

**HISTORIC PRESERVATION COMMISSION
HEARING MINUTES
AUGUST 11, 2016**

Commissioners

Scott Winnette, Chairman
Stephen Parnes, Vice Chairman
Dan Lawton
Michael Simons (not present)
Carrie Albee
Alan Miner (not present)
Matthew Bonin, Alternate

Aldermanic Representative

Donna Kuzemchak

Staff

Lisa Mroszczyk Murphy, Historic Preservation Planner
Christina Martinkosky, Historic Preservation Planner (not present)
Scott Waxter, Assistant City Attorney
Matt Davis, Manager of Comprehensive Planning
Shannon Pyles, HPC Administrative Assistant

Call to Order

Mr. Winnette called the meeting to order at 6:00 P.M. He stated that the technical qualifications of the Commission and the staff are on file with the City of Frederick and are made a part of each and every case before the Commission. He also noted that the Frederick City Historic Preservation Commission uses the Guidelines adopted by the Mayor and Board of Aldermen and the Secretary of the Interior's Standards for Rehabilitation published by the U. S. Department of the Interior, National Park Service, and these Guidelines are made a part of each and every case. All cases were duly advertised in the Frederick News Post in accordance with Section 301 of the Land Management Code.

I. Public Hearing – Swearing In

“Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Historic Preservation Commission will be the whole truth and nothing but the truth? If so, answer “I do.”

II. Announcements

Ms. Murphy announced that in the next week staff would be sending out a mailing to all Historic District property owners which will include a letter and other information pertaining to the Historic District as our current outreach effort.

III. Approval of Minutes

1. July 28, 2016 Hearing/Workshop Minutes

Motion: Scott Winnette moved to approve the July 28, 2016 hearing and workshop minutes as written.
Second: Stephen Parnes
Vote: 4 - 0

IV. HPC Business

- 2. Administrative Approval Report**
 - 3. Code Enforcement Report**
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V. Consent Items

There were no consent items.

VI. Continuances

There were no continuances.

VII. Cases to be Heard

- 4. HPC16-529** **50 E. South Street** **William & Paula Lawton**
Enclose rear porch
Lisa Mroszczyk Murphy

Ms. Murphy entered the entire staff report into the record.

Motion: Stephen Parnes moved to approve the application as submitted.
Second: Carrie Albee
Vote: 4 - 0

- 5. HPC16-550** **113 E. 7th Street** **Ryan Weinstein**
Amendments to new garage
Lisa Mroszczyk Murphy

Mr. Winnette announced that the applicant requested a continuance to the September 8, 2016 hearing.

Motion: Scott Winnette moved to continue HPC16-550 located at 113 E. 7th Street to the September 8, 2016 hearing.
Second: Stephen Parnes

Vote: 5 - 0

6. HPC16-553 47 S. Carroll Street Hannah & Goodloe E. Byron
 Restore previous window openings **Hank Byron, agent**
Lisa Mroszczyk Murphy

Ms. Murphy entered the entire staff report into the record.

Motion: Stephen Parnes moved to approve the application with the following conditions:
 • A cut sheet or shop drawing and final finish selection for all storefront and window framing is submitted for staff approval.
 • All new metal elements shall have the same finish color.
Second: Matthew Bonin
Vote: 5 - 0

7. HPC16-557 101 N. Court Street City of Frederick
 Remove Taney and associated plaque, remove Johnson bust **Nikki Bamonti, agent**
Lisa Mroszczyk Murphy

Mr. Winnette announced that the applicant requested a continuance to the September 22, 2016 hearing.

Motion: Scott Winnette moved to continue HPC16-557 located at 101 N. Court Street to the September 22, 2016 hearing.
Second: Stephen Parnes
Vote: 5 - 0

8. HPC16-632 101 N. Court Street City of Frederick
 Remove brick walkways adjacent to two busts **Nikki Bamonti, agent**
Lisa Mroszczyk Murphy

Mr. Winnette announced that the applicant requested a continuance to the September 22, 2016 hearing.

Motion: Scott Winnette moved to continue HPC16-632 located at 101 N. Court Street to the September 22, 2016 hearing.
Second: Stephen Parnes
Vote: 5 - 0

9. HPC16-594 100 W. Patrick Street Board of County Commissioners
 Replace concrete step, eliminate courtyard planters **Bret Fouche, agent**
Lisa Mroszczyk Murphy

Ms. Murphy entered the entire staff report into the record.

Motion: Carrie Albee moved to approve the replacement in-kind of the deteriorated concrete step.

Second: Matthew Bonin
Vote: 5 - 0

Motion: Carrie Albee moved to deny the request to eliminate nine planters from the plaza.
Second: Dan Lawton
Vote: 4 – 1, Stephen Parnes opposed

10. HPC16-595 **100 W. All Saints Street** **Asbury United Methodist Church**
Remove paint using chemical product **Rose Chaney, agent**
Lisa Mroszczyk Murphy

Ms. Murphy entered the entire staff report into the record.

Motion: Dan Lawton moved to approve the application to remove paint with a chemical product subject to staff’s review of a test patch and that the rinsing of the chemical product is done without pressure washing.
Second: Stephen Parnes
Vote: 5 - 0

11. HPC16-596 **334 W. Patrick Street** **Sinclair Way Associates**
Demolish west and south wings **Donna Rosano, agent**
Lisa Mroszczyk Murphy

Ms. Murphy entered the entire staff report into the record.

Motion: Dan Lawton moved to find this property contributing to the district because it helps define the district and it was built within the period of significance.
Second: Matthew Bonin
Vote: 4 – 1, Stephen Parnes opposed

12. HPC16-597 **453 W. South Street** **Sinclair Way Associates**
Amendments to previous demolition approval **Donna Rosano, agent**
Lisa Mroszczyk Murphy

Ms. Murphy entered the entire staff report into the record.

Motion: Scott Winnette moved to find the wall to be a non-contributing resource.
Second: Stephen Parnes
Vote: 4 – 1, Carrie Albee opposed

Motion: Scott Winnette moved to approve the demolition of the wall since it was found to be a non-contributing resource.
Second: Stephen Parnes
Vote: 5 - 0

13. HPC16-598 **453 W. South Street** **Sinclair Way Associates**

Amendments to previous addition application
Lisa Mroszczyk Murphy

Donna Rosano, agent

Ms. Murphy entered the entire staff report into the record.

Motion: Stephen Parnes moved to approve the application with the condition that the stucco will have a smooth and uniform finish.
Second: Dan Lawton
Vote: 5 - 0

VIII. Citizen Comment

Joshua Faust stated that he have and always will consider himself a student of history and from the earliest age his heroes were always in the history books and the battlefields not the ones on the sports courts. He said that his requested trips as a child were to places like Gettysburg, Williamsburg and Ft. Frederick. He added that he practices what he preaches and routinely discuss Maryland history with the public as a French and Indian and Revolutionary war living history reenactor and he is a proud supporter of the rich and diverse history of not only Frederick County, The City of Frederick but also the State of Maryland and this country. He stated that to him studying history is not the studying of some old stuffy Generals or some distant battle field but rather the study of real people and people who walked in these very places. He said that by studying history you are studying the human experience and a shared experience that ripples throughout history. He added that the busts of the two gentlemen outside have caused ripples and in the case of Justice Taney not always the right ones. He added that tonight he came to talk about the bust of General Thomas Johnson. He stated that not only did General Johnson fight for the liberties including the liberties being expressed at the moment he worked tirelessly to ensure a resolute and safe frame work was established to protect those liberties. He added that to sit here and judge the sacrifices of this patriot on the morality standards of the 21st century is highly unfair and he did not think we would like to be judged 250 years from now on what we have done today. He asked where this would end and if we would scrub the past of anyone who does not meet our modern guidelines or share our views. He said that he does not disagree with the body that the removal of the Taney bust is an appropriate step at this time however the removal of the Johnson bust strictly because he lived in a different time would to extinguish his sacrifice and to erase history. He added that as a citizen of the City that he has grown to love and spend a large portion of his life he would be gravely disappointed this body should the Johnson bust be removed due to misguided political pressure.

Robert Higby stated that to the decision made at the Mayor & Board of Aldermen meeting seemed to be very one-sided to him and he can understand part of this because Taney's real life story and all his accomplishments are geared toward the legal profession. He said that he does not feel that the general public can appreciate what a great figure in our history he is whether you liked him or not. He added that many people have given him great credit for his legal mind and many people do not realize that a lot of his contributions were to the judiciary and judiciary system. He stated that as Chief Justice they are responsible for enhancing the streamlining of the judiciary system and through his opinions in the court are only really appreciated by those in the legal field because they fully understand what great meaning this has to our judicial system.

Fred Michel stated that Dred Scott was a bad decision and he thought most enlightened people would recognize that and Justice Taney was given the constraints of congressional law that he had at the time. He said that he was operating more in a clerk mode and this is long before the age of activist judges. He added that the Commission needs to keep in mind and distinguish between a historical significance and

political popularity because in 1939 Adolf Hitler was Times Magazines “Man of the Year” so these people clearly had evil within them and bad traits but historically they had significance.

The meeting was adjourned at approximately 7:18 PM.

Respectfully Submitted,

Shannon Pyles
Administrative Assistant

APPROVED 8/25/2016