



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION
ELLCOTT CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT
3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350
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September Minutes

Thursday, September 3, 2020; 7:00 p.m.

The September meeting of the Historic Preservation Commission was held on Thursday, September 3, 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.

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

Mr. Shad made a motion to add Ms. Tennor's comments to the August Minutes. Ms. Zoren seconded the motion and the motion was unanimously approved. Mr. Roth moved to approve the amended August minutes. Mr. Reich 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 Harvey

PLANS FOR APPROVAL

Regular Agenda

1. HPC-20-63 – 4889 Montgomery Road, Ellicott City, HO-538
2. HPC-20-64 – 8156 Main Street, Ellicott City
3. HPC-20-65 – 3715 Old Columbia Pike, Ellicott City
4. HPC-20-66 – 8385 Main Street, Ellicott City
5. HPC-20-67 – 3749 Church Road, Ellicott City, HO-58
6. HPC-20-68 – 3749 Church Road, Ellicott City, HO-58

OTHER BUSINESS

1. Rules of Procedure Update – consider proposals to update Rules to specifically address virtual hearings.
2. Section 106 Review: NAB-2018-62004-Kings Forest MOA Consulting Party status.

REGULAR AGENDA

HPC-20-63 – 4889 Montgomery Road, Ellicott City, HO-538

Applicant: James Joo

Request: The Applicant, James Joo, requests Advisory Comments for a subdivision plan at 4889 Montgomery Road

Background and Site Description: This property is listed on the Historic Sites Inventory as HO-538, the Marks-Lough House. According to SDAT, the building on the property dates to 1911.

The property consists of 2.02 acres and is zoned R-20.

Scope of Work: The Applicant proposes to create three total buildable lots (two new lots and one lot for the historic house). The historic house will remain on Lot 5. The Applicant proposes to remove a specimen tree from new Lot 6, which due to the size and age of the tree and proximity to the historic house, could be a historic tree.

The application form states that two structures are proposed for demolition, both are outbuildings; a garage and other outbuilding/possible cottage.

HPC Review Criteria and Recommendations:

Section 16.118 – Protection of Historic Resources

- 1) *Section 16.118, the Protection of Historic Resources state:*
 - a. *“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.”*
 - b. *“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.”*
 - c. *“Access to the historic property should be via its existing driveway, wherever possible.”*
 - d. *“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.”*



Figure 1 - Photo from Inventory form, dates to 1979



Figure 2 - Current condition of house.

The house has been significantly altered from its original, historic state after it was sold in 2015. Major character defining features, such as the wrap around porch, columns, cornice, chimneys and floor to ceiling windows have been removed. The windows have all been altered and changed from 1:1 windows that were proportionate to the floor they were located on, to 6:6 simulated divided light windows that appear to be wider and shorter than the original windows and now of a standard modern size. The first floor windows are no longer floor to ceiling and have been altered with conjunctural features, such as a pedimented lintel, with a keystone, which did not historically exist. The bracketed cornice on the dormer windows also appears to have been removed. The Inventory form states the house originally had German lap siding, which appears to have been replaced with a modern siding of a different profile and exposure. According to the Inventory form, the original front door was an open bible and cross-paneled door, was flanked by leaden paned sidelights and a seventeen light, leaden paned fanlight. This door has been removed and the opening has been made wider and a portico added over it, with a new door on the second floor. Each exterior façade has been significantly altered. For example, the south façade has had many window and door openings closed in, and in no way resembles the original design.



Figure 3 - Current aerial view.

According to aerial photography from 2013, the property previously had many specimen and other large trees located in close proximity to the historic house and historic circular drive, which have all been removed. The Applicant proposes

to remove the remaining specimen tree, which is a Black Oak with a diameter at breast height (dbh) of 38 inches. The Applicant states the tree is approximately 93 years old and is noted to be in good condition. The tree has a critical root zone of 57 feet. Staff research yielded a growth rate factor of 4 and would place this tree between 100 and 150 years because this oak is one of the smaller oak trees and would be older than another oak at this 38 "dbh size.

Due to the significant alterations that have been made to the house, it no longer retains its historic character or integrity; therefore, the new subdivision is unlikely to have an impact on the historic structure more than the alterations already have.



Figure 4 - Aerial view from 2013

Staff Recommendation to the HPC: Staff recommends the HPC provide advice on the design of the new subdivision, to include the demolition of two outbuildings, removal of the specimen tree, and the impact of site development and subdivision plan on the historic home.

Testimony: Mr. Shad swore in Paul Sill. Mr. Shad asked if Mr. Sill had any comments to add to the Staff report. Mr. Sill said he had read the Staff report and agreed with the findings that the subdivision is unlikely to affect the historic structure.

Ms. Tennor said she was appalled by what has been done to the house but noted that the historic house cannot go back to what the structure once was. Ms. Tennor said she agreed with Staff that the subdivision was unlikely to impact the house.

Ms. Tennor said the plan shows the footprints of the proposed houses and asked if there was a reason for turning the house on Lot 6 at an angle. Mr. Sill said the existing circular driveway seemed to be a central feature of the property and he was trying to orient the new houses toward the driveway. Ms. Tennor asked if there will be a front-loaded garage on the front façade of the house facing the driveway. Mr. Sill said that was correct. Ms. Tennor had no other comments, but said while the orientation of Lot 6 seemed strange, there might be some merit to having it face the circular driveway. Ms. Tennor said she deferred to the other Commissioners.

Mr. Roth did not have many comments on the application, but hoped as the historic house was being retained, that someone in the future will restore the house to its previous condition which would be much more attractive than it currently is. Mr. Roth said it was regrettable to lose the big oak tree, but keeping the historic house was good.

Mr. Reich thanked the Applicants for saving the historic house. Mr. Reich asked if the new driveways would be coming off the circular driveway. Mr. Sill said Mr. Reich was correct. Mr. Reich said he thinks the Applicant has done as much as they can to save the original character of the setting and saving the house.

Ms. Zoren said she had no objections to the removal of the non-historic outbuildings, but wished the Applicants had considered trying to save the specimen tree. Ms. Zoren noted if the Applicants re-orientated the house on Lot 6 to be parallel to the property line and mirrored the house so that the garage and the drive ran parallel to the north property line, the Applicant might be able to skirt the specimen tree and save it. The re-orientation may also improve the weird angular quality of the siting on Lot 6, which Ms. Tennor pointed out.

Mr. Sill said that he did look at a couple of different options for the house location on Lot 6 and had considered pulling the house further back into the lot and face it towards Lot 7. However, that would have the house on Lot 6 facing the rear yard of Lot 7, which was not desirable from the Department of Planning and Zoning's standpoint. Mr. Sill said he had also tried to get the driveway around the specimen tree but when the house is flipped and the driveway is placed on the low side of the lot it requires a lot more grading to make the house work in that location and the grading will impact the critical root zone and the tree would not survive.

Ms. Zoren suggested to leave the house sited on Lot 6 as it was but mirror the house so the garage was facing north and pull the drive along the northern property line so the tree would be avoided. Mr. Sill said he had not looked at keeping the house where it was and mirroring it as he was trying to fit stormwater management below the driveway, and it would become difficult to incorporate the stormwater management below the driveway if the location was moved.

Ms. Zoren said it would be great to try to save the specimen tree, even though the house does not have a lot of historic qualities. She said that one of the nice attributes of the property is the mature trees. Ms. Zoren asked Mr. Sill to look at a couple of options for saving the specimen tree. Mr. Sill said he would look more into saving the specimen tree.

Mr. Shad agreed with the other Commissioners and thanked the Applicant for saving the main historic house but found it unfortunate there were so many changes made to the house. Mr. Shad shared appreciation for lowered density of the subdivision and did not think there was more the Applicant could do with the site layout. Mr. Shad had no further comments.

Motion: There was no motion as this was an Advisory Comments application.

HPC-20-64 – 8156 Main Street, Ellicott City

Applicant: Donald R. Reuwer, Jr.

Request: The Applicant, Donald R. Reuwer, Jr., requests a Certificate of Approval to remove a tree at 8156 Main Street, Ellicott City.

Background and Site Description: This property is located in the Ellicott City Historic District. According to the SDAT, the building on the property dates to 1890. The application was initially posted as a Minor Alteration (MA-20-38) on the Commission’s website, but was removed due to an objection.

Scope of Work: The Applicant proposes to remove a tree located on the rocks at 8156 Main Street. The Applicant has identified the tree as being an invasive paper mulberry that self-planted. The tree to be removed is located in the area where the Applicant is looking into constructing terraces. The Applicant would like to remove the tree since it is an invasive species, living in an inadequate base of soil and causing the rocks out of which it is growing to crack. Staff conducted a site visit and confirmed that it is not a red mulberry (which is native) and that it meets several descriptors of a paper mulberry; the bark and heart leaves that are sandy on top and fuzzy on bottom all match paper mulberry, although the leaves do not appear lobed. Staff and the Applicant are unable to determine what other kind of tree it could be, if not a paper mulberry. The tree has three leaders; the largest of the three has a circumference of approximately 38.5 inches, which results in a diameter of 12.26 inches.



Figure 5 - Tree to be removed



Figure 6 - Close up view of tree



Figure 7 - Circumference of approximately 38.5 inches, which results in a diameter of 12.26 inches

HPC Review Criteria and Recommendations:

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

- 1) 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."
- 2) 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."

The Commission has been consistent about recommending the planting of natives and the removal of invasive trees; however, the Guidelines are silent on removal of invasive species. The tree in question appears to be a paper mulberry, which is a non-native, invasive tree. MDInvasives.org states that paper mulberry trees should be kept out of cultivation.

The Guidelines recommend against the removal of live, mature trees, unless it is necessary due to disease or to prevent damage to historic structures. This tree appears to be healthy, and is mature, providing a dense canopy over the area; however, it is growing directly in to the rock and could be limited in its root stability or long-term health. While staff were able to confirm that this was not a red mulberry, an arborist would be the best qualified to determine exactly what type of tree this is and evaluate its long-term root stability and health in order for the Commission to make an informed decision.

Staff Recommendation to the HPC: If the tree is determined to be a paper mulberry, staff recommends the HPC approve the application as submitted.

Testimony: Mr. Shad said the Commission would discuss the case without the Applicant present since the Applicant did not call into the meeting even though he had registered to attend.

Ms. Tennor said she was persuaded that the tree was an invasive species and probably had to be removed. She did not recall if Mr. Reuwer had proposed to do any new plantings on the site, in place of the invasive tree. She remembered that he had to remove the pine trees from the site. She asked the Commissioners if they asked for a planting plan or were fine without and vegetation. Ms. Burgess said Mr. Reuwer had to replant the evergreen trees every year, as the root balls cannot grow in the shallow soil and that is why the evergreen trees die every year and he replaced them every year.

Mr. Roth said the tree should be removed since it is invasive. In terms of replanting for removing an invasive plant, Mr. Roth did not think Mr. Reuwer needed to replant.

Mr. Reich agreed with the application, and said the tree should be approved.

Ms. Zoren said despite the size of the tree, it does appear to be an invasive and the root system is not stable. Ms. Zoren said she agreed with the removal of the tree.

Mr. Shad agreed with the tree removal.

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

HPC-20-65 – 3715 Old Columbia Pike, Ellicott City

Applicant: Michael Koplow

Request: The Applicant, Michael Koplow, requests a Certificate of Approval and Tax Credit Pre-Approval to make exterior alterations at 3715 Old Columbia Pike.

Background and Site Description: This property is located in the Ellicott City Historic District. According to the SDAT the building on the property dates to 1900, although it appears to have been modified over time. The Applicant has provided a history of the building, which includes being built as a car showroom with residential above. Previous uses include a florist, coffee shop and computer repair store.

On August 8, 2020 a tree fell on the building, significantly damaging the roof and siding. The Applicant was pre-approved for tax credits in MA-20-39 to replace the roof, gutter and soffits in-kind, as a result of the damage incurred.

Last month, the Applicant was approved to construct an addition, with HardiePlank panels/fiber cement panels, in case HPC-20-60.

Scope of Work: The Applicant now seeks approval to replace the asbestos siding on the entire building. The asbestos shingle siding was damaged when the tree fell, and rather than spot replace the damaged area, the Applicant would like to replace all of the siding. The Applicant looked under the existing asbestos to see if any historic siding materials existed, but it is only 1x8 wood framing. Historic photos of the building have not been found, which would have been helpful to determine what the siding material may have been.

The Applicant proposes to replace the existing asbestos siding with HardiePlank lap siding, German lap wood siding, or material of a similar nature. The siding would be painted yellow, to match the existing color.



Figure 8 - Damage to rear of building



Figure 9 - Tree that fell



Figure 10 - Damage to asbestos shingles



Figure 11 - Damage to building

HPC Review Criteria and Recommendations:

Chapter 6.D: Rehabilitation and Maintenance of Existing Building; Wood Siding, Shingles and Logs

- 1) Chapter 6.D explains, "Many frame buildings have been covered with modern siding materials such as vinyl, aluminum, asphalt or asbestos. These treatments obscure the historic materials and details such as cornerboards and cornices, and can cause damage to the structure by sealing in moisture....New siding materials are becoming available that can be closer in appearance to wood siding than vinyl or aluminum. These materials, usually composites of wood fibers and binding ingredients, are varied in their appearance and maintenance qualities."
- 2) Chapter 6.D recommends, "Remove asbestos shingles, aluminum siding or other coverings from historic buildings and repair or restore the original wall material."

The building is currently sided in asbestos shingles and the original siding material was removed prior to the installation of the asbestos. It is unknown what the original siding material was. The Applicant propose to replace the shingles with a more historically appropriate option, but due to the emergency nature of the work, has not yet acquired cost estimates for the various siding options proposed.

Chapter 6.D: Rehabilitation and Maintenance of Existing Building; Wood Siding, Shingles and Logs

- 3) Chapter 6.D states the following is a possible exception: "If wood siding must be replaced on a historic building, a composite siding material may be considered, if wood is not a viable option, the composite siding conveys the appearance of the historic material, and application of the substitute material does not damage or obscure historic features. The texture, width, shape, profile and finish of the substitute siding material should be similar to the wood siding it replaces."

In this case the existing siding is asbestos and not wood siding. As the tree unexpectedly fell on the building, the Applicant has not had an opportunity to get quotes and does not know if wood German lap siding is a viable option. It is also unknown if German lap siding was the original material, although it is known that asbestos was not the original material. It seems that a composite siding material would be appropriate, and would be an improvement over the existing asbestos shingles.

HardiePlank siding only comes in one profile, but has been used on several buildings in the District in the past, including a non-historic building constructed in a historic style fronting Main Street, a historic house on Maryland Avenue, new construction, and a historic building at St. Paul's Church. HardiePlank siding looks most like painted wood siding when the smooth finish is used. German lap siding in the traditional wood profile is used in the District, but is only found in some composite siding materials that tend to be more expensive than wood siding, such as Boral TruExterior Siding. The exposure of the siding (Hardie or wood) should be similar to the exposures found on nearby historic buildings.

Staff Recommendation to the HPC: Staff recommends the HPC approve:

- 1) The use of smooth lap HardiePlank, with the exposure to be similar to that found on nearby historic buildings.
- 2) A wood German lap siding, with the exposure to be similar to that found on nearby historic buildings.
- 3) Staff recommends the HPC approve tax credits for the wood siding. If HardiePlank is approved, Staff recommends the HPC determine if the material qualifies for tax credits as a replacement for the asbestos.

Testimony: Mr. Shad swore in Michael Koplow and asked if Mr. Koplow had any comments on the Staff report. Mr. Koplow said he had nothing to add.

Ms. Tennor said there were a lot of options for re-siding the building and asked if Mr. Koplow had gotten any closer to a decision for what he wanted to use. Mr. Koplow said he had not gotten any closer to a

decision, and the insurance adjuster had just come to the property that morning. Mr. Koplow said he wanted to be prepared so he can take action as soon as possible.

Ms. Tennor asked Ms. Holmes for precedents of siding material used when new siding has been installed. Ms. Holmes gave multiple examples of precedent: a property on Main Street near St. Luke's, which was a 1980s building, that was constructed in wood, but allowed to replace in HardiePlank. There was another property on Hill Street, which was similar to this case, as it was an asbestos sided building that had a tree fall on it, triggering the need for repair. That Applicant was approved to replace the asbestos siding in HardiePlank siding and received tax credit pre-approval. Ms. Tennor asked if German lap siding was the only wood option and did not think HardiePlank came in that profile. Ms. Holmes said Boral had a product that came in a German lap profile, but was more expensive than wood. Ms. Holmes confirmed that HardiePlank did not come in a German lap profile, but was not sure if other fiber cement siding products came in different profiles, and deferred to Ms. Zoren and Mr. Reich on this information.

Ms. Tennor asked if tax credits can be approved. Ms. Holmes said the Hill Street property received tax credits because it was considered an improvement over the asbestos siding. Ms. Tennor said the work done on this property would also be an improvement. Ms. Holmes said the unique situation about the property in question was no one knew what the historic building material was.

Ms. Tennor said the property was in a Historic District and the existing structure will need to be resurfaced. Ms. Tennor said she had preference for wood siding rather than HardiePlank but did not want to rule HardiePlank out as an option as there is precedent of the material in a similar situation. Ms. Tennor asked Mr. Koplow what impact his choice on siding will have on his windows and asked if there would be any issues coordinating the siding with all of the existing windows, in terms of not covering window trim and details. Mr. Koplow said he has thought about replacing the windows as well, but it was not part of the application because it was not urgent. Ms. Tennor said she thought the siding and windows should be considered together and suggested to have Mr. Reich or Ms. Zoren give input on the windows.

Mr. Roth said he would approve tax credits for either siding option, based on the past precedent.

Mr. Reich said the Commission did not know what material was there originally and that it was probably some type of wood siding. Since the Commission cannot determine what profile would be in-kind, HardiePlank or German lap wood siding would be fine. Mr. Reich said tax credits should be given since this application is being done to preserve the historic structure. Mr. Reich suggested looking into acetylated, a wood material that is impregnated and sealed so that it will never rot, the material might be good for the Historic District because it allows people to use real wood. The Commissioners discussed this product, as some had not heard of it before.

Ms. Tennor asked what color Mr. Koplow will choose for the siding. Mr. Koplow said he wanted to keep the color the same as the existing.

Ms. Zoren was fine with fiber cement, Boral or wood and due to the nature of replacing asbestos, she agreed the work would be eligible for tax credits.

Mr. Shad agreed with the other Commissioners that he would approve HardiePlank and said it would be appropriate to use for replacement in this situation. Mr. Shad agreed with the other Commissioners that tax credits are appropriate for the work.

Motion: Mr. Roth moved to approve the use of wood siding or HardiePlank as submitted, with tax credit preapproval for either material. Ms. Tennor seconded. The motion was unanimously approved.

HPC-20-66 – 8385 Main Street, Ellicott City

Applicant: Jane Johnson

Request: The Applicant, requests a Certificate of Approval, for exterior alterations at 8385 Main Street, 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 1920.

In response to the COVID-19 pandemic and Executive Order 2020-10, the County has established an expedited permitting process that allows temporary outdoor seating for food and beverage service uses. The applicant currently has a permit for outdoor seating; however, the permit is temporary and will expire in accordance with the Executive Order. Any businesses wishing to establish outdoor seating on a permanent basis are required to seek approval from the Commission if located in a historic district.

Scope of Work: The Applicant is seeking permission for permanent outdoor seating in two locations – on the side patio and on the sidewalk. Since the Applicant does not yet have permission to place tables and chairs on the County sidewalk, the HPC is only being asked to approve the seating on the side patio and the style of furniture. The Applicant has requested three black metal tables of the same style be added to the side of the new extended patio with the rebuilt wall. The tables are two feet in diameter and will accommodate two chairs at each table, to provide seating for six people.

If the Applicant receives permission from the County to place tables and chairs on the sidewalk, the Applicant will need to return to the HPC at that time.



Figure 12 - Proposed style of tables and chairs. From left to right, images A, B, C.

A brick wall on the right side of the building will be rebuilt in a new location, approximately two feet out from its current location, away from the building. The application states that the wall is crumbling from the 2016 and 2018 floods, and that water floods the sidewalks and enters the building during heavy rainfalls. The wall will be pushed back two feet, which will result in larger space under the side awning. The existing awning is not being replaced at this time and it is unclear if that runoff will now enter the proposed patio area. The sidewalk directly abuts the existing wall and will need to be dug out/excavated in order to build the wall in the new location. The application states that the new wall will look exactly

like the existing wall. The existing wall is tiered in height in sections; the rear starts at 42-inches high, the next section is 33-inches high, then 27-inches high and ends at 20-inches high. Three tables seating two people each are proposed to be added to this widened section.

The existing space between the building and the wall is concrete. Once the area is widened, concrete will be re-poured for the larger space. The sidewalk leading to the rear of the building will be narrower once the wall is moved and will be about 36 inches wide at the widest area, and 24 inches at the narrowest part.

The wall will be reconstructed with concrete block and will be faced with a brick veneer. The veneer is called "historic brick." The applicant did not state why a veneer was being proposed in lieu of real brick. The HPC has approved stone veneers in the past, typically for larger structural walls.



Figure 13 - Proposed veneer example on taller wall.



Figure 14 - Damage to existing wall.

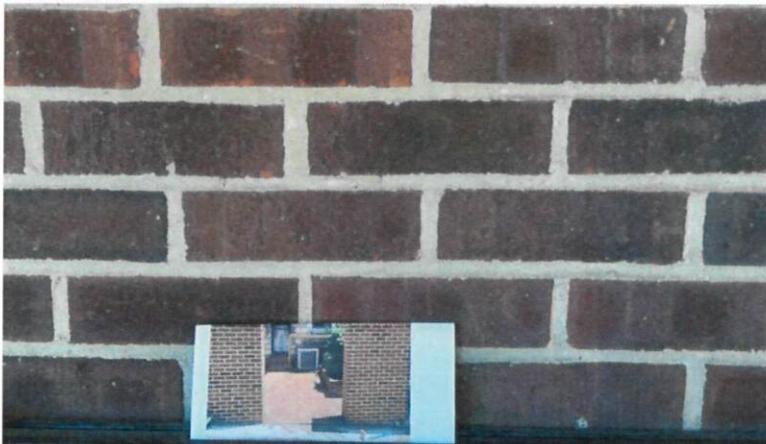


Figure 15 - Comparison of proposed veneer against existing brick.

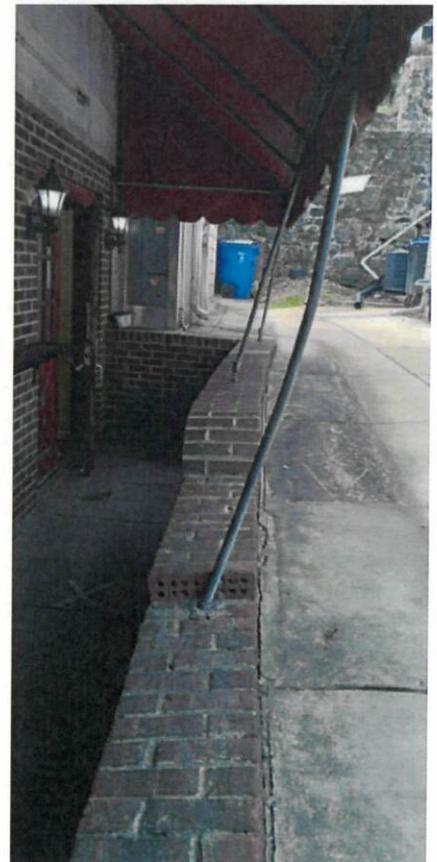


Figure 16 - Wall to be moved and rebuilt but same height.

HPC Review Criteria and Recommendations:

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

1) Chapter 10.C recommends:

- a. *“Improve consistency in design throughout the historic district for items such as street lights, traffic signals, public signage, trash receptacles and other street furniture.”*
- b. *“Select street furniture that reinforces Ellicott City’s identity as a historic district.”*
- c. *“Carefully evaluate the need before placing additional street furniture on narrow historic district streets and sidewalks.”*
- d. *“Particularly along the commercial section of Main Street, place street furniture in areas where the sidewalk is wider or where adjacent public open space (such as the plaza next to the railroad museum) provides a more spacious environment.”*

The Applicant shows three possible options for street furniture, all of which are black metal. Images A and B seem the most appropriate to reinforce Ellicott City’s identity as a historic district, while Image C is a bit more industrial/modern (although it could be appropriate too as it is simple in design).

The location in front of the building, where the Applicant proposes to place the permanent outdoor seating, does have a wider sidewalk than other areas in the District and appears to be able to accommodate the tables and chairs for the temporary outdoor seating but cannot be considered at this time without the owner’s approval. The side patio is owned by the Applicant and can be considered for permanent outdoor seating.

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

- 2) Chapter 9.D recommends, *“construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.”*

The application states the wall will match the existing, so as long as the design and dimension of the wall, and the shape and color of the brick exactly match the existing, shifting the wall two feet will not affect the integrity of the building. The alteration is a minimal change and complies with the Guideline recommendations to use materials matching the existing.

Staff Recommendation to the HPC: Staff recommends the HPC approve the style of furniture and side patio location. Staff recommends the HPC approve the new wall construction but determine if the veneer will match the building or if a real brick paver should be used.

Testimony: Ms. Holmes amended the Staff report to add that the brick wall may require a railing for safety and Code requirements and the Applicant should work with the Department of Inspections, Licenses and Permits on that item. If a railing is required, it could potentially be approved through the Commission’s Minor Alterations process.

Mr. Shad swore in Jane Johnson and asked if Ms. Johnson had any comments on the Staff report. Ms. Johnson said there was a question in the Staff report as to why real brick was not being used on the wall. Ms. Johnson said per her contractors the preferred method was to use the concrete material to hold back any water pressure on the ground. All the contractors Ms. Johnson spoke to recommended concrete faced with brick to avoid the wall failing again in a flood.

Ms. Tennor said she hoped the Applicant would obtain permission to keep the tables and chairs on the sidewalk, because the visibility enlivens the streetscape and is preferred to the retail displays that are common. Ms. Tennor was unable to discern from the materials submitted, if the brick veneer was a good match to the brick wall opposite the retaining wall. Ms. Johnson said the existing wall is really old

and has decades of dirt and soot on it, so matching the wall exactly will not be easy and the contractors are trying to match the brick color as closely as they can. The contractors felt the product submitted would be a match. Ms. Tennor asked if Ms. Johnson had any plans to clean up the existing wall. Ms. Johnson said no.

Ms. Tennor had a question about descending height of the wall. She said the wall goes down in three descending heights and at each change in elevation, the current wall has a transition detail of a rotated brick from a higher level to a lower level and the middle part of the wall does not have the transition detail. Ms. Tennor asked if the Applicant intended to recreate that transition detail, as the wall changes height. Ms. Johnson said she will request to see if the transition can be done from the contractors. Ms. Tennor added the detail she described occurs at the end of the wall by the sidewalk and the detailing should be consistent from one level to the next and have planned transitions like the original wall. Ms. Tennor recommended each transition be consistent in the new wall.

Ms. Tennor asked if the Yew tree at the end of the wall would survive the construction and asked if there had been any feedback from the contractors about the tree. Ms. Johnson said she told the contractors that the tree must stay.

Ms. Tennor pointed out the awning over the existing wall has footers holding the awning up over the alcove area and said the application did not address how the awning will be supported on the new wall. Ms. Johnson said she would like to replace the awning eventually but was not able to do it at this time. The current support system is bent so the intent is to have the footers repaired so that Ms. Johnson can replace the awning and the supports will be straight and fixed and tied into the wall like it is currently.

Ms. Tennor said it seems like the vertical posts will need to be replaced as it appeared they will land within the space enclosed by the current retaining wall. Ms. Johnson explained the supports are angled to the left, so if the frame is straightened out the supports will only need to be slightly angled to the right to be installed on the new wall.

Mr. Roth said he was fine with the material submitted as the wall faces the building and would not otherwise be visible. He said the process of rebuilding the wall, moving it and using the veneer was fine. Mr. Roth said the Commission was also supposed to approve the styles of the tables and chairs shown in Figure 12 of the agenda. Mr. Roth pointed out the third option on the right and said the chairs look like white plastic chairs that are stackable and found the style was not appropriate.

Mr. Reich clarified the term brick veneer for a concrete wall and said when architects talk about brick veneer, the material being referred to is an actual brick and not a thin veneer. Mr. Reich asked if the concrete wall will be poured concrete or block. Ms. Johnson said the wall will be made of cinderblock filled and faced with concrete, with rebar put through the concrete block to hold the blocks in place and give it stability to withstand water pressure. Mr. Reich said the wall could be built with concrete or cinderblock with reinforced steel. He said the reason the wall curves, as Ms. Tennor had mentioned, was because the drop in the middle of the wall is less than the drop in other areas. Ms. Tennor said the turned brick did not seem to be the solution.

Mr. Reich asked if three tables would be in the area along the side of the building and then another six tables would be placed along the street front. Ms. Burgess clarified that the six tables proposed at the street front were being removed from the application as the County owns the sidewalk in front of the building and DPW has not signed off on the request. The application was revised to have the three tables on the side of the property the Applicant owns. Mr. Reich said he had no problem with any of the

styles shown as the proposed furniture looks to be made of black metal and the Commission likes to see that material in the Historic District.

Ms. Zoren agreed with Mr. Reich and thought the brick veneer was a true brick. She suggested the Applicant verify that the brick veneer will be a true depth brick and not a thin brick. Ms. Zoren said the concrete wall should be faced with the brick veneer and no concrete exposure should be seen. Ms. Zoren asked if there would be a brick cap, capstone or slab on top of the wall and said if the wall did not look like the existing wall, that the Applicant would need to come back for a different cap on the retaining wall. Ms. Zoren asked if the concrete slabs by the retaining wall will be repoured or patched. Ms. Johnson said the expanded area under the awning, between the wall of the building and the retaining wall will be repoured with concrete.

Regarding the outdoor furniture, Ms. Zoren agreed with Mr. Roth and preferred options A or B. She said that Option C is not preferable. Ms. Zoren said that usually circular tables are used for people to circulate around, but if the tables are to be pushed up against the walls in the space under the awning, then square tables would look better.

Mr. Shad concurred with what was previously mentioned, and said the wall was fine and wanted to make sure there is brick on all sides of the wall. Mr. Shad preferred Options A and B for the street furniture, over Option C.

Motion: Mr. Roth moved to approve the proposal as submitted, with Staff to confirm the brick veneer is a true depth brick and fully covers the underlying concrete structure, and the street furniture is to be either Options A or B. Mr. Reich seconded. The motion was unanimously approved.

HPC-20-67 – 3749 Church Road, Ellicott City, HO-58

Applicant: Gregory D. Mason

Request: The Applicant, Gregory D. Mason, requests Advisory Comments/Pre-Application Advice for site alterations that resulted in Zoning Violation, at 3749 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 1830. The property is also listed on the Howard County Historic Sites Inventory as HO-58, Angelo Castle.

This property currently has a Zoning Violation, case number CE-20-012, for:

- 1) 16.106.(a) & 16.123.(a)&(c) - Grading/clearing over 5,000 square feet without an approved plan that addresses storm-water management and erosion & sediment control.
- 2) 16.603 - Exterior alterations without Historic Preservation Commission (HPC), including but not limited to: tree removal; installing gravel & timber framed walkways; installing the timber retaining wall; and placing fill dirt & cinderblocks around the site.

Scope of Work: The Applicant requests Advisory Comments/Pre-Application Advice from the Commission, in order to explain the work that was done without a Certificate of Approval and propose ideas to remediate the site. The application lists the modifications made to the property witnessed during Zoning's inspection and proposed changes that have not yet been completed. As a reminder, the proposed changes cannot occur until the Applicant has submitted an application for Certificate of Approval and received approval from the Commission. The modifications that have already been made to the property include the following, as quoted from the application:

- 1) Removal of 12 trees with a diameter of 12 inches or greater. The remaining tree trunks have been laid horizontally across the eastern side of the hill, adjacent to the railroad, to act as a temporary erosion control and slope stabilization, with the stumps acting as anchors. The application states that photographs of the 12 trees are available upon request.
- 2) Installation of three timber retaining walls along the slope, to the immediate north and east sides of the existing house. All three walls consist of timbers with wooden stakes and do not exceed 30 inches in height.
- 3) Placement of topsoil in the areas directly uphill of the three retaining walls. The walls are meant to provide temporary control for the topsoil until permanent plantings and slope stabilization can be applied.
- 4) Installation of gravel access path on the eastern edge of the existing house, to provide ease of access for maintenance to existing electrical and sanitary structures at this location. The paths have been lined with 4"x2" timbers, staked into the ground to act as containment for the gravel.
- 5) Gravel and timber linings have been applied (in the same manner as Item 2) to an existing gravel pathway along the south side of the house. The existing gravel was previously buried under a thin layer of topsoil that had accumulated due to erosion. Reapplication of gravel to this area is meant to provide additional access to the eastern side of the house as well as to prevent further erosion.
- 6) Placement of concrete cinder blocks along the southern side of the site as a temporary barrier against excess runoff flowing down toward Main Street.

The application outlines the following proposed modifications to the site. The following bulleted numbers are directly quoted from the application:

- 1) A combination of native perennials/biennials/annuals, shrubs and trees will be planted at various locations throughout the site to offset the trees removed prior to the Zoning property inspection, as well as to provide general ground stabilization at certain locations along the eastern slope of the property. Planting locations have been generally chosen to allow for adequate growth conditions (sun, moisture, etc.) for the various species of trees and shrubs that have been selected. A variety of trees and shrubs are proposed along the length of the eastern slope to control erosion and to intercept and mitigate excess soil and stormwater runoff from further uphill.
- 2) A mixture of perennials/biennials/annuals will be applied at several locations to provide general surface stabilization and to provide consistent growth from Spring through Fall.
- 3) Additional groundcover plantings are proposed for sloped areas further uphill on the site. The plantings are meant to provide slope stabilization at locations where stormwater erosion has been problematic in recent years, due to excess runoff entering the site off of Church Road.
- 4) Any additional areas of loose dirt/mud will be seeded with grass to provide stabilization.
- 5) The further removal of existing stumps and fallen trees. Stumps will be cut down to within 12 inches of top-of-grade and any excess branches and trunks will be removed at locations of proposed plantings.
- 6) Excess gravel and cinderblocks along the southern edge of the property will be removed and stockpiled on the western edge of the property. The areas where the gravel/cinderblocks were originally placed will be either seeded with grass or be planted with the wildflower mix.

There are three timber retaining walls shown on plan C1 on the north side of the house and identified in the completed scope of work. The two long walls are shown as being +/- 64 feet in length and +/- 28 inches in height. The other long wall is shown as +/- 62 feet in length with wood lattice and +/- 28 inches in height. The third wall, which appears to be the shortest in length, within this group of retaining walls does not contain measurements and is not clearly labeled on the plan; however is described in the scope. A fourth timber retaining wall is shown on the east side of the house, closer to the train tracks, that is +/- 85 feet in length and +/- 6 inches in height.



Figure 17 - Conditions in January 2020

The trees that were removed consist of the following:

TREE REMOVAL SCHEDULE	
TREE LABEL	DIAMETER (IN)*
T1	16
T2	18
T3	14
T4	17
T5	18
T6	17
T7	14
T8	14
T9	16½
T10	16
T11	18
T12	19

* STUMP DIAMETERS MEASURED AT 1-2FT FROM GROUND LEVEL.

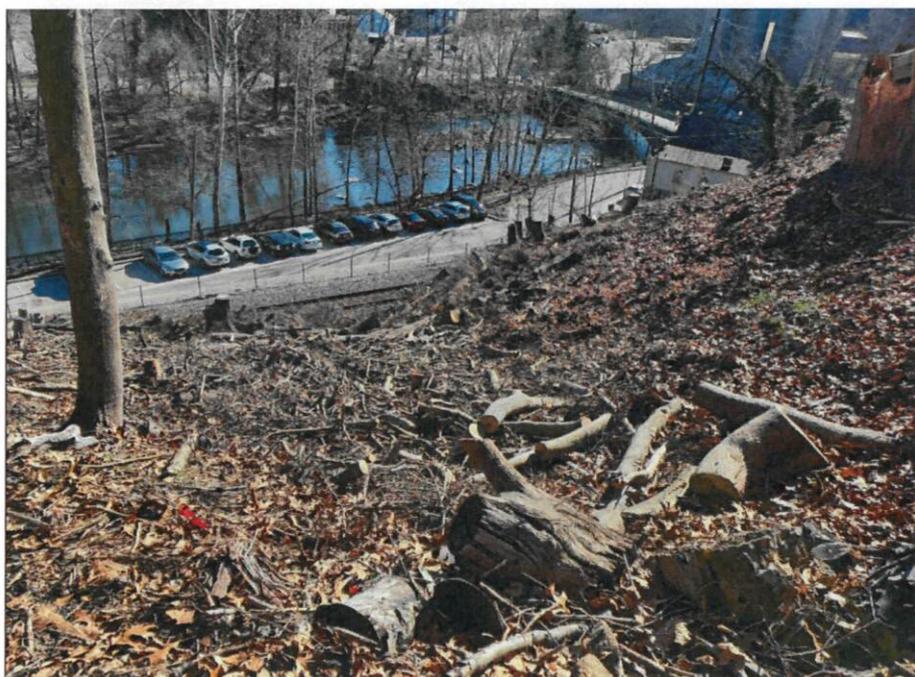


Figure 18 - Site conditions in January 2020. North of house looking east toward railroad tracks.



Figure 19 - Site conditions in January 2020. Looking south east toward Main Street (buildings in background front Main Street, the B&O is visible, front Maryland Avenue) and train tracks.

The proposed planting plan will consist of the plants listed in the following table. The site landscape plan is shown on page C2 of the application.

PLANTING SCHEDULE - TREES / SHRUBS			
NAME (COMMON / SCIENTIFIC)	QUANTITY	HEIGHT	SPREAD
AMERICAN ELDERBERRY <i>Sambucus canadensis</i>	4	9-12ft	9-12ft
AMERICAN HOLLY <i>Ilex opaca</i>	1	25-60ft	20-40ft
ALLEGHENY SERVICEBERRY <i>Amelanchier laevis</i>	2	15-25ft	15-20ft
EASTERN REDBUD <i>Cercis canadensis</i>	3	15-30ft	25-35ft
FLOWERING DOGWOOD <i>Cornus florida</i>	6	20-40ft	25ft
NORTHERN BAYBERRY <i>Morella pennsylvanica</i>	2	5-8ft	5-8ft
PAWPAW <i>Asimina triloba</i>	2	10-40ft	10-40ft
REDTWIG DOGWOOD <i>Cornus sericea</i>	16	6-12ft	6-12ft
SILKY DOGWOOD <i>Cornus amomum</i>	4	6-10ft	6-10ft
SWEETBAY MAGNOLIA <i>Magnolia virginiana</i>	4	12-20ft	10-20ft
WITCH HAZEL <i>Hamamelis virginiana</i>	2	15-30ft	15-25ft

PLANTING SCHEDULE - GROUND COVER			
NAME (COMMON / SCIENTIFIC)	COVER AREA	HEIGHT	SPREAD
CREeping WINTERGREEN <i>Gaultheria procumbens</i>	300sf	6-12in	24-36in
DWARF / BUNCHBERRY DOGWOOD <i>Cornus canadensis</i>		3-6in	24-36in

PLANTING SCHEDULE - PERENNIAL MIXTURE			
NAME (COMMON / SCIENTIFIC)	PLAN SYMBOL	COVER AREA	
BLANKETFLOWER <i>Gaillardia aristata</i>	PERENNIAL	2535sf	
COLUMBINE <i>Aquilegia caerulea</i>			
CORNFLOWER <i>Cichorium intybus</i>			
JOHNNY JUMP-UP <i>Viola pedunculata</i>			
SUNDIAL LUPINE <i>Lupinus perennis</i>			
PURPLE CONEFLOWER <i>Echinacea purpurea</i>			
COMMON YARROW <i>Achillea millefolium</i>			
BLACK EYED SUSAN <i>Rudbeckia hirta</i>			BIENNIAL
BABY BLUE EYES <i>Nemophila menziesii</i>			ANNUAL
BACHELOR BUTTON <i>Centaurea cyanus</i>			
BIRD'S EYE <i>Gilia tricolor</i>			
COSMOS <i>Cosmos bipinnatus</i>			
DWARF SUNFLOWER <i>Helianthus annuus</i>			
GODETIA <i>Clarkia amoena</i>			
MEXICAN HAT <i>Ratibida columnaris</i>			
RED POPPY <i>Papaver rhoeas</i>			
ROSE MALLOW <i>Hibiscus moscheutos</i>			
SPURRED SNAPDRAGON <i>Antirrhinum cornutum</i>			

NOTE: PERENNIAL / BIENNIAL / ANNUAL MIXTURE IS APPLIED AT AN APPROXIMATE RATIO OF 60% / 10% / 30% RESPECTIVELY.



Figure 20 - Site Plan showing proposed planting. Larger, clear version found in application packet.

HPC Review Criteria and Recommendations:

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

- 1) Chapter 9.A 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."

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

- 3) Chapter 9.B recommends:
 - a. "Retain mature trees and shrubs. Provide for their replacement when necessary."
 - b. "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."
 - c. "Retain landscaping patterns that reflect the historic development of the property. Use historic photographs or landscaping plans if these are available."
- 4) Chapter 9.B recommends against:
 - a. "The removal of live, mature trees, unless it is necessary due to disease or to prevent damage to historic structures."
 - b. "Extensive clearing for new construction that can be accommodated by more limited removal of vegetation."

- 5) Chapter 9.B states the following requires approval: "Removing live trees with a diameter of 12 inches or greater 4.5 feet above ground level."

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

- 6) Chapter 9.D explains, "Retaining walls of granite, brick or timber may be appropriate, depending on the context. Concrete walls can be used in locations with very little visibility. New granite walls are expensive, but retaining walls faced with granite or with a surface treatment that resembles Ellicott City's typical stonework can be appropriate in visible locations.
- 7) Chapter 9.D recommends:
- c. "Identify and retain site features that are important to the historic character of a site."
 - d. "Construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way."

The above Guidelines are some of the most relevant sections from the Ellicott City Historic District Design Guidelines that are applicable to the alterations completed on site plan C-1 which reflects the alterations made without HPC approval.

Staff notes that the perennial and annual plant proposals are a seed mixture that are mostly sun loving plants. This plant list is not proposed to be in container pots. The southern area where the sycamore, oak and beech trees are very mature specimens that offer a lot of shade verse the necessary sun for these seeds. Plus with such large trees the earth is not soft soil where a seed would want to propagate and mature. Flowering dogwoods are an understory tree that require shade. Sun exposure on a slope may burn up the tree before it matures.

The Applicant should also work with DPZ's Development Engineering Division and the Division of Land Development to determine if a site development plan is required for the disturbances made by the tree removal, construction of retaining walls and other alterations.

Additional photos from the Zoning inspection site visit in January 2020 can be found in Addendum A, at the end of the agenda.

Staff Recommendation to the HPC: Staff recommends the HPC provide advice on solutions they would find acceptable to mitigate the removal of the trees and other alterations on site, so that the Applicant can return with an application for Certificate of Approval.

Testimony: Mr. Shad swore in Greg Mason and Fred Petty. Mr. Shad asked the Applicants for an explanation as to what happened and next steps. Mr. Mason explained there was a lot of erosion, so he used timber to mitigate the erosion and his long-term plan is to put in a dry rock retaining wall. Mr. Mason has been in contact with Mark Jirus from DPW about installing the dry rock retaining wall in front of the existing patio and take down the timbers once the stone wall is secure. Mr. Mason said the stone gravel was put down on the existing stone to help avoid slipping. He had a number of contractors who had slipped and fallen, and it was extremely hard to work around the house.

Mr. Shad asked if all the work had been done on the property without approval from the County or anyone else. Mr. Mason said that was correct; he did not get approval from anyone. Mr. Shad asked Mr. Mason if he had not realized he needed to get approvals. Mr. Mason said he did not realize he needed to get approvals, but once we aware, he contacted a civil engineer to complete the project properly.

Ms. Tennor noted Mr. Mason had not said anything about the walls needing repair or maintenance and the difficulty of access. Ms. Tennor asked if that explanation was what Mr. Mason was offering as the

reason for the removal of the 12 trees. Mr. Mason said his explanation was for the gravel added around the house, that it was needed to for stable walkways and to prevent erosion. Ms. Tennor asked if the erosion was caused by the removal of vegetation. Mr. Mason said no, that erosion was not a result of that. Mr. Petty said there was gravel around the eastern side of the house for access to utilities, but over time it had accumulated dirt, so Mr. Mason had added more gravel on top of the existing to stabilize the surface and make it easier to access those areas.

Ms. Tennor asked if the Applicant consulted with a horticulturalist before removing the vegetation or mature trees on the property. Mr. Mason said he had not consulted with a horticulturalist. Ms. Tennor asked if it was the Applicant's intent to consult with a landscape architect or horticulturalist for the restoration of the site. Mr. Mason said he and Mr. Petty had put together a planting plan, but he was willing to work with other professionals. Mr. Petty said the planting plan is aimed at replacing the trees that were greater than 12 inches, at a one to one ratio. Mr. Petty said that if a greater number of trees is needed, they could provide more trees.

Mr. Petty asked Ms. Tennor if she referring to remediation for the specific areas the trees were removed, or the site as a whole. Ms. Tennor said she was talking about the area where the trees and vegetation were removed and referenced photographs of the site that were taken fairly recently. Ms. Tennor said the trees included in the planting plan were not canopy trees, such as the trees that were removed. She said the trees in the planting plan were understory trees, ornamental and flowering trees, so Mr. Petty was not replacing the trees that were removed in-kind.

Mr. Petty said that it feedback they wanted to get from the Commission; what is an acceptable size that they can replace with and asked if it should be a 2:1 replacement. Ms. Tennor said it was not a question of size, but also type of tree. Ms. Tennor noted the comments in the staff report regarding the planting plan; she said that many of the plants in the seed mix will be planted in an area without tree cover and it will be intense sun. She said the plants will not thrive in the environment created with the removal of the tree cover.

Mr. Taylor asked the Applicant why the twelve large trees were removed. Mr. Mason said on July 6, 2020 a tree had fallen onto the railroad tracks adjacent to the house. CSX was called and they were able to stop the trains and remove the fallen tree. Mr. Mason said he had concerns of other trees falling on the house and causing damage to the train. He asked for recommendations on what trees should be planted. Mr. Mason said that a planting plan was put together, but he was open to the Commission's recommendations. Mr. Mason said that he done want to take special care that new trees will not fall on the track tracks or the house.

Mr. Petty said one aspect of the planting plan is to avoid putting new trees directly next to the railroad again and avoid planting trees that could grow to a height of 100 feet. He said their planting plan reflects that. Ms. Tennor confirmed the explanation that a tree fell, impacted the railroad tracks, and then eleven more trees were removed to avoid this happening again. She asked if that was what happened. Mr. Mason said the trees were taken down were due to concerns of the trees falling on the train tracks or the house. He said there were other trees that fell down, but they want to replace anything larger than 12 inches. He said he believed they had more than 12 trees proposed now for replanting.

Ms. Tennor confirmed that the current thinking was that if canopy trees are not replaced in-kind, they will avoid some issues of vulnerability. She said there must be a way to replace some of the 12 inch or greater diameter trees, with something other than understory trees and said they should consult with an arborist or horticulturist, or someone knowledgeable who can help restore some of those canopy trees to the site.

Ms. Tennor asked why there was CMU units stacked on the top of the stones on the retaining wall in the image labeled southern edge of property facing stone stairway looking west. Mr. Petty said the units were on top of the wall temporary as storage.

Ms. Tennor said concluded her comments saying that the canopy trees were an important element of the original landscaping and there must be a way to put canopy trees back into the landscape. She did not find a reasonable plan could be created with only understory trees. Ms. Tennor again suggested speaking to a landscape professional so they could provide solutions to minimizing erosion and plantings that would need little or no maintenance, to create a more natural setting. Ms. Tennor also advised using native plants to create a more naturalistic setting.

Mr. Petty asked how many canopy trees would be required to be planted on the property. Ms. Tennor said there were twelve trees that were removed with a diameter of 12 inches or greater. Ms. Tennor said there should be a good faith effort to replace a good number of the twelve trees, if not all twelve. She said the removal of the twelve trees was excessive.

Mr. Roth asked what types of trees were removed. Mr. Petty and Mr. Mason did not know what the trees were.

Mr. Roth said the Guidelines are clear that it is okay to approve the removal of trees if they are threatening a historic structure. Mr. Roth noted a number of trees were close to the house and it was a failure of maintenance that a tree should grow that close next to the house and the other trees were removed were creating a hazard with the railroad. Mr. Roth said it was unfortunate that the Applicants did not come to the Commission before work was completed. He said it would have been helpful to know the type of trees that were removed, whether they were invasive trees or native.

Mr. Roth and Mr. Taylor discussed the Commission's role with reviewing replacement trees in a historic setting. Mr. Roth said the proposed plantings seem to be appropriate within the Guidelines as they are native trees and would complement the historic setting and based on locations of where the previous trees where as shown on sheet C-1 of the application tree removal schedule labeled T1-T12, the trees were very close to the house or on a steep slope in close proximity to the railroad tracks it may have been appropriate to remove them.

Mr. Petty said he had surveyed the property back in March and believed the removed trees were Maryland species based on their bark patterns; probably Oak, Hickory and Maple. He was not able to speak to the specific size of each of the tree. Mr. Petty said if they were to include a few canopy trees on the site, he would like to use one of those species further up the hill. Ms. Tennor asked that Mr. Petty submit the survey to the Commission. Mr. Petty said he would provide it with the next submission.

Mr. Reich said there may be valid reasons for the trees that were taken out. He explained that from his knowledge of the site and from the photographs of the site, there did not appear to be any planned intent on the trees and shrubs that where there, other than those around the house. Mr. Reich said the Applicant now has a great opportunity to do a landscape plan that has intention and augments the view of the house. Mr. Reich said the house has been obscured by some of the shade trees in recent history. Mr. Reich said the landscape plan does not seem finalized yet and appears to be a first draft. He discussed the various items shown on the plan and suggested adding shrubbery or flowering shrubbery that will stay fairly low and will be nice foundation planting for the house and help with erosion on the eastern south side of the property. He said that would help augment the image of the house as seen

from Main Street. Mr. Reich said documentation of the existing vegetation is missing from the plan. In reviewing the overall plan, he does not see a planned intent.

Mr. Petty said the area by the driveway at the top and the walkway that goes down towards the house receives a lot of runoff coming directly into the stairway and the area westward. Some of the runoff is coming off the street too so its not just rainfall that is being received by the parking lot itself. The intent of the area to the south of the walkway includes wintergreens to hold down the slope a bit more and prevent any further erosion. Mr. Mason added that when it rains heavily, Church Road floods the property and he was trying to get some ground cover to mitigate the erosion.

Mr. Reich said he saw retaining walls placed in areas where there are problems with runoff or erosion to help stabilize the property. Mr. Reich said the landscape plan is missing an architectural intent that would enhance the value of the property and enhance the view of the house from different angles. Mr. Reich noted the creeping wintergreen provides runoff protection, but asked what else happens along the walkway. Mr. Mason said there are bushes along the path that are six feet in height and large stones to help mitigate the erosion in addition to shrubbery and under canopy trees, but those features were not detailed on the plan.

Mr. Reich recommended thinking about the approach to the house, what kind of vegetation should be added, how to enhance the approach to the house, where should there be pathways, places to sit and view the railroad and the river and how can the landscaping enhance those views. Mr. Reich advised the Applicants to hire a landscape architect or go to a nursery, as the nursery could provide some of the same services. Mr. Reich said the Applicants came to the Commission to replace some trees that were removed, but he would like to see the landscape plan enhance the architecture, setting and the site in Ellicott City.

Mr. Petty said he would like to correct the plan to include details that are missing from the overall site layout, such as details that might make more sense if included on the site plan. Mr. Reich said the Applicants should also explain their overall intent of the site, what each of the areas are doing and why they are doing it. Mr. Reich noted all the trees were drawn with the same exact diameter of circle, but some of the trees would be bigger than others. The canopy of the sycamores and oak are huge around 50-80 feet in diameter, but the plan shows a tiny circle. Mr. Petty he had sized the existing trees based on an estimate on the diameter of the trunk. Mr. Reich referenced the corner of the site being a big feature with two existing trees and noted other gardens would have to work around the trees such as shrubs and ground cover as the trees dominate. Mr. Petty and Mr. Reich discussed other types of plantings for the site, such using native ferns such as Christmas and ostrich, and azaleas and hostas.

Ms. Zoren agreed with Mr. Reich and felt the landscape plan was not as cohesive as it should be. Ms. Zoren explained that when the Applicants think of a cohesive landscape plan, they should think about the formality of the house as it is very prominent and one of the grander well known, large scale houses in Ellicott City. She said the landscape plan should reflect formality of the house. Ms. Zoren recommended the Applicants put in pockets of bioretention gardens around the property, since there is a lot of grade on the property to help slow down runoff and help with the erosion issues.

Ms. Zoren said her biggest problem with the plan is the unfinished look that was provided to the Commission, the unfinished gravel, the 4x4's and timber holding the gravel in place. Ms. Zoren asked if the Applicants had intended these features to be the finished product. Mr. Mason said the 4x4's are not very visible due to the vegetation growing over it and there is vegetation growing through the gravel. Mr. Mason said he was open to ideas, but he wanted loose gravel so that water could still drain through it and plants could grow through the gravel.

Ms. Zoren said she did not understand the purpose of the cinderblocks and if Mr. Mason was planning on building up the retaining wall. Mr. Mason said the cinder blocks were on the property for building another retaining wall, he would eventually like to build two retaining walls. Mr. Mason said the cinderblocks have been moved to the west side of the property. Ms. Zoren asked if the cinderblocks piled up were not intended to be a finished product. Mr. Mason said the cinderblocks were not a finished product.

Ms. Zoren asked if the retaining walls were needed to be completed or if the walls were already constructed. Mr. Mason said the timber walls were already built, as there is a large amount of erosion on the east of the property in front of the patio and to the north of the house. Mr. Mason said he would eventually like to apply to put in dry laid stone walls to replace about 50 feet, and then he would take down the other two retaining walls. . He said the walls were put in as a temporary means to help control the erosion.

Ms. Zoren said the wood timber walls were not appropriate. She said for this property, the house was very grand and had a lot of masonry and heavy materials which did not seem compatible with the timber walls. Ms. Zoren suggested the Applicants return with a landscape plan that had the final vision for the property, even if the work would be completed in phases.

Mr. Mason said he spoke with Mark Jurus about the retaining walls and learned that Ellicott City and Baltimore County granite was very hard to find. Mr. Jurus had recommended Pennsylvania fieldstone. Mr. Mason said he would use smaller stones to do a dry laid granite wall because they do not have the equipment to move larger stones that would be 500-1000 pounds apiece. Mr. Mason said they would choose a color that is as close to the local granite as they could. Ms. Zoren said the granite does not have to be Ellicott City granite and the Commission has approved Pennsylvania fieldstone before. Mr. Mason said he did want to construct a cinderblock wall to be faced with stone and would prefer to have a dried laid stone wall constructed, which is what many of the stone walls were historically. Mr. Petty said he could include the new stone wall as part of the resubmitted drawings.

Mr. Roth had a few more comments to add and agreed with Ms. Zoren and Mr. Reich about having an opportunity to start from scratch. Mr. Roth explained that on the hillside where the trees were removed, there is now a lot more sun without the canopy which could result in many invasive plants taking over. Mr. Roth suggested having some thought in the site layout for providing access to the hill for maintenance. Mr. Roth also advised having native plants grow on the hill, such as sassafras and mountain laurel.

Mr. Shad said the Applicants should be aware that the Commission has Guidelines and work must be approved first by the Commission before work is completed. Mr. Shad asked about Figure 24 on Page 20 labeled the "north side of the house looking south at retaining walls toward the house" and Figure 22 "Looking toward the railroad tracks". He said those images included bamboo fencing along the outside of the retaining wall. Mr. Mason said the bamboo had been taken down after the photos had been taken. Mr. Shad said he wanted to make sure the bamboo was not a permanent feature. Mr. Mason said the whole retaining wall is being proposed to be replaced by a stone wall eventually and that entire area would be updated.

Mr. Shad reminded the Applicants if they felt like any more trees were in danger to the railroad or the house, an application should be brought before the Commission and explained the Commission had emergency approval practices in place, such as the Minor Alteration process

Motion: There was no motion as this was an Advisory Comments application.

HPC-20-68 – 3749 Church Road, Ellicott City, HO-58

Applicant: Gregory D. Mason

Request: The Applicant, Gregory D. Mason, requests Tax Credit Pre-Approval for exterior repairs, at 3749 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 1830. The property is also listed on the Howard County Historic Sites Inventory as HO-58, Angelo Castle.

As explained in case HPC-20-65, this property currently has a Zoning Violation, case number CE-20-012, for:

- 1) 16.106.(a) & 16.123.(a)&(c) - Grading/clearing over 5,000 square feet without an approved plan that addresses storm-water management and erosion & sediment control.
- 2) 16.603 - Exterior alterations without Historic Preservation Commission (HPC), including but not limited to: tree removal; installing gravel & timber framed walkways; installing the timber retaining wall; and placing fill dirt & cinderblocks around the site.

Scope of Work: The Applicant proposes to the following repairs to the property:

- 1) Restore the cathedral window – This will include the repair and replacement of cracked panes of glass, rotted wood, repair of putty, and repainting the window frame to the existing color. Per the attached scope of work in the application, the window sashes will be disassembled, and all hardware removed. The window jamb will be prepared for interlocking metal weather strip components. The contractor will record relevant production notes regarding the sizing and jamb conditions. The window openings will be weatherized and secured (plastic or plywood) while the windows are being repaired in the shop.

The following work will take place at the shop:

- a) Remove the old glass, after labeling, to be saved and re-installed as appropriate.
- b) Remove any remaining hardware and put sashes in a stream stripper.
- c) Remove all glazing and paint, including older leaded paint.
- d) Rough sand (60 grit) flat surfaces and hand-sand profiles to remove all traces of old paint/primer
- e) Stabilize/repair the sashes using wooden dowels and structural epoxies.
- f) Repair any broken parts (grills, stiles/rails, tenons using old-growth wood and/or 2-part, slow-cure epoxies.
- g) Clean/wash and remove sashes from lead-room.
- h) Power sand and hand sand till smooth (100 grit).
- i) Prime with oil-based paint, let tack. Fill voids with wood filler, sand, and re-prime.
- j) Re-install the glass with new glazing.
- k) Apply finish paint – two topcoats; sanding in-between all coats for better paint bond and finish.
- l) Restore old hardware and oil.
- m) Prepare/modify sashes for bronze metal weather-stripping or RCT tube seals and install as appropriate.

- n) Clean glass area neatly.

The following work will take place at the residence:

- o) Re-install restored sashes at hinge area and ensure proper fit.
 - p) Install metal weather-stripping at jamb area.
 - q) Re-install restored hardware.
 - r) Ensure smooth operation.
 - s) Touch-up paint.
 - t) Clean the glass.
- 2) Repair damaged stucco – Construct scaffolding, remove stucco from back/side walls. Repair sheathing and install vapor barrier. Install new stucco, color to match the existing off-white, and caulk all joints. Clean up, remove all debris and remove scaffolding.

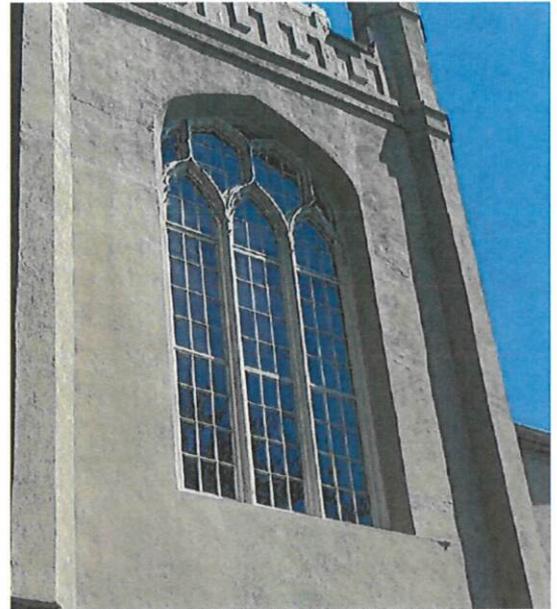


Figure 21 - Cathedral window to be restored

HPC Review Criteria and Recommendations:

Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings; Masonry

- 1) Chapter 6.C recommends, “maintain or restore original brick, stone, concrete block or stucco. Make repairs with materials that match the original as closely as possible.”
- 2) Chapter 6.C recommends, “maintain previously painted masonry surfaces, including repainting when needed.”
- 3) Chapter 6.C considers the following to be Routine Maintenance, “Repairing stucco using a mixture that matches the existing stucco in texture, strength and appearance.”

The proposal to repair the damaged stucco in-kind complies with the Guideline recommendations. The work is eligible for tax credits, per Section 20.112 of the County Code.

Chapter 6.H: Rehabilitation and Maintenance of Existing Buildings; Windows

- 4) Chapter 6.H recommends, “maintain and repair original window openings, frames, sashes, sills, lintels and trim. Maintain glass, putty and paint in good condition. Install weatherstripping to reduce air infiltration.
- 5) Chapter 6.H considers the following to be Routine Maintenance:
 - a. “Repairing windows, including replacement of clear glass and putty.”
 - b. Installing weatherstripping.”

The proposal to repair the cathedral window in-kind complies with the Guideline recommendations. The work is eligible for tax credits per Section 20.112 of the County Code.

Staff Recommendation to the HPC: Staff recommends the HPC pre-approve 20.112 tax credits for window and stucco repair.

Testimony: Mr. Mason was previously sworn in. Mr. Shad asked if Mr. Mason had any additional comments to the Staff report. Mr. Mason read the Staff recommendations to the Commission from the Agenda and asked those were the staff comments, Mr. Shad confirmed they were.

Ms. Tennor clarified the restoration process, since much of the window will be removed and restored in the shop and then reinstalled. Mr. Mason said each section of the window will be removed one at a time, repaired, blocked off and reinstalled before removing another section.

Ms. Tennor appreciated the summary of the process as it was very detailed and sequential. Ms. Tennor asked, in regard to Item F for repairing any broken parts of the window, if Mr. Mason's contractors had expressed intent to replace broken parts of the window with in-kind materials and minimize the amount of the window that had to be replaced. Mr. Mason said the intent of the project was to minimize replacement. Mr. Mason was not sure if the window had ever been replaced. He was not sure what the hardware materials were that make up the window due to the numerous coats of paint causing the window to be painted shut. He said there were a few areas where the wood was dry rotted and could be pushed through. Mr. Mason hoped to make the window operable again and get the window back to original condition.

Ms. Tennor noted there are 6-divided light windows with three windows across. Ms. Tennor asked if the divided light windows would be removed from the shop and repaired and if the ornate shaped windows above the divided light windows would be repaired on site. Mr. Mason confirmed Ms. Tennor's question to be correct.

Mr. Roth said the application was straightforward.

Mr. Reich said the application looked to be a careful restoration job and hoped the windows can go back in-kind.

Ms. Zoren had no comments on the work for the project and said it made sense to receive tax credits.

Mr. Shad agreed with the comments from the other Commissioners and appreciated the effort the Applicant was taking on the project.

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

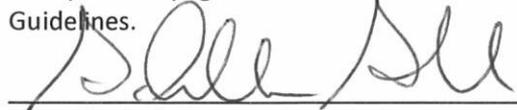
OTHER BUSINESS

1. Rules of Procedure Update – consider proposals to update Rules to specifically address virtual hearings.
 - a. Mr. Taylor explained that Staff has developed a proposed amendment to the Commission's Rules and Procedures to address the fact the Commission has been having virtual meetings. Mr. Taylor said the Commission can have the virtual meetings with the existing rules but there are no details provided for the current meetings. Mr. Taylor asked Staff if the proposal has been distributed. Ms. Burgess said the proposal has been posted online and Ms. Tennor said the Commission had received a copy of the proposal.
 - b. Mr. Taylor said that advance notice had been posted in newspaper publications and at the next meeting the Commission will decide if they would adopt or decline to adopt the proposal.
2. Section 106 Review: NAB-2018-62004-Kings Forest MOA Consulting Party status.
 - a. Mr. Taylor gave a synopsis of the Section 106, MOA sent for signature and explained the action before the Commission was whether the Commission wanted to enter into the MOA which did not put any obligation to the Commission other than consultation and to agree to the mitigation that was identified.

Ms. Tennor moved to approve the Commission's participation in the MOA consulting party status. Mr. Reich seconded. The motion was unanimously approved.

Mr. Shad moved to adjourn the meeting at 9:35 pm. Mr. Roth 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 Harvey, Recording Secretary