. Wall murals are discussed in Chapter 11.D of the Guidelines. The Guidelines state:

“Painting a sign directly on a wall or other structural part of a building is not permitted by the county Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify an area is not a sign and is not regulated by the Sign Code.

Well executed artwork such as wall murals can make a positive contribution to the historic district. Any wall mural, whether or not it is a sign, requires approval by the Historic Preservation Commission.”

The Applicant has identified 12 potential locations for murals. Identifying all potential mural locations allows the Commission to review the request comprehensively and not as isolated additions to the district. Of these 12 locations, six are historic, contributing buildings that have not been significantly altered and one is an important natural landscape feature, which also contributes to Ellicott City’s historic significance. These seven locations include: 8129 Main Street, 8197 Main Street, 8249 Main Street, 8307 Main Street, 8390 Main Street, 3733 Old Columbia Pike and the rock outcrop. These locations are not preferable for a wall mural, which would alter the primary and/or highly visible secondary facades, some of which are masonry and not easily reversible. Mounted art may be considered since it would not be a permanent alteration to the original walls. However, care would need to be taken to ensure that important architectural features are not altered, covered or detracted from.

The building at 8407 Main Street is a newer constructed building and does not contribute to the district’s significance. The building at 3709 Old Columbia Pike is older, but also does not contribute to the district’s significance as it has been significantly altered from its original life as a service/gas station.

The following buildings are appropriate for potential mural locations:

- 8156 Main Street (former Howard County Times Building) – while this is a historic, contributing building, the front façade has been altered from its original design. The side of the building presents a smooth stucco surface that could be suitable for a mural as it would not highly impact the front façade of the building and could easily be painted over if the mural was no longer desired.
- 8221 Main Street (the Ellicott) – this building is a historic building, that contributes to Ellicott City’s later significance. The side of this building currently has an older mural on it. The rear of this building presents a large blank face to Old Columbia Pike and a mural could provide more character. This building is brick, so any mural would not be easily reversible, as is evident by the deteriorating mural on the side of the building.



Figure 15 - 8156 Main Street



Figure 16 - Side of 8221 Main Street



Figure 17 - Rear of 8221 Main Street

- 8229 Main Street (former Reedy Electric, current Sweet Elizabeth Jane) – this building is a historic, contributing structure that was recently restored, although the original design was unknown. The demolition of the infill cedar shake windows and doors revealed some original architectural elements that had been covered. This is a brick structure, but the side of the building has an area of rough brick (see red circle below in Figure 18), where a former building was once attached, prior to the demolition and construction of the Post Office building. This location could be suitable for a mural but may not present the best surface for painting due to the deterioration of the brick and mortar.



Figure 18 - Side of 8229 Main Street

The current Guidelines do not provide adequate advice on murals, other than to describe requirements of the Hearing Examiner. However, other sections of the Guidelines provide relevant advice. For example, Chapter 6.C recommends against, “replacing or covering original masonry construction” and against “painting historic stone or historic brick that has never been painted.” The Secretary of the Interior Standards for Rehabilitation provide additional guidance. Standard #9 states, “New additions, exterior alterations, or related new construction shall not destroy historic materials, features and spatial relationship that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, feature, size scale and proportion and massing to protect the integrity of the property and its environment.” Standard #10 states, “New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”

Testimony: Mr. Shad swore in Kim Egan from the Fund for Art in Ellicott City. Mr. Shad asked if she had any corrections or additions to the staff report. Ms. Egan explained that the Fund for the Arts received a \$125,000 bond from the State to create art and murals in Ellicott City. She has put together a list of walls that are suitable for a mural. After talking to the Commission, her organization will put together a competition for local artists and then come back with specific art and locations for approval. She explained that she wants to get an idea of where the Commission found that murals would be appropriate, so that she didn't start a competition with walls that the HPC would not approve. Ms. Egan presented a PowerPoint of various concepts and ideas for Ellicott City, which also showed the various building walls in question. She explained that she is not wedded to any type of mural – she wants to see what the artists present, but wants to have requirements that are suitable for the historic district.

Ms. Egan clarified a few concerns that were raised in the staff report. She said they are not proposing to paint on the rock outcrop, just near or around. She said that for 8129 Main Street, there are currently no walls available for a mural, unless the Caplan's building is removed, exposing the eastern wall. For 8197 Main Street, the thought was that a mural could go back where it was previously painted with the Taylor Furniture sign.

Ms. Egan's presentation grouped the buildings together as referenced in the Staff report. The significant buildings are referred to as Group A and they could require that the mural not be directly attached to the building, but on something that attaches to the building, since that group of buildings has not been significantly altered. Ms. Egan showed examples of murals that explain how buildings were used in the past or showed what they looked like inside in the past, or add a feature that would have been there in the past or used as an educational/learning tool.

The second set of buildings Ms. Egan discussed were the Group B buildings. The ideas for these buildings would be more entertaining and whimsical, but still compatible with the streetscape. She showed examples in Frederick, other examples that appear to make a wall three-dimensional tromp l'oeil depictions, and murals consisting of tile mosaics. The buildings discussed in this group include 8229 Main Street (former Reedy building – the side used to have an adjacent building and the brick is exposed), 8221 Main Street (former theater that already has painting on the brick), the Linwood building on Old Columbia Pike (it used to be a gas station, but no longer resembles one and is currently painted), the former Howard County Times building (which has been painted in recent years) and 8407 Main Street (considered new construction, but is not the best candidate due to small side walls).

Ms. Egan explained they would only bring applications for approval for the ideas that they would consider funding and they will consider the most appropriate options. Mr. Reich asked if all of the Group B building murals would be painted directly on the building. Ms. Egan said painting on the brick or painting on another surface were options. Mr. Reich asked if the art was removable, if it would be changing. Ms. Egan said they do not have the funds for changing it out, so the mural would be up for the life of the art. Mr. Reich said he would be in favor of a new mural over the one on the theater building (8221 Main Street), which has been a location discussed for years.

Ms. Tennor said she found the rock outcrop to be a significant historic feature and would be opposed to painting or having art on it in any way. Mr. Roth said the former Times building would not be a candidate because it is next to the rock and does not find that a mural would enhance the rock outcrop.

Mr. Roth said that in general, a mural would need to be really good to improve any of the buildings listed in Group A. Ms. Egan asked about the idea for the mural on Taylor's. Mr. Roth said the mural takes

away from the buildings under it, which have a nice streetscape. Mr. Roth said there is more of a benefit for a mural on the Group B buildings.

Mr. Shad swore in Joel Hurewitz. Mr. Hurewitz said that he generally came to make comments on the rock, but a few things came up during the presentation. He likes the concept of faux art, showing what was there on the interior of the building. He said if the buildings on lower Main Street are lost, there is an opportunity to depict some of the things that will be lost, such as painting the Caplan's building on the wall of 8129 Main Street. Mr. Hurewitz provided some history of other monuments considered for placement on the rock.

Mr. Shad swore in Karen Gordes. Ms. Gordes said she is in opposition of the proposal as written. She said there is no plan for long term maintenance and explained how the existing mural at Old Columbia Pike has worn poorly. Ms. Gordes would like to see funds set aside for maintenance. Ms. Gordes commented on the historic nature of the building proposed for murals.

Mr. Shad clarified that the Applicant will be returning for approval for specific art in specific locations. Mr. Shad asked if anyone else in the audience wanted to give testimony and no one spoke up.

Motion: The Commission had no motion, as the application was for Advisory Comments, which was reflected through the testimony.

HPC-18-46 – Multiple Properties in the Ellicott City Historic District, Ellicott City

Advisory Comments for Alterations in the Ellicott City Historic District.

Applicant: Phil Nichols, Howard County Government

Background & Scope of Work: This application is for Advisory Comments/Pre-Application Advice for alterations in the Ellicott City Historic District. The application explains, "the purpose of this application is to update the Commission on the proposed alterations to the Ellicott City Historic District due to the recent flooding on May 27, 2018. This flood event has shifted the conversation and we must focus on life-safety issues, while preserving the town. Changes will have to be made to adapt to a new future with a threat of continued, high-intensity, short-duration storms."

Please note this application is NOT for a Certificate of Approval for any alterations at this time and is strictly for Advisory Comments/Pre-Application Advice to update the Commission on the Plan and obtain advice.

The buildings subject to primary discussion include the row of buildings constructed over the stream on the south side of the street, from 8125 Main (Caplans) east down to 8049 Main Street (the Phoenix). Photos of each building after the 2018 flood are shown below:

8125 Main Street/Caplans/former Miss FIT



8109-8113 Main Street



8095 Main Street/Shoemaker Country



8085 Main Street/Portalli's



8081 Main Street/Tea on the Tiber



8069 Main Street/Great Panes and Joan Eve





8059 Main Street/Bean Hollow



8055 Main Street/Discoveries



8049 Main Street/The Phoenix



On August 23, 2018, the County released *The Ellicott City Flood Mitigation Plan*. The Plan provides background information on the 2016 and 2018 flooding in Ellicott City and the engineering analysis that has been done to date, including a study known as the Hydrologic and Hydraulic Analysis (H&H). The Plan explains the various models that were examined in the H&H Analysis. The Plan states that modeling shows the plan will result in “a significant reduction in the floodwaters compared to existing conditions, and demonstrates the most improvements in water depth, water velocity and the risk to life safety.” The Plan states, “as the models demonstrate, the acquisition and relocation/demolition of 10 buildings that currently constrict the stream channel will provide the most immediate and impactful benefit in reducing the life safety risk on Lower Main Street...The County will make every effort to preserve the key

historical elements of these structures so that they may be re-used in the Historic District to safeguard their legacy for the years to come.”

Page 12 of the Plan outlines some of the next steps that will need occur as related to historic preservation. The Plan states:

“In addition to community input, the Master Plan itself and specifically any proposed removal of structures within the Historic District require the Historic Preservation Commission (HPC) to review. A Certificate of Approval will need to be obtained by the HPC before the County can proceed with these plans. Projects that have any federal/state permitting or funding must include a Section 106 Review where the County will identify and determine the impact and any adverse effects of the historic resources within the identified area. The County will work with state agencies, such as Maryland Historical Trust in this review process.”

Staff Comments: The ten buildings on lower Main Street include structures that extend over the Tiber Branch stream. This is the only stream channel exiting from the drainage area of the Historic District to the Patapsco River, after collecting three stream branches into one. The past two storms, in 2016 and 2018, had water depths in the Tiber Branch that exceeded the capacity of the stream channels. As a result, stormwater broke through the first floor walls and flooring of these structures, causing structural instability. Entire floors of buildings have washed out, as shown with the photo above of 8055 Main Street (Discoveries) and 8125 Main Street (Caplans).

The oldest of these buildings is 8081 Main (Tea on the Tiber), which is a granite building that dates to 1834 and is a contributing structure to the Historic District. The newest structure, which is not a contributing building, is 8095 Main (Shoemaker Country). It was constructed in 2000, when the previously existing historic building was destroyed by fire. The neighboring building at 8085 Main (Portalli’s) was damaged in the same fire and required substantial interior reconstruction.

The buildings in this row vary in age as they do not date to one particular time frame. They also vary in historic significance as some buildings have had their interiors extensively modified (either due to modernization, flood repairs or fire repair) and no longer contain any historically significant interior features. Storefronts on some of the buildings have been altered through the years, and no longer retain their original appearance. However, some buildings have significant historic features that should be retained, such features could be used on other buildings or in appropriate locations as determined by the Master Plan.

These structures have experienced repetitive loss and they are the most vulnerable to collapse in a future catastrophic flood, which could endanger lives and nearby buildings. Prior to an application for Certificate of Approval to remove or deconstruct any buildings, Staff recommends a comprehensive review of each building to evaluate the remaining historic architectural features and create a plan to deconstruct, salvage or relocate historic material as feasible. While the buildings were documented by the County Architectural Historian and the Maryland Historical Trust following the 2016 and 2018 flood, Staff recommends additional documentation for any historic buildings being removed or deconstructed.

The Plan correctly explains the next steps that will need to take place as related to historic preservation. A Certificate of Approval is required for the demolition or relocation of structures in a historic district. Section 300 of the Commission’s Rules of Procedure guide the Commission in review of proposals to demolish or relocate a structure within a historic district. As explained in Section 300, the Certificate of Approval for the demolition or relocation of any structure must “include a plan for treatment of the site after the structure is removed. The Certificate of Approval must also include the new location for a relocated building if the location is within a historic district in Howard County.” The Rules of Procedure

also indicate that before the Commission acts on an application for demolition or relocation, they shall determine whether the building is a Structure of Unusual Importance. Structures of Unusual Important follow different procedures.

The Plan also correctly explains the next steps that will need to take place pursuant to Section 106 Review. The HPC process is separate from Section 106 review, and the Section 106 reviewing agencies will make their own separate determinations according to their process. The County has met with the Maryland Historical Trust to initiate discussions about the Section 106 Review process.

Testimony: Mr. Taylor entered the Ellicott City Flood Mitigation Plan and the 2016 Ellicott City Hydrology and Hydraulic study prepared by McCormick Taylor into the record by reference.

Mr. Shad swore in Phil Nichols and Mark DeLuca from Howard County Government, who presented an adaption of the PowerPoint presented at the September 4, 2018 Council work session. The presentation gave an overview of the history of flooding in Ellicott City, and explained the two different types of floods— bottom up and top down. Mr. Nichols explained that the last few years have been top down floods. Mr. DeLuca described the conditions that make Ellicott City vulnerable to flooding -its history as a mill town, manipulation of waterways and building construction over the waterways. DeLuca also showed a slide from the National Weather Service highlighted the significant flash floods in the region in 2018 and noted that certain storms, such as one in Catonsville, could have caused significant damage to Ellicott City if they were centered there. Mr. Nichols testified that the head of the National Weather Service in the Sterling location expects such a lingering rain pattern to continue and increase in the coming years.

Mr. Nichols detailed the damage to buildings on lower Main Street. Mr. DeLuca explained the hydraulic and hydrology analysis that was performed. He explained that the Tiber Hudson is a very small 3.7 square mile watershed, that is really a sub watershed comprised of smaller drainage areas - the Tiber, the Hudson and the New Cut/Autumn Hill Branch.

Mr. DeLuca explained that the County asked McCormick Taylor to model the 2016 flood, a 100-year event and a 10-year event and see how the watershed responds to those events. The County requested that McCormick Taylor determine if it was possible to bring a 100-year event down to a 10-year event, since they conveyance system (channels and culverts) could hold more than a 10-year storm. Mr. DeLuca discussed the projects identified to be Phase 1 of implementation and the constraints associated with building facilities on public land. In 2016 the County said there were no constraints, and looked to see where projects could be done and how much could be done in terms of building storm water facilities. The H&H study recommended 18 structural projects for about 80 million dollars.

Mr. DeLuca reviewed the various model scenarios and explained that McCormick Taylor looked at other studies as well. These studies showed that some areas could be dried out, some would stay wet, but regardless lower Main Street was not improved at all. The County considered various options for lower Main Street, such as opening up the first floor of the buildings to allow water to pass through, removing the additions of the buildings, keeping just the facades, removing the buildings entirely, adding culverts under Maryland Avenue, and expanding the stream channel. They also looked at creating a floodplain, since there is no floodplain for the water to go.

Mr. DeLuca said that the July 30 model was peer reviewed by the Army Corps of Engineers and the Corps agreed with the construction of the model and the methodology used. Their conclusions gave the County confidence in the model.

Mr. DeLuca explained the issue of water velocity and that the water on lower Main Street moves over 20 feet per second. The velocity of the water causes the damage by carrying projectiles through the water. The goal is to slow the water down to mitigate the effects of the high velocity. Mr. DeLuca explained the model also looked at shear stress, and concluded it is highest at Caplans (due to the New Cut Stream), which corresponds to the devastation of the building. Mr. Reich asked if Caplans location is where the building start to be constructed over the stream. Mr. DeLuca confirmed that was correct.

Mr. DeLuca showed a depiction of the existing conditions during the July 30 storm and explained the graphics and colors shown on map. He explained that the lower main stream areas is very deep and showed how the water shoots out on to Main Street from the channels and contributes to the flooding. Mr. DeLuca discussed the open first floor model and explained that mitigation is minor and this scenario results in 6-8 feet of water traveling down Main Street. Further, the piers holding up the second floors of the buildings could become debris collectors, so in a real scenario water levels may not actually diminish. Mr. DeLuca testified that the buildings would cause life safety issues concern from a Fire and Rescue perspective. Mr. Nichols explained that the velocity was 11.1 feet per second and in this open floor scenario the velocity is minimally reduced to 8.2 feet per second, which is still a destructive force that comes with that water. Mr. DeLuca and Mr. Nichols reviewed other scenarios, such as a culvert in lower Main and only facades along the street. In both scenarios, the water depths and velocities were still high and Fire and Rescue expressed safety concerns with the structural integrity of the facades during flood and fire situations.

Mr. DeLuca explained the other modeling scenarios. The expanded stream channel scenario, which removes all the buildings from Caplans east to Maryland Avenue and expands the stream channel, resulted in significant reductions in depth, now 4 to 6 feet, and the velocity dropped to 6.7 feet per second. The full model plan considers other stormwater management elements of the McCormick Taylor and master planning study, such as the Route 40/29 pond, Quaker Mill pond, West End conveyance improvements, Ellicott Mills culvert, the Hudson Bend plan and Big Pipes. Mr. DeLuca explained how several of these conveyance and other improvements would function and that they provide an area wide solution.

Mr. DeLuca described other components of the plan, such as the proposed Hudson Bend improvements. Mr. Nichols explained that constructing all 18 projects would take a significant amount of time, whereas the current proposal can be accomplished in a much shorter timeframe. Mr. DeLuca discussed the design goals and improvements of the 5-year flood mitigation capital improvements plan with the most important goal being protecting lives and the second being a sense of urgency. He testified that the County has been studying this flooding issue for years and there is now a sense of urgency that is now a key component that everything is measured through. Mr. DeLuca explained that the County could look at a series of projects that will take decades, due to permitting, funding, acquisition, design engineering, and constructability issues. He stated this plan meets the criteria of four points: that protecting lives, urgency, feasibility constructability and cost effective. This plan meets the criteria and that any other plan needs to be looked at against those criteria.

Mr. Nichols provided background information on the ten structures proposed to be removed. He explained that many of the structures have been rebuilt over time due to flood, fire, and modernization. Mr. Nichols said the County Executive established a Historical Structures Review Committee that will be working with the County to identify which pieces of the buildings can be reused. Mr. Nichols also stated that the property owner of 8081 Main Street is looking at relocating the structure.

Concurrent with the Historical Structural review Committee, the Master Plan will continue and the flood mitigation plan will be rolled into that process. The expansion of the stream channel will involve MDE,

Army Corp, and Section 106 review process. A bill to fund the first portion of the plan is before County Council and the public hearing will be September 17. The County will finalize negotiations with property owners and then return to HPC for a Certificate of Approval.

Mr. Shad asked if the Commissioners had any questions. Mr. Roth stated he read both documents and had no questions yet. Mr. Reich asked regarding feasibility, how much has been done to study the actual costs of this project and timelines. Mr. DeLuca said if the first step would be to start at bottom and work up. Some projects can happen in tandem and some should have designs complete this year. He said funding is set aside and encumbered and projects are moving forward at different rates.

Mr. Reich and Mr. DeLuca discussed various components of the plan. Mr. Reich and Mr. DeLuca discussed the size of the pipes that are shown going under Maryland Avenue. Mr. Reich asked why the pipes don't go from the Patapsco all the way to Caplans so that they don't have to demolish the buildings to relieve the water. Mr. DeLuca asked what elevation the pipes would be placed at. Mr. Reich said they would go through the mountain and be 30 -40 feet below the structures and the granite would serve as the pipe. Mr. Reich suggested that would be a lot less expensive than tearing everything down and creating terraces. Mr. DeLuca explained that the elevation is an issue. Ms. Tennor requested Mr. DeLuca show the Board sections that depict what he and Mr. Reich discussed. Mr. Reich asked what level of detail is available. Mr. DeLuca indicated cross sections of the channel and 30% concept drawings could be shown, Mr. Reich reiterated a desire for the Commission to see them.

Mr. Shad asked if the stream widening is part of this model Mr. DeLuca confirmed it was. Mr. Shad asked if an increased depth is part of the model as well. Mr. DeLuca said there may be a one-time increase in depth. Mr. DeLuca explained that the stream depth couldn't be lowered too much, based on outfall into the Patapsco. He explained that the stream enters through the bridge, and they have to maintain an elevation there, so that there is a fall along the entire stream section and they don't create a pool in the stream. Mr. DeLuca explained that storms move silt and rocks around all the time, which requires continual maintenance of a natural process. MDE does not like the stream manipulated too much, however, they have allowed the County to clean the streams during this process because they were so blown out. Mr. Shad suggested increasing the depth in addition to the width, to lower the velocity, could be another option and save a few of the buildings. Mr. Nichols said the County could take a look at that recommendation but wasn't sure if it would be enough capacity to keep some structures over the stream.

Public Testimony

Mr. Shad swore in Ms. Lori Lilly. Ms. Lilly testified in support of the County's flood mitigation plan and submitted testimony with an additional 125 stakeholder names supporting the plan. Ms. Lilly noted that that she has been working on behalf of the Tiber Hudson watershed for 7 years. She said that she is the Founder and Director of Ecoworks and briefly explained their work in Ellicott City and the watershed. Ms. Lilly recognized this watershed is broken, citing the New Cut Branch as the biggest issue in lower Main, and explained some of the issues with the watershed. She cited Mr. Peter's videos which show that 20 feet of water will not fit under the buildings with 10 feet of clearance. She spoke about the benefits of the proposals and said that the lower Main buildings are supported by questionable and vulnerable river channel walls. She said that if any of those building walls fail, there could be a disaster.

Mr. Shad swore in Ms. Lexi Milani, representing the Ellicott City Partnership (ECP). Ms. Milani stated the ECP's mission supporting the historic district. She said the Board voted unanimously to support the 5-year mitigation plan and funding legislation. She stated the County's extensive analysis suggests this is the right option and will reduce life safety risk and allow the town and its constituents to recover. Ms. Milani explained the 2018 flood impact on businesses and that many merchants plan to relocate out of

Ellicott City. She stated she has spoken with shop and restaurant owners who report decreased sales and that delayed actions will result in further decline or even closures of businesses. She explained that many of the businesses have already experience the cost of lost business and incurred significant remediation and renovation costs twice in the past two years. She said that removing buildings will reduce risk, allowing the town to recover. She said that leaving the buildings to stand in their current state is a visual reminder and safety concern. Implementing Phase 1 between the holiday season and next years rainy season, would be ideal as this is a matter of great urgency. Ms. Milani stated it is the people and businesses that make Ellicott City what it is and not just the streetscape.

Mr. Shad swore in Ms. Elly Cowan, representing Preservation Maryland who did not support demolition. Ms. Cowan expressed concern about the current proposal to demolish a large portion of historic structures and her belief that there are other feasible options. She stated Ellicott City is one the most historic and unique places in Maryland, a character maintained thanks to historic preservationists. Preservation Maryland fully supports the efforts to protect lives but believes there are feasible alternatives to provide remediation, rather than the demolition of historic buildings. She said that demolition is not a proven strategy of flood remediation, and Preservation Maryland does not believe flood remediation has been adequately studied in Howard County to understand its hydrological impact. Ms. Cowan stated the removal of the buildings could result in new flood patterns and affect the B&O Railroad Station, which would sit in a more vulnerable location. Preservation Maryland is willing to pledge funds to study alternatives.

Mr. Shad swore in Mr. Michael Smith, a resident of the Historic District. Mr. Smith stated the challenge is the need to bring vibrancy back to Ellicott City as soon and as safely as possible without compromising the historic uniqueness of town. He said that removing a prominent row of storefronts would diminish the commercial ambience and healthy retail is needed on both sides of the street. Mr. Smith stated that replacing the buildings with a stormwater drainage swale of uncertain design, that will run dry for many months, will challenge the economic viability of the remaining buildings. He inquired about the effects to B&O Railroad Museum if it becomes an island and requested that every alternative to demolition is analyzed. Mr. Smith discussed the benefits of constructing a large tunnel that would not require demolition. He said the Commission and County should work with Preservation Maryland who offered funding.

Mr. Shad swore in Ms. Shelley Wygant, an Ellicott City resident. Ms. Wygant testified in opposition to demolition of buildings. She stated that demolition is the option of last resort and does not believe every option has been exhausted to this point. Ms. Wygant said the demolition plan was presented very quickly and she created a group called "Working to Save Ellicott City" that contains members from all over the world. She does not believe this is an emergency because the 5-year plan does not address real mitigation until 2021. She said that if the lower Main Street is so dangerous, the County should not have allowed the opening of lower Main buildings where people are currently gathering.

Mr. Shad swore in Mr. Len Berkowitz, a business owner in the Historic District, who testified in support of the plan. Mr. Berkowitz said he is the owner of the only historic stucco building in Ellicott City, which is proposed to be removed. Mr. Berkowitz discussed some of the history of the district, regarding the 1984 fire when seven buildings burned down and were demolished and in 1999, when a six-alarm fire destroyed six buildings and seven businesses. He discussed the Rosenstock building, which was torn down due to fire and rebuilt to modern building standards and FEMA Code, but did not survive the three floods of 2011, 2016 and 2018. In 2011, 8069 Main Street experienced 4-feet of water in the basement. He said FEMA covered the damage to the granite support walls to his basement and river at the approximate cost of \$25,000. He explained that after the 2016 flood he wanted to remove his stucco and restore the façade, but found there was nothing left to the original building.

Mr. Shad swore in Mr. James Massey Sr. of Woodbine. Mr. Massey stated he understood the intense desire to save the buildings, but supported the County's plan. He called for something to be done in the essence of public safety and asserted the time for studies is over. He said that many building have been condemned and in order to restore them, they won't retain the historical significance that they once had. Mr. Massey believes the County study did not go far enough, using the example of Hurricane Agnes in 1972 when the Patapsco flooded 30 feet deep along River Road. He stated the County needs to study a scenario with the Patapsco flooding, in addition to the storms where water is coming from the top down. Mr. Massey stated that in the late 1970s, Race Road in Elkridge flooded and the County condemned properties and torn the homes down, but years later development was allowed in that same floodplain and that needs to be taken into account.

Mr. Shad swore in Ms. Sherry Berkowitz, a business owner in the Historic District. Ms. Berkowitz explained that she was part of an arts coalition in 2014 to do a mural at Old Columbia Pike of the former gas station at that location. She said the history of that building still lives on even without the physical building. She expressed hope that her building and business will be part of that same legacy. The buildings don't deny or change the history of the town. Ms. Berkowitz expressed a desire to see history continue rather than remembering a town where people lost their lives because the community felt the buildings were more important than the business owners and residents. She said the town is changing, but it has always been changing. She noted that there are no longer mills along the river even though it is known as a mill town and the steam engines are no longer running on the tracks, but the events are remembered. She asserted that Mr. Weinstein and Mr. Kittleman's plan has not been rushed because the storms are on the owners minds every day. She referenced her tenant's photos of a 2-story wave coming at her building in 2016; how Joan Eve escaped the building in 2018; and how it only took 30 minutes for Main Street to become a raging river.

Mr. Shad swore in Ms. Marjorie Valin of Columbia, who testified in opposition to the flood mitigation plan. In 1995, she started a marketing agency in Oella and had a second office in Ellicott City. She worked with National Trust for Historic Preservation where she saw firsthand how towns lost their identity. She doesn't believe saving lives and saving buildings should be diametrically opposed. She said bulldozing should be a last resort since it can't be reversed. She referenced a radio interview that suggested the tearing down of the buildings was a done deal. She questioned why the buildings are being torn down at the bottom of the hill when the river flows down from upstream sources. She called for urgent steps to be taken now to reduce the velocity and volume of water upstream to save history downstream.

Mr. Shad swore in Joel Hurewitz of Columbia, who testified in support of removing the buildings over the channel. Mr. Hurewitz said he has been researching the 1868 flood and made some corrections regarding the history of flood. He stated the buildings are not really useable at this point. He said focus of the HPC is not the comprehensive plan, but rather the HPC is to deal with each individual building and whether it is a structure of unusual importance, which he believes there are only four: The Phoenix, the Easton Sons façade, the Tea on the Tiber, and Caplans. He said moving Tea on the Tiber is a good idea. He said the County did not anticipate the 2018 storm and should provide a warning system in town to deal with life safety risk.

Mr. Shad swore in Mr. Edward Cochran of Columbia. He shared his family ties to Howard County and stated his opposition to this plan. He said all but one of the buildings proposed to be demolitions is older than him and his father. He quoted a section of the Guidelines on demolition where its states that "buildings are irreplaceable resources..." Mr. Cochran provided three points. First, demolition will not enhance life safety as the proposed demolition is by July 2019, but the proposed plan has no action on

vacant lots until FY21 and FY22. He expressed concern that the County's models show no mitigation and that the removal of buildings is not justifiable to make lower Main Street safe when the water depth and speed are unchanged. Second, he questioned if all possible alternatives have been examined, such as the tunnel proposed by McCormick Taylor that starts at the Tiber Hudson confluence. He said the County should only be considering demolishing buildings after all the studies have been done and when the flood mitigation plan is ready to be implemented. Third, there is no real plan proposed for how the building will be replaced.

Mr. Shad swore in Ms. Liz Walsh, a resident of the Historic District, testified in opposition to demolishing the 10 buildings on lower Main. She stated that she appreciates the Applicants seeking advice and noted that the request is for an advisory opinion, not for a Certificate of Approval and per the Rules of Procedure 104.A.4, the request for Advice should have been submitted 22 days prior to this meeting. She questioned if this request was timely and said that the procedural rules should be followed. She noted it was not presented as an emergency measure nor did she think it could be. Ms. Walsh requested that all possible alternatives to preserve, rather than to demolish, the building should be considered and exhausted. Mr. Shad confirmed that the application was submitted in a timely manner. Ms. Burgess stated the application was submitted on Wednesday, August 15th which was the application deadline for this meeting.

Mr. Shad swore in Mr. Craig Stewart, a resident of the Historic District and business owner in the historic district for 36 years. He said the County's study falls short in fulfilling the statement that "the County must focus on life safety issues while preserving the town." He said the concept of preserving the town, which is an irreplaceable historic asset, seemed to be absent from the plan. He said the plan needs to demonstrate what can be done to preserve whatever portion of structures is possible. He agreed with Mr. Reich that the two 10-foot in diameter culverts seemed inadequate and questioned if they can extend further upstream and preserve the facades to maintain the character of town. He said the study should include efforts to preserve the architecture.

Mr. Shad swore in Ms. Leanna Massey of Frederick, who testified in opposition to demolishing the buildings. She shared that her parents still live on Hill street and that they had a tree fall on their home from the rain. She said this plan is irreversible once buildings are torn down and she doesn't believe the County has exhausted all options. She agreed that it is of utmost importance to save lives, but found it insulting that to say people are more interested in saving buildings than lives.

Mr. Shad swore in Mr. Thomas Harman, a resident of the Historic District. Mr. Harman is the Director for the Center of Accelerating Innovation for the Federal Highway Administration and suggested the County take advantage of their CHANGE program (Collaborative Hydraulics Advancing to the Next Generation of Engineering), which is free and available to the County. This program could provide a free second opinion. He said other models are available besides the Army Corps models and the County could take advantage of international experts to slow the conveyance. He encouraged the County to reach out at a Federal level and mentioned a \$1 million dollar grant available to help with innovation and offering resources.

Mr. Shad swore in Mr. Steven McKenna, a resident of the Historic District, who testified in opposition to the demolition plan. He expressed a belief that there has been a lack of transparency and that no plan is going to mitigate the safety. He said there are a lot of alternatives that have not been pursued. He said the County's plan is too focused on hydraulics and not enough on hydrology with further upstream forms of mitigation. Mr. McKenna asserted that the problem is manmade, with natural aspects to it. He said the overall structure of the town will be changed and could result in unintended consequences.

Mr. Shad swore in Mr. Charles Kyler, a resident of the Historic District. Mr. Kyler detailed his involvement assisting with rebuilding after the 2016 flood. Mr. Kyler acknowledged safety concerns and that no one should have the fear of being trapped in a building or have anxiety attacks from the floods, but found that the 5-year plan did not resolve a single portion of Main Street. He said there will still be 1-4 feet of water until the plan is pushed out decades to show the results of non-flood water levels. He said the County needs a plan that takes care of flooding and ensures all lives. If that plan requires demolition then it should be considered, but the plan needs to be seen first, rather than demolishing first.

Mr. Shad swore in Ms. Mary Catherine Cochran, who shared her preservation experience in the County and her family history. She stated that the demolition of the buildings will irrevocably change the face of the National Historic District. She said the Commission needs to understand the impact on the surviving buildings. The funds will demolish the buildings now, but the plan does nothing to mitigate the site until FY 21/FY22 and if this occurs again before that time all of the water will go to the B&O Railroad Museum. She questioned why, if this is an emergency/plan of last resort, a decision should be made today for something that has no impact for three years. She said that even with mitigation of the channel, modeling shows water 2 to 8 feet deep in front of the B&O Railroad Museum. She expressed concern that the modeling still shows swift water velocity of 6.7 feet per second, which is four times faster than the National Fire and Protection Association's definition of swift water. She requested better models, including velocity models, to evaluate the risk of the B&O Museum and for human life. Ms. Cochran expressed concern for the economic impacts if the lower quarter of Main Street is removed. Ms. Cochran asked if the facades can be saved or if the original buildings be saved (not the additions over the river).

Mr. Shad swore in Ms. Grace Kubofcik, representing Patapsco Heritage Greenway (PHG). Ms. Kubofcik stated the PHG mission and their role managing entity of the Patapsco Valley Heritage Area. Ms. Kubofcik supported the urgent and compelling need to provide safety of those in Ellicott City. The ongoing challenge of water retention and conveyance lies within the history of the town. She said the major projects for water retention are needed immediately and should have been started many years ago. She noted an effective streetscape along the National Road, and stated that Main street is rare and invokes much of the towns charm and attracts visitors. She empathized with those making difficult decisions due to the flash flood threat, and said PHG supports the County to obtain the ten buildings on Main Street. She also recognized the importance of the ten buildings and found that nine contribute to the historic character of the district. She expressed hope and desire that the acquisition process will provide critical time for questions to be answered for possible alternative solutions. Ms. Kubofcik stated that PHG is concerned about the future of B&O Railroad Museum and that they welcomed the opportunity to explore options with the Administration, consultants and other partners.

Mr. Shad swore in Ms. Nancy Pickard of Rockville. Ms. Pickard stated that she had been a 22-year resident of the county. She stated her concern about the demolition of ten structures that make up a significant portion of lower Ellicott City. She explained that these structures have long and varied history, some as early as the 1830s, and that individually they have varying degrees of architectural and historical significance to local historic district. Ms. Pickard requested detailed historical and architectural documentation of the buildings, and the timeline for reuse of the site to avoid a vacant cavity in heart of the historic district.

Mr. Shad swore in Ms. Tara Simpson, an Ellicott City resident, who testified in opposition to demolishing the buildings. She said that her home has flooded twice, and she has seen Main Street friends and neighbors in danger and understands the need for safety. Ms. Simpson said that if this was truly the only option she would be supportive. She said that altering or removing may be the option, but the

mitigation plan need to start now with more thought and time put toward solutions. She requested the County demolish with care and removal of buildings need to be thought through.

Mr. Shad swore in Ms. Kathy Howell, an Ellicott City resident, who testified in opposition to the County's plan. She asked if the plan could have two-phases; one to buy out the owners now as a first step without plans for demolition. She stated the plan is rushed and questioned whether other towns, that have been through this, have done this as a solution.

Testimony concluded and the Commission provided the following comments:

Mr. Reich stated the County needs to come up with a plan that does not demolish the buildings. The buildings are an iconic part of Main Street and it would be devastating to lose them. He requested the historic background of each building. He stated that he was on flood workgroup and was surprised to see this proposal because it is not in the McCormick Taylor studies he previously saw. He said this plan is too rapid and does not solve all the problems. Mr. Reich suggested moving and lengthening the pipe as a viable option and noted that the McCormick Taylor study showed that tunnel removes all of the water on Main Street. Mr. Reich suggested hardening the buildings to keep the historic character of town. He said that since many of them are wood frame, they could be fitted to have concrete floors. He suggested adding additional egress. He stated that he is in favor of the County purchasing the buildings to help these owners, but suggested the County could harden the buildings and rent them out to save the historic fabric of the town. Mr. Reich mentioned bypass options that other cities have done. He said that this has taken place too without a lot of data supporting it. He asserted that further study is needed.

Ms. Zoren concurred with Mr. Reich's comments. Ms. Zoren said that she has read every report done to date. She is concerned that it is actually 20% of Main Street vs. 5% of the District that is proposed to be demolished. She requested more information regarding how the County has exhausted every option before looking at demolition as the sole solution. Ms. Zoren asked if there have been any secondary opinions. She said the plan lacks creative solutions, and that once the buildings are lost, they are lost forever. She said the problem is coming from up the hill and she is concerned that not enough measures are being taken uphill. She requested studies look at ecology, the B&O, and said that maybe this has been done, but it hasn't been presented as factual information. She would like other options considered, such as more culverts or the removal of three or four buildings, instead of ten.

Mr. Roth stated that he agreed with Mr. Reich and Ms. Zoren's comments. He stated that based on information presented in McCormick Taylor report, he would not be in favor of a Certificate of Approval to take down any buildings at this time due to the need for more information. He said that tearing down the ten buildings would not have prevented the death in 2018. He said that other towns deal with risk using sirens and signs, rather than tearing buildings down. He said the flood mitigation plan starts with assumption of water levels and volumes of the 2016 flood, but doesn't give consideration to the reduction in hydrology that would result in the proposed mitigations plans for stormwater management. He suggested reducing development that creates more impervious surfaces and that the County buy parking lots to see if that will help. He said that he hasn't seen any consideration in reducing impervious surface in the watershed to keep flood waters from coming down in the first place. Mr. Roth suggested it would be reasonable for County to buy the buildings and stabilize them until such as time as other mitigations have been put in place but they should not be torn first. He further emphasized the need to add in pervious surfaces in watershed.

Ms. Tennor said her comments are based on the character of downtown and the disastrous effect that removal of that block of buildings would have driving down Main Street. She said that the ten buildings are the most visible. She appreciates the suggestions of salvaging or moving the most significant

buildings, but said the importance of these buildings are in the location they reside. She concurred with unintended consequences and the need to study more before destroying. Demolition should only take place when all other mitigation efforts have been eliminated through study.

Mr. Shad concurred with the other Commissioners. He disagreed that all options have been thoroughly vetted or reviewed, however, he agreed that it would be a good idea for County to buy the properties in question. He said the County shouldn't rush to start tearing things down, rather look at how these buildings can be stabilized. Mr. Shad suggested taking a serious look at the root cause of the problem, not only weather changes, but the overdevelopment in Tiber watershed area. He said that all of these factors have some impact on the water in the Tiber Hudson watershed area and that it has a cumulative effect.

Mr. Nichols said the County researched several other examples of towns and had communications with locations such as Waterbury, CT; Boone, NC; Big Thompson Creek, CO; Charleston, West Virginia; Indonesia and even Germany. Mr. Nichols shared during the CAG process there were ideas about the acquisition of buildings and that was included as part of the CAG report.

Mr. Nichols updated the Commission on the warning system - the FHWA program was mentioned earlier and the County did communicate back in September 2017 about that program, but was also working with Department of Homeland Security with their Flood Apex Program that has specific knowledge with these significant challenges. Prior to the May 2018 storm, the County was working with Homeland Security to understand the main issue of the impacts of these new storms on the watershed. The plan has been to install 48 stream gages throughout the watershed. He said the County has been working with the National Weather Service, and explained that County has been working with and coordinating with other National agencies to try and figure out the significant problem we have.

Mr. Nichols will provide information and more ideas as they are developed.

Mr. Nichols addressed the B&O Museum concerns points out the presentation provided to compare the modeling difference between no mitigation further up in the watershed compared to an expanded stream channel in the surrounding area around the B&O, there is very limited difference between the two so as far this increased threat, that is not something the models show. But Mr. Nichols says they will continue to work on the site of the B&O and what can be done.

Mr. Roth points out that the proposal to add a tunnel upstream would reduce the risk of the B&O and any approaches that reduce the amount of water from coming downstream would have a huge impact.

HPC-18-47 – 8390 Main Street and Ellicott Mills Drive right of way, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: John Seefried, Howard County Department of Public Works

Background & Scope of Work: This property is located in the Ellicott City Historic District. The Applicant seeks retroactive approval for the removal of six trees greater than 12 inches diameter in breast height between 8444 Main Street and 8390 Main Street. The trees included three spruce and three hardwood trees. The application explains that the pipe under Ellicott Mills Drive failed during the May 27, 2018 flood. The three spruce and two hardwood trees were removed from the Wine Bin property because they contributed to the failure via piping and excess and dynamic load. One hardwood tree near the former Court House was removed because of its contribution to failure via piping and hydraulic overtopping. The application further explains,

“there were multiple safety hazards to life and property involved with trees in proximity of a drainage culvert. The roots weaken the bearing capacity of the soil around the pipe and when they eventually decompose, contribute to piping failure. In the event of flooding, large debris (cars and trees) becomes entangled. This blocks water, raises the floodplain water level and compounds the flood damage. Time was of the essence in removing the trees because the remaining pipe culvert is significantly damaged (and needs to be removed) and stabilization of the floodway is required to prevent further erosion of Main Street.”

Staff Comments: Chapter 9.B of the Guidelines states that work requiring a Certificate of Approval includes, “removing live trees with a diameter of 12 inches or greater 4.5 feet above ground level” and “installing or removing landscaped areas in plazas, parking lots, public parks or public rights-of-way. Major changes to the plantings in such landscaped areas, including planting or removing trees or large shrubs.”

Chapter 9.B recommends, “plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling limbs and roots as the plants grow.” The current guidelines do not adequately address the effect of the tree roots along the stone stream walls, and in this case, along underground utilities. If the application had come in for approval prior to the work being done, Staff would have recommended Approval as submitted because of the required engineering necessary for the repair of the Ellicott Mills Drive culvert and the widening of the stream channel in this area.

Staff Recommendation: Staff recommends approval as submitted.

Testimony: Mr. Shad swore in Mr. Seefried, Deputy Chief of the Bureau of Engineering from the Department of Public Works (DPW).

Mr. Seefried clarified the mistake of having 6 trees removed without getting approval from this Commission. He described their locations- there were five trees behind the Wine Bin and one adjacent to Ellicott Mills Road and the historic courthouse. Mr. Seefried stated the trees needed to be taken down due to the failed 400-foot aluminum arch pipe that washed out creating the chasm under Ellicott Mills Drive.

Mr. Shad stated that Mr. DeLuca was at the July HPC meeting with a powerpoint presentation discussing this project and he did not mention the removal of any trees, but within two weeks the trees were gone. Mr. Shad asked for clarification of the multiple safety hazards of life and property mentioned.

Mr. Seefried said there were three issues involved. The first issue was the piping which is the movement of the water outside of the pipe arch so that the roots contribute to that. First the roots create space and when the tree dies, that space is a problem for the water passing through. With any stormwater management facility in the County, you can't be within 20 feet of the toe of the embankment to contribute to the breach of the embankment. The second issue is the physical load of the trees on the culvert. The physical weight of multiple trees on top of the culvert is a problem as the culvert pipe is not designed for the weight of the trees. The third issue is the hydrologic overtopping. Mr. Seefried explained that anything caught in tree contributes to the weight over top leading to the failure. For the Ellicott Mills situation, when the pipe is failing, they lose the conveyance of the pipe and all the materials that fail are sent downstream as debris clogging the channel.

Mr. Shad said the trees have been there probably 30 to 50 years so he questioned the rational of them being an emergency that couldn't wait to come the Commission for approval. He questioned why this

wasn't brought to the HPC or even a call to HPC staff as emergency procedures are in place. Mr. Shad said that trees were cut down and no one was notified. Mr. Shad did not understand the urgency.

Mr. Seefried said the pipe that was 10 feet tall, 15 wide and 400 feet long and it catastrophically failed. He said that five of the trees need to be removed. He apologized for not knowing the protocol. As a professional engineer, he said the trees needed to be removed because of this failure of the pipe.

Mr. Roth asked if the pipe was removed. Mr. Seefried stated that half of the pipe has been removed. The area had to be stabilized but the rest of the pipe will be removed. He had not determined that the last 200 feet of pipe was failing as he could not see the bottom of the pipe after the flood but when he inspected the remaining 200 feet, he stated it had to be replaced.

Mr. Shad stated he did not understand how the plan changed dramatically to the point of emergency tree removal. Mr. Seefried gave insight that he had not determined by the July meeting that the bottom of the pipe had failed.

Mr. Roth confirmed that the pipe had to be removed and the trees had to be removed as a result being that they were over top of the pipe.

Mr. Shad stated that he was told the plan would not change drastically from the July meeting but it the plan has changed dramatically without notification.

Motion: Mr. Roth moved to retroactively Approve the application as submitted. Mr. Reich seconded. Mr. Shad opposed. The motion was approved 4 to 1.

Ms. Tennor moved to adjourn. Ms. Zoren seconded. The motion was unanimously approved and the meeting was adjourned at 11:48 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

Lisa Kenney, Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

October Minutes

Thursday, October 4, 2018; 7:00 p.m.

The October meeting of the Historic Preservation Commission was held on Thursday, October 4, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Erica Zoren; Bruno Reich

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Dan Bennett

PLANS FOR APPROVAL

Consent Agenda

1. MA-17-53c – 8020 Main Street, Ellicott City
2. MA-18-28c – 3877 College Avenue, Ellicott City

Regular Agenda

3. HPC-18-48 - 3877 College Avenue, Ellicott City
4. HPC-18-49 - 3530 Sylvan Lane, Ellicott City
5. HPC-18-50 - 8396 Park Drive, Ellicott City
6. MA-18-22c and 18-26c – 8396 Park Drive, Ellicott City
7. HPC-18-51 – 3749 Church Road, Ellicott City
8. HPC-18-52 – 8167 Main Street, Ellicott City

OTHER BUSINESS

1. Discussion of Ellicott City Five Year Mitigation Plan Advisory Comments – work-session
2. Discussion of CB75-2018 – work-session

CONSENT AGENDA

MA-17-53c – 8020 Main Street, Ellicott City

Final tax credit approval.

Applicant: Mark Bean

Background & Scope of Work: This property is located in the Ellicott City Historic District, and dates circa the 1920s/1930s after the Patapsco Hotel collapsed and this row of buildings was constructed. The Applicant was pre-approved for tax credits on November 21, 2017 through the Minor Alterations process for the replacement of the flat roof. The Applicant has submitted documentation that \$25,347.00 was spent on eligible, pre-approved work. The Applicant seeks \$6,336.75 in final tax credits.

Staff Comments: The work complies with that pre-approved and the invoice and other documentation total the requested amount.

Staff Recommendation: Staff recommends approval as submitted for \$6,336.75 in final tax credits.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify. Ms. Tennor arrived late and was not present for this case.

Motion: Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

MA-18-28c – 3877 College Avenue, Ellicott City

Final tax credit approval.

Applicant: Michael Smith

Background & Scope of Work: This property is located in the Ellicott City Historic District, and according to SDAT, dates to 1937. The Applicant was pre-approved for tax credits on July 30, 2018 through the Minor Alterations process for the repair and replacement of the roof. The Applicant has submitted documentation that \$33,757.00 was spent on eligible, pre-approved work. The Applicant seeks \$8,439.25 in final tax credits.

Staff Comments: The work complies with that pre-approved and the invoice and cancelled total the requested amount.

Staff Recommendation: Staff recommends approval as submitted for \$8,439.25 in final tax credits.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify. Ms. Tennor arrived late and was not present for this case.

Motion: Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-48 - 3877 College Avenue, Ellicott City

Tax Credit Pre-Approval for Exterior Repairs.

Applicant: Michael Smith

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1937. The Applicant seeks tax credit pre-approval for the following work:

- 1) Replace rusted, loose metal railings located adjacent to the front door of the house.
- 2) There are two railings at the rear stair, a handrail down the steps to the basement and a safety rail that runs along the top of the stairs wall.
 - a. Replace safety rail with newly fabricated metal railings painted in glossy black rust resistant paint.
 - b. Replace basement wood railing with a metal railing.
- 3) Remove rotted roof over rear stair and replace framing and shingle in Certainteed asphalt shingle in the same style as the rear dormer roof.
- 4) Replace cracked footing under railing at rear stair with new concrete cap topped with bluestone.

Staff Comments: The railings were removed from the front stoop, but the in-kind replacement of Item 1, the railings located adjacent to the front of the house, is considered Routine Maintenance per Chapter 5, which states, “repair or replacement of roofs, gutters, siding, external doors and windows, trim, lights and other appurtenant fixtures using the same materials and design.” From the photographs provided, the railings were wrought iron, so any replacement would need to be fabricated to match the design and material of the existing. The replacement would comply with Section 20.112 of the Code as a replacement of a feature on the historic structure. Repairing rather than replacing the railings would better comply with the Guidelines and also qualify for tax credits.



Figure 1 - Front stoop railing



Figure 2 - Second front stoop railing

A site visit to the property on September 24, 2018 revealed that Item 2.A, the safety railing above the basement steps, and Item 4, the replacement footing and new bluestone cap, have already been replaced. The new railing is aluminum and is of a different, more ornate style. The original railing appears to have been wrought iron. This item is no longer eligible for tax credits because the work has already been done and it is not an in-kind replacement. The railing now needs retroactive approval.

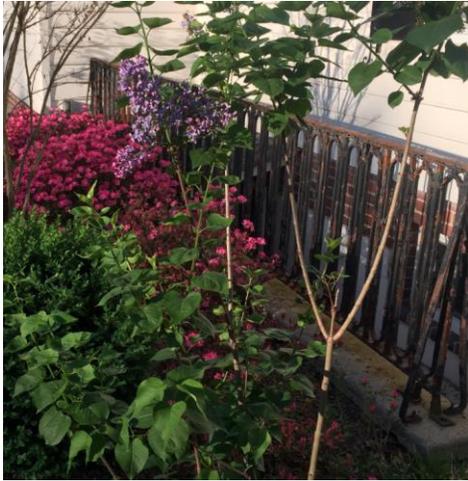


Figure 3 - Previously existing wrought iron rear railing



Figure 4 - New rear aluminum railing

As seen in Figure 6 below, the safety railing leading down the basement steps has already been removed and a replacement has not been installed. To evaluate the proposed railing, Staff needs more information on what the proposed railing would look like and what the material would be. However, this also does not appear to be a historic building component and the Commission should determine if tax credits apply.

Item 3, the replacement of the roof over the rear stair, was applied for and approved in MA-18-28c, which is also before the Commission for final tax credit approval. This work has been completed.



Figure 5 - Previous condition of basement stairway



Figure 6 - Current conditions of basement stairway

Staff Recommendation: Staff recommends tax credit pre-approval for Item 1. Staff recommends denial of tax credit pre-approval for Item 2.a, 3 and Item 4. Staff recommends the Commission determine if Item 2.b qualifies for tax credits under Section 20.112 of the County Code.

Testimony: Mr. Shad swore in the Applicant, Mike Smith. Mr. Smith said the work on the house was done between the time he submitted the application and when Staff conducted their site visit. He said that he would withdraw those items from the application. Mr. Smith explained that he could not find anyone to replicate the railing in the back yard. He said that he cannot find anyone to replicate wrought iron on the front and will be forced to replace it with aluminum there as well. He explained that the footing along the rear yard stairwell had broken and the railing wasn't secure as a result. Regarding the front railings, Mr. Smith said he believes they are both a unique design to the house. He said he would withdraw the request to replace the front railings until he has a design.

Mr. Reich asked if the photo submitted was the proposed design, Mr. Smith clarified it was the existing front railings, which have been removed from the house.

Staff clarified that the alteration of the rear railing and footing, which have been replaced, require a Certificate of Approval retroactively for the change in design and material.

There was confusion between the Commission and the Applicant regarding the items requiring approval and which items would need to be subject to a future application for approval. Staff clarified the following:

- Items 2.a and 4 have been done and require retroactive approval. These were before the Commission for tax credit pre-approval and the Commission cannot switch the approval to a Certificate of Approval as this meeting; a new application will need to be submitted for approval at a future meeting.
- The Applicant withdrew the request to replace Item 1 until a replacement has been identified.
- Item 2.b has not been replaced, but the Commission needs to determine if it is eligible work. This item was withdrawn, and the Applicant will return for approval.
- Item 3 has already been done and was part of application MA-18-28.

Mr. Smith asked the Commission if there were any concerns with the railing that he had installed at the rear basement area. He said he could only find aluminum and explained the area is located on the back of the house and is not visible. Ms. Burgess asked why the original railings was not repaired. Mr. Smith said the original railing was too damaged and could not be repaired. He explained that he had painted it frequently, but it failed. The railing top separated open and rotted the metal away. The railing was jagged, raw metal and the footer was unstable.

Ms. Tennor referenced a company in Baltimore company, Krug and Sons, that has been in business since 1809, but is not sure if they are still in business. Mr. Reich referenced Wallys Iron Works from western Howard County as another resource for iron railings.

Motion: There was no motion as the application was withdrawn.

HPC-18-49 - 3530 Sylvan Lane, Ellicott City

Certificate of Approval for Exterior Repairs.

Applicant: Matthew Krist

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1956. The Upper Church Road/Sylvan Lane area was incorporated into the historic district in 1990. The Applicant was approved through case HPC-18-01 to construct an addition on the ranch style house and side the addition in vinyl, to match the existing siding.

The Applicant now seeks approval to change the siding on the entire house to cedar shake siding and replace the white 6:6 vinyl windows with black 1:1 wood windows. The middle window on the front façade currently consists of one large picture window flanked by two 4:4 windows. The proposed alteration would change the 4:4 windows to 1:1 windows.



Figure 7 – Front façade of house



Figure 8 - Rendering showing proposed changes



Figure 9 – Current front door and windows



Figure 10 - Proposed front door and windows

The front door currently appears to be an oak wood door or a fiberglass door designed to resemble natural oak. This door is proposed to be changed to a full light door in the color black, but the material is unknown.

On the left side of the house is currently a set of sliding doors, which are proposed to be changed to the same proposed full light door in black.



Figure 11 - Proposed door



Figure 12 - Existing sliding glass door

Staff Comments: The house was constructed in the ranch style and currently has vinyl siding and vinyl windows. The proposed new windows would be wood, which would be an improvement in material choice. However, the existing 6:6 and 4:4 windows provide ornamentation that is lacking in the 1:1 windows.

The removal of the sliding glass door, changing to a full view door instead, would comply with the Guidelines which recommend against sliding glass doors on primary facades visible from the public right of way.

While the change to a wood siding over a vinyl siding is preferable in material choice, the addition of cedar does not make the ranch house more compatible with the historic structures in the vicinity and district as a whole. There is no comparable building type in the historic district, and the use of a wood or composite lap siding would be more compatible.

Staff has requested additional information on the material for the current door and proposed door and whether windows on other elevations of the house are also being changed. This information has not yet been provided.

Staff Recommendation: Staff recommends the following:

- 1) The existing 4:4 and 6:6 window patterns be retained, but otherwise approval of black wood windows.
- 2) Approval of changing the sliding glass door to a full light black wood door.
- 3) Approval of changing the existing front door to a full light black wood door.
- 4) That the Applicant identify another siding option for consideration.

Testimony: Staff summarized the responses from the Applicant regarding the remaining questions on the alterations. The Applicant provided the answer in an email after the staff reports were completed. The clarifications include:

- 1) The new front door will not match what is shown on the rendering, it will be the old wood back door, which is a half-light with panels on the back. Ms. Tennor requested that photos of the door be sent to Staff
- 2) The sliding glass door will become one large door size window.
- 3) All replacement windows will be 1:1 black Pella 450 series aluminum clad wood.

Mr. Krist brought in a sample of the cedar siding, which was a lap siding sample. Mr. Reich found the style to be appropriate for a 1950s rancher. Ms. Holmes clarified that the rendering appeared to be cedar shake, which is what Staff found was not compatible.

Ms. Tennor asked if the storm door would remain. Mr. Krist confirmed that the existing storm door would be removed.

Ms. Zoren asked if they were redoing porch columns, which are currently a turned Victorian style, but shown as a natural square post in the rendering. Mr. Reich said the columns could be clad.

Mr. Reich found the proposal as submitted was fine, including the change to 1:1 windows and that because the building was not historic, that allowed some leniency.

Mr. Shad asked if anyone in the audience wanted to testify. Mr. Shad swore in Gary Segal, a resident of the historic district, who said that everything Mr. Krist is proposing is an improvement and that as a neighbor, he is highly supportive.

Motion: Mr. Reich move to approve the application as submitted and as shown in drawing, with the amendments referenced by Staff. The Applicant will submit the photo to Staff of the intended front door, for approval by Staff. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-50 - 8396 Park Drive, Ellicott City

Certificate of Approval for Exterior Alterations

Applicant: Tarpley Long

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1899 (this date corresponds with the division of land from the Linwood estate, however, this building most likely dates circa 1920/1930).

The Applicant was pre-approved in case MA-18-22 on July 3 for the painting of the house and all colors submitted within that application were approved. The Applicant later changed her mind on the colors and submitted a new application that was processed as MA-18-26 and was partially approved on July 16. This application was only partially approved due to an objection on the proposed color of the front door, Almalfi Coast, a bright blue.

The Applicant now seeks retroactive approval for the painting of the front door, in the color Benjamin Moore Notting Hill blue. The Notting Hill color is a lighter blue that is more appropriate for a historic structure in this region. The color on the door appears slightly brighter and lighter than the paint swatch.

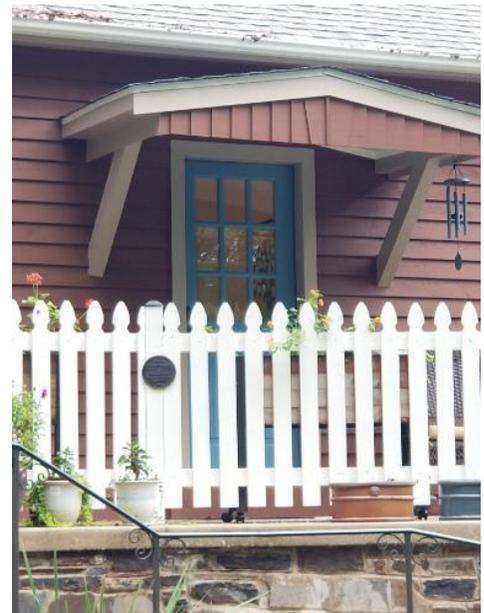


Figure 13 - Blue front door

Staff Comments: While the color on the door lacks the gray tones from the paint chip, the color complies with Chapter 6.N recommendations, “in general, use calm or subdued colors, reserving bright colors for small, important details such as doors or trim.” The door is not highly visible due to the siting of the house and location of the door above the retaining wall, behind the fence and underneath the overhang.



Figure 14 - Front facade of house

Staff Recommendation: Staff recommends retroactive approval as submitted.

Testimony: Mr. Shad swore in Ms. Tarpley Long and asked if she had any addition to the Staff comments. Ms. Tarpley did have comments and passed out written testimony, which she then read to the Commission. Mr. Taylor clarified that the paint color in question had not be retroactively approved and was the reason she was in attendance at the meeting tonight, to seek approval for the use of the color Notting Hill blue. Mr. Taylor clarified that Staff prepared a report to recommend the Commission approve that color. The Applicant expressed concern and confusion on the process and Staff provided a

history of the recent applications the Applicant had submitted for approval, which were taken through the Minor Alterations process and the application that was submitted for this meeting.

Motion: Ms. Tennor moved to Approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

MA-18-22c and 18-26c – 8396 Park Drive, Ellicott City

Final tax credit claim.

Applicant: Tarpley Long

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1899 (this date corresponds with the division of land from the Linwood estate, however, this building most likely dates circa 1920/1930). The Applicant was pre-approved in case MA-18-22 for the painting of the house (all colors submitted within that application were approved) and the repointing of the chimney and front steps. The Applicant later changed her mind on the colors and submitted a new application that was processed as MA-18-26. This application was only partially approved, due to an objection on the color of the front door.

The Applicant seeks final tax credit approval for the exterior painting, chimney repointing and the front steps repointing and has submitted documentation that \$8,1035 was spent on work.

Staff Comments: The invoice for the painting includes entrance doors. However, in this case the painting of the entrance door was approved to be a different color, the color used was objected to. This item should be removed from the invoice and the total cost adjust to reflect the removal of the door. Regarding the repointing, the work complies with that pre-approved and the invoice and other documentation totals the requested amount.

Staff Recommendation: Staff recommends the final tax credit request for the painting be continued until a revised invoice total is submitted that removes the cost of the front door from the scope of work. Staff recommends final tax credit approval of the repointing, which cost \$3,300.00 for a tax credit of \$825.00.

Testimony: Staff provided a summary of the application. Mr. Taylor asked the Applicant if she understood and she said she did not. Mr. Taylor clarified the process and the tax credit law regarding pre-approval for the Applicant. He explained that pre-approval is needed and that the painting of the door was not pre-approved. The Applicant provided an itemized invoice for the Commission. The Commission and the Applicant discussed the itemized cost to paint the door and the Applicant said the cost of the door to paint was \$200.00 and the invoice shows the paint cost \$89.98.

Motion: Mr. Roth moved to approve the final tax credit claim, less the cost of the paint and painting of the door. Mr. Reich seconded. The motion was unanimously approved.

HPC-18-51 - 3749 Church Road, Ellicott City

Certificate of Approval for Exterior Alterations

Applicant: Kimberly Kepnes

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1830. The Applicant seeks approval for the following exterior alterations:

- 1) Construct a new pathway from the driveway to the home. The pathway will follow the natural hillside contour, will be 4 feet wide, and will be paved using semi-impermeable asphalt millings surface. The pathway will start at the top of the driveway and continue to the bottom of the hillside, at the base of the existing brick sidewalk. The path will help accommodate accessibility limitations.
- 2) Modify existing driveway EP Henry block retaining wall to connect the existing driveway to the proposed pathway.
- 3) Remove and replace approximately 97 feet of broken and displaced sidewalks. The Applicant seeks tax credits and/or Façade Improvement Grants, if eligible.

Staff Comments: The application contains two sketches showing the proposed work and photographs of the general area where the proposed pathway will be installed.

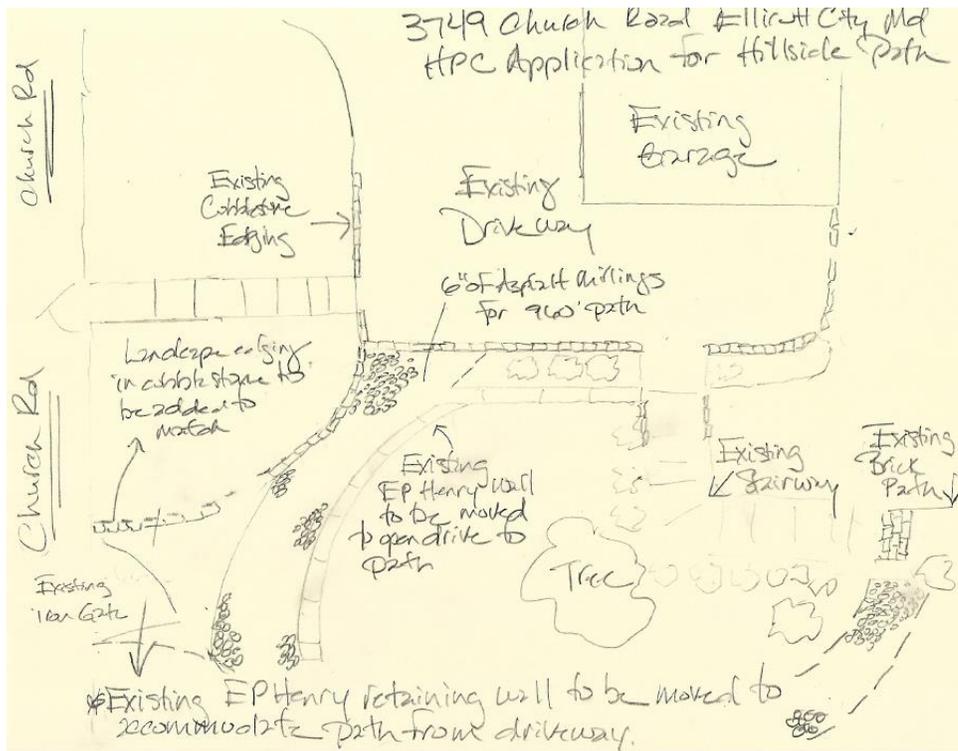


Figure 15 - Proposed site plan

Pathway

The application mentions that a hillside driveway was previously approved for the property. This driveway was approved in 2014 (HPC-14-40) and was going to be paved in crushed bluestone with a cobblestone border. The driveway not constructed, and the approval has since expired.

There are a few different existing access options to the house, such as a staircase off of the driveway that leads down to the house. If the goal of the pathway is to accommodate accessibility limitations, it does not appear that it would be ADA compliant in both slope and material. The pathway will curve to follow the contour of the hillside, which complies with Chapter 9.A recommendations, “minimize grading by siting new structure and other improvements to make use of the land’s natural contours.” The proposed material is a dark gray course crushed stone. There are a variety of hardscaping materials on site, such as brick pavers, granite cobblestones, and an EP Henry retaining wall and steps with slate tops. While this material would introduce another hardscaping element, the dark color of the crushed stone will be compatible with the other materials. An alternative could also be to simply use mulch for

the pathway, to match the other landscape beds on the property. Due to the steep slope of the hillside, any loose rock could wash away in a rainstorm. The proposed crushed stone, or brown mulch, would comply with Chapter 9.D recommendations, “construct new site feature using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.”



Figure 16 - View of hillside where pathway would be located



Figure 17 - Proposed location of pathway on hillside



Figure 18 - View looking up hillside



Figure 19 - View where pathway would connect to existing brick walkway

Street Sidewalk

The removal and replacement of the sidewalk along the street, if done in-kind to match the existing, does not require HPC approval. While not specifically mentioned in the application as part of the scope of work, the replacement of any curbing would only be in-kind if existing concrete curbing is replaced. The photos provided by the Applicant show that granite curbing and concrete curbing exist at this location. Any granite curbing should either be retained or reset, but should not be removed. The replacement of the sidewalk is not eligible for tax credits, as it does not meet the criteria listed in Section 20.112 of the County Code, nor is it eligible for Façade Improvement Grants. If the Applicant proposes to reset the granite curbing, that work could be eligible for tax credits, if the Commission determines it is a historic landscape feature. If the Applicant includes the resetting of granite curbing within their scope of work, a site plan showing the location and length of granite curbing should be provided. The Applicant should contact the Department of Public Works for approval before starting the work.

Staff Recommendation: Staff recommends Approval of pathway as submitted, with the option to use brown mulch, matching the landscaping beds on the property.

Testimony: Mr. Shad swore in Ms. Kepnes and asked if she had any comments on the Staff report. Ms. Kepnes had comments regarding the sidewalk along the street and explained that the residents on lower Church Road have been battling runoff for a while and have been emailing Jim Irvin's office. She the County does have a future plan to address the sidewalks and stormwater management in that area, but she has significant damage on her property. Ms. Kepnes said she has continued repairs on her property and wants to know why a tax credit for replacing the sidewalk wouldn't be eligible, since it's a significant expense. She stated that if there is an opportunity for a resident to make a repair to a public property, she would like the Commission to consider allowing a tax credit for a resident making those repairs. She said there is a crushed culvert directly across the street, which diverts water toward her property.

Ms. Kepnes stated that her property has a steep hillside and has significant erosion, and that the grading is undermined because of runoff.

Mr. Taylor said explained the work eligible for tax credits and said the Commission may not have enough evidence tonight to make that finding.

The Commissioners discussed the request for tax credits in relation to the code. Ms. Kepnes said there is significant erosion that she has had repaired several times since the flood. She believes it could eventually cause a threat to the building. Mr. Roth said in looking at the code, the Applicant needs to make a case for why this work is eligible.

Ms. Tennor asked the Applicant if she would like to withdraw the sidewalk portion of the application. Ms. Kepnes said she would withdraw the sidewalks. Mr. Shad said that it needs to be determined who is responsible for replacing the sidewalk, and if it is the County, they should be replacing it.

Mr. Shad if anyone in the audience wanted to give testimony on this case. There was no one who wanted to give testimony. The Commissioners did not discuss the pathway, the testimony was focused on the sidewalk issue.

Motion: Mr. Roth moved to approve the pathway as submitted, with the option to use brown mulch, per staff recommendations. Ms. Tennor seconded. The motion was unanimously approved.

HPC-18-52 – 8167 Main Street, Ellicott City

Certificate of Approval for Exterior Alterations

Applicant: Doug Thomas

Background & Scope of Work: This building is located in the Ellicott City Historic District. According to SDAT the building dates to 1987. This building is not historic and was built after the original, historic building burned in 1984. The Applicant seeks approval for the following exterior alterations:

1. Construct a 16-foot-long concrete ADA handicap ramp that will run adjacent to the building in the alley and tie into the existing concrete pavement.
2. Create a new door opening at the end of the building along the alley to open up onto the new ramp. The new door will be a wood door painted colonial red to match the trim (the architectural drawings indicate a wood door, but the application indicates a steel door). The door will have a half light and be 2:2. The door will be 36 inches wide by 84 inches high.
3. Brick up an existing glass and metal door located on the alleyway side of the building and replace the opening with two windows to match the existing style of windows, consisting of a 2-light divided transom over a large window. The overall dimensions of each window will be 34 inches wide by 60 inches high. There will be 3 ¾ inch spacing between the two windows.
4. Add a new steel pipe guard rail on the ramp. The color needs to be confirmed.
5. Install a new gooseneck light adjacent to the new ADA door. The color is unknown. Removal of a total of three existing lantern style exterior lights; two where the door is being closed in and one where the new door is being installed

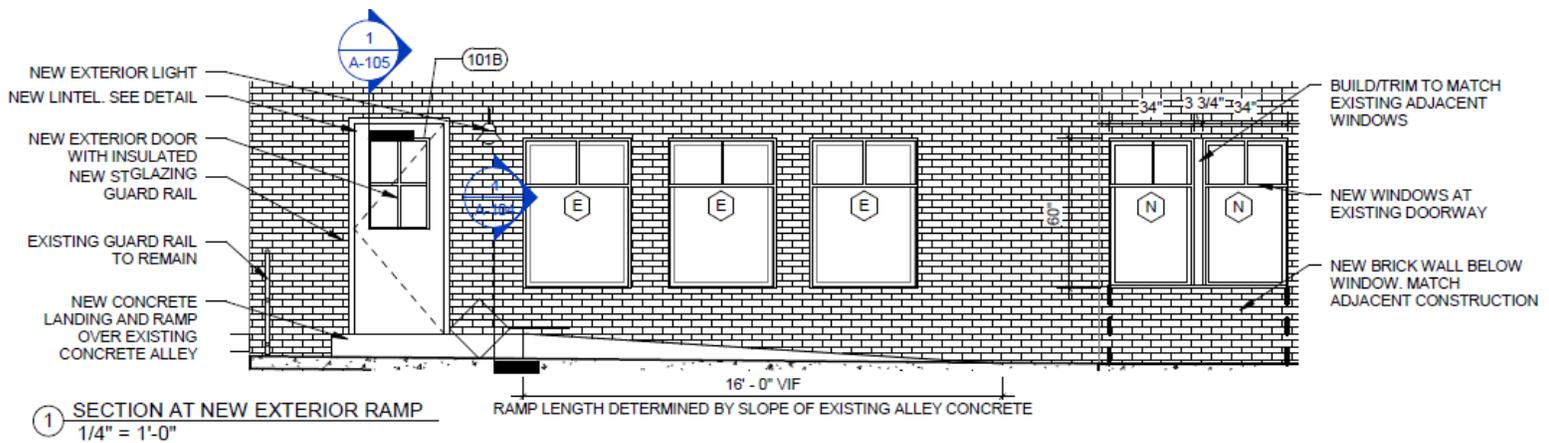


Figure 20 - Proposed new door and ramp on left side and paired windows on right side. The three windows next to the door currently exist.

Staff Comments: The application generally complies with the Guideline recommendations. The ramp will be located on the side of the building and the primary façade will not be altered. The new window will mimic the design, color and dimensions of the existing windows, which complies with Chapter 8.B recommendations, “use elements such as porch shapes, window or door openings...and other characteristics that echo historic Ellicott City buildings” and “design entrances and windows to be similar in scale and proportion to those on nearby historic building.” This proposal is not for new construction, but rather is for alterations to new construction (circa 1987) and the alterations will mimic its own building characteristics, rather than other buildings in the district.

The application states that new brick will be used to brick in the existing door opening, and that it will match the existing brick exterior wall. Since there is also a new doorway proposed to be cut into the building, that brick should be reused for filling in the other opening and will better match the building. The reuse of the existing brick would better comply with the Guidelines, “maintain or restore original brick, stone, concrete block or stucco. Make repairs with materials that match the original as closely as possible.”

The application states the new door will be steel, but the architectural drawings state that the door will be wood. Wood would be the preferred material, but since this is a minimally visible secondary entrance on a modern building, a steel door of an appropriate style could be used, as indicated by the Guidelines, “simple paneled door of wood or wood and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance.” The style shown in the architectural drawings does not have a panel in the lower half of the door and adding one or two panels would make the door an historically appropriate style.

New gooseneck lights were shown in the architectural drawings, in place of the traditional lantern style that currently exists, but a spec sheet was not provided. The Guidelines recommend, “choose and locate lighting fixtures to be visually unobtrusive. Use dark metal or a similar material.” Staff recommends the gooseneck fixtures be a dark metal and that all existing exterior lights on the building be replaced, so that there is one consistent style. Otherwise, the existing lantern style lights should be retained for use in the alley.

The Guidelines do not specifically reference railings, but discuss the use of fencing, which is similar. The color of the proposed ADA ramp railing is not mentioned, but should be a dark metal color such as black,

as indicated by Chapter 9.D of the Guidelines, “install open fencing, generally not more than five feet high, of wood or dark metal.”

Staff Recommendation: Staff recommends Approval as submitted and that the Commission consider the following items:

- 1) The ADA ramp steel guard rail be painted black.
- 2) The door have one or two panels under the window, with the option to use wood or metal at this minimally-visible location.
- 3) The existing brick cut for the new door be reused to fill in the old doorway/area around the new window.
- 4) The new gooseneck light be an oil rubbed bronze or similar dark metal, or the existing lantern style lights be retained.

Testimony: Mr. Shad swore in Scott Dexter, the architect representing Applicant. Mr. Dexter said they agree with all recommendations in the staff report and that Mr. Thomas has all of the existing lantern lights in storage and will install those instead of the gooseneck lights. Mr. Dexter handed out a spec sheet for the door they propose to use.

Mr. Reich said the rendering looks good and that all new components look like they belong on the building. Ms. Tennor confirmed that the earlier drawing submitted in the application was superseded by the new drawings provided. Mr. Dexter said that was correct. Ms. Tennor asked if the existing brick can be saved it has aged with the building. Mr. Dexter said they can save it, but said the brick is from 1978 so it is not hard to find.

Ms. Zoren asked if the brick sill detail under the existing windows can be replaced on the new windows. Mr. Dexter said all of the new windows will be made to match the existing windows.

Mr. Shad asked if anyone from the audience wanted to give testimony. No one wanted to give testimony.

Motion: Ms. Tennor moved to approve the application as recommended by staff, with the replication of the sill under the existing windows to be matched in the new windows, and the door as submitted.

OTHER BUSINESS

Mr. Shad moved to go into closed session at 8:36 pm and Mr. Roth seconded. The motion to go into closed session was unanimously approved. The Commission resumed open session at 9:13 pm and stated they went into closed session to seek legal advice on CB75-2018 and would do so again at the end of the meeting. Mr. Shad said the September minutes would be subject to approval at the next meeting in November.

1. Discussion of Ellicott City Five Year Mitigation Plan Advisory Comments – Commission work-session (no public comment)

Staff said the next public meeting regarding the Ellicott City Master Plan would be October 25, 2018. The Commission discussed whether they could attend the meeting and considered whether materials presented at that meeting might be presented to the HPC when the County submits another application for Advisory Comments. Mr. Taylor clarified that the Commission cannot consider any evidence that was not presented to them at an HPC public hearing and advised the Commission not to attend the Master Plan meeting.

2. Discussion of CB75-2018 – Commission work-session (no public comment)

The Commission stated that they were not ready to make a statement. Mr. Shad, the Chair, stated the Commission would talk about this bill further in closed session at the conclusion of the HPC meeting.

Mr. Reich stated that he wanted to hear public testimony and asked if another hearing could be scheduled in one or two weeks. There was not a decision made on holding another meeting.

Mr. Taylor stated that Councilman Weinstein sent the HPC a letter about CB75, not the flood mitigation plan. Mr. Taylor explained that this letter does not implicate the ex-parte contact rule because it is not about an application, but about proposed legislation that the Commission may want to comment on. Mr. Taylor explained that the letter cannot be relied on in a future case unless it is introduced as evidence.

3. Officers

The Commission will vote on officers at the November meeting.

Mr. Roth moved to go into closed session at 9:32 pm and then come into open session to close the meeting. Mr. Reich seconded. The meeting adjourned at 10:30 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner, Acting Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350

FAX 410-313-3042

November Minutes

Thursday, November 1, 2018; 7:00 p.m.

The November meeting of the Historic Preservation Commission was held on Thursday, November 1, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. A few technical corrections were made to the minutes. Mr. Roth moved to approve the September minutes. Ms. Tennor seconded. The motion was unanimously approved. Mr. Reich moved to approve the October minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Erica Zoren; Bruno Reich

Staff present: Beth Burgess, Samantha Holmes, Susan Overstreet, Daniel Bennett, Lewis Taylor

PLANS FOR APPROVAL

Consent Agenda

1. MA-18-16c – 3829 Old Columbia Pike, Ellicott City
2. MA-18-02c – 3744-3748 Old Columbia Pike, Ellicott City

Regular Agenda

3. HPC-18-53 – 8116 Main Street, Ellicott City
4. HPC-18-54 – 8307 Main Street, Ellicott City
5. HPC-18-55 – 3820 Old Columbia Pike, Ellicott City
6. HPC-18-56 – 8484 - 8494 Main Street, Ellicott City
7. HPC-18-57 – 3612 Fels Lane, Ellicott City
8. HPC-18-58 – 8191 Main Street, Ellicott City
9. HPC-18-59 – 3802 Church Road, Ellicott City

CONSENT AGENDA

MA-18-16c – 3829 Old Columbia Pike, Ellicott City

Final tax credit claim 20.112.

Applicant: Josh Anderson

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1800. The Applicant was pre-approved for tax credits to replace the roof through the Minor Alterations process in case MA-18-16 in May 2018. The Applicant has submitted documentation that \$14,290.00 was spent on the eligible, pre-approved work and seeks \$3,572.50 in final tax credits.

Staff Comments: The work complies with that pre-approved and the invoice and cancelled checks total the requested amount.

Staff Recommendation: Staff recommends approval as submitted for \$3,572.50 in final tax credits.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

Motion: Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

MA-18-01c – 3744-3748 Old Columbia Pike, Ellicott City

Final tax credit claim 20.112.

Applicant: Susan Duff

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to the Historic Sites Inventory form the buildings date to the early 1800s. The Applicant was pre-approved for tax credits for front façade repairs and alterations through the Minor Alterations process in case MA-18-01 in January 2018. The Applicant has submitted documentation that \$23,455.00 was spent on the eligible, pre-approved work and is eligible for \$5,863.75 in final tax credits.

Staff Comments: The work complies with that pre-approved and the statements and cancelled checks total the eligible amount.

Staff Recommendation: Staff recommends approval of \$5,863.75 in final tax credits.

Testimony: Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

Motion: Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-18-53 – 8116 Main Street, Ellicott City

Certificate of Approval and Tax Credit Pre-Approval for exterior alterations/repairs.

Applicant: Charlene Townsend

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1830. This building was damaged in the 2016 flood and the door leading to the apartments and the storefront windows were destroyed and had to be replaced.

The building was again damaged in the 2018 flood and both doors (retail and apartment) as well as the storefront windows were destroyed. The Applicant seeks tax credit pre-approval to paint the front façade including second and third floor windows and sashes.

The Applicant also seeks approval, including tax credit pre-approval, to make alterations to front façade, in order to make the building safer from flood water.

The Applicant proposes to alter the storefront windows so that the entire storefront looks like the mural painted on the plywood that is currently covering the building. This design also mimics the panels below the windows that are found on the neighboring building at 8120 Main Street. The storefront windows would be significantly reduced in size in this proposal, which would utilize a 5'x5' window. The proposed windows will either be Anderson tempered laminate glass windows or Pella Impact Resistant windows with a wood frame.

The new storefront door will be a half light over 2-panel wood door, painted a cream color. The previously existing historic door was a ¾ light over 3 panel (horizontally laid out) door. The door leading to the apartments will be a 6-panel wood door. This replacement is the same style as the replacement used from the 2016 flood, but does not match the historic door that was destroyed, as shown in Figure 3.

The previous storefront was blue and white, but the Applicant now proposes to use the colors as shown in Figure 4, incorporating the coral color from the second floor into the first floor storefront and the light pink/coral color (Benjamin Moore Pearly Pink) on the plywood mural.

The Applicant seeks tax credit pre-approval and Façade Improvement Program funds for the work.

Staff Comments: Chapter 6.K of the Guidelines recommends, “preserve the form and details of existing historic storefronts. Uncover or replace architectural detailing that has been obscured by later additions” and “where physical, photographic or other documentation exists for an earlier storefront, or for the building’s appearance before a storefront façade was added, restore the earlier storefront design.” While this proposal does not meet those recommendations, the intent of the storefront alterations are to mitigate potential future flood damage. The historic door leading to the apartments was lost in the 2016 flood and the historic door leading to the retail space was lost in the 2018 flood. The storefront windows were blown out in both floods, and due to their floor to ceiling height, would be likely to blow out in future floods.

The new design retains the historic cornice and brackets on the first floor and will utilize doors of a similar design. The existing color from the second floor will be incorporated into the new panels on the first floor. The new design complies with Chapter 6.K recommendations, “when planning storefront repairs or alterations, unify the upper and lower floors in the new design. Use appropriate and matching

materials and colors throughout the façade; use materials appropriate to the style and period of the building; and use details of one time and type, within the limits of that building and its date of construction” and “design new storefronts to fit within the first floor building openings as formed by columns, piers and cornices.” The new panels below the window will serve a practical purpose not only in reducing the size of the storefront windows, but they will be reinforced with an internal cinderblock wall using new full-size blocks with concrete and rebar. The block will be waterproofed with Sherwin Williams Loxon XP. The windows will be reduced in size, which typically is not recommended, however Figures 1 and 2 above, show the repeated damage to the windows in a flood situation. The windows will still be large and will be impact resistant, which the previous windows were not. While these alterations are not typically supported by the Guidelines, the Applicant has made an attempt to mitigate future flood damage by reinforcing the storefront with stronger materials than previously existed.

Staff Recommendation: Staff recommends Approval as submitted and tax credit pre-approval for the work.

Testimony: Mr. Shad swore in the Applicant, Charlene Townsend, and asked if she had any information to add or correct in the staff report. Ms. Townsend did not have anything to add or correct.

Ms. Tennor asked Staff if they thought these kind of changes (i.e. alterations to the storefront/raising of the knee wall) will be common. Ms. Burgess said that she does expect this type of alteration to be more common due to the flood damage, but pointed out that many storefronts have been altered over the years and have been enlarged as they became retail buildings. She clarified that she was not speaking specifically to this building. Regarding this building, Ms. Burgess explained that Staff would have concerns if the Applicant was not proposing to use the impact resistant glass, etc. to try and floodproof the building.

Ms. Townsend said she is very happy with the new look and said it coordinates well with her neighbor’s storefronts, which are similar in size and have the same panel details.

Ms. Zoren said that she agreed with installing the panels under the windows for flood proofing, but was unclear on why the glass on the top and sides was also going to be reduced in size. She said that she would like to see the trim widths closer to what normally existed and a larger piece of glass above the sill height. Ms. Townsend said the windows she is proposing are larger than the windows her neighbors have. Ms. Zoren said she finds the sill height to be appropriate, but that anything altered above the window opening does not seem to have to do with flood mitigation.

Mr. Reich asked if Ms. Townsend was using flood resistant doors. Ms. Townsend said that she could not afford them, but said the current proposal was in-keeping with historic preservation, but she could not afford more. Mr. Reich made a few flood proofing suggestions on the doors and the windows, but found that Ms. Townsend was doing enough to preserve the historic pieces of the building.

Ms. Townsend said that she would like to make the transom windows over the 5x5 glass windows into framed panels instead of transom windows. She thought that would match the bottom panels and be less expensive.

Mr. Shad asked if anyone in the audience wanted to testify. No one did.

Motion: Mr. Reich moved to approve as submitted, with the option to make the panels above the storefront solid or glass. Mr. Roth seconded. The motion was unanimously approved.

HPC-18-54 – 8307 Main Street, Ellicott City

Certificate of Approval to install sign.

Applicant: Nicholas Johnson

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The Applicant proposes to install a sign, which is to be painted directly on the painted brick façade of the building. The original sign design was for a 5-foot high by 24-foot wide sign, for a total of 120 square feet. Staff and the Applicant met to discuss the sign and the Applicant had the drawings revised and scaled the sign down to 4'3" high by 17'9" wide, for a total of 75.43 square feet. The sign will have a black background with white text and a white border and read on one line "SU CASA." The sign will be located within a defined panel area that is on the brick building façade.

Staff Comments: The overall size of the sign has been reduced significantly in square footage, but still does not comply with Chapter 11.B recommendations, which recommend, "in most cases, limit the area of signage to one-half square foot of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign. More sign area is appropriate for some of Ellicott City's larger buildings, where these signs would result in signs that are ineffective or not in scale with the building." As this is a detached building that is set back from the street, a larger sign area may be appropriate, but the proposed size is still significantly larger than the Guidelines recommend.

For reference and guidance to this case, the Commission has recently had several applications for signs of this size, but the most comparable is the sign for Main Street Ballroom, located on the back of the building. The Ballroom sign was originally proposed to be 34 inches high by 19 feet wide and eventually approved to not exceed 24 inches in height (the width was determined using existing proportions on the building, an exact length of feet was not specified, rather the architectural details the sign was to fit between were specified).

The Guidelines provide a formula of one half square foot of sign area for each linear foot of street frontage as the maximum for each building. The building façade is approximately 50 feet in length, which results in a maximum area of 25 square feet. Further, Chapter 11.A states, "use lettering that is between one-third and one-half of the sign height and covers no more than 75 percent of the face of the sign." Additional black space around the letter would further comport with the Guidelines.

Aside from the scale, the sign otherwise complies with Chapter 11 recommendations, such as, "use simple, legible words and graphics; use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade; and emphasize the identification of the establishment rather than an advertising message on the face of the sign."

While not part of the HPC process, the Guidelines explain, "painting a sign directly on a wall or another structural part of a building is not permitted by the county Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area." The Applicant should contact the Department of Inspection, Licenses and Permits, administrators of the sign code, for more information on this matter.

Staff Recommendation: Staff recommends approval of the sign design as submitted, but recommends the sign be further reduced in size to be more consistent with the Guidelines.

Testimony: Mr. Shad swore in the Applicant, Nicholas Johnson, and asked if he had any information to add or correct in the staff report. Mr. Johnson did not have anything to add or correct.

Mr. Shad stated that the revised design was 75.43 square feet and said the maximum design allowed based on the linear feet of storefront is 25 square feet. Mr. Shad said the design was three times the size of what is allowed by the Guidelines.

Mr. Roth found the sign to be proportional to the building. Mr. Johnson stated that was his intent, to make the sign proportional, and fit within a defined brick rectangle on the building façade. Mr. Johnson thought reducing the size of the sign further could make it get lost on the building façade. Ms. Tennor said the sign could be smaller. Mr. Roth said the Guidelines are appropriate for row house storefronts and this is not a one bay wide storefront. He said that this is a situation where the Commission can apply their discretion.

The Commission discussed previous cases involving large signs, such as Main Street Ballroom and Waverly Real Estate. Mr. Reich explained that the Commission approved a larger sign for the Ballroom because the square footage was just for the letters and not the background. Ms. Tennor stated that the Ballroom was also different because it faced the parking lot, whereas this building faces Main Street. Mr. Johnson pointed out that the Ballroom is a destination, so people just need to find the building, whereas he needs to attract customers.

Mr. Reich said that Miller Chevrolet probably had a sign in the same space as the proposed sign. Ms. Tennor asked how large the letters were. Mr. Johnson said they were about 3 feet high. Ms. Tennor asked Mr. Johnson why he didn't want to use a logo. Mr. Johnson said the square logo did not fit the building very well and he found a wider logo would be better. Ms. Zoren said that they did not approve 3-foot tall letters for Main Street Ballroom and it would not be fair to approve that size for this sign. She said the letters are too big. Mr. Reich agreed that the letters look too big and suggested the letters be reduced to 2 feet in height and the background removed. Mr. Johnson said he did not want to apply the letters directly to the building and wanted the contrast with the background colors.

Mr. Taylor pointed out some of the Guideline recommendations that were referenced in the Staff report regarding the size of signs and lettering. Ms. Tennor asked why the Applicant did not want to use letter forms found in the store's logo. Mr. Johnson said the brand was developed in 1998 and they wanted to use something fresher. Mr. Johnson said they could look into reducing the letters to two feet in height and said then the sign would be about 24 total square feet.

Mr. Shad said that he wanted to see options mocked up and recommended the Applicant withdraw and resubmit with options. Ms. Holmes confirmed if the Commission would be okay with the application being processed as a minor alteration. The Commission agreed on that process.

Motion: There was no motion. The Applicant withdrew the application and will resubmit to process as a minor alteration.

HPC-18-55 – 3820 Old Columbia Pike, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Craig Stewart

Background & Scope of Work: This property is located in the Ellicott City Historic District and is also listed on the Howard County Historic Sites Inventory as HO-302. According to MDAT, the historic house was built in 1899. This property is listed on the Historic Sites Inventory as HO-302, the Charles Ringley House #1. According to the survey sheet, which dates to 1982, the structure may be log construction

that has been covered with siding. However, this information is unconfirmed and can only be determined by opening up walls inside the house.

The Applicant was approved in case HPC-09-25 and HPC-15-39 to construct a new addition on the side of the house. The Applicant now seeks retroactive approval to alter the side deck, which was approved by the HPC on July 2, 2015 in case HPC-15-39. The original application requested approval of a Trex deck with a white vinyl railing. The application was approved, but the railing was only approved to be wood or metal, not Trex. Retroactive approval is now sought for:

- 1) The deck was altered by adding 74 square feet to wrap around and connect to the rear stoop.
- 2) The decking installed was Ipe wood and the railing installed was a bronze Trex railing with bronze aluminum pickets.
- 3) The square posts are off-white, and the material is not referenced in the application but appears to be a PVC product so this item needs to be approved as well.

Staff Comments: The application generally complies with Chapter 7 recommendations for new construction of additions and porches. The increased square footage of the deck improves the design and better incorporates the deck into the new addition. The deck design complies with Chapter 7.B, “they should be substantial in appearance, having more of the character of a porch and should be related in detail as much as possible to the style and character of the building.” The deck relates to the extended building and the new connectivity (opposed to the original design) gives the appearance of a porch.

The Guidelines recommend, “on any building, use exterior materials and colors similar to or compatible with the texture and color of those on the existing building.” The deck is adjacent to the new addition, but the aluminum pickets on the new deck railings are compatible with the railings on the front stairs of the historic building (although they are not typically seen in conjunction with one another). The railing may be a composite, but the material is not noticeable from the street. The bronze colored composite railing blends with the aluminum pickets and matches other accents on the house, such as the gutters and exterior lights. The use of Ipe wood decking over Trex complies with the Guidelines.

Staff Recommendation: Staff recommends retroactive Approval as submitted.

Testimony: Mr. Shad swore in the Applicant, Mr. Craig Stewart. Mr. Shad asked if he had any comments or additions to the staff report. Mr. Stewart said he did not. Mr. Shad asked for information on how the deck design change took place after the application was approved. Mr. Stewart provided some history and said when building the deck he realized he should make a connection to the back of the house.

Mr. Reich said he did not have any comments, as the alterations were on the back of the house and look substantially as originally approved. Ms. Zoren asked about the material for the white posts. Mr. Stewart said the skirt board and posts on the lower portion of the deck are composite wood (Boral) and the upper deck posts are a vinyl sleeve.

Ms. Zoren said her biggest objection is to the vinyl posts and she was fine with the aluminum pickets, which she said seem to be the main material. Ms. Zoren said the wood decking was an improvement over what he was originally approved for.

Mr. Roth asked what skirt board was made out of and Mr. Stewart said it was a Boral product. The Commission and Mr. Stewart discussed resleeving the posts with a different material. Mr. Shad asked if anyone in the audience wanted to speak, but no one wanted to testify.

Mr. Reich moved to approve the retroactive application as constructed. There was no second.

Mr. Stewart said that the main objection seems to be the vinyl sleeves and said that they also come in aluminum. Ms. Tennor stated that the original approval was for wood or metal. Mr. Reich said that aluminum is seen in the District and asked if the sleeve is made in bronze aluminum. Mr. Stewart said it was.

Motion: Mr. Reich moved to retroactively Approve the deck as built, but change the upper post sleeves to bronze aluminum. Ms. Zoren seconded. The motion was unanimously approved.

HPC-18-56 – 8484 - 8494 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Kevin Breeden

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the buildings date to 1920. The May 27, 2018 flood washed out the foundations on these row houses. The Applicant sought approval for the foundation replacement/repair in MA-18-42. There was a partial objection to the construction of poured concrete piers without using a brick veneer to match the historic style. The Applicant then amended the application for the construction of brick piers reinforced with rebar. The foundation repairs were approved through the Minor Alterations process. However, in order to repair the foundation, the porched had to be removed for access. The plans to rebuild the porches were not in-kind and did not qualify for the Minor Alterations process. The Applicant now seeks approval for the following work to rebuild the porch while utilizing the existing roof:

- a. The old porch floor will not be reused and the new floor will consist of tongue and groove pressure treated wood decking, to match what was previously there. The decking is not currently painted, and is not proposed to be painted.
- b. The existing railings and pickets will not be reused and the new railings and columns will be pressure treated wood painted the same colors as the existing. The design of the proposed new railings and columns differs from the original and will be a standard squared off railing. The current railing has a rounded top and the proposed railing will be flat. See Figures 12 and 13 below.
- c. The existing turned columns will not be re-used. The proposed replacements are turned wood columns, of a different style, shown in Figure 14 below.

Staff Comments: The application does not comply with Chapter 6.F recommendations for porches and balconies. Chapter 6.F recommends, “maintain and repair porches and balconies, including flooring, ceilings, railings, columns, ornamentation and roofing, that are original or that reflect the building’s historic development” and “replace deteriorated features with new materials as similar as possible to the original in materials, design and finish.” The Applicant proposes to remove these features, which are most likely original, and replace them with features that are not of the same design. Materials, such as columns, that are not deteriorated should be retained when possible.

The last unit in the row, 8484, contains a pair of engaged columns and a unique baluster design, as seen in Figure 17. The other units in this set of rowhouses do not have these features.

There is another set of rowhouses in the West End, shown in Figure 18 below, that also have the same balusters shown on 8484 Main Street and the same columns as this set of rowhouses. In the West End this style is only known to be on these two sets of rowhouses. These unique features should be retained to the extent possible, consistent with the Secretary of the Interior’s Standard #5, “distinctive materials,

features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved.”

The continued use of the unpainted pressure treated tongue and groove presents an unfinished look to the porch and would only be an in-kind replacement if the existing porch decking is historic or was replaced with approval (which is currently unknown). The unpainted porch does not comply with Chapter 6.F of the Guidelines, which recommends, “materials generally not appropriate for historic porch replacements include unpainted pressure-treated wood, poured concrete and metal.” Staff recommends the porch floor be painted, or stained, to better comply with the Guidelines.

If the porch is replaced in-kind, there is a possibility (approval is subject to MHT/DHCD) that Façade Improvement funds could be utilized for the reconstruction or repair. This program pays up to 50% of the cost of work to the front façade, with a max of \$10,000.00.

The design of the steps and any possible railings associated with the steps is not clear. An enclosed stair, with tread and riser, would be most appropriate to match the previous look of painted concrete steps.

Staff Recommendation: Staff recommends:

- 1) Approval of the replacement decking to be tongue and groove to match the existing.
- 2) Approval of the replacement railing if the railing has a profile more in-keeping with the original.
- 3) Reusing the porch posts/columns, newel posts or replacing in-kind to match the existing design.
- 4) Approval of replacement balusters with the condition that they are replaced with a consistent style or design.
- 5) Tax credit pre-approval for Items 1-4.

Testimony: Mr. Shad swore in the Applicant, Kevin Breeden, and the contractor, James Eades. Mr. Shad asked if Mr. Breeden if he had any additions or corrections for the staff report. Mr. Breeden explained that the post, railings and pickets on the porch were substantially deteriorated and rotted out at the bottom. He said there was no realistic possibility of reusing them and the goal was to replace them with materials that were substantially similar. He said the replacement posts were not the exact design as the old ones, but were pretty close to it. Mr. Breeden addressed the items in the staff report:

- 1) Tongue and groove flooring – He will put back tongue and groove flooring and stain it.
- 2) Replacement railing – He has been unable to find a top rail that is milled identically to the old one. The railing submitted is not particularly decorative, and they are actively searching and believe they will find something more in-keeping with the original, but it will not be exact.
- 3) The porch posts and columns will be wood painted white.
- 4) Balusters – They will use square balusters like the originals. For the balusters shown in Figure 17, he finds it looks awkward with those two being there since the others are all 2x2 and said they serve no real purpose in terms of aesthetics for the building since the rest of the building has 2x2 posts.

Ms. Tennor asked if the 2x2 posts are the replacements, with the original balusters being those shown in Figure 17. Mr. Reich and Ms. Tennor said that Figure 18 probably represents what the porch balusters originally looked like. Ms. Burgess said that Staff did not see that the columns were rotted. Mr. Breeden said it was like nailing into paper and that the entire bottom was rotted out. Mr. Eades said the columns were not supporting the roof and they were not structurally sound.

Ms. Tennor asked how tall the existing railing is. Mr. Eades said it was not to code and was 28 inches tall. He said the railing could not be made higher the way the posts were designed. He said the new posts

will be 42 inches tall. Mr. Reich said that 42 inches will be way out of proportion. Mr. Reich said that once the grading is finished, a railing is not required once you are within 30 inches of grade. Ms. Tennor agreed the proposal would change the entire proportion of the porch.

Ms. Zoren said the posts are a proportional issue. Mr. Reich recommended rebuilding the bottom of the posts. Mr. Breeden said the old posts were thrown away.

Mr. Eades explained that the house sat for two months waiting for permits and BGE, and that to stabilize the foundation the whole porch needed to be taken off. He said that he had to excavate 7 feet out and 8 feet down. Ms. Zoren said they could continue the search on the posts and columns, and find one proportionally closer to the top and bottom piece of the originals. Ms. Tennor said the square base on the proposed post is almost twice as tall and the turned portion is much higher up than on the original. Mr. Reich said the proposed column has a different profile from the original. Mr. Eades said the posts are 10-feet tall and the porch is 8-feet tall and said they can cut off the bottom 2-feet of the posts. The Commission and the contractor continued to discuss the porch columns.

Ms. Holmes asked what the new newel posts will look like and how they will be reproduced to have the same massing as the old ones. Ms. Tennor concurred that the proposed posts were not as large to replicate the old ones.

Ms. Zoren said that she would like to see, for Staff approval, an elevation of the column in proportion with the height of the proposed railing, and the basic width/height of the porch in a to-scale drawing with dimensions.

Motion: Mr. Roth moved to approve:

- 1) The replacement decking to be tongue and groove, with a stain.
- 2) The replacement railing, similar to what is there, subject to Staff approval.
- 3) Replacement porch posts/columns as proposed – 10-foot cut down with a diagram showing proportions of the posts to the rest of the railings, subject to Staff approval.
- 4) Approval of 2x2 replacement balusters

Mr. Reich seconded. The motion was unanimously approved.

Ms. Holmes asked for clarification on the stairs, which will have to be rebuilt. Mr. Breeden said they are using wood stairs that they can stain. Ms. Burgess quoted the staff report, which recommended a closed stair and riser.

Motion: Mr. Roth moved to approved replacement stairs to be wood with solid risers, stained to match the deck and closed sides. Mr. Reich seconded. The motion was unanimously approved.

Motion: Ms. Holmes asked the Commission if the Applicant was pre-approved for tax credits. Mr. Roth moved to approve all items with tax credit pre-approval. Mr. Reich seconded. The motion was unanimously approved.

HPC-18-57 – 3612 Fels Lane, Ellicott City

Certificate of Approval to construct retaining wall.

Applicant: Seth Michael Martin

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1900. The Applicant seeks approval to install a stone retaining wall in front of the property where the street and yard meet, in order to stabilize erosion damage that occurs after rain events. The stone retaining wall will be dry stacked and follow the slope of the road and be similar in design to the images shown in the application. The wall will run about 47.4 feet along the road and then turn at the driveway and run about 8.6 feet toward the house. The wall will be about 20 inches thick/wide. The height of the wall will correspond to the slope of the road and will be no less than 2-feet high and no more than 3-feet high.

Staff Comments: The proposal generally complies with Chapter 9.D recommendations, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.” The wall will be constructed with stone and designed to look like other stacked stone walls along the street. The application did not contain any detail as to how the wall would start and end; whether the wall will gradually increase and decrease in height or if there will be an end column at the beginning and end terminus of the wall.

The neighboring property has a stone retaining wall along the front that is a mortared wall with a capstone running the length. There will be a gap between the neighboring wall and existing wall and the walls will not match in style. However, there are other examples on this street of a mortared wall neighboring a dry stacked wall.

The Applicant first submitted a preliminary application for Staff review in August 2018 and Staff provided feedback on the items that needed more information. Some of those items have been addressed, but the end treatments, as mentioned above, still need clarification. A site visit on October 22, 2018 shows that the Applicant has started work on the wall, prior to Commission approval. It does not appear that the proposed height of the wall will block the view of the historic house, but all attempts should be made to keep the wall closer to 2 feet in height.

Of note, any wall over 3 feet high is considered a structure and has to go through DPZ’s Zoning Division for approval (with engineering specs and plot plan) and requires a permit through the Department of Inspections, Licenses and Permits.

There is a wood railing located along the side step, shown in Figure 19, that was not approved. The style of the railing is not appropriate, but an application for retroactive approval should be submitted for approval at a future meeting.

Staff Recommendation: Staff recommends retroactive Approval, but that the Commission consider the following item:

- 1) Additional information regarding the treatment/design of the ends of the wall.

Testimony: Mr. Shad swore in the Applicant, Seth Martin. Mr. Shad asked if he had any comments on the staff report. Mr. Martin explained that the wood railing is temporary and he will remove it and said there is no reason to keep it long term.

Ms. Burgess asked if he could explain how he is ending the wall. Mr. Martin explained the stones came from a neighbor’s driveway. He passed out a photo of a wall that it will be similar to and said he had to do some rock forming as the rocks are round, so it won’t look exactly like the photo but will be a dry stack stone wall, using large rocks at the bottom and doing some shaping for the capstone. Mr. Reich was glad to see real stone used and said the appearance is in keeping with everything else in Ellicott City.

Mr. Reich did not understand staff comments about the ends of the wall. Ms. Burgess explained the need to understand how the wall was ending - with a cap, a column or maybe tapered.

Mr. Martin explained his thoughts for building a 2-foot tall wall and would increase it in height to 2 ½ to 3 feet as needed to create a more level yard. He planned on backfilling the wall with pea gravel and filling the front yard with soil to level it out.

Motion: Ms. Tennor moved to approve as submitted. Mr. Reich seconded. The motion was unanimously approved.

HPC-18-58 – 8191 Main Street, Ellicott City

Certificate of Approval to install two signs/exterior alterations.

Applicant: Jeff Braswell

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The Applicant proposes to install two signs and make exterior alterations on the building. The first sign is a barber shop pole that will be 28 inches high by 9 inches wide. The pole is a classic design, a red, white and blue cylinder inside a glass tube mounted in stainless steel casing. This will be mounted on the first floor of the building, on the eastern side of the entryway, as shown in Figure 24. The second sign will be a project sign located on the second floor of the building between two windows. The sign will be double sided aluminum with white text and a blue background and read on two lines:

JE
JAXON EDWIN

The sign will be 24 inches high by 36 inches wide for a total of 6 square feet. The sign will be hung on a bracket. There is not much information in the application regarding the bracket, but it does not appear to be a previously existing bracket. The bracket will be 50 inches wide (4 feet). The sign rendering shows that the bracket would be a black metal and also shows a small gooseneck light protruding from the sign to illuminate it.

Staff Comments: The signs generally comply with the Guideline recommendations. The barber shop pole and projecting sign comply with Chapter 11.A recommendations, “keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate that nature of the business can be used.” The projecting sign is limited to two colors, blue and white, which complies with Chapter 11.A, “use a minimum number of colors, generally no more than three.”

Chapter 11.A recommends, “use indirect lighting or concealed light fixtures with concealed wiring to illuminate signs. If the light source will be visible, select a fixture compatible with the style of the building. Minimize glare by focusing the light on the sign.” As depicted in the rendering, the light appears to be focused on the sign and the fixture does not appear to be incompatible with the building. However, the light fixture appears to be large and highly visible. Consistent with the Guidelines, indirect lighting or concealed light fixtures are options that could be explored further.

Staff Recommendation: Staff recommends retroactive approval of the barber shop pole and approval of the projecting sign and the proposed bracket. Staff recommends an alternate lighting scheme be explored.

Testimony: Mr. Shad swore in Jeff Braswell. Mr. Shad asked if he had any comments on the staff report. Mr. Braswell said he doesn't know much about the lighting fixture, but it matches neighboring signs on the other side of the building and it was the most minimalist bracket he could find.

Ms. Zoren had concerns for the wiring on the face of the building if the conduit was going to be noticeable on the building as in Figure 24 where the barber pole was installed. The Commission discussed where the electric source was located and how it was getting to the bracket. Mr. Braswell said galvanized conduit would need to run on the outside of the building and noted the challenge of going through a brick building. The Commission discussed the conduit and the design of the bracket and the concern of conduit being seen on the façade of the building. The Commission wanted confirmation that the bracket was hollow and that the wire could be run through it and tapped directly into the interior of the building.

Mr. Shad asked why the barber pole was already installed. Mr. Braswell said the owner of building, Trae Reuwer, installed the pole.

Ms. Tennor likes the simple sign and the combination with the barber pole.

Mr. Reich asked how else the lighting could be done and what the Guidelines state regarding sign lighting. Ms. Holmes said the Guidelines state to use indirect lighting or concealed light fixtures with concealed wiring to illuminate signs. If the light source will be visible, select a fixture compatible with the style of the building. Minimize glare by focusing the light on the sign. Mr. Reich asked if a small light could be mounted to the building or if the lighting to the sign was critical. Mr. Braswell stated in the winter, a sign with a light was necessary. Mr. Braswell expressed a willingness to run the conduit internally and punch through the wall where the bracket was mounted.

Ms. Zoren expressed approval for the L bracket as long as there was not wiring or conduit on the facade. The Commission agreed. The Commission suggested using the bracket and running conduit on the interior wall so no conduit would be seen leading to this bracket.

Ms. Zoren asked if a sign border was required for all Main Street signs. Staff clarified that a border was not a Guideline requirement, but the Commission has requested a border for several signs.

Motion:

Ms. Zoren moved to retroactively approve the barber shop pole and moved to approve the projecting sign and proposed bracket, under the condition there is no visible conduit or electric work to the bracket. Mr. Reich seconded. Ms. Tennor, Mr. Roth, Mr. Reich, and Ms. Zoren approved. Mr. Shad opposed. The motion passed 4 to 1.

HPC-18-59 – 3802 Church Road, Ellicott City

Certificate of Approval for exterior alterations/repairs. Tax credit pre-approval.

Applicant: Diane Wimsatt

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1870. The Applicant seeks approval and tax credit pre-approval for the following repairs:

- 1) Replace the wood lattice in-kind on the side of the house as needed, and paint to match the existing color.
- 2) Replace broken panes of window glass as needed (the entire window unit will not be replaced).

- 3) Power wash and paint the trim, including the trim around the windows, on the house.
- 4) Repair wood shutters as needed where wood is rotten; cut out areas of damage and replace with a new piece of wood of the same size and paint to match the existing.

The Applicant also proposes to install a privacy hedge in the backyard, for screening purposes.

Staff Comments: Items 1-4 are considered Routine Maintenance per Chapter 5 of the Guidelines, “repair or replacement of roofs, gutters, siding, external doors and windows, trim, lights and other appurtenant fixtures using the same materials and design” and “painting previously painted surfaces using the same color.” This work is also eligible for tax credits per Section 20.112 of the County Code.

The planting of the burning bush, referenced in the application, does not require approval per Chapter 9, which states that Routine Maintenance includes, “planting trees, shrubs or other vegetation.” However, burning bush is an invasive plant and Staff would recommend using a native, non-invasive shrub in its place.

Staff requested additional photos of the area where the hedge is proposed, as well as site plan or aerial showing the location, and is awaiting that information. The planting of the proposed hedge differs from the single burning bush, in that the intent of the hedge row is to be used as a privacy fence and the Commission should ensure that no historic features will be affected by the proposed planting.

Staff Recommendation: Staff recommends approval and tax credit pre-approval for Items 1-4.

Testimony: Mr. Shad swore in Diane Wimsatt. Mr. Shad asked if Ms. Wimsatt anything to add or clarify to the staff report. Ms. Wimsatt said she will probably use a different shrub from the burning bush that is deer resistant, such as rhododendron or juniper. Ms. Burgess clarified that the HPC does not approve individual shrubbery, but the Guidelines recommend the use of native plants and not an invasive species.

Ms. Burgess asked the Applicant what plant she proposed to use for the hedge. Ms. Wimsatt said they would like an evergreen and listed a few plants they were considering, such as juniper, holly, rhododendron, or viburnum. Ms. Holmes asked if it will be a manicured hedge and Ms. Wimsatt said it will be manicured so that it does not grow over 7 feet tall. Ms. Tennor asked for the dimensions of the hedge and Ms. Wimsatt said it would be about 6 to 8 feet on each side.

Mr. Roth asked if this item needed to be approved by the Commission. Mr. Burgess explained that the hedge will be acting as a fence/barrier, so it needs to be approved. Mr. Lewis clarified that significant landscape changes are within the definition of ‘historic structure’ including environmental setting and appurtenance, so it would be best if the Commission approved adding a hedge that is acting as a fence since this is considered a significant landscape change. Ms. Wimsatt stated the L shape hedge would be about 8 feet by 8 feet. The Commission agreed that any native evergreen would be appropriate like holly, mountain laurel or juniper.

Ms. Holmes clarified that the Commission did not have any questions on Items 1-4 and they did not.

Motion: Ms. Tennor moved to approve the application as submitted and tax credit pre-approval for items 1-4. Mr. Reich seconded. The motion was unanimously approved.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner, Acting Recording Secretary



December Minutes

Thursday, December 6, 2018; 7:00 p.m.

The December meeting of the Historic Preservation Commission was held on Thursday, December 6, 2018 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Roth moved to approve the November minutes. Ms. Tennor seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Erica Zoren; Bruno Reich

Staff present: Beth Burgess, Susan Overstreet, Kaitlyn Clifford, Daniel Bennett, Lewis Taylor

PLANS FOR APPROVAL

Regular Agenda

1. HPC-18-60 – 6480 Anderson Avenue, Hanover, HO-786
2. HPC-18-61 – 3538 Church Road, Ellicott City
3. HPC-18-62 – 3531 Sylvan Lane, Ellicott City
4. HPC-18-63 – 5819 Lawyers Hill Road (6219 Lawyers Hill Road per design guidelines map)

HPC-18-60 – 6480 Anderson Avenue, Hanover, HO-786

Advisory Comments for site development plan with demolition.

Applicant: Joseph Snodgrass

Background & Scope of Work: This property is listed on the Historic Sites Inventory as HO-786, the Anderson Post Office and Dwelling. According to the Inventory form, the building was probably constructed circa 1873. The Inventory form, which dates to 2003, states:

This building is significant under criteria A and C in the areas of architecture and commerce. The building is one of a quickly dwindling small number of buildings remaining from the original settlement of Anderson. The building is an important example of a gable-front Greek Revival/Italianate transitional structure with many original elements intact. Additionally, its physical connection with the Anderson Post Office and its use as a store during the late 19th century associates it with the development of one of the many small communities that dotted the Howard County landscape during the late 19th century and have now all but disappeared. The town of Anderson, or Hanover as it came to be known, was laid out along five streets and platted in 1893...Today there is not much of a town to speak of.

The Applicant seeks Advisory Comments on the proposed demolition of this building and the reorientation of three existing buildings lots so that the lots are oriented toward Anderson Avenue instead of Railroad Avenue. The application states:

The lots were originally created by a plat recorded in 1893 titled Village of Anderson. Each lot is currently oriented to Railroad Avenue, which is a paper street and does not contain a public roadway. Anderson Avenue is a public road which provides access to the existing house, but the house is to be

demolished if all 3 lots are to be reoriented. The reconfiguration of the lots provides public road frontage and public water and sewer service to the subject lots.

Staff Comments: As explained above, this is one of the last remaining resources for the original Village of Anderson, and was a civic building. Section 16.118 of the subdivision and land development regulations provides guidelines to improve project design, but do not prohibit demolition of historic structures. Guideline 1 states, "Historic buildings, structures and landscape features which are integral to the historic setting should be located on a single lot of suitable size to ensure protection of the historic structure and setting. If demolition is proposed, information explaining this decision shall be provided (structural conditions, cost to retain, etc.)." The application explains the reason for demolition being the reorientation of the lots for access to a public road and public sewer. However, the application does not explain why Railroad Avenue could not be treated as a pipestem lot, which is commonly seen in Howard County, so the lots could remain in their existing location and the historic house retained.

Staff Recommendation: Staff recommends additional information regarding the feasibility of pipestem access from Railroad Ave so that the house can be retained.

Testimony: Mr. Shad swore in Mr. Snodgrass. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Snodgrass wanted to address the Staff comments regarding the feasibility of the pipestem access from Railroad Ave, and the economics of retaining the structure. Mr. Snodgrass stated it was not practical to retain the house as a livable residence, as his calculations at a cost of \$180 - \$200 psf total a renovation cost of \$344,920. Additionally, a 15% carrying charge equals a \$51,738 closing cost, for a total cost of \$400,000 versus the demolition cost of \$25,000. He stated the existing structure is not situated entirely on the Mary A. Cugle property and Railroad Street is not owned by the estate of Ms. Cugle. The recommendation of a pipestem is not feasible, as access to the lots from Railroad Street would impact the owners at 6611 Railroad Street. Mr. Snodgrass stated Railroad Street does not have public sewer or water lines, and the cost to extend the lines 170 feet at \$300LF would be \$50,000. Mr. Snodgrass shared every real estate effort made to sell the property, starting in 2013 until the present day. Mr. Snodgrass explained the poor condition of the house due to termite damage, and stated he was willing to work with Second Chance to recycle and salvage items such as the window frames and staircase. Mr. Shad asked if there was any public objection and there was none.

Mr. Reich asked if a pre-subdivision (lot line adjustment) is needed. Mr. Reich discussed all the fees and procedures for the subdivision process, how the setbacks would need to be maintained, and the new stormwater management rules. Mr. Snodgrass stated he still wants to purchase the property and develop a new home on each lot after the lots are reoriented and reconfigured.

Mr. Shad and the Commission advised the Applicant retain the building, and Mr. Shad stated the HPC would not "bless" the demolition per Mr. Snodgrass' request.

Motion: There was no motion. The application was for Advisory Comments.

HPC-18-61 – 3538 Church Road, Ellicott City

Certificate of Approval to renew expired approval/exterior alterations/demolition.

Applicant: Stephanie Tuite

Current Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1937. The Applicant currently seeks approval to renew previous approvals that have

since expired for cases HPC-15-78 (demolition of the house); HPC-16-06(a) (construction of retaining walls) and HPC-16-06(b) (removal of trees).

Current Staff Comments: Based on the information provided, it appears the Applicant is requesting approval of the expired D&Os from cases 15-78, 16-06(a) and 16-06(b). The Applicant stated via email, that they are “just trying to extend what was previously approved.” However, the application indicated proposed tree removal along Church Road and replacement and landscape buffer enhancement. Since this item was not previously approved, the Applicant has since indicated that this language was accidental and only one small tree, located by the proposed entrance, is proposed for removal.

The application appears to reinstate the approval for all work previously approved. Staff recommends that any approval issued at the December 6 meeting only focus on the work previously approved, per the Staff reports incorporated and attached as reference from cases HPC-15-78, HPC-16-06(a) and HPC-16-06(b) and the Decision and Orders issued for those respective cases. Any new requests outside of these approvals should be submitted separately and clearly as to not be confused with the previous cases.

Current Staff Recommendation: Staff recommends:

- 1) Approval of the demolition of the house and outbuildings, as they were originally approved, per the Decision and Order issued for case HPC-15-78.
- 2) Approval of the construction of the retaining walls as it was originally approved, per the Decision and Order issued for case HPC-16-06(a).
- 3) Approval of the tree removal as it was originally approved, per the Decision and Order issued for case 16-06(b).

Testimony: Mr. Shad swore in Ms. Tuite. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Tuite presented current photos of the house and explained that the condition of the house had worsened. She shared that the demolition had not occurred for multiple reasons, including financial and Mr. Lacey’s passing. Ms. Tuite explained that the subdivision has been unable to move forward due to the requirements of the Adequate Public Facilities Ordinance (APFO), and confirmed they are only seeking approval of what had previously been granted approval and nothing new.

Mr. Shad asked if anyone wished to testify, and reminded the audience that only new information relevant to this case should be shared in their testimony.

Public Testimony

Mr. Shad swore in Richard Taylor, a business and property owner on Main Street. Mr. Taylor entered a handout of Historic Preservation Guideline Comments into the record; Ms. Tuite did not object. Mr. Richard Taylor noted that the main point of his testimony would be about impacts to the historic character of the property from the proposed changes. Mr. Richard Taylor quoted Chapter 4, page 21 of the Ellicott City Historic District Design Guidelines that “The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, and spatial relationships that characterize a property shall be avoided.”

Mr. Richard Taylor referenced the Secretary of the Interior’s Standards, the Historic District Design Guidelines and the County Code, and read from each pertaining to the building site, historic character, new construction, landscape and site elements, and standards for review. He expressed concern that the proposed 500 feet of retaining wall and the removal of 136 trees over 12 inches would change the character of the historic property, noting that land, trees and walls are structures and need to be reviewed accordingly by the HPC. He also expressed concern about flooding problems in Ellicott City, and said the HPC needs to deal with the issue that climate change is real. He stated that development effects the environmental setting of Ellicott City and needs

to be dealt with. He quoted Section 16.607 of the County Code that the HPC “shall give consideration to whether the requested action is necessary to protect against threats to public safety.” Mr. Richard Taylor believes that if the proposal violates any one of these standards it should be denied, especially in light of impacts to public safety, environmental features and historic character.

In cross examination Ms. Tuite asked if Mr. Richard Taylor had attended any of the past meetings leading to these previous approvals. Mr. Richard Taylor stated he was not involved. Ms. Tuite said the previous meetings discussed the minimal visibility of the retaining wall and that the forest to be cleared is an emerging forest consisting primarily of tulip poplar, and asked if he had taken his concerns about the site into context, as the historic house is in very poor condition. She asked what he particularly finds in this historic setting will be impaired. Mr. Richard Taylor answered that if walls are added or trees are taken down, the setting is being impaired, affecting the streetscape and the historic character. He stated there is more evidence than what was submitted before, examples include the environmental setting, climate change, public safety, and historic resources.

Mr. Shad swore in Candace Taylor, a resident of Ellicott City who lives next door to the Lacey Property, and is in opposition to this approval. Ms. Taylor has further researched the Lacey Property and its historical relevance for her testimony. She stated the original property owners completed construction on the first farmette in the County in 1937-1939, which included the house and several outbuildings. This is the last remaining example of a farmette in this area, which is unique to Church Road. The house had undergone four different renovations since the 1930s, but the basic structure was originally a Cape Cod and it is still there. Ms. Taylor is concerned there was almost intentional abandonment and lack of care for the property. Ms. Taylor disputed the lack of historical value for the house. She argued that the house may not look nice, due to poor care and upkeep of the property, but it still has historic value.

Ms. Taylor stated there are new concerns for the property due to the two major floods and stormwater management facility failures in the area that occurred since the last certificates of approval were granted. Ms. Taylor expressed concern about viewing the development and the visibility of the retaining wall for herself and her adjacent neighbors. She noted that according to the National Register of Historic Places, the definition of “Historic District” is “united by their history or aesthetics”. Ms. Taylor stated that demolition of the historic house, large wall construction and tree removal will take away from the history and aesthetic of the District. She stated the “identity of a District results from the interrelationship of its resources.” Ms. Taylor named adverse effects from the proposed development, as cited in the National Register of Historic Places and the County Code, Section 16.118.(b)6 , as removal of the little Cape Cod and outbuildings, wall construction and tree removal, adding a large stormwater management facility, and neglect and deterioration. These actions will change the property’s character, use or setting as a farmette, and introduce incompatible visual elements on an historic scenic road. There should be responsibility and accountable for the owners that let demolition by neglect occur. Ms. Tuite had no questions for Ms. Taylor.

Mr. Reich stated he wanted to hear new information for testimony or decisions that the HPC had made in error. Mr. Reich acknowledged Ms. Taylor brought up new information regarding the significance of the farmette. Mr. Reich questioned the legality of the HPC’s purview regarding flood mitigation and the development of properties, and asked for legal counsel on what the HPC’s review should take into consideration.

Mr. Lewis Taylor clarified that the Department of Public Works is responsible for stormwater management facility maintenance and the Department of Planning and Zoning approves stormwater management designs. He noted that the Ellicott City Historic District is unique, however, so some aspects of stormwater management in relation to structures and structural stability may need consideration by the HPC, and public safety can also be considered. However, he was clear to state the Commission is not responsible for stormwater management in the County. Mr. Lewis Taylor explained that if there are no new facts, reaching a decision counter to past

decisions could be considered arbitrary and capricious. Mr. Lewis Taylor further stated there is no precedent to base a decision solely on flood mitigation. Mr. Reich mentioned that the County has a great concern over public safety and flood mitigation, as evidenced in a bill that has not passed yet. Mr. Lewis Taylor stated the bill has passed and the Commission would need substantial evidence on record to show that public safety impacts would occur before changing their decision.

Mr. Roth read from Page 61 of Chapter 8.D, Design of New Subdivisions, of the Ellicott City Historic District Design Guidelines and concluded that stormwater management is not in the HPC's purview. Mr. Lewis Taylor responded that there are multiple ways to proceed with development in the County. In this case, the HPC is being tasked with approving a structure (the retaining wall) prior to subdivision or site development plan approval. Mr. Lewis Taylor clarified that Mr. Roth read about final approvals of plans and that Ms. Tuite is not at that stage of plan review, therefore, the specific text referenced may not apply to the question at hand.

Mr. Reich commented that this application is for more than taking down the house, it also includes tree removal and adding retaining walls. Mr. Reich noted the trees could retain water from stormflow but the Commission lacks clear data.

Motion: Mr. Roth moved to go to a closed session for the Commission to obtain legal advice on stormwater management issues and how that pertains to a Certificate of Approval. Ms. Zoren seconded. The motion was approved 5 to 0.

Mr. Shad called the meeting back to order at 8:48pm.

Ms. Taylor said she was finished with her testimony, and Ms. Tuite said she had no questions for Ms. Taylor.

Ms. Tuite was called back to testify. Ms. Zoren asked Ms. Tuite to clarify the location of all four walls. Ms. Tuite approached with plans to identify the retaining wall sites. Mr. Roth read from the previous D&O that two walls (walls #1 and #3) were eliminated, with wall #4 being reduced to under 3 feet high behind Lots 1 and 2, and wall #2, which is up to 12 feet high, remaining at the terminus of Deanwood Avenue between the road and the stormwater management pond.

Ms. Zoren asked Ms. Tuite how the design of the stormwater management pond and the retaining wall will be affected, due to the plan being drawn up in 2015-2016 before the flooding changes to the stormwater regulations, and how that in turn would affect the adjacent retaining wall. Ms. Tuite stated that regulations haven't changed since then. Mr. Lewis Taylor stated the regulations have changed; the 100-year storm depth changed. Ms. Tuite clarified that the requirement to treat a 100-year storm has not changed but the inches of the 100-year storm has changed. The current plan has the facility to provide 100-year storm management and engineering is required to release at the existing condition rate. Mr. Roth asked what happens if what constitutes a 100-year storm have changed. Ms. Tuite stated the inches will be required to model through the pond to show the existing and proposed are the same or better. Mr. Lewis Taylor asked Ms. Tuite if she had analyzed the existing pond design to satisfy the new metric on the 100-year storm. Ms. Tuite responded she had not, but will have to analyze the new storm design inches when the plan moves forward to the final plan stage.

Mr. Reich noted that the proposed topography may change due to the increased stormwater management requirements. Ms. Tuite acknowledged that the topography could change, but she expected it would be a very small change and the plans are required to be re-reviewed by the County's Land Development Division. Mr. Roth asked if the walls and grading should be approved now, or wait until the HPC knows if anything will change. Ms. Tuite stated they needed the approval of the wall in order to receive approval of the subdivision. Mr. Roth said the retaining walls should not be approved/reviewed until the HPC knows of any stormwater management

changes, as the design is currently outdated. Mr. Roth noted the prudence to wait until Ms. Tuite makes sure the retaining walls are appropriate, as things have changed since the original application.

Mr. Roth noted that the project cannot move forward for at least a year since it is in the holding bin for APFO and that there will be additional stormwater management changes in the future. He asked if it would be better for the HPC to wait a year to review the walls, once the requirements and design are final. Ms. Tuite said their primary goal was to receive approval for the demolition of the house. Mr. Roth asked Ms. Tuite if she would consider waiting on approvals for the tree removal and retaining wall construction, and agree to approval of just the demolition of the house. Ms. Tuite did not give a definitive response.

Mr. Reich noted that the HPC needs to take into consideration there will be design changes and they don't know what those will be. Ms. Tuite said if there are any design changes, they would need to return to the HPC for new approval. Mr. Reich clarified with Ms. Tuite that while the wall design might come back for review, the tree clearance would occur during construction.

Public Testimony:

Mr. Shad swore in Denise Cortis, a resident on Deanwood Avenue, who testified in opposition of the case. Ms. Cortis explained that as a neighbor and friend to many who experienced property, financial and emotional damage from the series of three increasingly severe floods in 2011, 2016 and 2018, she asked the Commission to deny the Lacey Property application request.

Ms. Cortis explained that the new information she is presenting concerns the increasing severity of the third flood in 2018, due to upstream development and the removal of brush and trees. Ms. Cortis mentioned the acknowledgement from County officials that development upstream of Main Street has increased flooding, along with contributions from increased rain. Ms. Cortis called attention to the moratorium on development in the watershed, effective since July 2018, and that no development, demolition, or construction of retaining walls would be approved under the moratorium.

Ms. Cortis pointed out that there has been acknowledgement or proof that retaining walls can contribute to damage in flooding, as retaining walls are surrounding the upstream periphery of Main Street. Proof can be seen in the mud slide that occurred from the Burgess Mill 2 retaining wall in the 2018 flood. Ms. Cortis said that natural grades within the Historic District should be altered very little and retaining walls are rare. Ms. Cortis wanted the HPC to acknowledge that the 12-foot retaining wall approval was a mistake. Ms. Cortis noted that other changes may occur as State legislation gets aligned with County guidelines and a new design guidebook, so it is premature to approve anything in the current application. She believes the Commission should be the first and firmest line of defense for the Historic District and for the safety of the residents who live there. Ms. Cortis said the Lacey property has been practically abandoned for a decade and it has been the responsibility of the neighbors for property maintenance. She said approval of the demolition request would set a precedent of approving demolition by neglect. Ms. Cortis urged the HPC to not allow demolition by neglect and reconsider their decision. Ms. Tuite had no questions for Ms. Cortis.

Mr. Shad swore in John Russell. Mr. Russell is a resident on Deanwood Avenue and in opposition to this application. Mr. Russell shared that the historical nature of Ellicott City and even its very existence is now threatened by flooding. The floods of 2011, 2016 and 2018 severely damaged the historic structures on Main Street and three are dead. Excessive rainfall is becoming the new norm, with Ellicott City receiving more than 80 inches of rain this year. The Lacey Property is mostly covered with mature trees and vegetation that absorb rainwater and hold the hillsides, and the majority of the property drains into the Tiber watershed. In the May flood, water from the property may have contributed to the Burgess Mill 2 retaining wall flooding homes on Fels Lane. Mr. Russell noted that adding impervious cover on the Lacey Property, along with the cutting of mature trees and building retaining walls, will allow more water to move on to and flood Main Street and further

damage the Historic District, so he urged the Commission to deny the application. Ms. Tuite had no questions for Mr. Russell.

Mr. Shad swore in Todd Taylor, who is a resident of Church Road in Ellicott City and is in opposition to this request. Mr. Todd Taylor said he grew up next to the Lacey Property. The lots were all 3-5 acres and the Groeners had two lots, so that they could farm the property as a small farmette, including livestock. Mr. Todd Taylor stated that small farms are having a resurgence. He stated the Staff report missed the historical significance of the property, because it is the only farmette in the Historic District, and represents unique post-Depression history. Mr. Todd Taylor entered the Maryland Historic Trust Inventory of the listing of the subject property into the record. Mr. Lewis Taylor informed Mr. Todd Taylor that the inventory and the nomination form were already on the record by reference. Ms. Tuite had no objection to the inventory form being distributed to the Commission. Mr. Todd Taylor noted on the second page the contributing resources list of five structures that he believes fit the definition of a building that should not be demolished, as they are unique in historical use. Mr. Todd Taylor also referenced page number 8, B, Significance, where two boxes are checked indicating that the house was built in 1900-1999 and there is significant architecture, because, as noted by Ms. Taylor, it is the only Cape Cod house in the Historic District. Mr. Todd Taylor asked the HPC not to approve the demolition, as the Applicant has not shown why the demolition should be permitted.

Mr. Todd Taylor asserted that the HPC does not have the authority to grant the relief Ms. Tuite is requesting. He explained there is no enabling authority for the HPC to renew expired certificates, and the Applicant needs to start over and cannot incorporate by reference the previously admitted evidence. Mr. Lewis Taylor asked Mr. Todd Taylor for his authority for that statement. Mr. Todd Taylor replied Section 16.303 of the County Code does not give the HPC authority to renew expired certificates. Mr. Lewis Taylor said the HPC is not renewing an expired certificate.

Mr. Roth asked if Mr. Todd Taylor was aware of anything that has changed with regards to the house since the previous demolition approval. Mr. Todd Taylor replied there are no trespassing signs on the property and that impeded his ability to see if there was something new regarding the house, but he argued that the Commission should investigate if there have been any changes. Ms. Tuite had no questions for Mr. Todd Taylor.

Mr. Shad swore in Liz Walsh, a resident of Church Road in Ellicott City and a Howard County Council Member, who is opposed to the application. Ms. Walsh noted that Mr. Todd Taylor's concern about renewing an expired approval is based on language in the HPC agenda. Ms. Walsh noted Section 16.603 of the County Code indicates that applications for extensions of certificates of approval should be treated as new applications. Ms. Walsh was concerned that protestants opposing the application are limited to speak only regarding new or unknown information, as that is legally flawed and unreasonable, especially as the protestants had limited notice about this hearing.

Ms. Walsh explained that this request is a classic case of demolition by neglect and urged the HPC to not condone the Applicant for said neglect. Ms. Walsh noted that the law regarding stormwater management has changed and will likely change again. Ms. Walsh disputed that the retaining walls are not visible, because the entire back side of the property is visible from Court House Road. Ms. Walsh paraphrased Ms. Tuite from her Planning Board testimony regarding stormwater management, saying if a 100-year storm occurred or was exceeded, or if the pond failed, the water from the pond would come down Fels Lane and into Main Street. She noted that should conditions go over a 100-year storm, there is a certainty that will happen.

Ms. Walsh stated that reviewing this case without considering stormwater and flood mitigation is a mistake that removes the Commission from their stewardship role for the Historic District. She discussed the proposed removal of trees, naming several species, noting the diversity of the species that one would not see in a new development. Ms. Walsh explained that trees are considered a structure, so the removal of trees is considered a

demolition. She spoke about information new to her regarding this application and recalled HPC-15-74 from December 2015 with a similar request to demolish select large trees in lower Ellicott City. Ms. Walsh called to attention that this case required a showing to document there was no alternative for each tree removal, which was not done for the Lacey Property, and argued that this was an error by the HPC. Ms. Walsh stated that the mature trees along upper Church Road were the reason upper Church Road was brought into the Historic District of Ellicott City, and that these mature trees are the same reason for the local scenic road designation. She stated these trees are unique and should be preserved.

Ms. Walsh revealed that the property has been part of the woodland management program since July 2003 and that Mr. Lacey had received a woodland management tax credit for the assessed 7.5 acres of woodlands on this property. Ms. Walsh further testified that the Department of Natural Resources (DNR) forester who prepared the report cautioned manmade activity should not occur on the property because of the protections afforded to the steep slopes and stream by the woodlands. Ms. Walsh argued that the HPC was and perhaps still is unaware of how many of those trees are on the quarter acre of steep slopes proposed for clearing and grading.

Ms. Walsh stated concern that there have been two deadly floods since the approval of the previous applications, and much of the property's acreage drains into the Tiber watershed. Ms. Walsh maintained that woods in good condition, which the Lacey Property now has, are the best stormwater management. She said we have seen ponds, like the one at Burgess Mill 1, and retaining walls, like the one at Burgess Mill 2, have failed since previous approvals.

Ms. Walsh said the Applicant managed to get Planning Board approval for a plan that was not in compliance with the Decision and Order from previous HPC approvals. Ms. Walsh stated the Department of Planning and Zoning approved the waiver request for specimen tree removal on the property. Ms. Walsh stated the Applicant needed minor adjustments to lot lines and contours to preserve the grove of black walnut trees, as requested by the HPC. She recalled Ms. Taylor's testimony citing 16.118(B)6 of the County Code, that achieving the maximum possible density is not sufficient justification to allow adverse impacts on historic resources, noting the Applicant did not uphold these requirements.

Ms. Walsh referenced Maryland Court of Special Appeals case *Pomeranc-Burke, LLC. v Wicomico Environmental Trust LTD.*, 197 Md. App. 714 (2011) that confirms that the HPC should consider the density to preserve historic resources. Ms. Walsh explained that clearing 7.5 acres of woods and perching a large stormwater pond behind a retaining wall above Fels Lane and Main Street would threaten public safety, so the application should be denied. Ms. Walsh asserted that the trees are historic, therefore the HPC is held to a strict standard of review.

Mr. Lewis Taylor asked Ms. Tuite if she had any questions for Ms. Walsh. Ms. Tuite asked how to address information Ms. Walsh discussed in her testimony that was not accurate, according to the record. Mr. Lewis Taylor stated that Ms. Tuite could raise that issue in her rebuttal argument.

Mr. Roth stated that in the County Code Section 16.608 and the Guidelines for demolition, the HPC is to consider if the building proposed for demolition is a structure of unusual importance. Mr. Roth asked Ms. Walsh if she could make an argument for why it is sufficient for a building that is a contributing structure to the Historic District or is on the Inventory of Historic Properties is a structure of unusual importance. The definition of structure of unusual importance is not defined strongly in the County Code. Ms. Walsh contended the historic guidelines also have language regarding demolition of structures that is specific to Ellicott City, while the County Code is more generally applicable, and she believes the more stringent Guidelines should have precedence. Mr. Roth said the HPC made their previous decision based on this criteria and determined the house was not a structure of unusual importance and reviewed the proposed demolition accordingly. Mr. Roth noted that Ms. Walsh and Mr. Todd Taylor both argued that the house was a structure of unusual importance because is a contributing structure to the Historic District or is on the Inventory of Historic Properties, and Mr. Roth wants

more support for this argument. Ms. Walsh responded that the structure is unique given the diversity of structures in the neighborhood, and the property is unique because it was and continued as a farmette.

Mr. Shad swore in Mr. Vincent Lacey, the trustee of this property and in favor of the application. Mr. Lacey said there have been multiple studies done on the flooding in Ellicott City and cited the County's Ellicott City Hydrology and Hydraulics Study, Section 233, as a counterpoint to the flooding concerns from developed properties. The study looked at an undeveloped Tiber watershed and the analysis showed that in lower rainfall events development made a big difference in flooding, but when more serious rainfall events occurred, like a 100-year storm or greater, development had no impact on the amount of flooding. Mr. Lacey noted that there are designs of stormwater management ponds for the property, and while the design may change, they would not have been able to control the flooding events of the past few years.

Mr. Lacey responded to the arguments of negligence and abandonment of the property. He reported that his father has been in poor health for the past 10 years, and he just passed away this spring. He noted that the 2008 recession severely impacted his father financially and he was not able to recover from it. The Forest Management Plan helped with the property taxes, but the Trust is now the financial supporter of the property. Mr. Lacey noted that they would like to move forward with demolition, because removing the buildings from the property would reduce the property taxes for the Trust.

Mr. Lacey asserted that the property was not originally considered to be located in the Historic District, but in a study commissioned by the County, the property was added to the Historic District, but the study said the house was not of historical significance. Mr. Lacey requested the HPC approve the application. Mr. Lewis Taylor asked if there were any additional questions for Mr. Lacey, but there were none.

Applicant Rebuttal:

Ms. Tuite read from the prior decisions on the record. The record stated multiple times that the property was a farm, and that was part of her argument that the trees on the east side of the property were younger because the property was a farm. The 7.5 acres of wooded land referenced from Ms. Walsh's testimony is actually 4.6 acres, and 2.8 acres of woods are being retained in a Forest Conservation Easement. This is more than the 2.2 acres required to be retained, so the Applicant exceeded the requirement.

Mr. Reich questioned if stormwater management is being designed for the 100-year storm. Ms. Tuite said yes and clarified it is required now to design for 8.5 inches of rainfall. Mr. Reich asked if the storm from 2018 could be handled by the proposed stormwater management pond on the plan. Ms. Tuite explained that the design storm occurs over a 24-hour period, while the 2018 storm occurred over three hours, a much shorter duration. Mr. Reich responded that Mr. Lacey's testimony stated that in heavier rainfalls the ground could not handle the excess runoff anyway. Ms. Tuite agreed that the ground begins to act as an impervious surface after the ground is saturated when it rains as much as it has.

Mr. Reich asked why not design a stormwater management facility that improves the site's natural water carrying capacity, why not provide something better than required. Ms. Tuite rebutted by asking what level of extra design is enough to satisfy the concern. Ms. Tuite stated further there is no stormwater management present at all so this is an improvement. Mr. Reich responded there is a natural stormwater management system present now. Mr. Reich said the problem is that the HPC doesn't have a stormwater management design for the current conditions and doesn't know what the design would mean for the 2018 flood. Mr. Roth agreed, given the guidance and guidelines, stormwater management is in the purview of subdivision planning. Mr. Roth continued that given the stormwater management rules are in a state of flux because of the flooding, the HPC should hold off on approval of the retaining walls and removal of trees until the regulations are finalized.

Mr. Reich stated that the HPC is in an impossible situation because they are being asked to approve something they don't have enough information to completely understand. Mr. Roth concurred, noting that they approved the application originally because the HPC had a sense of assurance that the Planning Department would address any problems with the retaining walls and stormwater management flood issues, but they don't have that assurance now. Mr. Lewis Taylor asked Mr. Roth for clarification on his assertions. Mr. Roth responded the County is changing their flood mitigation and stormwater management rules. Mr. Lewis Taylor stated that the Applicant would still have to go through the review process.

Mr. Lewis Taylor said the question is whether the Commission has legal authority to deny the request. The Commission is considering whether to approve or deny the appearance of the retaining wall. Mr. Roth stated that the trees and the retaining walls influence stormwater runoff. The Guidelines for the County are still under consideration for updates due to the floods, so should the HPC be inclined until the updates are made to deny the application until a later time when the rules have stabilized, and the appropriate analysis has been done. Mr. Lewis Taylor counseled the HPC that it is legally insufficient for a denial based on Mr. Roth's previous statement, because the Commission can't deny an application based on the assumption that another agency may not approve something outside the Commission's purview. That denial will not hold up in the Circuit Court of Howard County.

Mr. Reich pointed out that the design of the facility currently will not be the same when it is done. Mr. Lewis Taylor told Mr. Reich he is speculating on the outcome. Mr. Reich asked for clarification that however minor the change, it will still affect the topography of the site. Ms. Tuite responded not necessarily. Mr. Lewis Taylor responded that if there is a change to the design, the Applicant will have to return before the HPC at that time. Mr. Lewis Taylor explained that the HPC cannot deny the Applicant based on rules changing.

Mr. Reich said the Commission can consider the new information heard this evening and what conditions have changed since the last approval. There is additional information regarding the historical value of the property, and the concern for safety in response to the 2016 and 2018 flooding, but the moratorium is not part of their purview. Mr. Lewis Taylor agreed that the moratorium does not affect HPC decision making, noting the demolition is not subject to the moratorium because there is no increase in impervious area. The retaining wall may be, but the Commission's approval does not allow the Applicant to construct the wall.

Ms. Walsh stated that the moratorium ceased building permits from being issued in the watershed. Mr. Lewis Taylor agreed but noted this does not apply to Commission approval of certificates. The moratorium may influence their consideration of public safety criteria, however as a legal matter, while the moratorium does prohibit certain approvals, it does not affect the HPC approval process. Ms. Walsh argued the recognition that upstream development can affect downstream harm is a new fact since the last approvals. Mr. Lewis Taylor acknowledged this as a new fact, but his point is that the moratorium does not bar the HPC's decision making.

Mr. Roth stated a new fact of this application is explicitly to consider public safety and evidence that runoff and stormwater is a public safety issue. Mr. Roth asked Counsel if the HPC could deny the tree removal and retaining wall request on basis of risk and negative impact on public safety until such a time as regulations are put in place to address that risk. Mr. Lewis Taylor responded a reviewing court would look at whether there was substantial evidence on record for the HPC to make that determination.

Mr. Roth asked Ms. Walsh for her opinion on the best document to introduce into the record. Ms. Walsh responded that she would like to introduce into the record the 2003 Woodlands Management Plan that identifies 7.5 acres of woodlands on this property, not the 4.5 acres identified on subsequent plans, and the DNR Forester's recommendation that anthropogenic activity on the site should be limited. Mr. Roth asked Ms. Walsh if that tied it to a public safety concern that resulted from the floods. Ms. Walsh answered that the woodlands identified on those back steep slopes protect the stream on the property. Mr. Roth asked if Ms. Walsh had

anything else, such as the hydrology study. Ms. Walsh said she has testimony about the extent of the rainfall and storm intensity. Mr. Roth moved to introduce the Hydrologic and Hydraulic study, which Mr. Lewis Taylor noted was a public document and incorporated by reference. Mr. Roth also moved to submit the 2003 Woodlands Management plan to the record.

Ms. Tuite objected to the 2003 Woodlands Management Plan being introduced, on the grounds that the proposed plan is to be held to a different standard of forest conservation, based on the Forest Conservation Act regulations. The two plans have different definitions of what qualifies as forest. Ms. Walsh stated the 2003 plan was obtained by a Public Information Office request. Mr. Lewis Taylor stated it could be taken into the record. Ms. Tuite said the 2003 Woodlands Management Plan was referenced in a previous Decision and Order. Mr. Lewis Taylor asked if Mr. Shad would accept the document into the record. Mr. Shad affirmed.

Commission Deliberation:

Mr. Roth discussed the first request of Ms. Tuite's application, the demolition of the house and outbuildings on the property. Mr. Roth there has been no basis to change the decision to demolish the house, the house is not a significant structure. Mr. Shad added that the argument of demolition by neglect is not currently in the Guidelines. Mr. Roth attempted to make a motion to approve the demolition of the house. Mr. Lewis Taylor addressed the HPC to ask if any of the Commissioners found the structure to now be a structure of unusual importance, and the response was no.

Mr. Lewis Taylor then quoted Sec. 116.607.c and asked if the HPC felt the house was a contributing structure. Mr. Reich noted that the demolition request included the house and several outbuildings, and 80% of the barn structure is already down. Mr. Reich further acknowledged that while the house was originally a Cape Cod, it has been modified many times and it is in bad condition. It's part of the sequence of 3 to 5-acre properties on Church Road, and the house fits into the historic character of the area, but as far as the structure being of unusual importance, it is not.

Mr. Roth said when the Lawyers Hill Historic District was created, it identified all contributing structures in the District, and he wanted to know if the same had been done for the Ellicott City Historic District. Mr. Lewis Taylor responded no, but there is language in the record about the properties inclusion in the Historic District. Mr. Lewis Taylor asked the Commission if they believe the structures on the property contribute to the Ellicott City Historical District or are they of little historic value. Mr. Lewis Taylor reminded the Commission that their previous determination on the structures was that the structures were of little historic value, so if the HPC changes their opinion they need to express why.

Mr. Reich stated he agreed with the previous conclusion that the structures on the property are not contributing to the historical value of the District. Ms. Tennor noted that the testimony given tonight referenced it as the last remaining example of the farmette subdivision. Mr. Roth asked Ms. Tennor if the farmette contributes to what makes Ellicott City historic. Ms. Tennor responded that the other parcels from the subdivision were not considered historically significant. Mr. Lewis Taylor, Mr. Roth and Mr. Reich reviewed language in the Decision and Order from Case #15-78 regarding the structures not being of unusual importance or a contributing factor to the Historic District.

Mr. Lewis Taylor asked the Commission members to clarify if they were going to be strict or lenient in their ruling. Mr. Reich requested the decision to be broken down into three sections. Mr. Shad deemed the HPC did not hear evidence to change their previous opinion on the contributing aspects of the structures.

Motion: Mr. Roth moved to find that the structures are not of unusual importance. Ms. Zoren seconded. The motion was unanimously approved. Mr. Roth moved to approve the demolition of the buildings in accordance

with the standards of Section 16.607.c. and find that the structures do not have a significant architectural or historic value to the surrounding area. Ms. Tennor seconded. The motion was unanimously approved.

Mr. Reich stated there was new information to be considered due to the floods and safety in regard to the previous decisions for the retaining walls and tree removal, but the Commission does not have enough information to make a decision. Mr. Roth responded that he agreed as it is an issue of public safety. Ms. Zoren concurred, but did not want to rely on a public safety argument. She said it weakens the public safety argument when it is a new plan that has to go through a series of new approvals from the County and State-wide regulations, so to say the stormwater management is a public safety hazard is a stretch for her. Mr. Roth countered that if the HPC approves it, they are taking on a public safety risk that they don't understand, because those in the position to mitigate this risk have not had time to put the appropriate structures in place. Mr. Reich confirmed that there was not enough information to make a good decision.

Mr. Roth questioned if there was any evidence to suggest previous stormwater management rules were inadequate. Mr. Lewis Taylor acknowledged that public safety is a criteria the HPC may consider, but he asked if the Commission whether they consider that the Applicant has the burden of proof that their proposal would not adversely impact public safety. Mr. Reich affirmed he thought they did. Mr. Lewis Taylor clarified that the County Code clearly does not require the Applicant to provide evidence to prove they won't harm public safety. However, if evidence is presented that proposed work will harm public safety, then it may be the responsibility of the Applicant to rebut the evidence, because the courts will review the evidence in the record to see if it is sufficient to support the HPC's determination. Mr. Roth noted there had been evidence presented to suggest that there is a risk to public safety and asked if the HPC should give the Applicant an opportunity to return with a rebuttal. Mr. Lewis Taylor stated that the HPC could do that. Mr. Roth asked the Applicant if they would do that, and Ms. Tuite agreed to defer the request to have more information. Mr. Lewis Taylor asked Ms. Tuite if she would be withdrawing the requests for the retaining walls and tree removal. Ms. Tuite said she would withdraw the request for tree removal and retaining walls.

Motion: Mr. Roth moved to approve that the structures on the property are not of unusual importance. Ms. Zoren seconded. The motion was unanimously approved. Mr. Roth, per 16.607.c, moved to approve the demolition of the buildings. Ms. Tennor seconded. The motion was unanimously approved.

Mr. Shad informed the public that the last case of HPC-18-63 will be rescheduled in January.

HPC-18-62 – 3531 Sylvan Lane, Ellicott City

Certificate of Approval for new addition/exterior alterations.

Applicant: Brandon Morris

Background & Scope of Work: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. In February 2014 (case HPC-14-03) the Commission reviewed and approved an application for repairs and alterations to this structure as a result of a fire. The staff report from 2014 references an earlier application from 1990 where the Commission approve the replacement of wood windows on the house with vinyl windows, finding that the house was not architecturally significant. The 2014 application included replacing the siding (a combination of wood shake and vinyl lap) with HardiePlank lap siding, replacing vinyl windows in-kind with new vinyl, replacing a steel door in-kind with a new steel door, and using a fiber cement product for the soffits and fascia. The Commission approved the application as submitted in 2014, but found that the house was architecturally significant to the Ellicott City Historic District, which contains very few bungalow styles of housing. The Commission did not approve tax credits for the repairs as they found the proposed materials did not qualify.

The house has been converted to a duplex and the Applicant proposes to restore the building to a single family structure, by blending a Craftsman style home with rustic farmhouse wrap around porch and deck. The Applicant seeks approval to make the following alterations:

- 1) Roof – Replace the existing multi-colored green composite roof with a new black or gray composite shingle roof.
- 2) Windows – Remove the existing 6:6 white vinyl windows and replace them with Integrity 1:1 black fiberglass windows. Trim all windows with white PVC in a bungalow style trim design.
- 3) Siding – Maintain the existing HardiePlank lap siding and color, Mountain Sage.
- 4) Doors – Create a new front entry facing the street (north side of house) as the current entry is located on the west side of the building. The existing door is a white steel half-light door (9 lights over 2 panels). The Applicant proposes to install a fiberglass Craftsman style door with 3 vertical simulated divided light above 2 vertical panels.
- 5) Electrical panels – Relocate electrical panels from the north side of the building where the new front door is proposed and moved to the new wall between the garage wall and the new front porch.
- 6) Front Porch – Remove existing ADA ramp and construct a new wrap around front porch in order to create a true front entrance. The porch will consist of Trex Transcend composite decking in the color Island Mist, Trex Transcend railings in the color classic white and PermaSnap cPVC column wraps in the color white.
- 7) Garage – Construct a new front loading garage, as the property does not allow for a side, rear or detached garage. There are historic trees and landscape hindrances that would not support a garage on the side or rear of the home. The garage will be 23’5” long by 21’4” wide and sided in HardiePlank lap siding to match the existing in design and color.
- 8) Construct a 27’5” feet wide by 12’3” long rear addition on the south side of the house facing the railroad tracks/Patapsco River.
- 9) Demolition – The Applicant proposes to demolish the existing front porch (which is located on the west side of the house, the ramp connecting to the porch, and the small deck on the north side of the house facing the street).

Staff Comments:

Roof

The roof is currently a multi-colored green composite roof. The proposal to replace it with a new black or gray composite shingle roof generally complies with Chapter 6.E recommendations, “use asphalt shingles that are flat, uniform in color and texture and of a neutral color.” The proposed colors, black or gray, are both neutral, but gray would be a softer, more neutral color. The Commission has approved architectural shingle roofs in the recent past, finding the Guideline for a flat asphalt shingle to be outdated. The exact roof shingle product has not been identified, but should be specified so that is known whether the Applicant intends to use a flat shingle or architectural shingle.

Windows

The windows on the house are currently 6:6 white vinyl and the Applicant proposes to replace them with 1:1 black fiberglass, trimmed with white PVC. Chapter 6.H recommends against “using metal or vinyl windows on historic buildings or in highly visible locations.” Typically vinyl or fiberglass windows would not be approved for a historic building, but the vinyl windows previously existed when replaced in 2014, (an in-kind replacement since vinyl was originally installed in 1990 as explained above.) Since the current request proposes a material and design change, the Commission may want to consider whether some Craftsman features could be reintroduced. The use of 3:1 windows (an example shown in Figure 11 and page 39 of the Design Guidelines), would be more appropriate and comply with the Guideline recommendations, as they are common to bungalow/Craftsman style homes. In 1990 wood windows (6:6 arrangement) were replaced with vinyl windows, although it is

unknown if they were original. Chapter 6.H recommends, “replace inappropriate modern windows with windows of appropriate style. If documentary evidence of the of the original windows is available, choose new windows similar to the original. Otherwise, select windows appropriate to the period and style of the building.” Chapter 6.H of the Guidelines explains, “windows in the historic district should generally have true divided lights, rather than sandwiched or interior snap-in muntins...Windows with permanent exterior grilles are an alternative that can be similar in appearance and reflective qualities to true divided lights.” The Guidelines state that “wood windows clad with a permanent finish are a good, low maintenance alternative” to modern materials.

Siding

The house previously had a combination of wood shake and vinyl lap siding, which was replaced with HardiePlank lap siding after a 2014 fire. The Applicant will maintain the use of HardiePlank on the house and use new HardiePlank, with the same details and color, on the new rear addition and garage addition. The continued use of HardiePlank complies with Chapter 7.A recommendations, “on any building, use exterior materials and colors (including roof, walls and foundations) similar to or compatible with the texture and color of those on the existing building.”

Doors, Electrical Panels, Front Porch and Garage

The application explains that the Applicant proposes to construct a new front entry and porch on the north side of the housing facing the street, as the current entry is located on the west side of the house due to ADA access for the previous owner. However, after visiting the site, Staff finds the west side of the house is the original front of the house and was most likely designed that way to take advantage of views of the Patapsco River. The details on the porch, such as the wide columns (including base and capital) and brick piers, appear to be original components of the house. The location of the center dormer above the porch are also indicative of the front of a Craftsman/bungalow style house.

The Commission should determine which side they find to be the actual front of the home, as all elements and alterations from this point out are determined by which side is considered the front.

The Applicant proposes to install a black fiberglass Craftsman style door with 3 vertical simulated divided light above 2 vertical panels on the north side of the house to create a front door facing the street and replace the existing front door on the west side of the house with either two full light French doors or a pair of sliding glass doors (there are no specs provided for this item, which will be needed). The style of the door complies with Chapter 6.G of the Guidelines, which recommends, “replace inappropriate modern doors with doors of an appropriate style.” However, the fiberglass material does not completely comply as the Guidelines state, “simple paneled doors of wood or wood and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance.” While the Guidelines give some flexibility with this item, a wood door would qualify for tax credits, whereas a fiberglass door would not.

As part of the new front entry, the Applicant proposes to remove the existing front porch and ADA walkway and construct a wrap-around porch that would wrap around the north side, west side and south side of the house. The removal of the existing front porch, which is located on the west side of the property, does not comply with Chapter 6.F recommendations, which recommend against, “removing a porch or balcony that is original or that reflects the building’s historic development.” The porch and the columns, which appear original, are character defining features of this Craftsman/bungalow style home. The existing front porch has been altered over the years for ADA accommodation as seen by the ramps. The flooring is clearly not historic decking. However, the removal of the existing porch and subsequent replacement with the wrap-around porch would impact the integrity of the house. The Applicant proposes to construct the wrap around porch with Trex Transcend composite decking in the color Island Mist, Trex Transcend railings in the color classic white and PermaSnap cPVC column wraps in the color white. The removal of wood columns and railings does not comply with the Guidelines, which recommend, “if the porch is integral to the design of the building, replace it with a new porch

similar in style, scale and detail.” The proposed Trex decking would be more appropriate for a rear deck, but are not appropriate for a proposed wrap around porch, or as a replacement decking for the historic porch (if retained). This house, similar to others in Ellicott City, most likely had a painted tongue and groove wood porch. Chapter 6.F explains that “materials generally not appropriate for historic porch replacements include unpainted pressure-treated wood, poured concrete and metal.” The Guidelines pre-date the use of Trex and other composite deck materials, but in general, Trex would not be seen as a replacement that, per Chapter 6.F of the Guidelines, is “similar in style, scale and detail.”

The proposed columns for the new wrap around porch will be pressure treated wood wrapped in the PermaSnap column wrap. The size of the columns was not specified, but from the renderings it does not appear they will match the size and design of the existing columns, shown in Figure 15. Overall, the removal of the existing historic front porch and construction of the new porch does not comply with the Guidelines. However, adding a porch to the south side of the house (which is the side but appears to be the rear) facing the railroad tracks and river would comply with the Guidelines as it will not be visible from the public right of way. Chapter 7.B states, “porches or decks added to historic buildings should be simple in design and not alter or hide the basic form of the building.” The porch as proposed would alter the form of the building, but if only added to the south side of the building facing the river, would not alter it.

The electrical panels are currently located where the new door is proposed to be installed and they will be moved to the new wall end wall that will be created between the house and proposed garage (they will then be perpendicular to the street and not as highly visible). The relocation of this item complies with Chapter 6.L recommendations, “whenever possible, install equipment out of sign of public ways or other properties.”

The proposed garage will be constructed on the north side of the house facing the street. Although this side faces the street, it is actually the side of the house. The garage design incorporates a Craftsman/bungalow style panel and window arrangement, which matches the design of the proposed door. It appears there will need to be some grading in order to construct a driveway to the garage without an extreme slope and more information is needed on how much grading/excavation will be needed and whether or not retaining walls will be needed. The material of the driveway is unknown.

Rear addition (south side of house)

The proposed rear addition will be located on the south side of the house, facing the railroad tracks/Patapsco River. While referred to as the “rear”, this is actually the side of the house. The wrap around porch will continue on this elevation along the existing structure, but will not continue around the addition. The addition will be two stories in height with several new windows, as shown in the drawings. The addition will be 27’5” feet wide by 12’3” long. The addition will use the HardiePlank siding to match the house and the proposed Integrity black fiberglass 1:1 windows. The proposed rear addition complies with Chapter 7 recommendations, “attach additions to the side or rear of a historic building to avoid altering the primary façade.” The roofline will change substantially as this is proposed to be a two-story addition and will change the look of the front of the house as a result (front being the side view from the west). However, given the constraints of the lot and the siting of the house, the addition will not be highly visible and the south side of the house cannot be seen when looking at the house from the public right of way.

Staff Recommendation: Staff recommends this application be amended to Advisory Comments, with the following recommendations for the Commission to consider:

- 1) Approval of the roof, subject to submittal of an appropriate spec sheet, of a gray roof.
- 2) Alternate windows, such as a clad wood in a 3:1 or 6:6 pattern be used.
- 3) Approval of the use of HardiePlank siding, on the garage and addition be used.
- 4) Denial of new “front” door on the north side of the house.
- 5) Denial of new “front” porch on the north side of the house.

- 6) Approval of the proposed Craftsman style fiberglass door for use on the actual front/west side of the house, but tax credit pre-approval if a wood door of the same style is used.
- 7) Approval of the construction of the garage on the north side of the house.
- 8) Approval of relocation of the electrical panels.
- 9) Approval of the demolition of the deck on the north side of the house facing the street.
- 10) Approval of the demolition of the ADA walkway and ramp on the north/west side of the house.
- 11) Denial of the proposed demolition of the historic front porch on the west side of the house.
- 12) Approval of the proposed rear addition.

Testimony: Mr. Shad swore in Brandon Morris. Mr. Shad asked the Applicant if he has anything to add to the staff report. Mr. Morris clarified that the ADA ramp will be demolished but not the actual side porch and that the columns to the porch are not original to the house; that they are just 4 x 4 pressure treated lumber wrapped with wood board. Mr. Morris asked the HPC what is considered the front and side of the house, as maintaining the original front oriented to the Patapsco River after the ADA ramp is removed would require significant grading to add a walkway and landing because of the sloping grade on the lot. Mr. Roth asked Mr. Morris when the house was built. Mr. Morris explained the house was originally built in the 1930s, but due to a fire it was altered in 2015. The alteration caused the house to be split into two units and it is not up to Code or compliant, and Mr. Morris intends to restore the structure to a single-family home.

Ms. Tennor noted she visited the property and finds it difficult to reconcile the proposed architecture changes. She said that regardless of what is considered the front or side of the house, the house currently has the formal integrity of a bungalow house and she is concerned the additions suggested are that of a farm house format and they are losing the formal essence of the house with this proposal. Mr. Morris responded that the porch would not wrap around the entire house but wrap around from the front to the side of the house. Ms. Tennor said changing the roofline of the house would be an issue. Mr. Morris answered that he would only be changing the roofline with the addition. Mr. Morris also noted the back of the house is built in block for the foundation and has settlement cracks and the floor inside is not level. Mr. Morris said he is worried about the safety of that portion of the house which is why he wants to tear it down and add an addition. Ms. Tennor questioned if when the changes are completed the house will still be a Craftsman style structure. Mr. Morris responded yes, a bungalow is a Craftsman style home.

Mr. Reich said he thought the house would look better than the drawings. He said a gable on the back of the house was okay, but he questioned the need for the gable on the garage because it looks out of place. Mr. Reich suggested continuing the roofline from the house down to the garage, adding space on the second floor and adding a dormer on the second floor where windows are wanted. Mr. Reich noted the front is a shed dormer and that Mr. Morris could do a similar dormer on the garage to make it look like it is part of the overall composition, as an addition is supposed to look like it was part of the original composition.

Ms. Zoren added she was concerned about the prominence of the front-loading garage facing Sylvan Lane, as it takes prominence over the historic home. The addition should recede from the primary structure, so instead push the garage back to bring prominence back to the home. Mr. Morris responded that he would not be able to push the garage back, because due to the steep slope in the back of the property he only has 15-20 feet of yard. Ms. Tennor noted that it would be within two feet of the property line and Mr. Morris responded that the plans should be corrected to show a 6-foot setback.

Mr. Morris said he wants to relocate the electrical panels on the side of the house as one panel on the side of the new garage. Ms. Tennor agreed that would look better than the current location.

Mr. Reich sketched a new roofline for the addition and revised doors for the garage. Mr. Morris stated he is more than happy to alter the house roofline, as long as the interior space works and his wife does not lose her

craft room. Ms. Tennor agreed it is very important for the house to have a good roofline. Ms. Zoren sketched a redesign of the garage with a setback. Mr. Morris stated his concerns are leaving yard space for their dog and causing a redesign of the interior space, and relocating the electric panels to the opposite side of the garage because of the significant cost. He requested the electrical panel remain on the garage side closest to the newly determined front door.

Mr. Reich asked why Staff recommended denial of the new front door and porch on the north side of the house. Ms. Burgess explained Staff had concerns about materials, because Trex was proposed, and removal of the original front porch. Mr. Morris explained the Trex would have a wood look, but would not require the yearly maintenance of real wood.

Ms. Tennor asked Mr. Morris if he is changing the elevations on the current front of the house for the windows and doors. Mr. Morris responded that the windows will all remain the same on the west side except on the addition. He will be swapping out the current windows and replacing them for the whole house. The size of the replacement windows will be the same as the current. Mr. Morris noted that the current elevation of the porch is the same but that the west side door would be converted into a sliding door. Ms. Tennor stated that a new entry door on the north side would functionally be the front entry, however one could still interpret the long elevation on the west side as a front elevation, and there is an entry possibility on that porch. Mr. Morris acknowledged that could be true.

Ms. Tennor said the question is what becomes the primary entrance door functionally. Mr. Morris said he could see both sides as a possibility. Mr. Roth answered that due to the siting of the house on the hillside overlooking the river valley, it would not be unreasonable for the side with the view to function as the front of the house. Mr. Reich said he has no problem with the side of the house functioning as a front entry, but would be happier with preserving the elevation at the west entry. Mr. Reich noted that the elevation is currently symmetrical and questioned the new sliding door off to one side and relocated windows. Mr. Roth and Ms. Tennor were in agreement. Mr. Reich suggested that Mr. Morris preserve the west side of the house's historical character. Mr. Morris noted that he hoped to put a window where the front door is currently, as shown on AO-3. Mr. Morris asked if he could place a window where the current front door is, but replace the sliding door shown on AO-18 with a Craftsman style door. The Commission thought this would be an improvement.

Ms. Zoren said there were potential water draining issues with the proposed roof plan. Ms. Zoren suggested that Mr. Morris amend his drawings with the changes the HPC discussed, as well as a building section across both directions to understand the roof sections and how they interact with each other. Mr. Roth recommended the HPC not approve any requests at the current meeting, but give the Applicant feedback on things to reconcile, including Staff recommendations for denial, and the Applicant can come back at another meeting with the updated plans.

The Commission agreed that they took no issue with the approval for the shingles on the roof, the windows, the HardiePlank siding, the wrap-around porch, removal of the side porch and the ADA ramp, the replacement of the side entry sliding door with a Craftsman style fiberglass door, the relocation of the electrical panels, and the rear addition. The Commission requested improvements in the form of the garage setback, roof and doors, and a change of materials to wood for the porch. The Commission would deny demolition of the historic front porch, but the Applicant said he is keeping that.

Mr. Morris requested continuation of the application so he can return with revised drawings and more material considerations. The Commission agreed to a January continuation.

HPC-18-63 – 5819 Lawyers Hill Road (6219 Lawyers Hill Road per design guidelines map), Elkridge

Advisory Comments for Site Development Plan
Applicant: Donald R. Reuwer Jr.

Background & Scope of Work: The 8.76-acre property, containing an abandoned wood, shingle-sided, outbuilding and debris, is zoned R-ED (Residential: Environmental Development). It does not have a principal structure.

The site is in the Lawyers Hill Historic District, which is a local and a National Register Historic District that spans I-95. The District is significant for its contributions to architecture, as well as community planning and development. The National Register nomination states, "The Lawyers Hill Historic District is significant for its diverse collection of Victorian-era architecture and for its role as a 19th century summer community and early commuter suburb for prominent Baltimoreans...The Hill's unique character is based on its concentration of 19th century domestic dwellings located in the center of the community along Lawyers Hill and Old Lawyers Hill roads. The structures represent a range of 19th century architectural styles. While the buildings vary in style, they are closely related in setting, scale and materials. Lawyers Hill is also significant for its landscape architecture and community planning. Houses were built to fit the contours of the hillside and blend with the natural landscape. Most of the buildings are set back at least one hundred yards from the narrow and winding roads, evoking the spirit of the pre-auto era. The natural and man-made landscape has been allowed to mature, shrouding the houses in foliage and creating thick canopies over the roads."

On April 5, 2018, the Applicant presented three development scenarios to the Historic Preservation Commission (HPC) for advisory comments and is now asking the same for a new plan. The application includes a color and black and white copy of the plan, and photos of the site, existing houses in the Lawyers Hill Historic District and those of the proposed homes. The Applicant has requested HPC comments on the "typical Beazer home" and any necessary modifications to the architecture or exterior materials.

The Applicant proposes 17 single family lots and will be submitting a preliminary equivalent sketch plan (SP) to the Department of Planning and Zoning (DPZ), which will be reviewed by the Planning Board. The lots range from approximately 6,200 to 8,600 square feet, with most around 6,200 square feet. The illustrative plan shows street trees along a new public road. While the black and white plan does not include the entire site, it appears that open space lot 18 is proposed along Lawyers Hill Road. Open space is also proposed between Lot 5 and 6 to buffer the historic Gables House (HO-389). The plan further shows that nine trees will be retained after development.

Photos of existing homes in the Lawyers Hill Historic District show a variety of architectural styles; mostly historic, but some modern. The proposed homes are suburban in character with brick facades and siding on the sides and rear, front loaded garages, gabled roofs, and front porticos or porches. Some porches are supported by square columns, while others by flared Craftsman style columns. Some homes combine materials on the front façade, such as brick and siding, or a stone veneer and siding.

Staff Comments: Landscaping is an important feature in the Lawyers Hill Historic District: The nomination form explains, "historically, there has been a great emphasis on landscaping in Lawyers Hill...A wide diversity of forest trees continue to flourish on the hill, among them ash, beech, chestnut, sugar maple, oak, hickory, cedar, blue spruce, pine, lindens, dogwoods and hollies. Numerous ornamental trees and shrubs also survive on Lawyers Hill, some over one hundred years old, including boxwoods, paulownia, wisteria, rhododendron and roses. Mature fruit trees planted in the yards of many houses include apples, pears, peaches and cherry. The landscape is a carefully guarded legacy."

This goal has been supported through voluntary land easements that many property owners have added over the years. The easements in Lawyers Hill include Rockburn Land Trust easements, Conservation easements,

Maryland Environmental Trust easements and Maryland Historical Trust easements (easements are shown in Figure 17 in green and blue, and the subject property is shown with a red star).

Many architectural styles are found in Lawyers Hill. Chapter 3 of the Design Guidelines states that these include a variety of late 18th and 19th century styles such as: Dutch Colonial, Gothic Revival Cottage, Italianate, Stick Style, Queen Anne, and Shingle Style, as well as 20th century styles such as, Dutch Colonial Revival, Shingle Style Revival, and Craftsman. In addition, there are several modern houses, but they are on wooded lots and not highly visible. Chapter 8.C explains that “historic homes range from one and one-half to three stories in height, with several one-story homes among the more recently constructed houses. Wood frame construction is dominant.”

The photos of the proposed homes show a mix of brick or stone veneer facades with siding on the sides and rear. They include multiple siding materials and features such as multiple gable pitches within a single roofline. While these design features may not be compatible with historic homes in Lawyers Hill, the Guidelines explain that “new homes need not attempt to replicate historic styles. However, to preserve the historic character and value of the district, new buildings visible from the District’s public roads should be compatible with the form and scale of the historic homes.” While the proposed homes are not consistent with this recommendation, their individual elements may be. The HPC should, therefore, provide advice on elements that could be considered consistent.

Section 16.607 of the County Code states that the Commission “shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.” The HPC should consider this statement when deciding on the architectural character of the proposed homes.

Chapter 7 of the Lawyers Hill Design Guidelines further addresses new construction: additions, porches, garages and outbuildings. Chapter 7.B states, “although garages and carports are not a common feature in Lawyers Hill, the garages and carports that do exist provide examples of appropriate design for new structures.” Chapter 7.B recommends to, “design new garages and carports to be compatible with the materials, colors and scale of the existing house” and “place new detached garages or carports to the rear of the house, separated from the house by a substantial setback” and “on early 20th century houses, use attached carports placed on the side or rear of a house, in a location where the construction does not damage or obscure important architectural features.” The proposed homes show two-car, front-loading garages, which is inconsistent with the Guidelines. Chapter 7.B also recommends against, “placing a new garage or carport where it blocks or obscures views of a historic house, is highly visible from a public road, or is in a front yard.”

Chapter 8 of the Guidelines provides recommendations for new homes and principal structures. Chapter 8.A explains, “because Lawyers Hill grew incrementally, there are a variety of lot sizes and shapes, and homes vary in their distances or setbacks from the roads. Most homes are set back substantially from public roads and screened by trees and shrubs. New development should continue this pattern, which is part of the historic environmental setting of the District, by providing substantial landscaping and locating new structures with large setbacks from Lawyers Hill Road and Old Lawyers Hill Road. New subdivision lots should be designed to allow new homes to have setbacks from these roads similar to those of older houses on neighboring lots.”

The proposed development will be set back significantly from Lawyers Hill Road. The illustrative plan proposes an expansive lawn between Lawyers Hill Road and the new homes. Chapter 8.A.1 recommends, “provide large setbacks between new houses and Lawyers Hill Road or Old Lawyers Hill Road. Retain existing vegetation and plant new vegetation to screen new homes from these roads.” While the site plan does not indicate how many trees will be removed in this area, it appears that many will be. As many trees as possible should be retained to best comply with the Guidelines.

The open space between Lots 5 and 6, provides a buffer to the Gables House, consistent with Chapter 8.A.2, which recommends against, “locating new homes so that they block existing views of historic homes from public roads.”

Chapter 8.B discusses site design and that home sites in Lawyers Hill were originally designed to blend with the rolling hillsides and that trees were retained by limiting clearing and grading. Chapter 8.B explains, “properties were informally landscaped with an assortment of ornamental trees, shrubs and flowers. Mature trees and shrubs and open, naturalized landscape patterns contribute greatly to the Historic District’s environmental setting. It is important that new construction retain these landscape characteristics.”

Staff Recommendation: The HPC should consider requesting additional details regarding which home model or elements of each model are proposed; the number and location of trees proposed for removal; and the proposed layout and siting of the individual houses.

Testimony: This case was postponed due to time constraints. There was no testimony.

Motion: No motion was given because the Application was postponed.

Mr. Shad requested Staff arrange for a January meeting for the continued application #18-62 and the postponed application #18-63. The Commission agreed. Staff to confirm a meeting date and contact every person who completed the testimony list for the applications.

Mr. Roth moved to adjourn. Mr. Reich seconded. The motion was unanimously approved and the meeting was adjourned at 11:29 pm.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Allan Shad, Chair

Beth Burgess, Executive Secretary

Kaitlyn Clifford, Recording Secretary