

Michael Gehr, chair, called the meeting to order at 4:33 p.m. on Thursday, June 24, 2021, in the Council Chamber, Second 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, D. Carroll (via Zoom), C. George, and R. Powell. S. Bockmiller, Development Planner/Zoning Administrator; D. Calhoun, Secretary; and A. Haught, incoming Secretary, were present on behalf of the Planning and Code Administration Department.

**Approval of Minutes:**

March 25, 2021 and May 27, 2021.

**MOTION:** (George/Powell) I move to adopt (the minutes)  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**CONSENT AGENDA**

None.

**DESIGN REVIEW**

**14-16 East Antietam Street – 14, 16 & 24 East Antietam LLC – Demolition (Tabled on April 8, 2021), Case No. HDC 2021-14.**

Dan Hockman, Jeff Tedrick, and Rob Ferree all of Bowman Development, owner of the property, were present.

Staff Report: This is a B resource in the Downtown Local Historic District. The last time this was discussed the applicant agreed to table the matter for 45 days in order to gather economic data to support the demolition request. The meeting file includes additional information provided by the applicant regarding the financials associated with the demolition. The request to table the matter was at the request of the HDC because the general feeling was that the financial documents were insufficient to support the demolition. The applicants also provided a conceptual idea for a drop-off area using the property in question for the adjacent Masonic Lodge and a few parking spaces. There is also a plan that shows this area as a grassed lot.

Applicant/Commission Discussion: Mr. Gehr asked the applicants if they had any additional information to add. Mr. Tedrick indicated that within the next 12 to 18 months that Bowman might be able to secure funding to convert the ballroom at the Masonic Temple into an event

center. There are no firm plans at this time, but it is something Mr. Bowman would like to do. Mr. Ferree added that the apartment building that is the subject of the demolition request was broken into again within the last few days. The owner of the brewery/distillery has indicated that he and his wife are reluctant to use the back door because of the vagrants that hide out behind the building. This is why they want to remove of the building now rather than waiting for a possible redevelopment opportunity.

Mr. Bockmiller asked the applicants what the proposed treatment of the site will be—shale or will they implement the plan that is shown with trees and grass. Mr. Ferree indicated that Bowman would be willing to install the grass and a small amount of landscaping to ease HDC’s concerns about an eyesore. Mr. Bockmiller stated that the circa 1870s building at the corner of the alley is structurally sound and the applicant should look into ways to incorporate this structure into their project. The building on the corner of the alley helps frame this section of the block.

Ms. Allen had concerns about the financials provided in support of the demolition, including the rental adjustments and the capital cost figures. Mr. Hockman stated that it would relate to the total in the table at the lower right, which reflects what the capital costs would come out for on a yearly basis. Mr. Hockman was not certain how long that would be. Mr. Ferree stated that their comptroller put the figures together and he is on vacation.

On the higher monthly rent with the step up information, there are rentals in place for rent that comped determined and the capital costs, what is the relationship between the two once you have a completed project in this example. Ms. Allen asked what the capital cost would be. Mr. Hockman stated that he believed the number would continue to grow as an investment. His understanding is that the numbers reflect “if you did this project vs. if you did not do the project” They have one-year window to look at their costs; that is the only data they have at this time. Ms. Allen stated that the applicant has indicated the potential to use this property along with the property they own immediately to the north (Masonic Temple). She asked if it is their intent to join the two parcels or if they would be maintained as two separate parcels. Mr. Ferree stated this would be re-evaluated and would be considered depending on circumstances. Bowman is not certain what the lot would be used for once the building is demolished. Mr. Bockmiller stated the lot could be used for a grand entrance to the proposed events center. If that is the case, the Building Code would require that the properties be combined to meet the requirements of the Building Code. If the lot is used as a parking lot and drop off area only without new enclosed space, it might not be necessary to combine the parcels.

Ms. Allen was having difficulty justifying a demolition based on the financial information provided by the applicant. She also had concerns about the lot remaining undeveloped in that the applicant has not provided a plan for the streetscape and no time line for redeveloping the site. She was not comfortable with the unknown factor. When the building comes down it cannot be replaced. Mr. Ferree stated that when it pays to develop the lot, that is when it will be developed. The theory is they have limited capital and they need to decide where they best spend their money (“The cost of Mr. Bowman’s funds being applied to this property.”)

Ms. Allen reiterated that the HDC's purpose is to protect structures and prevent the unnecessary removal of or damage to contributing structures. Mr. Ferree countered that Bowman Development wants to make the area attractive in order to attract other people downtown.

Mr. Carroll had similar thoughts to those of Ms. Allen. He also had difficulty following the financials provided by the applicant. It was much less than he would have anticipated. His assessment is correct that it was \$90,000 in addition to what they previously provided. Mr. Carroll asked if the figures included total fit out of the units with all the appliances. Mr. Ferree stated that Bowman Development does not provide appliances with their rental units. Mr. Carroll appreciated the concept drawings and understood what the developer is going through. He stated he did not have the assurances to make this type of drastic decision. He was not comfortable with the speculative nature of the applicant's plans. Mr. Ferree stated that Bowman Development has not found downtown housing to be a profitable venture and asked the commission to understand Mr. Bowman's reluctance to invest in a project that is not profitable.

Mr. Bockmiller reminded the commission that they need to concentrate on whether or not the financials work out, and not what or when the lot will be redeveloped. The focus needs to be on whether the damaged building can be rehabilitated in a financially sound manner. Staff's primary concern is that if the building is removed, the resulting vacant lot is not covered in gravel for the next five years. The developer is coming to the table with a specific treatment of the site and they have amended their application to state that the lot will be finished with grass, ornamental fence and a limited number of trees after the building is removed rather than gravel.

Mr. Ferree estimated it would cost \$40,000 to demolish the building. Bowman believes it will be better for the community and provide better safety for the tenants of the Masonic Temple next door.

Mr. Bockmiller observed that if the applicant renovates the building it might not be marketable since there is no open space associated with the site and the building backs up to the Masonic Temple. He asked the applicants what their target market would be given the 500-square-foot apartments. Mr. Ferree said it will be difficult to find tenants for these types of units. In their business model, residential uses are more of a hassle for them. They have had a hard time renting and keeping tenants.

Mr. Gehr stated that with projected rents and the square footage of the apartments, it will likely be difficult to rent these units. The other issue would be parking since the only parking provided would be on-street spaces., the nearby parking deck and next to the Library. He did not believe this type of unit would be attractive to a prospective tenant that could afford the higher rent. He stated he did not want to lose a historic structure, however, if nothing is done the building will decay further. The best solution may be to remove the building. He wanted development on the lot to occur sooner rather than later. Based on the current construction scenario, building materials may be difficult to obtain quickly. Putting money into this building might not be justifiable if it is going to be torn down in the future.

Mr. Gehr noted that the inside space would not be easily convertible based on the variation in floor levels. He believed the best part of this building is its façade. Renovating the building for a commercial use might not be feasible. Mr. Carroll agreed with Mr. Gehr's statement about the façade. The outside façade is attractive but the inside is not marketable or rentable. The site is landlocked by commercial entities. Mr. George asked about removing the building except for the façade. Mr. Gehr stated that would not be feasible based on the way the building was constructed. The walls support the façade and that would make it difficult to keep the façade from toppling over. Doing so would be very expensive.

Ms. Allen asked if the developer has no plans for the site and the project is financially a headache whether the developer has considered selling the property. Mr. Ferree said no because it could become a very integral part of the Masonic Lodge property. Mr. Gehr asked for assurances that the corner building will be maintained in the greater scheme of the Bowman complex. That building has more history than the subject property. Mr. Ferree indicated that he could not give any assurances that the corner building would never be demolished.

It was noted that there is a perceived conflict between the mission of the HDC to preserve buildings, protecting irreplaceable historic resources from removal unless absolutely necessary, and the applicant's desire that some of their properties in the Historic District should be expendable regardless of condition. There is a provision in the Ordinance for the Commission to consider demolition as part of a "major economic development opportunity" the project needs to be extremely beneficial to the community and create many jobs or a lot of tourism visitation, which is not case with this project, and is not claimed as part of this application. Therefore, in this case, approval or rejection of an application for demolition in this case rests on the economic viability test.

Ms. Allen asked how many residential units are in the building on the corner. The developer stated that there are two tenant spaces in that building and they rent for \$700 a month. The units are dated. Mr. Powell agreed that this is a difficult situation, but believed it was a question of either renovate the building or tear it down. Ms. Allen asked if the building could be secured until plans are made for the site to avoid another fence lot downtown. Mr. Powell suggested installing security cameras on the building; Ms. Allen suggested the lot could be fenced. Mr. Gehr noted that an open lot would eliminate places for vagrants to hide. Ms. Allen disagreed and contended this is a problem for all properties whether they are occupied or not. Mr. Bockmiller stated that it did not make sense to leave the building standing if the financials do not work to provide a reasonable return and ultimately they plan to tear it down for development. Ms. Allen said there are already properties downtown fenced and undeveloped; the city does not need another one. She did not want to see another fenced lot. There are other lots just like this one downtown. She did not believe this would be the best use for the property. Mr. Powell noted there are a number of realtors in the area that will advertise and screen applicants for landlords.

Recognizing the commission's struggle with the case, Mr. Bockmiller believed the City Attorney would advise (although he was not speaking for the City Attorney) that the 45-day time limit and

the extension previously agreed to for this date, there would either need to be a vote today or the applicant and Commission would need to agree to another extension.

A straw vote was taken:

- Mr. George indicated he agreed with Ms. Allen. There are many vacant lots in Hagerstown already.
- Mr. Carroll said he would probably begrudgingly vote to approve the demolition request. From a historical perspective he would not be in favor of demolition; practically he understands the developer's position. He keeps going back to the fact that the façade is great but the interior is not and the fact that the commission cannot compel the applicant to repair the building.
- Mr. Gehr said he foresees the building being demolished and did not foresee other developers stepping up to fix up this building. There is a vision down the road—he does not want the building coming down by neglect and becoming more of an eyesore. No investor would put money into this building.
- Ms. Allen was opposed to the demolition. Ms. Allen stated she would be more comfortable with the demolition if there was a definite plan. An open-ended approval is not something she can approve. The numbers don't work for her and the criteria don't meet.

Mr. Gehr asked if the applicants would be agreeable to extend the action on this application to the next meeting on July 8 to give commission members a chance to think about the form of a motion. He cautioned that commission members cannot discuss this among themselves except in the context of an official meeting. Mr. Ferree said they are concerned about vagrancy and additional break ins. They need to take some type of immediate action. They do not want this application to drag on too much longer. Mr. Ferree disagreed with Mr. Powell's suggestion that security cameras would be an effective means of curbing undesirable activity. The only solution he sees is getting rid of the building to eliminate nooks and crannies. But they agreed to allow the period to extend to the next meeting on July 8.

**MOTION:** (Powell/Allen) I move to table demolition of 14-16 East Antietam Street to the next meeting on July 8.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

Mr. Bockmiller noted that the discussion on July 8 will be limited to deliberations only. The discussion needs to be contained to the information provided at this meeting (June 24), and the last meeting (at which hearing this case began). No new information will be discussed.

Mr. Ferree thanked all the commission members for the Preservation Award that was recently given to their Masonic Temple project in recognition of Bowman Development's efforts on that project. Mr. Ferree invited all commission members to the ribbon cutting ceremony on Friday, June 25, at 4:00 p.m.

**247 South Prospect Street – Gideon Properties/Daniel Wolfe – New Door,  
Case No. HDC 2021-23.**

Daniel Wolfe, 133 Sharer Drive, Mercersburg, Pennsylvania, of Gideon Properties participated in the meeting via Zoom.

Staff Report: This is a contributing resource in the South Prospect Local Historic District. Applicants have replaced the door on the left side of the primary entrance with a white Feather River “Craftsman-style” exterior fiberglass door with simulated divided lights. Photographs were provided at the end of the staff report showing the original door. At some point between 2015 and 2018 both front doors were painted white. The original door appears to have been a French-style door. The frame was shimmed down to accommodate a narrower stock door and the transom was removed or covered.

The HDC’s architectural historian, Dr. Paula Reed, provided the following observations:

*“From the photos, it appears that all of the leaded glass at both entrances has been removed. The transom on the left door has been infilled or covered. The doorway has been reduced in size with what appears in the photos to be wood. The original framing and trim (jambs and lintel) appear to remain in place.*

*The design of the replacement door itself is not inappropriate for the ca. 1925 period of the house. The big problem is the infill and the blocking of the transom. While the replacement door is reminiscent of the time period, no door of this type was in place on this house. The original door was wider, two-leafed, and had glass panes. Are the original French doors still in existence? If so, could they be reinstalled? Otherwise, can another replacement door or doors be selected that more closely resembles the original? (maybe security is a concern with glass doors? If so, how about two-leafed solid paneled doors?) Finally, if both entrances were painted dark brown, as they were previously, it would go a long way toward making the replaced entrance material less obvious.”*

Staff recommended denial of the application as submitted.

Applicant/Commission Discussion: Mr. Wolfe stated that Gideon had evicted two tenants and there are security issues. A former tenant had been breaking into the building and trespassing after their eviction. Mr. Wolfe stated that Gideon Properties will do whatever is necessary to make this property compliant.

Referring to Dr. Reed’s comments above, Ms. Allen asked if the historic doors still available. Mr. Wolfe stated that the historic doors were destroyed and are no longer an option. He was unable to confirm or deny that the transom was still in place. The door in question is the main entrance to Unit 1. Mr. Bockmiller asked whether the transom over the door on the right side is still in place. Mr. Gehr suggested using a raised panel door to replicate the lights in the historic

door. Mr. Wolfe pointed out that over the years Gideon has accumulated doors from other properties it owns and wondered if they could use one of those doors in this instance. Another suggestion was to have a woodworker make a single-swing door that gives the appearance of a French door. Mr. Powell asked if Mr. Wolfe could research a more appropriate style of door and come back with that information to the July 8 meeting. He also asked that Mr. Wolfe find out if the leaded glass transoms are still in place. Mr. Wolfe asked the commission to table this matter until the July 22 meeting to give him more time to research appropriate doors and determine if the leaded glass is still there.

Mr. Bockmiller stated that he believed the main issues were the shimming of the door and the loss of the transoms. It was his opinion that the type of door is not the main issue. The width and height of the replacement door, and the loss of the transom are the primary issues.

**MOTION:** (George/Powell) I motion to table this until July 22.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

**1020 Oak Hill Avenue 47 South Prospect Street – Gideon Properties/Daniel Wolfe – New Door, Case No. HDC 2021-23.**

Eduardo Rodriguez, 12463 Fallen Timbers Circle, Hagerstown, Maryland, contractor, was present on behalf of the owners of the property.

Staff Report: This is a B resource in the Oak Hill Local Historic District. In March 2021 the applicants received approval for improvements to their back yard including removal of an existing deck to be replaced with a masonry patio, pool deck, and fire pit. Since then the owners’ plans have changed. The project is being downsized to include:

- Patio (where the deck was removed) will be 24’ 5” x 16’; materials will be Alpine Contemporary pavers in “Oceanic Blue,” Old Vienna inlay in “Raven,” and Rustico border in “Oceanic Blue.”
- A 12’ x 12’ “landing” patio has been added where the pool would have been installed. The materials will match the main patio.
- Paver paths are shown connecting the various features of the rear yard.
- No changes are proposed for the deck and stairs that come off the addition in the rear.

Staff recommended approval of the application. There is an existing ornamental metal fence, retaining wall and topography that mostly mask the improvements. The patio, being uphill and flat to the ground will have minimal impact and will be barely noticeable from the street.

Applicant/Commission Discussion: Mr. Rodriguez had nothing else to add. The patio materials the commission approved several months ago are not available. The property owners were anxious to have this project completed and not want to wait.

**MOTION:** (George/Powell) 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 height, setback, materials, are generally in harmony with the Architectural Design Guidelines for Commercial Historic Districts and the character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of appropriateness to the applicant for Case HDC 2021-24.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

## **WORKSHOP**

None.

## **NEW BUSINESS**

None.

## **OLD BUSINESS**

None.

## **ANNOUNCEMENTS**

- Mr. Bockmiller introduced Amy Haught who will be replacing Debbie Calhoun beginning July 1 and will be the commission's new secretary. Ms. Calhoun's last day with the City will be Wednesday, June 30. Commission members were invited to attend her farewell party at City Hall on June 30 from 2:00 p.m. until 4:00 p.m.
- Leslie sent out an announcement for the Maryland Planning Commissioners workshop. At a previous meeting Mr. Carroll expressed interest in learning about training opportunities to meet one of the requirements of being a Certified Local Government (CLG). Ms. Allen promised to send the announcement out again.

**Historic District Commission  
MINUTES**

**June 24, 2021  
City of Hagerstown, Maryland**

---

**ADJOURN**

It was moved and seconded that the meeting adjourn (6:20 p.m.).

7/8/2021

---

Approved



---

For Amy C. Haught – Secretary