

Michael Gehr, chair, called the meeting to order at 4:30 p.m. on Thursday, February 14, 2013, in the Fourth Floor Conference Room, 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 V. Hrabal, D. Matonak, P. Reed, S. Silas, and M. Wertman. S. Bockmiller, Development Planner/Zoning Administrator, and K. Maher, Planning Director, were present on behalf of the Planning and Code Administration Division.

**APPROVAL OF MINUTES: January 10, 2013, and January 24, 2013.**

**MOTION:** (Hrabal/Wertman) Mr. Chairman, I move that we accept the minutes from January 10 and January 24, 2013, as presented.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**CONSENT AGENDA**

**25 West Washington Street - Helen Tineo/Beatitudes Hair and Beauty Supply Store - Sign and Grant, Case No. HDC 2013-04.**

**7 East Washington Street - Alexander House/DYNIS, LLC - Rooftop Communications Equipment, Case No. HDC 2013-05.**

There was no one present at the meeting to oppose the consent agenda items, and there were no questions or concerns raised by the Historic District Commission.

**MOTION:** (Hrabal/Silas) Mr. Chairman, I have reviewed the materials submitted in Case Nos. 2013-04 and 2013-05, and the grant application for 2013-04, and their associated staff reports and recommendations. I have viewed the properties in question. The Staff reports recommend approval of these applications as consistent with the applicable standards adopted by this commission, and no one has appeared at this hearing with concerns about, issues with, or objections to these applications. Therefore, I move that this commission adopt the staff evaluations and recommendations in these cases as its own and grant Certificates of Appropriateness to the applicants for Cases 2013-04 and 2013-05, and the grant application for Case No. 2013-04.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**DESIGN REVIEW**

**19-23 West Antietam Street - City of Hagerstown - Remove Fifth Floor (Fire Damage),  
Case No. HDC 2013-06.**

Paul Fulk, Inspection Manager for the City of Hagerstown, was present.

Staff Report: This building is a B resource in the Downtown Local Historic District. The City of Hagerstown is requesting approval to demolish the fifth floor of this structure due to severe damage from a recent fire. A structural engineer has determined that the exterior walls of the fifth floor area are a hazard and likely to collapse. West Antietam Street has been closed since the fire due to the safety issue. Staff recommended approval of the demolition request.

Applicant/Commission Discussion: Mr. Matonak stated that the primary thing the City is concerned about is public safety. The building is not in danger of collapsing, however, there are individual areas of some of the floor levels that are unsafe to inhabit. Mr. Matonak said even though the fourth floor is not safe for habitation, there appears to be no danger that the walls will collapse outward onto the street. Ms. Wertman asked if the plan is to stabilize the building and renovate at a future date. Mr. Fulk stated that the building is not owned by the City and there are no current plans to renovate the building. The proposed demolition is being undertaken as an emergency repair. Currently the building is in the beginning stages of foreclosure. Dr. Reed asked what the plans are for the building after the fifth floor is removed, such as whether another roof would be put on over the fourth floor. Mr. Fulk said the treatment of the top of the building has not been discussed. The City's main objective is to re-open West Antietam Street to traffic. Ms. Hrabal asked if there is any way to stabilize the fifth floor without demolishing it. Mr. Matonak noted an extensive amount of shoring would be necessary to make the fifth floor safe. The whole front and halfway down each side, the connection of the roof to the exterior walls was burned out. Mr. Bockmiller asked if the central elevator shaft will be pared down to match the removal of one of the floors. Mr. Matonak stated that it is not part of the immediate plan. Although, portions of the chimney stack are unstable and will need to be shored up.

Commission members raised concerns about the future integrity of the remaining floors if a roof is not put on the structure. If left open to the elements, the building will further deteriorate. Mr. Fulk said any plans for a covering will be done by the new owner of the building, not the City of Hagerstown. The City issued a notice to remove the fifth floor because of the fire damage. A second notice will follow requiring that the building be made weather tight. Mr. Gehr asked about the extent of the fire damage. Mr. Matonak and Mr. Fulk replied that the fire began on the fourth floor and caused some damage on the third floor and extensive damage on the fourth and fifth floors. Ms. Hrabal questioned the condition of the building on the first and second floors, and the portion of the third floor that did not burn. Mr. Matonak noted that the firefighters pulled down ceilings throughout the structure to ensure the fire had been completely suppressed. At one point

fire fighters were pumping 4,200 gallons of water a minute into the building. Everything is wet and ceilings have fallen just from the water damage. Mr. Gehr surmised that whoever purchases the building would have to put a tremendous amount of money into the project just to make it usable. It was Mr. Gehr's opinion that any future owner will be requesting a demolition permit to take the entire building down.

**MOTION:** (Hrabal/Wertman) Mr. Chairman, I have inspected the project plans and the property in question and if proceeded in accordance with these plans, the direction of action is necessary for the reasons that it has been determined that the fifth floor of the building is unstable and poses a threat to the public safety to the street below, that for reasons of safety, the fifth floor, and only the fifth floor needs to be removed, hopefully preserving what they can with the remaining part of the building. Therefore, I move that the HDC grant a Certificate of Appropriateness to the applicant for Case No. 2013-06.

**DISCUSSION:** Mr. Gehr asked if there should be any language about a time frame for the placement of a covering on the building. Mr. Bockmiller suggested that a recommendation for a covering be done as a separate motion.

**ACTION:** APPROVED (Unanimous)

**MOTION:** (Hrabal/Silas) Mr. Chairman, I move that we recommend to owners of this building to have the fourth floor covered as soon as possible to prevent further damage and further instability of the building as soon as possible.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

**WORKSHOP:**

None.

**NEW BUSINESS:**

None.

**OLD BUSINESS:**

**Update of Re-Evaluation of Levels of Significance in the Downtown Historic District.**

Ms. Maher asked the commission for its recommendation on the new levels of significance for the Downtown Historic District. Mr. Gehr noted there was discussion about several properties being upgraded to a higher rating at the January 10 meeting. At that meeting Mr. Gehr expressed concern about elevating Noland's Garage on East Franklin Street to an "A" resource. Commission members discussed whether it wanted to recommend adding the former Gulf service station in the unit block of Jonathan Street to the Downtown District. Ms. Maher noted that if the property owner is opposed to the property being added, then the Mayor and Council most likely will not be in favor of adding it to the district.

**MOTION:** (Wertman/Hrabal) I move that we adopt the report as prepared by Paula Reed & Associates.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

Commission members discussed what the next step will be. The ratings have not been upgraded since they were originally done in 1982. Dr. Reed noted that the rating system is only used as guidelines for the commission when it makes decisions on Design Review applications. Ms. Maher added that the ratings send a message to the community that the "A" rated buildings are particularly important resources. Mr. Gehr noted that the ratings tie in with the new text amendments that the sub-committee is working on concerning future major economic development projects in the Downtown Local Historic District. By expanding the number of "A" resources, Mr. Bockmiller observed that there are now more properties that are added to the list for special consideration when economic development projects are proposed that would affect them. It would not keep the HDC from approving a demolition if conditions otherwise warrant. Ms. Maher said that whatever documents the Planning Commission and the Mayor and Council would review would include a list of buildings and their ratings.

Dr. Reed and other commission members had concerns about the erosion of the HDC's ability to protect historic buildings in the City Center.

**ANNOUNCEMENTS**

None.

**Historic District Commission  
MINUTES**

**February 14, 2013  
City of Hagerstown, Maryland**

**ADJOURN:** It was moved and seconded that the meeting adjourn.

3/14/2013  
Date

DC Calhoun  
Debra C. Calhoun - Secretary