



City of Hagerstown, Maryland
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MINUTES - HAGERSTOWN HISTORIC DISTRICT COMMISSION

Date: July 8, 2021
Time: 4:30 p.m.
Location: City Council Chambers, Second Floor, City Hall, 1 East Franklin Street
Attendance:

Name	In-Person	Remote	Absent
Michael Gehr, Chairperson	X		
Leslie Allen, Vice Chairperson		X	
Robert Powell	X		
W. Douglas Carroll	X		
Christopher George		X	
Matthew Chilton			X
Vacancy			X
Staff and Ex-Officio Members:			
S. Bockmiller, Development Review Planner and Zoning Administrator	X		
A. Haught, Recording Secretary	X		

Preliminary Matters:

- Call to Order and Instructions from the Chair** - The Chairperson called the meeting to order at 4:37 p.m.. Attendance of members and staff are reflected in the chart above. The Chair read the standard instructions to applicants regarding order of business into the record.
- Approval of Minutes** – June 24, 2021. Mr. Carroll moved to **approve** the minutes as presented. Mr. Powell seconded the motion, which **passed** by a vote of 5 to 0.

Application Review:

- Reviews -**

HDC-2022-15 – 14 East Antietam Street - 14, 16 & 24 East Antietam LLC – Demolition (*tabled on June 24, 2021*). The staff report can be found in the meeting file and was read into the record by Mr. Bockmiller at the last meeting. The Commission tabled the case to this meeting for further discussion after hearing presentations at the last meeting. The Applicant, represented by Jeff Tedrick and others, monitored the proceedings via YouTube but did not participate.

Mr. Carroll stated he was reluctant to approve a demolition of the building when there are several options for the developers available that do not involve demolition without specific plans to replace it. But given that it is boxed in by commercial development and not part of a residential streetscape, he would reluctantly vote to approve the demolition. Ms. Allen expressed her opposition to the demolition because there is an ongoing history of owners neglecting buildings and then using that neglect to request demolitions, leaving graveled covered holes in the streetscape without short (or long) term plans for reuse of the site, and in this case, the building is not unsalvageable and the owner has insurance funds in hand that could be used for the intended purpose of the policy – repair of the building. She also has concerns that the serviceable building to the east, under common ownership by the Applicant, will be viewed as an impediment to plans to redevelop the site, which is the antithesis of the mission of historic district commissions. Without concrete plans for redevelopment of the site, she believed the Applicant did not meet their burden to demonstrate justification of a certificate of appropriateness or hardship.

Mr. Powell found it hard to reconcile the fact that the mission of the Commission is to guide changes to buildings in such detail as railings and windows and not treat a demolition of the same buildings by the most protective standard that can be used. Mr. George was concerned with his perception that the Applicant was determined to remove the building regardless or decide to let it deteriorate, and the Commission's limited authority in that respect.

Mr. Gehr was concerned with the completeness of the supporting materials and the lack of specificity in plans for the future of the site. He referred to other cases where applicants sought demolitions merely to remove buildings and were denied. If the application is denied, it cannot be re-requested within a year barring substantial change in the justification or circumstances of the property. Plans for redevelopment or additional and more detailed financial analysis could warrant rehearing the case. Mr. Bockmiller suggested that the Commission focus more discussion on the financial practicality or viability of rehabilitating the building, which is the core of the regulatory consideration that the Commission must take into account when casting its votes on the matter.

Mr. Gehr understood that the available insurance money in this case would handle much, but not all of the rehabilitation costs, and the standard is that the investment must justify a reasonable return – whatever that is. But the Applicant's materials didn't clearly explain the financials in this case. Mr. Powell recalled at the last meeting, Ms. Allen was not comfortable with the accuracy or completeness of the documentation presented, and it would be good if the Commission could obtain impartial third-party analysis of the materials. She stated she was concerned that it was presented as part of a larger portfolio when the building should be considered alone, on its own merits. Once lost, a contributing structure cannot be recaptured. Mr. Bockmiller observed that the 45-day time limit for the application is near expiring and the Applicant is not present to consent to further continuation so if a decision is not reached at this meeting, the application will automatically be approved.

Action: (George/Powell): Mr. Chairman, I have inspected the project plans and the property in question, and if demolished in accordance with these plans, the project is not compatible with the character of the district for the reasons that the general form and proportion are generally not in harmony with the Architectural Design Guidelines for the commercial historic district and the character of adjoining properties and I therefore move that the HDC **not issue** a certificate of appropriateness to the Applicant for case number HDC 2021-14.

There being no further discussion, the motion was **approved** by a vote of 3 to 2 (Gehr and Carroll voted against the motion). *No approval for demolition in this case will be forthcoming.*

HDC-2021-25 – 55 West Franklin Street - Andre Hamilton/Island Twist Juice Bar, LLC – Signs, Façade Improvements and Grant Approval. The revised staff report (distributed after the initial mailing of the meeting package), which is in the meeting file, was presented by Mr. Bockmiller. Staff recommended approval of the application but denial of the use of stone veneer as inconsistent with the architecture of the building. Mr. Hamilton and the property owner, Michael Fitzgerald, were present, as was Esteban Gill, of the Juice Bar.

Mr. Gehr noticed the existing brick around the storefront is a faux brick veneer and not historic to the building. Mr. Bockmiller suggested if the Commission is inclined to approve the use of the stone veneer, a motion include wording that it is the modern reconstruction of a non-historic storefront, to create sufficient uniqueness in the application of this material to a building of this architectural style and period. Mr. Fitzgerald amended the application to extend the storefront improvements to include the right-hand storefront to be finished in a manner consistent with the proposed improvements to the left storefront.

Action: (Powell/George): 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 including the modification of the new stone veneer front on both sides of the building, architectural detailing which will bring this building up to date modern 21st Century retail use, the windows and the general form and proportion are generally in harmony with the Architectural Design Guidelines for the commercial 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. HDC-2021-25 **as amended**. There was no further discussion and the motion was **approved** by a vote of 5 - 0.

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2. Consultations and Workshops:

None.

3. Historic District Commission Business:

At staff's suggestion, the Commission agreed to prepare a resolution of appreciation for former Recording Secretary Debra Calhoun for her nearly 40 years of service to the City.

Mr. Powell mentioned his concern regarding the delay in the installation of the metal fencing along the sidewalk at City Park.

Adjournment:

There being no further business, the meeting was adjourned at 5:39 p.m.



for Amy Haight, Recording Secretary