

**Michael Gehr, chair, called the meeting to order at 4:28 p.m. on Thursday, November 14, 2013, in the Conference Room, Fourth Floor, City Hall. A roster of the members of the commission and the technical posts they fill are on file and available upon request. Also present were commission members L. Allen, S. Dozier, V. Hrabal, P. Reed, S. Silas, and M. Wertman. P. Nigh was present representing the Mayor and City Council? S. Bockmiller, Development Planner/Zoning Administrator; and D. Calhoun, Secretary, were present on behalf of the Planning and Code Administration Division.**

**APPROVAL OF MINUTES: October 31, 2013.**

The minutes were not ready for approval.

**CONSENT AGENDA**

**49 South Potomac Street – Hammada Abuzaygad – Replacement Windows (Rear),  
Case No. HDC 2013-57.**

Mr. Bockmiller stated that the building in question is the former Ben’s Flower Shop and the Colonial Hotel building extends further than this building so the replacement windows are not visible from West Antietam Street.

**MOTION:** (Hrabal/Dozier) Mr. Chairman, I have reviewed the materials submitted in Case No. HDC 2013-57, and its associated staff report and recommendations, and I have viewed the property in question. The staff report recommends approval of this application as consistent with the applicable standards adopted by this commission, and no one has appeared at this hearing with concerns about issues with or objections to this application. Therefore, I move that this commission adopt the staff evaluation and recommendations in this case as its own and grant a Certificate of Appropriateness to the applicant for Case No. HDC 2013-57.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

(Ms. Wertman arrived.)

**DESIGN REVIEW**

**57 West Franklin Street – Sassan Shaool – Replacement Windows, Case No. HDC 2013-51.**

Sassan Shaool and Rodrigo Avellaneda were present.

Staff Report: This building is a “B” resource in the Downtown Local Historic District. Applicant seeks approval of window replacement on the front and east elevations and retroactive approval of previously completed work on the rear and west elevations (which includes replacement of all windows on these two elevations with ProBuild vinyl replacement windows). The new windows on the front and east elevations will be “MI Windows and Doors” 1600 series with a six-over-six configuration and exterior grilles. The windows on the remaining facades have already been installed and consist of interior grilles in either a twelve-over-twelve or nine-over-nine configuration. Applicant also wrapped all of the window frames and sills, and encased the recessed panels and other architectural details of the front bay window in vinyl. This proposal *does not* address the wrapping of the bay window architectural details. This will have to be removed or the applicant will need to return to the HDC for review of exterior work or an alternate treatment. Staff recommended approval on the front and east sides; approval of the existing windows on the rear; but had no recommendation for the windows on the west elevation.

Applicant/Commission Discussion: Mr. Shaool stated he recently met with a representative of the window manufacturer. He noted that in a one block radius of the subject building there were nine or ten buildings that had one-over-one window configurations. He asked if the commission would be willing to approve one-over-one windows for his building. If so, the manufacturer would sell him the windows at cost, significantly lowering the cost of the window replacement project. Otherwise, he will only be able to afford the current window replacement project and repair the bay window. All other planned improvements will have to be put on hold.

Mr. Gehr stated that there may be windows in the vicinity that do not have a grille pattern; however, the objective is to replicate what was there, not change the character of the building. The windows mentioned may have been changed before the HDC had purview over windows. Ms. Hrabal was in favor of the plan to replace the windows with exterior muntins and was not opposed to the interior muntins on rear and west façade.

Mr. Shaool pointed out that some of the windows are existing and do not have any grilles. Those windows were not replaced and it is not in the plan to replace them with windows that have grilles.

**MOTION:** (Wertman/Hrabal) Mr. Chairman, I have inspected the project plans and the property in question and, if constructed in accordance with these plans, being that we’re replacing the windows on the east side that are visible when you’re driving by with the outside, nine-over-nine and 12-over-12,

the project is then compatible with the districts because the patterns of the windows match up with what was previously there and the architectural detailing that was previously there and are generally in harmony with the Architectural Design Guidelines for the Downtown Historic District and the character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness to the applicant for Case 2013-51.

**DISCUSSION:**

None.

**ACTION:**

APPROVED (Unanimous)

**Rear, 49-53 West Washington Street – City of Hagerstown – Demolition of Rear Addition, Case No. HDC 2013-54.**

Jonathan Kerns, City of Hagerstown, and Michael Summers, MSB Architects, were present.

Staff Report: This building is an “A” resource in the Downtown Local Historic District. The City of Hagerstown recently purchased this building and would like to remove the remaining rear additions as shown on the aerial photograph included with the staff report (meeting file). The portions proposed for demolition are not original to the building. The east half was previously demolished and the area is now in a state of disrepair. The new wall will be constructed of like materials and will make this section weather tight. After demolition the area will be utilized to create green space in the rear of the structure as well as on-site private parking, however, no plan for the green space and parking is provided at this time. Maryland Historical Trust (MHT) has approved the work. Staff recommended approval.

Mr. Bockmiller clarified that the applicant is requesting approval for two different treatments on the rear façade (Plan A and Plan B). One variation proposes a totally enclosed rear façade; the second variation shows banks of windows across the back. There is no particular user at this time and the nature of the user may decide which option is chosen. It was pointed out that The Potomac Bead Company’s space does not extend all the way back. Mr. Silas asked if removal of the addition will affect the structural integrity of the building. Mr. Summers said no.

Mr. Gehr noted that any further plans for parking lot layout and landscaping will need to come back for approval. He also questioned what will be put in the place of the demolished addition and cautioned that the area should be finished sooner rather than later. Mr. Kerns stated that the area will either be stoned or seeded. At this point, he does not have details on how the space will be finished off, but will keep the commission posted. Mr. Gehr noted that the MHT has weighed in and found no adverse effect.

**MOTION:**

(Hrabal/Wertman) Mr. Chairman, I have inspected the project plans and the property in question and, if deconstructed in accordance with these plans, the project is compatible with the character of the district for the

reason that the section that is to be torn down is not original to the building; it is in serious disrepair; and will not affect the view of the building from public ways. The plans for installing the new wall when the demolition is finished can be either a solid wall or windows appropriate to the structure for whichever new business or residence takes over that space and that would make it generally in harmony with the Architectural Design Guidelines for the Downtown Historic District and the character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness to the applicant for Case No. 2013-54.

**DISCUSSION:** Staff requested a modification to the motion to reflect that the placement of the windows would be consistent with the materials submitted in the packet and consistent with the elevations provided. Ms. Hrabal and Ms. Wertman agreed to staff's amendment to the motion.

**ACTION:** APPROVED, AS AMENDED (Unanimous)

**227 South Prospect Street – Denise Ringley – Replacement Windows,  
Case No. HDC 2013-55.**

Denise Ringley, owner of 227-229 South Prospect Street, was present.

Staff Report: This building is a contributing resource in the Prospect Street Local Historic District. Applicant has replaced windows on the right of the front façade with vinyl, interior grille windows. No manufacturer's literature was submitted with the application (this is an active zoning violation case). Staff had no recommendation. The main concern is that the two large windows on the front of the bay were replaced with a plate glass window with interior grilles to resemble a double-hung window.

Applicant/Commission Discussion: Ms. Ringley stated that a total of seven windows were replaced, including first and second floor windows on the bay and a small window by the door. Mr. Gehr noted that the screen on the windows that are not on the bay hides the lack of definition. He was disappointed that there is no longer any depth on the bay windows. The vinyl windows in the other locations comply with the design guidelines. Mr. Gehr stated that his concern lies with the large windows and the absence of depth. They appear flat compared to the original windows.

Ms. Ringley stated that the size of the windows are the same. Mr. Bockmiller stated that the HDC only has authority to approve what is on the application. Currently, some of the windows in the application appear to meet the guidelines, but some do not. He advised that Ms. Ringley could separate her application into two separate applications. That way she can come back with a proposal for the larger windows at a later date. Ms. Ringley was agreeable to modifying her application to include only the five windows on the front that are the true double-hung windows.

**MOTION:** (Wertman/Silas) Mr. Chairman, I have inspected the project plans and the property in question and, since the applicant for application 2013-55 is willing to adjust her application to the five windows that are double hung to get those approved, those five windows are compatible with the character of the district because the materials replicate this historical look and they are double hung as they previously were; and they have exterior grilles/muntins and are generally in harmony with the Architectural Design Guidelines for the Prospect Street Historic District and the character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness to the applicant for Case No. 2013-55 with the change to the five windows that are double hung.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

Mr. Gehr advised Ms. Ringley to schedule a workshop before filing a Design Review application for the bay windows.

**122 North Potomac Street – Joseph Pepin/Department of Social Services Building – Replacement Windows and Doors and Façade Grant Request, Case No. HDC 2013-56.**

Joseph Pepin, McShea Company, and Lisa Staley, Hagerstown Paint & Glass, were present.

Staff Report: This building is a “B” resource in the Downtown Local Historic District. Applicant proposes to replace the existing second and third floor windows (ten on second floor and two on the third floor) with Andersen E-Series (Eagle) Retro-Fit double windows. The two third floor windows will have transoms to match the existing. Plans also call for the replacement of the southern double, full-light entry door with two half-light steel entry doors. Colors for all the windows and the doors will match the existing colors. There are no plans to replace the three large decorative windows on the third floor; they will remain the same. Staff recommended approval of the application.

Staff noted that in a previous workshop, the identified the Eagle windows as a viable alternative to wood windows. The proposal calls for exterior grilles. Mr. Bockmiller noted that the existing doors are replacement doors that are not historic to the building.

Mr. Bockmiller stated that several months ago the ornamental balcony railing across the third floor was removed. Historic photos have always shown a railing in this location. The applicant was put on notice that they will need to put it back or get permission from the HDC to permanently remove it.

Applicant/Commission Discussion: Mr. Pepin told the commission that the balcony railing has not been replaced because they had been anticipating this window project. The previous manager took the railing down because it was deteriorating. The railing has been rebuilt, but they are holding off on reinstallation so the window project does not impact the railings. None of the first floor windows are being replaced at this time. Mr. Gehr pointed out that the southern entrance doors will be replaced with half lights. He observed that the door was probably widened to accommodate the double door and sidelights. Mr. Bockmiller stated that the modern doors are not at all similar to the historic doors. Mr. Gehr stated that because it is an existing condition, he did not have a concern about the half light doors. Ms. Staley stated that the transom and sidelights on the door will remain.

**MOTION:** (Hrabal/Wertman) Mr. Chairman, I have inspected the project plans and the property in question and if constructed in accordance with these plans, the project is compatible with the character of the district for the reasons that the materials very closely replicate the existing historic windows and are the same configuration with exterior muntins and therefore, are generally in harmony with the Architectural Design Guidelines for the Downtown Historic District and the character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness for the applicant in Case No. 2013-56 and the grant for 2013-56, and the door is replacement very close to in-kind with the half-light doors at the entrance.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

**WORKSHOP:**

None.

**NEW BUSINESS:**

A. Discussion of Consent and Standard agenda items as they relate to the Design Guidelines.

Mr. Bockmiller briefly explained staff's rationale for placing cases on the Consent Agenda. When he came on ten years ago, every case had a complete hearing before the commission, even very simple issues. Over time, the process has evolved where the cases that meet the Design Guidelines explicitly and do not require scrutiny by the commission are placed on the consent agenda. Because they totally meet the guidelines, there is nothing to discuss. Cases placed on Design Review which are ultimately reviewed by the HDC constitute the gray areas in between. It is this reason why it seems that "all the HDC

seems to do is review requests for deviation from the guidelines.” In fact, the system was adjusted so that the commission can focus on its core mission of evaluating applications when the guidelines are not so clear, or site conditions are unique that warrant more in-depth consideration of a site and proposal.

**B. 2014 Historic District Commission Meeting Schedule.**

Commission members had no concerns about the proposed meeting schedule.

**OLD BUSINESS:**

None.

**ANNOUNCEMENTS**

None.

**ADJOURN:** It was moved and seconded that the meeting adjourn (5:37 p.m.).

1/9/2014  
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Approved

  
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Debra C. Calhoun – Secretary