

# HISTORIC PRESERVATION COMMISSION

## HEARING MINUTES

**MAY 26, 2011**

### **Commissioners**

Scott Winnette, Chairman

Robert Jones, Vice Chairman

Timothy Wesolek

Gary Baker

Shawn Burns

Kate McConnell

Brian Dylus, Alternate (not present)

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### **Aldermanic Representative**

Michael O'Connor

### **Staff**

Lisa Mroszczyk, Historic Preservation Planner

Scott Waxter, Assistant City Attorney

Nick Colonna, Division Manager of Comprehensive Planning

Shannon Albaugh, HPC Administrative Assistant

**•I. 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.

**Announcements**

Kate McConnell announced she would need to recuse herself from HPC11-110 located at 500-600 N. Bentz Street.

**II. Approval of Minutes**

**1. May 12, 2011 Hearing/Workshop Minutes**

**Motion:** Timothy Wesolek moved to approve the May 12, 2011 hearing and workshop minutes as written.

**Second:** Shawn Burns

**Vote:** 6 - 0

- **II. HPC Business**

There was no HPC business.

**IV. Consent Items**

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**a. Cases to be Approved**

**b. Cases to be Continued**

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**•V. Cases to be Heard**

**2. HPC11-110**

**500-600 N. Bentz Street**

**Teresa Justice**

Install solar panels, egress windows and dormers

**Tim Daniel, agent**

*Lisa Mroszczyk*

**Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that this application concerns amendments to previous approvals for the North Market Street Revitalization (HOPE VI) project, now known as North Pointe. These items were continued from the April 14, 2011 hearing. The proposed amendments include the following:

1. Installing photovoltaic panels on the roofs;
2. Adjustments to windows on side elevations to meet egress requirements; and
3. Adding dormers on the rear of D-30 units on the north side of 6<sup>th</sup> Street (lots 41, 42, 43, 44, 45, 46).

### **Applicant Presentation**

Tim Daniel, with Zavos Architecture and Design, stated that regarding the street facing panels the Guidelines say they prefer to see them in the back but they may be acceptable on the street if they are integral with the overall design of the building and do not distract from the streetscape and most of the panels for the project are on the rear or facing the side elevations. Where they are facing the street they have gone through efforts to make changes based on the Commission's comments during hearings and workshops to integrate them better with the front facades. He added that they did not think that the panels' presence would detract from the streetscape because the streetscape is built with many elements in the built environment. He went on to say that the roofs and other aspects come into play in the streetscape but the things that are most apparent tend to be at the lower level. Mr. Daniel stated they were talking about the conflict of the character of what is proposed and with the materials in the Historic District. The district is full of variances and different materials that do not match one another. He added that things are built in different time periods and styles which adds to the visual richness of the district. The overall character of the historic fabric is one of material quality and just general integrity. This is the reason why most of the substandard or fake materials are deemed unacceptable and contrary to that, solar panels are what they are. He went on to say that they are a commercial grade material and simply an expression of their technology. Their technology is one of sustainability and sustainability and preservation go hand in hand in protection of resources. So whether or not they are visually appealing in the public view is a subjective matter in the eye of the beholder and there is nothing intrinsically unappealing about solar panels.

### **Commission Questioning/Discussion**

Mr. Winnette stated that he was close to being compelled to change it but not quite based on what Mr. Daniel shared. He was still in agreement with the staff in that this project could have been designed in such a way that it would be in better keeping with the Guidelines and the Guidelines do say "On new construction solar panels may be approved on rear elevations on a case by case basis if they are well integrated into the overall construction" so there is not a lot of openness to solar panels being used on the front façade.

### **Public Comment**

Fred Ugast, member of the County Sustainability Commission, stated that this is the kind of project that is a pioneer and leading element of sustainability and not only in the City but in the County and the State. He hoped that the Commission could find a way for it to be compatible with the Historic District needs because it is an important project.

Don Briggs, resident of Emmitsburg, MD, stated that he has built projects in the Historic District and it is a beautiful town and a terrific organic history of Frederick but now it is time to write a new chapter and they have a project that is rejuvenating an area. It would also bring renewable energy to the district.

### **Staff Recommendation**

Staff recommends approval of the installation of Schuco MPE modules MS 05 series solar panels as proposed on lots 18-20, 23-27, 34-38, 60, 61, 67, 68, on the rear only of lots 22 and 39 and on the rear half of side facing roof slopes only on lots 14-17 and 30-31 because their placement is consistent with the guidelines as described in this report.

Because the applicant has not demonstrated that the proposed buildings could not be designed so that the solar panels are located on the rear or obscured from view from the street, or that photovoltaics compatible with the texture, size, shape and scale of materials in the historic district could not be utilized, staff recommends denial of the installation of solar panels on lots 29, 32 and 41-46, on the front of lots 22 and 39 and on the front half of side facing roof slopes on lots 14-17 and 30-31 and that the dormers originally approved for the front of lots 41, 43, 44 be retained as part of the design unless otherwise approved to be removed by this Commission.

Staff recommends approval of the dormers on the rear of lots 41, 42, 43, 44, 45, 46 and the egress windows on side elevations according to the drawing set dated 4/25/11.

### **Dormers & Egress Windows**

**Motion:** Timothy Wesolek moved to approve the installation of the dormers on the rear of lots 41, 42, 43, 44, 45, 46 and the egress windows on side elevations according to the drawing set dated 4/25/11.

**Second:** Scott  
Winnette

**Vote: 4 - 1, Gary Baker opposed**

**Solar Panels on Non-Street Facing Facades**

**Motion:** Scott Winnette moved to approve the installation of Schuco MPE modules MS 05 series solar panels as proposed on lots 18-20, 23-27, 34-38, 60, 61, 67, 68, on the rear only of lots 22 and 39 and on the rear half of side facing roof slopes only on lots 14-17 and 30-31 because their placement is consistent with the guidelines as described on page 114 of the Guidelines.

**Second:** Timothy Wesolek

**Vote:** 5 - 0

**Solar Panels on Street Facing Facades**

**Motion:** Timothy Wesolek moved to approve the installation of solar panels on lots 29, 32 and 41-46, on the front of lots 22 and 39 and on the front half of side facing roof slopes on lots 14-17 and 30-31 and the removal of the dormers because the Commission has approved applications for solar panels in the past and because of the way the project is set up this is the only these are the only places the solar panels can be installed.

**Second:** Shawn Burns

**Vote:** 3 - 2, Gary Baker and Scott Winnette opposed

**3. HPC11-142**

**229 E. 3<sup>rd</sup> Street**

**Susan Scarvalone**

Reconstruct front porch and install gate

*Lisa Mroszczyk*

**Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that the applicant is requesting approval to modify an existing non-original front porch by decreasing it in length.

The new porch would feature the same roof, post, and railing details as the original. The flooring and steps would be reconstructed with tongue-and-groove mahogany. The base of the porch would include a lattice skirt and hinged door.

### **Applicant Presentation**

Susan Scarvalone, the applicant, stated that the project will improve the appearance of the house. The current steps and decking are pretty awful looking and she thought that shortening the porch will make the appearance of the house more symmetrical.

### **Commission Questioning/Discussion**

Mr. Winnette asked the applicant if she was okay with the conditions that staff placed on the application. Ms. Scarvalone answered yes.

Mr. Baker asked if they were going to install lattice on both sides and under the stairs. Ms. Scarvalone answered yes. Mr. Baker asked if the lattice would be plastic or wood. Ms. Scarvalone answered that it would be wood. Mr. Baker asked if they considered making a solid board assembly that would have a hinge. Ms. Scarvalone stated that she would be open to that suggestion. Mr. Baker stated that lattice is not appropriate despite what the Commissioner's may like it is not really compatible with the Guidelines so coming up with something a little bit more faux but realistic would be a good option. A solid board that would have hinges on it will conceal items stored under the porch.

Mr. Winnette asked if the door opening would be on the side elevation. Ms. Scarvalone answered yes.

Mr. Winnette stated that he appreciated the applicant making the changes and he thought it would look very nice.

Ms. McConnell liked the idea of the vertical board but she thought it would be more in keeping with the vernacular architecture of the house however she was not opposed to the lattice.

**Public Comment - There was no public comment.**

**Staff Recommendation**

Staff recommends approval to construct the front porch with the same roof, post, and railing details as the existing, and including painted wood tongue-and-groove flooring, painted wood steps, and framed lattice skirt, as per the submitted elevation drawing and scope of work, with the following conditions:

- Any visible markings or scarring left visible on the siding due to the shortening of the porch must be repaired in-kind and painted to match the rest of the wall;
- All visible porch components must be non-pressure treated wood and painted

**Motion: Kate McConnell moved to approve the application with conditions that would be more in keeping with the Guidelines:**

- - - **Any visible markings or scarring left visible on the siding due to the shortening of the porch must be repaired in-kind and painted to match the rest of the wall;**
    - **All visible porch components must be non-pressure treated wood and painted**
    - **The treatment beneath the porch be a vertical board that is approved by staff.**

**Second: Timothy Wesolek**

**Vote: 6 - 0**

**4. HPC11-236**

**11 S. Bentz Street**

**Brent Bonfiglio**

Replace front door

*Lisa Mroszczyk*



## **Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that this applicant is seeking post-construction approval for the replacement of a five panel wood door with a wood batten door with decorative strap hinges at the front entry of a mid-nineteenth century contributing resource.

## **Applicant Presentation**

Brent Bonfiglio, the applicant, stated that prior to doing any of this he did not realize he needed to go through the Commission. He received a citation for a stone retaining wall that was on his property but it was not mortared so he had the neighbor down the street mortar it and then he received a notice stating he did not ask for approval. He added that all the work was done at the same time; there was an outer door this door and the retaining wall. He went on to say that when he applied for the door and retaining wall he was told that he had a five panel door and since he replaced them at the same time they took parts of that door and reused them in the existing door. He stated that he would be willing to paint the door or take some of the hardware off of the door but with that being said it was a handmade door that opens and closes. The door that was there didn't have a door knob when the home was purchased and the aluminum door that was replaced also would not close and when it said replaced in-kind he had replaced it with another storm door. He said that since the door did not open they had fastened from the top and the bottom of the door the door that is there.

## **Commission Questioning/Discussion**

Ms. McConnell asked if the five panels on the previous door were horizontal. Mr. Bonfiglio answered yes.

Mr. Winnette asked how much of the door was existing. Mr. Bonfiglio answered the two top panels but none of the sides are on the door. Mr. Winnette asked if all of the panels were gone. Mr. Bonfiglio answered yes.

Mr. Baker stated that he liked the door because he thought it was compatible since it is a log cabin and it was a modest home. This is in what was a fairly remote area of Fredericktown and other than the fact that the hinges are a little bit on the lighter side that are not appropriate from the size point of view to handle a door that would have been this heavy. Mr. Baker's concern was

that the strap hinges are slightly fancy but certainly very dainty compared to what the door presents.

Ms. McConnell stated that this house does not look like a log house from the outside due to the evolution of the house. Mr. Jones agreed.

Mr. Winnette stated that since they are not able to replace the original door if the existing door were to stay he would like to see the hinges go. Mr. Winnette asked if the knocker was functional. Mr. Bonfiglio answered yes. Mr. Winnette also stated that he would want the polyurethane stripped off and that the door be painted on the exterior.

**Public Comment - There was no public comment.**

#### **Staff Recommendation**

Staff recommends denial of the application because the door is not compatible with the style and age of the building.

**Motion:** Timothy Wesolek moved to approve the current door with the followings conditions:

- **Remove the non-working hinges and if they applicant would like to replace the hinges the new product should be approved by staff**
- **The applicant should paint or stain the door**

**Second:** Gary Baker

**Vote:** 6 - 0

The meeting was adjourned at approximately 7:30 PM.

Respectfully Submitted,

Shannon Albaugh,

Administrative Assistant