

**HISTORIC PRESERVATION COMMISSION
HEARING MINUTES
JULY 23, 2020**

Commissioners

Matthew Bonin, Chairman
Peter Regan, Vice Chairman (not present)
Philip Bailey (not present)
Thomas Hornyak
Michael Seibert
Gregg Horner (not present)
Carrie Albee
Jes Smith, Alternate

Aldermanic Representative

Donna Kuzemchak (not present)

Staff

Lisa Mroszczyk Murphy, Historic Preservation Planner
Christina Martinkosky, Historic Preservation Planner
Brandon Mark, Division Manager for Community Development & Urban Design
Scott Waxter, Assistant City Attorney
Shannon Pyles, Administrative Assistant

Call to Order:

Mr. Bonin 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

There were no announcements from staff or the Commission.

Public Comment

Karen Thomassen, resident at 107 E. 4th Street, stated that she had concerns about the health of their Mulberry tree if the demolition and new construction applications are approved. She said that they believe their Mulberry tree is a historic resource and should be protected. She added that she would like the Commission to promote infill that fits the neighborhood style and retains greenspace.

Andrea Mayer, resident on E. 4th Street, stated that this proposal did not fit the style and massing of the nearby historic properties. She said that the loss of the Mulberry tree on the Thomassen’s property would be a profound loss for the neighborhood. She said that she would like to see transparency with the Commission about their thoughts on the building not mirroring the historic structures streetscape.

Steve Jakubczyk, resident at 424 N. Market Street, stated he would like to challenge the statement the Ms. Underwood has reached out to the neighbors in regards to the tree because the answer to that question is no. He said that nobody is against infill and the demolition of the garage but they are against are things being done unilaterally and what is currently designed would impact the neighborhood in a negative way. He added that he would like to see the residents, developer and HPC to work together to capture the spirit of the Guidelines and not put something together that is contradictory.

David Thomassen, resident at 107 E. 4th Street, stated that in regards to the tree it is understood that the Commission does not have a role in broad tree protection however they do have the mandate to protect and preserve the integrity of the historic district and part of that integrity is based off trees. He said that if he were to submit an application to remove the Mulberry tree he is most certain it would be rejected and yet by implicitly saying to Ms. Underwood the tree can be killed they would be receiving an application in the future to remove a tree that they allowed to be killed.

Julia Schaeffer, resident at 50 Citizens Way, stated that she is a NAC 11 Coordinator and she would like to offer the services of NAC 11 to facilitate a conversation between Ms. Underwood and the residents that are going to be impacted by the project.

Robert Emerick, resident on E. 4th Street, stated that they need to look at the big picture because this isn’t just a one item development because this project does not meet any of the requirements set forth by the Guidelines. He said that they need to take a look at the Commission’s function of evaluating new construction because we are walking away from what has been a vision for this town.

Margaret Gaines, resident at 48 Maxwell Square, stated that she is opposed to the density and design of the project. She said that she would like it to be known that the design is inappropriate to the historic district.

Motion: Jes Smith moved to find the garage to be a non-contributing resource because it was constructed outside of the period of significance.

Second: Carrie Albee

Vote: 5 – 0

Motion: Jes Smith moved to approve the demolition of the garage contingent upon approval of the replacement plan.

Second: Michael Seibert

Vote: 4 – 1, Thomas Hornyak opposed

Lisa Mroszczyk Murphy

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

Public Comment

Andrea Mayer, resident on E. 4th Street, stated that she disagrees with the conclusions noted in the staff report and some of the assumptions are not supportable. She said that there is a rhythm to the alley and there are some beautiful rooflines on 4th Street that would be completely obscured by this project. She said that she would like to urge to the Commission to not fall victim to the manipulation of this design process.

David Thomassen, resident at 104 E. 4th Street, stated that he is not opposed to infill development but he is opposed to the monstrosity of design and the loss of greenspace. He said that you could see the project all the way from Chapel Alley and you would probably be able to HVAC units as well. He stated that all the greenspace behind the 5th Street properties would be lost. He said that he is strongly opposed to the side windows and wrapping balconies as it is not very appealing to the neighbors that would have those four-story high balconies looming over their property.

Darcy Richards, resident at 112 E. 3rd Street, stated that she respectfully disagrees with the staff report on a number of levels and numerous written testimonies lay out the areas in which they feel should be reevaluated. She said that this design looms over the street and pedestrian area.

Sandy Flynn, resident at 2 Maxwell Square, stated that she is directly impacted by this project since she lives right across the street from this project. She said that she is not opposed to a new build but her major concern is the massing of this project. She said that there could be four row homes with back yards as opposed to the proposed project.

Robert Emerick, resident on E. 4th Street, stated that to compare this project to Maxwell Square is disingenuous because Maxwell Square was built with the historic district in mind. He said that he would everyone to think about what precedent is being set with residential garage doors at street level. He stated that this proposal is a complete departure from the Guidelines.

Roberta Huber, resident of Maxwell square, stated that the proposed building will have no charm and she did not like the look of the modern structure in the historic district. She said that she would prefer the garages to be in the back so you don't see garages as you walk down the alley.

Kevin Sellner, resident at 102 E. 5th Street, stated that if the Commission and developer take the time now to involve the surrounding community they could come up with an option for a very compatible design. He stated that he wondered why other more appropriate new construction projects were not used as an example of design as opposed to Maxwell Square.

Motion: Matthew Bonin moved to continue this case to the August 27, 2020 hearing of the Historic Preservation Commission.

Second: Carrie Albee

Vote: 5 – 0

6. HPC20-564
 Level 1 New Construction
Lisa Mroszczyk Murphy

106 E. 5th Street

One Eleven, LLC
Jessica Underwood, agent

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

Public Comment

Please see public comment listed under HPC20-489.

Motion: Matthew Bonin moved to continue this case to the August 27, 2020 hearing of the Historic Preservation Commission.
Second: Carrie Albee
Vote: 5 – 0

7. HPC20-565 **108 E. 5th Street** **One Eleven, LLC**
Level 1 New Construction **Jessica Underwood, agent**
Lisa Mroszczyk Murphy

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

Public Comment

Please see public comment listed under HPC20-489.

Motion: Matthew Bonin moved to continue this case to the August 27, 2020 hearing of the Historic Preservation Commission.
Second: Carrie Albee
Vote: 5 – 0

8. HPC20-566 **110 E. 5th Street** **One Eleven, LLC**
Level 1 New Construction **Jessica Underwood, agent**
Lisa Mroszczyk Murphy

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

Public Comment

Please see public comment listed under HPC20-489.

Motion: Matthew Bonin moved to continue this case to the August 27, 2020 hearing of the Historic Preservation Commission.
Second: Carrie Albee
Vote: 5 – 0

9. HPC20-576 **535 N. Market Street** **Junior Fire Company No. 2, Inc.**
Replace overhead doors **Grayson Abrecht, Jr., agent**
Lisa Mroszczyk Murphy

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

Motion: Jes Smith moved to approve the application.
Second: Michael Seibert
Vote: 5 – 0

10. HPC20-590

539 N. Market Street

**Junior Fire Company No. 2, Inc.
Grayson Abrecht, Jr., agent**

Replace overhead doors
Lisa Mroszcyk Murphy

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

Motion: Jes Smith moved to approve the application.
Second: Michael Seibert
Vote: 5 – 0

VIII. Citizen Comment

There was no citizen comment.

The meeting was adjourned at approximately 9:55 PM.

Respectfully Submitted,

Shannon Pyles
Administrative Assistant