



## 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 7, 2020; 7:00 p.m.

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The May meeting of the Historic Preservation Commission was held on Thursday, May 7, 2020. Due to the State of Emergency and to adhere to social distancing measures, the meeting was not held at 3430 Court House Drive, Ellicott City, but was conducted as a virtual web meeting/conference call. Due to the cancellation of the April meeting, previously advertised April cases were heard at the May meeting.

No one registered or otherwise contacted the Commission about testifying for any of the following applications.

Mr. Roth moved to approve the March minutes. Ms. Zoren seconded. The motion was unanimously approved.

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

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Clifford

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#### OTHER BUSINESS

Discussion of Howard County Code § 16.605(f)(3) – HPC 90-Day Deadline and Review Suspensions

#### PLANS FOR APPROVAL

##### **Consent Agenda**

1. HPC-20-24 – 3585 Church Road, Ellicott City
2. HPC-19-38c – 1485 Underwood Road, Sykesville, HO-1173
3. MA-18-45c – 10375 Cavey Lane, Woodstock, HO-770
4. MA-19-41c – 3748 Church Road (3691 Sarah's Lane), Ellicott City, HO-59
5. MA-19-50c – 6117 Lawyers Hill Road, Elkridge, HO-445
6. HPC-20-17 – 6060 Old Lawyers Hill Road, Elkridge
7. HPC-20-18c – 8173 Main Street, Ellicott City
8. HPC-20-19c – 8235 Main Street, Ellicott City
9. HPC-20-20c – 8185-8187 Main Street, Ellicott City
10. HPC-20-21c – 8181 Main Street, Ellicott City

##### **Regular Agenda**

11. HPC-20-15 – 8125 Main Street, Ellicott City
12. HPC-20-16 – 14830 Old Frederick Road, Woodbine, HO-170
13. HPC-20-22 – 3731 Hamilton Street/3744 Old Columbia Pike, Ellicott City
14. HPC-20-23 – 3731 Hamilton Street/3744 Old Columbia Pike, Ellicott City

15. HPC-20-25 - Vicinity of 8210 Main Street to 8080 Main Street, 8267/8247 Main Street/Hamilton Street to 8111 Main Street, Ellicott City
16. HPC-20-26 – Vicinity of 3713 Fels Lane, 3673 Park Avenue, 3674 Park Avenue, 3875 Ellicott Mills Drive, Parking Lot F, Ellicott City
17. HPC-20-27 – 3877 College Avenue, Ellicott City
18. HPC-20-28 – 3832 Old Columbia Pike, Ellicott City
19. HPC-20-29 – 8180 Main Street, Ellicott City

## **OTHER BUSINESS**

1. Discussion of Howard County Code § 16.605(f)(3) – HPC 90-Day Deadline and Review Suspensions

Mr. Shad said the issue of whether the Commission should suspend any legal deadlines as provided for in the Governor and County Executive’s State of Emergency Orders was on the docket for the meeting. Mr. Shad said he has discussed this concern with staff and counsel to the Commission and he recommended that the Commission suspend Howard County Code § 16.605(f)(3) and Commission Rule 103.C, which imposes a 90-day deadline on the Commission to render a decision on an application or the application is automatically approved. It was discussed because of delays due to the cancellation of the April hearing and because of staff resource issues related to the closure of some government offices, this deadline should be suspended, although the Commission will try to meet normal deadlines in all cases.

**Motion:** Mr. Shad moved that the Commission find that the suspension of the deadlines in the Howard County Code §16.605(f)(3) and Commission Rule 103.C will not endanger public health, welfare, or safety; and that the Commission ordered as follows:

Upon notification to the Governor, the deadline in the Howard County Code §16.605(f)(3) and Commission Rule 103.C is hereby Suspended until 30 days after the Governor terminates the State of Emergency, or until such time as the Commission orders otherwise. And that a copy of this order be provided to the Howard County Executive and to the Administrator to the County Council for Howard County; and that this order be promptly publicized.

Mr. Shad asked if there was any discussion needed by the Commission on this motion. The Commission had no discussion. Mr. Roth seconded the motion. The motion was unanimously approved.

## **CONSENT AGENDA**

### **HPC-20-24 – 3585 Church Road, Ellicott City**

Certificate of Approval to remove tree.

Applicant: Kimberly Kepnes

**Request:** The applicant, Kimberly Kepnes, requests a Certificate of Approval to remove a tree at 3585 Church Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1865.

This application was initially posted as a Minor Alteration on the Commission’s website, as case MA-20-20, but an objection was received from a citizen who believed the Minor Alteration deadline was suspended due to Executive Order 2020-03.

**Scope of Work:** The applicant proposes to remove a diseased/dying and threatening tree. The application states that the applicant has had multiple trees fall on the property due to disease in the past year. The current tree proposed for removal is located near a parking area adjacent to the driveway and will cause personal property damage when it falls.

The application explains that large limbs have been falling off the tree for several seasons and the bark is now shedding on all sides, displaying a hollow center.



Figure 2 - Location of tree



Figure 1 - Tree to be removed

#### **HPC Review Criteria and Recommendations:**

##### ***Chapter 9.B: Landscape and Site Elements, Trees and Other Vegetation***

1. 1) 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.
2. 2) Routine Maintenance – Removing dead or certifiably diseased trees. (An arborist’s certificate will be accepted for diseased trees).

The tree is very clearly in poor health. If the tree were to fall, it could potentially cause damage to the historic structure, in addition to vehicles.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.

**Testimony:** Ms. Kepnes was in attendance but no further information was given or discussed.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-19-38c – 1485 Underwood Road, Sykesville, HO-1173**

Final tax credit approval.

Applicant: Ann H. Jones

**Request:** The applicant, Ann H. Jones, requests final tax credit approval for repairs made at 1485 Underwood Road, Sykesville.

**Background and Site Description:** This property is pending adoption to the Howard County Historic Sites Inventory as HO-1173, Bowling Green. Once the County Council adopts this property to the Inventory, the tax credit paperwork, if approved, can be sent to Finance. The applicant was pre-approved for tax credits to make repairs on July 11, 2019.

**Scope of Work:** The applicant has submitted documentation that \$26,483.67 has been spent on eligible pre-approved work to repair the chimney, siding and hire an architect to work on the project. The applicant seeks \$6,620.91 in final tax credits. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted, for \$6,620.91 in final tax credits.

**Testimony:** Ms. Jones was in attendance but no further information was given or discussed.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

**MA-18-45c – 10375 Cavey Lane, Woodstock, HO-770**

Final tax credit 20.112 approval.

Applicant: Alice M. Bender

**Request:** The applicant, Alice M. Bender, requests final tax credit approval for repairs made at 10375 Cavey Lane, Woodstock, HO-770.

**Background and Site Description:** The property is listed on the Historic Sites Inventory as HO-770, Killarney. The property is not located in a local historic district.

The applicant was pre-approved for tax credits through the Executive Secretary process in October 2018 to replace a vinyl window with a wood window.

**Scope of Work:** The applicant seeks final tax credit approval. The applicant submitted documentation that \$1,135.00 was spent on eligible, pre-approved work and seeks \$283.75 in tax credits. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the tax credit as submitted for \$283.75 in final tax credits.

**Testimony:** There was no testimony or discussion.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

**MA-19-41c – 3748 Church Road (aka 3691 Sarah’s Lane), Ellicott City, HO-59**

Final tax credit 20.112 approval.

Applicant: Kimberly Kepnes

**Request:** The applicant, Kimberly Kepnes, requests final tax credit approval for painting and repairs made at 3748 Church Road (aka 3691 Sarah’s Lane), Ellicott City.

**Background and Site Description:** The property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-59. The applicant was pre-approved for tax credits through the Executive Secretary process in October 2019 to prep and paint the exterior of the building.

**Scope of Work:** The applicant seeks final tax credit approval. The applicant submitted documentation that \$11,549.24 was spent on eligible, pre-approved work and seeks \$2,887.31 in final tax credit. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the tax credit as submitted for \$2,887.31 in final tax credits.

**Testimony:** Ms. Kepnes was in attendance but no further information was given or discussed.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

**MA-19-50c – 6117 Lawyers Hill Road, Elkridge, HO-445**

Final tax credit 20.112 approval.

Applicant: Drew Roth

**Request:** The applicant, Drew Roth, requests final tax credit approval for repairs made at 6117 Lawyers Hill Road, Elkridge.

**Background and Site Description:** The property is located in the Lawyers Hill Historic District and is listed on the Historic Sites Inventory as HO-445, the Murray Miller House. The applicant was pre-approved for tax credits through the Executive Secretary process in November 2019 to make roof and gutter repairs/replacements.

**Scope of Work:** The applicant seeks final tax credit approval. The applicant submitted documentation that \$39,256.00 was spent on eligible, pre-approved work and seeks \$9,814.00 in final tax credit. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the tax credit as submitted for \$9,814.00 in final tax credits.

**Testimony:** Mr. Roth recused himself for this case as he is the applicant.

**Motion:** Ms. Tennor moved to approve. Mr. Reich seconded. The motion was unanimously approved.

**HPC-20-17 – 6060 Old Lawyers Hill Road, Elkridge**

Certificate of Approval for exterior alterations related to pool.

Applicant: Finn Ramsland

**Request:** The applicant, Finn Ramsland, requests a Certificate of Approval to make exterior alterations at 6060 Old Lawyers Hill Road, Elkridge.

**Background and Site Description:** This property is located in the Lawyers Hill Historic District and is also listed on the Historic Sites Inventory as HO-447, Maycroft.

In December 2019, the Applicant was approved in case HPC-19-59 for the pool coping, waterline tile, pool lining, mechanical equipment and the layout of the site plan flipped 180 degrees (which was supplemented with a site plan submitted to and approved by staff – the site plan only provided information on the orientation of the pool).

**Scope of Work:** The Applicant now seeks approval for the remainder of the outstanding items from the December 2019 meeting. In order to be consistent with the terms and numbering used at the December meeting, this report will reference the remaining items as they were referenced in December 2019. The applicant seeks approval for the following items:

- Item 4 – Pool Accessories (stepping stones, boulder feature, slide with raised bed to support the boulder and slide).
- Item 5 – 1000 square foot broom finish concrete patio (aka pool decking) surrounding pool and 528 square foot flagstone patio extension (previously was proposed to be brick to match existing, it will now all be changed to flagstone).
- Item 6 – Four-foot-tall black aluminum fencing, in the Antietam style.

The applicant has submitted the following renderings to depict what the proposed fencing, flagstone patio and concrete patio (pool decking) would look like. The proposed slide will be tan in color and will be 8-feet 3-inches high at full height. The applicant will return with landscaping in a future application.

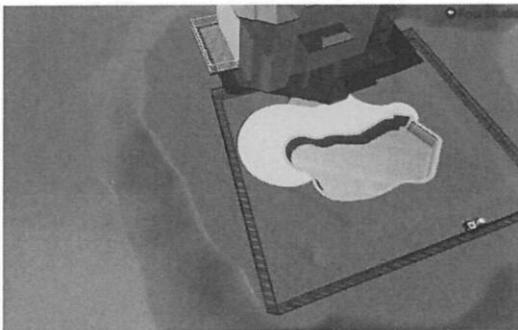


Figure 3 - Pool rendering

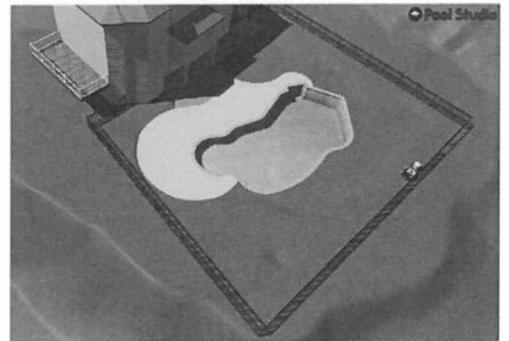


Figure 4 - Pool rendering

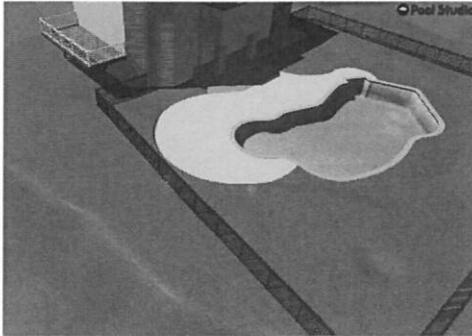


Figure 5 - Pool rendering

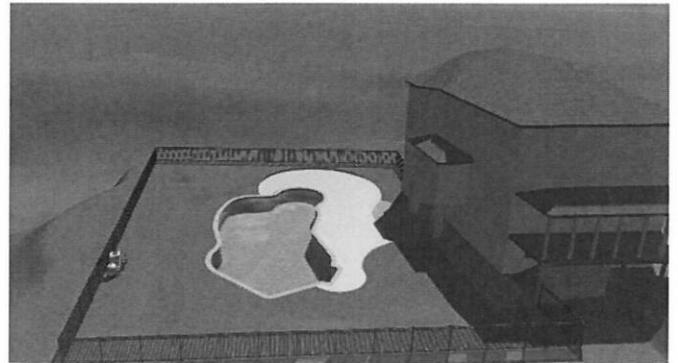


Figure 6 - Pool rendering

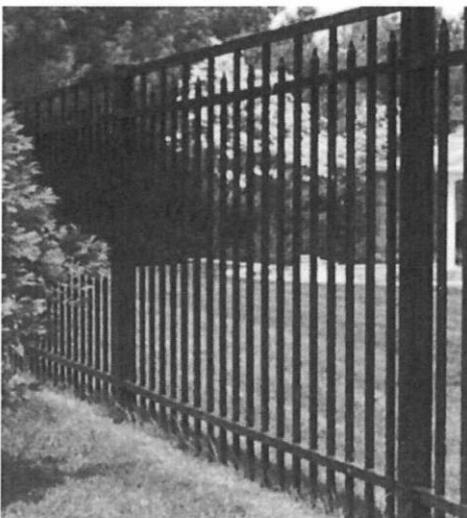


Figure 7 - Proposed Antietam style black aluminum fencing

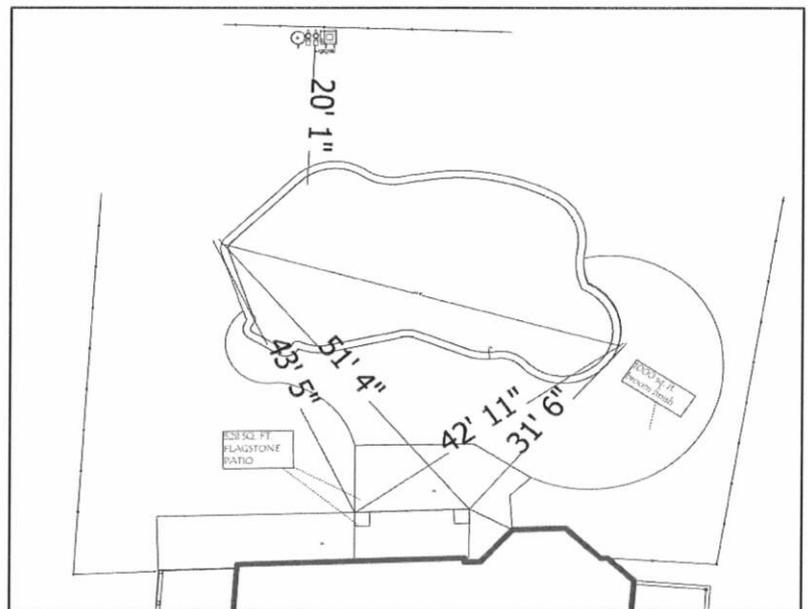


Figure 8 - Site layout

**HPC Review Criteria and Recommendations:**

**Chapter 9.B: Landscape and Site Elements, Trees and Other Vegetation**

- 1) Chapter 9.B recommends, "maintain and install informal landscaping using a variety of trees, shrubs and flowers, particularly native species. 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."
- 2) Chapter 9.B recommends, "maintain the open feel of the District by minimizing property lines demarcations."

The construction of a fence is required by code to have installed around the pool. The code requirement has specifications for the type of fencing as well, ensuring that children cannot fit their head through or easily climb over (for example, horizontal rails must be on the inside of the fence, rather than the outside where they can be used as footholds). The fencing will not be used as a property line demarcation, as it will only be located around the pool area.

A new landscape plan has not yet been submitted for review.

**Chapter 9.C: Landscape and Site Elements, Fences**

- 3) Chapter 9.C explains, “property lines in Lawyers Hill are only occasionally defined by fencing. Fences are generally low and open, and made of painted wood boards or unpainted split rails. The open feel of the District will be maintained by limiting the use of fencing, and by use low, open fencing when fencing is necessary.
- 4) Chapter 9.C recommends, “when installing new fencing, use fencing that is low, open and made of wood. If necessary, this type of fencing can have an inconspicuous, inner wire fencing.
- 5) Chapter 9.C recommends, “plant vines or shrubs in front of solid fencing to reduce its visual impact from public roads.”
- 6) Chapter 9.C recommends against, “installing stockade, chain link, or wrought iron fencing in a location visible from a public road or a neighboring property.”

While the guidelines do not recommend use of a wrought iron fence (which this would emulate in style, but is aluminum in material rather than iron), the fence will not be highly visible from the road or neighboring property. The fence will be most visible from the driveway. The fence will be 4 feet high, which is the shortest the fence can be in order to comply with the code requirements for fencing around a pool. The applicant also chose the black aluminum fence as he felt it would be least visible from the street, as opposed to a wood fence, which is bulkier.

**Chapter 9.E: Landscape and Site Elements, Driveways, Walkways and Patios**

- 7) Chapter 9.E recommends, “construct new walkways and patios of brick, flagstone or concrete pavers designed to look like flagstone. New walkways may also be constructed of bark chips or gravel.”
- 8) Chapter 9.E recommends against, “constructing new walkways and patios of poured concrete slabs within view of a public road.”

The proposed concrete and flagstone patios comply with the Commission’s recommendations from the December meeting to have a historically appropriate patio adjacent to the historic house and the concrete patio adjacent only to the pool. Neither patio will be highly visible, if visible at all, from Old Lawyers Hill Road due to the change in topography, and location on the rear of the house.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.

**Testimony:** Ms. Holmes stated the application had been amended to use red brick as the patio paving material, instead of flagstone. Staff agreed this is a more compatible material and recommends approval.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-20-18c – 8173 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Mid Atlantic Land Services LLC, Donald R. Reuwer Jr.

**Request:** The applicant, Mid Atlantic Land Services LLC, Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8173 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the May 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building was re-assessed at \$130,300.00. The difference in the assessment that may be eligible for the tax credit is \$129,300.00.

**Scope of Work:** The Applicant seeks final tax credit approval for the assessment tax credit (Section 20.113 of the County Code) and has submitted documentation that a total of \$15,777.79 was spent improving or restoring the building. The estimated potential tax credit this property could qualify for, based on the amount spent in restoration, the current assessment and the current tax rate, is \$1,311.10.

**HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided detailed invoices from the subcontractors who performed the work and corresponding payments.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “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.”*

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. As a result, Staff reviewed expenses submitted and finds that \$15,777.79 was spent repairing the building.

This was an emergency application due to flooding and therefore the Commission may issue a pre-approval determination after the expenditure of funds, 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.”

- 3) *Section 20.113(c)(1)(iv)(a) provides the following procedure “the owner files an application with the Commission within 12 months of the increased assessment.”*

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 20.113 tax credit, for the amount of \$15,777.79 in qualified expenses.

**Testimony:** There was no testimony or discussion.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-20-19c – 8235 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Penn Shop Ventures, LLC, Donald R. Reuwer III

**Request:** The applicant, Penn Shop Ventures, LLC, Donald R. Reuwer III, requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8235 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1890. The building was damaged by the May 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building was re-assessed at \$129,800.00. The difference in the assessment that may be eligible for the tax credit is \$128,800.00.

**Scope of Work:** The Applicant seeks final tax credit approval for the assessment tax credit (Section 20.113 of the County Code) and has submitted documentation that a total of \$16,604.84 was spent improving or restoring the building. The estimated potential tax credit this property could qualify for, based on the amount spent in restoration, the current assessment and the current tax rate, is \$1,306.03.

**HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided detailed invoices from the subcontractors who performed the work and corresponding payments.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “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.”*

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. As a result, Staff reviewed expenses submitted and finds that \$16,604.84 was spent repairing the building.

This was an emergency application due to flooding and therefore the Commission may issue a pre-approval determination after the expenditure of funds, 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.”

- 3) *Section 20.113(c)(1)(iv)(a) provides the following procedure “the owner files an application with the Commission within 12 months of the increased assessment.”*

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 20.113 tax credit, for the amount of \$16,604.84 in qualified expenses.

**Testimony:** There was no testimony or discussion.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-20-20c – 8185-8187 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Mid Atlantic Land Services, Inc., Donald R. Reuwer Jr.

**Request:** The applicant, Mid Atlantic Land Services, Inc., Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8185-8187 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1900. The building was damaged by the May 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building was re-assessed at \$136,500.00. The difference in the assessment that may be eligible for the tax credit is \$135,500.00.

**Scope of Work:** The Applicant seeks final tax credit approval for the assessment tax credit (Section 20.113 of the County Code) and has submitted documentation that a total of \$28,758.28 was spent improving or restoring the building. The estimated potential tax credit this property could qualify for, based on the amount spent in restoration, the current assessment and the current tax rate, is \$1,373.97.

**HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided detailed invoices from the subcontractors who performed the work and corresponding payments.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “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.”*

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. As a result, Staff reviewed expenses submitted and finds that \$28,758.28 was spent repairing the building.

This was an emergency application due to flooding and therefore the Commission may issue a pre-approval determination after the expenditure of funds, 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.”

3) *Section 20.113(c)(1)(iv)(a) provides the following procedure “the owner files an application with the Commission within 12 months of the increased assessment.”*

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 20.113 tax credit, for the amount of \$28,758.28 in qualified expenses.

**Testimony:** There was no testimony or discussion.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-20-21c – 8181 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Mid Atlantic Land Services, Inc., Donald R. Reuwer Jr.

**Request:** The applicant, Mid Atlantic Land Services, Inc., Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8181 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1900. The building was damaged by the May 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building was re-assessed at \$173,500.00. The difference in the assessment that may be eligible for the tax credit is \$172,500.00.

**Scope of Work:** The Applicant seeks final tax credit approval for the assessment tax credit (Section 20.113 of the County Code) and has submitted documentation that a total of \$30,649.29 was spent improving or restoring the building. The estimated potential tax credit this property could qualify for, based on the amount spent in restoration, the current assessment and the current tax rate, is \$1,749.15.

**HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided detailed invoices from the subcontractors who performed the work and corresponding payments.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “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.”*

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. As a result, Staff reviewed expenses submitted and finds that \$30,649.29 was spent repairing the building.

This was an emergency application due to flooding and therefore the Commission may issue a pre-approval determination after the expenditure of funds, 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.”

- 3) *Section 20.113(c)(1)(iv)(a) provides the following procedure “the owner files an application with the Commission within 12 months of the increased assessment.”*

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 20.113 tax credit, for the amount of \$30,649.29 in qualified expenses.

**Testimony:** There was no testimony or discussion.

**Motion:** Mr. Roth moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

## **REGULAR AGENDA**

### **HPC-20-15 – 8125 Main Street, Ellicott City**

Advisory Comments/Pre-Application Advice for restoration.

Applicant: R. Zachary Hollenbeck, AIA, Howard County Department of Public Works

**Request:** The applicant, Howard County Department of Public Works, requests Advisory Comments/Pre-Application Advice on 8125 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. This building dates to the 1920s. The building was seriously damaged in the 2016 Ellicott City flood and was subsequently restored, only to be further damaged in the 2018 flood.

**Scope of Work:** The applicant seeks Advisory Comments/Pre-Application Advice on the restoration of the front façade of the building. The application shows six possible options:

- 1) Option 1A – Reconstruct to pre-flood condition. In this scenario the storefront stone base (also referred to herein as a plinth), ranges in height from 7 ½ inches to 2-feet 4-inches in height. The front door would be an all-glass door to match the original, and the only metal framing elements would exist at the top and exterior sides of the door.
- 2) Option 1B – Reconstruct to pre-flood condition with the addition of a flood door and flood proofing. The plinth remains the same height in this scenario. The flood doors would be an aluminum impact and flood rated frame. The storefront glass would consist of 3-inch heat strengthened IGU (insulated glass units) with safety glass interlayer.
- 3) Option 1C – Reconstruct to pre-flood condition with the addition of a floodgate and flood proofing. The plinth remains the same in this scenario and the door and frame will match the original.
- 4) Option 2A – Construct a raised plinth; no other flood proofing. The plinth will increase in height from 7 ½ inches to 2-feet 7 ½ inches at the west end of the building and from 2-feet 4-inches in height to 4-feet 4-inches in height at the east end.
- 5) Option 2B – Construct a raised plinth with a flood door and flood proofing. The plinth will increase in height from 7 ½ inches to 2-feet 7 ½ inches at the west end of the building and from 2-feet 4-inches in height to 4-feet 4-inches in height at the east end. The flood door and insulated storefront windows from Option 1B would be used here.
- 6) Option 2C – Construct a raised plinth with a flood gate. The plinth will increase in height from 7 ½ inches to 2-feet 7 ½ inches at the west end of the building and from 2-feet 4-inches in height to 4-feet 4-inches in height at the east end. The original door would be used in this scenario, with the insulated storefront windows. A flood gate would be added.

**HPC Review Criteria and Recommendations:** Chapter 6 of the Guidelines provides recommendations for Entrances and Storefronts in Section 6.G and 6.K, but does not currently provide flood proofing recommendations. Floodproofing methods are encouraged when they mitigate to protect the structure and the cumulative effects on historic resources. Both 2016 and 2018 floods destroyed entire storefronts because of both the depth and velocity of the water in this lower Main area.



Figure 9 – Flood event



Figure 10 - Flood event

**Staff Recommendation to the HPC:** Staff recommends the HPC review the relevant sections of the Guidelines and consider how the different floodproofing scenarios would protect or alter the character-defining elements of the building; and provide advice for the applicant to consider.

**Testimony:** Mr. Shad swore in Robert Z. Hollenbeck from the Department of Public Works and Anath Ranon, the consultant from Quinn Evans Architects. Mr. Shad asked if the applicants had anything to add to the staff report. Mr. Hollenbeck explained that DPW was looking to get Advisory Comments from the Commission on restoring the front façade of Caplan’s store front. With consultation from Anath Ranon, Ms. Ranon said there has been two main options for restoring the façade and two variations for the two options, leading to a total of six items for review. Ms. Ranon reviewed the six options as previously described in the staff report. Ms. Ranon explained that options 2a-c are as a result of the materials suggested to be in compliance with Base Flood Elevations (BFE) of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Ellicott City, though the FIRMs for Ellicott City are two years old at this point.

Ms. Tennor asked Ms. Ranon to reiterate her point of the flood height requirements in reference to flood resistance. Ms. Ranon explained that the County requires the flood resistance construction height to be of the BFE plus 2 feet, which is what option 2a-c is depicting to create a stronger stone base. The robust flood resistance storefront system would also meet this requirement.

Ms. Tennor said that option 2c would raise the height at the lower end of the building so much so that it would change how people interact with the building facade significantly and would be very unappealing. Ms. Tennor asked how long it would take to deploy the proposed flood gates and if one would need to be in the building to have the gate deployed. Ms. Ranon said the flood gate would deploy relatively fast and there could be a remote option, but the operator of the remote would need to know ahead of time that there is a flood, the gate would not detect the water by itself. Ms. Tennor asked about the glazing on the rest of the building.

Mr. Roth asked if the Commission were to advise against a higher plinth and the County required a higher plinth for the building, how would those recommendations get reconciled. Mr. Hollenbeck said he did not have an answer, but he would take the Advisory Comments from the Commission and review the comments with DILP to come up with a plan before the next stage of design.

Mr. Roth said he concurs with Ms. Tennor regarding the higher plinth changing the character of the façade significantly, Mr. Roth found that replacing the glass transom to be unappealing but less unappealing than raising the plinth.

Mr. Reich asked if the flood glass would be heat strengthened referencing 3-inch version of glass in options 1b and 1c. Ms. Ranon said the flood glass would be non-insulated. Mr. Reich said the glass would be half inch with three quarter inch heat space... Mr. Reich felt this effect would make very little difference in appearance to the façade and have maximum effect. Mr. Reich said he did not think the floodgate would be effective. Mr. Reich recommended to keep the stone plinth the way it was and go with three-inch glass to save the appearance of the façade. Mr. Reich said the whole open appearance at the bottom of Caplan's is important and heavier beefed up doors disrupt the appearance. Mr. Reich asked if there is an option for a solid glass door that is as durable as the storefront glass. Ms. Ranon said they have not found solid glass doors that are as durable as the storefront glass but can keep looking.

Ms. Zoren said she agreed with the other Commissioners regarding the current lower plinth level, if the plinth is raised, it would really change the character of the building. Ms. Zoren said she felt the same way about the arched transom, by removing it, the façade would also change in character. Ms. Zoren said she preferred Option 1b, with the lower plinth hand flood doors and flood glass.

Mr. Shad said he agreed with the other Commissioner's comments, with maintaining the original elevation of the plinth and not raising it higher. As far as flood mitigation, Mr. Shad said he has a lot of faith in all of the proposed mitigation efforts that are being taken and would like to see this building back to its original design as much as possible. Mr. Shad said the heavier doors will mimic the original would be preferable. Mr. Shad said he would also select option 1b, the stronger glass would add an extra layer of protection if flooding occurs. Mr. Shad said he thinks the flood gate would detract from the building and if the flooding is bad enough it could break through walls.

There were no further comments from the Commission or the applicants.

**Motion:** There was no motion as this case was for advisory comments.

**HPC-20-16 – 14830 Old Frederick Road, Woodbine, HO-170**

Advisory Comments for Subdivision.

Applicant: Nicholas Lally

**Request:** The applicant, Nicholas Lally, requests Advisory Comments for a subdivision plan at 14830 Old Frederick Road, Woodbine.

**Background and Site Description:** This property is not located in a historic district, but is listed on the Historic Sites Inventory as HO-170, Shipley's Adventure (Dr. Perilla House). The historic house appears to have been heavily altered, possibly in the 1970s.

The property consists of about 10.03 acres and is zoned RC-DEO.

**Scope of Work:** There will be 3 buildable lots created and no structures are proposed to be demolished. The historic house and all existing historic outbuildings (barn and springhouse) will remain on Lot 2, which will consist of 3.92 acres. New houses will be constructed on Lots 1 and 3; Lot 2 is located

between these lots. Lot 1 will be 3.06 acres and Lot 3 will be 3.03 acres. Access to Lots 1 and 3 will not impact the historic buildings on Lot 2.

**HPC Review Criteria and Recommendations:**

**Section 16.118 – Protection of Historic Resources**

- 1) *Section 16.118 of the subdivision regulations recommends, “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.”*
- 2) *Section 16.118 of the subdivision regulations recommends, “The new subdivision road should be sited so that the lot layout does not intrude on historic resources. The road should be oriented so that views of the historic property from the public road are of its primary façade.”*

The proposed subdivision complies with 16.118 of the subdivision regulations. The historic structure and its associated outbuildings will be located on one lot and retained. The new shared driveway will not encroach on the historic structures.

**Staff Recommendation to the HPC:** Staff has no further recommendations.

**Testimony:** Mr. Shad swore in Sam Alomer, the engineer for the project on Mr. Lally’s property. Mr. Shad asked if Mr. Alomer had any information to add to the staff report. Mr. Alomer said the project entailed subdividing property into three buildable lots. The historic house will be on 3.9 acres and there will be no modification or demolition to the house and the barn will be saved on the same lot. The other two lots will also be three acres in size.

Ms. Tennor said she had no comments on the application and that it looked straightforward to her. Ms. Tennor said she was happy to see the existing house remaining and complemented Mr. Alomer on his subdivision plans. Mr. Roth said he had no comments on the application and that he found it to be straightforward as well.

Mr. Reich asked if each of the lots were a little over three acres. Mr. Reich said the only thing he found to be odd about the application is that the existing house will be facing the side or back of a new house. Mr. Reich said he was trying to understand how the driveway would work, and if vehicles would be exiting off Route 40 to enter the driveway. Mr. Alomer said the driveway met with McCann Farm Road. Mr. Reich said the proposed plan would have a long driveway back towards the subdivision and mentioned that vehicles would pass through another property before even entering the proposed subdivision. Mr. Reich asked if there is a landscape plan. Mr. Alomer said the landscape plan would come after the final plans.

Mr. Reich said his only comment was that between the old house and new houses, it is almost all open grade, like a big open field with a new house on either side. Mr. Reich suggested having more landscaping between the houses.

Ms. Zoren said she agreed with Mr. Reich’s comments about additional landscape buffers between the new and existing properties. Ms. Zoren said she appreciated Mr. Alomer’s efforts to save the historic house and make a good site plan.

Mr. Shad said he agreed with the other comments made about saving the house and noted the proposed subdivision lots are typically bigger than the Commission sees, and he appreciated that. Mr. Shad asked if the applicants had any questions. Mr. Alomer said he did not.

**Motion:** There was no motion as this case was for advisory comments.

**HPC-20-23 – 3731 Hamilton Street/3744 Old Columbia Pike, Ellicott City**

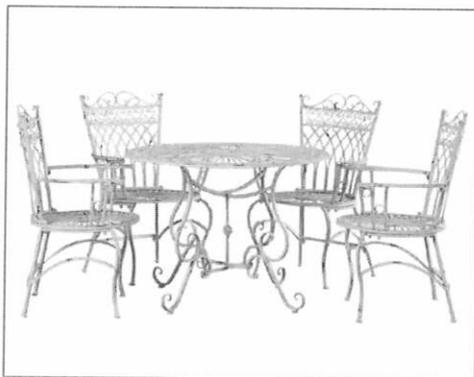
Certificate of Approval for patio tables and chair.

Applicant: Veronica Daniel

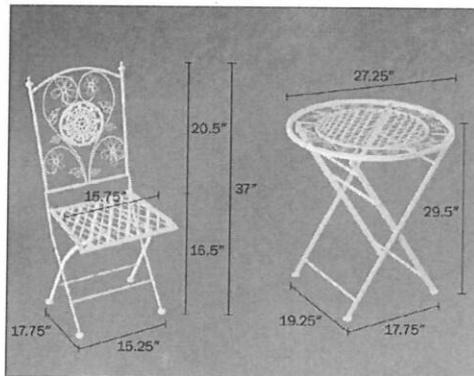
**Request:** The applicant, Veronica Daniel, requests a Certificate of Approval for exterior alterations to 3731 Hamilton Street/3744 Old Columbia Pike, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. The buildings date approximately to the 1840s-1850s.

While the application is currently before the Commission for retroactive approval, it was submitted prior the alteration taking place as part of the television show that recently filmed in Ellicott City. Unfortunately, due to the timing of the submission and a significant number of submissions already in process, staff was unable to process the application for possible Minor Alteration consideration and the alteration was made without HPC approval. Due to the “surprise” nature of the show, it was also unknown at the time if the business owner would want to keep the improvement, as she was unaware it was taking place.



Proposed Patio Tables & Chairs  
Seating for Four



Proposed Patio Tables & Chairs  
Seating for Two

Figure 11 - Installed tables and chairs

**Scope of Work:** The applicant seeks retroactive approval for the installation of iron tables and chairs (12 two person and 9 four person tables and chairs) in an off-white color.

**HPC Review Criteria and Recommendations:**

**Chapter 10.C: Parking Lots, Public Streets and Street Furniture; Street Furniture**

1) Chapter 10.C recommends:

- a. “Use street furniture that is simple in design and constructed of traditional materials such as wood and dark metal.”
- b. “Improve consistency in design throughout the historic district for items such as street lights, traffic signal, public signage, trash receptacles and other street furniture.”

The new tables and chairs are constructed from metal and are painted an off-white, but the Guidelines recommend the use of dark metal. The design of the chairs is more ornate than is commonly seen in the district. If the new furniture was painted black, the ornateness of the chairs would be less noticeable and better blend with other street furniture in the district, including that on neighboring properties.

The previously existing furniture, as shown in the application, was a simple black metal, which better complied with the Guidelines.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the application complies with the Guidelines and approve, modify or deny accordingly.

**Testimony:** Mr. Shad swore in Jeni Porter. Mr. Shad asked if Ms. Porter had any comments to add to staff recommendations. Ms. Porter said she did not have anything to add and that she got most of the information from the production team less than a week ago. Ms. Porter said she did not know what the production team was doing because of the secrecy of the TV show.

Ms. Burgess asked if Ms. Porter was the store owner and agreed with the work the production team completed and if Ms. Porter wanted to maintain the completed work. Ms. Porter confirmed she was the store owner and said she knew the white metal chairs were not traditional, but she liked the color of the chairs and thought it looked nice with all the other work the production team did. Ms. Porter said the chairs were complimentary with the stonework.

Ms. Tennor said she agreed with the staff that the white metal furniture is different from what the Commission sees outside of the streetscape in Ellicott City. Ms. Tennor noted all other street furniture is black and the application was asking for white street furniture. Ms. Tennor said she does not object to it strongly enough to have the chairs modified. Ms. Tennor asked if the street furniture has already been installed. Ms. Porter confirmed the street furniture had already been installed. Ms. Tennor said while the light fixtures are black and the furniture is white, she thinks there has been a great improvement to the property and does not object to the work but stated it is very different.

Mr. Roth said quoting the Guidelines "use simple designs such as wood or dark metal." Mr. Roth noted that while the Guidelines say wood and dark metal, these are an example not a requirement of material. Mr. Roth said the question is whether this furniture painted off white can be considered traditional. Mr. Roth said he thinks the color is okay, the chairs are a traditional material and the color is simple in design. Mr. Roth said he is okay with the application.

Mr. Reich asked if the Commission considers the street furniture permanent. Mr. Reich said the chairs are really temporary and seasonal and the chairs are not anchored in. Mr. Reich said he thinks some variety is okay and the white chairs looks a lot better than a sea of black furniture. Mr. Reich said there is nothing in the application that will destroy or detract from the architecture or environment and in a few years the chairs will need to be replaced.

Ms. Zoren said the application is a little bit different than the rest of Ellicott City and the property in question is a unique space to Ellicott City. The request is a traditional material and moveable furniture not permanently affixed. Ms. Zoren said she is okay with the application.

Mr. Shad said he concurred with Mr. Reich with regards to the situation, location and uniqueness of the request. Mr. Shad called for a motion.

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

**HPC-20-22 – 3731 Hamilton Street/3744 Old Columbia Pike, Ellicott City**

Certificate of Approval for exterior alterations.

Applicant: Veronica Daniel

**Request:** The applicant, Veronica Daniel, requests a Certificate of Approval for exterior alterations to 3731 Hamilton Street/3744 Old Columbia Pike, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. The buildings date approximately to the 1840s-1850s.

While the application is currently before the Commission for retroactive approval, it was submitted prior to the alteration taking place as part of the television show that recently filmed in Ellicott City. Unfortunately, due to the timing of the submission and a significant number of submissions already in process, staff was unable to process the application for possible Minor Alteration consideration and the alteration was made without HPC approval. Due to the “surprise” nature of the show, it was also unknown at the time if the business owner would want to keep the improvement, as she was unaware it was taking place.

**Scope of Work:** The applicant seeks retroactive approval for the installation of two awnings on the façade of the building facing Hamilton Street/Parking Lot D. The first awning on the main storefront for the business is hung on the existing, approved, awning frame. The second awning is freestanding and is held up by four posts, anchored by flower pots. This second awning is not attached to the building. The awning material is a non-reflective, Sunbrella acrylic canvas, with a slight scallop to the edges of the awning. The awnings are striped black and white.

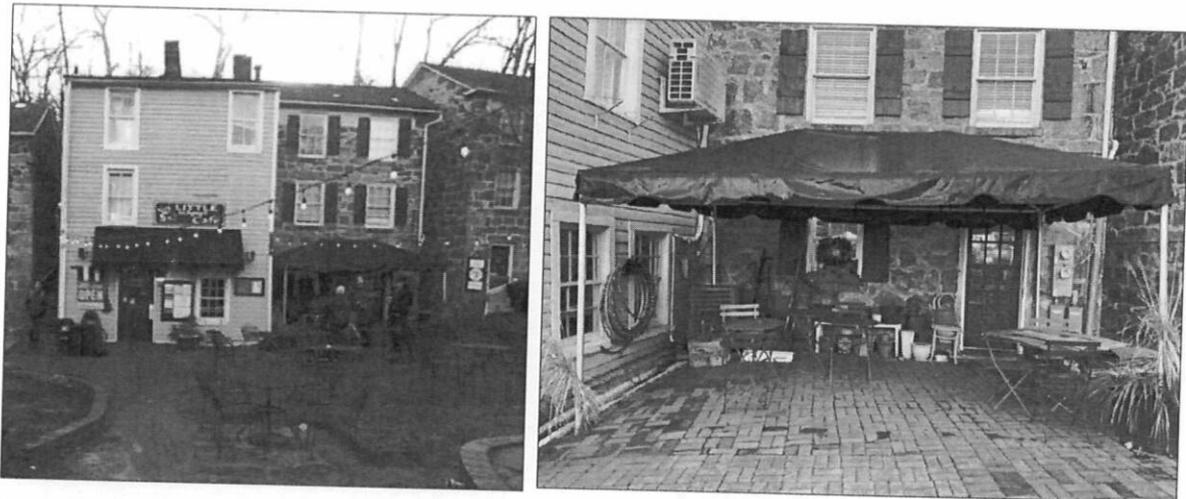


Figure 12 - Previous conditions

**HPC Review Criteria and Recommendations:**

***Chapter 6.L: Rehabilitation and Maintenance of Existing Buildings; Awnings and Canopies***

1) Chapter 6.L recommends:

- a. "When installing awnings 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."
- b. "Provide a 10-inch to 12-inch valance on awnings. On commercial buildings, use only the awning's valance for signage." The first awning over the storefront was installed using the existing frame and is scaled appropriately to the building. Both awnings are shed style with a valance, without any signage. While the exact size of the valance is unknown, it appears to be the same size as the previously existing, and as mentioned, is scaled appropriately to the size of the building.

The depth of the second awning in front of the stone building is not typical. However, for this specific scenario, the awning serves as a more of a porch area, and is not attached to the building. This awning is less of an intrusive change than a previously submitted permanent porch alteration approved May 2013, #13-21. This awning is not attached to the building and can be removed at any time. The installation and any future removal will not damage to the building.



Figure 13 - Existing conditions

The colors are compatible with the building, but not do exactly match since the trim color was changed to an off-white/cream color.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.

**Testimony:** Ms. Porter was previously sworn in. Mr. Shad asked if Ms. Porter had any additional comments to the staff report. Ms. Porter said she did not have additional comments and had been taken aback by the striped look of the awning because it was a surprise. Ms. Porter said she now finds the overall look design wise very appealing, while the striped awning is not traditional it looks quaint and adorable.

Ms. Tennor said the awning made the business look like a place to go and have some fun. Mr. Roth said he thought the awning looked lovely. Mr. Reich echoed the applicant's statement of quaint and adorable. Ms. Zoren said she was okay with the striped awning. Mr. Shad said he wished it was not a retroactive approval but was fine with the application.

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

**HPC-20-25 – Vicinity of 8210 Main Street to 8080 Main Street, 8267/8247 Main Street/Hamilton Street to 8111 Main Street, Ellicott City**

Certificate of Approval for replacement sidewalks.

Applicant: Howard County Department of Public Works

**Request:** The applicant, Howard County Department of Public Works, requests a Certificate of Approval to replace sidewalks in the vicinity of 8100 Main Street to 8225 Main Street (those sidewalks located along Main Street, east of Church Road to the Patapsco River).

**Background and Site Description:** The subject property consists of the sidewalks located in the Ellicott City Historic District along Main Street, east of Church Road to the Patapsco River, fronting historic buildings in the vicinity of 8100 Main Street, to 8225 Main Street.

In the 1990s the brick sidewalks were installed as a cost share between the County and the property owners. As a result, the existing concrete sidewalk was not entirely replaced with brick along the entire street, and portions of concrete remained.

The sidewalks were significantly damaged in the 2016 and 2018 floods. The brick, which was set on a sand base, did not hold up well in many locations and washed away. In order to immediately respond to the emergency and flood recovery efforts, DPW poured bituminous sidewalks and patched in the locations where sidewalks no longer existed as a temporary measure.

In May 2019, Howard County DPW received Advisory Comments/Pre-application advice from the HPC on sidewalk replacement in case HPC-19-20. The following month, in June 2019, Howard County DPW submitted an application for a Certificate of Approval to replace sidewalks in case HPC-19-34. Case HPC-19-34 was continued to the July 2019 HPC meeting, in which the Commission approved the replacement of three areas with concrete and the other areas to be patched with brick.

Over the course of these three meetings, the Commission had many questions on replacement sidewalks and expressed a desire to see brick sidewalks reinstalled in the future. The Commission seemed to generally agree that concrete was acceptable in places where sidewalks were largely destroyed in the floods, and as a result, are now mostly bituminous. In the areas where brick survived the floods and only had small areas of bituminous patchwork, the HPC found that brick should be used as the replacement material for the bituminous patch.

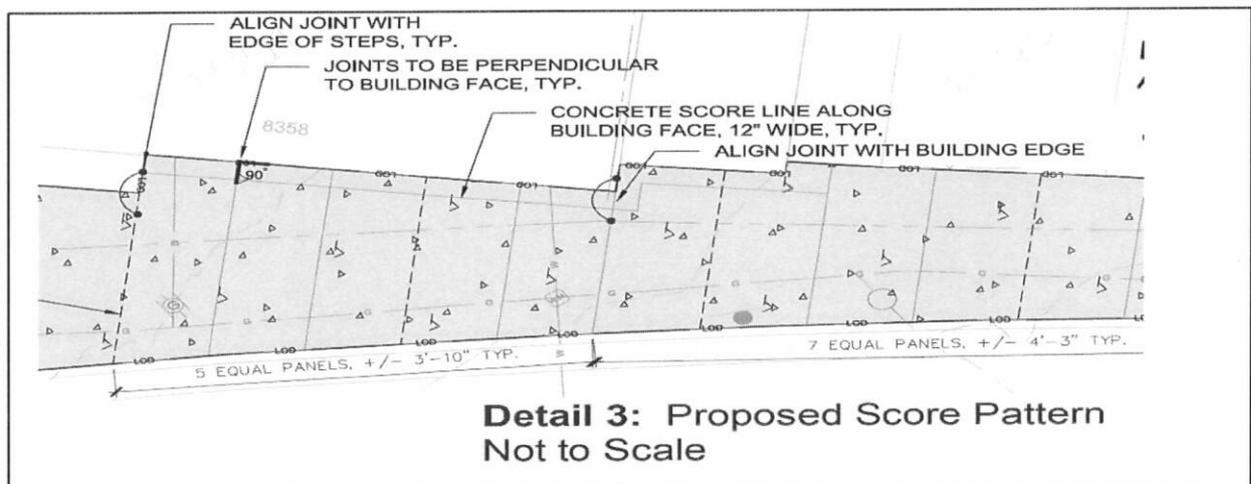


Figure 14 - Proposed scoring pattern



Figure 15 - Areas of proposed concrete replacement and brick repair

**Scope of Work:** The applicant proposes to replace the temporary bituminous sidewalks along Main Street, east of Church Road, with gray tinted concrete. In certain locations where the bricks did not entirely wash out, small patches of bituminous will be replaced with brick to match the existing. The application states, “concrete sidewalks are proposed at locations identified in the attached plan (Attachment C) and as shown in the attached photos (Attachment D). These include areas that are currently primarily bituminous paving. Where it is required for improved ADA compliance, small portions of existing brick sidewalks may be removed.”

The concrete will be tinted gray, similar to those recently installed by DPW. A scoring pattern, shown in Attachment C, will be used. This pattern includes a 12-inch wide joint along the building face. The crosswalk will contain bump outs on either side of the street and will be striped consistent with the other crossings on Main Street (white thermoplastic on asphalt paving), in conformance with the Manual for Uniform Traffic Control & Design (MUTCD) and applicable standards.

**HPC Review Criteria and Recommendations:**

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 1) Chapter 9.D states, “The most appropriate design and materials for new walls, driveways and other features depends on the specific context. As a rule, they should be simple in design and require minimal changes to the existing topography and natural features. Simple designs will be consistent with historic Ellicott City structures and help new elements to blend with their context...Whenever possible, the materials used should be those used historically in the particular area of the district, especially for features that will be readily visible from a public way.”

The concrete sidewalks are proposed for the specific context of flood resiliency. The proposed sidewalks will be simple in design. Prior to the brick sidewalks being installed in the 1990s, the sidewalks were all concrete. Research reveals that many different materials have been used for sidewalks in Ellicott City over the years, but an original sidewalk material has not been determined.

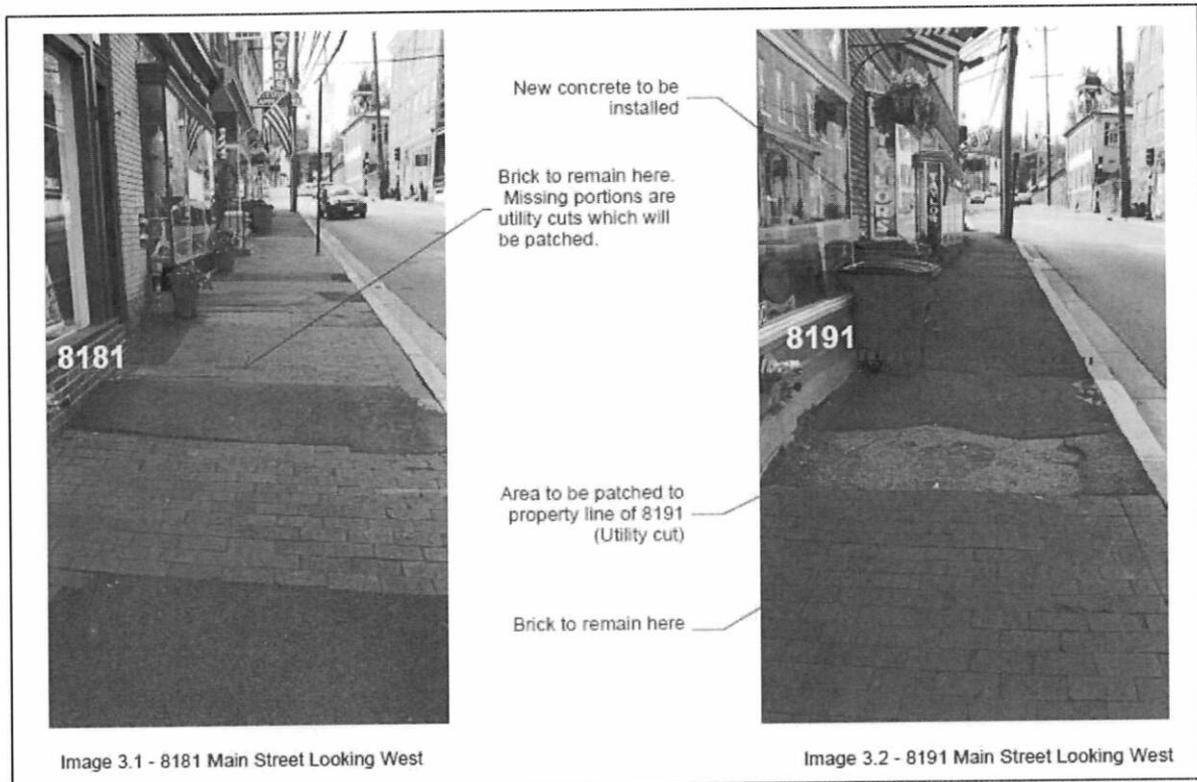


Figure 16 - Example of proposed repairs/replacement

**Chapter 10.A: Parking Lots, Public Streets and Street Furniture; Paving Materials and Street Design**

- 2) Chapter 10.A states, "A variety of paving materials can be used as alternatives to asphalt or concrete. The brick sidewalks and crosswalks used along portions of Main Street blend well with the mix of historic building materials. Granite pavers or stone walks would be in keeping with the early Ellicott's Mills period of the historic district's growth. During the later Ellicott City growth period (mid to late 19<sup>th</sup> century) granite curbs with asphalt block and London Walk pavers would have been used. Use of materials such as these for plazas, parking areas, driveways or walkways will help to provide an appropriate public environment for the historic district."
- 3) Chapter 10.A states, "The concrete sidewalks along Main Street should continue to be replaced with brick when possible. The uniform use of brick for these sidewalks will help to create an identifiable, attractive historic commercial area."
- 4) Chapter 10.A recommends, "When opportunities arise, replace concrete sidewalks with brick along Main Street between Ellicott Mills Drive and the Patapsco River."
- 5) Chapter 10.A recommends, "For plazas, driveways, parking lots, walkways and other paved areas, use stone or stone-like materials as alternatives to asphalt or concrete where practical."

While the proposed scored concrete sidewalks do not comply with the Guideline's recommendations to replace the sidewalks with brick, the existing adopted design guidelines do not anticipate flood resilient materials and scenarios or account for high velocity floods and the corresponding shear stress on the infrastructure. The proposed replacement also complies with the previous approval from July 2019 (HPC-19-34) to replace the areas that are all asphalt with concrete and patch areas that are mostly brick using new brick. Only small areas that are currently brick are proposed to be concrete when needed for ADA compliance.

The proposed concrete sidewalks would comply with the goal of Chapter 10.A in that it would involve the uniform use of one material and would “create an identifiable, attractive historic commercial area.” The areas to be replaced with concrete consist of bituminous asphalt, which does not create an attractive historic district and has become a safety hazard. By extending the use of concrete to other areas, it will help to maintain uniformity and a cohesive streetscape.

**Chapter 10.C Parking Lots, Public Streets and Street Furniture, Street Furniture**

- 6) *Chapter 10.C recommends, “Improve consistency in design throughout the historic district for items such as street lights, traffic signals, public signage, trash receptacles, and other street furniture.”*

The recommendation for Chapter 10.C is not directly related to sidewalks, but emphasizes consistency in design, similar to the Guideline for Chapter 10.A which recommends “uniform use” of a material (albeit it recommends brick, which was the movement at the time the current guidelines were written). The previously existing sidewalks consisted of both brick and concrete and was not a consistent design throughout Main Street. This proposal seeks to further remove the bituminous asphalt from Main Street and replace it with concrete to be consistent with the areas replaced last summer.

The crosswalk will be designed to match the others found on Main Street, using white thermoplastic striping.

**Chapter 10 and County Code Section 16.606(a)(4)**

- 7) *Chapter 10 states, “Design of public improvements is constrained by government budgets, other laws and regulations, public safety and other factors.”*
- 8) *Section 16.606(a)(4) of the County Code states that in reviewing an application for approval, the Commission shall give consideration to, “whether the requested action is necessary to protect against threats to public safety.”*

The bituminous sidewalks have become a trip hazard and need to be replaced. Replacing these large bituminous areas (where the previous brick sidewalks mostly failed during the floods) with new brick, could result in a public safety hazard in the event of a future flood.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.

**Testimony:** Mr. Hollenbeck was previously sworn in. Mr. Shad asked if Mr. Hollenbeck had any comments to add to the staff report. Mr. Hollenbeck said that DPW is proposing to replace sections of sidewalks that are mostly asphalt with a similar gray tinted concrete that was approved in HPC-19-34. Mr. Hollenbeck said when DPW applied for HPC-19-20 and HPC-19-34, the intention was to work on the worst-case scenario sections of sidewalk and the area proposed in the new application was not on DPW’s radar. Once the HPC-19-34 project had been completed, DPW received support from the State and received a State bond bill for \$250,000 to pay for the newly proposed work. DPW walked the entirety of Main Street and took a look at areas based on photos that were completely decimated in one or both of the floods. The request is to replace these areas with concrete because of high shear stress; in areas where brick was removed for utility patching, brick would go back in-kind. DPW wants to keep sidewalks that are large brick areas in good condition in-kind. Mr. Hollenbeck said the work proposed would stop around Tiber Alley as there is a culvert project underway, so the sidewalk around that project is not addressed in this application.

Another aspect of the application that differs from HPC-19-34 is the proposition to add a mid-block crossing, roughly at Caplan’s that would help facilitate pedestrian movement across the street. There is

precedent of this type of crossing between La Palapa and the Phoenix on upper Main Street. Mr. Hollenbeck said the mid-block crossing would be composed of a curb and gutter bump out to bring pedestrians into view of vehicular circulation.

Ms. Tennor said she thought the submittal was a good response from all the comments the Commission made from HPC-19-34. Ms. Tennor said the request was valid and good with organizing the streetscape as Mr. Hollenbeck did in the application. Ms. Tennor appreciated the continuation of the gray colored concrete.

Mr. Roth said that he is in support of concrete and brick replacement but wanted to make it explicitly clear behind his reasoning for it. Mr. Roth said in his opinion the Guidelines say that the Commission should be moving toward brick sidewalks and that should be enforced except in substantial situations. Where brick washed out in the flood and modeling shows shear forces were more than the bricks could handle, it is acceptable to replace brick with concrete. Mr. Roth said he is only supportive of the application request because of the safety; using brick in areas that washed out is not appropriate due to the shear stress but in any other situation the sidewalk should be replaced with brick material as the Guidelines state.

Mr. Roth said that he was okay with the pedestrian crossing but was concerned that the bump outs would force cyclists into traffic. Mr. Roth recommended that DPW put consideration for cyclists to take the lane, so they are not forced out of the road by the pedestrian crossing.

Mr. Reich said the Commission has spent a lot of time reviewing sidewalk material in previous hearings. Mr. Reich said the concrete is really a temporary measure until all flood mitigations are put in place. Mr. Reich said in his opinion the Commission is approving this application as a temporary measure to replace the asphalt. Mr. Reich said the pedestrian crossings are a good idea, but he had not considered Mr. Roth's comments about the cyclists. Mr. Reich asked if there were two crossings being installed.

Mr. Hollenbeck clarified that there was an existing crossing at La Palapa's as a precedent for DPW to request a second crossing be installed by Caplan's. Mr. Reich asked what the green line on the plan depicted. Mr. Hollenbeck said that the green line is a depiction of the proposed pedestrian crossing location and what it would look like. Mr. Reich said he was okay with the entire application.

Ms. Zoren said the proposed application is a much more unified streetscape plan than the HPC-19-34 request. Ms. Zoren said she is glad the County is moving away from asphalt patches and the use of concrete in the designated locations due to the force of water is appropriate in the proposed locations.

Mr. Shad said he agreed with the other Commissioners and Mr. Reich noting the request would be a temporary measure until the final Master Plan is completed. Mr. Shad said at that time the Commission will have to go down another road with approvals for sidewalk request in the future. Mr. Shad said he agreed with the crosswalk and anything the Commission can do to slow down traffic. Mr. Shad said the bump outs are appropriate and necessary.

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

**HPC-20-26 – Vicinity of 3713 Fels Lane, 3673 Park Avenue, 3674 Park Avenue, 3875 Ellicott Mills Drive, Parking Lot F, Ellicott City**

Advisory Comments for stream restoration/external alterations.

Applicant: Howard County Department of Public Works

**Request:** The applicant, Howard County Department of Public Works, requests Advisory Comments and a Certificate of Approval for a stream restoration in the vicinity of 3713 Fels Lane, 3673 Park Avenue, 3674 Park Avenue, 3875 Ellicott Mills Drive, Parking Lot F, Ellicott City.

**Background and Site Description:** The properties in the vicinity of 3713 Fels Lane, 3673 Park Avenue, 3674 Park Avenue, 3875 Ellicott Mills Drive and Parking Lot F are located in the Ellicott City Historic District. The structure located at 3713 Fels Lane is listed on the Howard County Historic Sites Inventory and the Maryland Inventory of Historic Properties as HO-581, the Pines or the Fort-Heine House and dates circa 1876-77 (per the Inventory form). Per SDAT, the structure at 3673 Park Avenue dates to 1948; the structure at 3674 Park Avenue dates to 1952. The property at 3875 Ellicott Mills Drive appears to be part of Parking Lot F and does not contain any structures.

**Scope of Work:** The applicant has submitted a joint application for Advisory Comments and Certificate of Approval for the following work. As stated in the application form, the intent of the proposed work is:

“To stabilize 1,100 linear feet of an unnamed tributary to the Patapsco River and two eroded channels draining into the tributary. The proposed project is located south of Court House Drive and north of Parking Lot F in Historic Ellicott City, Maryland. The proposed work includes channel bed and bank stabilization, piping of an ephemeral channel, bank grading, slope stabilization, and vegetative establishment. Channel stability is a primary focus of the project, specifically ensuring vertical and lateral stability in areas where there was a perceived risk of channel incision or bank erosion. Proposed channel bed structures and grading are intended to increase the overall stability of the site by providing grade control and reducing erosive forces, particularly in the steep slope segments.”

The application explains that in order to accomplish the stream restoration goals, “there will need to be some removal of trees greater than 12-inch diameter, however upon completion of the proposed work the entire site will be planted with a diversity of native trees, herbaceous vegetation and live stakes.” The application identified 63 trees with a dbh (diameter at breast height) of 12 inches or greater. Of these 63 trees, 4 were identified as specimen trees. All specimen trees will remain. Of the overall 63 total trees that are 12 inches or greater, 18 trees with a dbh between 12 inches and 29.5 inches are proposed to be removed (these 18 trees are all located on the property at 3713 Fels Lane, HO-581). The replanting plan will consist of 285 trees that are 6 feet high, with a minimum 1-inch caliper. The application explains the replanting will include “a diversity of native trees, herbaceous vegetation and live stakes which is expected to adequately provide for the replacement of mature trees.”

The stream restoration will also include the following elements, as explained in the application:

- 1) **Proposed Structures** - The primary material used is riprap and existing on-site material will be incorporated into the structures to further promote a natural appearance.
- 2) **Riffle Grade Control and Cascade Structures** – “Riffle grade control and cascade structures are proposed for grade control (channel bed stabilization) along the Mainstem. Tributary cascade structures are proposed for grade control along Tributary 2. Both structures consist of a graded riprap mix that is designed to provide a balance of bed armoring, while also allowing for diversity in stream flow and bedform (roughness) through the use of smaller sized stone classes. Salvaged channel material will be utilized to fill void space between stone mixes and mimic

natural channel material. The cascade structures contain embedded logs to increase flow diversity, as well as provide additional habitat benefits.”

- 3) **Outfall Pool Structures** – “Natural step-pool structures typically occur on steep slopes and are characterized by distinct longitudinal steps formed by clasts of larger bed material (boulders and bedrock) interspersed by pools with accumulations of finer material (Montgomery and Buffington, 1997). In the drainage channel, a pool is proposed to aid in energy dissipation and steep slope transition from bedrock to gravel-bed near the Mainstem confluence. The pool will be lined with riffle mix.”
- 4) **Bedrock Enhancement** – “Consists of grading the existing channel bank back to provide for a low vegetated bench with bank stabilization methods using biodegradable coir materials...Preservation of the existing flow path, which appears to be vertically stable (predominantly bedrock) is an important consideration through this section and this feature is intended to reduce the erosive force associated with flood flows as well as provide an opportunity to increase near bank vegetation.”
- 5) **Coir Block Toe Stabilization** – “The toe of slope along the bedrock enhancement bench treatment will be stabilized with coir fiber blocks. These blocks will be flexible in nature to conform to existing bedrock topography, if encountered, and provide a stable transition between the bench zone and the bank surface.”
- 6) **Toe Boulder Protection** – “In Drainage Channel 2, the right bank toe-of-slope upstream of the outfall pool will be stabilized with toe boulder protection to provide additional slope stability and reduce the risk of lateral adjustment in approach to the proposed outfall pool. Toe boulder protection consists of placed riprap from below the toe of slope up to 0.5 feet above the toe in the area of highest bank shear. Protecting this relatively small proportion of the bank allows for protection from lateral migration and shear while still providing ample bank face for vegetation.”
- 7) **Revegetation/Landscaping** – “The planting schedule consists of four zones including 1) turfgrass, 2) live stake, 3) riparian tree, and 4) bedrock enhancement zone. The turfgrass zone is only proposed to re-establish existing grass areas such as the stockpile and access path off of Lot F. The turfgrass zone is also proposed for existing grass areas along the parking lot on Court House Drive, where the inlet and piping of Drainage Channel 1 are proposed. The turfgrass zone will receive only seed from turfgrass species. The live stake zone includes the channel banks from the proposed toe of slope to an elevation two (2) feet up the bank to allow for the installation of one row of live stakes. The riparian tree zone is located along the riparian corridor including the upper portions of streambanks and consists of a mixture of native trees. Tree planting is also proposed along the top of the slope of Drainage Channel 2 along the parking lot on Court House Drive and the proposed stockpile area. The riparian seed mix is proposed for all disturbed areas, except for the turfgrass zone. The bedrock enhancement zone is proposed on the right bank near the upstream limit of Mainstem work. Frequent inundation and proximity to the stream channel are expected to provide conditions favorable to wetland species of trees, shrubs, grasses and herbaceous vegetation. Due to the possibility of bedrock limiting rooting depths in this planting zone, herbaceous plugs are proposed. Species in the live stake, riparian tree, and bedrock enhancement zones were chosen based on their hardiness, wetland indicator status, shade, deer and drought tolerance, as well as likely and/or observed existence within the project site. Zone locations, species, and quantities are found on the landscape plans and detail sheets.”

The riparian seed mix will consist of:

Riparian Seed Mix					
Zone	Botanical Name	Common Name	Wetland Status	Percent Mix	Total Mix (lbs.)
LIVE STAKE, RIPARIAN TREE, BEDROCK ENHANCEMENT	<i>Panicum clandestinum</i>	Deertongue	FAC	30	
	<i>Elymus virginicus</i>	Virginia Wild Rye	FACW	20	
	<i>Andropogon gerardii</i>	Big Bluestem	FAC	12	
	<i>Sorghastrum nutans</i>	Indiangrass	FACU	10	
	<i>Panicum virgatum</i>	Switchgrass	FAC	5	
	<i>Chamaecrista fasciculata</i>	Partridge Pea	FACU	4	
	<i>Verbena hastata</i>	Blue Vervain	FACW	4	
	<i>Juncus effusus</i>	Soft Rush	FACW	3	
	<i>Rudbeckia hirta</i>	Blackeyed Susan	FACU	3	
	<i>Heliopsis helianthoides</i>	Oxeye Sunflower	FACU	2	
	<i>Asclepias incarnata</i>	Swamp Milkweed	OBL	1	
	<i>Aster novae-angliae</i>	New England Aster	FACW	0.7	
	<i>Aster umbellatus</i>	Flat Topped White Aster	FACW	0.7	
	<i>Eupatorium perfoliatum</i>	Boneset	FACW	0.7	
	<i>Agrostis perennans</i>	Autumn Bentgrass	FACU	0.5	
	<i>Geum canadense</i>	White Avens	FACU	0.5	
	<i>Helenium autumnale</i>	Common Sneezeweed	FACW	0.5	
	<i>Monarda fistulosa</i>	Wild Bergamot	UPL	0.5	
	<i>Vernonia noveboracensis</i>	New York Ironweed	FACW	0.5	
	<i>Pycnanthemum tenuifolium</i>	Narrowleaf Mountainmint	FACW	0.4	
<i>Solidago patula</i>	Roughleaf Goldenrod	OBL	0.4		
<i>Eupatorium maculatum</i>	Spotted Joe Pye Weed	FACW	0.3		
<i>Lobelia siphilitica</i>	Great Blue Lobelia	FACW	0.3		
Total				100	47

\* SEED SOWING RATE TO BE APPLIED AT 50 LBS/AC

The wetland seed mix will consist of:

Wetland Seed Mix					
Zone	Botanical Name	Common Name	Wetland Status	Percent Mix	Quantity (lbs.)
Wetland	<i>Carex vulpinoidea</i>	Fox Sedge	OBL	100	
Total				100	0.1

\* SEED SOWING RATE TO BE APPLIED AT 50 LBS/AC  
 \*\*Existing condition is an emergent wetland with only herbaceous vegetation.

The turfgrass seed mix will consist of:

Turfgrass Seed Mix				
Zone	Botanical Name	Common Name	Percent Mix	Quantity (lbs.)
Turfgrass	<i>Poa pratensis</i>	Kentucky Blue Grass	33	
	<i>Lolium perenne</i>	Perennial Rye Grass	33	
	<i>Schedonoris phoenix</i>	Tall Fescue	34	
Total			100	45.3

The planting schedule for trees and other vegetation will consist of:

Planting Schedule							
Zone	Quantity	Botanical Name	Common Name	Wetland Status	Size	Root	Comment
Live Stake	229	<i>Cornus amomum</i>	Silky Dogwood	FACW	3'-4' Long x ½"-1 ½" Dia	Live Stake	Plant 2' O. C.
	229	<i>Sambucus nigra</i>	American Black Elderberry	FAC	3'-4' Long x ½"-1 ½" Dia	Live Stake	Plant 2' O. C.
	229	<i>Salix nigra</i>	Black Willow	OBL	3'-4' Long x ½"-1 ½" Dia	Live Stake	Plant 2' O. C.
Riparian Tree	57	<i>Quercus rubra</i>	Northern Red Oak	FACU	6' HT, 1" cal. Minimum	7 GAL. CONT.	Plant 12' O.C.
	57	<i>Liriodendron tulipifera</i>	Tulip Poplar	FACU	6' HT, 1" cal. Minimum	7 GAL. CONT.	Plant 12' O.C.
	57	<i>Platanus occidentalis</i>	American Sycamore	FACW	6' HT, 1" cal. Minimum	7 GAL. CONT.	Plant 12' O.C.
	57	<i>Populus deltoides</i>	Eastern Cottonwood	FAC	6' HT, 1" cal. Minimum	7 GAL. CONT.	Plant 12' O.C.
	57	<i>Cercis canadensis</i>	Eastern Redbud	FACU	6' HT, 1" cal. Minimum	7 GAL. CONT.	Plant 12' O.C.
Bedrock Enhancement	213	<i>Andropogon gerardii</i>	Big Bluestem	FAC	5" Deep x 2" Dia	Plug	PLANT 18" O. C.
	213	<i>Carex tribuloides</i>	Blunt Broom Sedge	FACW	5" Deep x 2" Dia	Plug	PLANT 18" O. C.
	213	<i>Juncus effusus</i>	Soft Rush	FACW	5" Deep x 2" Dia	Plug	PLANT 18" O. C.

The trees that are 12-inches or greater to be removed are shown in the chart below. These trees are all located on the property at 3713 Fels Lane (HO-581), the Fort-Heine/Bernard Fort House. There is a note on the plan that states that Tree 43, the 29.5" American Sycamore will be field evaluated at the time of construction to determine if it can be saved.

Tree ID Number	DBH (Inches)	Common Name	Condition
17	14.0	Black Cherry	Fair
20	19.0	Boxelder	Poor
21	19.0	Boxelder	Fair
22	15.5	Boxelder	Fair
23	17.0	Boxelder	Poor
25	14.0	Boxelder	Fair
26	15.0	Boxelder	Fair
27	16.0	Boxelder	Poor
28	18.0	Boxelder	Fair
30	12.5	Green Ash	Poor
43	29.5	American Sycamore	Good
45	12.0	White Oak	Fair
47	23.0	Tulip Poplar	Fair
52	18.0	Green Ash	Fair
61	20.0	Black Locust	Poor
62	13.0	Black Locust	Poor
63	13.0	Boxelder	Poor
64	22.0	American Sycamore	Fair

**HPC Review Criteria and Recommendations:**

**Chapter 9.A: Landscape and Site Elements; Topography and Water Courses**

- 1) Chapter 9 explains, "Ellicott City's natural setting is essential to its character. In projects that involve grading land, clearing vegetation or building new structures, care should be taken to protect and enhance natural features, views of important natural features, and the environmental setting of historic buildings. The Historic Preservation Commission will review the impact of such proposals on the historic setting of Ellicott City and particularly on the relationship of historic buildings to their sites."

- 2) *Chapter 9.A recommends, "maintain and reinforce natural landscape elements, such as rock outcroppings, water courses and tree lines. Make views of natural elements, especially the Patapsco River and its tributaries, available to the public where possible."*

The proposed plan is intended to provide stream restoration and complies with the recommends to "maintain and reinforce natural landscape elements." Although 18 trees are proposed for removal, 285 new trees will be planted, in addition to the other vegetation, stream structures and enhancement.

The trees to be removed at 3713 Fels Lane are not in close proximity to the historic structure. They are located within the forested area. The Commission should determine if these trees are part of the environmental setting of the historic building and if their removal will adversely affect the building.

#### **Chapter 9.B: Landscape and Site Elements; Trees and Other Vegetation**

- 3) *Chapter 9.B recommends, "Retain mature trees and shrubs. Provide for their replacement when necessary."*
- 4) *Chapter 9.B recommends, "Include landscaping improvements as part of any construction project in locations visible from a public way. In most cases, use plant varieties native to the area."*
- 5) *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."*
- 6) *Chapter 9.B states that "removing live trees with a diameter of 12 inches or greater 4.5 feet above ground level" requires a Certificate of Approval.*

The 18 trees to be remove range in condition from fair to poor. The only tree marked with a condition of "good" is Tree 43, the 29.5" American Sycamore, which will be field evaluated at the time of construction to determine if it can be saved. In order to accomplish the stream restoration, the application states that the removal of these trees is necessary. The removal of the trees will be remediated by the substantial replanting plan, including 285 new trees (Northern Red Oak, Tulip Poplar, American Sycamore, Eastern Cottonwood and Eastern Redbud), 229 Silky Dogwood live stakes, 229 American Black Elderberry live stakes, 229 Black Willow live stakes and the riparian, wetland and turf grass seed mixes. The proposed replanting complies with the Guideline recommendation to provide for the replacement of matures trees and shrubs.

**Staff Recommendation to the HPC:** Staff recommends the HPC provide Advisory Comments on the application. If the Advisory Comments do not result in changes to the proposal, Staff recommends the HPC approve the application as submitted. If the Advisory Comments will result in changes, Staff recommends the HPC recommend continuing the application for Certificate of Approval to the next meeting, in order to better address the comments.

**Testimony:** Mr. Shad swore in Avinash Dewani from the Department of Public Works and Lindsay Nicoll from McCormick Taylor. Mr. Shad asked if the applicants had any additional comments to add to the staff report. Mr. Dewani explained the request was to provide a stable stream channel as the channel is eroded in several locations. DPW will not be removing any structures. Mr. Dewani said the application was proposing to remove 18 trees and in turn DPW will be planting 285 trees, but this could change slightly based on site conditions.

Mr. Shad swore in Mark Richmond, Division Chief of the Stormwater Management Division of DPW.

Ms. Tennor noted there was a lot of detail addressed in the application submittal. Ms. Tennor said she hopes DPW can save some of the larger trees listed as being removed, specifically the 29.5-inch Sycamore but was impressed to see so many live stakes being planted. Mr. Dewani said DPW has done live stakes for a lot of stream projects. Ms. Tennor said the stream will function better once the project is finished.

Mr. Roth said he did not think that a 29.5-inch Sycamore in good condition is adequately replaced by any number of smaller trees. Mr. Roth said his approval was dependent upon a better justification to replace the Sycamore. Mr. Roth asked why the Sycamore had to be removed. Ms. Nicoll said the goal of the project was to save the Sycamore, but it was listed for removal as the reality of the storm drains that have the tightest drain width possible will still have an end wall that impacts the root structure of the Sycamore. Ms. Nicoll explained that when the tree roots are excavated, the roots may be in the limit of excavation. It is possible the root structure will not be in conflict but this application was written in caution addressing the scenario that the root structure is in conflict and will need to be removed. Ms. Nicoll said there is a risk to damage the tree root structure with construction activities, but the intent is to save the tree. Ms. Nicholl noted the gully adjacent to the parking lot is pretty deep and unsafe as it is working up to the parking lot, but the intent is to save the tree but be prepared in case the tree cannot be saved. Mr. Roth said that information was what he was looking for in terms of justification of the application request. The only viable location of the storm drain is such that has to be in this path that impacts this tree but if the County can save the Sycamore they will. Mr. Roth recognized that if the stabilization effort is not put in, the gully will expand and destroy the parking lot.

Mr. Reich said the size of the plans were difficult to interpret with the amount of detail included on the plans. Mr. Reich summarized the location of the scope with the applicant for clarification. Mr. Reich noted there is quite a dip with grading and asked if the applicant was going to clean up the slope on both sides. Mr. Dewani said the channel is unstable with a very steep slope and the application was to make a flatter slope. Mr. Reich noted the different materials that will be used to help flatten the slope such as embedded logs and stone. Ms. Nicoll said the slopes in this channel are very significant, so the hydraulics are substantial, incorporating material on the site to use in the structures is beneficial, combining wood from the site and stone helps to increase the diversity and character of the structures. Mr. Reich asked if the logs would rot over time when everything is stabilized. Ms. Nicoll said yes, the logs are not used in a way that the structure is dependent upon the logs; the structure will be set in stone within a rock matrix, riparian and live stakes assist and the logs will rot over time when everything is established and stabilized.

Mr. Reich said there were three areas of riprap. Ms. Nicoll said the riprap were instream structures that are like a backbone, those structures are the vertebra that give it structure and hold it in place and create a cascade of structures. Mr. Reich said the structures would be as follows: a headwall that is about 50-100 feet, then riprap and then starting the cascade structures. Ms. Nicoll clarified the riprap pattern that is seen is existing, it is a replacement of a failing roadway. Mr. Reich and Ms. Nicoll continued to discuss the site plan. Ms. Nicoll explained the use of coir block to help plant density and allow the natural vegetation can regenerate.

Ms. Zoren said she did not have much to add that has not already been said but urged the applicants to keep as many of the large trees as possible. Mr. Shad echoed Ms. Zoren's comment about trying to keep the large trees but noted anything will be an improvement to the tributary.

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

**HPC-20-27 – 3877 College Avenue, Ellicott City**

Certificate of Approval for exterior alterations to stone retaining wall.

Applicant: Michael Smith

**Request:** The applicant, Michael Smith, requests a Certificate of Approval (partially retroactive and partially for work not yet completed) to make exterior alterations to a stone retaining wall and remove two trees at 3877 College Avenue, Ellicott City.

**Background and Site Description:** The stone wall is located along College Avenue, within the Ellicott City Historic District, in front of the house at 3877 College Avenue. The trees are most likely associated with the Hazelhurst estate, which contains the historic house, Hazeldene/Lilburn (HO-353). Hazeldene/Lilburn was constructed using massive, ashlar granite blocks in the Gothic Revival Style. According to a history compiled with Historic Ellicott City, Inc., the original Hazelhurst estate consisted of over 2000 acres and the house was constructed in 1851. This entry up College Avenue originally contained an entry gate (a historic feature which the current owner moved elsewhere on his property to protect from vandalism). The oak trees appear to be purposely planted along College Avenue, as an allée along the entry to the Hazelhurst house (HO-353). There are other oaks of a similar size along the roadway.

The application explains that the stone walls have been hit numerous times over the years by vehicles. The applicant has been working with the Department of Public Works (DPW) on a plan for the roadway and has contacted HPC staff over the last few years to discuss the wall and potential plans. On December 9, 2019, HPC staff, DPW and the applicant met on-site to review the work that had been done and the work that was yet to be completed due to the trees that needed to be removed.

This application was originally scheduled for the March 2020 HPC meeting, as case HPC-20-06, but was withdrawn by the applicant prior to the meeting.



Figure 17 - Original location of wall



Figure 18 - Realigned wall. Note the increased width of the shoulder.

**Scope of Work:** The applicant seeks retroactive approval for the re-alignment of approximately 80 linear feet of stone wall that has been moved back between one and six feet from the roadway. The applicant also seeks approval to finish moving the remainder of the stone wall, which consists of approximately 65 linear feet that would be moved back four feet and gradually taper to a zero-foot setback at Ross Road. The applicant seeks approval to remove two oak trees in order to complete this work. The application states that the tree root zone area would be impacted by the wall relocation, which would cut through the root zone in order to pull the wall back four feet at this location. Tree A, shown in Figure 8, has a circumference of 112 inches, with a diameter of 35.67 inches. Tree B, shown in Figure 8, has a circumference of 126 inches, with a diameter of 40.13 inches.



Figure 19 - Tree A on the left; 35.67-inch diameter. Tree B on the right; 40.13-inch diameter

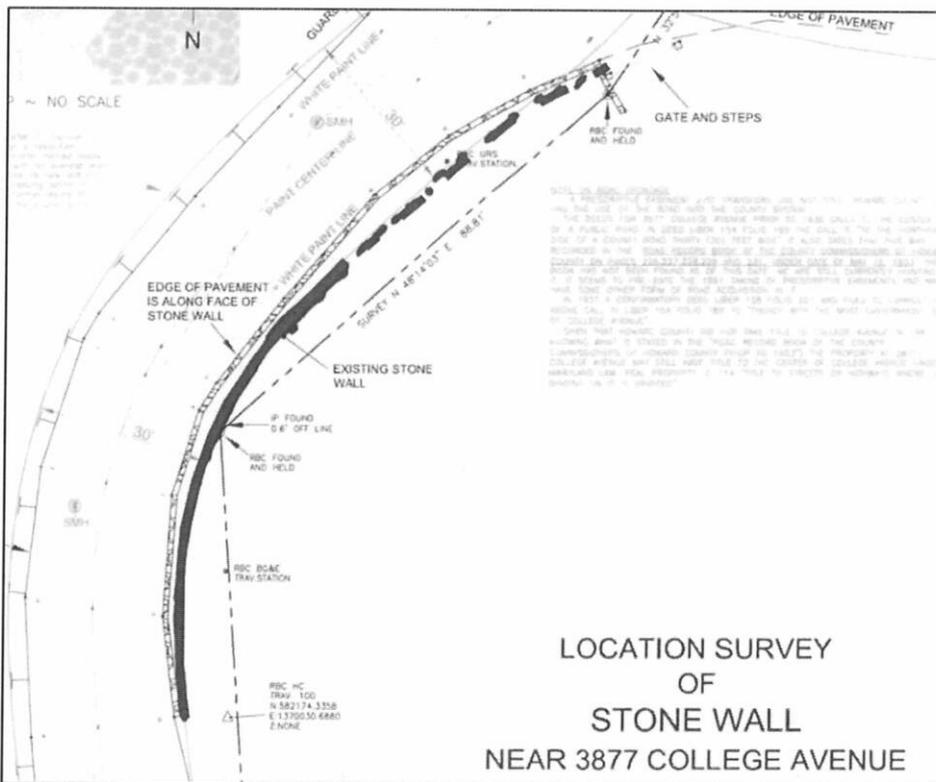


Figure 21 -- Red lines indicates wall that was already re-aligned and rebuilt (for retroactive approval). Blue dashed line shows remainder to be completed (requires approval).

**HPC Review Criteria and Recommendations:**

**Chapter 9.B: Landscape and Site Elements; Trees and Other Vegetation**

- 1) Chapter 9.B explains, “...Along other streets, however, large mature trees remain an important part of the streetscape. Some, such as the silver maple trees along upper Church Road (planted in 1888), are similar in age to nearby historic buildings. These and other trees that are tied to the history of the area should be carefully protected.”
- 2) Chapter 9.B recommends, “Retain landscaping patterns that reflect the historic development of the property.”

As mentioned above in the background, the proposed trees to be removed are most likely associated with the original Hazelhurst estate and historic house, Hazeldene/Lilburn (HO-353). The oak trees appear to be purposely planted along College Avenue, as an allée along the entry to the Hazelhurst house (HO-353). There are other oaks of a similar size along the roadway.



Figure 20 - Oak trees proposed to be removed

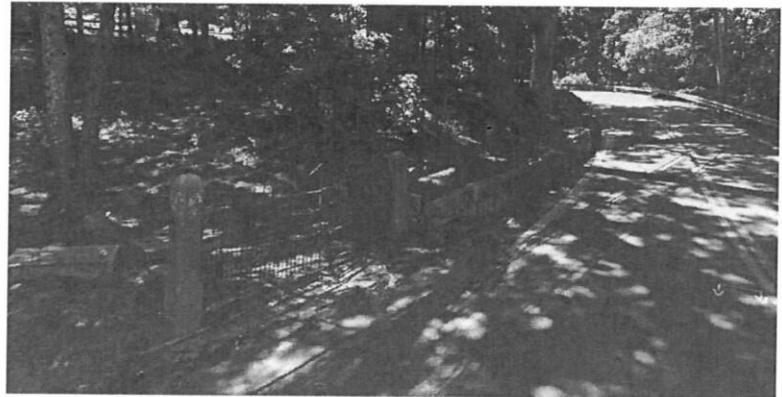


Figure 22 - View of historic gates (since removed), stone wall and proposed trees to be removed in 2011.

- 3) Chapter 9.B recommends against the “removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structure.”

The trees appear to be in good health; there has been no evidence presented that indicates otherwise.

- 4) Chapter 9.B recommends, “Retain mature trees and shrubs. Provide for their replacement when necessary.”

The application does not indicate if there is a plan to plant new trees and shrubs. While this area is adjacent to wooded side yard, a site visit in July 2019 (HPC-19-36) to review trees to be removed, revealed at least a dozen or more dead trees. In 2019, HPC-19-36 was approved to remove four trees in this vicinity. There were two additional trees to be removed at this time that did not require approval. The removal of the current trees, in addition to the six removed last summer, and the existing dead trees, will result in a change of character if there is no replanting plan.

**Section 20.112 (b)(4)(i) – Eligible Work**

- 5) Section 20.112 of the Code states that eligible work is “work done on an eligible property after the owner receives initial approval of an application for a certificate of eligibility.”

The relocation and rebuilding of the wall was done without approval and is not eligible for tax credits.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the application complies with the Guidelines and approve or deny accordingly. If the Commission approves the removal of the trees and relocation of the remainder of the wall, Staff recommends the HPC consider a replanting plan to mitigate the effect of those alterations.

**Testimony:** Mr. Shad swore in the owner, Michael Smith and Mark Jurus, Rockin Walls contractor. Mr. Shad asked the applicant if he had any additional comments to add to the staff report. The applicant provided testimony in support of his application, providing background information on previous traffic accidents involving the wall. DPW had been brought in to consult and fund part of the repairs to the wall due to the previous accidents. Mr. Smith said that DPW staff said to resolve the repetitive issue with accidents, Mr. Smith would need to move the wall back two to four feet and remove the trees where the wall would be relocated or to remove the wall and the trees. Mr. Smith said he wants to retain the wall but relocate the wall off from the road.

Mr. Jurus, speaking on behalf of the application, is certified as a dry stone professional waller. Mr. Jurus said the wall was originally made of pink granite from the quarry in Ellicott City and was topped off with blue granite that is from Baltimore County quarries. Mr. Jurus said he had to correct a lot of wrong methods utilized in the drystone wall and put it back together properly. Mr. Jurus explained in order to give the wall a better lifespan the wall was increased by an additional front side wall with a back side, the backside will have a low-grade foundation and maximizing the traditional material for face stones.

Ms. Tennor said she was glad that the applicants were not only saving the wall but retaining the level of craftsmanship and quality of the wall. Ms. Tennor said she was confused why the applicants were bringing the request to the Commission if they had been working with County staff and why the reconstruction got as far as it did before the Commission saw the request. Mr. Smith acknowledged that the request should have come before the Commission before the work started but expressed he experienced issues with his neighbors regarding the safety of the damaged wall. Ms. Tennor clarified that the applicant felt like he had to move forward without approval because of increased traffic and accidents. Mr. Smith said since Mr. Jurus has fixed the wall there has been no impacts to that portion of rebuilt recessed wall. The portion of the wall that remains unfixed has had impact as it still resides adjacent to the street.

Ms. Tennor asked how Mr. Smith found Mr. Jurus to work on the wall. Mr. Smith said it was kismet and asked Mr. Jurus to explain how walls in Ellicott City have been properly repaired and replaced. Mr. Jurus said the tie stones are old granite tombstones that tie back into the wall to have length. The stone wall now is made of up of pink and blue granite and black granite from Olney. Mr. Jurus has mixed the granite throughout the wall to preserve it. Howard County DPW had a stockpile of stone and he was able to obtain some from the workers when they were working on the Baptist Church and Meyer stream restoration projects otherwise there is no other way to obtain stone like the kind found in Mr. Smith's wall.

Mr. Roth said he felt that the application was appalling and that he was not going to vote to remove the trees or vote to move anymore wall from the historic context. People drive wild and it is the County that has not added traffic calming measures and that does not justify moving a historic wall out of its context or removing healthy trees. Mr. Roth said it was very regrettable for moving the wall already. Mr. Roth will approve what has been moved but will not approve any more of the relocation of the wall. Mr. Smith said that the County looked at the traffic patterns and were afraid that cars would become

airborne if speed bumps were put in or had concern for the noise level of any traffic calming created. He said DPW thinks pushing the wall back was the right move. Mr. Smith said that trees that are leaning now will come down at some point and will impact the town houses across the street.

Mr. Reich said he sees the application request as a minor realignment, with moving the wall a few feet back. The trees are leaning so much, that even though they are historic, they are not going to last the way that they are. Mr. Reich noted at some point the trees will be taken and the electric lines could go down with the trees. Mr. Reich said he thinks the application is a great improvement because the applicant is improving the longevity and stability of the wall. Mr. Reich said he thinks it is a beautiful wall and wants the applicants to finish the project. Mr. Reich said he thinks the trees are okay to be removed as they lean over the road too much.

Ms. Zoren said she is inclined to agree with Mr. Roth. Ms. Zoren said as Mr. Smith pointed out, this was one of the last walls of its type in that condition in Ellicott City. Ms. Zoren commended the applicants for repairing the wall with historically appropriate materials. Ms. Zoren said the trees in question are really part of the District and planted in a historic pattern and layout. Ms. Zoren said she would like for the applicant to consult with a tree preservationist or a tree expert. Ms. Zoren noted that the applicant is talking about moving the wall 2-3 feet and explained that if less than 25% of the tree's roots were disturbed, the tree can survive if the roots are trenched properly. Ms. Zoren asked if the project could move the wall in while keeping the oak trees and said that she would like to see the applicant explore that option.

Mr. Shad said as far as the retroactive approval aspect, he understands why the application had to be done that way. Mr. Shad said he agrees with Ms. Zoren's comments about the repairs made to the walls. Mr. Shad said he would hate to see the trees go but knows if the trees become a hazard to traffic, they are going to come down naturally or another way. Mr. Shad said he is okay with the trees being removed and hopefully new trees can be planted on the property for mitigation.

Mr. Smith said that the applicants had looked at the tree ball that Ms. Zoren referenced but did not think there was a feasible way with the tree being so close to the edge of the wall and there was not much support holding the tree up. The applicant is unable to do any work to the wall because of the tree. Mr. Jurus explained how the tree roots were impacted no matter how they tried to work around them. Mr. Jurus said that he was told by the County there could not be any canopy over the roadway. Ms. Zoren asked if the applicants have talked to a tree expert or just gone by the word of an engineer. Mr. Smith said he was going by the word of his waller, Mr. Jurus.

Mr. Jurus said that the trees have a great value but it is important to remember Ellicott City is known for its granite and drystone walls, like the one in the application are some of the most visible displays of the granite. An Oak Tree has a life span of 150 years, if the tree was planted when the castle was built then the tree is past its life span as the wall has been in place for 170 years. Mr. Jurus said he is able to expand the lifespan of the wall longer than 170 years.

Mr. Taylor said before a motion is made, staff recommended the Commission consider a replanting plan to mitigate the effect of the alteration. Mr. Taylor said he was not sure if this was discussed or if the applicant had any response to that recommendation. Mr. Smith said he would be happy to plant or replant a distance back from the wall so in time the trees would not hit the wall. Mr. Smith reminded the Commission he has come before them for a very large oak tree that fell down abruptly and took out other trees when it fell down where this project staging area is located. Mr. Smith said he would be willing to work with staff to come up with a replanting plan.

**Motion:** Ms. Tennor moved to approve the application to rebuild the granite wall and remove the two oak trees, retroactively with the stipulation that the applicant complete the rebuilding and to come back to the Commission or to staff with a planting plan to take into account the trees that are posing a hazard and are going to be removed. Mr. Reich seconded.

Mr. Taylor said he understood the motion to be approving the work that has been already done only and asked for clarification.

Ms. Tennor added to the motion to complete the proposed realignment of the wall and approve the tree removal with the stipulation that the applicant come back with a planting plan to mitigate the trees removed. Mr. Reich seconded. The motion was approved 3 to 2, Mr. Roth and Ms. Zoren opposed.

**HPC-20-28 – 3832 Old Columbia Pike, Ellicott City, HO-558**

Advisory Comments for subdivision plan.

Applicant: Stephanie Tuite; Fisher, Collins and Carter, Inc.

**Request:** The applicant, Stephanie Tuite, requests Advisory Comments for a subdivision plan at 3832 Old Columbia Pike, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1860. The site is zoned R-ED and consists of 2.99 acres.

In May 2015, the Commission provided Advisory Comments on the proposed subdivision in case HPC-15-32. The plan initially proposed a total of three buildable lots (two new and one for the existing house) and one open space lot. At this time, the Commission recommended the houses face the road, to be consistent with other houses in the historic district and recommended against front loading garages, which are not appropriate in the historic district.

**Scope of Work:** The current subdivision plan proposes the same number of lots. There will be four total lots to include: two new buildable lots, one lot for the historic house and one open space lot at the rear of the property. Lot 1 will be 13,240 square feet; Lot 2 will be 11,744 square feet and Lot 3 (which contains the historic house) will be 38,349 square feet. Open Space Lot 4 will be located behind the house, at the rear of the property and will be 65,335 square feet.

The application explains that the “lots and proposed houses have been shifted as much as possible given the steep slopes on the property to address prior HPC comments and concerns raised at the time of the previous application.” The houses are also being shown with detached garages, to the east of the houses and setback further than previously shown, in order to provide a more open view of the existing historic house, than the previous plan allowed. The house on Lot 1 is proposed to face Old Columbia Pike, while the house behind it on Lot 2 will face west, toward the historic house.

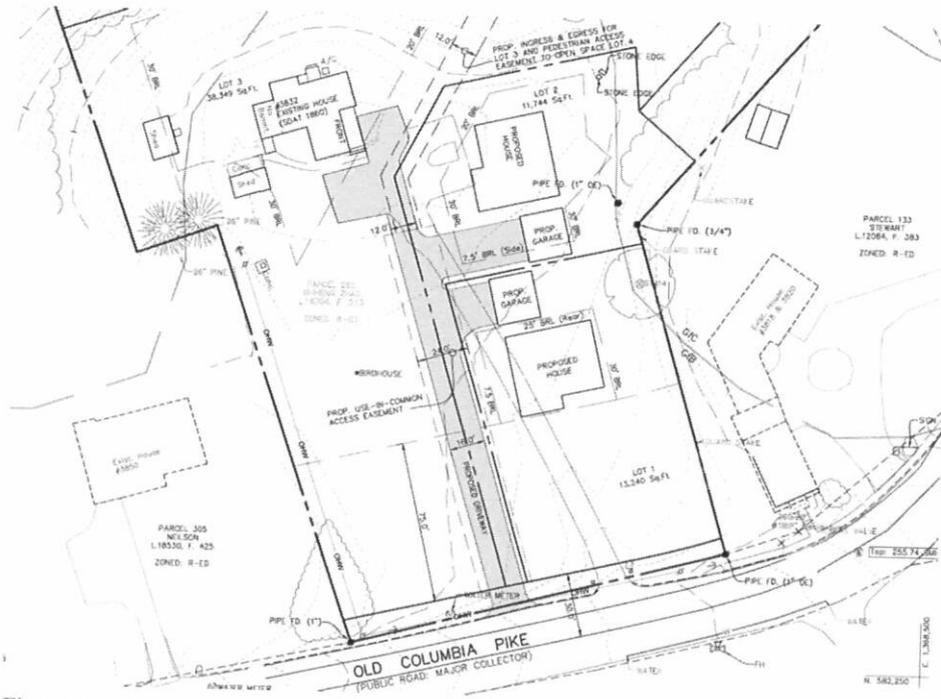


Figure 23 - Proposed site layout



Figure 24 - View from Old Columbia Pike



Figure 25 - View from Old Columbia Pike

#### **HPC Review Criteria and Recommendations:**

##### **Section 16.118 – Protection of Historic Resources**

Section 16.118 of the subdivision regulations recommends:

- 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.”*

The application complies with this recommendation; the historic house and its associated outbuildings will be located on one large lot.

##### **Section 16.118 of the subdivision regulations recommends:**

- 2) *“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.”*
- 3) *“Access to the historic property should be via its existing driveway, wherever possible.”*
- 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 facade.”*

The new structures will be juxtaposed with the historic structure and located in close proximity to it, given the layout of the property. However, the new structures are situated on the east side of the property. This allows the west side of the property to remain open, maintaining the existing viewshed of the historic house. The existing driveway will not be retained for site distance constraints, but the new shared driveway will follow a similar path to the historic house and will not adversely impact the historic structure.

##### **Chapter 8.D: New Construction: Principal Structures, Design of New Subdivisions**

- 5) *Chapter 8.D explains, “Property owners who are subdividing land should seek comments from the Historic Preservation Commission before the final subdivision plan is approved...The advisory comments made by the Commission will alert property owners to the issues they may face when applying for Certificates of Approval after the subdivision is recorded, and will enable them to plan for improvements in a manner sensitive to the historic district.”*

The new subdivision plan currently presented has taken into account previous advisory comments from the Commission and, as a result, the plan is more sensitive to the context of the historic district with the front facing house on Lot 1, the detached garages, and wider viewshed of the historic house.

**Chapter 8.C: New Construction: Principal Structures, Siting New Buildings**

- 6) Chapter 8.D states that new subdivision should follow the design guidelines in this section.
- 7) Chapter 8.C states, "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."

The new house on Lot 1 will be the house closest to the street and has a front setback of 75 feet, to comply with Zoning Regulations. The houses along Old Columbia Pike, within the historic district, are all close to the street, up until the existing house at 3832 Old Columbia Pike. The historic house is located approximately 270 feet from the street, so having a 75-foot front setback at this location is consistent with the existing setback.

- 8) Chapter 8.C states, "Whenever practical and consistent with neighboring buildings, orient new buildings with the front door 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 house on Lot 1 will face Old Columbia Pike, as previously recommended by the Commission. The proposed house on Lot 2 will face west, toward the historic house. Due to the setback and curvature of the street, this front of this house (facing west) may be visible from Old Columbia Pike when approaching the historic district.

**Staff Recommendation to the HPC:** Staff recommends the HPC provide advice on the proposed lot layout and subdivision design.

**Testimony:** Mr. Shad swore in Stephanie Tuite. Ms. Tuite said that she had been talking and working with staff and come up with a couple of layouts to address the issues from the previous design that had come to the Commissioners before. Ms. Tuite said she had tried to make the plan more sensitive to the concerns and designed it such that the detached garages are tucked between the two houses. The driveway is realigned because there are major site distance issues coming up the street and this plan gives the vehicles a bit more site distance. Ms. Tuite said there are very few trees that are in the site, the only specimen tree, a Norwegian spruce on the first lot is not native to the area, and all the other specimen trees are on back of the property.

Ms. Tennor said she appreciated the setbacks the applicant provided for the new houses on Old Columbia Pike as it matches the setbacks of the neighboring house as you pass and go around the curve. Ms. Tennor said she has no trouble imagining the difficulty of turning out on to Old Columbia Pike. Ms. Tennor said she is undecided of the advantage of the lot in front of the existing house as the existing house would benefit greatly from the current view shed. Ms. Tennor asked if there was a way to screen the side of the new house from the road. Ms. Tennor said it is not be very obvious that the second house is turned 90 degrees but adding some planting would help. Ms. Tennor said this application was a much better solution than the original plan the Commission saw.

Mr. Roth said he thinks this plan is way better than the frontloading houses that were previously shown. Mr. Roth continued the house nearest to the road mirrors the road and is appropriate with the garage behind it and the second house in the back is appropriate use of space. Mr. Roth said he is okay with the application.

Mr. Reich said he was glad the existing house was being saved and glad the new lots are off to the right and the viewshed on the historic house is saved. Mr. Reich suggested the only improvement he could see would be appropriate landscaping to shield and separate the new lots from the historic house.

Ms. Zoren asked if the parking pad in front of the historic house was existing. Ms. Tuite said the parking pad was existing and that in front of lot 2, some of the gray space [asphalt parking] had been removed. Ms. Tuite explained that currently it is all paving and that the plan is going to remove a section of the paving and everything shown on the drawing is existing. Ms. Zoren said she felt the parking pad, having cars in front of the historic house, was the only thing lacking with the application but noted the parking pad was existing. Ms. Zoren said she agrees with the landscape buffer between the existing house and new houses. Ms. Zoren said otherwise she thinks the plan is a good solution.

Mr. Shad said his comments are pretty much the same as the other Commissioners. Mr. Shad said he likes the new arrangement and garage locations. Mr. Shad said the realignment of the driveway makes a lot of sense. Mr. Shad said he appreciated how the applicants aligned the housing setbacks with that of the other adjacent houses from the street.

Ms. Tuite said she had no further comments or questions. Ms. Tennor asked why the new driveway appears so much wider than the existing one and asked if it was a zoning requirement for a shared driveway. Ms. Tuite said it was a subdivision requirement when there is more than one lot, a 16-foot wide driveway is required; the driveway width currently is only 8-feet which is not even standard for one house. The driveway as it is, is still a little narrow for two cars to pass.

Ms. Zoren asked if the pillars at the driveway are historic. Ms. Tuite said she is not sure if the pillars were originally there or not. Ms. Zoren said if the pillars are historic, she would like to see them moved to the new driveway location. Ms. Tuite said she will share that concern and said she did not think the owners would have a problem moving the pillars.

There were no other comments or questions from the Commission.

**Motion:** No motion as this case was for advisory comments.

**HPC-20-29 – 8180 Main Street, Ellicott City**

Applicant: Majd Alghatrif

**Request:** The applicant, Majd Alghatrif, requests a Certificate of Approval to make exterior alterations rebuilding the front porch at 8180 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-69, the Walker-Kinsey House. According to the Inventory form, the building on the property was constructed between 1833 and 1839.

This proposal to alter the front porch has been submitted to the Commission previously, in cases HPC-17-74 in October 2017 HPC-19-24 in May 2019. In both cases, the application was lacking needed details

and the applicant withdrew in order to research the historic porch and provide more information. The existing porch is modern and consists of pressure treated flooring boards. The applicant has also indicated in the past that there are structural issues with the footers as a result of the two floods.

**Scope of Work:** The applicant proposes to rebuild the front porch in order to achieve a wider depth and to fix the current structural issues. The work will consist of the following:

1. Restore the original depth of the building by extending the depth of the porch by two feet, to be a total of 6 feet deep. The applicant found a historic photograph that appears to show a deeper porch.
2. Replace the 4"x4" posts with 6"x6" posts, as the historic photographs appear to have larger posts than currently exist.
3. Reproduce the railing in the historic pictures using natural wood, painted beige to match the existing, with the jigsaw trim, per the historic photo. The applicant clarified that pressure treated wood, painted, would be used for the railing.
4. Increase the railing height to 42-inches to comply with code.
5. Widen the baseboard on the porch railing to 6-inches, to match the historic photograph.
6. Use natural porch flooring to match the existing. The applicant clarified that pine decking boards are proposed for the porch flooring to be stained with teak oil as it is an uncovered southern-facing porch with an appropriate spacing between the boards to maintain integrity with seasonal expansion.

#### HPC Review Criteria and Recommendations:

##### **Chapter 6.F: Rehabilitation and Maintenance of Existing Buildings; Porches and Balconies**

- 1) Chapter 6.F explains, "Porches and balconies are important to a building's sense of scale. Removing, enclosing or altering a porch can dramatically alter the appearance of a building. If a porch must be replaced, the replacement porch, even if simplified in detail, should reflect the visual weight of the original."
- 2) Chapter 6.F recommends, "replace deteriorated features with new materials as similar as possible to the original in material, design and finish."
- 3) Chapter 6.F recommends, "replace missing features, such as missing supports or railings, with materials that are appropriate in scale, proportion and style."

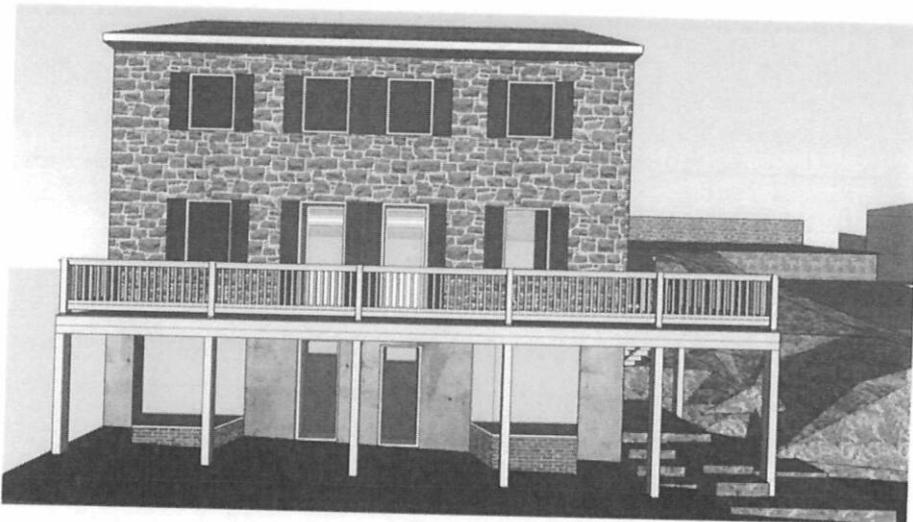


Figure 26 - Proposed reconstruction



Figure 27 - Existing conditions

Item 3 above proposes to reproduce the railing as seen in the historic photos. However, as the photos are not clear enough to see the specific detail, replacing the railing and associated components to match the existing in detail (but larger as proposed) is appropriate and complies with the Guidelines.

The proposed use of pressure treated wood railings and wood flooring boards spaced apart, does not comply with the Guidelines. Pressure treated lumber is not typically used for porch railings on a historic building; it is more commonly found on a deck. Painted, tongue and groove wood boards, would have been used for porch flooring. The proposal to maintain a space between the boards is more in-keeping with the treatment of a deck, versus a front porch on a historic building that is intended to replicate a historic configuration. While painted wood flooring is more typical than stained, the flooring will not be seen from Main Street. The use of a stain, instead of paint, will not adversely impact the building.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application, contingent upon the following:

- 1) An appropriate hardwood, and not pressure treated lumber, be used for the porch flooring, which should be tongue and groove.

An appropriate hardwood, and not pressure treated lumber, be used for the railings, pickets, posts and all other wood elements on the porch.

**Testimony:** Mr. Shad swore in Majd Alghatrif. Mr. Shad asked if Mr. Alghatrif had anything to add to the staff report. Mr. Alghatrif said he would like clarification about hardwood flooring in the tongue and groove style from a construction perspective. Mr. Alghatrif said due to the weather exposed porch he is afraid that heat will bow and alter the tongue and groove flooring and that is why he had proposed for regular decking boards as they are more weather durable. Mr. Reich said it is a question of what species of material the tongue and groove is made of, as a lot of the decks are covered by a porch roof but are still exposed to weather. Maintenance is always a concern but that is part of being in a historic district. Mr. Reich explained that if the applicant used a hardwood like ipe, teak or mahogany and leaves the deck as naturally exposed it can last 100 years without any problem. Mr. Reich suggested Mr. Alghatrif design the porch with a very slight slope to the drain water off the porch.

Ms. Tennor said as she recalled when the application came before the Commission previously, there was a lot of discussion about the steps of the porch. The Commission determined that it was more of a walkway than a deck, and there was at that time a section submitted that showed what was existing versus what the applicant wanted to build to extend the porch. Ms. Tennor asked if the staff really had no comments. Ms. Tennor said she could not tell if the deck or porch is wider than it actually is. Ms. Holmes said Ken Short the County's architectural historian, has referenced a wider porch, but it cannot be determined from historic photos provided. Mr. Alghatrif said the extension has an overhang. Ms. Tennor said the overhang will cantilever out further than the porch. Mr. Alghatrif said the structure is a porch and its meant to block the southern light and provide shade for people below. Ms. Tennor said the applicant did not submit a section for this application that actually describes how the 2 foot extension will be constructed and that is why she wanted clarification. Mr. Alghatrif confirmed there was no section in this submission but there was a section in his previous submission HPC-19-24.

Ms. Tennor said she understood why the applicant would want to extend the porch as it is more useful to Mr. Alghatrif. Ms. Tennor said she is not sure her mind is changed about the impact of extending the depth of the porch at the street level. She said she did agree with the other comments from staff that the wood should not be pressure treated decking but the materials should be from the species of wood recommend by Mr. Reich.

Mr. Roth said he was impressed with the applicant finding a historical picture of the porch. Mr. Roth said he thinks the applicant did a good job showing the new porch and the proportions with the existing porch and its proportions. Mr. Roth said he likes the request.

Mr. Reich said he agrees with the concept of the request but does not think the Commission has enough information to approve the request. Mr. Reich clarified that the application only includes a presentation drawing as a sketch. Mr. Reich said the Commission need a construction drawing that shows the details of the request in full, such as the railing dimensions. Mr. Alghatrif said the application did not include the most elaborate drawing, but he is not changing the grading or existing porch components; he will be using the same posts and railings and maintaining the existing dimensions except for extending the width of the baseboard 6-feet per Mr. Short's suggestion. Mr. Reich asked if the applicant was going to submit a construction drawing to DILP for a building permit. Mr. Alghatrif said he would be submitting a construction drawing but did not know he would need to submit it to the Commission though he would be happy to provide one. Mr. Reich said he is unsure of the porch railing design. Mr. Reich and Mr. Alghatrif review an example photo of a jigsaw bracket that Mr. Alghatrif was referred to by staff and discussed the design of the jigsaw brackets below the deck with a post to beam connection.

Ms. Zoren said a 2-foot cantilever is not a historic method of building and has nothing to do with a post connection in either drawing. Ms. Zoren asked if the request was like the picture with the jigsaw rendering or a 2-foot cantilever plan that was voiced but not shown. Mr. Alghatrif said the cantilevering was shown in the previous submittal for HPC-19-24. Mr. Reich said the rendering in the current application shows everything flush and the application needs more detailed drawings. Mr. Alghatrif said there was no perspective to show. Mr. Reich suggested that Mr. Alghatrif get a construction drawing of the request and come back to the Commission. Mr. Shad said he agreed with Mr. Reich's suggestion. Ms. Burgess said the Commission could either suggest the applicant withdraw the application, turn this application into advisory comments or continue this application to the next meeting.

Ms. Zoren said that if the application was becoming Advisory Comments that she was not in favor of the cantilever request. Ms. Zoren said she felt that the cantilever would look out of place with any of the other buildings on Main Street. Ms. Zoren said she was not against the 6-foot width of the porch but wants to understand what is happening on the underside of the porch as it is usually finished in some way especially since it would be highly visible. Ms. Zoren asked if the finishing would be bead board or painted tongue and groove and wanted that information added to the application. Mr. Reich suggested Mr. Alghatrif go to the lumber store to get product information to give to the Commission.

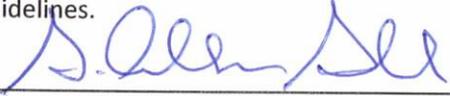
Mr. Alghatrif said he will provide clarification on the cantilever. He stated he is also amenable with the posts to extend out the full 6 feet and connect as they do now with the beam but he has concern DILP and DPW would object to the posts extending out into the sidewalk. Mr. Reich said he agreed with Ms. Zoren that cantilevering would look weird on the porch and as the building is a very prominent part of Main Street, the applicant should talk to DILP to see if he can move the column. Mr. Roth said the applicant needs to make sure that a wheelchair can get past the posts of the extended porch.

Mr. Shad asked if the applicant is willing to withdraw the application and take the Commissions Advisory Comments on the application and resubmit his request with more detail. Mr. Alghatrif said he was willing to withdraw his application. Mr. Shad said Mr. Alghatrif should bring back plans that the applicant intends to submit to DILP to give the Commission the details they will need to review along with a list of materials. Mr. Shad said the application is withdrawn and the applicant will submit a new request. Mr. Alghatrif said he will follow the Commission's recommendations. Mr. Shad clarified that the applicant is all right with withdrawing the application and submitting a new one. Mr. Alghatrif confirmed he was going to withdraw his application.

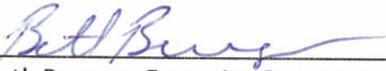
**Motion:** There was no motion the application was for advisory comments.

Mr. Shad moved to adjourn the meeting at 10:23 pm. Ms. Tennor seconded. The motion was unanimously approved.

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

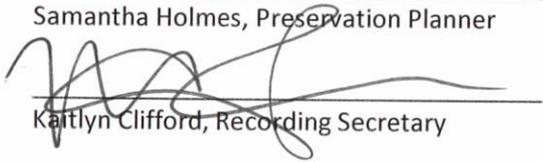


Allan Shad, Chair



Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner



Kaitlyn Clifford, Recording Secretary