

Robert W. Hershey, chair, called the meeting to order at 4:33 p.m., on Thursday, February 9, 2012, in the Fourth Floor Conference Room, City Hall. A roster of the members of the commission and the technical slots they fill are on file and available upon request. Also present were commission members M. Gehr, V. Hrabal, M. Mallery, D. Pembroke, P. Reed, and K. Sanford. K. Maher, Planning Director; S. Bockmiller, Development Planner/Zoning Administrator; and D. Calhoun, Secretary, were present on behalf of the Planning Office.

APPROVAL OF MINUTES: January 26, 2012

Ms. Hrabal pointed out that she was not present at the January 26 meeting.

MOTION: (Sanford/Mallery) Mr. Chairman I move that the HDC meeting minutes to January 26, 2012, with the correction of commission members present strike Hrabal, be accepted as distributed.

DISCUSSION: None.

ACTION: APPROVED (Unanimous)

CONSENT AGENDA

831 Oak Hill Avenue - Justina Aragon - Roof Replacement, Case No. HDC 2012-03

1009 Oak Hill Avenue - Patti and Clint Wiley - Replace Garage Doors, Case No. HDC 2012-04

Concerning 831 Oak Hill Avenue, several commission members had questions about this project; therefore, the case was moved to the Design Review portion of the agenda. (Mr. Gehr arrived.)

Concerning Case No. HDC 2012-04:

MOTION: (Sanford/Mallery) Mr. Chairman, I have reviewed the materials submitted in Case No. 2012-04 and their associated staff reports and recommendations, and I have viewed the property in question. The staff recommends approval of this application as consistent with the applicable standards adopted by this commission. No one has appeared at this hearing with concerns about, or issues with, or objections to this application. Therefore, I move that the commission adopt the staff evaluations and recommendations in this case as its own and grant a Certificate of Appropriateness to the applicant for Case No. 2012-04.

**Historic District Commission
MINUTES**

**February 9, 2012
City of Hagerstown, Maryland**

DISCUSSION: None.
ACTION: APPROVED (Unanimous)

DESIGN REVIEW

831 Oak Hill Avenue - Justina Aragon - Roof Replacement, Case No. HDC 2012-03

Ernesto S. Aragon, 20322 Mt. Aetna Road, Hagerstown, Maryland, was present on behalf of the applicant.

Staff Report: This structure is a B resource in the Oak Hill Historic District. About a year and a half ago Ms. Aragon contacted staff about what she needed to do before she repaired her roof. Mr. Bockmiller told her at that time that she did not need HDC review for roof repair. However, Ms. Aragon actually meant that she needed to replace the roof. The applicant is in the process of replacing the existing roof which consists of asphalt and slate shingles. The existing tabbed asphalt shingles are no longer manufactured. The roof has deteriorated to the point where it is necessary to replace rotted wood boards under the shingles. The applicant is replacing the entire roof with asphalt shingles with the exception of the shingles on the turret which will be replaced with a faux slate material. In addition, roof vents are being added. Staff recommended approval and noted that this is not a situation where the applicant did not attempt to do the right thing—there was a miscommunication.

Commission/Applicant Discussion: The new composite roofing shingle has a slightly green tint. Mr. Aragon stated that the faux slate is too rigid to use on the turret and would instead like to use the asphalt shingles on the turret as well. Mr. Aragon amended the application to allow the use of asphalt shingles on the turret, including maintaining the existing cap configuration.

MOTION: (Sanford/Pembroke) Mr. Chairman, I have inspected the project plans and the property in question and if constructed in accordance with the amended plans, the project is compatible with the character of the district for the reasons that the turret is to be shingled now in the same material as the primary roof, and therefore, is generally in harmony with the Architectural Design Guidelines for the Oak Hill 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. 2012-03.

DISCUSSION: Mr. Sanford amended his application to include that the pattern of the caps will be maintained. Mr. Pembroke seconded the amendment.

ACTION: APPROVED, AS AMENDED (Unanimous)

208 South Prospect Street - Josef Grewe - Replacement Windows, Case No. HDC 2012-02

Josef Grewe, 110 Greenwood Circle, Hagerstown, Maryland, was present.

Staff Report: This structure is a contributing resource in the Prospect Street Local Historic District. The applicant proposes to replace a number of wood, twelve-over-twelve windows on the southwest elevation with vinyl twelve-over-twelve windows with applied exterior muntins. The windows to be replaced are located on the front, side, and rear. Staff recommended approval on the rear and deferred making a recommendation on their use on the front and side. A sample of the exterior grill was provided by the applicant. Mr. Grewe explained to staff that due to the spacing in the double-hung nature of the slide, the muntin needs to be flat or it will interrupt the path of the slide. Staff questioned which windows will be replaced. Mr. Grewe replied that only the twelve-over-twelve windows on the second floor were going to be replaced. Mr. Bockmiller pointed out that replacement windows are approvable in historic districts, but they need to closely replicate the existing historic windows.

Applicant/Commission Discussion: Mr. Hershey stated that the windows on this building are character defining. However, the HDC is not as concerned with the windows on the rear elevation since those windows are not visible from a public way. Mr. Grewe clarified that he is not proposing to replace any windows on the side elevations. The only window he would like to replace is the double window on the front and all the windows on the second floor rear elevation. Concerning the muntins, Mr. Grewe stated he could not use anything thicker because of the sashes. Commission members disagreed with Mr. Grewe that the thin muntins would not have a visual impact on the building. The existing windows have a deep profile and the new muntins will not provide any profile.

Mr. Gehr explained that with vinyl windows, the sash is very limited. They are an inch thick and the glass is pushed out to the edge, so the muntin bar cannot be built out. The fact that it is a vinyl window will not allow any type of depth. The vinyl-clad and aluminum-clad wood windows are better suited to providing depth.

Mr. Hershey recognized Judy Wheeler of 213 South Prospect Street, Hagerstown, Maryland, speaking on behalf of Historic Heights *Neighborhoods 1st*. Ms. Wheeler stated that she and numerous other property owners in the neighborhood have concerns about Mr. Grewe's proposal to install vinyl windows (meeting file). These property owners in the Prospect Street Historic District also have had many windows that needed to be replaced; however, they complied with the HDC guidelines concerning replacement windows. This neighborhood has an issue where people purchase materials and then retroactively try to get approval for inappropriate materials. Ms. Wheeler asked that the process be followed to help keep the integrity of the Prospect Street Historic District. She stated that it is troublesome that some windows will be allowed to be vinyl.

Window replacement is an issue in their neighborhood and they will continue to monitor. Ms. Wheeler added that Francis and Wilda Gift of 252 South Prospect Street also signed the petition but their names do not appear on the copy that was presented to the commission.

Mr. Hershey explained that prior to 2004, windows were not under the purview of the HDC. In 2010 the Mayor and council changed the HDC's guidelines to allow substitute materials for windows, which accounts for some of the vinyl windows that have been installed recently. Concerning the profile of the proposed muntins, Mr. Hershey noted that under the Secretary of the Interior's Guidelines, No. 5 states that distinctive features shall be preserved. The existing muntins fall under this category.

Mr. Bockmiller asked if Mr. Grewe was planning to replace only the sashes or if the entire window would be replaced. Mr. Grewe stated that only the sashes will be replaced; the wood and the frames will remain. Mr. Grewe believed that the muntins would not be very visible from South Prospect Street. Mrs. Mallery felt the commission would be establishing a precedent by allowing these windows. Mr. Hershey noted that there are a range of products that are available that have acceptable muntins and that would adapt themselves more to this building than what is proposed. Dr. Reed noted that the muntins are very distinct and help to pick up shadow lines. Muntins that are absolutely flat will be discernible from muntins that are taller and have texture. Commission members were concerned about doing one side and not the other. The also believed that the proposed muntins are inappropriate.

Given the guidelines, what is existing on the building, and the neighborhood opposition, Mr. Hershey recommended that Mr. Grewe locate a product for the front windows that would more closely match the existing windows. However, for the rear windows, the proposed windows could be used since they are not visible from a public way. Mr. Grewe stated that the windows are in bad shape, cannot be opened, and will be difficult to repair. Since this is a rental property, the windows must pass a lead paint test; however, because wood on wood creates lead dust, it creates a health hazard. The proposed vinyl windows are an ideal solution as far as the well-being of occupants.

The commission and Mr. Grewe discussed possible options for the application. Mr. Grewe amended his application to include only the second floor rear, east facade only. The replacements will be twelve-over-twelve with exterior grills. Since he already purchased the windows, Mr. Grewe was concerned about losing the money he spent. He agreed to find another alternative for the window in the front. Mr. Sanford asked Mr. Grewe why he pre-purchased the materials and then tried to back into an approval, even though he has been before the commission before. Mr. Grewe said he saw numerous vinyl replacement windows in other historic districts and figured it was permitted.

- MOTION:** (Hrabal/Gehr) 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 windows being replaced will be the rear windows on the top floor only, they will be twelve-over-twelve with exterior muntins, and that would be generally in harmony with the Architectural Design Guidelines for the South Prospect 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. 2012-02.
- DISCUSSION:** None.
- ACTION:** APPROVED (Unanimous)

WORKSHOP:

None.

NEW BUSINESS:

None.

OLD BUSINESS:

Proposed Changes to Certificate of Hardship Language

The first meeting of the subcommittee was held last Thursday (February 2); a second meeting has been scheduled for after this meeting (February 9).

Civil War Markers

Mr. Bockmiller reported that the City has taken delivery and installed the last of the 49 Civil War markers. The project is now complete. Staff is currently working on a Civil War walking tour brochure of Hagerstown and hopes to have it finished in mid June. The walking tour brochure project is being funded by Rose Hill Cemetery.

Training Opportunity

Mr. Hershey reported that the MAHDC is running a series of three-hour workshops: three will be design oriented, three will be geared toward legal considerations. The workshops are being developed for historic district commissioners, for elected officials, for planning professionals. The workshops have been designed by a national workshop development firm. Currently, most of the workshops are scheduled for the eastern half of the state, but Mr. Hershey is hoping they will be more evenly distributed so all locations in the state will find it easy to attend.

ANNOUNCEMENTS

- Dr. Reed asked if the HDC has the authority to ask applicants to store historic windows after they have been replaced (rather than discard them). Mr. Bockmiller did not think the commission had the authority to require applicants to store unwanted elements of a building. It could ask applicants to store the parts, but they cannot require it. Ms. Maher said (in the case of Mr. Grewe), staff could include a sentence in the approval letter that will be sent asking him to consider keeping the window sashes in case a future owner might want to repair and reinstall them.

ADJOURN: It was moved and seconded that the meeting adjourn (5:29 p.m.).

Date

Debra C. Calhoun - Secretary