



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

*ELLCOTT CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT*

3430 Court House Drive ■ Ellicott City, Maryland 21043

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*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350

FAX 410-313-3042

## **2020 Minutes**

**February**

**March**

**May**

**June**

**July**

**August**

**September**

**October**

**November**

**December**



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## **July Minutes**

**Thursday, July 9, 2020; 7:00 p.m.**

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The July meeting of the Historic Preservation Commission was held on Thursday, July 9, 2020. Due to the State of Emergency and to adhere to social distancing measures, the meeting was not held at 3430 Court House Drive, Ellicott City, but was conducted as a virtual web meeting/conference call.

No one registered or otherwise contacted the Commission about testifying for any of the following applications.

Ms. Tennor moved to approve the June minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Clifford

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### **PLANS FOR APPROVAL**

#### **Regular Agenda**

1. HPC-20-50 – 8185 Main Street, Ellicott City
2. HPC-20-51 – 8180 Main Street, Ellicott City
3. HPC-20-52 – 8156 Main Street, Ellicott City
4. HPC-20-53 – 8156 Main Street, Ellicott City
5. HPC-20-54 – 3801 Old Columbia Pike, Ellicott City

## REGULAR AGENDA

### HPC-20-50 – 8185 Main Street, Ellicott City

Applicant: Heather Davis

**Request:** The Applicant, Heather Davis, requests a Certificate of Approval for the installation of two signs at 8185 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1890.

**Scope of Work:** The Applicant proposes to install two signs on the exterior of 8185 Main Street. The first sign will be a projecting sign that will be located on the front of the building above the storefront windows. The sign will be 18 inches high by 24 inches wide for a total of 3 square feet. The background of the sign will be Opaque Slate #201 Metallic with two accents colors, white and Gerber 220 Metallic Light Gold. The sign will be a double-sided, aluminum sign that is 1/8" thick. The sign will read on three lines:

Ash  
Interiors and Design  
2nd floor

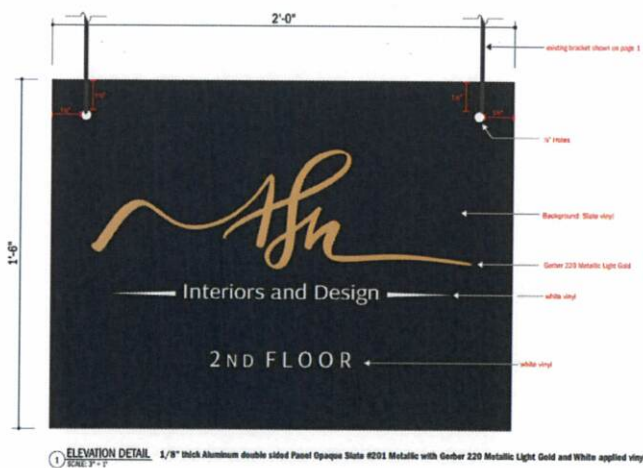


Figure 1 - Proposed projecting sign

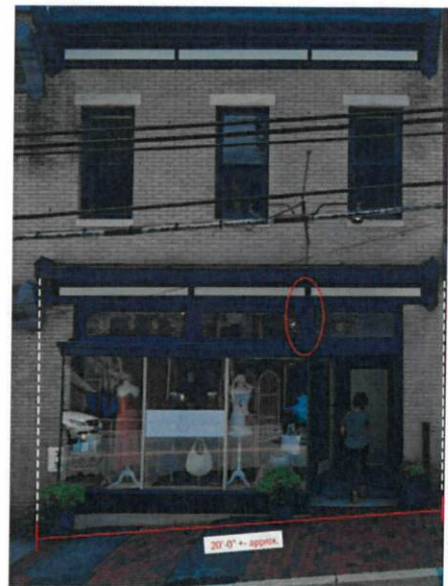


Figure 2 – Proposed location on existing bracket

The second sign will be located on the door in the recessed entry area. The sign will be drilled into the door, below the top two panels and will partially cover the middle panel. This door leads to the second floor. The sign will be 1-foot 2-inches high by 1-foot 6-inches wide, for a total of 1.75 square feet. The sign will read on three lines:

Ash  
Interiors and Design  
410-696-1880



Figure 3 - Proposed flat mounted door sign



Figure 4 - Location of proposed flat mounted sign

#### HPC Review Criteria and Recommendations:

##### Chapter 11.A: Signs; General Guidelines

1) Chapter 11 recommends:

- a. "Use simple, legible words and graphics."
- b. "Keep letters to a minimum and the message brief and to the point."
- c. "Use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade."

The signs comply with the general guidelines. The first sign will only contain the name of the business and a reference to business location on the second floor of the building. The second sign also contains limited text and will only contain the business name and phone number. There are only three colors used in each sign, and they will use the same color scheme.

- 2) Chapter 11.A recommends, "use historically appropriate materials such as wood or iron for signs and supporting hardware. Select hardware that blends with the style of the sign and is neither flimsy not excessively bulky."

The first sign will be hung from an existing metal bracket and complies with the Guideline recommendations. The signs will both be aluminum. While not as evident on a flat mounted sign, the modern material is evident on a projecting sign as it lacks the traditional depth found in a wood sign, MDO sign or HDU sign.

##### Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings; Entrances

- 3) Chapter 6.G recommends, "Maintain and repair original doors, frames, sills, lintels, side lights and transoms."

**Chapter 11.B: Signs; General Guidelines and Commercial Buildings**

- 4) Chapter 11.B recommends, "Incorporate the sign into the façade of the building. Sign should fit within the lines and panels of the façade as defined by the building frame and architectural details."

While it is unknown if the door is original, it is a wood door of a historically appropriate style and drilling into the door should be avoided in order to best maintain the condition of door.

The door sign does not fit within the panel, rails and stiles on the door and overlaps the various elements. However, an alternative style of sign, such as a simple vinyl lettering sign, could be applied directly to the door and more properly fit within the architectural details of the building. The font size of the phone number appears large in comparison to the business name, and could easily be reduced in size and still legible to someone standing in front of the sign. A vinyl sign would also negate the need to drill into the door.

**Chapter 11.B: Signs; Commercial Buildings**

- 5) Chapter 11.B recommends against, "Two signs where one is sufficient to provide an easily visible identification of the business."

In this scenario, the use of two signs will assist in providing easy identification of the business, as it is located on the second floor. There are two doors in the vestibule entryway of the building, one door (the full light glass door) leads to the ground floor business and the solid paneled door leads to the second-floor business. Having a sign on this solid paneled door will assist patrons in locating the business.

**Chapter 11.B: Signs; Commercial Buildings**

- 6) For projecting signs, Chapter 11.B recommends, "Limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City's small, attached commercial buildings."  
7) For flat mounted signs, Chapter 11.B recommends, "In most cases, limit the area of signage to one-half square foot of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign."

The signs comply with the size recommendations; the projecting sign will be 3 square feet and the flat mounted sign will be 1.75 square feet.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve sign #1 as submitted. Staff recommends the HPC provide advice on the design of Sign #2, the door sign; or approve if the HPC finds the sign complies with the Guideline recommendations.

**Testimony:** Mr. Shad swore in Andrea Hysmith and Eric Crowe. Mr. Shad asked if the Applicants had any comments on the staff report or had any information to add or clarify. Ms. Hysmith said she had the signage and presented it to the Commission so they were able to see what the signage would look like in person. Ms. Hysmith said the purpose of having the projected sign located on the second floor was due to the vestibule obstructing the view of the door sign.

Ms. Tennor said she completely agreed with the Applicant and the staff comments that this location needs two signs, a projecting sign and one in the vestibule area because of the recessed entrance. Ms. Tennor said that 6-panel doors are difficult to put graphics on and she did not have a better suggestion for how to get the message across, other than applying a panel to the door. The information on the sign

is the minimum that a person looking for the business needs and having it on one panel of the door seems reasonable, even through the door doesn't lend itself to having a panel applied.

Mr. Roth said he concurred with the staff comments concerning the sign on the door. The door is recessed and the sign on the door tells someone this is the door you want to go in. Mr. Roth suggested the sign could have the name of the business printed smaller, as the point of the door sign is to let people know they are entering the right place. Mr. Roth recommended making a sign that fits a panel or a space between a panel. He said that people will be on foot, so they can step outside to find the phone number to make sure they have the right location. Mr. Roth concluded that the door sign should be scaled down to include the business name and logo.

Mr. Reich said he did not have a problem with either of the signs as they both comply with the Guidelines; they are the right size and include the correct number of colors. Mr. Reich said he is not worried about the sign on the door as it is set back and recessed. The door sign does not look out of place to him. Mr. Reich said it would be nice if the sign could fit within one of the cross members on the panels but finds both signs to be nice as they coordinate. Mr. Reich said he was okay with the proposal.

Ms. Zoren agreed with the other Commissioner's comments and thought the two-sign concept was valid for this location because of the door situation. Ms. Zoren suggested shifting the door sign down about 4-inches, which would place the top of the sign at the top of the center two panels on the door. The sign would be crossing less architecture of the door this way.

Mr. Shad agreed that both signs are fine and look appropriate and he did not have a problem with the signs or the locations of the signs.

**Motion:** Mr. Reich moved to approve the sign application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

#### **HPC-20-51 – 8180 Main Street, Ellicott City**

Applicant: Majd Alghatrif

**Request:** The Applicant, Majd Alghatrif, requests a Certificate of Approval to make exterior alterations to the building at 8180 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-69, the Walker-Kinsey House. According to the Inventory form, the building on the property was constructed between 1833 and 1839.

This proposal to alter the front porch has been submitted to the Commission previously, in cases HPC-17-74 in October 2017, HPC-19-24 in May 2019 and HPC-20-29 in May 2020. In these cases, the application was lacking needed details and the Applicant withdrew in order to research the historic porch and provide more information. The existing porch is modern and consists of pressure treated flooring boards. The Applicant has also indicated in the past that there are structural issues with the footers as a result of the two floods.

**Scope of Work:** The Applicant proposes to rebuild the front porch in order to achieve a wider depth and to fix the current structural issues. The work will consist of the following:

1. Extend the depth of the porch by 2 feet, for a total of 6 feet deep, to match the 2:3 ratio shown in the photo of the historic porch.

2. Replace the existing structural support 4"x4" posts with 6"x6" posts.
3. Increase the number of structural support posts along the street from 5 posts to 9.
4. Increase the railing height to 42-inches to meet code requirements.
5. Widen the baseboard to 6-inches.
6. Construct the new railing with wood Douglas Fir rail caps, Pine balusters and Mahogany tongue and groove porch flooring. All railings and posts to painted beige/tan to match the existing.
7. Install wood beadboard ceiling for the first-floor porch ceiling.



Figure 5 - Front elevation - close up of porch



Figure 6 - Existing side view looking west

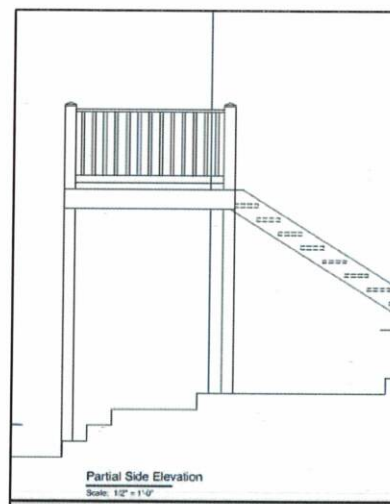


Figure 7 – Proposed partial side elevation looking west

## HPC Review Criteria and Recommendations:

### **Chapter 6.F: Rehabilitation and Maintenance of Existing Buildings; Porches and Balconies**

- 1) Chapter 6.F explains, "Porches and balconies are important to a building's sense of scale. Removing, enclosing or altering a porch can dramatically alter the appearance of a building. If a porch must be replaced, the replacement porch, even if simplified in detail, should reflect the visual weight of the original."
- 2) Chapter 6.F recommends, "replace deteriorated features with new materials as similar as possible to the original in material, design and finish."
- 3) Chapter 6.F recommends, "replace missing features, such as missing supports or railings, with materials that are appropriate in scale, proportion and style."



Figure 8 - View looking east

The Applicant now proposes to use historically appropriate wood types, such as Douglas Fir rail caps, Pine balusters and Mahogany tongue and groove porch flooring; rather than pressure treated wood. The proposed wood complies with the Guidelines. There are no new railing or trim profiles proposed, all profiles will remain the same as the existing, which is appropriate given the historic details are not clearly visible in the historic photos. The extension of the overall depth of the porch also complies with the Guidelines, as the porch will better reflect the visual weight of the original, as recommended. The increase in the number of support posts is a safety issue; the porch currently has structural issues due to an inadequate number of structural posts, which have also been damaged in the floods. The increase in support posts will allow the porch to be functional again.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.

**Testimony:** Mr. Shad swore in Majd Alghatrif and asked if Mr. Alghatrif had any comments on the staff report or application or had anything to add. Mr. Alghatrif said he had nothing to add.

Ms. Tennor asked if Mr. Shad would start with Mr. Reich or Ms. Zoren for comments on the application.

Mr. Reich said he was confused by the details and asked if the Commission should be using the May application request in conjunction to the July request to understand the full scope of the request and details of materials and schematics. Ms. Burgess clarified that the Commission is looking for the same details that are present with both applications. Mr. Alghatrif explained that the porch would remain the same detail wise, the proposal would include mahogany flooring, fir railing, color to match that was provided to the Commission. The gutter would match existing and the trim pieces were previously proposed as jigsaw but have been removed.

Mr. Reich showed a picture of the existing conditions of the porch from the staff report and confirmed that each element was remaining the same. Mr. Alghatrif said the only exception would be a wider baseboard scenario and stated the types of wood that would be used, such as Douglas Fir, Pine and tongue and groove Mahogany flooring finished with teak oil. Mr. Reich asked if everything will match the same size of the fascia, same size of trim on the edge of the decking, design of the rail. Mr. Alghatrif said that was correct, but he will be using a 6-inch wide baseboard, which is reflected in the plans, and



instead of a 2x4, it would be a 2x6 and said that is all that is changing in the railing design. Mr. Reich said there was a 6x6 post and asked if that continued to the railing, or if the railing post becomes a 4x4. Mr. Alghatrif said it would become a 4x4. Mr. Reich said that Mr. Alghatrif would be matching all of the railing details, and all of the details around the edge of the deck, except for the 1x6 instead a 4x4 post and change the posts to 6x6 posts and extend the entire porch 2 feet out. Mr. Reich asked what material the soffit would be and said he saw light fixtures. Mr. Alghatrif said the soffit will match the wood beadboard and the porch will have recessed lights that would be generic, 3-inch, matching what they have now and painted to match the color submitted. Mr. Reich asked for clarification on where the additional submission materials containing this info were found. Mr. Alghatrif said the material was put in a table in the submission. Mr. Reich asked if he was supposed to combine this was the previous months paperwork. Ms. Burgess said that the May and July materials needed to be combined.

Mr. Reich said he had no further comments and did not see a problem with the application as it was following the existing design and just making some minor changes.

Ms. Zoren said she agreed with Mr. Reich as far as the materials and wanted Mr. Reich's opinion on the column spacing as the Applicant has changed the spacing. The proposal shows paired columns with a single column on the end. Ms. Zoren said that all other porches on Main Street have very regular column spacing and the way the application had the columns paired, they were not close enough to be considered a pair. Mr. Alghatrif said he spaced the columns as they were in order to highlight the windows on the façade of the building façade and not block them, but could change the columns.

Ms. Tennor said she agrees with the Applicant, it makes sense to have the columns arranged for the window spacing. When she reviewed the application originally, there was concern that the increase of the depth of the porch by two feet would change the streetscape. Ms. Tennor said she no longer has the concerns with the expansion and said the historical photo submitted with the application strengthens the Applicant's case for his request. Ms. Tennor said she liked how the way the stair was handled and that the design has come a long way. Ms. Tennor said she appreciated the inclusion of information that was submitted with the new application.

Mr. Roth had nothing to add and thought the proposal looked good.

Mr. Shad said he concurred, the new request was simple, clean and looked better than the previous request.

**Motion:** Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

#### **HPC-20-52– 8156 Main Street, Ellicott City**

Applicant: Donald R. Reuwer, Jr.

**Request:** The Applicant, Donald R. Reuwer Jr., requests a retroactive Certificate of Approval for the installation of a railing at 8156 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1890.

**Scope of Work:** The Applicant installed a fence railing along the outdoor terrace/patio next to the building. The railing was needed to allow the neighboring business to utilize the patio for outdoor dining

(as part of the Phase II reopening due to Covid-19, due to the drop to the sidewalk below). The railing is a 42-inch tall black, aluminum fence railing.



Figure 9 - Before fence was installed.



Figure 10 - After fence was installed.

#### HPC Review Criteria and Recommendations:

##### **Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 1) Chapter 9.D explains, "Historic metal fences found in the district include wrought iron fences, the ornate cast iron fences that became common in the 1840s, and the simple metal fencing found along the railroad line, known as Ellicott City as railroad fencing. New fences that emulate these older metal fences are appropriate for many areas of the historic district, especially for commercial and office areas and for formal residences."
- 2) Chapter 9.D recommends:
  - a. "Construct new site features using materials compatible with the historic setting and with nearby historic structures, particularly for features visible from a public way."
  - b. "Install open fencing, generally not more than five feet high, of wood or dark metal."

The application complies with the Guideline recommendations. The use of the black, aluminum fence is consistent with other fence styles found in the historic district.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.

**Testimony:** Mr. Alghatrif was previously sworn in and would be representing the case as the tenant. Mr. Shad asked if Mr. Alghatrif had anything to add to the comments from the staff report. Mr. Alghatrif clarified that the railing was placed in light of local authorities allowing outdoor seating for restaurants.

Ms. Tennor did not have any questions and assumed the railing would have been required by code on the edge of the retaining wall.

Mr. Roth said the submittal looked good and had no other comments.

Mr. Reich said the submittal followed the Guidelines and was the right height and picket. Mr. Reich said the submittal looks good.

Ms. Zoren said she the submittal looked good and fits in with the other styles in the historic district.

Mr. Shad said he is in agreement that the submittal looks good. Mr. Shad said his only issue with the request was that it was a retroactive approval. Mr. Shad asked if Mr. Alghatrif knew the fence was going to be installed before it was approved. Mr. Alghatrif said the fence was a nice surprise to find it located there and was happy he was able to open the business with outdoor seating after being closed.

**Motion:** Ms. Tennor moved to approve application as submitted. Mr. Reich seconded. The motion was unanimously approved.

**HPC-20-53 – 8156 Main Street, Ellicott City**

Applicant: Kim Egan

**Request:** The Applicant, Kim Egan, requests a Certificate of Approval for the installation of a mural at 8156 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1890. The Applicant was approved in February 2019 in case HPC-19-03 to remove the filled in, shingled window openings and restore the front façade of the building to its most likely original design.

This application was originally posted as a Minor Alteration (MA-20-28), but was removed due to an objection.

**Scope of Work:** In an effort to camouflage the modern white parged wall, the Applicant proposes to paint the existing retaining wall adjacent to the rock outcropping, to look like a stone wall. The Applicant also proposes to paint the lower part of the building wall on 8156 Main Street (also white, parged or similar) to mimic the brickwork found on the building. Within the walls, the Applicant proposes to place 10 insects and 10 reptiles “hidden” for visitors to attempt to locate. The insects and reptiles will be done to scale and painted at their size found in nature (they will not be larger than 6-inches by 6-inches). The mural artist will be Antonia Ramis Miguel, who painted the mural on the side of Sweet Elizabeth Jane.



Figure 11 - Existing conditions



Figure 12 - Proposed mural



Figure 13 - Existing conditions



Figure 14 - Proposed mural

#### HPC Review Criteria and Recommendations:

##### **Chapter 11.B.9: Signs; Commercial Buildings; Wall Murals**

- 1) *Chapter 11.B states, "Painting a sign directly on a wall or other structural part of a building is not permitted by the county Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify of area is not a sign and is not regulated by the Sign Code. Well-executed artwork such as wall murals can make a positive contribution to the historic district."*

The Guidelines do not provide recommendations for murals, other than to explain when a mural might be considered a sign and explains the criteria the Board of Appeal will use in those instances. The Guidelines do state that well-executed art work can be make a positive contribution to the historic district.

##### **Chapter 6.N: Rehabilitation and Maintenance of Existing Buildings; Colors and Painting**

- 2) *Use colors that were historically used on the building.*
- 3) *Use colors appropriate to the period and style of the building.*
- 4) *Use colors that are generally compatible with (and do not clash with) the colors used in the district, particularly on neighboring buildings. On attached buildings, use the same colors or a coordinated color scheme whenever possible.*

The mural complies with the recommendations for paint colors, as the proposed colors to be used would be those to mimic the original stone and brickwork found in Ellicott City and on the building. The colors would be compatible with the building and surrounding area.

##### **Chapter 4: The Secretary of the Interior's Standards**

- 5) *Standard 9 states, "New additions, exterior alterations, or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion and massing to protect the integrity of the property and its environment."*
- 6) *Standard 10 states, "New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."*

The Secretary of the Interior's Standards explain new additions or new construction shall be done in manner that they can be removed in the future without damaging or affecting the integrity of the

historic structure. In this particular instance, the existing wall is a parged wall, painted white. Removal of the mural in the future would be easily accomplished by painting over it, which would not damage or affect the integrity of the historic building. The mural will be differentiated from its historic counterparts as it will be paint and not stone or brick, but it would be compatible, as evident by the previous painted brick on the mural at 8289 Main Street but this same artist. The creation of the mural/alteration of the space, will only utilize paint on a blank white wall and will not destroy historical materials or features.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the proposed mural complies with the Guidelines, and approved, deny or modify accordingly. If the HPC approves the mural, Staff recommends the HPC consider a maintenance plan as part of the approval.

**Testimony:** Mr. Shad swore in Kim Egan. Mr. Shad asked if Ms. Egan had anything to add or comment on the staff report. Ms. Egan said the important historic characteristics of Ellicott City was that it was a driving commercial center. The idea behind the insects in the mural was to bring people to the town and give them something to do, in spirit of which the murals were proposed.

Ms. Tennor said the concept was great, but the execution is critical due to the location and scale of the two areas for the mural. Ms. Tennor said the samples that were submitted to the Commission do not match very well to the photoshop examples that were submitted. Ms. Tennor asked if the stone work will look like the sample submitted, which is more rusticated. Ms. Tennor said she did not feel they achieved the trompe l'oeil appearance. Ms. Tennor said that when people are close to the elevations of the wall, being more convincing would help and enhance their effectiveness. Ms. Tennor said the idea of putting little creatures to be found was a great idea and that the execution will need to be all that more convincing and detailed.

Ms. Tennor added for the brick work, the mortar on the sample seemed way too white, with the intent to match the existing brick work. Ms. Egan said the muralist is the same artist who did the brick work on the side of Sweet Elizabeth Jane and intends for the brick work to match the building.

Ms. Tennor said the proposal could be a nice addition to Ellicott City, but the execution is critical. The visitor will have a more intimate relationship with these two walls than other murals where people may stand back to view. Ms. Egan asked if the Commission would like her to provide better samples to staff. Ms. Tennor said she would like to see better examples than what was submitted.

Mr. Roth said he did not object to the case when it came through the Minor Alterations process, and still thought he is okay with it. Mr. Roth said he had to put some thought into the application. He said it was being presented as a mural, but he thought it was really a faux finish, because of the brickwork. Mr. Roth found a lot of examples of historical faux finishes and went through the Guidelines seeking guidance and did not really find any. Mr. Roth said the proposal is okay and that it is an interesting application.

Mr. Reich thought the request was a great idea. He said the walls are boring, stuccoed over and do not have the original finish. Mr. Reich said he agreed with Ms. Tennor that the execution was very important. He agreed with Mr. Roth and said the request should be called a faux finish due to the past few meetings about murals. Mr. Reich said the request will be a great improvement over the white walls, which stick out like a sore thumb.

Ms. Zoren said she objected to the application when it went through the Minor Alterations process because it was more of a faux finish than a mural. Ms. Zoren said she thought the concept was charming, but also a juxtaposition in the only place that has truly natural elements, which could end up

being a very cartoony application. Ms. Zoren looked through the Guidelines and did not find anything allowing this request as the Guidelines do not recommend substitute materials such as fake stone, fake brick, etc. Ms. Zoren did not think she could approve it.

Ms. Egan said the faux finish would be quite consistent with the existing finishes on the street and more consistent than the current paving. Ms. Zoren said she disagreed and painting bonded brick style under actual brick will always stick out. When looking at the painted bond brick next to actual brick, visitors will be able to tell the difference. Ms. Egan said the muralist will use the same technique she used on Sweet Elizabeth Jane, which from afar looks like part of the building but close up the viewer can see where the mural stops and starts.

Ms. Zoren said she had no further comments.

Mr. Shad said it was very important to make the mural look as authentic as possible. Mr. Shad asked how long this surface will be maintained and if the mural will fade and go away. Ms. Egan said she did not have that information, but the muralist will use the same paints that were used on Sweet Elizabeth Jane which are very weather resistant and can be touched and cleaned.

Mr. Shad had no other comments.

**Motion:** Ms. Tennor moved to approve the application with additional artwork samples submitted to staff to look at. Mr. Reich seconded. The motion was passed 4-1, with Ms. Zoren opposed.

#### **HPC-20-54 – 3801 Old Columbia Pike, Ellicott City**

Applicant: Lili Mundroff, brennan + company architects

**Request:** The Applicant, Lili Mundroff from brennan + company architects, requests a Certificate of Approval and Tax Credit Pre-Approval to make exterior alterations and repairs at 3801 Old Columbia Pike, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-305, Esther Rettger's Two-Part House. According to SDAT, the building on the property dates to 1800. The application explains that the west part of the structure consists of the original ground stone level and log timber with chinking first floor level and attic above. The application states that a 2-story wood-frame hyphen was constructed at a later date between the west side house and the east stone house (a separate building, 3799 Old Columbia Pike). An original 2-bay, 2-story wood frame porch was modified after 1936 to include part of the hyphen, changing the character of the front elevation.



Figure 15 - Photo circa 1936, Historic American Buildings Survey, Library of Congress



**Figure 16 - Existing front facade view from Old Columbia Pike. Three-bay wide stone house to the left is a separate residence.**

**Scope of Work:** The Applicant proposes the following alterations and repairs and restoration work and seeks tax credit pre-approval for some of the work. The scope of work for each item will be explained in more detail below, organized by the façade that the alterations/repairs will take place on.

#### **General Repairs and Alterations**

General repairs affecting the overall structure will consist of:

- 1) **Roof** – Replace existing non-historic asphalt shingle roof with 50-year CertainTeed Landmark Designer Series in Charcoal Black; tab size and alignment to match existing. Include continuous roof ridge vent.
- 2) **Chimney** – Repoint and repair existing brick chimney as required. Remove loose mortar and infill new mortar to match existing in material consistency, color and tooling.
- 3) **Gutters** - Repair existing 1/2 round aluminum gutters and round downspouts as required; install new gutters and downspouts to match existing as indicated on the roof plan and elevations; size appropriately. Provide pre-cast concrete splash blocks to all above grade downspouts. The new gutters and downspouts will be white to match the existing.
- 4) **Stone Walls (building)** - Repair existing stone walls as required. Remove loose mortar and infill new mortar to match existing in material consistency, color and tooling. Reconstruct front porch NE pier to match existing.
- 5) **Log walls** - Stabilize and repair existing log members as required. Where small areas of wood are decayed, epoxy consolidation techniques and repair can be utilized following decay removal. For larger areas where wood splicing is required, newly installed splices shall be seasoned wood, carved and match existing in species, pattern and wood grain direction. Chinking repair to follow structural stabilization and daubing analysis for material composition to match existing daubing.
- 6) **Cedar Wood Siding** - Protect existing cedar shingles during construction. Clean, repair and replace as required using manual, non-abrasive methods. Any infill replacement shingles should match existing in wood species, coursing, thickness and exposure. Stain to match existing, Minwax 1086 Onyx.
- 7) **Flashing** - Replace and provide new step copper flashing at chimney and all roof/wall transitions to match existing. Inspect existing valleys and ridges and provide copper flashing including all window headers and sills as required.

- 8) **Windows and Trim** – All windows and trim will be historic bright white, to match the existing. Repair all existing historic windows as indicated in application, with the exception of those to be replaced. Add new aluminum storm windows as needed, to match the existing window proportions.
- 9) **Exterior lighting** – Install new exterior lights. One porch ceiling lighting fixture will be installed in the center of the 1<sup>st</sup> floor porch ceiling (Z-Lite 10-inch flush mount, black finish with seedy glass). Install one aged zinc colored Hinkley Outdoor Wall Sconce with Clear Seedy Shade from the Cape Cod collection at the ground floor front door and two rear doors. Install one bronze LED outdoor security light on the southwest corner of the roof eave to illuminate the stair and walkway to the rear yard.
- 10) **Insulation** – Provide attic insulation at main house and hyphen. Provide rigid insulation at all new work.
- 11) **Wood Floor** – Interior floor to be patched to match existing.

### **Front Façade Repairs and Alterations**

The work to the front (North) façade will consist of the following:

- 12) **Antenna** – Removal of an existing antenna on the roof.
- 13) **Porch Alterations/Restoration** – Remove the porch extension over the door/the third bay of the porch. Remove non-historic north-east extension of porch railing; salvage removed unit segment for reinstall on east side of porch.
- 14) **Shed Awning/Overhang** – Install shed awning/overhang over front door. Material to be Double Lock 1" standing seam metal roof by Riverside Sheet Metal; color 'UNDAR' Midnight Bronze; 18" wide panels.
- 15) **Porch Rails** – Refurbish all porch rails as required using hand tools. Where wood is deteriorated, epoxy patching compound should be used to build up decayed wood. Secure existing bottom rail, rail posts and top rail with stainless steel countersunk screws to existing wood posts; fill, prep and paint. Add new 1 3/4" x 1 5/8" W-5203 cedar handrail by Brunswell Lumber and Millwork at 36" above finish floor to meet railing requirements. Secure new handrail to existing wood posts as shown; prep and paint.
- 16) **Porch posts** - Protect existing wood porch posts during construction; refurbish using hand tools. Prep and paint. Repair or replace trim as needed, replacement using western red cedar to match in dimension, profile, texture and detail.
- 17) **Porch decking** - Protect existing wood decking during construction. Refurbish and replace in kind any boards deteriorated beyond repair. New boards to match existing in size, thickness, wood species, grain orientation and profile; re-use of salvaged decking boards from removed eastern portion of porch is preferred. Prep and paint.
- 18) **Porch ceiling** – Protect existing tongue and groove ceiling during construction. Refurbish and replace in-kind any ceiling deteriorated beyond repair. New boards to match existing in size, thickness, wood species, grain orientation and profile; re-use of salvaged ceiling from removed eastern portion of porch is preferred. Prep and paint.
- 19) **Front Door** – Remove the ground floor horizontal 5-panel door and replace with 9 light over 2 panel Marvin wood door with an aluminum storm/screen door. Doors to be painted Sherwin William Powder Blue.
- 20) **First Floor Porch Door** – On the first-floor porch, replace the existing 15-light French door and install a new 15 light Marvin wood French door with an aluminum storm/screen door.
- 21) **Ground Floor Windows** – Remove the two modern 1/1 fiberglass windows on the ground floor and replace with Marvin wood 9/6 double hung window.





Figure 17 - Existing front (North) elevation, Sheet A3.



Figure 18 - Proposed front (North) elevation, Sheet A6.

### Rear (South) Façade Repairs and Alterations

The work to the existing rear (South) façade will consist of the following:

- 22) Skylight – Remove the existing skylight on the original portion of the building (SW side) and install a new Velux skylight (referenced on the drawings as S1). Install a new skylight on the SE side/1880s addition (referenced on the drawings as S2).
- 23) New Rear Addition – Remove the existing windows as shown on the drawings (1/1, 6/6 and 6/6). Construct a new addition in this location. The addition will have a stone foundation, 15-light Marvin wood French door, painted Benjamin Moore, HC-181 Heritage Red, and a metal standing seam roof. The stone foundation will consist of a 4" stone veneer on CMU block base from reclaimed granite onsite or equal; size, coursing, layout pattern, mortar color, texture and tooling to be compatible with existing stone wall: new work to be consistent with the historic stone wall.
- 24) Roofing to be new Double Lock 1" standing seam metal roof by Riverside Sheet Metal; color 'UNDAR' Midnight Bronze; 18" wide panels. There will be four 9-light casement windows, each with a three light transom above. All trim to be Western Red Cedar, painted white.
- 25) Dormer Alteration – Remove existing modern dormer. Construct a shed dormer, using a standing seam metal roof and three 4-light casement windows. Roofing to be new Double Lock 1" standing seam metal roof by Riverside Sheet Metal; color 'UNDAR' Midnight Bronze; 18" wide panels.



Figure 19 - Existing rear facade.

- 26) Existing Door – Remove the rear modern 9-light over 2-panel door. Replace with a 15 light French door painted Benjamin Moore, HC-181 Heritage Red.
- 27) AC Condenser – Remove the existing AC condenser. Relocate condenser to the west side of the building (closer to the rear). Install new multizone mini-split condenser. Construct new screening to match building stone foundation and cedar shingle wall as shown on Sheet A7, West Elevation.
- 28) New HDTV Antenna – Install new HDTV antenna on roof.

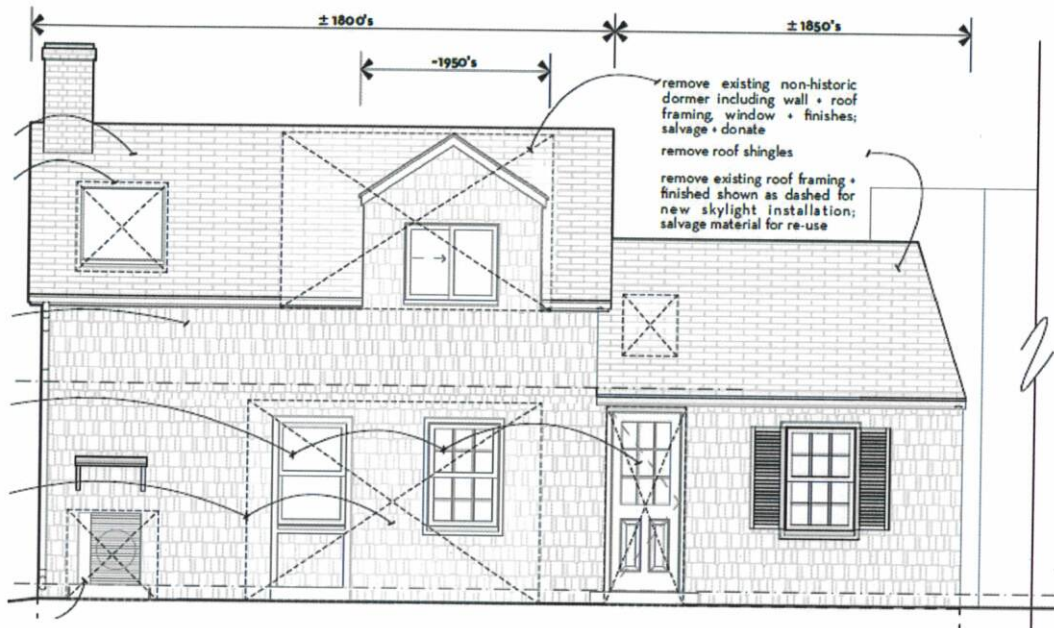


Figure 20 – Existing rear (South) elevation, Sheet A3.

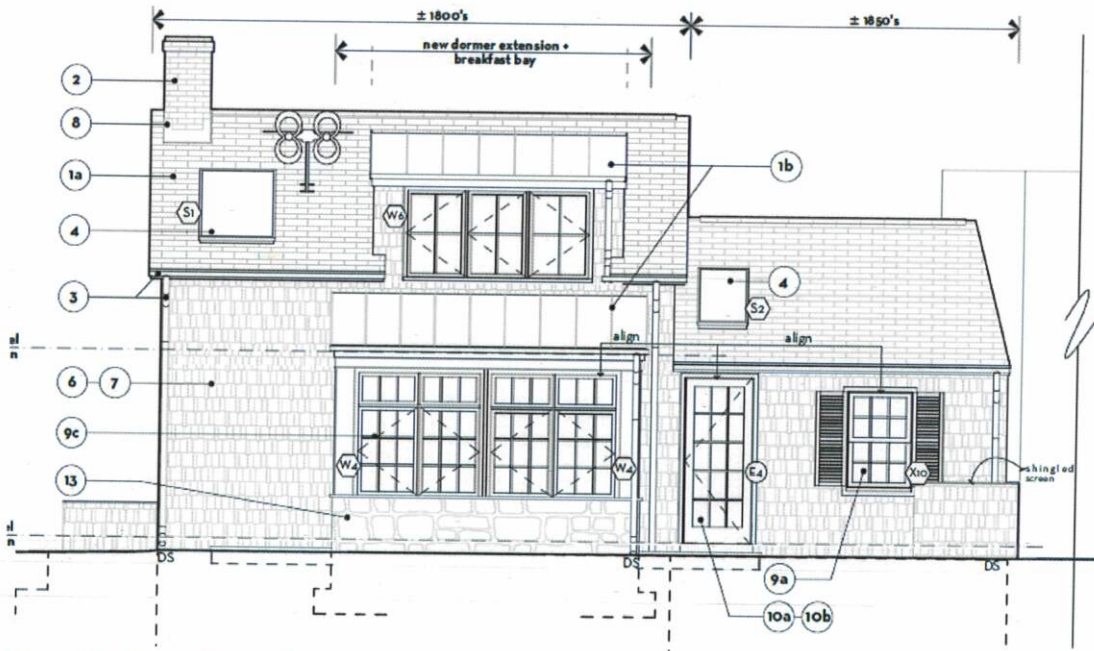


Figure 21 – Proposed rear (South) elevation, Sheet A6.

### Exterior Site Alterations

- 29) Two new brick stoops will be installed, one either side of the rear addition, in the location of the exterior doors. The stoops will each be 5-feet 5-inches deep by 5 feet wide.
- 30) There is an existing stone wall ruin, which the Applicant proposes to rebuild. It will be five feet above grade. The existing wall runs 6-feet 6-inches in length and then turns for another 3 feet. The Applicant proposes to add a 24" high and 10-12' long extension, also to be built in stone. Details on the new portion are not available yet.
- 31) Construct a new brick patio behind the SW/1880s portion of the house.

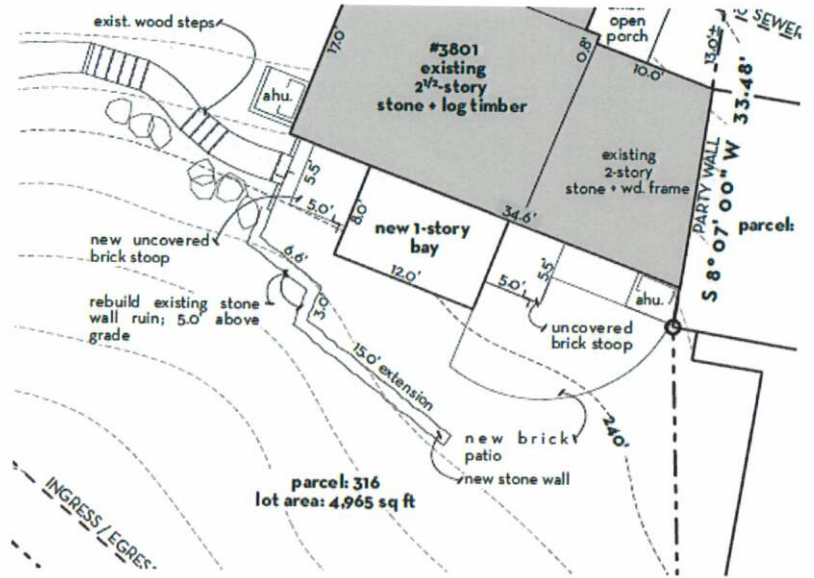


Figure 22 - Rear site alterations and repairs



Figure 23 - Rear panoramic view

The application explains that restoration of the historic architectural details, including the window and door repair, exterior wood trim features, front porch railing etc., will follow the design guidelines for repair and maintenance, will use hand tools and gentle methods to avoid loss of detail. The application also explains that where features are damaged beyond repair, new infill replacement shall match the existing in material, texture and finish for compatibility. The application explains that the new construction, including the dormer and rear bay addition will be subsidiary to the original historic volume of the house in size and details as to not create a false history.

### Additional Tax Credit Pre-Approval Work per addendum dated 29 June 2020

The Applicant also seeks tax credit pre-approval for the following work structural, HVAC, plumbing and electrical work:

Structural Work – all work described in more detail in the application addendum dated 29 June 2020.

- 32) Items 1a and 1b – Level and stiffen the existing second floor, which has sagging timber framing.
- 33) Items 2a and 2b – Create headroom at the rebuilt non-historic stair to the second floor.
- 34) Items 3a and 3b – Stiffen kitchen attic space framing.
- 35) Item 4a – Create headroom at the basement stair/kitchen floor.
- 36) Item 5 – The existing non-historic dormer has a poor structural condition that requires reframing, and due to the work needed to repair, has triggered the redesigned dormer.

HVAC Work – all work described in more detail in the application addendum dated 29 June 2020.

- 37) Items 1, 2, 3 and 5 as described in the addendum, including removal of the forced air ducted heating and cooling system, repairing flooring and wall register openings, installing two ducted multi-zone heating and air conditioning systems, and venting the kitchen hoods and bathrooms to the exterior.
- 38) Item 4 – Screen exterior condenser units with cedar shingled wood framed screen.

Plumbing Work – all work described in more detail in the application addendum dated 29 June 2020

- 39) Item 1 – Re-plumb existing supply, waste and vent piping to/from existing bathroom locations as required to meet code.

Electrical Work – all work described in more detail in the application addendum dated 29 June 2020

- 40) Item 1 – Upgrade existing electrical service and rewire existing as required to meet code.

#### **HPC Review Criteria and Recommendations:**

##### General Repairs and Alterations

##### **Chapter 4: Secretary of the Interior's Standards**

- 1) *Standard 2 states, "The historic character of a property shall be retained and preserved. The removal of distinctive materials or alterations of features, spaces and spatial relationships that characterize a property shall be avoided."*
- 2) *Standard 3 states, "Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken."*
- 3) *Standard 6 states, "Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires the replacement of a distinctive feature, the new features shall match the old in design, color, texture, and where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence."*

The application complies with the Secretary of the Interior Standards stated above. The application is generally for a restoration of the building and front porch. The new addition will be located on the rear and does not compromise any distinctive features.

##### **Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings, Masonry**

- 4) *Chapter 6.C recommends, "repair, rather than replace masonry walls, through repointing and limited replacement of masonry with units that match the size, color and texture of damaged or missing units."*
- 5) *Chapter 6.C recommends, "use mortar mixes that are compatible with early stone and brick."*

The repointing of the stone building walls, using a mortar to match the existing, complies with the Guideline recommendations. This work is eligible for tax credit per Section 20.112 and 20.113 of the County Code.

**Chapter 6.D: Rehabilitation and Maintenance of Existing Buildings; Wood Siding, Shingles and Logs**

6) Chapter 6.D recommends:

- a. *“Maintain, repair and protect wood siding, wood shingles or log construction.”*
- b. *“When necessary replace deteriorated wood siding or shingles with wood siding or shingles that match the original as closely as possible in width, shape, and profile. Maintain the original shape and width of details such as cornerboards, cornices, and door and window trim.”*

The in-kind repair of the log construction, including the repair of the chinking, complies with Chapter 6. C recommendations. The repair and in-kind replacement of the wood shingles also complies with the recommendations to repair wood shingles and replace the deteriorated shingles with new shingles to match the existing. This work is eligible for tax credit per Section 20.112 and 20.113 of the County Code.

**Chapter 6.E: Rehabilitation and Maintenance of Existing Buildings; Roofs, Dormers and Gutters**

7) Chapter 6.E recommends:

- a. *“Replace historic roofing with asphalt shingles or other modern materials only if historically accurate materials cannot reasonably be used. Use asphalt shingles that are flat, uniform in color and texture, and of a neutral color.”*
- b. *“Add new dormers only if they are compatible with the architectural style of the building, preserve the balance and massing of the building and match the proportions, shape and materials of the existing dormer.”*
- c. *“Add skylight or roof vents only on roof surfaces not visible from a public way.”*
- d. *“Use gutters and downspouts of painted metal or prefinished aluminum in a color consistent with the building’s exterior walls or trim. Locate downspouts along natural vertical lines and corners of the building.”*

The proposed alterations and repairs to the roof, gutter, rear dormers and skylights comply with the Guideline recommendations. The roof on the historic house is currently asphalt, and it will be replaced in-kind with new asphalt. Historically, the HABS photo in Figure 15, shows the roof was wood shingle, which is not as practical to use today. The new shed awning/overhang over the front door, bay addition and new dormer will have a standing seam metal roof, which is a historic building material. The new dormer complies with the Guideline recommendations and will preserve the balance and massing of the building and will match the proportions of the existing building. The existing dormer does not preserve the massing of the structure. The new shed dormer will also balance the shape of the new bay addition. The replacement asphalt shingle roof is eligible for tax credit per Section 20.112 and 20.113 of the County Code. The new metal roofs, while historically appropriate, are for modern additions and are not eligible for tax credits.

The replacement of the existing skylight is an in-kind replacement. The addition of the new skylight is on the rear of the building and will not be visible from the public right-of-way and complies with the Guideline recommendations. The skylights are a modern alteration and are not eligible for tax credits.

The gutters and downspouts will be replaced with white, aluminum half round gutters and round downspouts to match the existing. The replacements comply with the Guidelines. This work is eligible for tax credit per Section 20.112 and 20.113 of the County Code.

**Chapter 6.F: Rehabilitation and Maintenance of Existing Buildings; Porches and Balconies**

8) Chapter 6.F recommends:

- a. *“Maintain and repair porches and balconies, including flooring, ceilings, railings, columns, ornamentation and roofing, that are original or that reflect the building’s historic development.”*
- b. *“Replace deteriorated features with new materials as similar as possible to the original in material, design and finish.”*
- c. *“Not Recommended – Adding or replacing porch features using materials not appropriate to the building’s style. Material generally not appropriate for historic porch replacements include unpainted pressure treated wood, poured concrete and metal. Examples of inappropriate alterations include replacing tongue and groove flooring with pressure treated decking or poured concrete, or replacing wood steps with concrete or brick.”*

The removal of the modern porch extension complies with the Guideline recommendations to maintain items that are original or reflect the building’s historic development. Removal of the modern addition will restore the historical accuracy of the porch design.

The addition of the shed awning/overhang detail will not detract from the historic integrity, but will provide practical protection from the elements as needed. The materials (wood, standing seam metal roof) and design proposed will complement the historic building.

**Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings; Entrances**

9) Chapter 6.G recommends:

- a. *“Replace inappropriate modern doors with doors of an appropriate style. If documentary evidence of the original door is available, choose a new door similar to the original. Otherwise, use a door appropriate to the period and style of the building.”*
- b. *“On historic building, use narrow-framed wooden screen or storm doors. If the entrance is not visible from a public way, simple, narrow-framed screen or storm doors of painted or enameled metal may be used. The paint or enamel should match that of the primary door it covers.”*

The replacement doors will be wood doors, of an historically appropriate style, replacing modern doors. These replacements comply with the Guideline recommendations to use a door appropriate to the period and style of the building.

The proposed storm doors will be aluminum storm doors, painted to match the colors of the doors. This building is located on a sharp curve on Old Columbia Pike and sits above the street level. Due to these conditions the material of any storm door should not be evident.

The other storm doors are proposed to be located on the two rear and will be custom sized wood screen doors. These doors will not be visible, but the use of wood complies with the Guidelines.

**Chapter 6.H: Rehabilitation and Maintenance of Existing Buildings; Windows**

10) Chapter 6.H recommends:

- a. *“Maintain and repair original window openings, frames, sashes, sills, lintels and trim. Maintain glass, putty and paint in good condition.”*
- b. *“Replace inappropriate modern windows with windows of appropriate style. If documentary evidence of the original windows is available, choose new windows similar*

*to the original. Otherwise, select windows appropriate to the period and style of the building."*

The proposed replacement windows on the front façade comply with the Guideline recommendations, as the existing 9/6 window pattern will be used to replace the modern 1/1 windows. The other existing windows on the building will be repaired as needed. New aluminum storm windows to match the existing window proportion will be added as needed.

#### **Chapter 9.E: Landscape and Site Elements; Outdoor Lighting Fixtures**

11) Chapter 9.E recommends:

- a. *"Choose and locate lighting fixtures to be visually unobtrusive. Use dark metal or a similar material."*
- b. *"Place attached lighting fixtures in traditional locations next to or over a door."*
- c. *"To the extent possible, direct or shield lighting so that it does not create glare or spill onto neighboring properties. Design lighting to provide a reasonable level of brightness for the intended purpose."*

The proposed lighting fixtures comply with the Guidelines. Three lights will be mounted next to door, as recommended. One light will be installed centered on the porch ceiling, which is a traditional location for lighting. The outdoor security light will be motion activated and will directed on the staircase and walkways through the steep wooded side yard parking area, to the rear yard. All lighting fixtures will be a dark metal, as recommended.

#### New Addition and Dormer

#### **Chapter 4: Secretary of the Interior's Standards**

12) Standard 9 states, *"New additions, exterior alterations or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment."*

#### **Chapter 7: New Construction: Additions, Porches and Outbuildings**

13) Chapter 7 recommends:

- a. *"Attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from public ways."*
- b. *"For any building, design the addition so that its proportions (relationship of width to height), the arrangement of windows and doors, and the relationship of solids (wall area) to void (window area) are compatible with the existing structure. Use a roof design that echoes or complements the original roof line. Gable and shed roofs are common for additions in Ellicott City."*
- c. *"Use doors and simple entrance design that are compatible with those on the existing building or similar buildings nearby."*
- d. *"On any building, use exterior materials and colors (including roof, walls and foundations) similar to or compatible with the texture and color of those on the existing building. Avoid exact replication that would make an addition appear to be an original part of a historic building."*

The proposed addition and new shed dormer comply with Chapter 7 recommends, specifically those referenced above. The doors and windows will be similar and compatible to those found on the existing

historic building. The windows will have a simplified muntin pattern, but will still have divided lights. The new addition and dormer will have a shed roof, which is more compatible with the building than the existing gable roof. Each roof will also be standing seam metal, a historic building material. The doors and windows will be wood, the trim wood, and the new foundation a stone veneer; all materials that are similar to and compatible with the existing historic building.

#### Additional Tax Credit Pre-Approval Work

#### **Sec. 20.112. - Historically valuable, architecturally valuable, or architecturally compatible structures**

(ii) Eligible work includes:

- a. The repair or replacement of exterior features of the structure;
- b. Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing;
- c. Maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code;

(iii) Eligible work does not include:

- a. New construction;
- b. Interior finish work that is not necessary to maintain the structural integrity of the building.

#### **Sec. 20.113. - Restorations and rehabilitations of historic or heritage properties.**

(b)(5) Qualified expenses means the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.

Structural Items 1a, 2b, 3a, 3b; HVAC Items 1-5; and Electrical Item 1 comply with the Code requirements for the 20.112 tax credit, as the work seems necessary to maintain the physical integrity of the structure with regard to safety, durability and weatherproofing.

The Commission should determine if Structural Item 2, 4, 5 and Plumbing Item 1 complies with the 20.112 Code requirements to be considered eligible work.

For the 20.113 tax credit, all of the additional tax credit pre-approval work (all structural, HVAC, plumbing and electrical work) appears eligible, based on the criteria to improve or rehabilitate the property.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.

Staff recommends the HPC pre-approve 20.112 and 20.113 tax credits for: Item 1 (asphalt shingle roof); Item 2 (chimney), Item 3 (gutters, historic only, not new addition); Item 4 (building stone walls); Item 5 (log walls); Item 6 (cedar siding shingles); Item 7 (flashing); Items 8 (painting window trim, repairing historic windows, new storm windows, historic structure only, not addition); Item 9 (new exterior lights); Item 10 (mechanical system/new ac/heat – need more info); Item 11 (insulation); Item 12 (repair interior wood floors, applies to 20.113 only); Item 14 (front porch restoration); Item 16 (porch rails); Item 17 (porch posts); Item 18 (porch decking); Item 19 (porch ceiling); Item 20 (front door); Item 21 (first floor porch door); Item 22 (ground floor windows); Item 27 (existing rear door); Item 28 (AC condenser); Item 31 (rebuilding rear stone wall, applies to 20.112 only).

For the additional tax credit pre-approval items, Staff recommends the HPC pre-approve 20.112 and 20.113 tax credits for Structural Items 1a, 2b, 3a, 3b; HVAC Items 1-5; and Electrical Item 1.



Staff recommends the HPC determine if Structural Item 2, 4, 5 and Plumbing Item 1 are eligible for the 20.112 tax credit and approve or deny accordingly.

Staff recommends the HPC pre-approve all of the additional tax credit pre-approval work (all structural, HVAC, plumbing and electrical work) for the 20.113 tax credit if they determine it meets the Code requirements.

**Testimony:** Ms. Holmes clarified the staff report reference to the July 2020 addendum was incorrectly labeled, and should have said June 2020. Additionally, Ms. Holmes said there were a few numbers for the staff recommendation section that were incorrect - Item 10 is for insulation and Item 11 is to repair the wood floors and applies to tax credit 20.113 only.

Mr. Shad swore in Lili Mundroff, James Stewart II and Rob Brennan. Mr. Shad asked the applicants to inform the Commission if they had anything to change, add or clarify of the staff report and to give the Commission a run down on the application.

Ms. Mundroff asked if the Commission wanted the applicants to discuss the submitted list of clarifications verbally. Mr. Shad said he did not need to hear the clarifications again.

Mr. Reich said the addition was very well thought out and thanked the applicants for all the detail and information provided with the application. He said he had a hard time finding fault with any of the requests and the house needs a facelift. Mr. Reich said the addition on the back is much better than what is currently there, as it will look like part of the context. Mr. Reich said he was trying to understand the Structural Elements 2, 4, 5 and the Plumbing Element 1.

Ms. Holmes said that the elements Mr. Reich is referring to are listed on page 16 of the agenda and each element is explained. Mr. Reich said he thought Ms. Holmes referenced 2a and 2b creating more headroom with the rebuilding of the historic stair and asked how that would be eligible for tax credits. Ms. Holmes said the additional headroom is a result of the dormer, the existing dormer is in bad condition which is triggering the new work. The existing roof has been altered and the condition could affect the entire structure if there is no repair work done. Ms. Mundroff explained that leaving the dormer as-is, is not an option and that it makes more sense to have a shed dormer and reframe the roof, so it does not collapse.

Ms. Tennor asked if a lot of the work requested has to be done for structural support. Ms. Mundroff confirmed the work had to be done for structural support. Ms. Tennor said the Commission always endorses preserving the structural integrity of a building, but in this case by preserving the structural integrity, the Applicants will be changing the exterior design of the building. Ms. Mundroff said the current dormer does not reflect the eave depth and the window installed there. The house is all disproportionally ruined. Ms. Mundroff said the Applicant's goal is to mimic the roof with the shed dormer.

Mr. Reich asked about the headroom with regards to the stair. Ms. Mundroff said on the first-floor level, the existing stair is poorly constructed with not enough clearance when walking up the stairs. Some of the treads are 6 inches or less at an angle, making it treacherous. It is all connected with the overall dislevel of the floor, which has shifted over time about 4 inches or so, maybe around the time the wall for the bathroom was built. The idea is to do a new stair in the existing configuration and reframe it correctly so that it is user friendly and connects to the stabilization of the floor. The other stair goes from the ground floor level to the kitchen. There is not enough clearance, 6 feet or less going down the stairs. There is enough room to extend the headroom for better access down the stairs and tied to the

reframing of the kitchen floor, which at the center of the floor has buckled about 4 inches or so and there is no subfloor.

Mr. Reich said the process described by the Applicant is part of overall roofing of the house and it would be splitting hairs trying to take out those three items for tax credits. Completing the work would be necessary to bringing the structure up to date. Mr. Reich said the Commission should include Structural Items 2, 4 and 5 in the tax credits. Mr. Reich said the only other question is Plumbing Item 1. Ms. Holmes asked if Mr. Reich can clarify which tax credit to include the structural elements. Mr. Reich said to apply the structural elements to both tax credits 20.112 and 20.113. Mr. Reich asked for clarification on Plumbing Item 1. Ms. Holmes said it could be eligible under 20.113 for improving the quality of the property. Mr. Reich said he agreed with the assessment tax credit for Plumbing Item 1.

Ms. Zoren agreed with Mr. Reich, and said there was always a good reason to hire an architect as they put together a thought-out application. Ms. Zoren said she liked the porch reductions as it will highlight the original buildings and the different masses. Ms. Zoren said the new construction made sense and agreed that the structural items discussed should be considered for tax credits.

Ms. Tennor said she thought the application was a great project and was grateful to the Applicants for putting tender love and care into the historic structure. Ms. Tennor agreed with Ms. Zoren and Mr. Reich in reorganizing of the exterior of the building and everything being done to improve the structural integrity of the building is very important.


Mr. Roth said it was a terrific application and concurred with the other Commission members about applying the tax credits broadly.

Mr. Shad agreed with all other previous comments and felt the application was very thorough and complete.


**Motion:** Mr. Reich moved to approve the application as submitted and pre-approve 20.112 and 20.113 for all items that staff listed, including Structural Items 2, 4 and 5 and Plumbing Item 1 for the 20.113 tax credit. Mr. Roth seconded. The motion was unanimously approved.

Ms. Tennor moved to adjourn the meeting at 8:21 pm. Mr. Roth seconded. The motion was unanimously approved.

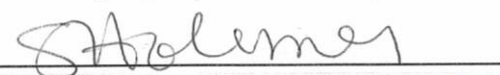
\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.




Allan Shad, Chair



Beth Burgess, Executive Secretary



Samantha Holmes, Preservation Planner



Kaitlyn Clifford, Recording Secretary



**HOWARD COUNTY HISTORIC PRESERVATION COMMISSION**

*ELlicott City HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT*

3430 Court House Drive ■ Ellicott City, Maryland 21043

*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350

FAX 410-313-3042

## **August Minutes**

Thursday, August 6, 2020; 7:00 p.m.

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The August meeting of the Historic Preservation Commission was held on Thursday, August 6, 2020. Due to the State of Emergency and to adhere to social distancing measures, the meeting was not held at 3430 Court House Drive, Ellicott City, but was conducted as a virtual web meeting/conference call.

Ms. Grace Kubofcik registered to testify on HPC 20-62 Ellicott City Watershed Master Plan. No one else registered or otherwise contacted the Commission about testifying for any of the following applications.

Mr. Reich moved to approve the June minutes. Mr. Roth seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Harvey

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### **PLANS FOR APPROVAL**

#### **Consent Agenda**

1. HPC-20-55 – 1485 Underwood Road, Sykesville
2. HPC-20-56 – 8512 Frederick Road, Ellicott City

#### **Regular Agenda**

3. HPC-20-57 – 3892 College Avenue, Ellicott City
4. HPC-20-58 – 8141 Main Street, Ellicott City
5. HPC-20-59 – 3630 Church Road, Ellicott City
6. HPC-20-60 – 3715 Old Columbia Pike, Ellicott City
7. HPC-20-61 – 8156 Main Street, Ellicott City
8. HPC-20-62 – Ellicott City Watershed Master Plan

## CONSENT AGENDA

### HPC-20-55 – 1485 Underwood Road, Sykesville, HO-1173

Applicant: Ann H. Jones

**Request:** The Applicant, Ann H. Jones, requests 20.112 and 20.113 tax credit pre-approval for the rehabilitation of the historic house at 1485 Underwood Road, Sykesville.

**Background and Site Description:** This property is listed on the Howard County Historic Sites Inventory as HO-1173, Bowling Green.

**Scope of Work:** The Applicant seeks tax credit pre-approval for the following work:

- 1) Septic – Install a septic system and connect it to the house, following Health Department Regulations.
- 2) Well – Drill a new well, as required by the Health Department, and install supply lines to the house.
- 3) Electricity – Run a grounded electrical service to the house, including a metered panel and rewire the house. The house was only wired at some point in time to run a radio and a light and is inadequate for modern needs and is not to code.
- 4) HVAC – Install an HVAC system to provide heating and cooling to the house. In order to minimize duct work, one air handler will handle the first floor and a second air handler will be installed in the attic knee wall to service the second floor and attic. Returns will be located in the existing changes adjacent to the chimneys on both sides of the house. The HVAC system will consist of: two heat pump systems, backup gas or electric furnace, ductwork and return vents as needed, dryer box, standard range dryer bath venting and fans, secondary drain pans with float switches under both indoor units, low voltage wiring of all components and high-density outdoor unit pads.

### **HPC Review Criteria and Recommendations:**

#### ***Sec. 20.112. - Historically valuable, architecturally valuable, or architecturally compatible structures***

*(ii) Eligible work includes:*

- a. The repair or replacement of exterior features of the structure;*
- b. Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing;*
- c. Maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code;*

*(iii) Eligible work does not include:*

- a. New construction;*
- b. Interior finish work that is not necessary to maintain the structural integrity of the building.*

#### ***Sec. 20.113. - Restorations and rehabilitations of historic or heritage properties.***

*(b)(5) Qualified expenses means the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.*

Based on the above code criteria for the 20.112 tax credit, Items 1 and 2 (the septic and well) do not appear eligible for the 20.112 tax credit as they do not relate work that is needed to maintain the physical integrity of the structure with regard to safety, durability or weatherproofing or relate to the

exterior repair of the structure. However, Items 3 and 4 (electricity and HVAC) do appear eligible as electricity and HVAC will assist in maintaining the physical integrity by controlling air temperature and moisture.

Based on the above code criteria for the 20.113 tax credit, Items 1-4 appear to be eligible for the 20.113 tax credit, as these improvements will assist in improvement, restoration and rehabilitation of the property, which is currently lacking all four requested items.

**Staff Recommendation to the HPC:** Staff recommends the HPC pre-approve 20.112 tax credits for Items 3 and 4 and 20.113 tax credits for Items 1-4.

**Testimony:** Ms. Jones was in attendance but no further information was given or discussed.

**Motion:** Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

**HPC-20-56 – 8512 Frederick Road, Ellicott City**

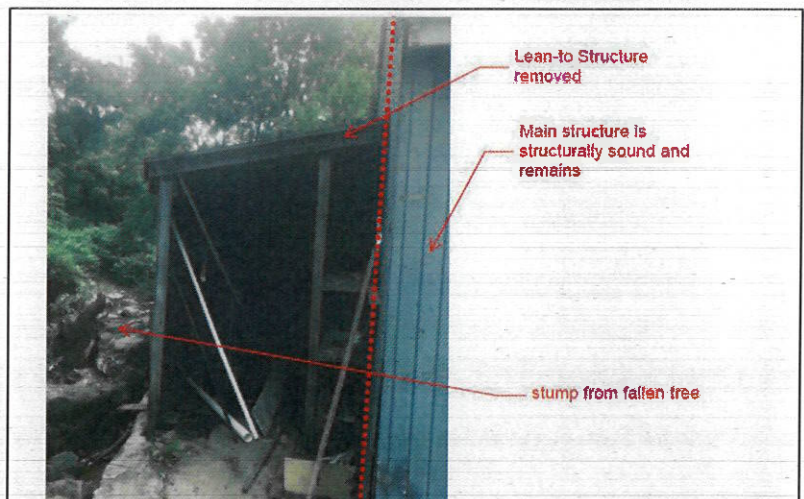
Applicant: Robert Z. Hollenbeck, Howard County Department of Public Works

**Request:** The Applicant, Robert Z. Hollenbeck on the behalf of the Howard County Department of Public Works, requests a retroactive Certificate of Approval for exterior alteration at 8512 Frederick Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the primary structure on the property dates to 1960. However, this date is incorrect, as the primary structure is a historic building that the County Architectural Historian has dated the building to circa 1900-1910, with a possibility of circa 1895-1915. Regardless, the building subject to the retroactive approval is an outbuilding that is located behind the primary structure. The outbuilding may be historic, but this is not definitively known.

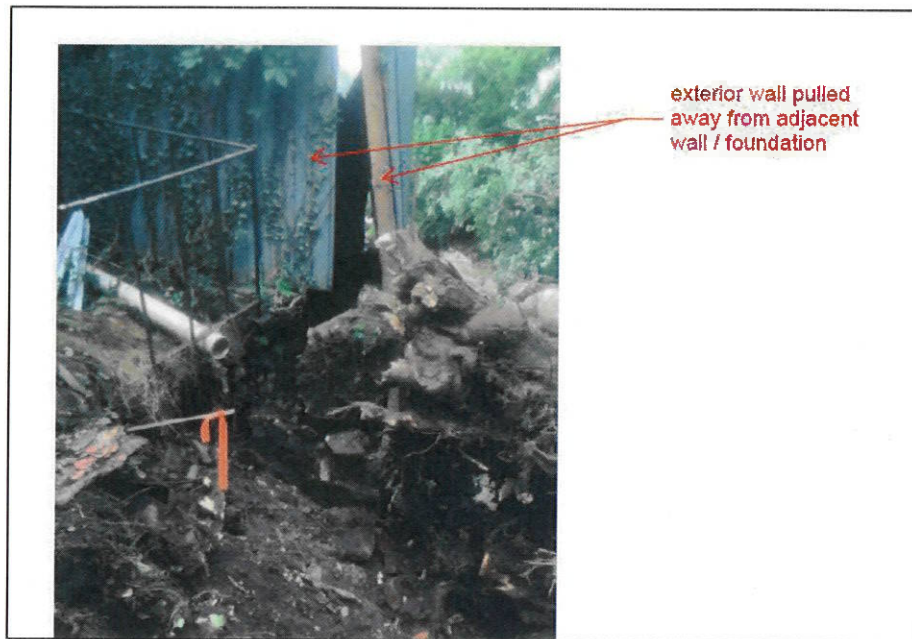
This property fronts Frederick Road/Main Street and spans the Hudson Branch stream.

**Scope of Work:** The application explains that on June 25, 2020, DPW was alerted that a large tree fell on the property. The stump of the tree pulled out of the hillside, causing the foundation and side/back wall of a lean-to on the side of the outbuilding to separate and become structurally compromised. On June 26, 2020 DPW removed the lean-to structure. The application explains that the lean-to structure appeared to have been constructed using modern framing and contemporary framing anchors and did not appear to be part of the main structure of the outbuilding. DPW has since removed the fallen tree and



**Figure 1 - View looking east at lean toward constructed on stream wall**

repaired the damage to the stream wall that was caused by the tree. No other alterations are planned and the outbuilding will remain in place.



**Figure 2 - View looking west at tree root and damage to lean-to**

#### **HPC Review Criteria and Recommendations:**

##### ***Rules of Procedure, Section 302, Demolition and Relocation of Structures in Historic Districts; Classification of Structure***

- 1) *Section 302 states, "Before acting on an application for demolition or relocation, the Commission shall determine whether the structure is a Structure of Unusual Importance. Structures of Unusual Importance are structures deemed by the Commission to be of unusual importance to the Nation, State or County, whose loss would cause great damage to the character and integrity of the historic district. Determination that a structure is a Structure of Unusual Importance shall be based on criteria in its adopted Guidelines, the testimony of expert witnesses or other documentary evidence presented to the Commission.*

Based on the physical evidence presented from DPW, the lean-to appears to be a modern addition tacked onto the side of an older outbuilding. The lean-to does not appear to be a Structure of Unusual Importance. The outbuilding itself does not advertently read as historic. The exterior architecture and building materials do not reference a specific time period or style. A review of aerial photography did not provide any additional clues to the potential age of the overall structure; the structure is visible in 1984 aerials, but the aerials that pre-date 1984 are not clear enough to determine if the structure was there.

##### ***Rules of Procedure, Section 304, Demolition and Relocation of Structures in Historic Districts; Demolition of Other Structures***

- 2) *Section 304 of the Commission's Rules of Procedures state, "If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.*

**Sec. 16.607. - Standards for Review.**

(a) *Elements for Consideration.* In reviewing an application for a certificate of approval, the Commission shall give consideration to:

- (1) *The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.*
- (2) *The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.*
- (3) *The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.*
- (4) *Whether the requested action is necessary to protect against threats to public safety.*
- (5) *Any other factors, including aesthetic factors, which the Commission deems to be pertinent.*

The lean-to appeared to be a modern addition, located on the edge of the building on the stream wall. The removal of the lean-to does not affect the overall integrity of the outbuilding or the main historic house, and in fact, may improve the overall site by removing a modern alteration.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine the lean-to structure is not one of Unusual Importance and approve the application as submitted.

**Testimony:** Mr. Hollenbeck was in attendance, but no further information was given or discussed.

**Motion:** Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

## **REGULAR AGENDA**

### **HPC-20-57 – 3892 College Avenue, Ellicott City**

Applicant: Matthew Wehland

**Request:** The Applicant, Matthew Wehland, requests a Certificate of Approval to construct a new outbuilding at 3892 College Avenue, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1900. The house fronts College Avenue and the property backs up to New Cut Road. Because of this location, there is a significant change in grade throughout the property. The street sits at approximately 264 feet in elevation, the house at 262-264, and the proposed garage at approximately 256 feet.

**Scope of Work:** The Applicant proposes to construct a 24-foot by 24-foot Amish kit garage. The garage will be one-story tall and two bays wide. The Applicant does not anticipate extending the existing driveway at this time. The concrete pad for the garage will be built to code on the existing gravel stone driveway (installed in 1967 by the Applicant's father). The application states that there will not be any grading or retaining walls needed. The garage will be set back about 100 feet from College Avenue and will be located toward the rear of the house, next to the rear deck.

The garage construction will consist of the following components:

- 1) Siding – LP SmartSide siding, an engineered wood product, painted Early American Blue. Walls will be 7 feet tall.





The location of the proposed garage complies with the Guidelines, as it will be located the side of the historic house, at the rear of the house, next to the deck addition. The proposed garage will not block or obscure any details of the historic building and is unlikely to be visible from the street. The proposed garage will only be one story tall, and two bays wide and will be subordinate to the main historic house, which is three stories tall on the front and almost four stories on the sides, with an exposed stone basement level.

**Chapter 7.C: New Construction: Additions, Porches and Outbuildings; Construction of New Garages, Sheds and Other Outbuildings**

- 3) Chapter 7.C recommends, "Design outbuildings visible from a public way to be compatible in scale, form and detailing with historic structures and outbuildings in the neighborhood."

This outbuilding is unlikely to be visible from a public way due to the proposed location at the rear of the house and change in elevation. Overall, the proposed garage is compatible with the main historic building, although it does not match it in detailing. It will have a gable pitched roof, similar to the main historic house and will be a modest sized structure.

**Chapter 7.C: New Construction: Additions, Porches and Outbuildings; Construction of New Garages, Sheds and Other Outbuildings**

- 4) Chapter 7.C recommends, "Use materials compatible with the main building on the lot or with historic outbuildings in the immediate neighborhood. (The guidelines for materials for building additional will usually apply.)"

**Chapter 7.A: New Construction: Additions, Porches and Outbuildings; Materials**

- 5) Chapter 7.A recommends:
  - a. "On any building, use exterior materials and colors (including roof, walls and foundations) similar to or compatible with the texture and color of those on the existing building. Avoid exact replication that would make an addition appear to be an original part of a historic building."
  - b. "For frame construction, use wood siding or wood shingles similar in appearance to the siding or shingles on the existing building. Aluminum, vinyl or another substitute siding may be acceptable if already used on the building. A substitute siding material that is compatible in width, profile, shape, texture and finish to the wood siding on the existing building may be used for additions to nonhistoric buildings, or for additions to historic buildings if wood siding is not a viable option."
  - c. "Roofing material may be similar to historic roofing material on the existing building or may be an unobtrusive modern material such as asphalt shingles. Asphalt shingles should be flat and uniform in color and texture."



Figure 6 - Elevation of property



Figure 7 - Proposed kit garage

The proposed garage will be blue similar in color to the main house, which recently was approved for a paint color change to a gray with blue tones. The siding of the garage will be wood, in a T1-11 style, unlike the lap siding and shingles found on the main historic house. However, this differing siding does avoid exact replication to make the garage appear older than it is.

The Guidelines do not directly address the materials of windows, which are currently proposed to be vinyl, unless the company makes a wood option, which the Applicant would then use. While wood is preferable in terms of compatibility, due to the lack of visibility of the proposed garage and the location of the proposed windows on the side of the garage, vinyl seems acceptable and unlikely to solely detract from the overall integrity of the historic property.

The proposed brown asphalt roof will be similar to that used on the historic house, which complies with the Guideline recommendations.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted for the construction of the garage building, with the preference to use wood windows, if available.

**Testimony:** Mr. Shad swore in Matthew Wehland. Mr. Shad asked if Mr. Wehland had any comments on the staff report. Mr. Wehland said he had nothing to add.

Ms. Tennor said the submitted plan shows the footprint of the residence and the proposed garage location but the existing driveway was not shown. Ms. Tennor also noted the existing shed where the proposed garage was sited was not indicated on the plan provided and asked if the existing shed will remain on the property. Mr. Wehland said the existing shed will remain but will be moved further back in the yard. Ms. Tennor asked if the reason for the existing shed being relocated was that the new shed would be too close to the garage. Mr. Wehland confirmed the statement to be true. Ms. Tennor asked if the existing shed will be located behind the proposed structure. Mr. Wehland confirmed that the existing shed will be located behind the proposed garage.

Ms. Tennor asked if the garage comes with the siding finished in the blue gray color. Mr. Wehland said the finish was provided, and the buyer can choose from the color options. Ms. Tennor asked if the color chosen by the Applicant was the color that resembles the existing color of the house. Mr. Wehland said the color chosen for the shed is fairly consistent with the house, the color is not an exact match.

Ms. Tennor asked if the grade on the property slopes down so the new structure will not be visible from the street. Mr. Wehland said the property does slope down so the new garage would not be visible. Ms. Tennor said the summary and application explained the Applicant would consider using wood windows if they are available. Mr. Wehland said yes. Ms. Tennor said the standard window for the garage kit is vinyl. Mr. Wehland confirmed the vinyl windows were the standard. Ms. Tennor said in the past if a new structure was being built and not visible from the street the Commission has given some latitude on the windows. Ms. Tennor asked Ms. Holmes to confirm her statement to be true. Ms. Holmes said that without reviewing all case files she would not be able to know for sure but noted the Guidelines do offer some discretion for the Commission.

Ms. Tennor asked if the Applicant knew if the garage manufacturer offered wood windows. Mr. Wehland said he is not sure if the garage manufacturer offers wood windows but if there are wood windows available, he will use them. Ms. Tennor asked Mr. Wehland if he was bound to use the windows from the garage manufacturer and if he would consider swapping out the manufacturer's windows for wood windows. Ms. Tennor said she would prefer wood windows as the rest of the structure is wood so if wood windows are an option, she thinks it would be preferable. Ms. Tennor said

she can understand the constraints the Applicant may have from the manufacturer, and she would not veto vinyl windows.

Ms. Holmes clarified that Mr. Wehland would need to submit an application for moving the location of the existing shed, it could possibly be a Minor Alteration application. Mr. Wehland said he would submit another application for the relocation of the existing shed. Ms. Tennor asked Mr. Wehland to include the driveway on the site plan of the new application.

Mr. Roth said the proposal was consistent with the Guidelines and he had no objection to the application.

Mr. Reich said he took issue with the applications documentation as the location of the proposed garage was shown on an out of scale sketch. Mr. Reich told Mr. Wehland he would have to submit an accurate site plan for permitting and he was trying to understand the plan from the photo submitted. Ms. Burgess referenced the Agenda, figure 5, siting the existing red shed and where the proposed garage will be located. Mr. Reich said the existing shed is much smaller than the proposed garage and the site plan shows about 5 or 6 feet space between the house and the garage but the photo makes it look like there is 20-25 feet spacing. Mr. Wehland explained the layout of his property and where the garage will be in reference to the stairwell, gate and property line; the garage would be behind the gate, between the deck stairwell and the northern property line.

Mr. Reich said he believes the garage location will not be visible from the front, follows the Guidelines, is small in scale and will have no view damage to the existing historic structure. Mr. Reich said he wished he could have a more accurate site plan. Mr. Wehland explained he built the garage online and chose the placement of the doors and windows. Mr. Reich said the garage looks to be 8-foot wide with a 3 to 12 roof pitch with overhang. Mr. Wehland said that was their standard pitch.

Mr. Taylor asked for the record if the black fence remains where it is and Mr. Wehland confirmed that the fence will remain in place. Mr. Wehland said the shed is 10 feet from the fence. Mr. Taylor asked if the garage is going to sit on the shed footprint and asked how much closer the garage will be to the house. Mr. Wehland said the garage will be approximately 10 feet out from the deck staircase. Mr. Reich asked that to get to the garage one would have to walk through the gate of the fence. Mr. Wehland said yes, the fence and gates will stay where they are or be removed entirely though he likes where the gate's 10-foot opening is located.

Mr. Reich said in principal the request follows the Guidelines, but he does think the Applicant should submit the site plan drawings to the Commission that will be sent to Department of Inspection, Licenses and Permits.

Ms. Zoren said she agreed with Mr. Reich; the Commission needs a site plan showing the actual proposed conditions for the record. Ms. Zoren said she would like to see a side by side of the paint swatch of the proposed garage. Mr. Wehland said he could ask the builder if they have a sample color and referred to figure 3, noting the garage will not be seen from College Avenue so the only color comparison will be seen from the backyard.

Ms. Zoren said the packet mentions wood shutter colors but, in the rendering/3D drawing, there are no shutters shown. Mr. Wehland said the shutters will be black to match the house. Ms. Zoren said her last recommendation is to change the raised panel garage door to a less modern style. There are a lot of other garage style doors such as flat panel or carriage house style that would be more appropriate for this garage.

Mr. Shad said he agreed the garage will not be seen from College Avenue, however it would help to have a better site plan to see where the garage will sit in correlation with the deck and the existing shed. Mr. Shad asked if the application could be extended in order to get a more accurate site plan.

Mr. Taylor said it appears the Commission has two issues, the color and the site plan. Mr. Taylor noted that in the past the Commission has approved certain things contingent on Staff approval. Staff approval could be that Commissioners do not have an objection or have the application come back through the Minor Alteration process. Mr. Taylor said the facts are known or the Commission could continue the case and have it on schedule for next month's meeting. Mr. Wehland said he would like to have Staff approval as the Commission has an idea of color and site plan.

Mr. Shad asked if the Applicant will be able to produce an accurate site plan to Staff. Mr. Wehland said he will have to. Ms. Zoren said she would be okay with Staff approval of the garage.

**Motion:** Ms. Zoren moved to approve the application as submitted contingent on the Applicant providing a more accurate site plan for Staff approval as well as a garage color sample for Staff approval. Mr. Reich seconded. The motion was unanimously approved.

**HPC-20-58 – 8141 Main Street, Ellicott City**

Applicant: Mohammed Alanesi

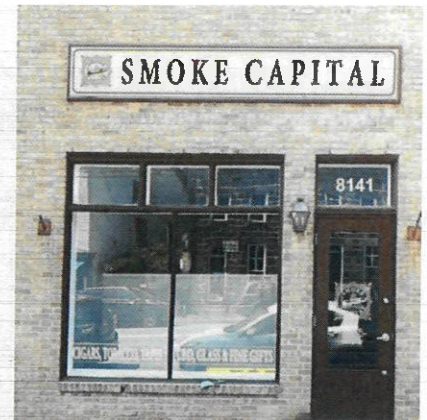
**Request:** The Applicant, Mohammed Alanesi, requests a Certificate of Approval to install signs at 8141 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1987. This building was constructed after a fire resulted in the demolition of the previously existing historic building.

**Scope of Work:** The Applicant seeks approval to install three signs on the front façade of the building, to consist of one flat mounted sign, one window decal and one door decal. The Applicant initially proposed to install four total signs, the three mentioned above and a projecting sign, but worked with staff to reduce the number of signs. The proposed signs are:

**Sign #1 – Flat Mounted Sign**

This sign will be 22.5 inches high by 151 inches wide, for a total of 23.59 square feet. This sign will utilize the existing wood sign board applied to the front façade of the building. The sign will have a light beige background and dark brown text and graphics. The sign will be a decal that is adhered to the existing sign board. The sign will read on one line: [logo] SMOKE CAPITAL



**Figure 8 - Proposed signs**

Sign #2 – Door Sign

This sign will be a vinyl decal sign applied to front door glass. The sign will be 20 inches high by 20 inches wide for a total of 2.7 square feet. The sign will contain the logo of the business and read on three lines:

SMOKE

[cigar image]

CAPITAL



Figure 9 - Proposed door sign

Sign #3 – Window Signs

This sign will consist two vinyl decals applied to the window glass. Each decal will be 10 inches high by 47 inches. The total square footage for the two decals will be 6.53 square feet. This sign will read on one line:

CIGARS, TOBACCO, VAPES, CBD, GLASS & FINE GIFTS



Figure 10 - Proposed window sign

**HPC Review Criteria and Recommendations:**

**Chapter 11.A: Signs, General Guidelines**

1) Chapter 11.A recommends:

- a. "use simple, legible words and graphics."
- b. "keep letters to a minimum and the message brief and to the point."
- c. "use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade."

The flat mounted sign complies with Chapter 11.A recommendations. The text will be clear and legible. The colors used in the sign are limited to two, and will be coordinated with the colors in the building façade.

**Chapter 11.A: Signs, General Guidelines**

2) Chapter 11.A recommends:

- a. "use historically appropriate material such as wood or iron for signs and supporting hardware."

The use of the existing wood sign board complies with the Guidelines, as it is a historically appropriate material.

**Chapter 11.B: Signs, Commercial Buildings**

3) Chapter 11.B recommends against:

- a. *"Two signs where one is sufficient to provide an easily visible identification of the business."*
- b. *"More than two signs per business per façade."*

**Chapter 11.A: Signs, General Guidelines**

- 4) Chapter 11.A recommends, *"Emphasize the identification of the establishment rather than an advertising message on the face of the sign."*

The window decals serve as an advertising message across the face of the windows and do not comply with the Guideline recommendations. The door decal also serves as a sign, which seems unnecessary given that the building could have the large flat mounted sign and only has one entrance. The use of two signs, in addition to the flat mounted sign, does not comply with the Guidelines.

**Chapter 11.B: Signs, Commercial Buildings**

- 5) Chapter 11.B recommends:
  - a. *"Incorporate signs into the façade of the building. Signs should fit within the lines and panels of the façade as defined by the building frame and architectural details."*
  - b. *"In most cases, limit the area of signage to one-half square footage of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign. More sign area is appropriate for some of Ellicott City's larger buildings, where these limits would result in signs that are ineffective or not in scale with the building."*

The proposed flat mounted sign will be located on the existing sign board, which complies with the recommendation to utilize the lines, panels and other architectural details on the building for the placement of signs. Recent businesses have not used this sign board and it has remained a blank, brown rectangle on the front of the building. The Guidelines recommend that more sign area is appropriate for larger buildings along Main Street, and this building is one of the smaller buildings. However, if a smaller sign was placed in the sign board, it would result in an odd proportion that would not be in scale with the building and the sign board. The use of the sign board for a sign that fills it is more visually attractive than leaving the board vacant.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve Sign #1 and have the HPC determine if an additional sign is appropriate to this storefront.

**Testimony:** Mr. Shad swore in Mohammed Alanesi and asked if Mr. Alanesi had any comments on the staff report. Mr. Alanesi said he agreed with the recommendations to the Commission but was hoping the Commission would consider having a dual sign the logo of the business on the door itself.

Ms. Tennor agreed with Staff with the new graphic on the existing sign panel, the graphic is clear, and does not think window graphics are needed.

Mr. Roth said the sign on the façade is sufficient and per the Guidelines, additional signs are not compliant. Mr. Roth said the content of the applique in the windows could be done in a compliant way with placards inside the window frame.

Mr. Reich said the raised panel looks like part of the design of the façade as it is above the display window, but below a three-panel window and the colors are in coordination with the composition of the brown and cream of the building. Mr. Reich said the Guidelines state the sign limit is 8 square feet and questioned if this façade was allowed a larger sign because of the existing 23 square foot placard panel on the storefront. Ms. Burgess said signs in this location historically have been the size of the raised

panel. Mr. Reich said if the Commission were to follow the Guidelines the sign approval should be for an 8 square foot sign within the area of the panel and does not necessarily fill up the entire square footage of the panel. Mr. Reich noted the approval of larger signs on wider buildings like 8307 Main and questioned how that applies to this smaller building. Mr. Reich said if the Applicant wanted to put up a sign in the panel area and filling the space to its entirety it would be within one of the Guidelines but not another. A 23 square foot sign would be visually distracting and the other two signs for approval would be over the top with what the Commission otherwise approves.

Ms. Zoren said there should only be one sign on the building, and the proposed 23 square foot sign matches nicely with the architectural features of the façade. However, the proposed sign is almost triple in size of the recommended in the Guidelines. Ms. Zoren noted the original application included a hanging sign that looks like it would be within Guideline recommendations. Ms. Zoren asked why the Applicant changed the request from a hanging sign to a flat sign. Mr. Alanesi thought the flat sign looked much better than a projecting sign. When Mr. Alanesi worked on the sign design, he had considered the circle signs and thought the flat-mounted sign was a better fit than the hanging sign. Mr. Alanesi said he chose the colors to fit the building.

Ms. Zoren asked if Mr. Reich thought a hanging sign was more appropriate for the building. Mr. Reich said the drawing was convincing and did not understand why the Applicant would want a flat sign in lieu of a hanging sign. Ms. Tennor said she wondered if the sign of the size was reduced how the sign would relate to the existing panel. Ms. Tennor asked Mr. Reich for clarification on having the panel removed. Mr. Reich said the panel makes the whole composition. Ms. Tennor asked if the panel would remain and stay brown in color like the door and the windowpane like a large brown outline around the sign, but the graphics of the sign were reduced in size, how much smaller with the sign be.

Mr. Roth referenced page 83 of the Guidelines where the recommendation is to limit the size of signage to 8 square feet. Within that section, it is also recommended to incorporate the sign into the façade of the building, like the panel. Mr. Roth said if the Commission requires the sign complies with the façade recommendation that option fits nicely but if the Commission reduces the size of the sign, the sign will not fit within the façade recommendation.

Mr. Shad said he recommends shrinking the size of the sign and the panel would look like a brown frame around the sign. Mr. Shad said if the Commission approves the sign at 23 square feet in size, the approved sign will set a precedent of larger signs on smaller buildings.

Mr. Reich said, taking into account the street photograph of the building, if the colors of the sign were reversed with the background of the sign being a dark brown and the letters being an off-white color, the Applicant would be closer in compliance. This effect would be similar to the ballroom, where the letters were attached directly to the brick and the Applicants were within the square footage. Mr. Reich suggested the lettering of the sign could be put on the panel.

Mr. Taylor said the Commission was doing a good job balancing the various aspects of the Guidelines and every situation, building and sign will have to be considered on a case by case basis. Mr. Taylor asked the Commission to consider what impact the color of the sign would have on the streetscape. Mr. Taylor asked Ms. Holmes for the size of the sign. Ms. Holmes referred to the staff report. Mr. Taylor said he is assuming the size in the Staff report is the size of the panel and the sign is not 23 square feet and reminds the Commission to balance the Guideline recommendations relative to the specific building and sign.

Mr. Reich said the photograph of the building is a light beige color and the Google Street View of the property has the brick looking darker with panel looking black. Mr. Reich said the drawing submitted is convincing. Mr. Alanesi said he wanted the sign to fit well with the building and be visible. A brown color is going to stick out and not be as clear which is why he chose the color of the sign background to match the brick instead. Mr. Alanesi said he thinks the color combination is the perfect match for the building.

Mr. Reich said the sign complies with all the Guidelines except for the 8 square foot rule. Mr. Reich said the Commission could make an exception for the size of the sign. Mr. Shad asked the Commissioners what they think of the other two signs proposed. Mr. Reich said the Commission should approve one sign. Mr. Roth said to approve the one sign on the existing panel. Mr. Reich said the Applicant could put displays in the windows and behind the door instead of using the other two signs.

Mr. Alanesi said he would not consider the other signs. Mr. Taylor asked if Mr. Alanesi was withdrawing the other proposed signs from the application. Mr. Alanesi said yes.

**Motion:** Mr. Roth moved to approve the first sign to fit the façade as submitted. Mr. Reich seconded. The motion was unanimously approved.

#### **HPC-20-59 – 3630 Church Road, Ellicott City**

Applicant: Gary Segal

**Request:** The Applicant, Gary Segal, requests Tax Credit Pre-Approval to make roof repairs and Pre-Application Advice for the future treatment of the roof at 3630 Church Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1937.

The house has a Church Road address, but it does not front Church Road. It is located off of the road that leads to the Patapsco Female Institute. The house is set back significantly from Church Road.

**Scope of Work:** The Applicant proposes to make repairs to the slate roof to resolve the current leaking. The current repairs would consist of replacing damaged slates with new slate to match the existing, and replacing the underlayment in leak area. Other areas damaged as a result of the leak would also be repaired. Flaking paint is visible in the eave at the rear of the house. The application explains that water damage and slate particles have been found in the attic; slate dust has been found on attic insulation. The application explains that the roof is made of Pennsylvania slate and is 82 years old, at the end of its life expectancy.

The Applicant also seeks Pre-Application Advice from the Commission regarding the next steps for the roof, as a replacement is needed as the long-term solution. The Applicant has outlined three options:

- 1) Option 1 – This option is preferred by the Applicant and would consist of stripping the entire roof from the main portion of the house and replacing the slate with a contemporary roofing material.
- 2) Option 2 – This option would consist of making a temporary repair of leak using slate, then replacing the existing roof with a new slate roof, using either Vermont or Pennsylvania slate.
- 3) Option 3 – This option would consist of repairing the leaking area and letting the roof remain as-is until the next issue arises. The application explains this is what has happened since the last repairs were made in 2014.





Figure 11 - Aerial view of roof damage.

#### HPC Review Criteria and Recommendations:

##### **Chapter 6.E: Rehabilitation and Maintenance of Existing Buildings; Roofs, Dormers and Gutters**

- 1) Chapter 6.E states that the following is Routine Maintenance, "Repairing roofs, including the replacement of small areas of roofing material, using material similar to the existing roofing in dimensions, shape, color and texture."

The proposed in-kind repair of the slate roof and underlayment would be considered Routine Maintenance and is eligible for 20.112 tax credit pre-approval.

Some of the collateral damage items may also be eligible. However, as they are currently unknown, the Applicant should submit a new application, which may be considered for approval through the Minor Alteration/Executive Secretary Tax Credit Pre-Approval process.

##### **Chapter 6.E: Rehabilitation and Maintenance of Existing Buildings; Roofs, Dormers and Gutters**

- 2) Chapter 6.E explains, "Historic roofing materials include wood shingles, metal and slate...Metal (including copper, terne metal and later, galvanized steel) and slate because common roofing materials in the mid-19<sup>th</sup> century. The original roof material has been replaced by asphalt shingles on many pre-1910 buildings. Wood shingle roofs are now rare in the historic district. TO retain the district's historic character, every effort should be made to repair and preserve historic wood, metal or slate roofing, particularly for roofs visible from public ways, and to replace historic roofing with similar material."
- 3) Chapter 6.E recommends, "replace historic roof materials only when necessary due to extensive deterioration; use replacement material that matches or is similar to the original. If this is not possible, a different material characteristic of the building's style, construction methods and period may be used. (For example, replacing wood shingles with standing seam metal may be appropriate for some early 1800s buildings.)"
- 4) Chapter 6.E recommends, "replace historic roofing with asphalt shingles or other modern materials only if historically accurate materials cannot reasonably be used. Use asphalt shingles that are flat, uniform in color and texture and of a neutral color. A modern material similar in appearance to the original, such as a synthetic that reproduces the appearance of slate, may be used."

The above Guidelines provide advice for the future Options 1-3 for the roof. While the Guidelines infer that a synthetic slate may be appropriate, a review of synthetic slate products has not yet revealed a

product that shares the same visual characteristic of real slate in terms of color variation, texture and dimension.

In-kind replacement of the slate roof with new slate would also be eligible for the County's 25% Historic Property Tax Credit (20.112 of the Code) and potentially the 20.113 Assessment Tax Credit (this is unknown until the structure is re-assessed). This work may also be eligible for the State's 20% Homeowner Tax Credit (income tax credit), administered by the Maryland Historical Trust. More information on the State's program can be found here: [https://mht.maryland.gov/taxcredits\\_homeowner.shtml](https://mht.maryland.gov/taxcredits_homeowner.shtml).

**Staff Recommendation to the HPC:** Staff recommends the HPC pre-approve 20.112 tax credits for the in-kind repair of the slate roof.

Staff recommends the HPC provide advice on Options 1-3 as described by the Applicant for the future of the slate roof.

**Testimony:** Mr. Shad swore in Gary Segal and asked if Mr. Segal had any comments on the staff report. Mr. Segal said he had no comments; the repair aspect of the discussion is straight forward, and pictures have been included in the presentation he submitted. Mr. Segal asked if the Commission had a print out of the PowerPoint presentation he had submitted. Mr. Shad said the Commission had copies of the presentation.

Mr. Segal said the slide titled "The Problem" showed what initially caused a problem, a tree above the house had dropped branches onto the roof causing puddling and started a leak. Mr. Segal said the leak has caused lots of discoloration and lots of delamination of the slate; the submission requests to replace the damaged slate. Mr. Segal said it is very difficult to match the slate as there is a lot of colors to match. Mr. Segal is not sure what the original color of the slate was. Mr. Segal said the initial solution is a temporary repair to the leaks as currently, he is collecting water with a pan when it rains. Mr. Shad said he did not think emergency repairs will be an issue.

Ms. Tennor asked if Mr. Segal was seeking permission to do temporary repairs and get advice from the Commission on long term solutions. Mr. Segal said he is treating the solutions as two separate items. He would like to do the repairs as fast as possible and then have a separate discussion on what he can do long term which may be more involved. Ms. Tennor asked if Mr. Segal had indicated tax credits for short term repairs. Ms. Holmes said short term repairs only require tax credit preapproval of 20.112. She said the 20.113 would be applicable potentially if the whole roof must be replaced in slate, it would depend on what Mr. Segal is seeking for long term repairs. Ms. Holmes explained that depending on the type of repair, either an entire new slate roof or patch and repair with asphalt, it is unknown if a new roof would trigger an increase in the assessment.

Ms. Tennor said the slide in the presentation "Comparing Thoughts" has an estimation for a new slate roof for \$40,000. Ms. Tennor asked if the tax credits Mr. Segal included were accurate. Mr. Segal said the tax credit was 20% of the roof estimates. Ms. Holmes explained Mr. Segal was referencing the Maryland Historical Trust tax credit. Ms. Tennor asked what would happen if the tax credit is exhausted. Ms. Holmes said the homeowner's tax credit does not get exhausted. Mr. Segal said if the tax credit is available it would require the Maryland Historical Trust to deem the property historically significant. Mr. Segal said he has not gone through the Maryland Historical Trust before, so he is not sure if his house is a contributing structure to the character of the Historic District.

Ms. Tennor said Mr. Segal should do temporary repairs as soon as possible and get tax credits for the temporary repairs. She said the historic value of his structure will remain if he replaces with a slate roof. Mr. Segal said he evaluated his neighbors' houses on upper Church Road and there might be one slate roof, all of the other old houses, built in 1910 or before do not have slate roofs. His neighbor two houses down got an asphalt roof after claiming hardship. Mr. Segal said he wants fair consideration. Mr. Segal has done considerable research on slate roofs and talked to four different contractors with estimates ranging from \$10,000 – \$40,000. The details to install and replicate the roof built in 1937 leave a lot of issues to consider when selecting the right company. Mr. Segal is concerned about details such as the proper placement and number of snow guards and what would happen if an insufficient number of snow guards are placed the roof. Mr. Segal said he is afraid of what it will take to get a good slate roof installed on his house. Ms. Tennor said she was concerned with all of Mr. Segal's considerations and asked for Mr. Roth's input as he knows more about slate roofs.

Mr. Roth asked if Mr. Segal had any knowledge of slate other than Pennsylvania slate. Mr. Roth explained that Peach Bottom slate was quarried at Conowingo dam. It is a famously high-quality slate and some people sell salvaged and reconditioned peach bottom slate tiles. Mr. Segal said the existing roof is soft slate so either Bangor or Pennsylvania slate. Mr. Roth said that Peach Bottom slate is a hard slate. Mr. Segal said pieces that have been picked off the roof show porosity. Mr. Roth said it sounded like the roof was at the end of its life.

Mr. Reich said there are quite a few buildings around that have Bangor slate, it is a lower quality of slate and deteriorates more easily. A slate roof should last 100 years if installed correctly. Mr. Reich asked how big the roof was. Mr. Segal said the roof was about 1,200 square feet. Mr. Reich said at the estimate of \$40,000 that would be about \$350 a square. Mr. Segal said he has not tried to negotiate with anyone yet, but it seemed priced higher than it should be and one contractor does not have a firm price. Mr. Reich said a 50-year asphalt roof might cost Mr. Segal half of the slate roof estimates. Mr. Segal said he did get a quote for \$8,700 for an asphalt roof. Mr. Reich told Mr. Segal to look at the life cycle of a slate roof as it will last 200 years. Mr. Reich had to source black slate from Vermont and said it would be a shame to go with an asphalt roof instead as there are nice copper finishings around the chimney.

Mr. Segal asked what color the slate should be if he replaced the existing slate roof. He said that the flat black roof holds a lot of heat in the summer and was not sure if a lighter slate would reduce the surface temperature. Mr. Reich said in keeping with the architecture, any color of slate would go with the house but Mr. Segal should be consistent with the historical design and period of the house, an emerald slate, or a multicolor would work. Mr. Reich said he would rather see the same material in a different color, than a different material like asphalt shingle. Mr. Segal said his biggest anxiety is if the reputable companies will be reputable enough.

Ms. Tennor suggested that Mr. Segal interview references from installers. Ms. Zoren said while there are not many slate roofs in Howard County, Mr. Segal could look at different areas of Baltimore City like Roland Park, where there are a lot of slate roofs. Ms. Zoren said Mr. Segal should stick with a slate roof, any muted historic style color will go well with his home and to look at life cycle cost, a 50-year shingle roof does not exist more than 15-20 years regardless of warranty. With a slate roof with 80 plus years, Mr. Segal will see a return on investment if he stays in the house and he will not have to replace it in his lifetime.

**Motion:** Ms. Tennor moved to approve the emergency repairs and the tax credits for the repairs. Mr. Reich seconded. The motion was unanimously approved.

**HPC-20-60 – 3715 Old Columbia Pike, Ellicott City**

Applicant: Charles Alexander

**Request:** The Applicant, Charles Alexander, requests a Certificate of Approval to construct an addition and make other exterior alterations at 3715 Old Columbia Pike, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to the SDAT the building on the property dates to 1900, although it appears to have been modified significantly over time. The Applicant has provided a history of the building, which includes that it was built as a car showroom with residential above. Previous uses include a florist, coffee shop and computer repair store.

The application explains that the unique geometry of the building is due to the site constraints of the rear terrain. The application also mentions three unique features on the building; the double arches recessed second floor porch on the front façade, the decorative frieze that bends with retail wall to create angled corner entry, and the rear sleeping porch with a continuous ribbon of casement windows.

**Scope of Work:** The Applicant proposes to construct a side addition and make rear alterations to the structure. The application contains a few objectives for the alterations, the objectives most applicable to the exterior alterations include “improve rear access to upper level” and “move kilns to attached addition for ventilation and safety.”

The proposed side addition would be located on the west side of the building, fronting Old Columbia Pike. The rear alterations would take place behind the building, not visible from Old Columbia Pike.



**Figure 12 - Red circle indicates location of side addition. Yellow box indicates area of rear alterations.**

The addition would be 8 feet 2 ½ inches wide fronting Old Columbia Pike, and about 12 feet deep on the west end of the building. The front façade of the addition would have three windows, each an irregular size; one floor to ceiling, one ¾ height and one ¼ height. The addition would be constructed of a cementitious panel siding and trim; the siding painted green with a yellow design motif painted on below the trim and along the corner of the addition. The side of the addition will consist of 5 green panels with maroon trim. The trim would be painted a maroon color to match the existing building. The roof of the addition would be flat roof, angled in a slight shed style to match the existing building (in order to run parallel to the existing building). The roof would be a TPO roof, to match the existing building. The new windows will be aluminum clad wood, painted to match the existing yellow window color. The rear of the addition will contain an exterior door, one light over 2 panels, to match the front door. This door will be steel or fiberglass, painted to match the front door.

The rear alterations will consist of a new accessible entrance, created where the existing 1970s windows are located. A ramp, made out of concrete, will be installed to lead to the new entrance. The ramp will contain black steel railing, mounted into the ground. There will be black aluminum linear LED lights installed in the soffits, as indicated on the drawings. A new door and window system will be installed, to consist of all glass windows and doors, with aluminum frames. The existing door will be removed and filled in with a panel, to match the design motif on the new addition.



Figure 13 - Front facade along Old Columbia Pike.



Figure 14 - Building view fronting Old Columbia Pike



Figure 15 - Side view of proposed addition from Old Columbia Pike

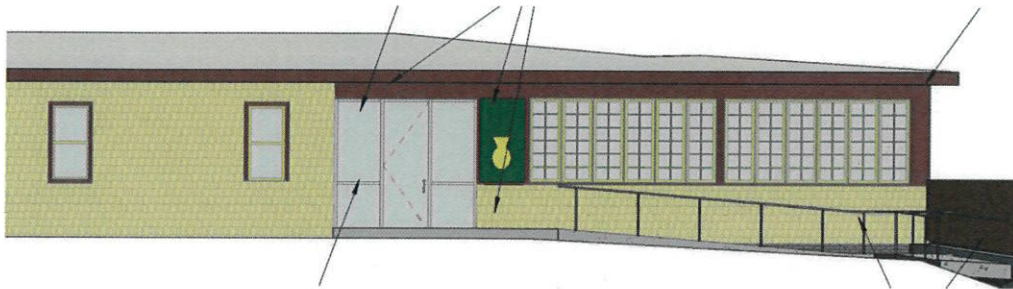


Figure 16 - Proposed rear alterations

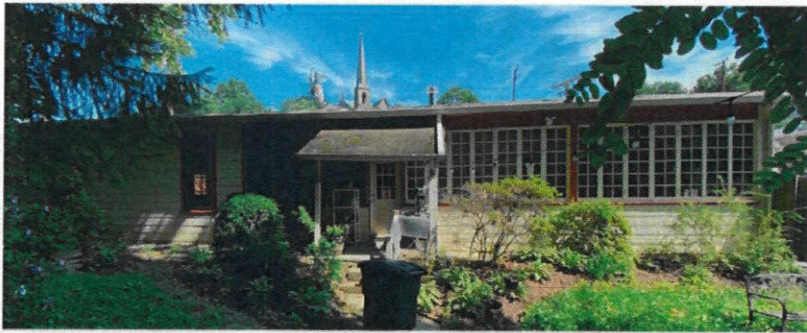


Figure 17 - Existing rear view



Figure 18 - Existing rear conditions. View from driveway off Old Columbia Pike.

#### HPC Review Criteria and Recommendations:

##### New Addition and Dormer

##### **Chapter 4: Secretary of the Interior's Standards**

- 1) *Standard 9 states, "New additions, exterior alterations or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

### **Chapter 7: New Construction: Additions, Porches and Outbuildings**

2) Chapter 7 recommends:

- a. *“Design and fit additions to avoid damaging or obscuring key architectural features of a historic building.”*
- b. *“Attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from public ways.”*

The proposed addition will be located on the side of the building and will not be highly visible when looking at the front entrance. Due to the unique shape of this building, which is triangular in form, there are two sides of the building that are always highly visible from the public right of way. The addition will be located on the end of the west side of the building. The proposed addition will not damage or obscure any key architectural features, as none are present on that side of the building. Additionally, the building has been altered significantly over the years, as evident by the rusticated concrete block foundation, asbestos siding, and possibly enclosed second story front porch.

### **Chapter 7: New Construction: Additions, Porches and Outbuildings**

3) Chapter 7 recommends:

- a. *“Design an addition to be subordinate to the historic building in size, height, scale and detail and to allow the form of the original structure to be seen. Distinguish the addition from the original structure by using a setback or offset or a line of vertical trim between the old section and the new.”*
- b. *“For any building, design the addition so that its proportions (relationship of width to height), the arrangement of windows and doors, and the relationship of solids (wall area) to void (window area) are compatible with the existing structure. Use a roof design that echoes or complements the original roof line. Gable and shed roofs are common for additions in Ellicott City.”*

The proposed addition complies with the above Guidelines and will be subordinate to the historic building; it will sit slightly lower than the historic building and will be recessed on the front corner where it attaches to the building. The roof design will run parallel to the historic building, echoing the shape of the original roofline as recommended. The window design on the front of the addition loosely mimics the shape and size of the storefront windows on the first floor.

### **Chapter 7: New Construction: Additions, Porches and Outbuildings**

- 4) Chapter 7 recommends, *“Use doors and simple entrance design that are compatible with those on the existing building or similar buildings nearby.”*

### **Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings; Entrances**

- 5) Chapter 6.G explains possible exception as, *“Many historic buildings have secondary entrances not visible from streets or other properties. Where these entrances already have a modern replacement door, a new door does not necessarily need to be of a historically appropriate style.”*
- 6) Chapter 6.G explains, *“When a new door is needed, it should reflect the character of the original door. Simple paneled doors of wood or window and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance.”*

Both new doors comply with Guidelines. The door on the rear addition will match the design of the front door with the light and panel arrangement. The new door will either be fiberglass or steel. While the material is modern, the Guideline above gives an exception for secondary entrances located on historic

buildings not needing to be of a historic style. In this case, the style will be historic, but the material modern.

The proposed rear door for the new accessible entrance will be modern, but will not be visible from the public right of way.

**Chapter 7: New Construction: Additions, Porches and Outbuildings**

- 7) Chapter 7 recommends, "On any building, use exterior materials and colors (including roof, walls and foundations) similar to or compatible with the texture and color of those on the existing building. Avoid exact replication that would make an addition appear to be an original part of a historic building."

The materials on the addition will be made of modern, cementitious products, which are compatible, but distinguishable from the historic building. The historic building has been altered and is currently sided in asbestos siding, which is also a cementitious product.

In general, the paint colors to be used on the addition will match those on the existing building. There is a new design motif being introduced on the addition, and the Commission should determine if it is appropriate for the building.

**Chapter 7: New Construction: Additions, Porches and Outbuildings**

- 8) Chapter 7 recommends, "Roofing material may be similar to historic roofing material on the existing building or may be an unobtrusive modern material such as asphalt shingles"

The proposed roofing material is TPO, which is appropriate for a flat roof system and was recently approved and installed on the main historic structure.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the painted design motif is appropriate and otherwise recommends the HPC approve the application as submitted.

**Testimony:** Mr. Shad swore in Charles Alexander. Mr. Shad asked if Mr. Alexander had any comments to add to the Staff report. Mr. Alexander said he had no comments to add and concurred with everything the Staff had said.

Ms. Tennor asked how the Applicant decided that the addition would be completely distinct from the existing building and how did the design decision come about as the existing building is rather symmetrical. Mr. Alexander said he has done a number of additions on historic structures, and the plans concur with National Park Service recommendations that additions be completely distinct from the historic structure. Mr. Alexander said there are wonderful motifs in the frieze, and he wanted to pull from the architecture on the building already. The addition is hyphenated from the building, but it is located there for functionally for the kilns. Mr. Alexander said there is an existing wall and patio, so it was an ideal location for the addition. The full-height window forms a slot between the new addition and the existing and the other window recalls the proportions. The colors and frieze motifs are drawn from the details in the first-floor cornice.

Ms. Tennor asked if the existing wall where the addition will be constructed was a lattice wall. Mr. Alexander said the wall is a parged block wall and has been altered a lot and the lattice has been added to allow something to grow. Ms. Tennor asked if the wall will be required to provide any structural support to the addition. Mr. Alexander said behind the lattice is a 12-inch concrete wall. Ms. Tennor said



she was not entirely persuaded that the graphic and color of the addition are in-keeping with the rest of the building and said she would defer to the architects on the Commission.

Mr. Roth said he would like to hear deeper insights provided by the HPC architects.

Mr. Reich said for the most part the application complies with the Guidelines and the addition differentiates itself from the main building. Mr. Reich asked if the building is historic as a comment in the staff report says the main building has been modified several times and Mr. Reich thinks the building looks like a duplex. Mr. Alexander said the building started as a car dealership and had apartments above the dealership. The big double doors placed on an angle towards Main Street was how the cars were rolled into the showroom.

Mr. Reich said that a large part of the façade is historic and Mr. Alexander did the right thing by making the addition look modern, not historic, and subservient to the larger historic structure by placing it back using a hyphen and lowering the roof. The fenestration looks compatible but different. Mr. Reich said the ADA accessibility was nice and would not be visible. Mr. Reich said the only question was the graphics, which are said to be derived from the building, but look like a painted-on frieze from an urn. Mr. Alexander said in the frieze there are wrap around diamonds and the real color is better than the printed graphics. Since this is a maker space for pottery the idea was to play off the design, though the Applicant is not 100% set on the pottery motif (possibly medallions on the lower level but also considering playing off the auto history).

Mr. Reich asked if the panels on the addition were raised, as they looked painted on. Mr. Alexander said the panels are cut out pieces and raised about half an inch. Mr. Reich asked for the material of the panels. Mr. Alexander said the panels were cementitious and were painted. Mr. Reich asked if the Commission had gotten samples or specifications on the panels. Mr. Alexander said he included the information on the last page of the application, the panels are a flat panel made of larger batten pieces that have the same finish like wood. Hardie has a new product that is more wood like that is milled and routed to look like it was wood. Mr. Reich clarified if the panel was made out of Hardie trim or a composite. Mr. Alexander said he is not stuck with that particular brand and there are better products made with fly-ash.

Mr. Reich asked if Mr. Alexander was decided on the motif. Mr. Alexander said the Applicant had a few ideas, but was not decided on a specific design. Mr. Reich said he would defer to the other Commissioners. Mr. Reich the basic architecture of the addition complies with the Guidelines and suggested Mr. Alexander make a separate submittal for the motif as there was no final decision on the design. The motif rides the line between signage and architecture and the Commission has had a lot of problems pop up with murals. Mr. Reich said it is easy to approve architecture, but Mr. Alexander should make a separate submittal for graphics. Mr. Alexander agreed to Mr. Reich's approach.

Ms. Zoren agreed with Mr. Reich's suggestion about the motif being a separate submittal as the motif seems almost like additional signage advertising the function of the building. Ms. Zoren said the architecture was very interesting as it has a chamfered corner, but the corner does not look at anything. Ms. Zoren noted in figure 15 is a perfect place for the chamfered corner, the hill of Old Columbia Pike would allow for more of a view on that side. Ms. Zoren asked if the Applicant was thinking of following her suggestion. Mr. Alexander said it was not the number one reason for his design, but the owners are close enough to the property line that there can be no window on that side of the building. Mr. Alexander wants the building to be seen. When one walks up Main Street the building is obliquely seen, which is the view one would have. The proposed addition wraps around the primary kiln and allows it to be visible, which is why the addition faces the direction it does. Ms. Zoren asked if Mr. Alexander was

building up to the property line. Mr. Alexander clarified the addition is not at the property line but with the angular property line wedging along at an angle, the building varies from 2-foot to 5-foot to the property line. There is a tree in a tree planter and well at the end of the addition.

Ms. Zoren referenced figure 14 in the Agenda, the figure shows a chamfered corner with two window types, a full glass panel and then a horizontal window facing straight out towards Main Street. Ms. Zoren asked if the windows could be one type or the other. Mr. Alexander said the tall one was the hyphen window and the other window recalls the sill and the proportion of the double-hung windows and he wanted to pull the porch and double-hung windows across into the façade and reference that horizontal line. Ms. Zoren said she was concerned with how having two different styles of windows next to each other will read. She suggested the Applicant choose one or the other, and asked for the other Commissioner's input. Ms. Zoren referenced figure 15 and asked what the height of the green panels was and how the seam was being treated. Mr. Alexander said the panels are 10 foot high and would be seamless; the max height would be 9'4".

Mr. Shad agreed that the windows should be one of the styles, not both, and suggested to eliminate the horizontal piece. Ms. Zoren said she could go either way with the window type, but the windows should be consistent in such a small area.

Mr. Shad asked if Mr. Alexander would be doing anything with the existing parged retaining wall. Mr. Alexander said he was not going to alter the wall. Mr. Shad asked if the Applicant did not want to make the retaining wall blend into the wall. Mr. Alexander said the retaining wall was finished different with false ashlar block and then it goes to this lump concrete. Mr. Alexander said it would be better not to rip off vines and plantings. Mr. Shad said that 50% of the wall would not be seen either.

**Motion:** Ms. Zoren moved to approve the application as submitted with the exception that the two windows of the addition be the same style and type and the motif graphic be submitted at a later date for review. Mr. Reich seconded. The motion was unanimously approved.

**HPC-20-61– 8156 Main Street, Ellicott City**

Applicant: Donald R. Reuwer Jr.

**Request:** The Applicant, Donald R. Reuwer Jr., requests a Certificate of Approval to make exterior alterations at 8156 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1890.

Last month the Applicant was approved for the retroactive installation of a 42-inch high black aluminum fence (HPC-20-52) and a mural to cover the retaining wall and building foundation white parged wall (HPC-20-53).

**Scope of Work:** The Applicant requests approval to remove the small brick retaining walls on top of the existing patio area and construct a new stone wall, to be about 5 feet in height. The existing concrete foundation, from a previous building, will remain in place. The area inside the new 5-foot tall retaining wall will be filled in to be level a bluestone tiles will be installed to create a new patio area. A set of stairs made of stone will be constructed to lead to the new patio area. The proposed stone wall and stairs would be gray to match that is typically found in Ellicott City.

A 42-inch high black metal railing, to match that approved in HPC-20-52, is proposed to be installed on top of the new 5-foot high stone wall.

**HPC Review Criteria and Recommendations:**

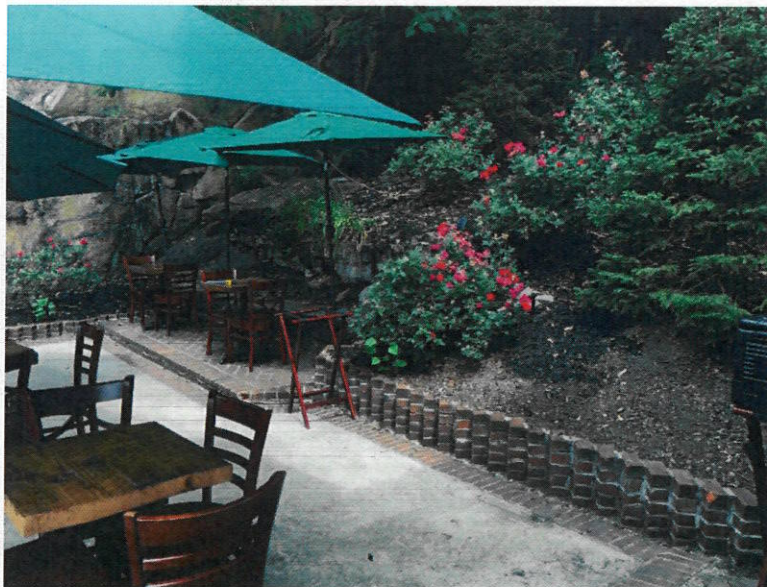
**Chapter 9.A: Landscape and Site Elements, Topography and Water Courses**

1) Chapter 9.A recommends:

- a. *“Preserve the relationships of historic buildings to their sites.”*
- b. *“Minimize grading by siting new structures and other improvements to make use of the land’s natural contours. When necessary, use appropriately designed retaining walls or building walls to create the minimum level area needed for a new use in accordance with historic development plans.”*
- c. *“Maintain and reinforce natural landscape elements, such as rock outcroppings, water courses and tree lines. Make views of natural elements, especially the Patapsco River and its tributaries, available to the public where possible. Provide walkways, sitting areas and casual stopping spots in parks, plazas, and other areas open to the public.”*

It is unclear what the terrain in this location consists of, and whether it is part of the rock outcropping or mostly soil. The patio will create new sitting area (although it will not be open to the public in the manner of a park, as it will be part of the neighboring restaurant’s outdoor seating).

The Guidelines recommend using appropriate designed retaining walls to create the minimum level area needed for a new use. The proposed 5-foot tall retaining wall, to be topped by a 3.5 foot tall fence, does not seem appropriately designed as it will create a large vertical surface that does not currently exist. A lower retaining wall, if possible, would create a more human scaled environment.



**Figure 19 - Photo taken July 2020. Low brick retaining wall to be removed.**



Figure 20 - Google Streetview 2019.



Figure 21 - Google Streetview 2018. Current landscaping did not exist then.

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 2) Chapter 9.D explains, "The most appropriate design and materials for new walls, driveways and other features depends on the specific context. As a rule, they should be simple in design and require minimal changes to existing topography and natural features."

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 3) Chapter 9.D recommends, "Install open fencing, generally not more than five feet high, of wood or dark metal."

The proposed black aluminum fence complies with the Guidelines. The new fence will match the one installed and approved in July 2020 (HPC-20-52) on the existing retaining wall adjacent to the sidewalk.

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 4) Chapter 9.D recommends, "Construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.

At the July 2020 meeting, in case HPC-20-53, the Commission approved the faux painting of a granite wall scene on the existing parged retaining wall adjacent to the sidewalk. The current application for the construction of the 5-foot retaining wall states the wall will be gray to match that typically found in Ellicott City, but does not contain a sample of the actual color variations, stone size or mortar color. It is unknown what the proposed new wall would look like in conjunction with the approved faux granite painting on the existing wall. A stone sample board would be helpful to see what the rock courses would look like. This application should have been submitted along with the mural so that the HPC would have a full understanding of the desired changes for this area, rather than piecemeal applications. The proposed bluestone tiles, which will not be visible from the street, comply with the Guidelines and will be compatible with the historic building and neighboring rock outcropping.



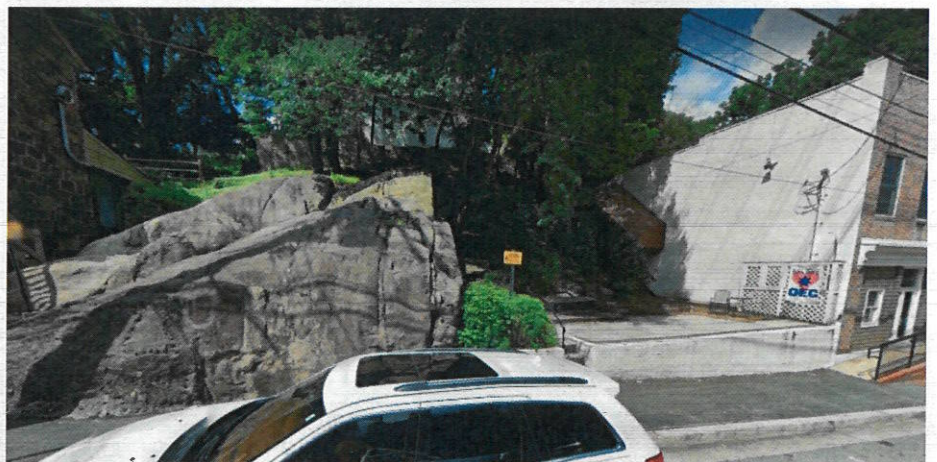
**Figure 22 - Fence installed and approved in July 2020.**



**Figure 23 – Faux painting approved in July 2020.**



**Figure 24 - Mural sample provided for July 2020 meeting.**



**Figure 25 - Overall site view.**

### ***Additional Information and Requirements***

According to the Department of Inspections, Licenses and Permits (DILP), since this wall is proposed at 5 feet in height, an engineer would need to certify that the existing foundation can support this additional load. DILP would need to have an engineered sealed drawing for this wall for their building permit review, if approved by the HPC. The Applicant should contact DILP for additional information.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the new wall and patio comply with the Guidelines and approve, deny or modify accordingly. If the wall is approved, Staff recommend the HPC approve the proposed fence, which complies with the Guidelines.

**Testimony:** Mr. Shad swore in Donald Reuwer Jr. Mr. Shad asked if Mr. Reuwer had any comments on the staff report. Mr. Reuwer said the previous owner of the property added mulch every year on the property and Mr. Reuwer had the mulch removed to see what was underneath. Due to the COVID situation, the outdoor dining for Syriona has been very popular. Mr. Reuwer said there was no longer dead space on the street, with a big empty rock and an office building. Along with the recently renovated building at 8156 Main Street, the outdoor seating created a continuation of retail and activity on the street. Mr. Reuwer would like to expand the outdoor seating and wanted to see if the size of the deck could be increased. He explained there was previously a building located in the currently unused space. Mr. Reuwer said he would like to build a stone wall that would step into the hillside to allocate more outdoor dining space. He said the wall would have to be 4.5 feet tall, and then there would be another three-foot wall for a second deck. Mr. Reuwer said what was submitted was not what he wanted to do at this point, based on recent discoveries. Mr. Reuwer asked if a tiered stone wall would be appropriate.

Ms. Burgess said she had conducted a site visit that day and Mr. Reuwer had been previously requesting a 5-foot wall, which is a structural wall and quite high. The property had a lot of mulch and dirt and it is unknown what the base soil type was. Ms. Burgess said after removing the mulch and dirt, it seemed that Mr. Reuwer could change the height of the request, but that would change the width, and having a tiered patio might be a better option. Ms. Burgess said Mr. Reuwer wanted to withdraw his application, but she had suggested Mr. Reuwer attend to get Advisory Comments on the tiered patio instead.

Mr. Shad asked if Mr. Reuwer was changing his application to Advisory Comments. Mr. Reuwer said he wanted Advisory Comments as he would need to get more details to the Commission than what was provided for the tiered patio request, but wanted to get their thoughts before he commissioned new drawings.

Ms. Tennor had some questions based on Mr. Reuwer's recent excavations. Ms. Tennor asked if the section drawing provided in the application is what the Commission should be referencing. Mr. Reuwer said they should not reference it, and that he would need to do some new measurements on the tiered patio. He said that it seems the first wall would not need to be as high because he does not want the patio sloping down and needs a level area to build on. Mr. Reuwer said that after removing the mulch and dirt, his team dug down until they got to rock they could not penetrate. The tiered patio would need to be about 4 feet to 4 and a half feet to prevent water running down and then the plan to make a second tier would require going back about 10 feet and then up another 3 feet.

Ms. Tennor asked if there would be three-level areas; the existing deck, a new patio, and then another patio above. Mr. Reuwer said yes and that it seems possible. Ms. Tennor asked if the levels would have stone retaining on the street façade of the patios. Mr. Reuwer said that was correct. Ms. Tennor asked if the patio would be accessed from the existing stair or if a new stair at the side of the building, shown in figure 20, would be used to access the patio. Mr. Reuwer said he could put a stair between level one to

level two and then level two to level three could be made out of stone. Ms. Tennor and Mr. Reuwer discussed the proposed stairs. Mr. Reuwer said he would need to get the Commission a new plan based on his tiered design.

Ms. Tennor asked if there would be a railing at the front edge of each patio. Mr. Reuwer said that anything over three feet in height would need a railing, but possibly not the top patio. Ms. Tennor asked what the depth of the top patio would be. Mr. Reuwer said 8 to 10 feet back. Ms. Tennor asked how many serving stations would those two added levels accommodate. Mr. Reuwer asked if the Commission was seeking the number of stations pre or post-COVID. Mr. Reuwer elaborated that with a required 6-foot separation there would be fewer serving stations but without the 6-foot separation, there could be quite a few. Ms. Tennor said she was trying to get an idea of what the patios would look like. Ms. Tennor asked if the existing landscaping will be gone. Mr. Reuwer said the landscaping was added at Christmas because the trees die every year as they sit directly on rock.

Ms. Tennor said at the top of the hill, there is a crest, that would be above the upper level of the patio and asked how many retaining walls are being requested. Mr. Reuwer said two. Ms. Tennor asked if there would be a retaining wall at the back of the top patio. Mr. Reuwer said that was probably not necessary because that area is all rock. Ms. Burgess said the original proposal was one five-foot wall with a 10 to 12 foot deep patio. Now the request had been updated to be two shorter tiered walls that fit within existing conditions.

Ms. Tennor said it was an intriguing proposal and would be a wonderful place post-pandemic. Ms. Tennor asked about the paving. Mr. Reuwer said the paving would be bluestone set in stone dust to be adjusted over time, the paving information had been included in the original submittal. Ms. Tennor said stone retaining walls would be a big improvement over brickwork.

Mr. Roth said the proposal was a tough sell given the Guidelines, and referenced Chapter 9. Mr. Roth read Ellicott City natural setting is essential to its character... "care should be taken to protect natural features". Mr. Roth said he had driven by the site today and the mulch is gone, and the area now shows natural bedrock. Mr. Roth said the staff report points out recommendations from Chapter 9.A of the Guidelines. Mr. Roth said the proposal would bury the natural feature of the rock outcropping under the retaining walls and patio and would be tough to reconcile with words in the Guidelines. Mr. Roth said Mr. Reuwer should approach this project cautiously and think hard before going down this path.

Mr. Reich said he had a different perspective on the tiered wall proposal. Mr. Reich said he thought the rock outcropping is to the left, and the subject area had been buried under mulch and vegetation. Mr. Reich noted there used to be a building there. Mr. Reich said if the proposal is done right, it would be a great enhancement to Main Street without covering any important natural features. Mr. Reich recommended Mr. Reuwer use indigenous stone. Ellicott City is moving more toward outdoor spaces and it would give more life to Main Street. Mr. Reich said he did not see this proposal as destroying natural features and noted the site had been a dead space for a long time. The stairs to the top of the 8156 Main Street building is the only life the space has gotten. Mr. Reich said if Mr. Reuwer submits detailed plans showing retaining walls, layout, materials to be used, it could sell the idea. Mr. Reich mentioned black railing fits in with about everything. Mr. Reich said Ellicott City granite is not as hard as most granite. Mr. Reich said it is possible to pour concrete to make levels that Mr. Reuwer was proposing.

Ms. Tennor said this proposal could help people interact with the dramatic stones and make it more accessible without infringing on them. Currently, the location is dead space and the rocks are an amazing feature on Main Street. The proposal would be a compliment. Mr. Reich said the huge rock that

outcrops right next to it, an iconic part of Main Street that was faded into the background with the vegetation around it.

Ms. Zoren said she is on board with the overall concept. She asked that when Mr. Reuwer return with a finalized plan, he include site sections including the steps, multiple scaling, dimensions showing steps, the height of the railings, how many railings, what is being done with the dirt at the back of the retaining wall. She asked if there will be planting; what are the plantings, and materials such as the stone walls and bluestone pavers. Ms. Zoren stated a couple of concerns with the multiple tiers and multiple levels of the railing, as she is afraid that it will look overwhelming with three rows of metal railing. She said the first black railing on the edge is good, but suggested a glass railing that blends on the other levels, so that only the primary edge of the railing is seen.

Ms. Zoren had a concern from the previous month's approval of the faux finish stone painting juxtaposing with real stone and was wondering how that will look. Ms. Zoren was afraid that the stone painting will cheapen the rock. Ms. Zoren urged Mr. Reuwer to face the front of the parged wall with stone or natural material, instead of painting the mural/faux finish and to take into context what he is trying to create and how it will look.

Ms. Tennor agreed with Ms. Zoren about the paintings with the elevation of natural stone behind it. Mr. Shad also agreed; he liked the plan overall as it had a good concept of the space and it could be an attractive addition between the buildings. Mr. Shad agreed with Erica's ideas on the railing and wall. Mr. Shad said Mr. Reuwer should reconsider painting the faux stone mural and apply a stone to the wall as it will be in keeping with new stone walls up and above that area. Mr. Shad said he was looking forward to seeing the new plan and concept.

Mr. Reuwer asked if he can face the area that was to be painted with a thin stone and apply it to the front of the wall, but still paint the brick on the adjacent building, 8156 Main. Mr. Shad said the adjacent building was a separate façade and he would be okay with that plan if the painted brick matched the sample Mr. Reuwer provided. Mr. Reuwer said that was what he would like to do; face the front parged retaining wall with a stone wall. Mr. Reuwer suggested an alternate fence style he had used in other projects, it is a contemporary thin wire post railing painted back. Ms. Holmes referenced the photo Mr. Reuwer submitted by the stairs. Ms. Burgess clarified Mr. Reuwer was referencing the black cable railing from the photo. Mr. Reuwer said he would make the railing as black wire instead of silver, as the photo showed silver. Mr. Shad asked if Mr. Reuwer was referring to the railing for the upper two terraces. Mr. Reuwer confirmed Mr. Shad to be correct. Ms. Tennor agreed it would have a less visual impact than three sets of metal railings. Ms. Zoren said Mr. Reuwer's suggestion would solve a lot of visibility issues with vertical picket and would make sense to do the cable railing. Mr. Reuwer said when he came back with the certificate of approval application, he could show the Commission both railings for them to decide.

Mr. Shad asked if the Commission had any other comments, the Commission had no more comments.

**Motion:** There was no motion as this was an Advisory Comments application.

**HPC-20-62 – Ellicott City Watershed Master Plan**

Applicant: Peter Conrad, Howard County Department of Planning and Zoning

**Request:** The Applicant, Peter Conrad from the Howard County Department of Planning and Zoning, requests Advisory Comments from the HPC on the Ellicott City Watershed Master Plan, pursuant to



Howard County Code §16.606(d)(2)(II), which allows the HPC to “review and provide advice to the Planning Board and County Council on other proposals affecting historic preservation, including County general plans and area master plans.” Additionally, Code §16.606 (d)(1)(I) allows the HPC to “advise and assist in developing plans for the preservation of historic resources within Howard County upon the request of an Agency, Board or Commission of Howard County Government.”

**Background and Site Description:** The Ellicott City Watershed Master Plan encompasses the area within the Tiber Branch Watershed, with contains a majority of the Ellicott City Historic District. The Master Plan is a long-range plan that creates a multi-objective vision for Ellicott City and the Tiber Branch Watershed. The application explains that the plan represents the culmination of a multi-year public outreach process that began in 2016 and builds upon the 2019 Ellicott City Safe and Sound plan. The application states, “the master plan establishes goals, desired outcomes and policies for the next twenty years. It also features conceptual illustration that can serve as inspiration should specific opportunities arise over time.”

The Department of Planning and Zoning held a workshop with the HPC on the Master Plan in November 2019.

Likewise, the Department of Public Works has received Advisory Comments/Pre-Application Advice on the Ellicott City Safe and Sound Plan in case HPC-19-48 (October 2019).

**Scope of Work:** The plan is organized around five topic areas (watershed wide, which includes areas outside the Historic District), and seven geographic areas located within the Ellicott City Historic District.

The five topic areas are:

- 1) Character & Placemaking
- 2) Flood Mitigation
- 3) Economic Development
- 4) Environmental Stewardship
- 5) Transportation

The seven geographic areas are:

- 1) Streetscapes
- 2) Riverfront
- 3) Lower Main
- 4) Upper Main
- 5) Ellicott Mills Gateway
- 6) West End
- 7) Courthouse

**HPC Review Criteria and Recommendations:** While the application before the Commission is currently for Advisory Comments, much of the content could later result in applications for Certificate of Approval. The Commission could provide advice on items that may later come before them for approval. Per the Commission's Rules of Procedures, the Commission has adopted the following as general design guidelines, which they may use in their review of applications for Certificates of Approval:

- 1) The Secretary of the Interior's Standards for the Treatment of Historic Properties.
- 2) The Secretary of the Interior's Standards and Illustrated Guidelines for Rehabilitating Historic Buildings.
- 3) "Preservation Briefs" published by the National Park Service.
- 4) The Ellicott City Historic District Design Guidelines

The Code also provides standards for review for applications for Certificate of Approval:

**Sec. 16.607. - Standards for review.**

*(a) Elements for Consideration. In reviewing an application for a certificate of approval, the Commission shall give consideration to:*

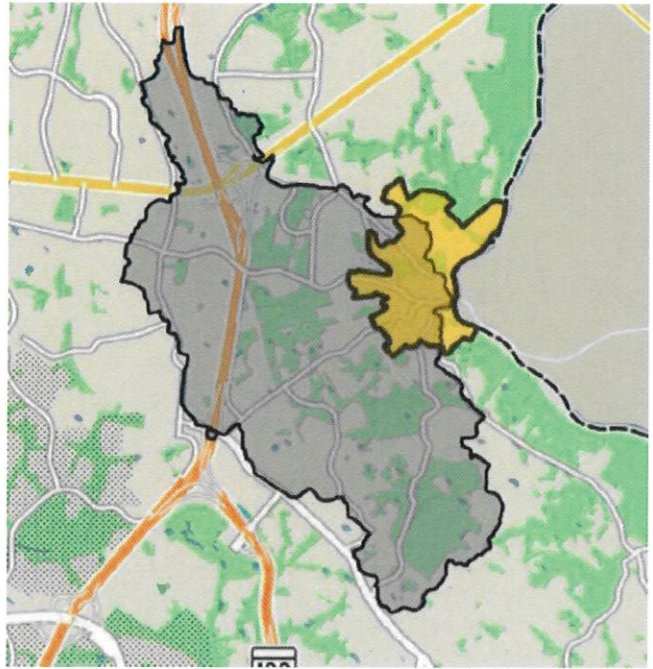
- (1) The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.*
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.*
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.*
- (4) Whether the requested action is necessary to protect against threats to public safety.*
- (5) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.*

**Staff Recommendation to the HPC:** Staff recommends the HPC provide Advisory Comments on the Ellicott City Watershed Master Plan.

**Testimony:** Ms. Holmes posted the Applicant's presentation to the Commission's website for public access and Ms. Burgess was able to do a screen share so the presentation was visible to anyone viewing the HPC virtual meeting.

**DPZ Presentation**

Mr. Conrad introduced the plan and noted it was last before the Commission in November 2019. Mr. Conrad said tonight's presentation was to provide an overview of the draft plan for the Commission to develop Advisory Comments. He said the Plan has been made available to the public and DPZ was receiving comments. Mr. Conrad explained the next steps, stating the HPC's Advisory Comments would be provided to the Planning Board and County Council as they review the plan and adopt the plan as an amendment to the PlanHoward2030.



**Figure 26 - Gray area shows the boundaries of the Tiber Branch Watershed for the Ellicott City Watershed Master Plan. Yellow area shows the boundaries of the Ellicott City Historic District.**

Mr. Conrad began his presentation providing background on the plan, Main Street, the Historic District, and the watershed surrounding the District. Mr. Conrad said it was a multi-objective process. Mr. Conrad detailed the numerous public workshops and events that had taken place prior to the meeting. He explained the planning process began in 2016, and explained that DPZ was nearing a release of the draft plan in 2018, when the second flood hit. He said the Master Planning effort was rebooted in 2019 to build upon the Ellicott City Safe and Sound Plan.

Mr. Conrad said the Master Plan team created a community-driven vision, which includes six goals with desired outcomes. Mr. Conrad walked the Commission through the six goals. first goal encompasses public safety aspects, the second goal focuses on water management quality and quantity, the third goal focuses on economic success for Main Street, the fourth goal is to enhance the Main Street experience, the fifth goal is to preserve and promote the identity of Ellicott City and the sixth goal is to organize for success for coordinated efforts to achieve the goals.

Mr. Conrad said the body of the plan is organized into twelve chapters that make up five topic and seven focus area components. Policies and implementation actions, as well as non-policy considerations, are included in the plan.

#### Commission Comments

Mr. Reich said he did not currently have questions, but said Mr. Conrad presented high-level goals and the Commission's problems have always been in the details. Mr. Reich said the details would be of concern to the Commission the most. He said in reviewing the whole draft master plan, the things the HPC would be most concerned about are the areas where there are ideas for proposed new development, such as the Courthouse area and the West End, parking lots and opening up the river basin. The Commission will have to figure out how to deal with those ideas and when and how will they develop Guidelines. He felt those were the items that would most concern the Commission. He said throughout this process, they have seen a lot of big ideas. Even though the history of Ellicott City has been stated as one of the driving factors of the Master Plan, it seems like the big ideas are overpowered compared to the character of the small scale of the historic district. He explained that most of the focus of the Commission has been preserving that Main Street experience. The plan seems like a giant watershed development idea, and somehow the Commission needs to bridge those issues as a Commission; it presents a lot of challenges for the Commission.

Mr. Conrad said the Master Plan is considered to be a 20-year plan and elements that are to be implemented from Safe and Sound will be the initial drivers, such as goals lowering flood levels either through conveyance or storage, which are largely engineering issues. The Master Plan will work in conjunction with the Safe and Sound Plan and provide the placemaking components, the way to enhance or achieve other objectives when the engineering work is taking place.

Ms. Tennor said the Commission does not focus on economic development, but was not antithetical or antagonistic to it. Ms. Tennor referred to Mr. Reich's comments for the expansive ideas for new amenities, and redevelopment of areas such as the Courthouse area, it is her hope as a Commissioner that Historic Main Street does not become economically irrelevant and overpowered by other development that is being considered in this area. The work needs to be done cohesively and not competitively.

Mr. Conrad agreed with that statement and said that is a challenge in approaching a planning process such as this, because there are so many influences, such as historic, but the plan is being driven by the focus to address flooding in order to retain the historic core. He explained that the Master Plan Team

looked at the Master Plan as an adaptive management plan. The plan is supposed to provide a framework or guidance for changes or opportunities that might arise, driven by engineering decisions. For example, if a flood mitigation project requires a loss in parking spaces in Parking Lot F, to counterbalance the spots lost, the plan could trigger a solution like a parking garage.

Mr. Shad said he was concerned with development up and above Ellicott City, as this has not been addressed, and as far as environmental stewardship that has to be vital, as the new development will be tying into the Tiber Watershed, which is a key component in this whole process. Mr. Shad said it was his opinion that the development has led to the floods that have been seen in the last 40 years.

#### DPZ Presentation

Ms. Bolinger presented the five topics and seven focus areas that the Master Plan will focus on to provide policies and offer guidance. Ms. Bolinger presented the twelve chapters, the first being Community Character and Placemaking. This chapter introduced a range of topics such as preservation, property maintenance, development character, scenic roads, public realm, public art, green cultural trail and programming. Ms. Bolinger provided an example from each chapter.

The second chapter focused on flood mitigation. Ms. Bolinger said the Ellicott City Safe and Sound sets a foundation for flood mitigation in the watershed. Stream restoration and floodproofing were also discussed in the chapter. In regards to Mr. Shad's comment on development, she explained that it was not listed as a policy, but is described in the existing conditions, Ellicott City Today section. She said that the new stormwater management standards that were put in place last year are referenced, and that new development/redevelopment is required to manage the equivalent of the July 30, 2016 storm; 6 inches in 3.55 hours, as well as a few other requirements for water quality. Ms. Bolinger explained that the reason it is not listed as a policy is because the stormwater management requirement has already been adopted.

Ms. Bolinger presented the remainder of the chapters. The third chapter covered environmental stewardship in regards to forest management, conservation easements and stream daylighting. Ms. Bolinger noted the plan describes opportunities to daylight streams that are culverted and covered.

The fourth chapter, Economic Development, discussed the creation of creative spaces, community branding, tourism and marketing. Ms. Bolinger said the chapter calls for continuing to deploy and expand the old Ellicott brand developed by the Ellicott City Partnership.

The fifth chapter, Transportation and Parking, covers pedestrian accessibility, bicycling, parking management and wayfinding. With wayfinding, the plan calls for designing and executing a cohesive wayfinding system that would help visitors navigate on foot and by vehicle.

The next section addresses the the seven focus areas made up of the West End, Streetscapes, Ellicott Mills Gateway, Upper Main, Courthouse Area, Lower Main and Riverfront in the Historic District.

Ms. Bolinger provided an overview of each focus area. Ms. Bolinger explained that there were a number of options within the Master Plan for each area, since it is an adaptive management looking ahead for 20 years. The plan recognizes if there were to be a project in one of these areas, there could be a domino effect elsewhere, so the idea is to document all of those options in the plan so the design consideration associated with them can be thought through.

### Commission Comments

Mr. Roth said there are policies in place for what the Commission does. He said the parts of the watershed plan that are most relevant are the proposals to demolish structures on lower Main Street that contribute to the character of Ellicott City, which especially includes the B&O turntable and the structures proposed for demolition. Mr. Roth quoted the Rules of Procedure "Before an application of demolition or relocation of a building, HPC shall determine if the structures are of unusual importance." Mr. Roth noted the B&O turntable is integral to the B&O Station warehouse, which is a designated National Historic Landmark, and the buildings on lower Main Street are part of the area included in the designated National Register Historic District for Ellicott City. He said it would be reasonable for those structures to be identified as of Unusual Importance. Mr. Roth quoted the Guidelines on demolition, where it states the Commission will consider approving demolition only after all possible alternatives to preserve the structure have been exhausted. Mr. Roth said the watershed plan basically says the buildings will be torn down. Mr. Roth explained that the Commission cannot issue a Certificate of Approval for demolition until a case has been made to them that all the alternatives have been examined or considered.

Mr. Roth noted the Maryland Avenue culvert is proposed to run underneath the turntable, but there has been no information shown on how the culvert will be constructed. The culvert has been used as the justification to tear down the lower Main Street buildings. Mr. Roth said he cannot find any information on the value that is added to the Maryland Avenue culvert and what effect it will have on flood mitigation. He could not find any information on it in the McCormick Taylor report. Mr. Roth said the access to the Maryland Avenue culvert will be lower than the former Phoenix building and he does not see how the Maryland Avenue culvert has any contribution to flood mitigation. He said that argument needs to be made.

In regards to the buildings proposed to be torn down, Mr. Roth said the Phoenix previous location looks like two buildings combined into one. He said the back half has a federal style roofline with American bond brickwork, which suggested the back of the building is from the first half of the 19<sup>th</sup> century, making the building particularly worth consideration of preservation. He said the building the used to contain Great Panes should also be given more consideration for preservation. He said the building that used to be Tea on the Tiber is being saved, but only 20 feet away from it, is a similar building made of granite, under-stucco. Mr. Roth questioned why the one building is proposed to be torn down instead of preserved when they are so close in proximity.

Mr. Roth said one alternative that he has not heard explored is whether the degree of flooding can be reduced by creating more impervious surfaces in the watershed. Mr. Roth asked what specific benefits to flood mitigation result from the removal of the buildings on lower Main Street. He said that these comments need to be considered in making the watershed plan. Mr. Roth said if the Master Plan team does not have arguments in hand that enable the Commission to approve the demolition, then the team should think through if the watershed plan should talk about tearing buildings down.

Mr. Roth appreciated the citation on page 74 of the Master Plan; the 2018 NOAA climate assessment as opposed making bald statements that climate change will produce more flooding. He appreciated having an actual cite to a real document. Mr. Roth referenced page 76 indicating the McCormick Taylor 2016 Hydrology & Hydraulics document that compares woods in good condition versus the conditions of 2016 measuring the water depth during the flood. Mr. Roth said he could not find that reference in the McCormick Taylor plan and asked if the Applicants know where that reference is in the plan. Ms. Bolinger said the reference Mr. Roth was referring to was presented at the kickoff meeting of the Master Plan, the dual kickoff to the Master Plan and the H&H Presentation.

Mr. Roth noted he found flow rates of woods in good condition compared to current conditions on page 10. Mr. Roth thinks that someone converted the McCormick Taylor statement about the difference in flow rates through the channel, to a statement about the depth of the water on Main Street. Mr. Roth said if that is what is going on, that is not sound reasoning and provided an explanation why. He said that Main Street is not the whole channel and the reference is misleading, because it understates the benefit that could be added by increasing the amount of pervious surface in the watershed. He said it keeps the question open as to whether or not decreasing the impervious surface in the watershed could provide enough benefit to keep from having to tear down historic structures.

Mr. Roth said the policies in the watershed should align with the policies that are currently guided by the Commission. Mr. Roth noted that adjusting the HPC Guidelines or the Watershed Plan could make that happen and cautioned it will cause problems if they are not aligned when the HPC has to make decisions.

Mr. Roth referenced pages 195-196, which references placing a parking garage in Parking Lot D, and he said the examples shown in the plan were inappropriate due to the overwhelming scale and context. Mr. Roth said of the implementation plan in Section Six, he cannot find the Maryland Avenue culvert.

Ms. Tennor that if it is possible to keep all the lower Main Street buildings together, having the buildings together is important for the context. Ms. Tennor agreed with Mr. Roth, that the Commission needs to be absolutely certain that demolition is the only option before those buildings are removed. Ms. Tennor was not optimistic about a four-story parking structure. She said there is nothing like a four-story parking structure on Main Street. Ms. Tennor hopes over the course of the next 20 years that the community will make a big effort to integrate the experience on Main Street with a good redevelopment program for the Rogers Wilkins Mill. Ms. Tennor understands there is a border between Baltimore and Howard County, but said there are lots of groups between those two communities to reach coordination. She said there is not a good connection between the historic parts of Baltimore County and the historic Main Street in Ellicott City. She said it could really help the economic development of the area where the two counties come together, if visitors to Main Street could experience Oella and other areas within walking distance. Ms. Tennor said she had other individual concerns but maybe she can address them in hand written form.

Mr. Reich said that other than the demolition of lower Main Street buildings, that most of the stormwater management and flood mitigation plans will not affect the Commission. The tunnel will be out of sight and the stream enhancements are good. Mr. Reich said he has never liked that visitors cannot experience the stream. He noted the stream and water was the beginning point of all development 300 years ago. The places in the plan where the channel is being opened up, other than where the buildings are being demolished, is a good idea and won't hurt the architectural heritage.

Mr. Reich said things that will create extra work in thinking about the Guidelines are ideas about the streetscape. Howard County has pushed to take out the brick sidewalk and put in concrete because it is felt to be more flood-proof. The document mentions mountable curbs, parking and landscaping the street that need to be addressed in the Guidelines. Mr. Reich doesn't want to be caught off guard with things the County may propose that are not addressed by the Guidelines. Mr. Reich said the major development ideas, such as the Courthouse area will create big areas of concern with not overpowering the historic nature. Mr. Reich said the Commission might need separate Guidelines for each of these focus areas in order to address everything in the plan.

Mr. Reich mentioned that he did not see ideas to create a 4-story building in Parking Lot D anymore, as it seems the idea has changed to opening up the channel and keeping it as a parking area to allow

people to see and enjoy the river in a gathering area. He said that would be much easier if development was not proposed there anymore.

Mr. Reich said the Master Plan Team has listed several other things in the Gateway Area, Thomas Isaac, Bernard Fort, Lot F & G and all of these areas will be separate areas of concern. Mr. Reich wondered how the Commission will develop Guidelines if the Commission is not sure what the ultimate plan for those areas is. Mr. Reich said he was concerned as the proposals come in the Commission will be blindsided because they have no point reference for which to consider the proposals.

Ms. Zoren agreed with the other Commissioners. She explained her biggest concern was that the plan seemed to focus on items such as wayfinding as much as it does on big changes that could have an impact on the character of the District. The next time DPZ presents to the HPC, Ms. Zoren would like to see more time spent on each area, explaining ideas more pertinent to the Commission like new construction, parking, and streetscape. Ms. Zoren said she wished the Commission had more time to go into depth with DPZ on those issues. Ms. Zoren said once these new construction elements are put in the Master Plan, the Master Plan Team has planted a seed and the ideas are never going to go away. She said the Commission does not have the ability to approve the Master Plan and the Guidelines and the Master Plan could be at odds. Ms. Zoren says there is a need to mesh the Guidelines and the Master Plan so that the Commission can approve plans that come to them legally per the Guidelines.

Ms. Zoren said she agreed with the Mr. Roth's earlier statement about exploring all other options and does not think the County has explored all other options other than demolition on lower Main Street. Ms. Zoren said demolishing the buildings might be the easier or less intrusive solution, but it will have a large impact. Ms. Zoren said she has not seen the County go through great lengths to improve things up the hill and upstream. Ms. Zoren said she has not seen what will happen when all the water is rushing down the culvert to the Patapsco River. She asked if this problem was being pushed downstream and what the implications of that are. She has not seen that addressed in the plan.

Mr. Shad said he had nothing to add to what has been said by the previous Commissioners, but wanted to echo concern with the lower Main Street demolitions. Mr. Shad noted how the Commission's Guidelines are connected to the Master Plan and that the Master Plan will help the Commission know what some of the focus in the Guidelines could be. Mr. Shad said the Commission is not going to be totally guided by all the proposals in the Master Plan, especially when it comes to resilient materials. Mr. Shad said he believes brick is just as resilient as concrete, if installed properly and when all the other mitigation measures are implemented.

Grace Kubofcik signed up to give testimony on the Master Plan. Ms. Kubofcik said the overall goals were good except she would add on goal number 4, the notion of cultural arts, which enhances the experience in the County and particularly on Main Street. Ms. Kubofcik said she was not a fan of demolition and does not know the status of Section 106 review. She was not a fan of what is proposed as the opening of a river park. She said the designs look wonderful, but she has seen the river in July and there is not much to see until there is a thunderstorm. Ms. Kubofcik said she was seeing the same ideas that were presented back in 2017 and was hoping to see something more. Ms. Kubofcik was a big fan of the river area, particularly the pedestrian bridge connectivity for pedestrians and bicycles. Ms. Kubofcik was hoping Parking Lot A would be a priority. She said that it has the most parking between Baltimore and Howard counties and when there is any kind of festival, Howard County has the opportunity to use that space, and thinks Baltimore County was supportive of it. Ms. Kubofcik said she sees it as a long-range alternative and it should be the first priority.

Ms. Kubofcik referenced flood mitigation on page 80, which had statements related to dry flood mitigation that was concerning. She said when there is talk about what is going to help the water quantity that will come up Main Street, the dry flood mitigation ponds will take 30% off of the street. She said the plan gave the project one small paragraph and it should have had a lot more than that. Ms. Kubofcik said she loved the stream bank restoration, all the comments on the restoration and the green infrastructure and connectivity.

Regarding property maintenance, Ms. Kubofcik said the Commission constantly deals with properties that are not being maintained through demolition by neglect, and she was hoping the Master Plan would address that issue as the Master Plan is supposed to be for the next 20 years and should mention properties that are neglected. Ms. Kubofcik noted a comment in the plan only addressed the West End and she clarified that property neglect happens everywhere. Ms. Kubofcik suggested the Master Plan be bold and say it is going to address the issue and says that ties into the Guidelines. Ms. Kubofcik said her comments were based on the thought that if were a Commission member and how she would want the plans to work together. She alluded to the Guidelines and Master Plan as being a chicken and egg situation and she was unsure of which comes first. The Guidelines have to be addressed and that falls on the Commission side.

Ms. Kubofcik provided two final comments. She liked what was being proposed in the Ellicott Mills Gateway area. It is one of the areas that opens up opportunities for better for engagement with the public and the upper part of Main Street and enhances environmental opportunities and public space amenities. Her other comment was that the implementation schedule cannot have stormwater management becoming a short and long term plan from 0-5 years and also 11-12 years. It will not give tourists or businesses any sense of safety; stormwater management needs to be completed in the next 5 years.

Mr. Conrad had a few follow up comments. He said a logistical question came up a number of times about Section 106 and noted that it has taken longer to get into gear. There is a hearing scheduled on September 9, so the process will be starting back up. Mr. Conrad said there would be more announcements in the coming weeks regarding the Section 106 process.

Mr. Conrad addressed the larger context that the Master Plan was started after the initial flood of 2016. He said the goal and objective of the Master Plan was to integrate a lot of goals and strategies and that it was hard to address all of the goals equally, as they all interweave and affect one another. After the second flood, Ellicott City Safe and Sound became the driver for engineering decisions. He explained that it was not seen that the Master Plan would make those decisions, particularly on the demolition of the lower Main Street buildings, but the Master Plan would move ahead and design with the consideration that those mitigations projects would continue, assuming the mitigations projects continued to go through the necessary public process, such as HPC and Section 106.

Mr. Reich said the Master Plan has received a lot of criticism, but noted this plan was a monumental effort and a fantastic thing the County has tried to pull together to preserve Ellicott City. Mr. Reich thanked the Master Plan Team for putting the plan together.

Mr. Conrad said he could understand as a Commission with a focus on Historic Preservation where a lot of their perspectives were coming from.

Mr. Shad moved to adjourn the meeting at 11:02 pm. Ms. Tennor seconded. The motion was unanimously approved.



**Amended minutes for the Ellicott City Watershed Master Plan Advisory Comments submitted by Ms. Tennor on September 3, 2020.**

**Comments from the Perspective of Historic Preservation:**

**Curbs and gutters are under estimated elements of place setting.**

The poured concrete mountable curbs suggested in the Watershed Master Plan are antithetical to the historic character of Main Street. It is evident that a good deal of thought and effort went into developing the various parking configurations on Main Street, as illustrated in the plan. And the goal of maximizing on-street parking to accommodate overflow traffic of events is valid, but in making the downtown as accessible as a suburban mall we risk erasure of the very character and feel of this historic place to which people are now drawn.

Though much of the granite curbing has been removed over the years, the impending rebuild of the streetscape is a GOLDEN opportunity to restore this critical historic element to the downtown streetscape. If, indeed, even Ellicott City cannot implement granite curbs, what then is the goal and definition of historic preservation in Howard County?

There are two other considerations which favor granite curbs: First, the scale and mass of granite curb stones makes them as flood resistant as the poured concrete alternative and second, life cycle cost analysis shows they are just as cost-effective as concrete over the life of the streetscape.

**Parking in center of town (Lot D) versus at edges, including West End...**

Large parking facilities, including the four level parking structure proposed for Lot D, are another suburban solution that is antithetical to Historic Downtown Ellicott City. Historically, the only facilities in town providing for transportation were the Tiber Alley stables, an area that is miniscule compared to the scale needed for modern transport, but large lots and structured parking should be restricted to the periphery of the downtown as much as possible. Ideally, the redevelopment of the Wilkins Rogers Mill could provide parking as well as the future redevelopment near the Courthouse.

**Integration of Streams into Downtown**

Daylighting of streams is problematic during dry seasons and still not convincingly rendered as aesthetically acceptable in Lot D and at the foot of Main in front the B&O Station. Could fountains be introduced in these areas to relieve some of the severe appearance of these vast concrete spaces? If such amenities cannot be made flood proof, perhaps they could be considered periodically replaceable focal points — visual amenities that complement the historic essentials like the B&O Station.

**Tunnel North of Main**

The massive new drain tunnel north of Main Street reminds me of the heroic public works projects undertaken in the nineteenth and twentieth centuries to deal with challenges of the modern age in cities like Boston (MTA), New York (the Brooklyn Bridge and the NYT) and Baltimore (the Jones Falls became the Jones Fall Expressway). Subways, tunnels and bridges allowed these cities to grow and prosper while protecting the public and public works. Reasonable concerns have been expressed for the outfall of this drain into the Patapsco River but this storm runoff will occur with or without the tunnel. I believe the tunnel will offer a better opportunity to manage that runoff while minimizing loss of life and property.

**The Process of Rehabilitation of the Streetscape**

Careful staging of the streetscape rehabbing process should be employed to minimize impact on merchants. Merchants need to be assured that visitors will have good access to their retail space during

reconstruction. Public outreach in the form of advertising should be used to make the process a positive experience for the public and the retailers.

**Redevelopment of the Historic Courthouse Area**

Care must be taken to ensure the correct balance between redevelopment around the Courthouse and support of Main Street so that the two retail centers will complement each other rather than compete.

Retain as much of the historic character near the Courthouse as possible. Again, minimize resemblance to a suburban mall environment.

**Connecting Downtown with Its Surroundings**

The proposed bridge for pedestrians and bikes on the existing bridge abutments would be a great plus, especially if it can mimic the old trolley bridge while meeting modern safety codes and permitting views of the river and surrounding landscape. Such a bridge would be the best explication and illustration of the origin of the massive stone abutments and the bygone days of the trolley connecting Ellicott City to Baltimore.

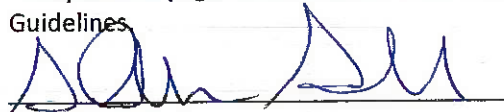
Connecting Main Street with historic sites and visitor destinations on the Baltimore County side of the river would be a catalyst to the economic and cultural vitality of the area. Oella is a natural extension of the Main Street experience, which the pedestrian bridge could facilitate. A secure bike parking area near the Trolley Trail might encourage bikers to continue up the steep hill on foot to Oella and Banneker Park.

**Maintaining the Continuous Streetscape on Main Street**

The care and skill so far invested in stabilization of flood-damaged buildings on Main is impressive, heartening and greatly appreciated. As one of the last intact vestiges of the historic National Road, this tiny strip of retail buildings is a national treasure. While the EC Safe and Sound program is essential for survival not only of people but also for retailers, the proposed removal of four buildings at foot of Main Street is a catastrophic remedy that is hoped may yet prove unnecessary. If this drastic action cannot be avoided, it might be killing the goose to save her from extinction.

Mr. Shad moved to adjourn the meeting at 11:02 pm. Ms. Tennor seconded. The motion was unanimously approved.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines

  
Allan Shad, Chair

  
Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner

  
Kaitlyn Harvey, Recording Secretary



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION  
*ELlicott City Historic District ■ LAWYERS HILL Historic District*  
3430 Court House Drive ■ Ellicott City, Maryland 21043

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*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350  
FAX 410-313-3042

## September Minutes

Thursday, September 3, 2020; 7:00 p.m.

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The September meeting of the Historic Preservation Commission was held on Thursday, September 3, 2020. Due to the State of Emergency and to adhere to social distancing measures, the meeting was not held at 3430 Court House Drive, Ellicott City, but was conducted as a virtual web meeting/conference call.

No one registered or otherwise contacted the Commission about testifying for any of the following applications.

Mr. Shad made a motion to add Ms. Tennor's comments to the August Minutes. Ms. Zoren seconded the motion and the motion was unanimously approved. Mr. Roth moved to approve the amended August minutes. Mr. Reich seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Harvey

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### PLANS FOR APPROVAL

#### **Regular Agenda**

1. HPC-20-63 – 4889 Montgomery Road, Ellicott City, HO-538
2. HPC-20-64 – 8156 Main Street, Ellicott City
3. HPC-20-65 – 3715 Old Columbia Pike, Ellicott City
4. HPC-20-66 – 8385 Main Street, Ellicott City
5. HPC-20-67 – 3749 Church Road, Ellicott City, HO-58
6. HPC-20-68 – 3749 Church Road, Ellicott City, HO-58

### OTHER BUSINESS

1. Rules of Procedure Update – consider proposals to update Rules to specifically address virtual hearings.
2. Section 106 Review: NAB-2018-62004-Kings Forest MOA Consulting Party status.

## REGULAR AGENDA

### HPC-20-63 – 4889 Montgomery Road, Ellicott City, HO-538

Applicant: James Joo

**Request:** The Applicant, James Joo, requests Advisory Comments for a subdivision plan at 4889 Montgomery Road

**Background and Site Description:** This property is listed on the Historic Sites Inventory as HO-538, the Marks-Lough House. According to SDAT, the building on the property dates to 1911.

The property consists of 2.02 acres and is zoned R-20.

**Scope of Work:** The Applicant proposes to create three total buildable lots (two new lots and one lot for the historic house). The historic house will remain on Lot 5. The Applicant proposes to remove a specimen tree from new Lot 6, which due to the size and age of the tree and proximity to the historic house, could be a historic tree.

The application form states that two structures are proposed for demolition, both are outbuildings; a garage and other outbuilding/possible cottage.

#### HPC Review Criteria and Recommendations:

##### **Section 16.118 – Protection of Historic Resources**

- 1) *Section 16.118, the Protection of Historic Resources state:*
  - a. *“Historic buildings, structures and landscape features which are integral to the historic setting should be located on a single lot of suitable size to ensure protection of the historic structure and setting.”*
  - b. *“Whenever possible, historic resources should be integrated into the design of the subdivision or site plan. If compatible, new and historic structures may be juxtaposed. Alternately, open space may be used to buffer the historic resources from new development.”*
  - c. *“Access to the historic property should be via its existing driveway, wherever possible.”*
  - d. *“The new subdivision road should be sited so that the lot layout does not intrude on the historic resources. The road should be oriented so that views of the historic property from the public road are of its primary facade.”*



Figure 1 - Photo from Inventory form, dates to 1979



Figure 2 - Current condition of house.

The house has been significantly altered from its original, historic state after it was sold in 2015. Major character defining features, such as the wrap around porch, columns, cornice, chimneys and floor to ceiling windows have been removed. The windows have all been altered and changed from 1:1 windows that were proportionate to the floor they were located on, to 6:6 simulated divided light windows that appear to be wider and shorter than the original windows and now of a standard modern size. The first floor windows are no longer floor to ceiling and have been altered with conjunctural features, such as a pedimented lintel, with a keystone, which did not historically exist. The bracketed cornice on the dormer windows also appears to have been removed. The Inventory form states the house originally had German lap siding, which appears to have been replaced with a modern siding of a different profile and exposure. According to the Inventory form, the original front door was an open bible and cross-paneled door, was flanked by leaden paned sidelights and a seventeen light, leaden paned fanlight. This door has been removed and the opening has been made wider and a portico added over it, with a new door on the second floor. Each exterior façade has been significantly altered. For example, the south façade has had many window and door openings closed in, and in no way resembles the original design.



Figure 3 - Current aerial view.

According to aerial photography from 2013, the property previously had many specimen and other large trees located in close proximity to the historic house and historic circular drive, which have all been removed. The Applicant proposes

to remove the remaining specimen tree, which is a Black Oak with a diameter at breast height (dbh) of 38 inches. The Applicant states the tree is approximately 93 years old and is noted to be in good condition. The tree has a critical root zone of 57 feet. Staff research yielded a growth rate factor of 4 and would place this tree between 100 and 150 years because this oak is one of the smaller oak trees and would be older than another oak at this 38 "dbh size.

Due to the significant alterations that have been made to the house, it no longer retains its historic character or integrity; therefore, the new subdivision is unlikely to have an impact on the historic structure more than the alterations already have.



Figure 4 - Aerial view from 2013

**Staff Recommendation to the HPC:** Staff recommends the HPC provide advice on the design of the new subdivision, to include the demolition of two outbuildings, removal of the specimen tree, and the impact of site development and subdivision plan on the historic home.

**Testimony:** Mr. Shad swore in Paul Sill. Mr. Shad asked if Mr. Sill had any comments to add to the Staff report. Mr. Sill said he had read the Staff report and agreed with the findings that the subdivision is unlikely to affect the historic structure.

Ms. Tennor said she was appalled by what has been done to the house but noted that the historic house cannot go back to what the structure once was. Ms. Tennor said she agreed with Staff that the subdivision was unlikely to impact the house.

Ms. Tennor said the plan shows the footprints of the proposed houses and asked if there was a reason for turning the house on Lot 6 at an angle. Mr. Sill said the existing circular driveway seemed to be a central feature of the property and he was trying to orient the new houses toward the driveway. Ms. Tennor asked if there will be a front-loaded garage on the front façade of the house facing the driveway. Mr. Sill said that was correct. Ms. Tennor had no other comments, but said while the orientation of Lot 6 seemed strange, there might be some merit to having it face the circular driveway. Ms. Tennor said she deferred to the other Commissioners.

Mr. Roth did not have many comments on the application, but hoped as the historic house was being retained, that someone in the future will restore the house to its previous condition which would be much more attractive than it currently is. Mr. Roth said it was regrettable to lose the big oak tree, but keeping the historic house was good.

Mr. Reich thanked the Applicants for saving the historic house. Mr. Reich asked if the new driveways would be coming off the circular driveway. Mr. Sill said Mr. Reich was correct. Mr. Reich said he thinks the Applicant has done as much as they can to save the original character of the setting and saving the house.

Ms. Zoren said she had no objections to the removal of the non-historic outbuildings, but wished the Applicants had considered trying to save the specimen tree. Ms. Zoren noted if the Applicants re-orientated the house on Lot 6 to be parallel to the property line and mirrored the house so that the garage and the drive ran parallel to the north property line, the Applicant might be able to skirt the specimen tree and save it. The re-orientation may also improve the weird angular quality of the siting on Lot 6, which Ms. Tennor pointed out.

Mr. Sill said that he did look at a couple of different options for the house location on Lot 6 and had considered pulling the house further back into the lot and face it towards Lot 7. However, that would have the house on Lot 6 facing the rear yard of Lot 7, which was not desirable from the Department of Planning and Zoning's standpoint. Mr. Sill said he had also tried to get the driveway around the specimen tree but when the house is flipped and the driveway is placed on the low side of the lot it requires a lot more grading to make the house work in that location and the grading will impact the critical root zone and the tree would not survive.

Ms. Zoren suggested to leave the house sited on Lot 6 as it was but mirror the house so the garage was facing north and pull the drive along the northern property line so the tree would be avoided. Mr. Sill said he had not looked at keeping the house where it was and mirroring it as he was trying to fit stormwater management below the driveway, and it would become difficult to incorporate the stormwater management below the driveway if the location was moved.

Ms. Zoren said it would be great to try to save the specimen tree, even though the house does not have a lot of historic qualities. She said that one of the nice attributes of the property is the mature trees. Ms. Zoren asked Mr. Sill to look at a couple of options for saving the specimen tree. Mr. Sill said he would look more into saving the specimen tree.

Mr. Shad agreed with the other Commissioners and thanked the Applicant for saving the main historic house but found it unfortunate there were so many changes made to the house. Mr. Shad shared appreciation for lowered density of the subdivision and did not think there was more the Applicant could do with the site layout. Mr. Shad had no further comments.

**Motion:** There was no motion as this was an Advisory Comments application.

**HPC-20-64 – 8156 Main Street, Ellicott City**

Applicant: Donald R. Reuwer, Jr.

**Request:** The Applicant, Donald R. Reuwer, Jr., requests a Certificate of Approval to remove a tree at 8156 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to the SDAT, the building on the property dates to 1890. The application was initially posted as a Minor Alteration (MA-20-38) on the Commission’s website, but was removed due to an objection.

**Scope of Work:** The Applicant proposes to remove a tree located on the rocks at 8156 Main Street. The Applicant has identified the tree as being an invasive paper mulberry that self-planted. The tree to be removed is located in the area where the Applicant is looking into constructing terraces. The Applicant would like to remove the tree since it is an invasive species, living in an inadequate base of soil and causing the rocks out of which it is growing to crack. Staff conducted a site visit and confirmed that it is not a red mulberry (which is native) and that it meets several descriptors of a paper mulberry; the bark and heart leaves that are sandy on top and fuzzy on bottom all match paper mulberry, although the leaves do not appear lobed. Staff and the Applicant are unable to determine what other kind of tree it could be, if not a paper mulberry. The tree has three leaders; the largest of the three has a circumference of approximately 38.5 inches, which results in a diameter of 12.26 inches.



**Figure 5 - Tree to be removed**



Figure 6 - Close up view of tree



Figure 7 - Circumference of approximately 38.5 inches, which results in a diameter of 12.26 inches

#### HPC Review Criteria and Recommendations:

##### **Chapter 9.B: Landscape and Site Elements; Trees and Other Vegetation**

- 1) Chapter 9.B recommends, "Include landscaping improvements as part of any construction project in locations visible from a public way. In most cases, use plant varieties native to the area."
- 2) Chapter 9.B recommends against the, "removal of live, mature trees, unless it is necessary due to disease, or to prevent damage to historic structures."

The Commission has been consistent about recommending the planting of natives and the removal of invasive trees; however, the Guidelines are silent on removal of invasive species. The tree in question appears to be a paper mulberry, which is a non-native, invasive tree. MDInvasives.org states that paper mulberry trees should be kept out of cultivation.

The Guidelines recommend against the removal of live, mature trees, unless it is necessary due to disease or to prevent damage to historic structures. This tree appears to be healthy, and is mature, providing a dense canopy over the area; however, it is growing directly in to the rock and could be limited in its root stability or long-term health. While staff were able to confirm that this was not a red mulberry, an arborist would be the best qualified to determine exactly what type of tree this is and evaluate its long-term root stability and health in order for the Commission to make an informed decision.

**Staff Recommendation to the HPC:** If the tree is determined to be a paper mulberry, staff recommends the HPC approve the application as submitted.

**Testimony:** Mr. Shad said the Commission would discuss the case without the Applicant present since the Applicant did not call into the meeting even though he had registered to attend.

Ms. Tennor said she was persuaded that the tree was an invasive species and probably had to be removed. She did not recall if Mr. Reuwer had proposed to do any new plantings on the site, in place of the invasive tree. She remembered that he had to remove the pine trees from the site. She asked the Commissioners if they asked for a planting plan or were fine without and vegetation. Ms. Burgess said Mr. Reuwer had to replant the evergreen trees every year, as the root balls cannot grow in the shallow soil and that is why the evergreen trees die every year and he replaced them every year.



Mr. Roth said the tree should be removed since it is invasive. In terms of replanting for removing an invasive plant, Mr. Roth did not think Mr. Reuwer needed to replant.

Mr. Reich agreed with the application, and said the tree should be approved.

Ms. Zoren said despite the size of the tree, it does appear to be an invasive and the root system is not stable. Ms. Zoren said she agreed with the removal of the tree.

Mr. Shad agreed with the tree removal.

**Motion:** Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

**HPC-20-65 – 3715 Old Columbia Pike, Ellicott City**

Applicant: Michael Koplow

**Request:** The Applicant, Michael Koplow, requests a Certificate of Approval and Tax Credit Pre-Approval to make exterior alterations at 3715 Old Columbia Pike.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to the SDAT the building on the property dates to 1900, although it appears to have been modified over time. The Applicant has provided a history of the building, which includes being built as a car showroom with residential above. Previous uses include a florist, coffee shop and computer repair store.

On August 8, 2020 a tree fell on the building, significantly damaging the roof and siding. The Applicant was pre-approved for tax credits in MA-20-39 to replace the roof, gutter and soffits in-kind, as a result of the damage incurred.

Last month, the Applicant was approved to construct an addition, with HardiePlank panels/fiber cement panels, in case HPC-20-60.

**Scope of Work:** The Applicant now seeks approval to replace the asbestos siding on the entire building. The asbestos shingle siding was damaged when the tree fell, and rather than spot replace the damaged area, the Applicant would like to replace all of the siding. The Applicant looked under the existing asbestos to see if any historic siding materials existed, but it is only 1x8 wood framing. Historic photos of the building have not been found, which would have been helpful to determine what the siding material may have been.

The Applicant proposes to replace the existing asbestos siding with HardiePlank lap siding, German lap wood siding, or material of a similar nature. The siding would be painted yellow, to match the existing color.



Figure 8 - Damage to rear of building



Figure 9 - Tree that fell



Figure 10 - Damage to asbestos shingles



Figure 11 - Damage to building

**HPC Review Criteria and Recommendations:**

***Chapter 6.D: Rehabilitation and Maintenance of Existing Building; Wood Siding, Shingles and Logs***

- 1) Chapter 6.D explains, "Many frame buildings have been covered with modern siding materials such as vinyl, aluminum, asphalt or asbestos. These treatments obscure the historic materials and details such as cornerboards and cornices, and can cause damage to the structure by sealing in moisture....New siding materials are becoming available that can be closer in appearance to wood siding than vinyl or aluminum. These materials, usually composites of wood fibers and binding ingredients, are varied in their appearance and maintenance qualities."
- 2) Chapter 6.D recommends, "Remove asbestos shingles, aluminum siding or other coverings from historic buildings and repair or restore the original wall material."

The building is currently sided in asbestos shingles and the original siding material was removed prior to the installation of the asbestos. It is unknown what the original siding material was. The Applicant propose to replace the shingles with a more historically appropriate option, but due to the emergency nature of the work, has not yet acquired cost estimates for the various siding options proposed.

**Chapter 6.D: Rehabilitation and Maintenance of Existing Building; Wood Siding, Shingles and Logs**

- 3) Chapter 6.D states the following is a possible exception: "If wood siding must be replaced on a historic building, a composite siding material may be considered, if wood is not a viable option, the composite siding conveys the appearance of the historic material, and application of the substitute material does not damage or obscure historic features. The texture, width, shape, profile and finish of the substitute siding material should be similar to the wood siding it replaces.

In this case the existing siding is asbestos and not wood siding. As the tree unexpectedly fell on the building, the Applicant has not had an opportunity to get quotes and does not know if wood German lap siding is a viable option. It is also unknown if German lap siding was the original material, although it is known that asbestos was not the original material. It seems that a composite siding material would be appropriate, and would be an improvement over the existing asbestos shingles.

HardiePlank siding only comes in one profile, but has been used on several buildings in the District in the past, including a non-historic building constructed in a historic style fronting Main Street, a historic house on Maryland Avenue, new construction, and a historic building at St. Paul's Church. HardiePlank siding looks most like painted wood siding when the smooth finish is used. German lap siding in the traditional wood profile is used in the District, but is only found in some composite siding materials that tend to be more expensive than wood siding, such as Boral TruExterior Siding. The exposure of the siding (Hardie or wood) should be similar to the exposures found on nearby historic buildings.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve:

- 1) The use of smooth lap HardiePlank, with the exposure to be similar to that found on nearby historic buildings.
- 2) A wood German lap siding, with the exposure to be similar to that found on nearby historic buildings.
- 3) Staff recommends the HPC approve tax credits for the wood siding. If HardiePlank is approved, Staff recommends the HPC determine if the material qualifies for tax credits as a replacement for the asbestos.

**Testimony:** Mr. Shad swore in Michael Koplow and asked if Mr. Koplow had any comments on the Staff report. Mr. Koplow said he had nothing to add.

Ms. Tennor said there were a lot of options for re-siding the building and asked if Mr. Koplow had gotten any closer to a decision for what he wanted to use. Mr. Koplow said he had not gotten any closer to a

decision, and the insurance adjuster had just come to the property that morning. Mr. Koplou said he wanted to be prepared so he can take action as soon as possible.

Ms. Tennor asked Ms. Holmes for precedents of siding material used when new siding has been installed. Ms. Holmes gave multiple examples of precedent: a property on Main Street near St. Luke's, which was a 1980s building, that was constructed in wood, but allowed to replace in HardiePlank. There was another property on Hill Street, which was similar to this case, as it was an asbestos sided building that had a tree fall on it, triggering the need for repair. That Applicant was approved to replace the asbestos siding in HardiePlank siding and received tax credit pre-approval. Ms. Tennor asked if German lap siding was the only wood option and did not think HardiePlank came in that profile. Ms. Holmes said Boral had a product that came in a German lap profile, but was more expensive than wood. Ms. Holmes confirmed that HardiePlank did not come in a German lap profile, but was not sure if other fiber cement siding products came in different profiles, and deferred to Ms. Zoren and Mr. Reich on this information.

Ms. Tennor asked if tax credits can be approved. Ms. Holmes said the Hill Street property received tax credits because it was considered an improvement over the asbestos siding. Ms. Tennor said the work done on this property would also be an improvement. Ms. Holmes said the unique situation about the property in question was no one knew what the historic building material was.

Ms. Tennor said the property was in a Historic District and the existing structure will need to be resurfaced. Ms. Tennor said she had preference for wood siding rather than HardiePlank but did not want to rule HardiePlank out as an option as there is precedent of the material in a similar situation. Ms. Tennor asked Mr. Koplou what impact his choice on siding will have on his windows and asked if there would be any issues coordinating the siding with all of the existing windows, in terms of not covering window trim and details. Mr. Koplou said he has thought about replacing the windows as well, but it was not part of the application because it was not urgent. Ms. Tennor said she thought the siding and windows should be considered together and suggested to have Mr. Reich or Ms. Zoren give input on the windows.

Mr. Roth said he would approve tax credits for either siding option, based on the past precedent.

Mr. Reich said the Commission did not know what material was there originally and that it was probably some type of wood siding. Since the Commission cannot determine what profile would be in-kind, HardiePlank or German lap wood siding would be fine. Mr. Reich said tax credits should be given since this application is being done to preserve the historic structure. Mr. Reich suggested looking into acetylated, a wood material that is impregnated and sealed so that it will never rot, the material might be good for the Historic District because it allows people to use real wood. The Commissioners discussed this product, as some had not heard of it before.

Ms. Tennor asked what color Mr. Koplou will choose for the siding. Mr. Koplou said he wanted to keep the color the same as the existing.

Ms. Zoren was fine with fiber cement, Boral or wood and due to the nature of replacing asbestos, she agreed the work would be eligible for tax credits.

Mr. Shad agreed with the other Commissioners that he would approve HardiePlank and said it would be appropriate to use for replacement in this situation. Mr. Shad agreed with the other Commissioners that tax credits are appropriate for the work.

**Motion:** Mr. Roth moved to approve the use of wood siding or HardiePlank as submitted, with tax credit preapproval for either material. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-20-66 – 8385 Main Street, Ellicott City**

Applicant: Jane Johnson

**Request:** The Applicant, requests a Certificate of Approval, for exterior alterations at 8385 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1920.

In response to the COVID-19 pandemic and Executive Order 2020-10, the County has established an expedited permitting process that allows temporary outdoor seating for food and beverage service uses. The applicant currently has a permit for outdoor seating; however, the permit is temporary and will expire in accordance with the Executive Order. Any businesses wishing to establish outdoor seating on a permanent basis are required to seek approval from the Commission if located in a historic district.

**Scope of Work:** The Applicant is seeking permission for permanent outdoor seating in two locations – on the side patio and on the sidewalk. Since the Applicant does not yet have permission to place tables and chairs on the County sidewalk, the HPC is only being asked to approve the seating on the side patio and the style of furniture. The Applicant has requested three black metal tables of the same style be added to the side of the new extended patio with the rebuilt wall. The tables are two feet in diameter and will accommodate two chairs at each table, to provide seating for six people.

If the Applicant receives permission from the County to place tables and chairs on the sidewalk, the Applicant will need to return to the HPC at that time.



**Figure 12 - Proposed style of tables and chairs. From left to right, images A, B, C.**

A brick wall on the right side of the building will be rebuilt in a new location, approximately two feet out from its current location, away from the building. The application states that the wall is crumbling from the 2016 and 2018 floods, and that water floods the sidewalks and enters the building during heavy rainfalls. The wall will be pushed back two feet, which will result in larger space under the side awning. The existing awning is not being replaced at this time and it is unclear if that runoff will now enter the proposed patio area. The sidewalk directly abuts the existing wall and will need to be dug out/excavated in order to build the wall in the new location. The application states that the new wall will look exactly

like the existing wall. The existing wall is tiered in height in sections; the rear starts at 42-inches high, the next section is 33-inches high, then 27-inches high and ends at 20-inches high. Three tables seating two people each are proposed to be added to this widened section.

The existing space between the building and the wall is concrete. Once the area is widened, concrete will be re-poured for the larger space. The sidewalk leading to the rear of the building will be narrower once the wall is moved and will be about 36 inches wide at the widest area, and 24 inches at the narrowest part.

The wall will be reconstructed with concrete block and will be faced with a brick veneer. The veneer is called "historic brick." The applicant did not state why a veneer was being proposed in lieu of real brick. The HPC has approved stone veneers in the past, typically for larger structural walls.

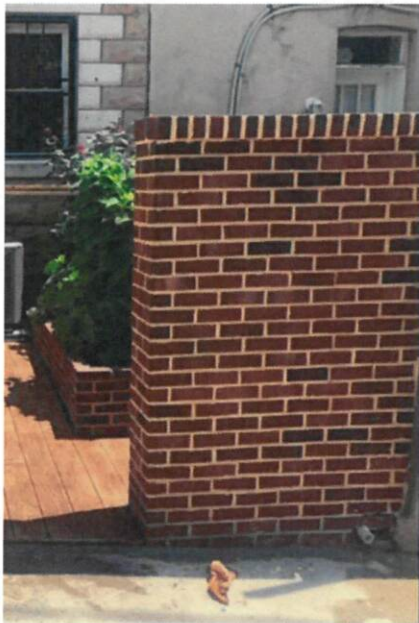


Figure 13 - Proposed veneer example on taller wall.



Figure 14 - Damage to existing wall.

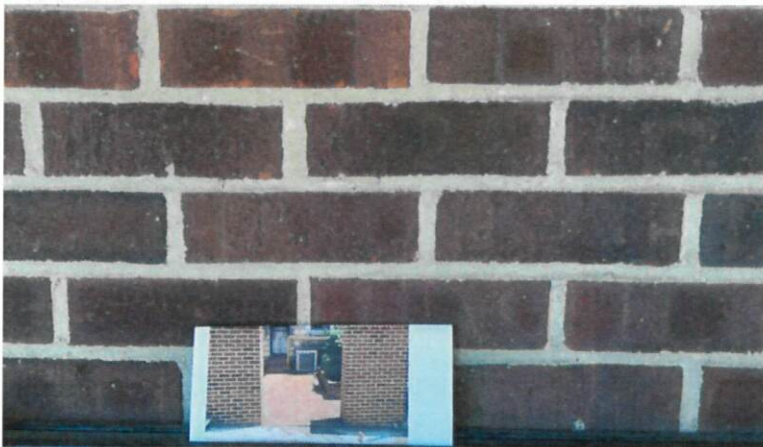


Figure 15 - Comparison of proposed veneer against existing brick.

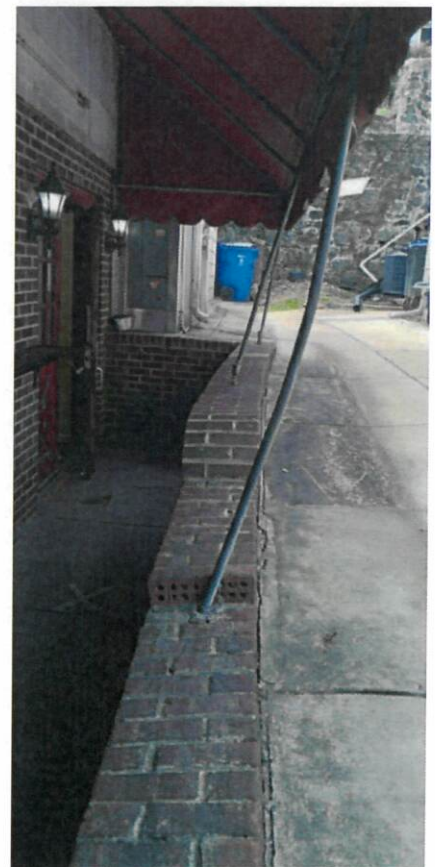


Figure 16 - Wall to be moved and rebuilt but same height.

**HPC Review Criteria and Recommendations:**

**Chapter 10.C: Parking Lots, Public Streets and Street Furniture; Street Furniture**

1) Chapter 10.C recommends:

- a. *“Improve consistency in design throughout the historic district for items such as street lights, traffic signals, public signage, trash receptacles and other street furniture.”*
- b. *“Select street furniture that reinforces Ellicott City’s identity as a historic district.”*
- c. *“Carefully evaluate the need before placing additional street furniture on narrow historic district streets and sidewalks.”*
- d. *“Particularly along the commercial section of Main Street, place street furniture in areas where the sidewalk is wider or where adjacent public open space (such as the plaza next to the railroad museum) provides a more spacious environment.”*

The Applicant shows three possible options for street furniture, all of which are black metal. Images A and B seem the most appropriate to reinforce Ellicott City’s identity as a historic district, while Image C is a bit more industrial/modern (although it could be appropriate too as it is simple in design).

The location in front of the building, where the Applicant proposes to place the permanent outdoor seating, does have a wider sidewalk than other areas in the District and appears to be able to accommodate the tables and chairs for the temporary outdoor seating but cannot be considered at this time without the owner’s approval. The side patio is owned by the Applicant and can be considered for permanent outdoor seating.

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 2) Chapter 9.D recommends, *“construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.”*

The application states the wall will match the existing, so as long as the design and dimension of the wall, and the shape and color of the brick exactly match the existing, shifting the wall two feet will not affect the integrity of the building. The alteration is a minimal change and complies with the Guideline recommendations to use materials matching the existing.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the style of furniture and side patio location. Staff recommends the HPC approve the new wall construction but determine if the veneer will match the building or if a real brick paver should be used.

**Testimony:** Ms. Holmes amended the Staff report to add that the brick wall may require a railing for safety and Code requirements and the Applicant should work with the Department of Inspections, Licenses and Permits on that item. If a railing is required, it could potentially be approved through the Commission’s Minor Alterations process.

Mr. Shad swore in Jane Johnson and asked if Ms. Johnson had any comments on the Staff report. Ms. Johnson said there was a question in the Staff report as to why real brick was not being used on the wall. Ms. Johnson said per her contractors the preferred method was to use the concrete material to hold back any water pressure on the ground. All the contractors Ms. Johnson spoke to recommended concrete faced with brick to avoid the wall failing again in a flood.

Ms. Tennor said she hoped the Applicant would obtain permission to keep the tables and chairs on the sidewalk, because the visibility enlivens the streetscape and is preferred to the retail displays that are common. Ms. Tennor was unable to discern from the materials submitted, if the brick veneer was a good match to the brick wall opposite the retaining wall. Ms. Johnson said the existing wall is really old

and has decades of dirt and soot on it, so matching the wall exactly will not be easy and the contractors are trying to match the brick color as closely as they can. The contractors felt the product submitted would be a match. Ms. Tennor asked if Ms. Johnson had any plans to clean up the existing wall. Ms. Johnson said no.

Ms. Tennor had a question about descending height of the wall. She said the wall goes down in three descending heights and at each change in elevation, the current wall has a transition detail of a rotated brick from a higher level to a lower level and the middle part of the wall does not have the transition detail. Ms. Tennor asked if the Applicant intended to recreate that transition detail, as the wall changes height. Ms. Johnson said she will request to see if the transition can be done from the contractors. Ms. Tennor added the detail she described occurs at the end of the wall by the sidewalk and the detailing should be consistent from one level to the next and have planned transitions like the original wall. Ms. Tennor recommended each transition be consistent in the new wall.

Ms. Tennor asked if the Yew tree at the end of the wall would survive the construction and asked if there had been any feedback from the contractors about the tree. Ms. Johnson said she told the contractors that the tree must stay.

Ms. Tennor pointed out the awning over the existing wall has footers holding the awning up over the alcove area and said the application did not address how the awning will be supported on the new wall. Ms. Johnson said she would like to replace the awning eventually but was not able to do it at this time. The current support system is bent so the intent is to have the footers repaired so that Ms. Johnson can replace the awning and the supports will be straight and fixed and tied into the wall like it is currently.

Ms. Tennor said it seems like the vertical posts will need to be replaced as it appeared they will land within the space enclosed by the current retaining wall. Ms. Johnson explained the supports are angled to the left, so if the frame is straightened out the supports will only need to be slightly angled to the right to be installed on the new wall.

Mr. Roth said he was fine with the material submitted as the wall faces the building and would not otherwise be visible. He said the process of rebuilding the wall, moving it and using the veneer was fine. Mr. Roth said the Commission was also supposed to approve the styles of the tables and chairs shown in Figure 12 of the agenda. Mr. Roth pointed out the third option on the right and said the chairs look like white plastic chairs that are stackable and found the style was not appropriate.

Mr. Reich clarified the term brick veneer for a concrete wall and said when architects talk about brick veneer, the material being referred to is an actual brick and not a thin veneer. Mr. Reich asked if the concrete wall will be poured concrete or block. Ms. Johnson said the wall will be made of cinderblock filled and faced with concrete, with rebar put through the concrete block to hold the blocks in place and give it stability to withstand water pressure. Mr. Reich said the wall could be built with concrete or cinderblock with reinforced steel. He said the reason the wall curves, as Ms. Tennor had mentioned, was because the drop in the middle of the wall is less than the drop in other areas. Ms. Tennor said the turned brick did not seem to be the solution.

Mr. Reich asked if three tables would be in the area along the side of the building and then another six tables would be placed along the street front. Ms. Burgess clarified that the six tables proposed at the street front were being removed from the application as the County owns the sidewalk in front of the building and DPW has not signed off on the request. The application was revised to have the three tables on the side of the property the Applicant owns. Mr. Reich said he had no problem with any of the



styles shown as the proposed furniture looks to be made of black metal and the Commission likes to see that material in the Historic District.

Ms. Zoren agreed with Mr. Reich and thought the brick veneer was a true brick. She suggested the Applicant verify that the brick veneer will be a true depth brick and not a thin brick. Ms. Zoren said the concrete wall should be faced with the brick veneer and no concrete exposure should be seen. Ms. Zoren asked if there would be a brick cap, capstone or slab on top of the wall and said if the wall did not look like the existing wall, that the Applicant would need to come back for a different cap on the retaining wall. Ms. Zoren asked if the concrete slabs by the retaining wall will be repoured or patched. Ms. Johnson said the expanded area under the awning, between the wall of the building and the retaining wall will be repoured with concrete.

Regarding the outdoor furniture, Ms. Zoren agreed with Mr. Roth and preferred options A or B. She said that Option C is not preferable. Ms. Zoren said that usually circular tables are used for people to circulate around, but if the tables are to be pushed up against the walls in the space under the awning, then square tables would look better.

Mr. Shad concurred with what was previously mentioned, and said the wall was fine and wanted to make sure there is brick on all sides of the wall. Mr. Shad preferred Options A and B for the street furniture, over Option C.

**Motion:** Mr. Roth moved to approve the proposal as submitted, with Staff to confirm the brick veneer is a true depth brick and fully covers the underlying concrete structure, and the street furniture is to be either Options A or B. Mr. Reich seconded. The motion was unanimously approved.

#### **HPC-20-67 – 3749 Church Road, Ellicott City, HO-58**

Applicant: Gregory D. Mason

**Request:** The Applicant, Gregory D. Mason, requests Advisory Comments/Pre-Application Advice for site alterations that resulted in Zoning Violation, at 3749 Church Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1830. The property is also listed on the Howard County Historic Sites Inventory as HO-58, Angelo Castle.

This property currently has a Zoning Violation, case number CE-20-012, for:

- 1) 16.106.(a) & 16.123.(a)&(c) - Grading/clearing over 5,000 square feet without an approved plan that addresses storm-water management and erosion & sediment control.
- 2) 16.603 - Exterior alterations without Historic Preservation Commission (HPC), including but not limited to: tree removal; installing gravel & timber framed walkways; installing the timber retaining wall; and placing fill dirt & cinderblocks around the site.

**Scope of Work:** The Applicant requests Advisory Comments/Pre-Application Advice from the Commission, in order to explain the work that was done without a Certificate of Approval and propose ideas to remediate the site. The application lists the modifications made to the property witnessed during Zoning's inspection and proposed changes that have not yet been completed. As a reminder, the proposed changes cannot occur until the Applicant has submitted an application for Certificate of Approval and received approval from the Commission. The modifications that have already been made to the property include the following, as quoted from the application:

- 1) Removal of 12 trees with a diameter of 12 inches or greater. The remaining tree trunks have been laid horizontally across the eastern side of the hill, adjacent to the railroad, to act as a temporary erosion control and slope stabilization, with the stumps acting as anchors. The application states that photographs of the 12 trees are available upon request.
- 2) Installation of three timber retaining walls along the slope, to the immediate north and east sides of the existing house. All three walls consist of timbers with wooden stakes and do not exceed 30 inches in height.
- 3) Placement of topsoil in the areas directly uphill of the three retaining walls. The walls are meant to provide temporary control for the topsoil until permanent plantings and slope stabilization can be applied.
- 4) Installation of gravel access path on the eastern edge of the existing house, to provide ease of access for maintenance to existing electrical and sanitary structures at this location. The paths have been lined with 4"x2" timbers, staked into the ground to act as containment for the gravel.
- 5) Gravel and timber linings have been applied (in the same manner as Item 2) to an existing gravel pathway along the south side of the house. The existing gravel was previously buried under a thin layer of topsoil that had accumulated due to erosion. Reapplication of gravel to this area is meant to provide additional access to the eastern side of the house as well as to prevent further erosion.
- 6) Placement of concrete cinder blocks along the southern side of the site as a temporary barrier against excess runoff flowing down toward Main Street.

The application outlines the following proposed modifications to the site. The following bulleted numbers are directly quoted from the application:

- 1) A combination of native perennials/biennials/annuals, shrubs and trees will be planted at various locations throughout the site to offset the trees removed prior to the Zoning property inspection, as well as to provide general ground stabilization at certain locations along the eastern slope of the property. Planting locations have been generally chosen to allow for adequate growth conditions (sun, moisture, etc.) for the various species of trees and shrubs that have been selected. A variety of trees and shrubs are proposed along the length of the eastern slope to control erosion and to intercept and mitigate excess soil and stormwater runoff from further uphill.
- 2) A mixture of perennials/biennials/annuals will be applied at several locations to provide general surface stabilization and to provide consistent growth from Spring through Fall.
- 3) Additional groundcover plantings are proposed for sloped areas further uphill on the site. The plantings are meant to provide slope stabilization at locations where stormwater erosion has been problematic in recent years, due to excess runoff entering the site off of Church Road.
- 4) Any additional areas of loose dirt/mud will be seeded with grass to provide stabilization.
- 5) The further removal of existing stumps and fallen trees. Stumps will be cut down to within 12 inches of top-of-grade and any excess branches and trunks will be removed at locations of proposed plantings.
- 6) Excess gravel and cinderblocks along the southern edge of the property will be removed and stockpiled on the western edge of the property. The areas where the gravel/cinderblocks were originally placed will be either seeded with grass or be planted with the wildflower mix.

There are three timber retaining walls shown on plan C1 on the north side of the house and identified in the completed scope of work. The two long walls are shown as being +/- 64 feet in length and +/- 28 inches in height. The other long wall is shown as +/- 62 feet in length with wood lattice and +/- 28 inches in height. The third wall, which appears to be the shortest in length, within this group of retaining walls does not contain measurements and is not clearly labeled on the plan; however is described in the scope. A fourth timber retaining wall is shown on the east side of the house, closer to the train tracks, that is +/- 85 feet in length and +/- 6 inches in height.



Figure 17 - Conditions in January 2020

The trees that were removed consist of the following:

| TREE REMOVAL SCHEDULE |                |
|-----------------------|----------------|
| TREE LABEL            | DIAMETER (IN)* |
| T1                    | 16             |
| T2                    | 18             |
| T3                    | 14             |
| T4                    | 17             |
| T5                    | 18             |
| T6                    | 17             |
| T7                    | 14             |
| T8                    | 14             |
| T9                    | 16½            |
| T10                   | 16             |
| T11                   | 18             |
| T12                   | 19             |

\* STUMP DIAMETERS MEASURED AT 1-2FT FROM GROUND LEVEL.

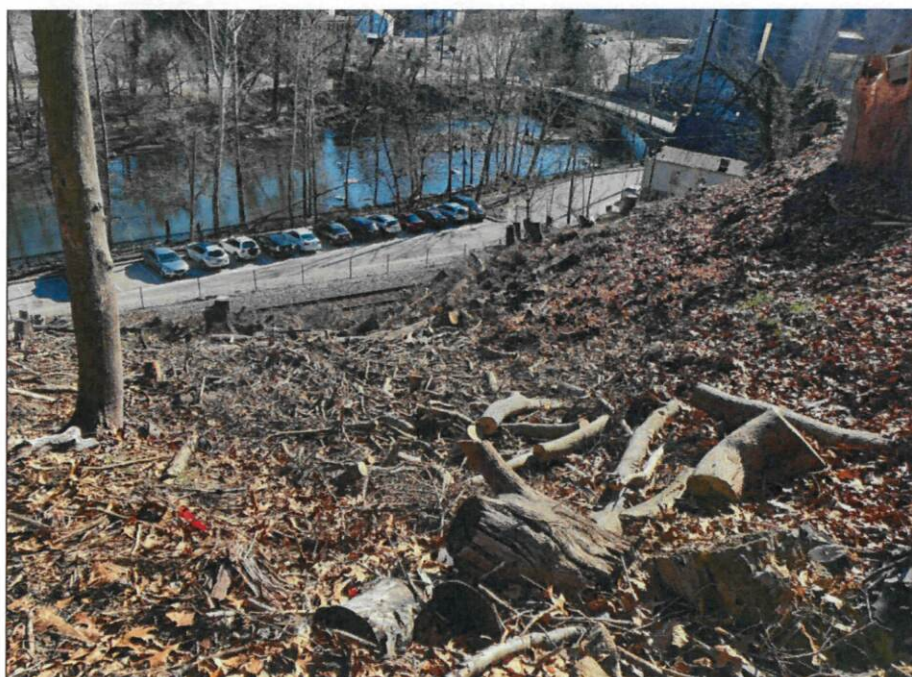


Figure 18 - Site conditions in January 2020. North of house looking east toward railroad tracks.



Figure 19 - Site conditions in January 2020. Looking south east toward Main Street (buildings in background front Main Street, the B&O is visible, front Maryland Avenue) and train tracks.

The proposed planting plan will consist of the plants listed in the following table. The site landscape plan is shown on page C2 of the application.

| PLANTING SCHEDULE - TREES / SHRUBS                  |          |         |         |
|---|----------|---------|---------|
| NAME (COMMON / SCIENTIFIC)                          | QUANTITY | HEIGHT  | SPREAD  |
| AMERICAN ELDERBERRY<br><i>Sambucus canadensis</i>   | 4        | 9-12ft  | 9-12ft  |
| AMERICAN HOLLY<br><i>Ilex opaca</i>                 | 1        | 25-60ft | 20-40ft |
| ALLEGHENY SERVICEBERRY<br><i>Amelanchier laevis</i> | 2        | 15-25ft | 15-20ft |
| EASTERN REDBUD<br><i>Cercis canadensis</i>          | 3        | 15-30ft | 25-35ft |
| FLOWERING DOGWOOD<br><i>Cornus florida</i>          | 6        | 20-40ft | 25ft    |
| NORTHERN BAYBERRY<br><i>Morella pennsylvanica</i>   | 2        | 5-8ft   | 5-8ft   |
| PAWPAW<br><i>Asimina triloba</i>                    | 2        | 10-40ft | 10-40ft |
| REDTWIG DOGWOOD<br><i>Cornus sericea</i>            | 16       | 6-12ft  | 6-12ft  |
| SILKY DOGWOOD<br><i>Cornus amomum</i>               | 4        | 6-10ft  | 6-10ft  |
| SWEETBAY MAGNOLIA<br><i>Magnolia virginiana</i>     | 4        | 12-20ft | 10-20ft |
| WITCH HAZEL<br><i>Hamamelis virginiana</i>          | 2        | 15-30ft | 15-25ft |

| PLANTING SCHEDULE - GROUND COVER                       |            |        |         |
|--|------------|--------|---------|
| NAME (COMMON / SCIENTIFIC)                             | COVER AREA | HEIGHT | SPREAD  |
| CREeping WINTERGREEN<br><i>Gaultheria procumbens</i>   | 300sf      | 6-12in | 24-36in |
| DWARF / BUNCHBERRY DOGWOOD<br><i>Cornus canadensis</i> |            | 3-6in  | 24-36in |

| PLANTING SCHEDULE - PERENNIAL MIXTURE             |             |            |          |
|---|-------------|------------|----------|
| NAME (COMMON / SCIENTIFIC)                        | PLAN SYMBOL | COVER AREA |          |
| BLANKETFLOWER<br><i>Gaillardia aristata</i>       | PERENNIAL   | 2535sf     |          |
| COLUMBINE<br><i>Aquilegia caerulea</i>            |             |            |          |
| CORNFLOWER<br><i>Cichorium intybus</i>            |             |            |          |
| JOHNNY JUMP-UP<br><i>Viola pedunculata</i>        |             |            |          |
| SUNDIAL LUPINE<br><i>Lupinus perennis</i>         |             |            |          |
| PURPLE CONEFLOWER<br><i>Echinacea purpurea</i>    |             |            |          |
| COMMON YARROW<br><i>Achillea millefolium</i>      |             |            |          |
| BLACK EYED SUSAN<br><i>Rudbeckia hirta</i>        |             |            | BIENNIAL |
| BABY BLUE EYES<br><i>Nemophila menziesii</i>      |             |            | ANNUAL   |
| BACHELOR BUTTON<br><i>Centaurea cyanus</i>        |             |            |          |
| BIRD'S EYE<br><i>Gilia tricolor</i>               |             |            |          |
| COSMOS<br><i>Cosmos bipinnatus</i>                |             |            |          |
| DWARF SUNFLOWER<br><i>Helianthus annuus</i>       |             |            |          |
| GODETIA<br><i>Clarkia amoena</i>                  |             |            |          |
| MEXICAN HAT<br><i>Ratibida columnaris</i>         |             |            |          |
| RED POPPY<br><i>Papaver rhoeas</i>                |             |            |          |
| ROSE MALLOW<br><i>Hibiscus moscheutos</i>         |             |            |          |
| SPURRED SNAPDRAGON<br><i>Antirrhinum cornutum</i> |             |            |          |

NOTE: PERENNIAL / BIENNIAL / ANNUAL MIXTURE IS APPLIED AT AN APPROXIMATE RATIO OF 60% / 10% / 30% RESPECTIVELY.

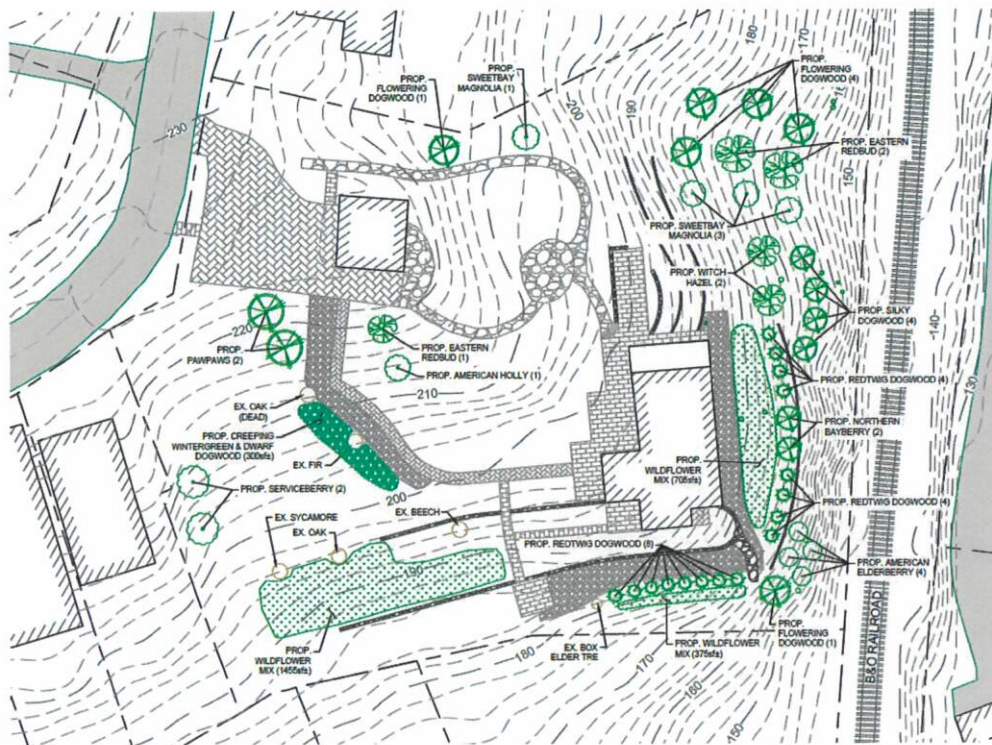


Figure 20 - Site Plan showing proposed planting. Larger, clear version found in application packet.

**HPC Review Criteria and Recommendations:**

**Chapter 9.A: Landscape and Site Elements; Topography and Water Courses**

- 1) Chapter 9.A explains, "Ellicott City's natural setting is essential to its character. In projects that involve grading land, clearing vegetation or building new structures, care should be taken to protect and enhance natural features, views of important natural features, and the environmental setting of historic buildings. The Historic Preservation Commission will review the impact of such proposals on the historic setting of Ellicott City and particularly on the relationship of historic buildings to their sites."
- 2) Chapter 9.A recommends, "Maintain and reinforce natural landscape elements, such as rock outcroppings, water courses and tree lines."

**Chapter 9.B: Landscape and Site Elements; Trees and Other Vegetation**

- 3) Chapter 9.B recommends:
  - a. "Retain mature trees and shrubs. Provide for their replacement when necessary."
  - b. "Include landscaping improvements as part of any construction project in locations visible from a public way. In most cases, use plant varieties native to the area."
  - c. "Retain landscaping patterns that reflect the historic development of the property. Use historic photographs or landscaping plans if these are available."
- 4) Chapter 9.B recommends against:
  - a. "The removal of live, mature trees, unless it is necessary due to disease or to prevent damage to historic structures."
  - b. "Extensive clearing for new construction that can be accommodated by more limited removal of vegetation."

- 5) Chapter 9.B states the following requires approval: "Removing live trees with a diameter of 12 inches or greater 4.5 feet above ground level."

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 6) Chapter 9.D explains, "Retaining walls of granite, brick or timber may be appropriate, depending on the context. Concrete walls can be used in locations with very little visibility. New granite walls are expensive, but retaining walls faced with granite or with a surface treatment that resembles Ellicott City's typical stonework can be appropriate in visible locations.
- 7) Chapter 9.D recommends:
- c. "Identify and retain site features that are important to the historic character of a site."
  - d. "Construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way."

The above Guidelines are some of the most relevant sections from the Ellicott City Historic District Design Guidelines that are applicable to the alterations completed on site plan C-1 which reflects the alterations made without HPC approval.

Staff notes that the perennial and annual plant proposals are a seed mixture that are mostly sun loving plants. This plant list is not proposed to be in container pots. The southern area where the sycamore, oak and beech trees are very mature specimens that offer a lot of shade verse the necessary sun for these seeds. Plus with such large trees the earth is not soft soil where a seed would want to propagate and mature. Flowering dogwoods are an understory tree that require shade. Sun exposure on a slope may burn up the tree before it matures.

The Applicant should also work with DPZ's Development Engineering Division and the Division of Land Development to determine if a site development plan is required for the disturbances made by the tree removal, construction of retaining walls and other alterations.

Additional photos from the Zoning inspection site visit in January 2020 can be found in Addendum A, at the end of the agenda.

**Staff Recommendation to the HPC:** Staff recommends the HPC provide advice on solutions they would find acceptable to mitigate the removal of the trees and other alterations on site, so that the Applicant can return with an application for Certificate of Approval.

**Testimony:** Mr. Shad swore in Greg Mason and Fred Petty. Mr. Shad asked the Applicants for an explanation as to what happened and next steps. Mr. Mason explained there was a lot of erosion, so he used timber to mitigate the erosion and his long-term plan is to put in a dry rock retaining wall. Mr. Mason has been in contact with Mark Jirus from DPW about installing the dry rock retaining wall in front of the existing patio and take down the timbers once the stone wall is secure. Mr. Mason said the stone gravel was put down on the existing stone to help avoid slipping. He had a number of contractors who had slipped and fallen, and it was extremely hard to work around the house.

Mr. Shad asked if all the work had been done on the property without approval from the County or anyone else. Mr. Mason said that was correct; he did not get approval from anyone. Mr. Shad asked Mr. Mason if he had not realized he needed to get approvals. Mr. Mason said he did not realize he needed to get approvals, but once we aware, he contacted a civil engineer to complete the project properly.

Ms. Tennor noted Mr. Mason had not said anything about the walls needing repair or maintenance and the difficulty of access. Ms. Tennor asked if that explanation was what Mr. Mason was offering as the

reason for the removal of the 12 trees. Mr. Mason said his explanation was for the gravel added around the house, that it was needed to for stable walkways and to prevent erosion. Ms. Tennor asked if the erosion was caused by the removal of vegetation. Mr. Mason said no, that erosion was not a result of that. Mr. Petty said there was gravel around the eastern side of the house for access to utilities, but over time it had accumulated dirt, so Mr. Mason had added more gravel on top of the existing to stabilize the surface and make it easier to access those areas.

Ms. Tennor asked if the Applicant consulted with a horticulturalist before removing the vegetation or mature trees on the property. Mr. Mason said he had not consulted with a horticulturalist. Ms. Tennor asked if it was the Applicant's intent to consult with a landscape architect or horticulturalist for the restoration of the site. Mr. Mason said he and Mr. Petty had put together a planting plan, but he was willing to work with other professionals. Mr. Petty said the planting plan is aimed at replacing the trees that were greater than 12 inches, at a one to one ratio. Mr. Petty said that if a greater number of trees is needed, they could provide more trees.

Mr. Petty asked Ms. Tennor if she referring to remediation for the specific areas the trees were removed, or the site as a whole. Ms. Tennor said she was talking about the area where the trees and vegetation were removed and referenced photographs of the site that were taken fairly recently. Ms. Tennor said the trees included in the planting plan were not canopy trees, such as the trees that were removed. She said the trees in the planting plan were understory trees, ornamental and flowering trees, so Mr. Petty was not replacing the trees that were removed in-kind.

Mr. Petty said that it feedback they wanted to get from the Commission; what is an acceptable size that they can replace with and asked if it should be a 2:1 replacement. Ms. Tennor said it was not a question of size, but also type of tree. Ms. Tennor noted the comments in the staff report regarding the planting plan; she said that many of the plants in the seed mix will be planted in an area without tree cover and it will be intense sun. She said the plants will not thrive in the environment created with the removal of the tree cover.

Mr. Taylor asked the Applicant why the twelve large trees were removed. Mr. Mason said on July 6, 2020 a tree had fallen onto the railroad tracks adjacent to the house. CSX was called and they were able to stop the trains and remove the fallen tree. Mr. Mason said he had concerns of other trees falling on the house and causing damage to the train. He asked for recommendations on what trees should be planted. Mr. Mason said that a planting plan was put together, but he was open to the Commission's recommendations. Mr. Mason said that he done want to take special care that new trees will not fall on the track tracks or the house.

Mr. Petty said one aspect of the planting plan is to avoid putting new trees directly next to the railroad again and avoid planting trees that could grow to a height of 100 feet. He said their planting plan reflects that. Ms. Tennor confirmed the explanation that a tree fell, impacted the railroad tracks, and then eleven more trees were removed to avoid this happening again. She asked if that was what happened. Mr. Mason said the trees were taken down were due to concerns of the trees falling on the train tracks or the house. He said there were other trees that fell down, but they want to replace anything larger than 12 inches. He said he believed they had more than 12 trees proposed now for replanting.

Ms. Tennor confirmed that the current thinking was that if canopy trees are not replaced in-kind, they will avoid some issues of vulnerability. She said there must be a way to replace some of the 12 inch or greater diameter trees, with something other than understory trees and said they should consult with an arborist or horticulturist, or someone knowledgeable who can help restore some of those canopy trees to the site.

Ms. Tennor asked why there was CMU units stacked on the top of the stones on the retaining wall in the image labeled southern edge of property facing stone stairway looking west. Mr. Petty said the units were on top of the wall temporary as storage.

Ms. Tennor said concluded her comments saying that the canopy trees were an important element of the original landscaping and there must be a way to put canopy trees back into the landscape. She did not find a reasonable plan could be created with only understory trees. Ms. Tennor again suggested speaking to a landscape professional so they could provide solutions to minimizing erosion and plantings that would need little or no maintenance, to create a more natural setting. Ms. Tennor also advised using native plants to create a more naturalistic setting.

Mr. Petty asked how many canopy trees would be required to be planted on the property. Ms. Tennor said there were twelve trees that were removed with a diameter of 12 inches or greater. Ms. Tennor said there should be a good faith effort to replace a good number of the twelve trees, if not all twelve. She said the removal of the twelve trees was excessive.

Mr. Roth asked what types of trees were removed. Mr. Petty and Mr. Mason did not know what the trees were.

Mr. Roth said the Guidelines are clear that it is okay to approve the removal of trees if they are threatening a historic structure. Mr. Roth noted a number of trees were close to the house and it was a failure of maintenance that a tree should grow that close next to the house and the other trees were removed were creating a hazard with the railroad. Mr. Roth said it was unfortunate that the Applicants did not come to the Commission before work was completed. He said it would have been helpful to know the type of trees that were removed, whether they were invasive trees or native.

Mr. Roth and Mr. Taylor discussed the Commission's role with reviewing replacement trees in a historic setting. Mr. Roth said the proposed plantings seem to be appropriate within the Guidelines as they are native trees and would complement the historic setting and based on locations of where the previous trees where as shown on sheet C-1 of the application tree removal schedule labeled T1-T12, the trees were very close to the house or on a steep slope in close proximity to the railroad tracks it may have been appropriate to remove them.

Mr. Petty said he had surveyed the property back in March and believed the removed trees were Maryland species based on their bark patterns; probably Oak, Hickory and Maple. He was not able to speak to the specific size of each of the tree. Mr. Petty said if they were to include a few canopy trees on the site, he would like to use one of those species further up the hill. Ms. Tennor asked that Mr. Petty submit the survey to the Commission. Mr. Petty said he would provide it with the next submission.

Mr. Reich said there may be valid reasons for the trees that were taken out. He explained that from his knowledge of the site and from the photographs of the site, there did not appear to be any planned intent on the trees and shrubs that where there, other than those around the house. Mr. Reich said the Applicant now has a great opportunity to do a landscape plan that has intention and augments the view of the house. Mr. Reich said the house has been obscured by some of the shade trees in recent history. Mr. Reich said the landscape plan does not seem finalized yet and appears to be a first draft. He discussed the various items shown on the plan and suggested adding shrubbery or flowering shrubbery that will stay fairly low and will be nice foundation planting for the house and help with erosion on the eastern south side of the property. He said that would help augment the image of the house as seen



from Main Street. Mr. Reich said documentation of the existing vegetation is missing from the plan. In reviewing the overall plan, he does not see a planned intent.

Mr. Petty said the area by the driveway at the top and the walkway that goes down towards the house receives a lot of runoff coming directly into the stairway and the area westward. Some of the runoff is coming off the street too so its not just rainfall that is being received by the parking lot itself. The intent of the area to the south of the walkway includes wintergreens to hold down the slope a bit more and prevent any further erosion. Mr. Mason added that when it rains heavily, Church Road floods the property and he was trying to get some ground cover to mitigate the erosion.

Mr. Reich said he saw retaining walls placed in areas where there are problems with runoff or erosion to help stabilize the property. Mr. Reich said the landscape plan is missing an architectural intent that would enhance the value of the property and enhance the view of the house from different angles. Mr. Reich noted the creeping wintergreen provides runoff protection, but asked what else happens along the walkway. Mr. Mason said there are bushes along the path that are six feet in height and large stones to help mitigate the erosion in addition to shrubbery and under canopy trees, but those features were not detailed on the plan.

Mr. Reich recommended thinking about the approach to the house, what kind of vegetation should be added, how to enhance the approach to the house, where should there be pathways, places to sit and view the railroad and the river and how can the landscaping enhance those views. Mr. Reich advised the Applicants to hire a landscape architect or go to a nursery, as the nursery could provide some of the same services. Mr. Reich said the Applicants came to the Commission to replace some trees that were removed, but he would like to see the landscape plan enhance the architecture, setting and the site in Ellicott City.

Mr. Petty said he would like to correct the plan to include details that are missing from the overall site layout, such as details that might make more sense if included on the site plan. Mr. Reich said the Applicants should also explain their overall intent of the site, what each of the areas are doing and why they are doing it. Mr. Reich noted all the trees were drawn with the same exact diameter of circle, but some of the trees would be bigger than others. The canopy of the sycamores and oak are huge around 50-80 feet in diameter, but the plan shows a tiny circle. Mr. Petty he had sized the existing trees based on an estimate on the diameter of the trunk. Mr. Reich referenced the corner of the site being a big feature with two existing trees and noted other gardens would have to work around the trees such as shrubs and ground cover as the trees dominate. Mr. Petty and Mr. Reich discussed other types of plantings for the site, such using native ferns such as Christmas and ostrich, and azaleas and hostas.

Ms. Zoren agreed with Mr. Reich and felt the landscape plan was not as cohesive as it should be. Ms. Zoren explained that when the Applicants think of a cohesive landscape plan, they should think about the formality of the house as it is very prominent and one of the grander well known, large scale houses in Ellicott City. She said the landscape plan should reflect formality of the house. Ms. Zoren recommended the Applicants put in pockets of bioretention gardens around the property, since there is a lot of grade on the property to help slow down runoff and help with the erosion issues.

Ms. Zoren said her biggest problem with the plan is the unfinished look that was provided to the Commission, the unfinished gravel, the 4x4's and timber holding the gravel in place. Ms. Zoren asked if the Applicants had intended these features to be the finished product. Mr. Mason said the 4x4's are not very visible due to the vegetation growing over it and there is vegetation growing through the gravel. Mr. Mason said he was open to ideas, but he wanted loose gravel so that water could still drain through it and plants could grow through the gravel.

Ms. Zoren said she did not understand the purpose of the cinderblocks and if Mr. Mason was planning on building up the retaining wall. Mr. Mason said the cinder blocks were on the property for building another retaining wall, he would eventually like to build two retaining walls. Mr. Mason said the cinderblocks have been moved to the west side of the property. Ms. Zoren asked if the cinderblocks piled up were not intended to be a finished product. Mr. Mason said the cinderblocks were not a finished product.

Ms. Zoren asked if the retaining walls were needed to be completed or if the walls were already constructed. Mr. Mason said the timber walls were already built, as there is a large amount of erosion on the east of the property in front of the patio and to the north of the house. Mr. Mason said he would eventually like to apply to put in dry laid stone walls to replace about 50 feet, and then he would take down the other two retaining walls. . He said the walls were put in as a temporary means to help control the erosion.

Ms. Zoren said the wood timber walls were not appropriate. She said for this property, the house was very grand and had a lot of masonry and heavy materials which did not seem compatible with the timber walls. Ms. Zoren suggested the Applicants return with a landscape plan that had the final vision for the property, even if the work would be completed in phases.

Mr. Mason said he spoke with Mark Jurus about the retaining walls and learned that Ellicott City and Baltimore County granite was very hard to find. Mr. Jurus had recommended Pennsylvania fieldstone. Mr. Mason said he would use smaller stones to do a dry laid granite wall because they do not have the equipment to move larger stones that would be 500-1000 pounds apiece. Mr. Mason said they would choose a color that is as close to the local granite as they could. Ms. Zoren said the granite does not have to be Ellicott City granite and the Commission has approved Pennsylvania fieldstone before. Mr. Mason said he did want to construct a cinderblock wall to be faced with stone and would prefer to have a dried laid stone wall constructed, which is what many of the stone walls were historically. Mr. Petty said he could include the new stone wall as part of the resubmitted drawings.

Mr. Roth had a few more comments to add and agreed with Ms. Zoren and Mr. Reich about having an opportunity to start from scratch. Mr. Roth explained that on the hillside where the trees were removed, there is now a lot more sun without the canopy which could result in many invasive plants taking over. Mr. Roth suggested having some thought in the site layout for providing access to the hill for maintenance. Mr. Roth also advised having native plants grow on the hill, such as sassafras and mountain laurel.

Mr. Shad said the Applicants should be aware that the Commission has Guidelines and work must be approved first by the Commission before work is completed. Mr. Shad asked about Figure 24 on Page 20 labeled the "north side of the house looking south at retaining walls toward the house" and Figure 22 "Looking toward the railroad tracks". He said those images included bamboo fencing along the outside of the retaining wall. Mr. Mason said the bamboo had been taken down after the photos had been taken. Mr. Shad said he wanted to make sure the bamboo was not a permanent feature. Mr. Mason said the whole retaining wall is being proposed to be replaced by a stone wall eventually and that entire area would be updated.

Mr. Shad reminded the Applicants if they felt like any more trees were in danger to the railroad or the house, an application should be brought before the Commission and explained the Commission had emergency approval practices in place, such as the Minor Alteration process

**Motion:** There was no motion as this was an Advisory Comments application.

**HPC-20-68 – 3749 Church Road, Ellicott City, HO-58**

Applicant: Gregory D. Mason

**Request:** The Applicant, Gregory D. Mason, requests Tax Credit Pre-Approval for exterior repairs, at 3749 Church Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1830. The property is also listed on the Howard County Historic Sites Inventory as HO-58, Angelo Castle.

As explained in case HPC-20-65, this property currently has a Zoning Violation, case number CE-20-012, for:

- 1) 16.106.(a) & 16.123.(a)&(c) - Grading/clearing over 5,000 square feet without an approved plan that addresses storm-water management and erosion & sediment control.
- 2) 16.603 - Exterior alterations without Historic Preservation Commission (HPC), including but not limited to: tree removal; installing gravel & timber framed walkways; installing the timber retaining wall; and placing fill dirt & cinderblocks around the site.

**Scope of Work:** The Applicant proposes to the following repairs to the property:

- 1) Restore the cathedral window – This will include the repair and replacement of cracked panes of glass, rotted wood, repair of putty, and repainting the window frame to the existing color. Per the attached scope of work in the application, the window sashes will be disassembled, and all hardware removed. The window jamb will be prepared for interlocking metal weather strip components. The contractor will record relevant production notes regarding the sizing and jamb conditions. The window openings will be weatherized and secured (plastic or plywood) while the windows are being repaired in the shop.

The following work will take place at the shop:

- a) Remove the old glass, after labeling, to be saved and re-installed as appropriate.
- b) Remove any remaining hardware and put sashes in a stream stripper.
- c) Remove all glazing and paint, including older leaded paint.
- d) Rough sand (60 grit) flat surfaces and hand-sand profiles to remove all traces of old paint/primer
- e) Stabilize/repair the sashes using wooden dowels and structural epoxies.
- f) Repair any broken parts (grills, stiles/rails, tenons using old-growth wood and/or 2-part, slow-cure epoxies.
- g) Clean/wash and remove sashes from lead-room.
- h) Power sand and hand sand till smooth (100 grit).
- i) Prime with oil-based paint, let tack. Fill voids with wood filler, sand, and re-prime.
- j) Re-install the glass with new glazing.
- k) Apply finish paint – two topcoats; sanding in-between all coats for better paint bond and finish.
- l) Restore old hardware and oil.
- m) Prepare/modify sashes for bronze metal weather-stripping or RCT tube seals and install as appropriate.

- n) Clean glass area neatly.

The following work will take place at the residence:

- o) Re-install restored sashes at hinge area and ensure proper fit.
  - p) Install metal weather-stripping at jamb area.
  - q) Re-install restored hardware.
  - r) Ensure smooth operation.
  - s) Touch-up paint.
  - t) Clean the glass.
- 2) Repair damaged stucco – Construct scaffolding, remove stucco from back/side walls. Repair sheathing and install vapor barrier. Install new stucco, color to match the existing off-white, and caulk all joints. Clean up, remove all debris and remove scaffolding.

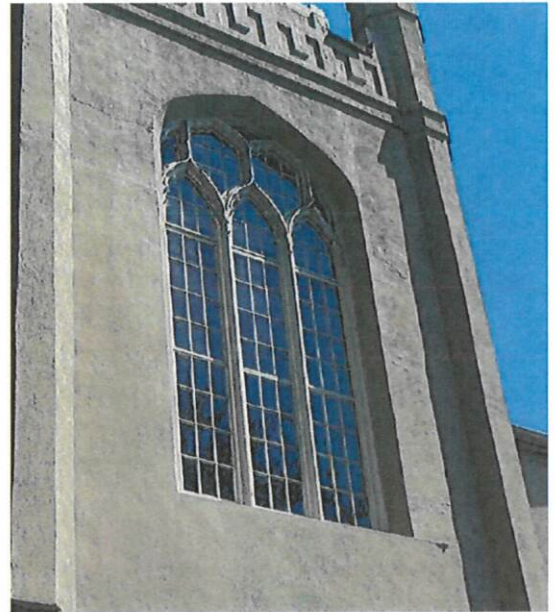


Figure 21 - Cathedral window to be restored

#### HPC Review Criteria and Recommendations:

##### **Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings; Masonry**

- 1) Chapter 6.C recommends, “maintain or restore original brick, stone, concrete block or stucco. Make repairs with materials that match the original as closely as possible.”
- 2) Chapter 6.C recommends, “maintain previously painted masonry surfaces, including repainting when needed.”
- 3) Chapter 6.C considers the following to be Routine Maintenance, “Repairing stucco using a mixture that matches the existing stucco in texture, strength and appearance.”

The proposal to repair the damaged stucco in-kind complies with the Guideline recommendations. The work is eligible for tax credits, per Section 20.112 of the County Code.

##### **Chapter 6.H: Rehabilitation and Maintenance of Existing Buildings; Windows**

- 4) Chapter 6.H recommends, “maintain and repair original window openings, frames, sashes, sills, lintels and trim. Maintain glass, putty and paint in good condition. Install weatherstripping to reduce air infiltration.
- 5) Chapter 6.H considers the following to be Routine Maintenance:
  - a. “Repairing windows, including replacement of clear glass and putty.”
  - b. Installing weatherstripping.”

The proposal to repair the cathedral window in-kind complies with the Guideline recommendations. The work is eligible for tax credits per Section 20.112 of the County Code.

**Staff Recommendation to the HPC:** Staff recommends the HPC pre-approve 20.112 tax credits for window and stucco repair.

**Testimony:** Mr. Mason was previously sworn in. Mr. Shad asked if Mr. Mason had any additional comments to the Staff report. Mr. Mason read the Staff recommendations to the Commission from the Agenda and asked those were the staff comments, Mr. Shad confirmed they were.

Ms. Tennor clarified the restoration process, since much of the window will be removed and restored in the shop and then reinstalled. Mr. Mason said each section of the window will be removed one at a time, repaired, blocked off and reinstalled before removing another section.

Ms. Tennor appreciated the summary of the process as it was very detailed and sequential. Ms. Tennor asked, in regard to Item F for repairing any broken parts of the window, if Mr. Mason's contractors had expressed intent to replace broken parts of the window with in-kind materials and minimize the amount of the window that had to be replaced. Mr. Mason said the intent of the project was to minimize replacement. Mr. Mason was not sure if the window had ever been replaced. He was not sure what the hardware materials were that make up the window due to the numerous coats of paint causing the window to be painted shut. He said there were a few areas where the wood was dry rotted and could be pushed through. Mr. Mason hoped to make the window operable again and get the window back to original condition.

Ms. Tennor noted there are 6-divided light windows with three windows across. Ms. Tennor asked if the divided light windows would be removed from the shop and repaired and if the ornate shaped windows above the divided light windows would be repaired on site. Mr. Mason confirmed Ms. Tennor's question to be correct.

Mr. Roth said the application was straightforward.

Mr. Reich said the application looked to be a careful restoration job and hoped the windows can go back in-kind.

Ms. Zoren had no comments on the work for the project and said it made sense to receive tax credits.

Mr. Shad agreed with the comments from the other Commissioners and appreciated the effort the Applicant was taking on the project.

**Motion:** Ms. Tennor moved to approve the application as submitted and to preapprove tax credits. Mr. Reich seconded. The motion was unanimously approved.

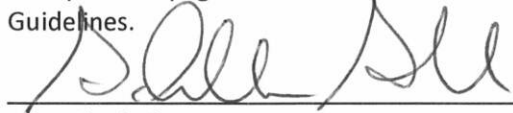
#### **OTHER BUSINESS**

1. Rules of Procedure Update – consider proposals to update Rules to specifically address virtual hearings.
  - a. Mr. Taylor explained that Staff has developed a proposed amendment to the Commission's Rules and Procedures to address the fact the Commission has been having virtual meetings. Mr. Taylor said the Commission can have the virtual meetings with the existing rules but there are no details provided for the current meetings. Mr. Taylor asked Staff if the proposal has been distributed. Ms. Burgess said the proposal has been posted online and Ms. Tennor said the Commission had received a copy of the proposal.
  - b. Mr. Taylor said that advance notice had been posted in newspaper publications and at the next meeting the Commission will decide if they would adopt or decline to adopt the proposal.
2. Section 106 Review: NAB-2018-62004-Kings Forest MOA Consulting Party status.
  - a. Mr. Taylor gave a synopsis of the Section 106, MOA sent for signature and explained the action before the Commission was whether the Commission wanted to enter into the MOA which did not put any obligation to the Commission other than consultation and to agree to the mitigation that was identified.

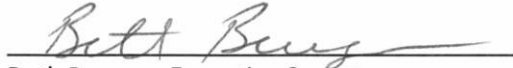
Ms. Tennor moved to approve the Commission's participation in the MOA consulting party status. Mr. Reich seconded. The motion was unanimously approved.

Mr. Shad moved to adjourn the meeting at 9:35 pm. Mr. Roth seconded. The motion was unanimously approved.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.



Allan Shad, Chair



Beth Burgess, Executive Secretary

Samantha Holmes, Preservation Planner



Kaitlyn Harvey, Recording Secretary



**HOWARD COUNTY HISTORIC PRESERVATION COMMISSION**

*ELlicott City Historic District ■ LAWYERS HILL Historic District*

3430 Court House Drive ■ Ellicott City, Maryland 21043

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*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350  
FAX 410-313-3042

## **October Minutes**

Thursday, October 1, 2020; 7:00 p.m.

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The October meeting of the Historic Preservation Commission was held on Thursday, October 1, 2020. Due to the State of Emergency and to adhere to social distancing measures, the meeting was not held at 3430 Court House Drive, Ellicott City, but was conducted as a virtual web meeting/conference call.

Ms. Grace Kubofcik and Ms. Lisa Wingate registered to testify on HPC-20-74, Maryland Avenue Culvert advisory comments case. No one else registered or otherwise contacted the Commission about testifying for any of the following applications.

Mr. Reich moved to approve the September minutes. Ms. Tennor seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Harvey

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### **PLANS FOR APPROVAL**

#### **Regular Agenda**

1. HPC-20-69 – 3585 Church Road, Ellicott City
2. HPC-20-70 – 3748 Church Road (aka 3691 Sarah’s Lane), Ellicott City, HO-59
3. HPC-20-71 – 3896 Old Columbia Pike, Ellicott City, HO-328
4. HPC-20-72 – 8396 Park Drive, Ellicott City
5. HPC-20-73 – 4824 Montgomery Road, Ellicott City, HO-422
6. HPC-20-74 – 8049, 8055, 8059, 8061 and 8069 Main Street, Vicinity/East of 3711 Maryland Avenue, Ellicott City

### **OTHER BUSINESS**

1. Rules of Procedure Update – Vote on proposals to update Rules to specifically address virtual hearings.
2. Section 106 Review: 8360 Court Avenue, Ellicott City

## REGULAR AGENDA

### HPC-20-69 – 3585 Church Road, Ellicott City

Applicant: Kimberly Kepnes

**Request:** The Applicant, Kimberly Kepnes, requests a Certificate of Approval to install a fence at 3585 Church Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1865.

**Scope of Work:** The Applicant proposes to install a 42-inch high, four board, estate style (x-board) pressure treated wood fence along the property line at the street. The fence will be painted Snowball white to match the house. The fence will be painted once the wood has cured. The post caps on the fence will be black. The fence will be located approximately 3 to 5 feet from the property line.

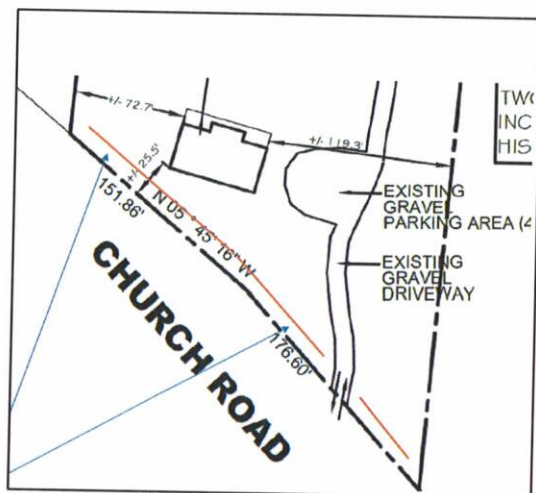


Figure 1 - Location of proposed fence shown with red line.



Figure 2 - Front of property where fence will be located.

### HPC Review Criteria and Recommendations:

#### **Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 1) Chapter 9.D explains, "Split rail or post and rail fences are more appropriate in less densely developed areas such as upper Church Road, Sylvan Lane and Park Drive."
- 2) Chapter 9.D recommends, "Install open fencing, generally not more than five feet high, of wood or dark metal."



Figure 3 - Proposed fence style.

While the Guidelines state that split rail or post and rail fences are more appropriate in less densely developed areas such as upper Church Road, there are no other fences marking property lines in this vicinity, except for the fence lower on Church Road around the Patapsco Female Institute. This would be the first fence in a front yard along upper Church Road.



The style of fencing complies with the Guidelines. The white color will match the siding on the house. Alternatively, a black fence would also match the house (which has black shutters, gutters and downspouts) and may blend into the environment more. Pressure treated posts would reduce the rot, but paint does not adhere to treated wood as well as a good quality hardwood.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the application complies with the Guidelines and approve or deny accordingly.

**Testimony:** Mr. Shad swore in Kimberly Kepnes. Mr. Shad asked if Ms. Kepnes had any comments on the staff report. Ms. Kepnes amended the application to include a dark brown or black stain for the fence to be approved by staff, rather than painting the fence. Ms. Kepnes asked for the Commission's opinion on the fencing material and if MCA, micronized copper azole, a preservative used in pressure treated wood, would be acceptable. The MCA process would allow the fence to be painted or stained quickly after installation without a curing period. Mr. Shad asked if the MCA would be applied by the Applicant. Ms. Kepnes said the wood comes from the manufacturer with the treatment already applied.

The Commission asked the Applicant the function or benefit the fence would supply the property as there are not many fences for properties along Church Road. Ms. Kepnes said the primary interests for the fence were safety, privacy and aesthetics.

Mr. Roth said noticed remnants of a fence similar to the proposed fence around the Lacey Property during his site visit.

The Commission found the application and product to comply with the Guidelines and three of the Commissioners said they preferred the dark brown stain for the fence.

Mr. Taylor asked if the Applicant was amending their application for a stained fence and asked if the Applicant still wanted the fence to be white in color. Ms. Kepnes said she was amending her application per staff recommendations to a dark stain.

**Motion:** Mr. Roth moved to approve the application as submitted with the addition that the fence will be stained either dark brown or black, with staff approval of stain color. Mr. Reich seconded. The motion was unanimously approved.

**HPC-20-70 – 3748 Church Road (aka 3691 Sarah's Lane), Ellicott City, HO-59**

Applicant: Kimberly Kepnes

**Request:** The Applicant, Kimberly Kepnes, requests a Certificate of Approval to make exterior alterations at 3748 Church Road, Ellicott City (also referred to as 3691 Sarah's Lane).

**Background and Site Description:** This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-59, Mt. Ida. The Inventory form explains:

The traditional date for the construction of "Mount Ida" is given as 1828, but documentary research calls this into question, suggesting that construction likely began c. 1831-1833. "Mount Ida" was certainly complete by 1836. The house was designed and the building of it supervised by Baltimore architect R. C. Long, but whether it was the father or the son depends on when construction commenced. The house is in the astylar idiom of neoclassicism, with a hint of influence from the Greek Revival. It is built of rubble stone and was roughcast from the

beginning, which helped to give it monumentality. This monumentality is also reinforced by the use of immense pilasters at the corners of the house. The ashlar stonework of the foundation is exceptionally fine.

The Inventory form provides the following description of the northwest elevation:

The northwest elevation center bay has steps down to a doorway to the basement. The paired doors [basement] are new. The stairs have roughcast cheek walls topped with concrete copings. There is a one-story portico with roughcast piers set on the cheek walls. There is no porch deck to the portico, and the roof is a low hip. The first story has a doorway with a pair of three-panel doors like those on the southeast, but with no fillet on the panel molds.

**Scope of Work:** The Applicant proposes to make the following alterations to the structure:

1) **Porch on the southeast elevation (facing Church Road):**

- a. **Porch Railings** – Install straight, square, white picket railings on three sides of the second story porch. The railings will be pressure treated wood or a composite material. The railing height will be 36-inches, to code. The size and shape of the proposed railing will match the existing railing shown in the application (this existing temporary safety railing serves as a barrier on the northwest elevation for the first-floor door that would open to the void below where the porch floor is missing). The pickets will be 2 inches by 2 inches.
- b. **Flooring** - Replace the existing second story painted wood porch floor with IPE wood.

2) **Porch on the northwest elevation (facing Mt. Ida and Courthouse parking lots)**

- a. **Flooring** – Construct a new first floor porch in the open area on the northeast elevation, off the door. The flooring will be IPE wood. The porch will extend from the door to the columns and will be about 5 feet deep.
- b. **Porch Railings** – The railings will be white. The material will be pressure treated wood or a composite.
- c. **Granite Steps and Railing** – Install granite steps to flank each side of the new porch. The granite steps and stair railing will match those on the door to the right of the proposed porch area. Refer to Figure 6 below for style of steps and railing. Refer to Figure 7 for location of steps.



Figure 4 - Southeast elevation facing Church Road



Figure 5 - Northwest elevation facing Mt. Ida and Courthouse parking lots



Figure 6 - Existing service entry steps and railing. To be matched on new steps and railing.



Figure 7 - Northwest elevation where first floor porch will be reconstructed. Note black square outlining area of porch. Granite stairs to flank each side of the porch.

#### HPC Review Criteria and Recommendations:

##### **Chapter 6.F: Rehabilitation and Maintenance of Existing Buildings; Porches and Balconies**

- 1) Chapter 6.F explains, "Porches and balconies are important to a building's sense of scale. Removing, enclosing or altering a porch can dramatically alter the appearance of a building. If a porch must be replaced, the replacement porch, even if simplified in detail, should reflect the visual weight of the original."
- 2) Chapter 6.F recommends, "replace missing features, such as missing supports or railings, with materials that are appropriate in scale, proportion and style."
- 3) Chapter 6.F recommends, "replace deteriorated features with new materials as similar as possible to the original in material, design and finish."

##### Railings – Southeast Porch overlooking Church Road

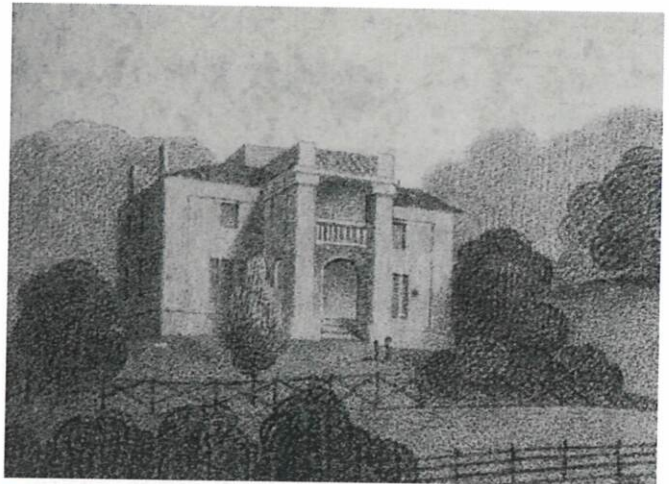
The porch on the southeast elevation, overlooking Church Road, was designed as the front of the building. Due to infill development in front of the building along Church Road, and the construction of the Mt. Ida parking lot, the front of the building is not easily seen anymore. Rather, many people view the northeast elevation of the house as the front of the building, while it was designed as the rear. Within this staff report, the different elevations will be referred to as southeast or northwest, to avoid confusion between the terms front and back.

The building has been without railings for much of its life, and the design of the original railings is unknown. Figure 8, below, shows an 1854 lithograph view of the building. While the artist rendering in Figure 8 shows the building without a railing, it most likely had one for safety reasons. Safety is also the reason for the request to add railings now. Chapter 6.F states that "altering a porch can dramatically alter the appearance of a building" and recommends that if a porch must be replaced, "even if simplified in detail, should reflect the visual weight of the original." The original design is unknown so a simplified design, minimal in bulk and visual appearance, such as a white wood picket, would retain the character and avoid altering the appearance of the building.

Although page 4 of the application states wood, the materials proposed to be use is pressure treated wood or a composite wood. Quality hardwood that is primed and painted would be appropriate materials for a porch on a historic building. The proposed flooring is lpe and would not be painted. Typically, a porch floor would be painted tongue and groove wood. However, due to the location of the second-floor porch, the flooring will only be visible to someone standing on the porch, and will not alter the overall appearance of the structure.



**Figure 8 - Historic American Buildings Survey Detail, vignette from 'View of Ellicotts Mills from the Heights above Elizabeth Ellicott's Residence' Lithograph, E. Sachse & Co.,**



**Figure 9 – Northwest Elevation - Historic American Buildings Survey Detail from 'A Sketch from Rock Hill' Lithograph of Thomas Campbell, Baltimore, Drawn by R. C. Long, c. 1835 Howard County, MD**

**New First Floor Porch – Northwest elevation overlooking parking lots**

The Applicant also proposes to construct a new first floor porch, since the feature is currently missing. Granite steps will be installed, flanking each side of the porch. Each set of steps will have one railing leading to the porch. The step railings would be dark green to match other stair railings on the property. Access to the basement will be maintained in the current configuration as the porch will only be around 5-feet deep, from the door to the columns. The flooring of the proposed porch is lpe, but it would be more appropriate to see a painted tongue and groove porch floor. Likewise, rather than pressure treated or composite railings, it would be more historically appropriate to use a non-pressure treated wood and avoid the use of composite railings.

The use of granite steps, to match those existing on the building complies with the Guideline recommendations, as granite is a material that is appropriate in scale, proportion and style and one of the most common building materials in Ellicott City.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the style of the proposed railings and flooring are appropriate for the historic structure. If so, staff recommends the HPC approve the application as submitted, contingent upon using a higher quality wood for the railings and tongue and groove painted flooring on the first floor porch. If the railings and lpe flooring are determined to be inappropriate, staff recommends the HPC recommend the Applicant amend the application to Advisory Comments, and the HPC provide advice on the design, for a future submittal.

**Testimony:** Ms. Holmes updated the Commission on the application, stating that the Applicant withdrew the request for approval for the north porch and only sought approval for the work to the

second story porch on the southeast elevation facing Church Road, but wanted the Commission's advice on the north porch.

Ms. Kepnes was previously sworn in. Mr. Shad asked if Ms. Kepnes had anything to add to the comments by Staff. Ms. Kepnes said she found a railing to match the existing barrier railing on the northeast elevation of building, that has been used as a barrier (to the doors that would open onto an open space as the first-floor porch is missing). She explained the second story has been without a railing for many years and she would like to add the railing for safety.

Ms. Tennor said it made sense to have a railing added with the porch at such a high elevation and agreed with Staff that an upgrade to the material for the railing was a good choice rather than using composite. Ms. Tennor noted that due to the vegetation it is difficult to see the porch from the ground, but for consistency with the structure it makes sense to use hardwood for the porch. Ms. Tennor confirmed Ms. Kepnes wanted to use Ipe for the decking material. Ms. Kepnes said she would like to use Ipe as it is low maintenance and there is lot of weather, rot and damage to the existing porch.

Ms. Tennor said the Guidelines state that decking should be replaced in-kind and recalled a previous application where the Applicant wanted to use Ipe wood for similar reasons rather than replacing with a less durable material. The upper elevation of the existing porch is not visible unless on the building and Ms. Tennor thinks it is appropriate to use the Ipe hardwood for replacement of the existing porch.

Mr. Roth said per the Guidelines on page 34, it is not recommended to add or replace porch features that are not historic in style, materials not appropriate include replacing tongue and groove with pressure treated wood or concrete materials. Mr. Roth said the Commission has been through proposals like this before with the development off Church Road on Deanwood Road where the builder was supposed to use real wood on the porches but used a composite, and the Commission had debates about future steps of replacement. Mr. Roth said the Commission should not permit a building of historic nature to use plastic. Ms. Kepnes asked for material recommendations, such as pine. Mr. Roth said to use hardwood materials as described in the Staff recommendations and he was fine with the use of Ipe.

The Commission discussed the Secretary of Interior Standards and the appropriateness of using nonhistorical materials in areas that are not visible, the differences between Ipe and tongue and groove wood, color and finish. Mr. Reich said Ipe is a great wood, a very hard hardwood, and it could be painted or stained with less rotting problems and it follows the Guidelines. Mr. Reich said he thought the porch railings were fine as the character of the building is a very simple straightforward style.

Ms. Zoren said the Ipe material would be appropriate for the second story porch but not for the lower level. She noted Ipe is a hardwood with a natural dark wood finish which is different than a painted tongue and groove porch. Ms. Zoren said the railings be a painted hardwood and not pressure treated or composite.

Ms. Kepnes requested to amend the application to confirm the decking to be replaced with Ipe wood and modify the railing to be painted wood. Mr. Shad said he thought the modification was an appropriate change and the posts look like the photographs which were a square tube shape.

The Commission, the Applicant, and Staff discussed if there was an opportunity for tax credits that relate to the porch and the replacement of the porch components. The Commission agreed that the Ipe wood decking should be eligible for tax credits as it is for protection of the porch and more durable than the tongue and grove decking, and all agreed that adding a painted wood railing would also qualify.

**Motion:** Mr. Roth moved to approve the proposal for the southeast porch portion of the application as amended with Ipe decking including the modifications that the railing should be made of a natural wood painted white to match the existing trim color and pre-approve tax credits for the work. Mr. Reich seconded. The motion was unanimously approved.

*Advisory Comments Northwest Porch*

Ms. Kepnes also sought advisory comments for the northwest porch. Ms. Tennor asked Ms. Kepnes when the first-floor service door was installed. Ms. Kepnes said she was unsure of when the side access door was installed but, noted that the basement access doors appeared to be deliberately added, as it was a very large opening to the lower level. (Note: for purpose of these comments, side door refers to the door to the right of the double doors, not a door located on the actual side of the building,)

Ms. Kepnes explained her original proposal was to construct a balcony that was about 5-feet in depth, to be within the columns in order to provide an entry to the two large double doors that are currently blocked off. She planned to use hunter green paint to match the color of the railing located on the side service entry door. She explained that maintaining a 5-foot porch depth would maintain access to the basement doors. Ms. Kepnes said she would like to construct the porch like a balcony to prohibit attaching anything invasive or damaging to the columns.

Ms. Tennor noted the building was symmetrical and asked what purpose the side service door served. Ms. Kepnes said the door was a second service entrance and believed both entrances served as back service doors. Ms. Kepnes said would like to maintain symmetry of the building and have granite steps coming off both sides of the porch, but noted the steps would cause a conflict with the existing service entrance step (located to the right of the proposed porch and inaccessible double doors).

Ms. Tennor said it made sense to provide a landing for the doors, in order for the doors to become operable. Ms. Tennor asked if the porch railing for the first-floor porch would mimic the railing from the second story porch on the other side of the building. Ms. Kepnes confirmed the railings would mimic the second story wood porch railings.

Ms. Tennor asked if the current basement light fixture would be removed and if Ms. Kepnes would be installing a light under the porch deck. Ms. Kepnes said it would make sense to have a fixture in the ceiling under the decking for the lower level and if possible, have a hanging fixture on the first floor, as the doors swing into the building. Ms. Tennor said the fixture should be period appropriate and that she had no other questions.

Mr. Roth found the proposal on the northwest side to be appropriate, with some type of platform unattached to the columns. He did not know how to make the steps from the porch symmetrical, but was not sure if the back was ever symmetrical. Mr. Roth deferred to the architects on the Commission.

Mr. Reich noted there was no clear historic record of what existed and he could not determine what was most historically appropriate. He said the current rear elevation looks odd with the entry into the basement and referenced Figure 5 of the staff report "Northwest elevation facing Mt. Ida and Courthouse parking lots" stating the basement would typically have had a side entry stair and the main rear elevation entrance would have had stairs leading straight up to the first floor. Mr. Reich noted a preference for this solution acknowledging it was an expensive remedy. Ms. Kepnes suggested painting the first-floor railings white to bring more attention to that entry and paint the basement doors darker to better blend them.

Ms. Zoren noted the column lengths visible in Figure 5 and said that having the porch deck extend out perpendicular forward from the doors would create a horizontal deck line that would visually shorten the columns by about 3 feet. She explained this would give the appearance of a weird intersection with the vertical columns. Ms. Zoren agreed with Mr. Reich's suggestion to build a front set of steps with a side access stair going down to the basement. Ms. Zoren said the Commission would need to see elevations and a section showing the access to the basement when the Applicant comes back for a Certificate of Approval. The Commission will need to understand the two side stairs proposal to the first floor and how that will work with the service stairs if that solution is kept as the plan.

Mr. Reich said the columns were probably shorter originally, given the other elevations on the building. Mr. Reich said the columns would look better if the stone base continued out to the porch level, similar to the base on the elevation overlooking Church Road. Mr. Reich suggested building the porch to come out even with the column on the outside rather than inside. Ms. Zoren referred to the lithograph in Figure 9 and noted the stairs could have started at the columns. Mr. Roth asked how realistic the lithograph really was. Ms. Zoren said it might not be realistic, but it shows the columns hitting the same place they do right now with relationship to the front first floor door. Mr. Roth said the picture does not show the basement door at all.

There were no further comments from the Commission members.

**HPC-20-71 – 3896 Old Columbia Pike, Ellicott City, HO-328**

Applicant: Morris Vatz

**Request:** The Applicant, Morris Vatz, requests tax credit pre-approval for the repair or replacement of the front porch, at 3896 Old Columbia Pike, Ellicott City.

**Background and Site Description:** This property is not located in a historic district, but is listed on the Historic Sites Inventory as HO-328, Kraft Cottage.

**Scope of Work:** The application states that the front porch foundation has considerable rot and the roof has some rot. The porch may need complete replacement or partial repairs.

Staff sent the Applicant a list of follow up questions on the existing conditions and repairs that will be needed and the Applicant has passed the questions along to his contractor and is awaiting a response.

The existing porch roof is a galvanized/white standing seam metal roof. It is currently unknown if the roof will need to be replaced. Staff requested more information on the existing conditions (such as the spacing of the panels between the seams and the seam height). In the event of replacement, Staff requested a spec sheet for a proposed replacement material to show the color and seam, since most modern metal roofs come in a variety of factory painted colors and have a variety of seam options (most of which are not historically appropriate). If the roof only requires repairs, Staff requested more information detail on the repair that would take place.

Staff asked what type of wood is proposed to be used in the event of replacement of the posts, soffits and flooring, explaining that pressure treated would not be appropriate, but did not receive a response. The Applicant said the current wood flooring is tongue and groove, painted grey, and any replacement would be as well. If the flooring does not need to be replaced, it will be pressure washed, sanded, primed and painted.

Staff asked what the foundation was constructed of and what repairs were needed, as the photos were hard to understand. The Applicant stated that the foundation is made of 6x6 pressure treated boards and he is unsure how many will need to be replaced until the boards are removed and the foundation is inspected. He said the joists seem to be stable at one end and the floor is not unstable at the other end but that end has not been opened for inspection.

Staff also requested additional photos taken a bit farther back so that it would be easier to understand, as the existing photos were zoomed in to only the areas of damage.



Figure 10 - Example of rot on porch.



Figure 11 - Google streetview image showing front facade of house, including metal porch roof and decorative brackets on porch columns.

#### HPC Review Criteria and Recommendations:

##### **Sec. 20.112. - Historically valuable, architecturally valuable, or architecturally compatible structures**

###### *(ii) Eligible work includes:*

- a. *The repair or replacement of exterior features of the structure;*
- b. *Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing;*
- c. *Maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code;*

The proposed repairs are eligible for tax credits, per Section 20.112 of the County Code. The potential replacements may also be eligible, but more information is needed on the existing conditions and proposed replacements to ensure that the work will be done in-kind. It would be beneficial to have a better understanding of the application right now, then to discover work was not done in-kind, and not be able to approve the final tax credit after the porch has been repaired/replaced and paid for.

**Staff Recommendation to the HPC:** Staff recommends the HPC pre-approve the porch repairs for Section 20.112 tax credits. Staff recommends that any items for replacement be re-submitted to the HPC for review through the Executive Secretary Tax Credit Pre-Approval process, if the information is not provided before the meeting date.



**Testimony:** Mr. Shad swore in Morris Vatz. Mr. Shad asked if Mr. Vatz had any comments on the staff report. Mr. Vatz said he did not have more details. He discovered the rot in the foundation and posts when he started replacing his porch floor. Mr. Vatz explained to understand fully what repairs will be needed, the porch will need to be deconstructed more, which is why his proposal is somewhat vague.

Ms. Tennor asked for clarification on the material of the foundation of the porch, since the application stated it was pressure treated wood. Mr. Vatz said he had dug about 3 feet and found concrete encased with pressure treated joists running along to the sides appear to be 4x4 or 6x6 pressure treated lumber that the floor of the porch lays on. Ms. Tennor surmised the wood of the porch is not in direct contact with the earth but is elevated on a masonry foundation. Mr. Vatz said it was elevated by a few inches.

Ms. Tennor asked Staff about the preapproval tax credit process. Ms. Holmes explained the difficulty with giving specific answers for Mr. Vatz property as there was still a lot of unknown on the existing conditions, specifically with the standing seam metal roof and other character defining features. The lack of information on the current conditions, will make it difficult to determine if work was done in-kind at the time of final approval. Mr. Vatz said the metal seams were just under an inch high and spaced 22 inches apart. He agreed to replace everything in-kind using the same historic materials maintaining the historic presence of the house. Ms. Holmes states that pressure treated lumber should not be used, but rather hardwood used for the porch components.

The Commission agreed the tax credits for replacement in-kind with the particular roof to be approved by Staff.

**Motion:** Ms. Tennor moved to approve the application as submitted with the new roof clarifications that the Applicant has provided; all items to be repaired or replaced in-kind: the standing seam roof, decking, decorative brackets, columns, fascia and all elements of the porch all to be replaced or repaired in-kind and for tax credit pre-approval. Mr. Reich seconded. The motion was unanimously approved.

#### **HPC-20-72 – 8396 Park Drive, Ellicott City**

Applicant: Tarpley Long

**Request:** The Applicant, Tarpley Long, requests Advisory Comments/Pre-Application Advice for exterior alterations, at 8396 Park Drive.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to the SDAT, the building on the property dates to 1899. SDAT dates are not always accurate and the building appears to look more like a 1940s Cape Cod, but the only way to determine the actual date would be to examine internal construction of the building.

**Scope of Work:** The Applicant seeks Advisory Comments/Pre-Application Advice on the demolition of the existing garage and the construction of a new garage with an elevator behind it. The existing garage is located adjacent to the lower level on the east side of the house. The Applicant thinks the garage most likely dates to the 1950s, and but reports that it is currently deteriorated.

The Applicant proposes the following alterations:

1. Demolish existing garage
2. Construct a new garage with a sunroom above, a small balcony behind, and exterior elevator.

The new addition would consist of the following, as explained in the application:

“Pour a new concrete floor, widen the garage from 10 feet to 12 feet and lengthen it from 18 to 22 feet. The new garage door will replicate the pattern approved in 2014 (carriage style doors). The sunroom will be 14 x 22 feet with a small balcony on the back next to the outdoor elevator. The roof will be lower than the original house but will have the same roofing material as that approved in 2014. The siding on the garage and sunroom will be cedar, like the rest of the original house. The south facing window will be the same as the ones approved on the front of the house in 2014. The windows on the east wall of the sunroom will be the pattern similar to the ones on the front of the house approved in 2014 with the added exception of a glass transom that incorporates a design element from the screened porch.”

The new structure will be built using the same cedar siding as the original house, and will reuse boards from the east side of the house. The Applicant proposes to paint the addition the same muted red, to match the main house. Sliding glass doors are proposed for the north side of the sunroom, but they will not be visible from the road. An exterior, weatherized elevator is also proposed to be constructed behind the addition, to open into the proposed sunroom above. The applicant states it would not be visible from the road.



Figure 12 - Proposed front elevation of addition



Figure 13 - Proposed side elevation, northeast side of home. View from Park Drive.



Figure 14 - Existing front elevation



Figure 15 – Northeast side of house. Existing side elevation.



Figure 16 - Garage door style to be replicated. Photo circa 2018.



Figure 17 - Northeast side of house, proposed location of addition

#### HPC Review Criteria and Recommendations:

#### **Rules of Procedure, Section 302, Demolition and Relocation of Structures in Historic Districts; Classification of Structure**

- 1) Section 302 states, "Before acting on an application for demolition or relocation, the Commission shall determine whether the structure is a Structure of Unusual Importance. Structures of Unusual Importance are structures deemed by the Commission to be of unusual importance to the Nation, State or County, whose loss would cause great damage to the character and integrity of the historic district. Determination that a structure is a Structure of Unusual Importance shall be based on criteria in its adopted guidelines, the testimony of expert witnesses or other documentary evidence presented to the Commission.

Section 304 of the Rules of Procedure provide a process and standards for review for the demolition of structures within the historic district. The subject garage does not have any features that distinguish it as a historic structure, or one of any significance.

#### **Chapter 7: New Construction: Additions, Porches and Outbuildings**

- 1) Chapter 7 recommends:
  - a. "Attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from public way."
  - b. "Design additions so that the form and integrity of the historic would be unimpaired if the addition were to be removed in the future."
  - c. "Design additions in a manner that makes clear what is historic and what is new. Additions may be contemporary in design or may reference design motifs from the historic building, but should not directly imitate the historic building."
  - d. "Design windows to be similar in size, proportion and arrangement to the existing windows. On historic buildings, or any building visible from a public way, windows should have true divided lights rather than interior or sandwiched muntins. A possible alternative is windows that do not have divided lights but have permanent exterior grilles, appropriately detailed to be compatible with historic wood windows."
  - e. "On any building, use materials and colors (including roof, walls, and foundations) similar to or compatible with the texture and color of those on the existing building."

*Avoid exact replication that would make an addition appear to be an original part of a historic building.”*

The proposed materials referenced so far appear to comply with the Guidelines and will match those on the existing structure.

The proposed single double hung window arrangement on the front façade matches the existing historic building. There is a significant amount of wall space remaining, and it seems the front wall could also accommodate a paired window, shown in Figure 18. Adding a paired window at this location would also match the windows shown on the side elevation of the new addition. The 6:1 windows will match those on the historic house.



**Figure 18 - Mockup of paired window. Staff suggestion, not provided by Applicant.**

The side elevation shows a set of paired windows centered on the wall, flanked by single double hung windows. The transom detail is intended to mimic a pattern shown on the rear porch, but is also reminiscent of 1980s sunrooms and beach houses. A more historically appropriate window arrangement would be more appropriate, such as adding a three light transom above each of the four double hung windows. Understanding the desire for additional natural light that would be provided by the transom, another double hung window, or potentially another paired window (space permitting), could be added in the area above the four windows, see Figure 19. The existing side elevation has a single double hung window in this location, refer to Figure 15.



**Figure 19 - Mockup provided by Staff. Not provided by Applicant.**

While not shown in the drawings, the HPC will also have to review and approve the rear elevations and exterior elevations, so this detail will be needed in the application for Certificate of Approval.

**Staff Recommendation to the HPC:** Staff recommends the HPC provide pre-application advice/advisory comments on the proposed removal of the existing garage, design of the new addition, and expectations for the architectural drawings that will be submitted in the application for Certificate of Approval.

**Testimony:** Mr. Shad swore in Tarpley Long and asked if Ms. Long had any comments on the staff report. Ms. Long said she would like to replace her 10-foot-wide garage. The proposed new garage would be wider for a modern car and a sunroom would be added to the top of the garage with elevator access between the floors in the back of the building.

Ms. Tennor noted the enclosed volume will increase when a room is added to the widened garage and more mass added when the elevator is included, leaving a very small footprint for the elevator. Ms. Long said the structure would be 5 or 6 feet longer, and the elevator would be behind the sunroom. Ms. Tennor asked if the intent of the application was to make the exterior details consistent with details on the current structure. Ms. Tennor said the new garage door will be the same style as the current garage door but larger, and the siding and window trim color will be consistent with the existing home. Ms. Long said the Guidelines recommend that an addition look different and not like part of the original house. A screen porch was added to the house in 2014 and a different color scheme was chosen. Ms. Long said she was willing to make the new garage and sunroom match the screened porch and would

like advice on what would be more aesthetically pleasing as she would prefer to keep the garage the same color as the overall house and tie the garage into the porch. Ms. Long said the clerestory window would enable her to have a second story window and allow for light to come in.

Mr. Roth said he did not have an issue with removing and replacing the existing garage, but would need to have construction drawings of what the garage would look like to get a sense of scale and massing. Ms. Long said she intends to have an architect do the construction drawings as long as the Commission did not have an issue with her removing the existing garage.

Mr. Reich disclosed that he and Ms. Long were friends and he would have to recuse himself with any approval cases for the property after the initial Advisory Comments. Mr. Reich said the considerations to look for in an addition to a historic structure are keeping in scale with the historic structure, that it does not overpower the structure with fenestration, massing, and compatibility between the structure and the addition.

Ms. Long said that her architect said the house was not built in 1899 but in the 1930s based on the joist construction. Mr. Reich asked what the siding on the house was. Ms. Long said the siding was cedar. Mr. Reich said the siding looked fairly new and probably was a later addition and did not think the garage needed to look different from the house. Mr. Reich discussed how this house was similar to older farm houses that often have smaller additions, creating a telescoping effect as a precedent. Mr. Reich questioned the window pattern in Figure 13 and noted the trapezoidal windows looked out of place on the second story and not appropriate with this style house. Additionally, he said the front elevation of the sunroom appeared to look cantilevered and out of place.

Ms. Long said her previous architect suggested doing a 2-foot cantilever so the garage does not overwhelm the historic structure and aesthetically makes the addition less blocky and gives a better shape. Mr. Reich said it would be better to widen the garage, making the garage the same width as the second level. Mr. Reich referenced Figure 19 from the staff report that was a rendering by Staff of using rectangular windows instead of the clerestory trapezoidal windows. Mr. Reich said the original house has all rectangular windows and the Figure 19 suggestion looks more in keeping with the architectural style of the house. The Commission discussed a double hung window in replacement of the clerestory. Ms. Long said she needs to maintain a clerestory to allow light into her 2<sup>nd</sup> floor bedroom and is open to the suggestions of double hung windows.

Ms. Zoren agreed with Mr. Reich and Staff's comments that the triangular upper level windows would be inappropriate style to the house. Ms. Zoren suggested using rectangle windows, playing with the proportions to match the style of the other windows in order to be simple and not too busy. Ms. Zoren agreed with the cantilever comments, as the cantilever would over complicate a simple structure and she liked the idea of making the garage the same width as the sunroom. Ms. Zoren said it is important to have the double hung windows centered above the garage. Regarding the rear door opening and elevator area, Ms. Zoren said if the wall was moved back the elevator door could open and not obstruct the opening to the house.

Mr. Shad said he did not have any other comments to add and confirmed all previous suggestions from the other Commissioners were good.

**Motion:** There was no motion as this case was for Advisory Comments only.

**HPC-20-73 – 4824 Montgomery Road, Ellicott City, HO-422**

Applicant: Mildenberg, Boender and Associates, Inc.

**Request:** The Applicant, Mildenberg, Boender and Associates, Inc., requests Advisory Comments on the proposed subdivision of 4824 Montgomery Road, Ellicott City, HO-422.

**Background and Site Description:** The property, which consists of 5.355 acres, is listed on the Historic Sites Inventory as HO-422, Avoca. The property is zoned R-20.

The Inventory forms states that “the main block and the first story of the middle section of the ell were constructed first, in 1838, and the second story of the middle section and the rear of the ell were added, probably c. 1877-78.” The house was constructed by Dr. Michael Pue and sold upon his death in 1877 to Alfred V. Thomas, when it was enlarged.

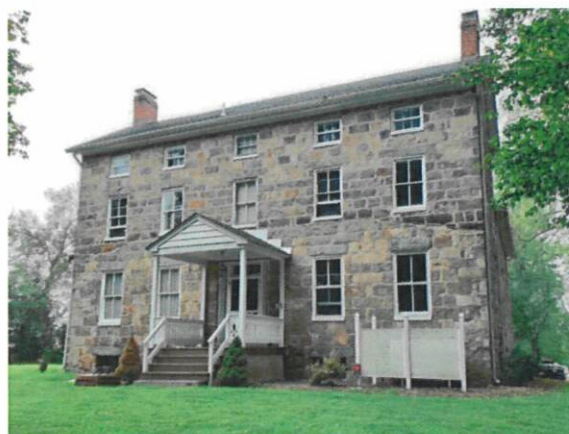


Figure 20 - Front of the house, facing Montgomery Road

The Historic Sites Inventory form provides the following summary description of the house:

"Avoca" is a 2 ½-story, five-bay by two-bay structure of partially dressed and coursed rubble stone on the northeast and rubble on all other elevations. It has a gable roof with asphalt shingles and a northwest-southeast ridge. There is an interior brick chimney on each gable end. There is a rubble stone ell that is two stories and two bays by two bays, with a gable roof that has asphalt shingles and a northeast-southwest ridge. The ell has a brick chimney centered on the ridge. The first story has a center entrance with double doors, a four-light transom over the door only, with sidelights that run up alongside the transom. The first and second stories have two-over-two double-hung sash while the upper half story has short frieze windows with three-over-three double-hung sash. The first story has a center passage, single-pile plan with two rooms in the rear ell. Most of the rooms now contain marbled slate mantels with round-arched openings. The ell southwest room has a secondary staircase to the second story. The second story plan matches that of the first story, but also has a small chamber over the entryway. Most of these chambers also have marbled slate mantels with semicircular-arched openings. There is a line of stone outbuildings along the drive to the rear of the house, consisting of a stone smokehouse with ruins of another structure attached, a stone outbuilding of undetermined use, and two small stone sheds that likely sheltered livestock.

The Inventory form provides the following description of the existing setting:

"Avoca" is located at 4824 Montgomery Road, about two miles south of Ellicott City, in northeastern Howard County, Maryland. The house faces northeast toward the road and is set well back from the road, with a straight drive in along the northwest side of the house. The property is bounded on the northwest by Avoca Avenue and on the southwest by Knoll Glen Road. The lot is generally flat and is heavily wooded on the northeast half, with the house set in a clearing. There is a line of stone outbuildings along the drive to the rear of the house, consisting of a stone smokehouse with ruins of another structure attached, a stone outbuilding of undetermined use, and two small stone sheds that likely sheltered livestock."

Over the course of the last several months, the engineer has sent different versions of the subdivision plan to DPZ Staff, in order to obtain feedback and make adjustments to the plan, prior to submitting to the HPC.

**Scope of Work:** The subdivision plan proposes to subdivide the 5.355-acre property into 8 buildable lots (7 new lots and 1 lot for the existing house). There are currently a total of 9 structures on the property, 5 are proposed to be retained and 4 are proposed to be demolished. The historic house and 4 outbuildings are proposed to be retained on, or will be relocated to the new Lot 1, which will consist of 3.11 acres. Lot 1 will be deed restricted to prevent further subdivision. Overall, the historic structures that will be retained are as follows:

- 1) The main house, to be retained in its existing location on proposed Lot 1.
- 2) An outbuilding, to be retained in its existing location on proposed Lot 1.
- 3) Three outbuildings, to be relocated from their existing locations (currently on proposed Lot 3) to proposed Lot 1.

The structures to be demolished consist of:

- 1) Four partial foundations to be removed (currently located on rear of the property, where Lot 3 will be located), the stone will be used to repair the other structures.

The application states that the outbuildings to be relocated and retained are “currently in a rapidly deteriorating condition, probably due to a combination of neglect and well-meaning, but inappropriate maintenance. The relocation process will result in a stabilized structure, which will last significantly longer than they would in the current condition.” The application also states that Lot 1 will include “the long existing driveway to Montgomery Road, the wetlands, and the intermittent stream. The Lot 1 area is proposed to be 3.11 acres. Lot 1 will be restricted by deed from further subdivision. Vegetation (trees and screening shrubs) will be used to screen the developed lots from Lot 1.” According to the Applicant, there are currently no plans for restoration and no clear details for relocation, but the property owner intends to retain these structures and relocate them on Lot 1. As shown on the site plan, new lot 5, 6, 7 and 8 will be located along Avoca Avenue and will have driveway entrances onto Avoca Avenue, similar to the existing houses that are located across the street on Avoca Avenue. New lots 2, 3 and 4 will be located along Knoll Glen Road and will have driveway access onto this road. The new lots will range in size from .28 acres (12,032.14square feet) to .38 acres (16,337.88 square feet). A vegetated buffer is shown on the rear of the new lots to buffer historic Avoca from the new construction. The rear driveway entrance, which is the current access to the property, will be removed with the creation of Lot 3. The original driveway entrance from Montgomery Road will be re-established as the entrance to the historic house.



Figure 21 - Proposed site plan.



Figure 22 - Rear of house, facing Knoll Glen Drive.



Figure 23 - Existing driveway to Montgomery Road to be maintained.

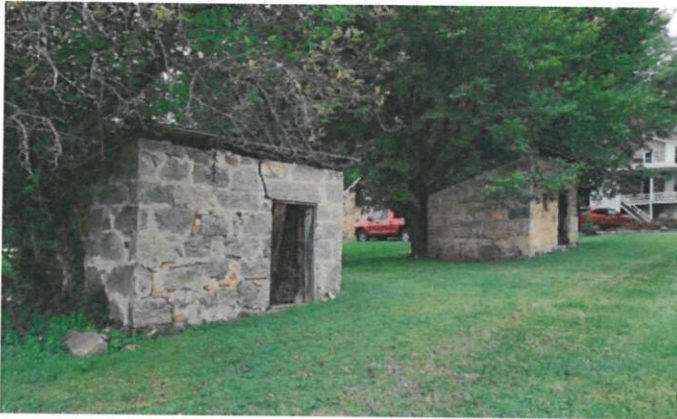


Figure 24 - Historic outbuildings facing Knoll Glen Drive to be relocated. Currently located on proposed Lot 3.



Figure 25 - Additional historic outbuildings facing Knoll Glen Drive to be relocated. Currently located on proposed Lot 3. Ruins between the two structures to be removed and not relocated.



Figure 26 - Grove of walnut trees on side of house, along Avoca Avenue.



Figure 27 - Picture is taken from the side of the house looking at Avoca Avenue. Person in yellow represents the location of the back of the proposed house on Lot 6.



## HPC Review Criteria and Recommendations:

### **Sec. 16.118. - Protection of historic resources**

- (b) *Guidelines. The following guidelines suggest ways to improve project design and do not prohibit either demolition of historic structures or relocation of burial grounds in accordance with State law. This section applies upon adoption of a list of historic sites and criteria for nomination adopted by council resolution.*
- (1) *Historic buildings, structures and landscape features which are integral to the historic setting should be located on a single lot of suitable size to ensure protection of the historic structure and setting. If demolition is proposed, information explaining this decision shall be provided (structural condition, cost to retain, etc.)*
  - (2) *Whenever possible, historic resources should be integrated into the design of the subdivision or site plan. If compatible, new and historic structures may be juxtaposed. Alternately, open space may be used to buffer the historic resources from new development.*
  - (3) *Access to the historic property should be via its existing driveway, wherever possible.*
  - (4) *The new subdivision road should be sited so that the lot layout does not intrude on the historic resources. The road should be oriented so that views of the historic property from the public road are of its primary facade.*
  - (5) *Grading, construction and landscaping on the adjacent lots should enhance views to and from the historic property, while buffering views of new development.*
  - (6) *Achieving the maximum possible density is not sufficient justification to allow adverse impacts on historic resources.*

**Guidelines 1, 2 and 6:** This structure is listed on the Historic Sites Inventory as HO-422, and as such the guidelines for the protection of historic resources, from Section 16.118 of the County Code is applicable to this subdivision project. The main historic building and four historic outbuildings will be retained on Lot 1, which will be 3.11 acres and significantly larger than the other proposed new lots. Three of the outbuildings will be moved from their original/existing location (on proposed Lot 3) and will be moved to Lot 1.

While the lot with the historic house will contain open space, the open space will not buffer the historic house from the new development. Instead, the historic house is proposed to be screened from the new development by a vegetated buffer on the lot with the historic house. Of the seven new homes proposed, three (Lots 2, 4 and 6) abut the 30' building restriction lines (BRL) found to the rear of the homes, all of which are adjacent to Lot 1. The HPC should consider whether the buffer is appropriate or if additional buffering is needed.

**Guideline 3:** *Access to the historic property should be via its existing driveway, wherever possible.*

The original driveway from Montgomery Road is proposed to be maintained. The current rear access will be lost, as Lot 3 will be placed there. Retaining the existing driveway complies with the Guideline recommendations and will preserve the setting. However, according to the Department's Division of Land Development, because the original driveway is off Route 103, a minor arterial road, access is restricted and would be required to be off a lower classified road.

**Guidelines 6:** *Achieving the maximum possible density is not sufficient justification to allow adverse impacts on historic resources.*

It is unknown if the property is being developed to its maximum density, however the removal or relocation of historic outbuildings located on Lot 3 will have an adverse effect on historic resources. The

establishment of Lot 3 will also impact the ingress and egress for Lot 1. Should the existing rear driveway for Lot 1 be retained, the existing outbuildings would provide a more appropriate buffer from Lots 4 and 2 than an added vegetated buffer. Due to the condition of the historic outbuildings, they will require extensive repair in the stonework before they can be moved. There is significant deterioration of mortar on all of the buildings, and it is unlikely they can be moved unharmed in their current condition.

**Guideline 1:** *Historic buildings, structures and landscape features which are integral to the historic setting should be located on a single lot of suitable size to ensure protection of the historic structure and setting. If demolition is proposed, information explaining this decision shall be provided (structural condition, cost to retain, etc.):*

Proposed Lot 1 has various features that need to be protected, including environmental and historic resources. As previously stated, Lot 1 will include the main historic house and a total of five outbuildings, four of which will be relocated to Lot 1. The Applicant proposes to protect historic resources through a deed restriction on Lot 1 to preserve the character and prohibit any future additional subdivision. However, deed restrictions may not constitute the strongest legal instrument to ensure permanent protection.

The eastern portion of the property contains wetlands and the Applicant is considering a forest conservation easement for this portion of the property. While the forest conservation easement will protect the wetlands on the proposed Lot 1, it will not protect the entirety of Lot 1.

In addition to a deed restriction, another possible way to preserve the character of Lot 1 is to create a Single Site Historic District. Creation of a Single Site Historic District would preserve the historic structures and remaining landscape setting by instituting the same requirements that properties in the Ellicott City Historic District and Lawyers Hill Historic District abide by; approval of alterations to any structure and site changes are required prior to the alteration taking place. This will ensure preservation of the structure, outbuildings and trees, which otherwise could be demolished without any review. It is also worth noting that this building is most likely eligible for inclusion on the National Register of Historic Places, and retention of the setting, in addition to the structures, is of utmost importance. Inclusion on the National Register however, does not prohibit demolition of any structures, but it would provide the benefit of State historic tax credits (20% homeowner income tax credit based on eligible pre-approved rehabilitation expenses) to the historic buildings on the site, which would include the principal historic structures and historic outbuildings. Since this property is already listed on the Historic Sites Inventory, it is eligible to apply for both County Historic Property Tax Credits for needed repairs and rehabilitation.

**Guideline 4:** *The new subdivision road should be sited so that the lot layout does not intrude on the historic resources. The road should be oriented so that views of the historic property from the public road are of its primary facade.*

A previous version of this subdivision plan had an internal shared drive that would have drastically encroached on the historic property. The current plan removes the internal shared driveway, and will need an Alternative Compliance as an infill subdivision, to place driveways on Avoca Avenue, similar to the existing neighborhood. This results in a better layout around the historic house, as there will be less grading around specimen trees and less impact to the historic house. This change also results in a more integrated subdivision that will fit with the character and design of the existing neighborhood. The fronts of the new houses and driveways will face the public road, just as the existing houses do.

**Guideline 5:** *Grading, construction and landscaping on the adjacent lots should enhance views to and from the historic property, while buffering views of new development.*

On the black and white site plan, the vegetated buffer is shown on each new lot. The engineers clarified that the buffer has been shifted to Lot 1, which will keep individual homeowners from removing the buffer. The current plan shows the tree and shrub buffer will be under the canopies of the Beech and Kentucky coffee-bean specimen trees. Digging large planting holes throughout the understory of the trees will cause stress and potential harm to the historic trees, namely ST- 5, ST-6 and ST-7. An appropriate fence screening maybe be less disruptive in this area under the canopy closures.



Figure 28 - Fence screening suggestions.



Figure 29 - Fence screening suggestions.

**Sec. 16.603A. - Review of development plans.**

*Prior to the initial submittal of an application for subdivision or site development plan approval on a site located in a historic district established under this subtitle, adjoining a multi-site historic district, or that contains a historic structure, the applicant shall request review by the Commission to identify all historic resources on the site and obtain advice from the Commission regarding the design of development.*

**Section 16.606 (d)(II)(III):**

*(II) Advise and assist the Department of Planning and Zoning in identifying historic resources on property that requires subdivision or site development plan approval and is located in a historic district established under this subtitle or contains an historic structure. Such advice shall be given prior to the initial plan submittal for either subdivision or site development plans.*

*(III) Advise an applicant for subdivision or site development plan approval for a site located in a historic district established under this subtitle, Adjoining a Multi-Site Historic District or that contains a historic structure. Such advice shall be provided prior to the initial submittal for a subdivision or site development plan...*

Regarding the design of the development, there are many possible architectural styles that could be built. Regardless of the style, due to the proposed orientation of lots, the proposed homes should be compatible with the scale, proportion and massing of the existing homes on Avoca Avenue and Knoll Glen Road, most of which



Figure 30 - The house on the far left was constructed within the last 5 years. Although it is a different architectural style, it is compatible with the massing and scale of the existing neighborhood.

were built between the 1950s and 1980s. There is one relatively newly constructed home on Avoca Avenue in the vicinity of the subject property and it stands out from the existing established neighborhood, as the scale is significantly larger than the existing houses in the vicinity. There is a nearby, similarly designed neighborhood dating to the 1960s, which has a good example of new construction circa 2017 that is compatible with the existing 1960s structures, as shown in Figure 30. The new structure was designed with Craftsman architectural influences, which are otherwise not found in that neighborhood. However, due to the compatible scale and massing of the new building, at 1.5 stories, the new structure does not adversely stand out, even though it is a different architectural style.

This site contains many specimen trees. Only one specimen tree, T-12, is proposed to be removed. This tree is a Black Walnut with a DBH (diameter at breast height) of 34 inches. There is no information in the tree chart for the condition of the tree.

There is an existing Bald Cypress, ST-15, to be removed on Lot 3. The tree appears in great condition and is a fine example of a specimen tree, with a DBH of 43-inches. The critical root zone for this tree is listed at 64.5 feet, which the house on Lot 3 will greatly encroach upon. Due to the size and location next to the historic house, it appears to be a historic tree. However, the Commission should advise as to whether this tree “is part of a historic site or associated with a historic structure” (Section 16.1205(a)2). If determined to meet this definition, then alternative compliance will be required to remove it.



**Figure 31 - Bald Cypress, ST-15, 43-inch DBH. Currently located on proposed Lot 3.**



**Figure 32 -Bald Cypress and rear of house facing Knoll Glen Drive.**

**Staff Recommendation to the HPC:** Staff recommends the HPC provide advice on the design of the subdivision, in order to best protect the integrity of the historic house, historic outbuildings, and the setting, to include specimen trees.

**Testimony:** Mr. Shad swore in Samer Alomer and asked if Mr. Alomer had any comments to add to the staff report. Mr. Alomer gave background on the subdivision process for the property and comments received by DPZ. Mr. Alomer said the final results are what has been submitted to the Commission.

Ms. Tennor wanted to be sure she understood the reactions from Staff and clarified that the Applicant was not suggesting using a fence exclusively, but a fence in combination with some planting materials to act as the buffer to the historic lot. Mr. Alomer said he did not mind using a combination of fencing and planting and would be willing to work with the Commission in the future as he moves forward with the plans. Ms. Burgess said planting is effective as long as it is not under specimen trees. Her concern was digging under mature trees and damaging the critical root zone where a fence would be a visual and physical barrier without as much impact to the roots.

Ms. Tennor and the Applicant discussed the preservation of the outbuildings on the property. Currently there is one outbuilding on Lot 1 that will remain in its footprint, and three more outbuildings on Lot 3 to be deconstructed and reconstructed. Ms. Tennor said there appeared to be more than three outbuildings on Lot 3. Mr. Alomer said the four outbuildings with an X through them on the plan were only foundations and did not have any structures on the foundation. Ms. Tennor said they were still substantial foundations. She asked if the outbuilding currently existing on what was to be Lot 1 would be restored at the same time the three other outbuildings were deconstructed, relocated to Lot 1, reconstructed and restored. Ms. Holmes said she was under the impression that the buildings were not going to be deconstructed and reconstructed but relocated in its entirety. Mr. Alomer said that all four outbuildings would be restored, but the three outbuildings moving from Lot 3 to Lot 1 would have to be deconstructed and reconstructed as the foundations for those buildings were in poor condition and would crumble if relocated. Mr. Alomer said the plans for Avoca were still in the concept phase and with schools currently closed, the subdivision and the outbuilding restoration may not take place for another 6-8 years. The extent of the restoration needed on the outbuildings are unknown at this time. Ms. Tennor said the stones will need to be numbered when deconstructing the outbuildings.

Ms. Tennor noted the proposed houses had front loading garages that surround the historic home, but acknowledged these houses are consistent with the existing houses on the opposite side of the street. Ms. Tennor was concerned that the seven proposed houses would have to create an entity to support the historic home. The owner of the property may be planning for preservation of the historic home but Ms. Tennor wanted to know how the Applicant intended to preserve the historic site from being developed after the subdivision is created. Mr. Alomer said the house if sold will be sold as a stand-alone 3.1 acre lot with the historic house.

Ms. Tennor asked if the historic house will continue to be a private residence maintained by a private owner and retaining the current driveway. Mr. Alomer said the owner will be using the driveway from Montgomery Road as that is where the mailbox is located. Ms. Tennor asked if there is a covenant that prevents further subdivision of the 3.1 acres on Lot 1. Mr. Alomer said the property is currently zoned as R-20 which would allow for a 10 lot subdivision, but since the historic house is to remain, the number of lots allowed reduced to 8. Lot 1, containing the historic house, could be subdivided further, but the owner wants to make sure that the 3.1 acre lot will not be subdivided in the event of different ownership in the future, so the proposal is to place a deed restriction on Lot 1 to prevent further subdivision. Ms. Tennor said that further subdivision on Lot 1 would be the end of the historic house.

Ms. Tennor said there is a large tree behind Lot 2 marked for removal and asked if the tree was not viable. Mr. Shad and Mr. Alomer said the tree was dead.

Mr. Roth said he conducted a site visit. He did not think the driveway for the historic home would be viable with this plan, as there is no place to turn a car around, the car would have to be backed down the driveway which makes it difficult to access Montgomery Road. Mr. Roth recommended that Lot 3 be combined with Lot 1, which would allow for vehicular access to the lot, the outbuildings would not have to be moved and the cypress tree would not have to be removed.

Mr. Reich said the Applicant has done a good job preserving the historic house and liked the existing long main driveway remaining. He said the screening buffer of the historic house with the subdivision looked skimpy. Mr. Reich and Mr. Alomer discussed the size of the structures on the new lots, which would be around a 2000 square feet footprint per stormwater management purposes.

Mr. Reich said he liked that the subdivision is separated from the historic home so it does not impinge on the view-scape of the house. He explained that although the historic house sits on a 3 acre lot, the house is in the far back corner, which is a drawback. Mr. Alomer said to preserve the wetlands, stream buffer and forest conservation easement there was not much room.

Mr. Reich agreed with Mr. Roth to get rid of Lot 3, so that Lot 1 could have the back driveway entrance and the accessory structures do not have to be moved. He suggested improving and increasing the amount of landscaping by planting more evergreens between the historic house and subdivision lots. Mr. Alomer confirmed that increased planting could be done.

Ms. Zoren was surprised with how much she liked the site plan and thought there were a lot of positives and only a few negatives. She said that all the negatives can be solved by adding Lot 3 to Lot 1. In keeping the outbuildings where they currently are located would increase the likelihood of their survival and keeps them in their historic setting. The outbuildings have a historic relationship to the house and to restore in place would be significantly less expensive.

Ms. Zoren said she was also concerned with the lack of realistic parking and it would become awkward trying to get vehicles to turn around and park on Lot 1. Ms. Zoren said the cypress specimen tree on Lot 3 was a significant tree and part of the historic setting and should be retained.

Ms. Zoren recommended beefing up the tree buffer from a single row of trees to a double layer. She said a double layer would be possible if the outbuildings remain in place. Ms. Zoren recommended combining Lot 3 and Lot 1. If the owner decides to retain Lot 3 as a separate building lot from Lot 1, she suggested increasing the tree buffer by placing the outbuildings at the southeastern part of Lot 1 to better screen the historic setting from the new construction. Mr. Alomer said he would talk to the owner about combining Lots 1 and 3 and will work with the Commission about placing the outbuildings and buffer if the owner wants to keep the lots separated.

Mr. Shad agreed with the Commission's comments about combining Lot 3 into Lot 1. He stated that any value lost by not adding a home there will be offset by keeping outbuildings in context; deconstructing, moving and reconstructing multiple outbuildings will be an expense that would be saved if Lot 3 was removed. The restoration of the house and outbuildings value will also offset losing the house on Lot 3 leaving the house and outbuildings in the original context and location is much more valuable to the whole context of the historic property.

**Motion:** There was no motion as this case was for Advisory Comments only.

**HPC-20-74 – 8049, 8055, 8059, 8061 and 8069 Main Street, Vicinity/East of 3711 Maryland Avenue, Ellicott City**

Applicant: Robert Z. Hollenbeck, Department of Public Works

**Request:** The Applicant, Howard County Department of Public Works, requests Advisory Comments/Pre-Application Advice on the Maryland Avenue Culvert Project (including the removal of four buildings), at 8049, 8055, 8059, 8061 and 8069 Main Street, Vicinity/East of 3711 Maryland Avenue, Ellicott City, associated with the Ellicott City Safe and Sound plan.

**Background and Site Description:** These properties are all located in the Ellicott City Historic District. The buildings have the following dates of construction:

- 1) 8049 Main Street (Phoenix) – brick building circa 1851, frame building circa 1870s
- 2) 8055 Main Street (Discoveries) – block building circa 1920s-30s
- 3) 8059 Main Street (Easton and Sons/Bean Hollow) – stone and frame building circa 1930s
- 4) 8069 Main Street (Great Panes) – stone building circa 1841, brick rebuilding potentially circa 1885-1910
- 5) 3711 Maryland Avenue (B&O Railroad Station) – stone building circa 1830. Listed on the Historic Sites Inventory as HO-71, also individually listed as National Historic Landmark, and contains a Maryland Historical Trust Easement.

**Scope of Work:** As stated in the application, the Department of Public Works is “requesting Advisory Comments related to the planned construction of a project to improve the stream channel and install an underground culvert in the vicinity of Main Street and Maryland Avenue” and requests “the Commission provide advisory comments on the built and visible exterior changes of the proposed project” and a list of topics outlined on pages 2-3 in the narrative portion of the application. The application also explains the project will be referenced as the “Maryland Avenue Culvert.” The application contains some background on the plan, recent flash floods, and Option 3G7.0, which was selected as the option to proceed with in terms of flood mitigation. The application states that notable differences from the previous plan in the last administration to this one include “the preservation of six buildings originally slated to be demolished as well as inclusion of the North Tunnel, intended to divert flood waters from the western end of Main Street, directly to the Patapsco River.”

The application also explains that the flood mitigation projects work together as a system to collectively mitigate flash flooding, and that “in order to be most effectively implemented, significant constrictions in the conveyance system need to be alleviated. The Maryland Avenue Culvert project will provide significant additional stormwater conveyance from the Tiber/Hudson Branch to the Patapsco River, while mitigating a significant constriction to water flow.” The application states that “along with two other upstream water retention projects, the Maryland Avenue Culvert project is fully funded and slated to start construction upon receipt of all local, state and federal approvals.”

Regarding the proposed demolition of the four lower Main Street buildings, the application explains that DPW reviewed and evaluated many individual and collective project to mitigate flooding, and said that the US Army Corps of Engineers has peer reviewed the plans. The application provides the following statement on the proposed demolition of the four buildings:

This project includes the demolition of four buildings, located at 8049, 8055, 8059 and 8069 Main Street. The decision to remove these buildings is necessary to implement the water conveyance improvements. The construction of these structures likely contributed to the conveyance constrictions inhibiting the flow of stormwater to the Patapsco. The Maryland Avenue Culvert project will make an appreciable improvement by facilitating conveyance of flood water to the Patapsco.

## HPC Review Criteria and Recommendations:

### **Rules of Procedure, Section 302, Demolition and Relocation of Structures in Historic Districts; Classification of Structure**

- 1) Section 302 states, "Before acting on an application for demolition or relocation, the Commission shall determine whether the structure is a Structure of Unusual Importance. Structures of Unusual Importance are structures deemed by the Commission to be of unusual importance to the Nation, State or County, whose loss would cause great damage to the character and integrity of the historic district. Determination that a structure is a Structure of Unusual Importance shall be based on criteria in its adopted guidelines, the testimony of expert witnesses or other documentary evidence presented to the Commission.

### **Sec. 16.607. - Standards for Review.**

(a) Elements for Consideration. In reviewing an application for a certificate of approval, the Commission shall give consideration to:

- (1) The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.
- (4) Whether the requested action is necessary to protect against threats to public safety.
- (5) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 300 of the Commission's Rules of Procedure provide information on the process for reviewing applications for demolitions in the historic district. The entire section is relevant to this Advisory application, and is incorporated by reference, rather than copying and pasting three pages of procedures. This section also references 16.607, the Standards for Review, which is shown above.

The Commission will need additional information to be supplied for any requests for a Certificate of Approval for demolition. In addition to the information requested within the Rules of Procedure, examples of other pertinent information that would be beneficial for the Commission to review includes:

- 1) Interior photographs of each structure, showing the current condition and remaining building material.
- 2) An itemized list of any historic elements remaining in each building.
- 3) A detailed history on each building.
- 4) Information on relocating the historic structures or salvaging important architectural features.
- 5) Information showing that DPW explored all other options for mitigation before deciding on demolition.

Additionally, information on the Section 106 process, and its findings would be beneficial for the Commission. For example, if the National Register nomination form for the Ellicott City Historic District is updated as a mitigation effort, the Commission should have that updated information. Any other relevant documentation related to the history of Ellicott City, the buildings, architectural drawings, current conditions and structural reports, should be provided to the Commission.



**Staff Recommendation to the HPC:** Staff recommends the HPC provide advisory comments as requested, on the proposed Maryland Avenue Culvert project, the proposed demolition of four historic structures, and the proposed treatment of the site if demolition was to be approved.

**Testimony:** Mr. Shad swore in Robert Hollenbeck from the Department of Public Works. Mr. Shad advised Mr. Hollenbeck to give his complete presentation and then the Commission would provide their Advisory Comments followed by the two members of the public who signed up for public testimony.

Mr. Hollenbeck gave a presentation to the Commission, providing a brief history on the previous Ellicott City floods, as well as the background and history of the EC Safe and Sound Plan separate from the Ellicott City Master Plan, and the chosen plan Option 3G7.0, the EC Safe and Sound flood mitigation plan. The modeling shows the flood mitigation projects, when installed, would result in a flood depth of 3 feet. In order to develop this plan option, DPW and project engineers analyzed potential options to reduce flood depth and velocity, with preservation in mind. The United States Army Corps performed a peer review of the flood mitigation options and the plan that was selected and concurred with the plan to be effective in meeting the County's goals. Mr. Hollenbeck explained that by reducing flood depth and velocities, other buildings can be flood proofed with non-structural floodproofing. Option 3G7.0 also reduces the velocity below 5 feet per second. Mr. Hollenbeck provided background information on the US Army Corps peer review team and explained that 60 hydraulically modeled alternatives were reviewed and only 8 models reduced flooding to acceptable levels.

Mr. Hollenbeck reviewed the Option 3G7.0 plans and site layout with the Commission, identifying various elements such as existing structures, the proposed channel and culvert and the location of buildings proposed for removal. Mr. Hollenbeck reviewed a graphic of the 2016 storm modeling along with the impact of the culvert, which does not involve the other flood mitigation projects in the plan in other part of the watershed. Mr. Hollenbeck said the plans for the culvert have established a good handle on the geometry to convey the water to the culvert, how the culvert would be constructed, the geometry that would be needed to effectively convey the water to the Patapsco river and how the outfall would look.

Mr. Hollenbeck explained the steps taken with CSX to study vibrations of trains on the train station and the turntable with monitoring equipment. The culvert had no planned impact to the turntable as the components of the turntable were removed by Department of Recreation and Parks as the components were deteriorating. Mr. Hollenbeck said he had asked DRP to follow up with the Commission to explain plans for the turntable.

Mr. Hollenbeck gave a brief Section 106 overview and the next steps of meeting with consulting parties, accessing impact to the historic and cultural resources and creating a programmatic agreement.

Mr. Hollenbeck showed a graphic with buildings that contain basements that are located next to the stream channel. The graphic showed that the stream channel gets very constricted at 8055 Main Street and there has been tremendous damage in this area as the water has nowhere to go but up when water gets to this part of the stream. Another graphic showed the proposed channel alignment in conjunction with the buildings to be removed. This project proposes to incorporate a weir wall, which will sit several feet above the elevation of the stream channel and allow stormwater to be directed through the culvert and out to the Patapsco River and augment the existing channel under Maryland Avenue. DPW also proposed to construct new channel walls, as the walls parallel some of the existing interior basement walls.

Mr. Hollenbeck showed a transverse section through the Phoenix building with LiDAR scans. The scan was the structure with added redlines showing major geometry of the building and location of the Phoenix's basement. The current basement space will be opened up to daylight once the buildings are removed and excavated a little bit more, the updated basement will be the entrance to the culvert. A weir wall will be built; when water overtops the weir wall it will be channeled to the culvert during extreme weather events. Mr. Hollenbeck wanted to show that the current basements are congruent with the stream channel.

Mr. Hollenbeck also discussed other constraints, such as sewer lines and other project considerations. Mr. Hollenbeck summarized the recordation that is being done with LiDAR laser scans development of architectural drawings (elevations/sections), surveying by the County Architectural Historian, photography in accordance with the MHT standard and there will be a digital or interactive exhibit of the buildings proposed for demolition. DPW wants to work with the Commission for salvaging components identified as character defining elements.

Mr. Hollenbeck provided an overview/summary of each building and architectural components current conditions on each. He explained that the building at 8069 Main Street had stone removed on the façade and is virtually a stud wall, it is considered a bullseye for flooding if a portion of the building is saved. The building at 8059 Main Street has been damaged by fires and part of the third floor was removed in the front; serious damage to the building has been uncovered. The basement walls of the building reduce the stream channel 33 feet wide to 24 feet at 8055 Main Street. The building at 8055 Main Street has an entire floor missing which makes the building open to the channel. The building at 8049 Main Street is a heavily modified building with the basement adjacent to the stream.

Mr. Hollenbeck ended his presentation with an overview of next steps including future Advisory Comments with the Commission to get feedback on the character defining components of the buildings proposed for demolition and an eventual Certificate of Approval.

Ms. Tennor said she would need to have a 3D model to see how all the flood mitigation components fit together.

Mr. Roth referenced slide 16 from the presentation regarding the B&O turntable. Mr. Roth pointed out the turntable is an important component of the B&O complex. While the table is gone, the table on which it sits is still there. He said the culvert will go directly under the turntable and masonry structure of how the turntable turns and asked how DPW intends to build the culvert, whether the culvert be tunneled under Maryland Avenue or a trench constructed to place the culvert and build a fake new turntable on top of it. Mr. Hollenbeck said the portion of the culvert that falls under Maryland Avenue and the turntable will be constructed via jack and bore construction method. Mr. Hollenbeck provided an overview of the construction technique and explained that a large launching pit will be excavated in Maryland Avenue and the portion of the culvert that goes under the turntable will be jacked into the launching pit and then be cast into place under the turntable. He said that construction technique will help to avoid impact to the structure, and said there will be vibration monitoring and other controls in place to monitor Impacts.

Mr. Roth clarified that when Mr. Hollenbeck said there will be monitoring of the turntable, he is including the masonry portion of the turntable and the masonry portion will also be protected and not damaged. Mr. Hollenbeck confirmed Mr. Roth's statement to be true.

Mr. Roth said DPW has not provided a justification for building the culvert in the first place. He referenced slide 8 of the presentation, and said that the culvert is included in every option. Mr. Roth

said there needed to be explanations between the selected option with and without the culvert. Mr. Roth referenced slide 14, and said it does not show the flood depth if the other flood mitigation efforts are constructed and the culvert is not. The current presentation does not justify the culvert as being necessary and this leads Mr. Roth to be unable to contemplate tearing down four buildings.

Mr. Shad agreed with Mr. Roth and asked if there is a way to get a model showing the flooding depths if the rest of the flood mitigation is put in place without the culvert. Mr. Hollenbeck said he is aware the plan can remove individual components from the model and show flood depths, however it is important to look at the Maryland Avenue drainage point and the impact this project makes as there are a number of waterways all conveying at this point and the area where the proposed culvert is to go is the bottom of a funnel. Mr. Hollenbeck said he understands the comments and would need to meet with his team.

Mr. Roth said the Army Corps analysis recognizes the issue he brought up, and states that at the end of the peer review, the study notes that an incremental study of each flood mitigation measure should be completed so each mitigation measure can be incrementally qualified. The Army Corps report said it was good practice to do a sensitivity analysis to determine that the Maryland Avenue culvert actually adds value.

Mr. Roth said the Great Panes building has a solid granite wall which is part of the streetscape and asked the basis of dating the Phoenix building to the 1850s. Mr. Roth said based on Joetta Cramm's book and the County Architectural Historian, the building could have been constructed between 1840-1850.

Mr. Reich said his comments were similar to Mr. Roth's. Mr. Reich asked if the Quaker Mill and H7 retention pond constructions were underway yet. Mr. Hollenbeck said the ponds were not under construction yet, but will be in the near future as the design is completed and the H7 project is put out to bid.

Mr. Reich said that besides the two retention ponds that are to be constructed, it appears the first consideration for flood mitigation is to tear down the historic buildings. Mr. Reich did find that demolishing the buildings downstream would solve flooding problems upstream but was concerned about the rush to tear down historic buildings. Mr. Reich said the proposed tunnel will do more for flood mitigation but will probably be the last mitigation effort constructed. Mr. Hollenbeck said the hope is to construct the tunnel, as all the flood mitigation projects work together and are needed to address the flooding problem.

The Commission and the Applicant discussed the modeling and various processes as related to the conveyance and removal of the buildings.

The Commission and the Applicant discussed the basement area of the buildings in relation to the stream channel and storage capacity. Mr. Hollenbeck said the buildings represent a restriction and referenced slide 29. He explained that the stream channel moves through the lower Main buildings differently than those on upper Main. The County could remove the buildings but would need to re-engineer the support of the buildings that would just remove the basement space. Even with the re-engineered basements there would still be a constriction of 2 feet to the channel. The modeling and analysis look at removing the entire construction to get the water depths where Ellicott City Safe and Sound mitigations would want the water to be.

Mr. Reich and the Applicant discussed the elevation of the culvert at the B&O Station and Mr. Reich asked if the stream could be dug out an additional two feet. Mr. Hollenbeck said the Patapsco River slopes under the Baltimore County Line and the river and grade goes down. He explained that the

culvert is intended to go from the higher elevation from the existing culvert down to the flow of the river and there is no good way to remove sediment to lower the water depth and have the water flow naturally.

Mr. Reich said the other six buildings that were previously slated for demolition have been saved and will have a concrete wall on the back to buffer the stream channel. Mr. Reich asked why this was option was not being proposed for 8069 Main Street. Mr. Hollenbeck referenced the modeling and said the building left in its current state represented a bullseye. The building creates a restriction and will allow for to water flow on Main Street. Mr. Reich asked where salvaging and reconstruction of the buildings would take place. Mr. Hollenbeck did not have that information at the meeting, but said but the County was committed to salvaging the buildings. The reconstruction could be part of the Master Plan process.

Mr. Reich said it would be really important to build up the character of the channel and allow for experiencing the stream and channel, if the buildings are removed. He said that the stream is only experienced when walking through the woods and the access is limited in Ellicott City. Mr. Reich liked where Master Plan was aims to make an experience of the stream in Parking Lot D. Regarding lower Main Street, he said the character of the open area is going to be important. Mr. Reich said the stamped concrete floor was completely out of character with Ellicott City. Mr. Reich and Mr. Hollenbeck discussed accessibility of the stream and public safety. Mr. Hollenbeck said that due to public safety, the County does not want to make the stream accessible where someone can walk down and get injured, especially when water levels start to rise. Mr. Hollenbeck said DPW will salvage stone that could be used somewhere else or to patch and blend the area to have the same aesthetic quality of the existing walls.

Ms. Zoren agreed with the other Commissioners comments. Ms. Zoren she has not heard that the culvert would have a tremendous flood reduction impact. Ms. Zoren agreed that the case has not been made for the culvert. Ms. Zoren suggested the following information be provided: in front of each building shown on slide 14, include data showing what the numbers are regarding the reduction of inches, feet or velocity for each location, or have it broken down into a percentage of reduction for the entire process. Ms. Zoren said that information would allow her to gauge the impact of the culvert as it is tremendous to remove the historic buildings.

Ms. Zoren asked what the difference in water depth would be in a flooding situation on Main Street if less buildings were removed. Ms. Zoren said the historic significance needs to be looked at as Main Street as a whole. Ms. Zoren said that buildings built in 1980 make a contribution to the streetscape and are a continuity of Main Street, so the buildings proposed to be removed cannot be disregarded because they are altered. Ms. Zoren said massing and siting need to be considered and asked what is proposed to be constructed in place of the four buildings proposed for removal. The artistic renderings of terraces and trees do not give a realistic idea of what the street will really look like after demolition.

Mr. Shad would like to see more information in the future from slide 17, which references the timeline. Mr. Shad suggested including duration of the building process in future information because once the buildings are removed, they need to know how many years it will take to implement flood mitigation, whether it will take 1.5 years or 5 years to implement flood mitigation.

Mr. Shad said that in the last two to 2.5 years he has failed to hear why the buildings cannot be removed and replaced without basements on top of the constructed culvert. Mr. Shad suggested eliminating the terracing and build the historic buildings 1 or 2 stories high without basements.

## Public Testimony

Mr. Shad swore in Lisa Wingate. Ms. Wingate was primarily speaking on behalf of Patapsco Heritage Greenway (PHG), on which she is a board member. Ms. Wingate said the Commission had an opportunity to present a different position than what comes with the Section 106 review. PHG understands public safety and believes and agrees with additional mitigation for lower Main Street structures is warranted if there is no way to save them. The 1998 Guidelines do not talk about the period of significance in the National Register nomination written in the 1970s. If the National Register nomination was written today, the significance would span more than 200 years. While Main Street is changing, there is still significance from 200 years and Ms. Wingate would not like to leave pieces of the street missing.

Ms. Wingate said PHG would like to see the streetscape as it is now on the south side of Main Street and west side of Maryland Avenue, and retain as much as possible of the original Tiber channel walls, and to see full documentation of any changes made to the original walls and changes made be minimized and limited to flanking structures of the bridge and walls. PHG would like to see the Belton block from Tiber Alley returned to its original location. She said the beautiful gothic arch, arch frames, and art deco limestone front of Bean Hollow should be preserved. She said if the feature is removed it will detract from the streetscape. She recommended Easton and Sons be retained in situ to define the edge of Main Street corridor with wooden gothic window frames. PHG agrees with retention of part of Great Panes and understood about the front façade being altered, but said the side walls are clearly early Ellicott City construction. Ms. Wingate suggested retaining some of 8049 Main Street, such as a steel frame like Ben Franklin's house in Philadelphia where the 1851 section could be outlined and the cast iron railings along the side could be retained and incorporated into the culvert overlook right at their original location. Ms. Wingate said PHG is prepared to work with other consulting parties to form a memorandum.

Mr. Shad swore in Grace Kubofcik. Ms. Kubofcik appreciated Mr. Hollenbeck's presentation and noted slide 6 as being critical. Ms. Kubofcik wanted all documents on a website the public can read. Ms. Kubofcik said the most critical holding area for Ellicott City comes down through New Cut Road and it is not shown. She said it will be difficult for the public to say what the impact will be if there is not water being held upstream. Ms. Kubofcik agreed with Ms. Wingate's comments and she thinks that Great Panes façade can be saved. Ms. Kubofcik agreed with other attempts to create some type of vibrancy to the street, but understands now the safety concerns which the Commission should be worried about as people are only going to be able to look over to view the stream. Ms. Kubofcik suggested that DPW keep the stream looking natural. She cautioned that if viewing the stream is all visitors can do that they will not linger long and there needs to be some kind of streetscape created, as that is the reason people come to visit Ellicott City. Ms. Kubofcik said that if big segments of the street are removed it will destroy the atmosphere.

Ms. Kubofcik said the outfall is something no one has talked about in regard to the quantity of water that will go across the Patapsco River and hit the bank on the Baltimore County side where there is another important structure that already receives water from flooding on the bank. It is also extremely important to protect the bank on the other side of the river.

**Motion:** There was no motion as this case was for advisory comments only.

**OTHER BUSINESS**

1. Rules of Procedure Update – Vote on proposals to update Rules to specifically address virtual hearings. The Commissioners had no comments to the proposal.

Ms. Tennor moved to adopt the updated rules to accommodate meetings via remote locations. Mr. Roth seconded. The motion was unanimously approved.

2. Section 106 Review: 8360 Court Avenue, Ellicott City


Ms. Holmes told the Commission they had been invited to be a consulting party regarding the request to relocate antennas inside the cupola. Mr. Taylor provided background on the FCC license trigger for the Section 106 review. The consultant determined the installation would have no adverse effect on the historic building.

The Commission agreed and had no comments as there were no adverse effect and said they did not need to be involved.

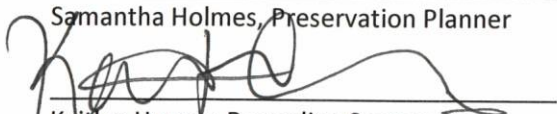
Other Discussion - The Commission asked for their status on the Section 106 process for Main Street Ellicott City. Ms. Burgess said the Commission is on the list to be a consulting party. There was a public virtual meeting in September and there is an upcoming meeting for the consulting parties. Ms. Tennor asked if she could submit her comments she added to August meeting Minutes to DPW as part of the October Advisory Comments. Ms. Burgess said she would provide Ms. Tennor’s comments to Mr. Hollenbeck.

Mr. Shad moved to adjourn the meeting at 11:37 pm. Mr. Roth seconded. The motion was unanimously approved.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

  
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Allan Shad, Chair

  
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Beth Burgess, Executive Secretary

\_\_\_\_\_  
Samantha Holmes, Preservation Planner  
  
\_\_\_\_\_  
Kaitlyn Harvey, Recording Secretary



**HOWARD COUNTY HISTORIC PRESERVATION COMMISSION**

*ELLCOTT CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT*

3430 Court House Drive ■ Ellicott City, Maryland 21043

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*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350

FAX 410-313-3042

## **November Minutes**

Thursday, November 5, 2020; 7:00 p.m.

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The November meeting of the Historic Preservation Commission was held on Thursday, November 5, 2020. Due to the State of Emergency and to adhere to social distancing measures, the meeting was not held at 3430 Court House Drive, Ellicott City, but was conducted as a virtual web meeting/conference call.

Mr. Joel Hurewitz registered to testify on HPC-20-75 and HPC-20-79. No one else registered or otherwise contacted the Commission about testifying for any of the following applications.

Mr. Roth moved to approve the October minutes. Mr. Reich seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Harvey

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### **PLANS FOR APPROVAL**

#### **Consent Agenda**

1. MA-18-01c – 1818 Daisy Road, Woodbine, HO-1150
2. HPC-20-59c – 3630 Church Road, Ellicott City
3. MA-20-28c – 8390 Park Drive, Ellicott City

#### **Regular Agenda**

4. HPC-20-75 – 8572 Frederick Road/Main Street, Ellicott City
5. HPC-20-76 – 8167 Main Street, Ellicott City
6. HPC-20-77 – 3887 New Cut Road, Ellicott City
7. HPC-20-78 – 3850, 3856, 3860, 3866 New Cut Road, Ellicott City
8. HPC-20-79 – Vicinity of 3711 Maryland Avenue, parallel to Main Street, Ellicott City
9. HPC-20-80 – 3749 Church Road, Ellicott City
10. HPC-14-45c, HPC-15-19c, HPC-15-37c and HPC-15-56c – 3765 Church Road, Ellicott City

### **OTHER BUSINESS**

1. Commission Elections
2. Ellicott City Section 106 Updates

## CONSENT AGENDA

### MA-18-01c – 1818 Daisy Road, Woodbine, HO-1150

Applicant: Cathleen Jordan

**Request:** The Applicant, Cathleen Jordan, requests Final Tax Credit Approval for repairs made at 1818 Daisy Road, Woodbine, MD.

**Background and Site Description:** This property is listed on the Historic Sites Inventory as HO-1150; it is not located in a historic district. The Applicant was pre-approved to make repairs through the Executive Secretary Tax Credit Pre-Approval process in MA-18-01 to make structural repairs to the barn.

**Scope of Work:** The Applicant has submitted documentation that \$165,585.74 was spent on eligible, pre-approved work. The Applicant seeks \$41,396.43 in final tax credits. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted for \$41,396.43 in final tax credits.

**Testimony:** Ms. Jordan was in attendance, but no further information was given or discussed.

**Motion:** Ms. Tennor moved to approve. Mr. Reich seconded. The motion was unanimously approved.

### HPC-20-59c – 3630 Church Road, Ellicott City

Applicant: Gary Segal

**Request:** The Applicant, Gary Segal, requests Final Tax Credit Approval for repairs made at 3630 Church Road, Ellicott City, MD.

**Background and Site Description:** This property is located in the Ellicott City Historic District. The Applicant was pre-approved to make repairs to the slate roof in August 2020 in case HPC-20-59.

**Scope of Work:** The Applicant has submitted documentation that \$1,750.00 was spent on eligible, pre-approved work. The Applicant seeks \$437.50 in final tax credits. The work complies with that pre-approved and the receipts and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted for \$437.50 in final tax credits.

**Testimony:** Mr. Segal was in attendance, but no further information was given or discussed.

**Motion:** Ms. Tennor moved to approve. Mr. Reich seconded. The motion was unanimously approved.

### HPC-20-28c – 8390 Park Drive, Ellicott City

Applicant: Blair Kennard

**Request:** The Applicant, Blair Kennard, requests Final Tax Credit Approval for repairs made at 8390 Park Drive, Ellicott City, MD.



**Background and Site Description:** This property is located in the Ellicott City Historic District. The Applicant was pre-approved to replace the roof and paint the metal porch roof in MA-0-20-28 in July 2020. The replacement of the roof was to apply to the historic portion of the building only, and not the modern addition.

**Scope of Work:** The Applicant has submitted documentation that \$5,026.00 was spent on eligible, pre-approved work. The Applicant seeks \$1,256.50 in final tax credits. The work complies with that pre-approved and the invoices and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted for \$1,256.50 in final tax credits.

**Testimony:** Ms. Kennard was not in attendance. No further information was given or discussed.

**Motion:** Ms. Tennor moved to approve. Mr. Reich seconded. The motion was unanimously approved.

## REGULAR AGENDA

### HPC-20-75 – 8572 Frederick Road (aka Main Street), Ellicott City

Applicant: Gayle Charlene Killen

**Request:** The Applicant, Gayle Charlene Killen, requests a Certificate of Approval and tax credit pre-approval, to make exterior alterations at 8572 Frederick Road (aka Main Street), Ellicott City. The Applicant also seeks recommendations from the Commission.

**Background and Site Description:** This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-482, the Catherine Kuhn House. The Historic Sites Inventory form states that this building, “is a good example of the vernacular style in Ellicott City, representative of a two-part, stone and frame, nineteenth century architecture, as well as a good example of late nineteenth century adaptive reuse. Historically, it is associated with the Mercer-Kuhn families, and is mentioned as early as 1861 in a deed, which refers to an ice house, which was part of the property of Isaiah Mercer, who lived in the brick house on the north side of the Turnpike. This ice house is reputed to have once occupied the stone section of the present building. By 1890 a stone and frame building is mentioned in the will of Michael Kuhn and again is mentioned in the will of Katherine Kuhn, in 1891, believed to be the stone and frame house we see today.”

The Applicant previously submitted an application for a Certificate of Approval to install 12 solar panels on the roof of this building in case HPC-18-05 in February 2018. There was no motion in this case, as the application was withdrawn by the Applicant.

**Scope of Work:** The current application proposes to make the following alterations and repairs to the house and seeks tax credit pre-approval for items 1-7 below:

1. Remove the existing brown asphalt roofing.
2. Install Firestone’s Clad-Gard SA-FR as the new roof/subsurface and then install black Tesla Solar roof tiles on top.
3. There will be visible wiring in galvanized conduit pipe on the exterior of the house.
4. Replace side porch roofing (brown asphalt shingle) and replace with Galvalume metal roofing.

5. Remove green asbestos shingles and restore original siding wood lapboard siding and paint gray.
6. Repoint existing brown mortar with gray mortar (MS100 Gray mortar color) to match the original gray siding color.
7. Install new gutters if needed, to be 6" half round galvanized steel 26 gauge, with 6" half round gutter hangers, and copper half round rain chains in lieu of downspouts.
8. The left side front door awning was removed by a storm and the right side front door awning will be removed. The Applicant would like to install awnings in the future that are more historically appropriate and is seeking recommendations from the Commission.



Figure 1 - Photo from application shows existing conditions prior to 2016 flood.



Figure 2 - Rendering of proposed alterations with solar shingles, restored gray siding and gray repointed mortar.

## HPC Review Criteria and Recommendations:

### **Solar Panels and Other Solar Devices**

- 1) *The Guidelines recommend, "Add solar panels on roof surfaces not visible from a public way. However, solar shingles may be added to a roof surface visible from a public way if low or non-reflective shingles are used."*
- 2) *The Guidelines recommend against, "removing historic roofing materials in order to add solar panels."*

It is not evident from the materials submitted if the Tesla solar roof tiles have a low or non-reflective surface, but the Applicant indicated the tiles are shiny/reflective. It should be determined if the proposed shingles are low or non-reflective, or highly reflective. Staff has inquired if a sample roof tile is available, and the Applicant is trying to obtain one. The Tesla website provides the following information on the solar roof tiles:

- The solar roof tiles are made with textured tempered glass, consisting of quartz.
- The tiles are three times stronger than standard roofing tiles.
- The solar roof includes two types of glass tiles, a solar tile and non-solar tile.

The Applicant provided a link to a video that demonstrates the reflective qualities of the roof tiles. The link can be found in the application, also provided here: <https://insideevs.com/news/338392/watch-tesla-solar-roof-get-destroyed>. The video is a training video that shows how firefighters and other rescuers operate on and with the roof in the event of fire or another emergency. The video shows close up views of the solar roof shingles.

The existing roofing material is a brown asphalt shingle, so historic roofing materials will not be removed in order to add the solar roof tiles.

### **Solar Panels and Other Solar Devices**

- 3) *The Guidelines recommend, "Select solar panels, solar devices, mechanical equipment and mounting structures with non-reflective finishes such as an anodized finish."*
- 4) *The Guidelines recommend, "paint mechanical equipment attached to the building fascia the same color as the fascia in order to blend into the building."*

There will be two Tesla Powerwalls for backup energy installed inside the house. The supplemental follow up information provided by the Applicant states that there will be visible exterior wiring in a galvanized conduit pipe. The location and amount of wiring/conduit is unknown. More information on the location/amount of any wiring/conduit is needed. The galvanized conduit may blend with the proposed gray siding color, but photos of the proposal would assist in determining this.

### **Chapter 6.C: Rehabilitation and Maintenance of Existing Buildings, Masonry**

- 5) *Chapter 6.C recommends, "Repair rather than replace masonry walls, through repointing and limited replacement of masonry with units that match the size, color and texture of damaged or missing units."*
- 6) *Chapter 6.C recommends, "If a masonry wall or feature must be replaced, use material as similar to the original as possible, particularly if the materials are visible from a public road or are key elements of the building's style or character."*
- 7) *Chapter 6.C recommends, "Use mortar mixes that are compatible with early stone and brick."*
- 8) *Chapter 6.C recommends against "removing functional mortar in order to repoint" and recommends "remove and replace deteriorated mortar only."*

The proposal to repoint all mortar on the building in a new color does not comply with the Guideline recommendations. Only deteriorated mortar, or that which is patched incorrectly with concrete, should be replaced with a mortar mix compatible with the historic stone and in a color to match the existing brown mortar. Limiting repointing to the mortar joints that are deteriorated and patched incorrectly, using a color in-kind to match the existing, would be eligible for 20.112 tax credits.

**Chapter 6.D: Rehabilitation and Maintenance of Existing Buildings; Wood Siding, Shingles and Logs**

- 9) Chapter 6.D recommends, *“Remove asbestos shingles, aluminum siding or other coverings from historic buildings and repair or restore the original wall material.”*

The Applicant proposes to remove the existing asbestos siding and restore the wood siding underneath. The siding will then be painted Benjamin Moore Storm AF-700, a gray color. The application does not reference the potential need to add new siding in the event the existing wood lap siding is damaged or not salvageable. However, the in-kind replacement with new wood lap siding to match the existing would be eligible for 20.112 tax credits, along with the removal of the asbestos and restoration of the existing wood lap siding.

**Chapter 6.E: Rehabilitation and Maintenance of Existing Buildings; Roofs, Dormers and Gutters**

- 10) Chapter 6.E recommends, *“Use gutters and downspouts of painted metal or prefinished aluminum in a color consistent with the building’s exterior walls or trim. Locate downspouts along natural vertical lines and corners of the building.”*

The Applicant proposes to install 6” half round galvanized gutters and a copper rain chain in place downspouts. The Applicant picked out the proposed gutters and rain chain if new gutters are needed when replacing the roof. The use of half round gutters is a historically appropriate style. The galvanized gutters will not match the trim on the building, but may be compatible with the proposed gray siding. The Guidelines do not provide recommendations on the use of a rain chain in place of a downspout. The installation of new gutters, or repair of the existing (if it is determined that total replacement is not needed), would qualify for the 20.112 tax credits.

**Staff Recommendation to the HPC:** Staff recommends the HPC pre-approve all in-kind maintenance for tax credit pre-approval to consist of using a matching mortar, galvanized half round gutters, the removal of the asbestos siding and wood siding restoration and painting.

Staff recommends the HPC determine if the roof replacement using Tesla solar shingles and galvalume metal roofing, rain chains and gray repointing, complies with the Guidelines recommendations and approve or deny accordingly. Staff recommends the HPC determine if those items qualify for tax credits and approve or deny accordingly.

Staff also recommends that the HPC provide advice on historically appropriate awnings that could be installed at the two entryways on the front of the building.

**Testimony:** Mr. Roth and Mr. Reich recused themselves from the proceedings for this application. Due to these recusals the Commission wanted to obtain legal advice regarding recusing oneself from a case.

**Motion:** Ms. Tennor moved for the Commission to go into closed session at 7:30 pm for legal advice on recusals. Mr. Roth seconded. The motion was unanimously approved.

The Commission resumed the public meeting at 8:00 pm. Mr. Shad swore in Ms. Killen and asked if Ms. Killen had additional comments on the staff report. Ms. Killen had no comments to add.

For Item 1, the Commission had no issue with the removal of the asphalt roof.

For Item 2, Ms. Zoren and Ms. Tennor found the solar roof tiles more acceptable than the proposal to use solar panels from the previous application. The Commissioners found the roof tiles to have a more compatible scale with the historic structure as the scale of the tiles mimics the scale of a slate roof. The Commission requested a sample of the solar roof tile in order to assess the shiny and reflective quality of the product, as the solar roof tile would be a new material that the Commission has never seen before and would set a precedent in the Historic District. Ms. Killen explained that she had asked Tesla for a sample of the product but was not able to get a sample in time of the meeting and was not sure Tesla would send her a sample, as the product was available in the Tesla showroom in Owings Mills. Ms. Killen explained that the ridged, textured surface of the tiles makes it less reflective than a metal roof. The Commission and the Applicant discussed the videos referenced in the application. The Commissioners said the video was helpful, but a physical sample needs to be seen. Ms. Tennor said the Tesla product was appropriate given the proximity of the property to a more industrial part of the Historic District. Ms. Tennor agreed with Ms. Zoren's comment that the tiles looked more like slate. The Commission discussed the possibility of members going to the showroom in Owings Mills to view the product in person and continue the roof tile request to the next month's meeting. Ms. Killen agreed to have Item 2 continued at the next month's meeting.

For Item 3, the Commission said that it seemed the galvanized conduit was contingent upon the solar roof tiles. Ms. Zoren said it would be fine as long as it was installed neatly and blended in with the siding choice. The Commission recommended the piping conduit should not be visible from Main Street. Mr. Shad asked if the conduit would be visible from the front of the house. Ms. Killen said the conduit would be on the side of the house.

For Item 4, Ms. Zoren said the corrugated metal roof would not be a good choice for the side porch roof and was not sure if the roof would be visible from Main Street. Ms. Zoren could not recall other instances of that roofing material being visible from Main Street. Ms. Zoren suggested the Applicant come back to the Commission with another suggestion for the side porch roof. Ms. Tennor was concerned of rusting with the galvanized metal, but Mr. Shad clarified the material was galvalume, an aluminum product. Ms. Killen said the material was a composite made up of aluminum, silicon and zinc to help protect from oxidization.

For Item 5, the Commissioners said removing the green asbestos shingles and restoring the original wood lap siding painted gray, with tax credit pre-approval, was appropriate. Ms. Tennor said it would be good to have a gray siding sample on-site, as the stone has brown tones.

For Item 6, the Commissioners agreed with staff comments about switching the mortar color from brown to gray would not be appropriate and is not compatible with the color of the stone on the building. The Commission said repointing the brown mortar as necessary would be appropriate and eligible for tax credits.

For Item 7, Ms. Tennor asked if the gutters were composite and Ms. Killen said the gutters were steel. The Commission said the half round gutters were appropriate for the historic house. The Commission said the rain chains would be nice and be a good look for the house.

For Item 8, the Commission gave Advisory Comments on the awnings. The Commission said the removal of the awnings was appropriate and discussed the idea of having the awnings be the same size over each of the doors versus having one larger awning to create a primary entrance and a smaller awning creating a secondary entrance. Ms. Killen said she was proposing to have both awnings be the same size. Ms. Tennor said she was more inclined to have one awning be dominate on the stone portion of the building and the other awning be secondary in size. The Commission asked the Applicant to provide a layout and product data for the awnings and return to the Commission with this information through the Minor Alteration process.

The Chair stated the solar tiles would be continued. Ms. Tennor confirmed the Applicant was ok to continue the application for the solar tiles and Ms. Killen agreed to continue the request for solar tiles.

**Motion:** Ms. Tennor moved to approve the application as submitted for Items 1, 3, 4, 5, 7. Ms. Zoren seconded. The motion was unanimously approved.

Item 2 was continued.

During the motion Ms. Killen asked to amend Item 6 to include the request to remove cement covering the mortar on the brick and she would be willing to repoint the mortar in-kind with the color existing. The Commission were confused to Ms. Killen's request to remove cement from over the mortar on the brick as that was not in the application request. Ms. Holmes told the Commission the supplemental information provided with the application explained there was modern cement that needed to be removed for proper repointing.

#### Public Testimony

Mr. Shad swore in Joel Hurewitz. Mr. Hurewitz said the Commission should try to make the solar roof tile work if they can. Mr. Hurewitz did not understand how the Commission would be able to determine if the roof tiles shine, or reflectiveness in viewing the tile in the showroom as the light conditions would not be the same on the tile as it would be on top of a building at noon in the middle of the day. Mr. Hurewitz said the conduit can be painted to match any color and could also be put in a faux downspout. Mr. Hurewitz sent Ms. Burgess some websites discussing solar in Washington, D.C. and information on solar in the state of Georgia. Mr. Hurewitz said he understood the Commission is setting a modern precedent in Historic Ellicott City and if the solar roof tiles can blend with historic conditions such as looking like slate panels, it would be advisable.

Ms. Killen acknowledged the case would be precedent setting and others may want to contribute and asked what the best format was for additional information to be submitted for the continuation and asked how other contributors could weigh in on the decision. The Commissioners said they would go to the showroom to look at the solar roof tile at their discretion and additional information should be submitted before the next meeting, following the directions of how to submit additional information on the Commission's website.

Ms. Holmes asked the Commissioners to be clear about in-kind repointing of the mortar and consider the Staff Report comments about replacing the wood lap siding in-kind if portions could not be repaired when the asbestos was removed, for tax credit pre-approval. Ms. Holmes explained to Ms. Killen that if she encountered an issue where repair was not possible, they wanted to include replacement now, so that Ms. Killen could proceed with the work and not need to come back for approval. Ms. Holmes asked if Ms. Killen would like to amend her application. Ms. Killen agreed and amended the application to replace wood siding in-kind as needed during the siding repair

**Motion:** Ms. Tennor reaffirmed her motion to approve items 1, 3, 4, 5, and 7, with taking into consideration additional testimony the Commission heard and allow for in-kind replacement of any wood siding that might need to be replaced rather than rehabilitated. Ms. Zoren seconded. The motion was unanimously approved.

Regarding Item 6, Ms. Tennor moved that the application has been amended by verbal testimony that the replacement or repointing of the existing mortar will be an in-kind replacement, per Historic Preservation Guidelines and tax credit pre-approval. Ms. Zoren seconded. The motion was unanimously approved.

**HPC-20-76 – 8167 Main Street, Ellicott City**

Applicant: Timothy McManus

**Request:** The Applicant, Timothy McManus, request a Certificate of Approval to install a sign at 8167 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1987, after the previously existing historic building was destroyed in a fire.

**Scope of Work:** The Applicant proposes to install a 38-inch high by 36-inch wide sign on an existing metal bracket. The round sign will have an average radius of 18.5 inches and will be a total of 7.5 square feet. The sign will be constructed of MDO wood with the graphic applied on top. The sign will consist of four colors: white, black, blue and gray.

The sign will read on two lines:

Gamers  
Corps

A graphic of dice and a gear will be on top of the text in the sign. As shown in the photo below, the sign will be cut out to the shape of a gear. While the image below makes it appear the dice will be cut out and leave an open space between the dice and edge of the sign, the rendering in the application shows a that there could be a solid white background between the dice and gear shape in the sign.



Figure 3 - Proposed sign.

## HPC Review Criteria and Recommendations:

### **Chapter 11.A: Signs, General Guidelines**

- 1) Chapter 11.A recommends:
  - a. "Use simple, legible words and graphics."
  - b. "Keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used."
  - c. "Use a minimum number of colors, generally no more than three."

The sign will have simple, legible words and graphics, with minimal text as only the name of the sign will be spelled out. While the sign utilizes four colors, the white and gray are neutral and the blue and black stand out the most.

### **Chapter 11.A: Signs, General Guidelines**

- 2) Chapter 11.A recommends, "use historically appropriate materials such as wood or iron for signs and supporting hardware."

The sign will be constructed from MDO wood and will utilize an existing black metal bracket.

### **Chapter 11.B: Signs, Commercial Buildings**

- 3) Chapter 11.B recommends, "If more than one sign is used to identify a building's tenants, use signs that are similar in scale, harmonious in style and color, and located symmetrically or uniformly on the building."
- 4) Chapter 11.B recommends against, "two signs where one is sufficient to provide an easily visible identification of the business."

This building has multiple tenants, and multiple signs across the front façade. There are existing brackets on the building for projecting signs. The brackets are installed at equal heights above the sidewalk which ensures that signs will be located uniformly on the building. The majority of the signs approved have been of the same size and shape in order to look more uniform across the building façade. While the proposed sign will be installed on an existing bracket and its location on the building will be consistent with the other projecting signs, its shape is not rectangular and will not be uniform.

The Applicant has window signs installed on the storefront windows, which constitute additional signs on the building façade.

### **Chapter 11.B: Signs, Commercial Buildings**

- 5) Chapter 11.B recommends, "Limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City's small, attached commercial buildings."

The proposed sign will be 7.5 square feet, which is larger than recommended for projecting signs. A reduction in the size of the sign would better comply with the Guidelines and would make the sign more compatible with the existing signs on the building.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the sign, if reduced to a size that complies with the Guidelines and if the window signs are removed.

**Testimony:** Mr. Shad swore in Timothy McManus and asked if Mr. McManus had any comments on the staff report. Mr. McManus said he was willing to do whatever he needed to make the sign be in



compliance with the Guidelines. Mr. Shad asked if Mr. McManus was willing to reduce the size of his sign. Mr. McManus said he was willing to reduce the size of the sign. Mr. McManus stated the window signs were put in temporarily because of Harry Potter fest and he wanted to ensure that patrons could find his location.

The Commission agreed that if the sign was reduced in size to be in compliance with the Guidelines and the window signs were removed the Commission would be in favor of the application.

**Motion:** Ms. Tennor moved to approve the application with incorporation of staff recommendations to reduce the overall size of the sign to 6 square feet and remove the temporary window signs. Mr. Reich seconded. The motion was unanimously approved.

**HPC-20-77 – 3887 New Cut Road, Ellicott City**

Applicant: Bruce Taylor, President, Historic Ellicott Properties

**Request:** The Applicant, Bruce Taylor of Historic Ellicott Properties, requests a Certificate of Approval to make exterior alterations at 3887 New Cut Road, Ellicott City.

**Background and Site Description:** The property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1900.

**Scope of Work:** The Applicant proposes to make the following alterations:

- 1) Remove the existing white asbestos shingle siding.
- 2) Replace asbestos shingle siding with Arctic White HardieShingle fiber cement siding.
- 3) Remove existing rusted K-style gutters and replace with new white aluminum k-style gutters.
- 4) Damaged areas of trim to be repaired and replaced in-kind, as needed.

The application explains that the Department of Inspections, Licenses and Permits has required repair of the siding, but the Applicant finds that repair is not safe or practical due to the friable nature of asbestos and lack of availability of asbestos replacement materials. The application states that the HardieShingle would be similar in appearance, provide, width, color or texture. The Applicant stated that the building has had the existing asbestos siding since Historic Ellicott Properties has owned the building which has been since the 1970's.



Figure 4 - German lap siding on porch.



Figure 5 - Wood visible under asbestos.

#### HPC Review Criteria and Recommendations:

##### **Chapter 6.D: Rehabilitation and Maintenance of Existing Buildings; Wood Siding, Shingles and Logs**

- 1) Chapter 6.D recommends, "Remove asbestos shingles, aluminum siding or other coverings from historic buildings and repair or restore the original wall material."
- 2) Chapter 6.D states the following is a possible exception, "If wood siding must be replaced on a historic building, a composite siding material may be considered, if wood is not a viable option, the composite siding conveys the appearance of the historic material, and application of the substitute material does not damage or obscure historic features. The texture, width, shape, profile and finish of the substitute siding should be similar to the wood siding it replaces."

In this case, the original siding type is unknown but appears to reveal a German lap siding in areas not covered by the shingle or exposed under the cracked shingles. The siding would have originally been wood and some of the exposed wood appears to have rot and damage along the foundation. The

Applicant reported that the material under the asbestos appears to be a substrate that the asbestos is attached to and is not siding.

**Chapter 6.E: Rehabilitation and Maintenance of Existing Buildings; Roofs, Dormers and Gutters**

- 3) *Chapter 6.E recommends, "Use gutters and downspouts of painted metal or prefinished aluminum in a color consistent with the building's exterior walls or trim. Locate downspouts along natural vertical lines and corners of the building.*

The proposal to replace the gutters and downspouts in-kind complies with the Guidelines recommendations. Alternatively, the use of half round gutters and downspouts is more historically appropriate than the existing K-style and could be approved for use as well.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine whether German lap wood siding or the proposed HardieShingle is most appropriate for residing the building. Staff recommends the HPC approve the replacement gutters and downspouts, to include the option for half round gutters and round downspouts.

**Testimony:** Mr. Shad swore in Bruce Taylor and asked Dr. Taylor if he had any comments to add to the staff report. Dr. Taylor said he was agreeable with gutters being half round and downspouts being round if he is going to proceed with repairs to the exterior of the building. Dr. Taylor gave a history on the fire that destroyed the Rosenstock building, which he previously owned, and has caused him to be fire adverse. Dr. Taylor explained the reason for his request of the HardiePlank siding is that the material is rot, peel, insect and fire resistant.

Ms. Zoren agreed with Staff comments about the half round gutters being more fitting for the setting and she thought there was German lap siding under the asbestos siding. Ms. Zoren said the German lap siding solution would be more appropriate and mentioned that Boral siding has the German lap profile and is a fire-resistant composite material. The Boral siding profile would be more fitting with the home and historic materials. Mr. Shad asked if Dr. Taylor had looked into Boral. Dr. Taylor said Boral had some advantages of HardiePlank material, but was not fire resistant like he was looking for. Dr. Taylor said the HardiePlank German Lap wood siding looks like wood siding and several feet away it would not be a visible difference.

Ms. Burgess said she was unaware that HardiePlank comes in a German lap siding profile. Ms. Zoren asked if Dr. Taylor could submit a sample of the HardiePlank German lap siding profile to Staff. Dr. Taylor said he could resubmit what he submitted to staff because it was German Lap siding. The Commission and Staff discussed the proposed siding material as there was confusion on the material submitted for approval. The application contained specs to use HardieShingle, a product design to look like cedar shake. Dr. Taylor explained that he submitted that material to resemble the asbestos shingle that was currently on the building.

Ms. Holmes said she had never seen a HardiePlank German lap siding but Boral has Dutch/German Lap. HardiePlank only comes in shingle or lap siding wood grain or smooth.

The Commission and the Applicant discussed the difference between the German lap and lap siding profiles. Mr. Reich said that there is an Artisan product line by Hardie which does look like German lap, but does not have the dimension on the product. Mr. Reich said the Applicant wants a lap composite that looks like wood and whether the products are Hardie, Boral or wood, that was fine.

Ms. Holmes located a product called Colonial Smooth on the JamesHardie product website that has a German/Dutch lap profile. Ms. Tennor said that could be an option for Dr. Taylor. Ms. Holmes said the Commission would need more information since they have not seen that product before.

The Commission and Applicant discussed the original proposal of a shingle versus a German lap profile. The Commission discussed how they would like to proceed with the case, either with Staff approval of the new product or if the Minor Alteration process could apply in this particular case. Staff provided feedback on why they did not typically take cases like this, involving an entire siding material and profile change, through the Minor Alterations process. The Commission stated that a smooth HardiePlank siding was more realistic looking than the wood grain HardiePlank siding and the product should be a German lap siding, to be approved by Staff.

Mr. Taylor asked if Dr. Taylor was amending his application to a HardiePlank German Lap profile that was smooth and not painted wood. Dr. Taylor said he was amending his application to that effect.

**Motion:** Mr. Reich moved to approve the application, including removing and replacing existing gutters and downspouts with half round gutters and round downspouts, removal of the existing shingle siding with replacement of siding using a similar German/Dutch lap profile siding with fiber cement or similar siding to be approved by Staff. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-20-78 – 3850, 3856, 3860, 3866 New Cut Road, Ellicott City**

Applicant: Bruce Taylor, President, Historic Ellicott Properties

**Request:** The Applicant, Bruce Taylor of Historic Ellicott Properties, requests a Certificate of Approval to make exterior alterations at 3850, 3856, 3860 and 3866 New Cut Road, Ellicott City.

**Background and Site Description:** These properties are located in the Ellicott City Historic District. According to SDAT, the buildings on the two properties date to 1899. There are two groups of buildings in this application, each with four rowhouses. The addresses that are part of the application are the end units of each group of buildings.

**Scope of Work:** The Applicant proposes to make the following alterations:

- 1) Remove the deteriorated brickmold shingle siding from the end of each unit.
- 2) Replace the brickmold shingle with HardiePlank lap siding.
- 3) Remove the German lap wood siding that is located below brickmold shingle at the end of 3850 and replace that entire side with HardiePlank lap siding.



**Figure 6 - Front facade of one set of buildings showing German lap siding and brickmold shingles.**

**Chapter 6.D: Rehabilitation and Maintenance of Existing Buildings; Wood Siding, Shingles and Logs**

- 1) Chapter 6.D recommends, "Remove asbestos shingles, aluminum siding or other coverings from historic buildings and repair or restore the original wall material."
- 2) Chapter 6.D recommends, "When necessary, replace deteriorated wood siding or shingles with wood siding or shingles that match the original as closely as possible in width, shape and profile. Maintain the original shape and width of details such as cornerboards, cornices and door and window trim."
- 3) Chapter 6.D recommends against, "Changing the scale of siding, e.g. replacing clapboard with an exposed width of four to five inches with new clapboard having an exposed width of eight inches."

The proposed addition of HardiePlank lap siding to the ends of each building unit would introduce a different profile and exposure of siding to the buildings that does not currently exist. In this case the original building material is known because the front and rear elevations have wood German lap siding, and some is visible under the brick mold. While removal of the modern brickmold shingles complies with the Guidelines and will have a positive impact on the appearance on the historic building, it would be more appropriate to add German lap wood siding to the ends, rather than HardiePlank. The addition of wood German lap siding would also be eligible for 20.112 tax credits.



**Figure 7 - Existing German lap siding, brick mold shingle and German lap siding under brick mold shingle.**

**Staff Recommendation to the HPC:** Staff recommends the HPC recommend the restoration of the existing German lap wood siding, rather than HardiePlank lap siding, and repair and replace as needed for 20.112 tax credit pre-approval.

**Testimony:** Dr. Taylor was already sworn in. Mr. Shad asked if Dr. Taylor had any other comments. Dr. Taylor said his comments were the same as in the previous case, in terms of preference for fire resistant siding. HardiePlank lap siding was chosen as it appeared to be closer in appearance to the original siding on the building, but Dr. Taylor was agreeable if the Commission preferred a different HardiePlank siding. Dr. Taylor said that the house at 3850 has some wood and asbestos/asphalt shingles and instead of having two different materials on the end of the building, Dr. Taylor thought the siding should be replaced with the same product. While Staff has recommended using wood replacement between 3856 and 3860, Dr. Taylor would prefer to have cement material between the buildings for fire resistance.

The Commission said the buildings in this case, HPC-20-78, are extremely different than the building in HPC-20-77, as there is a predominate existence of German lap wood siding on the front and rear of the buildings, and there is also German lap wood siding, appearing to be in reasonable condition, under the fake brick. The Commission recommend removing the fake brick overlay entirely, then restoration and in-kind repair of the German Lap siding under the fake brick and using new wood German lap siding as needed. The Commission stated that the addition of the fiber cement or Boral composite in these conditions would be jarring and would not match up very well with the existing siding profile and would call attention to a new modern material.

The Commission suggested using fireproof surface paint on the wood siding to help address Dr. Taylor's concern.

Mr. Taylor asked Dr. Taylor if he had any questions or would like to withdraw or amend the application. Dr. Taylor asked if Boral German lap siding would be acceptable on the end of both buildings. Ms. Zoren said any siding material different from what matches the existing would not be appropriate and would stand out as it would look different. In this case one would be able to see the grain of the wood versus the smooth face of the Boral product and notice the difference in material. Ms. Zoren advised that different paints can be used for fire proofing and the buildings in this case are over 30 feet apart, more than a fire rating between buildings.

Dr. Taylor verbally amended his application to replace the siding on the ends of the building with German Lap wood siding painted in an appropriate matching color to what exists. Ms. Holmes asked if Dr. Taylor was seeking tax credits. Mr. Taylor explained tax credit requirements and approvals. Dr. Taylor said he would like to receive tax credit pre-approval.

**Motion:** Ms. Tennor moved to approve the application as amended by the Applicant to replace deteriorated siding with wood German Lap siding to match the existing siding that does not have to be replaced so the buildings exteriors can be rehabilitated to have consistent exterior surfaces. Pre-approval for tax credits on the siding and replacement of the brick molding on the corners of the building. Ms. Zoren seconded. The motion was unanimously approved.

Mr. Reich asked if the Commission was to approve the color of the German Lap siding based on the color the Applicant previously submitted. Dr. Taylor said he would choose a paint that would match the existing color scheme on each building.

**Motion:** Mr. Reich moved to approve the repainting of the buildings to match the existing colors. Ms. Tennor seconded. The motion was unanimously approved.

#### **HPC-20-79 – Vicinity of 3711 Maryland Avenue, parallel to Main Street, Ellicott City**

Applicant: Robert Z. Hollenbeck on behalf of Howard County Department of Public Works

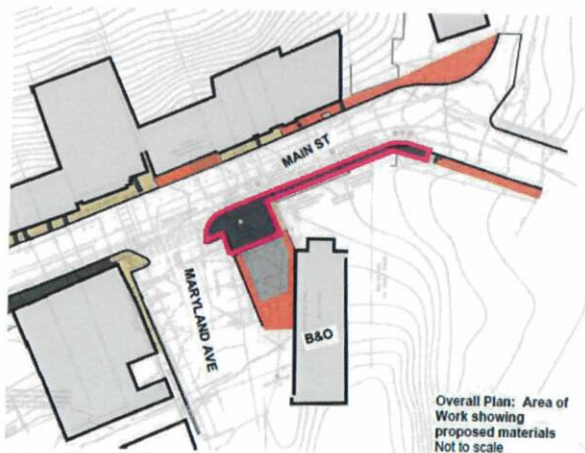
**Request:** The Applicant, Robert Z. Hollenbeck on behalf of Howard County Department of Public Works, requests a Certificate of Approval to make exterior alterations in the vicinity of 3711 Maryland Avenue, parallel to Main Street eastbound just prior to the Baltimore County line.

**Background and Site Description:** The area in vicinity of 3711 Maryland Avenue, parallel to Main Street eastbound just prior to the Baltimore County line, is located in the Ellicott City Historic District.

This application proposes to continue work that was approved in HPC-20-25 in regards to replacing bituminous sidewalks. The application explains, "Shortly after receiving approval for case 20-25, DPW received notification from the Federal Emergency Management Agency (FEMA) that it had approved additional funding for Ellicott City based on a disaster declaration made after the 2018 Flood. At the time of the prior application, DPW did not know if or when FEMA's notification would be made. Had DPW known at the time of the prior application, the work included in this application would have been included. Generally speaking, FEMA's declaration makes proposed concrete sidewalk work eligible for reimbursement up to 75% of its cost. FEMA approved funds allocated directly for this task."

**Scope of Work:** The Applicant proposes to replace temporary post-flood bituminous sidewalks with gray tinted concrete sidewalks, to match those previously installed on other sections on Main Street (HPC-20-25). Prior to the 2016 flood, this portion of sidewalk was brick.

The application states that funding was requested and received from FEMA for this work. The application explains that “replacement of asphalt sidewalks with concrete sidewalks is eligible for reimbursement at 75% of cost. FEMA will not cover costs of brick sidewalk replacement, only concrete.” The application further explains that DPW views the proposed concrete sidewalks as a temporary solution and has budgeted for comprehensive streetscape improvements in future years. DPW recognizes the Guidelines recommend replacing concrete sidewalks with brick when opportunities arise, but DPW does not believe this is possible until the EC Safe and Sound mitigation projects have been completed and shear stresses are reduced to a level that permit the safe installation of brick paving.



**Attachment C: Proposed Plan and Details for Implementation of Concrete Sidewalks**  
Howard County Department of Public Works | October 12, 2020

**Figure 10 - Area of proposed replacement shown in pink outline.**

The area of proposed concrete sidewalk installation is shown below, in Figure 11 and 12.



Figure 11 - Area of replacement parallel to Main Street

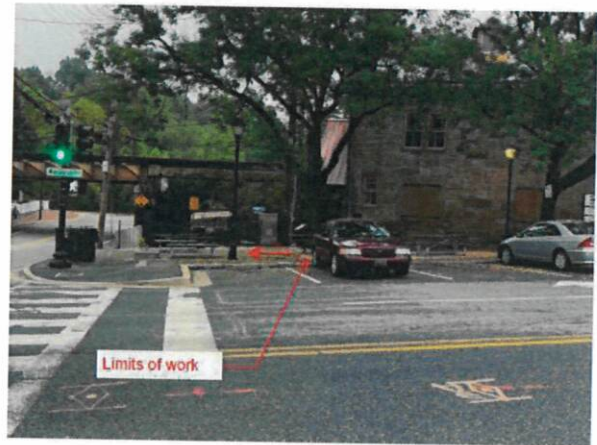


Figure 12 - Limits of work along Maryland Avenue

### HPC Review Criteria and Recommendations:

#### **Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 1) Chapter 9.D states, "The most appropriate design and materials for new walls, driveways and other features depends on the specific context. As a rule, they should be simple in design and require minimal changes to the existing topography and natural features. Simple designs will be consistent with historic Ellicott City structures and help new elements to blend with their context... Whenever possible, the materials used should be those used historically in the particular area of the district, especially for features that will be readily visible from a public way."

The concrete sidewalks are proposed for the specific context of flood resiliency and as a temporary measure until permanent sidewalks can be installed after flood mitigation has been implemented. The concrete sidewalks are also possible at this time due to the FEMA funding. The proposed sidewalks will be simple in design. Prior to the installation of brick sidewalks in the 1990s, the sidewalks were all concrete. Research reveals that many different materials have been used for sidewalks in Ellicott City over the years.

#### **Chapter 10.A: Parking Lots, Public Streets and Street Furniture; Paving Materials and Street Design**

- 1) Chapter 10.A states, "A variety of paving materials can be used as alternatives to asphalt or concrete. The brick sidewalks and crosswalks used along portions of Main Street blend well with the mix of historic building materials. Granite pavers or stone walks would be in keeping with the early Ellicott's Mills period of the historic district's growth. During the later Ellicott City growth period (mid to late 19<sup>th</sup> century) granite curbs with asphalt block and London Walk pavers would have been used. Use of materials such as these for plazas, parking areas, driveways or walkways will help to provide an appropriate public environment for the historic district."
- 2) Chapter 10.A states, "The concrete sidewalks along Main Street should continue to be replaced with brick when possible. The uniform use of brick for these sidewalks will help to create an identifiable, attractive historic commercial area."
- 3) Chapter 10.A recommends, "When opportunities arise, replace concrete sidewalks with brick along Main Street between Ellicott Mills Drive and the Patapsco River."

While the proposed scored concrete sidewalks do not comply with the Guideline's recommendations to replace the sidewalks with brick, the existing adopted design guidelines do not anticipate flood resilient materials and scenarios or account for high velocity floods and the corresponding shear stress on the



infrastructure. The proposed replacement also complies with the previous approval from July 2019 (HPC-19-34) and May 2020 (HPC-20-25) to replace the areas that are all asphalt with concrete.

The proposed concrete sidewalks would comply with the goal of Chapter 10.A in that it would involve the uniform use of one material and would “create an identifiable, attractive historic commercial area.” The areas to be replaced with concrete consist of bituminous asphalt, which does not create an attractive historic district and has become a safety hazard. By extending the use of concrete to other areas, it will help to maintain uniformity and a cohesive streetscape.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted, due to it being temporary until mitigation efforts allow for the safe installation of brick.

**Testimony:** Mr. Shad swore in Robert Z. Hollenbeck from the Department of Public Works. Mr. Shad asked if Mr. Hollenbeck had any comments regarding the staff report. Mr. Hollenbeck said he was not trying to piecemeal sidewalk applications to the Commission in order to convert all sidewalks to concrete. Mr. Hollenbeck explained that if DPW had known that there was funding pending or available for this location of sidewalk while HPC-20-25 was underway, it would have been included in the former request. DPW had since received additional approval for funding from FEMA to cover the costs due to the 2018 floods. The schedule of the funding and when the funding would be submitted was unknown during HPC-20-25 and the work approved in HPC-20-25 has not proceeded at this time but DPW plans to do the work in Spring 2021.

#### Cross Examination

Mr. Hurewitz was previously sworn in. Mr. Hurewitz was in opposition of the application and asked the Applicant a variety of questions about FEMA’s choice of concrete materials, FEMA’s evaluation of sidewalk materials, DPW’s concrete placement and scoring techniques and FEMA’s reimbursement of chosen concrete materials. Mr. Hurewitz expressed concern with loose brick being installed after all the flood mitigation from the Ellicott City Safe and Sound projects conclude.

Mr. Shad asked if this application was a temporary solution until the Master Plan and Ellicott City Safe and Sound flood mitigation projects conclude. Mr. Hollenbeck said Mr. Shad was correct and the concrete sidewalks were a temporary solution.

Mr. Reich asked if the scoring pattern would be every 3-4 feet and run along the edge of building. Mr. Hollenbeck said the pattern was chosen to be every 3-4 joints and there would be no score line along the side as there is no building for it to adjoin with.

The Commission said based on the circumstances with the understanding that concrete is meant to be a temporary condition, in a limited location, and will only replace asphalt sidewalk and not existing brick the proposal is appropriate in the location in the extent of the request.

Mr. Roth added that when the Commission analyzes the Guidelines, the Commission does not take into consideration if the materials chosen will be funded by FEMA, but agreed it was okay to replace temporary asphalt with temporary cement until all flood mitigation is in effect and the sidewalks can be replaced with brick. Mr. Hollenbeck said the FEMA funding was brought up merely to convey that DPW would have put this request in the HPC-20-25 case if DPW knew that funding was available.

#### Protestants Case

Mr. Hurewitz said the Commission remembers his concerns with the previous sidewalk cases. Mr. Hurewitz implored the Commission to consider other flood resistant options such as faux brick or

Belgium block. Mr. Hurewitz said the Master Plan is going to be approved and the Commission should figure out plans now that will be flood resistant and good in appearance at the same time. Mr. Hurewitz expressed concern for the definition of temporary in regard to concrete sidewalk and the appearance of the material used at the B&O Plaza. Mr. Hurewitz asked that the Historic Design Guidelines be updated for materials on sidewalk when the Master Plan gets approved.

#### Testimony

Mr. Reich said the application was in line with the previous plans approved last year with temporary concrete and he would be fine to approve the application as submitted. Mr. Reich noted Mr. Hurewitz made good points with regard to temporary solutions being permanent or appearing permanent or setting a precedent of permeance. The plaza will now be half concrete and half brick. Mr. Reich said the Master Plans and revisions to the guidelines must be completed in order to advise the Commission moving forward on sidewalk material.

Ms. Tennor said while the plaza is focal point, it is conceivable that after 7-10 years there would be a decision to do something significant at the B&O Plaza with Belgium block or something suitable for this location. Ms. Tennor said the Commission is not prepared to make a decision without the Master Plan being approved and adding the benefit of time and funding in the future. Concrete replacing asphalt in the interim is a good solution.

Mr. Shad echoed the other Commission members and said the request is a temporary solution with a problem of the temporary asphalt. Mr. Shad agreed with Mr. Hurewitz about the Master Plan and the Design Guidelines update. Mr. Shad said he hoped there would be multiple options for sidewalk replacement besides brick or concrete. As for the current application, Mr. Shad is in favor of the temporary asphalt being replaced with temporary concrete. After the flood mitigation process is done, Mr. Shad does not believe that anyone is going to want to leave a combination of brick and concrete in place and there will be requests made pretty quickly to replace the sidewalks throughout town. Mr. Shad does not think the sidewalk replacement will take 20 years, but it could be several years.

**Motion:** Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

#### HPC-20-80 – 3749 Church Road, Ellicott City

Applicant: Gregory D. Mason

**Request:** The Applicant, Gregory D. Mason, requests Advisory Comments/Pre-Application Advice for site alterations that resulted in Zoning Violation, at 3749 Church Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1830. The property is also listed on the Howard County Historic Sites Inventory as HO-58, Angelo Castle.

This property currently has a Zoning Violation, case number CE-20-012, for:

- 1) 16.106.(a) & 16.123.(a)&(c) - Grading/clearing over 5,000 square feet without an approved plan that addresses storm-water management and erosion & sediment control.
- 2) 16.603 - Exterior alterations without Historic Preservation Commission (HPC), including but not limited to: tree removal; installing gravel & timber framed walkways; installing the timber retaining wall; and placing fill dirt & cinderblocks around the site.

The Applicant received Advisory Comments in September 2020 from the Commission for the site alterations and proposed remediation of the site.

**Scope of Work:** The Applicant seeks Advisory Comments/Pre-Application Advice on the proposed replanting plan, to follow up on comments made at the September 2020 meeting. The Applicant reports that they consulted with Lauren's Garden Service and Native Nursery from Glenwood and conducted a walk-through of the property.

The application provides the following updates from the September meeting and are directly quoted from the application:

Northeast corner of the site (slope): Two larger trees (Green Ash and Sugar Maple) are proposed to be planted along the northern edge of the site, adjacent to the existing tree line, where they should receive ample sunlight. Per the landscaper's advice, larger canopy trees such as Tulip Poplar or Red Oak are not recommended in this area due to the steep slope and the risk of falling onto the railroad.

Western/Uphill portion of property, between house and driveway: A variety of larger canopy trees (American Holly, Black Gum, Red Maple) and smaller understory trees (Flowering Dogwood, Eastern Redbud, Paw Paw) have been disturbed around the property based on light and water requirements. Understory trees are more focused around the center of the property, where sun is generally limited by the cover of existing canopy trees. Larger trees are spread around at locations that have been observed to receive direct sunlight for at least 4 to 6 hours a day.

Sloped areas on southern side of property: Two areas have been proposed for a dense planting of ferns. Area 1 is on the south side of the stone stairway coming down from the driveway, and Area 2 is further downstream, running along an existing stone retaining wall. Both areas are subject to erosion due to excess runoff flowing down the hill from Church Lane during heavy storms. A network of shade-tolerant ferns is proposed for both areas to stabilize the soil and reduce runoff.

Eastern slope and southeast corner of property, overlooking main street: A variety of perennials, grasses, and shrubs is proposed along the eastern and southeastern edge of the property. In particular, the landscaper has recommended planting Fragrant Sumac because it will work well with the dry, shallow soil along the slope and will help to stabilize the surface. The southeast corner will also include Serviceberry, Red Osier Dogwood, Witch Hazel, and a mix of grasses and perennials to improve the appearance of the property as seen from Main Street (especially with fall foliage). The same variety of plantings is proposed along the eastern slope to improve the appearance of the property as seen from the parking lot and from across the Patapsco River. Northern Bayberry is also proposed along the southern and eastern edge of the property due to its flexible soil/light requirements.

Another recommendation from the September 2020 was to provide more canopy trees to replace those that were removed. The Applicant reports, "The tree selection has been revised to include more canopy trees. More specifically, some smaller understory trees such as Flowering Dogwood, Sweetbay Magnolia, and Eastern Redbud have been replaced with larger trees such as Green Ash, Red/Sugar Maple, Black Gum, and American Holly."

Other updates to the application include showing corrected dimensions of plantings on the plan, showing a plan for the two stone retaining walls, and photos from the tree survey of the property to locate and measure all trees greater than 12 inches.

## HPC Review Criteria and Recommendations:

### **Chapter 9.A: Landscape and Site Elements; Topography and Water Courses**

- 1) Chapter 9.A explains, "Ellicott City's natural setting is essential to its character. In projects that involve grading land, clearing vegetation or building new structures, care should be taken to protect and enhance natural features, views of important natural features, and the environmental setting of historic buildings. The Historic Preservation Commission will review the impact of such proposals on the historic setting of Ellicott City and particularly on the relationship of historic buildings to their sites."
- 2) Chapter 9.A recommends, "Maintain and reinforce natural landscape elements, such as rock outcroppings, water courses and tree lines."

### **Chapter 9.B: Landscape and Site Elements; Trees and Other Vegetation**

- 3) Chapter 9.B recommends:
  - a. "Retain mature trees and shrubs. Provide for their replacement when necessary."
  - b. "Include landscaping improvements as part of any construction project in locations visible from a public way. In most cases, use plant varieties native to the area."
  - c. "Retain landscaping patterns that reflect the historic development of the property. Use historic photographs or landscaping plans if these are available."
- 4) Chapter 9.B recommends against:
  - a. "The removal of live, mature trees, unless it is necessary due to disease or to prevent damage to historic structures."
  - b. "Extensive clearing for new construction that can be accommodated by more limited removal of vegetation."
- 5) Chapter 9.B states the following requires approval: "Removing live trees with a diameter of 12 inches or greater 4.5 feet above ground level."

### **Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 6) Chapter 9.D explains, "Retaining walls of granite, brick or timber may be appropriate, depending on the context. Concrete walls can be used in locations with very little visibility. New granite walls are expensive, but retaining walls faced with granite or with a surface treatment that resembles Ellicott City's typical stonework can be appropriate in visible locations."
- 7) Chapter 9.D recommends:
  - c. "Identify and retain site features that are important to the historic character of a site."
  - d. "Construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way."

The revised planting list appears to comply with the Guidelines and looks to better restore the site than the previous planting list.

The Applicant should also work with DPZ's Development Engineering Division and the Division of Land Development to determine if a site development plan is required for the disturbances made by the tree removal, construction of retaining walls and other alterations.

Specimen trees are considered part of the historic setting of the house; therefore, the Applicant should take measures to protect the critical root zone of the specimen tree. Measures could include clustering perennial plantings under the existing specimen trees. Large digging equipment should not be brought under the tree canopies to dig as compaction and digging will harm the health of the specimen trees. The Applicant should hand dig in order to cause minimal disturbance to the trees while installing

perennial ferns, or use a native groundcover that will spread and not need as much planting under the trees.

The proposed stone retaining walls comply with Chapter 9.D recommendations, as it will utilize a common building type and material in Ellicott City.

**Staff Recommendation to the HPC:** Staff recommends the HPC provide advice on the updated plans, so that the Applicant can return with an application for Certificate of Approval and begin remediation of the site.

**Testimony:** Mr. Shad swore in Greg Mason and Fred Petty. Mr. Shad asked if the Applicants had any comments on the staff report. Mr. Mason said he has added some medium canopy trees to the planting plan and that the Applicants consulted with Lauren's Garden Service, Amy Poff, a horticulturist that made recommendations that were incorporated additionally into the planting plan. Mr. Mason said additional trees and ferns were incorporated into the plan that were discussed at the last meeting and that the Applicant was seeking feedback to make sure that the application met the Guidelines.

Ms. Zoren said the plan update was a huge improvement. Ms. Zoren appreciated the removal of the wood retaining walls and swapping them out with stone retaining walls. Ms. Zoren said her only concern with the process was the clear cutting of the trees on the slope. The results left a barren hill in front of the train tracks, specifically proposed on the c2.0 site plans where there is a single row of trees and then the hillside drops down and there is nothing to replace the trees taken down. Ms. Zoren said she would like to see a couple more mature trees planted on the hillside.

Mr. Mason asked if the "V" shaped area of slope that Ms. Zoren was describing could be planted with smaller trees that would not reach 15-20 feet in height, otherwise the trees would go over the track. Mr. Mason also suggested adding dense shrubs that have berries or flowers like fragrant sumac, that could stabilize the slope. Ms. Zoren said this suggestion was acceptable to her.

Mr. Reich appreciated the photograph of the property taken from the bridge and said that the view of the property should be preserved and stabilized at the same time. The other details are not as important as they will not be seen by the public. Mr. Reich and Mr. Mason discussed the old and new retaining walls submitted in the plans. Mr. Reich asked what would be planted in front of the new stone retaining walls. Mr. Mason referenced c2.1 plans of the application and said it would be a mix of fragrant sumac, red osier dogwood, perennials, annuals, biennials and native plantings like Black Eyed Susans. Mr. Reich said the plants Mr. Mason specified for the area will not grow up and overtake the house and will show off the base of the house nicely.

Mr. Reich asked about the plantings on the southside of the house. Mr. Mason said there would be plantings of witch hazel and downy service berries and then a dry laid granite wall that is 4-6 feet tall will be below the plantings. Mr. Reich said the wall will have the effect of filling in the part of the house that looks unfinished.

Mr. Reich asked about the existing sugar maple and green ash trees on the northside of the house. Mr. Mason said the trees will be planted. Mr. Reich asked about the canopy size of the trees. Mr. Mason said sugar maples can grow 40-80 feet high. Mr. Reich clarified the height of the sugar maple was true in its mature form. Mr. Mason said that right now the trees would be smaller and spaced out to allow them for growth in the long term. Mr. Mason said there will be wildflowers around the sugar maple trees and he hopes to eventually plant ferns underneath the maples.

Mr. Roth said he had the same concern as Ms. Zoren about the barren hillside until the sugar maple and green ash are planted. Mr. Roth noted that the wildflowers planted under the sugar maple and green ash will have to battle with Japanese stiltgrass and the Japanese stiltgrass will take over on both sides. Mr. Roth did not have a solution for this problem but said the Applicants did a great job creating and maintaining the special view of the house.

Ms. Tennor said that if anyone can find a solution to the invasive plants and Japanese stiltgrass, it is Lauren's Garden Service and commended the Applicant on hearing the comments from the Commission last month.

Mr. Shad said he appreciated the comments Ms. Zoren made as far as the open space on the hillside and that he approves of the details with the retaining wall.

Mr. Mason asked the Staff about the certificate of approval application preferences and contacting DPZ and DILP for specific approvals on the site.

**Motion:** There was no motion this application was for Advisory Comments only.

**HPC-14-45c, HPC-15-19c, HPC-15-37c and HPC-15-56c – 3765 Church Road, Ellicott City**

Applicant: Archana Leon-Guerrero

**Request:** The Applicant, Archana Leon-Guerrero, requests Final Tax Credit Approval for repairs made at 3765 Church Road, Ellicott City, MD.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1872. The Applicant was pre-approved to make repairs to the house and carriage house for tax credit pre-approval in cases HPC-14-45, HPC-15-19, HPC-15-37 and HPC-15-56.

**Scope of Work:** The Applicant has submitted documentation that \$225,508.14 was spent on eligible, pre-approved work. The Applicant seeks \$56,377.03 in final tax credits. The evidence submitted consists of cancelled checks, detailed estimates and invoices. The work that was done for which tax credits are sought appears to comply with the pre-approved scope.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the evidence presented is acceptable and complies with that pre-approved. If so, Staff recommends the HPC approve the application as submitted for \$56,377.03 in final tax credits

**Testimony:** Mr. Shad noted the applicant Archana Leon-Guerrero was not present for the hearing.

The Commission did not have any concerns with the application requests for final tax credits.

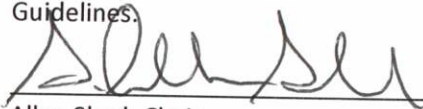
**Motion:** Ms. Tennor moved to approve the application of \$56,377.03 in final tax credits as submitted Mr. Reich seconded. The motion was unanimously approved.

**OTHER BUSINESS**

1. HPC 2021 meeting schedule
  - a. The Commission discussed the July meeting date as the first Thursday of the month fell on July 1<sup>st</sup> and the observation for Independence Day would be the following Monday of July 5<sup>th</sup>. Previous years the Commission has allowed for the July meeting to fall on the second Thursday of the Month due to the Federal Holiday which would be July 8, 2021. Mr. Shad, Ms. Tennor, Mr. Roth and Mr. Reich said that they would all be available to have the meeting on July 1<sup>st</sup>. Ms. Zoren said she would not be available.
2. Commission Elections for Chairperson, Vice Chairperson, and Secretary
  - a. Mr. Roth moved that the Commission re-elect their current officers of Mr. Shad as Chair, Ms. Tennor as Vice Chair and Mr. Roth as Secretary for another term. Mr. Reich seconded. The motion was unanimously approved.
3. Ellicott City Section 106 Updates and Discussion
  - a. Consulting parties meeting Monday, November 9, 2020 from 2:00 PM to 4:00 PM
    - i. The Commission members discussed having Mr. Roth as the representative for the Commission at the meeting on November 9th. Ms. Tennor and Ms. Zoren said they would also attend and listen but not speak on behalf of the Commission. Mr. Roth would present his findings to the Commission and then the Commission will determine the best way to write a letter to present to the U.S. Army Corps and Maryland Historical Trust on the Commission's behalf.

Mr. Shad moved to adjourn the meeting at 11:34 pm. Ms. Tennor seconded. The motion was unanimously approved.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

  
\_\_\_\_\_  
Allan Shad, Chair

  
\_\_\_\_\_  
Beth Burgess, Executive Secretary

\_\_\_\_\_  
Samantha Holmes, Preservation Planner

  
\_\_\_\_\_  
Kaitlyn Harvey, Recording Secretary



## HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350

FAX 410-313-3042

### December Minutes

Thursday, December 3, 2020; 7:00 p.m.

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The December meeting of the Historic Preservation Commission was held on Thursday, December 3, 2020. Due to the State of Emergency and to adhere to social distancing measures, the meeting was not held at 3430 Court House Drive, Ellicott City, but was conducted as a virtual web meeting/conference call.

Senator Katie Fry Hester, State Delegate Courtney Watson, Ms. Grace Kubofcik, Mr. Nicholas Johnson, Ms. Angela Tersiguel, Mr. Ron Peters, Mr. Joel Hurewitz, Mr. Randy Marriner, Ms. Lisa DeVries, Mr. Donald Reuwer, Mr. Victor Thomas, Ms. Julia Sanger, Ms. Tara Simpson, Mr. Doug Thomas, Ms. Kelly Secret, Mr. Bert Wilson, Ms. Lori Lilly, Mr. Barry Gibson, Ms. Pam Long, Mr. David Carney, Mr. Stephen McKenna, Ms. Gayle Killen and Ms. Liz Walsh registered to testify on HPC-20-83.

Mr. Roth made a motion to amend his comments on page 19 of the November Minutes to say “brick” instead of “concrete” and approve the amended minutes. Ms. Zoren seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich (absent for consent docket and portion a of HPC-20-75b); Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Harvey

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#### PLANS FOR APPROVAL

##### **Consent Agenda**

1. MA-20-34c – 8050 Main Street, Ellicott City

##### **Regular Agenda**

2. HPC-20-75b – 8572 Frederick Road/Main Street, Ellicott City
3. HPC-20-81 – 6925 and 6929 Linden Avenue, Elkridge
4. HPC-20-82 – 8385 Main Street, Ellicott City
5. HPC-20-83 – 8049, 8055, 8059, 8061 (Tiber Park) and 8069 Main Street; Vicinity of Maryland Avenue and Main Street; Vicinity of 3711 Maryland Avenue along Patapsco River, Ellicott City



## CONSENT AGENDA

### MA-20-34c – 8050 Main Street, Ellicott City

Applicant: Kelly McMillan

**Request:** The Applicant, Kelly McMillan, requests Final Tax Credit approval for work that was pre-approved in case MA-20-34c for 8050 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1890. The Applicant was pre-approved through the Executive Secretary Pre-Approval process and Minor Alterations process to paint the building.

**Scope of Work:** The Applicant seeks final tax credit approval. The Applicant submitted documentation that \$2,100.00 was spent on eligible, pre-approved work and seeks \$525.00 in final tax credits. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the tax credit as submitted for \$525.00 in final tax credits.

**Testimony:** Ms. McMillan was in attendance, but no further information was given or discussed.

**Motion:** Ms. Tennor moved to approve. Mr. Roth seconded. The motion was unanimously approved.

## REGULAR AGENDA

### HPC-20-75b – 8572 Frederick Road (aka Main Street), Ellicott City

Applicant: Gayle Charlene Killen

**Request:** The Applicant, Gayle Charlene Killen, requests a Certificate of Approval and tax credit pre-approval, to make exterior alterations at 8572 Frederick Road (aka Main Street), Ellicott City. The Applicant also seeks recommendations from the Commission.

**Background and Site Description:** This property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-482, the Catherine Kuhn House. The Historic Sites Inventory form states that this building, "is a good example of the vernacular style in Ellicott City, representative of a two-part, stone and frame, nineteenth century architecture, as well as a good example of late nineteenth century adaptive reuse. Historically, it is associated with the Mercer-Kuhn families, and is mentioned as early as 1861 in a deed, which refers to an ice house, which was part of the property of Isaiah Mercer, who lived in the brick house on the north side of the Turnpike. This ice house is reputed to have once occupied the stone section of the present building. By 1890 a stone and frame building is mentioned in the will of Michael Kuhn and again is mentioned in the will of Katherine Kuhn, in 1891, believed to be the stone and frame house we see today."

The Applicant previously submitted an application for a Certificate of Approval to install 12 solar panels on the roof of this building in case HPC-18-05 in February 2018. There was no motion in this case, as the application was withdrawn by the Applicant.

In November 2020, the Commission approved several items related to the repair of the building. The Commission also approved the removal of the existing brown asphalt roofing and installation of visible wiring in galvanized conduit. The request to install Firestone’s Clad-Gard SA-FR as the new roof/subsurface and then install black Tesla Solar roof tiles on top (listed as Item 2 in the November agenda) was continued at the request of the Commission in order for the Commission to view the solar tiles at the Owings Mill Tesla showroom or on a structure.

**Scope of Work:** The current application proposes to make the following alterations to the house and seeks tax credit pre-approval for the work:

1. Item 2 from November agenda - Install Firestone’s Clad-Gard SA-FR as the new roof/subsurface and then install black Tesla Solar roof tiles on top. Tax credit pre-approval for the work.



**Figure 1 - Photo from application shows existing conditions prior to 2016 flood.**



**Figure 2 - Rendering of proposed alterations with solar shingles, restored gray siding and gray repointed mortar.**

#### **HPC Review Criteria and Recommendations:**

##### ***Solar Panels and Other Solar Devices***

- 1) *The Guidelines recommend, "Add solar panels on roof surfaces not visible from a public way. However, solar shingles may be added to a roof surface visible from a public way if low or non-reflective shingles are used."*
- 2) *The Guidelines recommend against, "removing historic roofing materials in order to add solar panels."*

It is not evident from the materials submitted if the Tesla solar roof tiles have a low or non-reflective surface, but the Applicant indicated the tiles are shiny/reflective. It should be determined if the proposed shingles are low or non-reflective, or highly reflective. Staff has inquired if a sample roof tile is available, and the Applicant is trying to obtain one. The Tesla website provides the following information on the solar roof tiles:

- The solar roof tiles are made with textured tempered glass, consisting of quartz.
- The tiles are three times stronger than standard roofing tiles.
- The solar roof includes two types of glass tiles, a solar tile and non-solar tile.

The Applicant provided a link to a video that demonstrates the reflective qualities of the roof tiles. The link can be found in the application, also provided here: <https://insideevs.com/news/338392/watch-tesla-solar-roof-get-destroyed>. The video is a training video that shows how firefighters and other rescuers operate on and with the roof in the event of fire or another emergency. The video shows close up views of the solar roof shingles.

The existing roofing material is a brown asphalt shingle, so historic roofing materials will not be removed in order to add the solar roof tiles.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the roof replacement using Tesla solar shingles complies with the Guidelines recommendations and approve or deny accordingly.

Staff recommends the HPC determine if that item qualifies for tax credits and approve or deny accordingly.

**Testimony:** Mr. Taylor asked this portion of the application being heard tonight be referred to as HPC-20-75b. Mr. Roth recused himself from the ongoing proceedings for this application. Mr. Reich was not in attendance for this portion of the meeting, but was recused in the November meeting.

Mr. Shad swore in Ms. Killen and asked if Ms. Killen had additional comments on this portion of the application. Ms. Killen noted Ms. Holmes was able to visit the local installation of the Tesla solar roofing tiles and asked if the Commissioners were able to do a site visit of the local installation. The Commissioners said they were able to do a site visit.

The Commission discussed their views of the local installation noting the tiles were not as shiny as previously imagined and had an appearance of a black polyolefin. The Commission found that the tiles mimic a slate roof. However, the Commission noted that tiles are not easily modified to fit tight spaces, such as around dormer windows and when the tiles overlap, the thickness of the tiles are seen in the details. The scale of the tiles do fit in a residential setting, are not as big as the 4x4 solar panels and are superior to other solar options. The Commission found the solar panel request in this specific instance at this house, with the Tesla solar roof tiles, to be acceptable.

The Commission discussed the appropriateness of tax credits for work done to the roof regarding removal of the roof, installation of a new roof and installation of the conduit. The Commission found that the roof work and conduit would not qualify for tax credits as it was not constructed with historic materials.

**Motion:** Ms. Tennor moved to approve the application to install the Tesla solar roof tiles and to approve the other components of the electric system. Tax credits were not approved. Ms. Zoren seconded. The motion was unanimously approved.

**HPC-20-81 – 6925 and 6929 Linden Avenue (parcel 481 on the corner of Linden and Cedar Avenue), Elkridge**

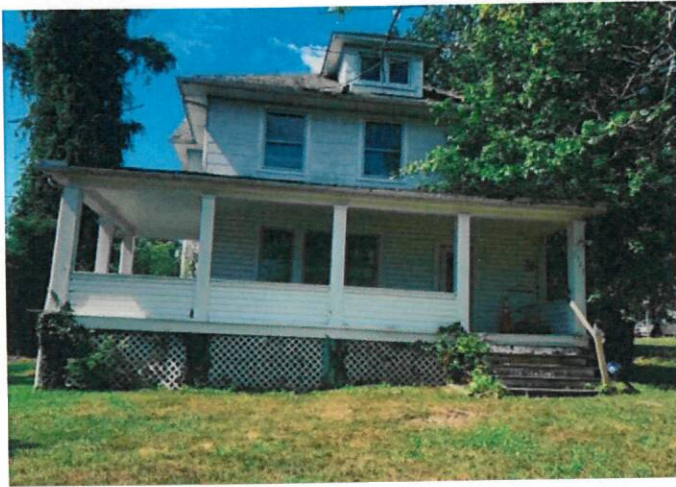
Applicant: 6925 Linden LLC/Bruce Huffman

**Request:** The Applicant, 6925 Linden LLC/Bruce Huffman, requests Advisory Comments on a site development plan at 6925 and 6929 Linden Avenue (6929 Linden Avenue is parcel 481 on the corner of Linden Avenue and Cedar Avenue).

**Background and Site Description:** These properties are not located in historic district or listed on the Historic Sites Inventory, however they do contain historic structures. The existing 14 lots were created in 1907 and the engineer has provided background information on this earlier subdivision.

The County Architectural Historian has provided the following information on each house:

- 6929 Linden Avenue, the Bernard and Edith Harman House – The lot was purchased by the Harmans in 1922 and the house was most likely built c. 1922-23.
- 6925 Linden Avenue, The Ellsworth & Edna Bosien House – John Powell purchased the lot in 1925, and it is possible that he built the house, but unlikely. He also purchased other lots in this development, but seems to have lived in Anne Arundel County. It is possible that he was more of a small scale land speculator than a house builder. He sold to Ellsworth and Edna Bosien, who probably built the house in 1935.



**Figure 3 - 6929 Linden Avenue, to be demolished.**



**Figure 4 - 6925 Linden Avenue, to be demolished.**



**Figure 5 - Interior of 6925 Linden Avenue from Architectural Historian**



**Figure 6 - Interior of 6925 Linden Avenue from Architectural Historian**

**Scope of Work:** The Applicant seeks Advisory Comments on the site development plan, which includes the demolition of two historic primary structures located at 6925 and 6929 Linden Avenue and various sheds and outbuildings also located on the properties.

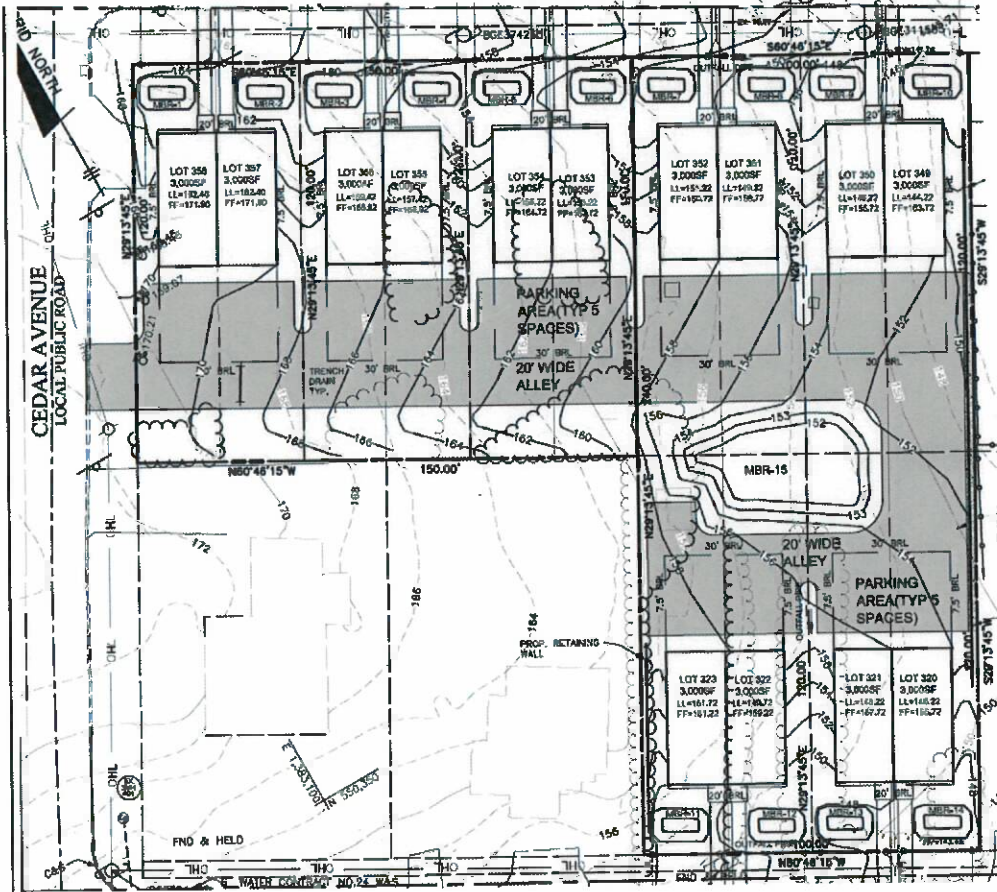


Figure 7 - Proposed site plan

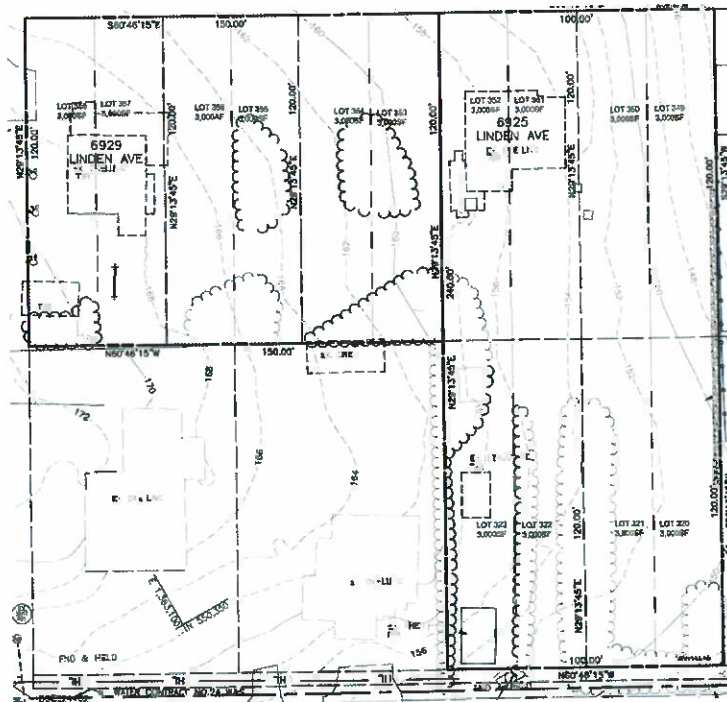


Figure 8 - Existing conditions

**HPC Review Criteria and Recommendations:**

***Section 16.118. - Protection of historic resources***

These structures are not located in the historic district and are not listed on the Historic Sites Inventory, so Section 16.118 of the subdivision regulations for the Protection of Historic Resources does not apply.

***Section 16.603A. - Review of development plans.***

*Prior to the initial submittal of an application for subdivision or site development plan approval on a site located in a historic district established under this subtitle, adjoining a multi-site historic district, or that contains a historic structure, the applicant shall request review by the Commission to identify all historic resources on the site and obtain advice from the Commission regarding the design of development.*

***Section 16.606 (d)(II)(III):***

*(II) Advise and assist the Department of Planning and Zoning in identifying historic resources on property that requires subdivision or site development plan approval and is located in a historic district established under this subtitle or contains an historic structure. Such advice shall be given prior to the initial plan submittal for either subdivision or site development plans.*

*(III) Advise an applicant for subdivision or site development plan approval for a site located in a historic district established under this subtitle, Adjoining a Multi-Site Historic District or that contains a historic structure. Such advice shall be provided prior to the initial submittal for a subdivision or site development plan...*

The site development plan includes the demolition of two historic structures and various sheds/outbuildings and proposes to build 7 duplex structures for a total of 14 new units. The new units will have parking in the rear, with access provided by a new 20-foot-wide alley.

This neighborhood is an older established neighborhood with a mix of housing types ranging from historic vernacular houses to mid century and newer development. In recent years there has been significant demolition of the historic houses, which tend to sit across multiple lots, due to the historic development pattern. Retention of these historic houses is important to the overall historic integrity of the neighborhood and should be considered in the site development plan. If the historic houses are to be demolished, the Applicant should consider salvaging historic building components, as the interior of each house is in good condition.

**Staff Recommendation to the HPC:** Staff recommends the HPC provide advice on the demolition of the historic structures and design of the development.

**Testimony:** Mr. Shad swore in James Fraser and asked if Mr. Fraser had any comments to put forth on the application. Mr. Fraser said he was happy to answer any questions the Commissioners had.

The Commission said their biggest concern with the application was the demolition of the historic houses and that the historic houses do have value. The Commission noted that in this part of the County the historic houses that are not protected by a district are slowly eroding year by year.

The Commission provided advice on the site design and said that if the historic houses were saved, the Applicant could still have 10 townhouses added to the property. By tearing down the historic homes only four additional townhouses will be added. The Commission advised the Applicant to keep the two

historic homes, build the new townhomes on the infill lots and update the viewshed of the homes on Park Avenue.

The Commission recommended that the Applicant keep the site plan similar to the original setbacks of the historic homes regardless if the historic homes are saved or not, to match that in the neighborhood.

Ms. Zoren noted the site plan would benefit from some connectivity from Park Avenue to the green park area shown on the site plan.

Mr. Fraser told the Commission the historic homes are in really bad shape and structural engineers have advised him the houses are beyond repair. Mr. Fraser said he would take site layout comments under advisement, but also has to follow the code and zoning requirements.

Mr. Reich said he did not find any evidence in the photographs provided the historic houses were ready to fall down. Mr. Reich noted one of the historic house was a nice turn of the century foursquare with a wraparound porch and fits in with Elkridge and defines part of the era. He noted the other house is more of a Federalist style. Mr. Reich said the Applicant was missing an opportunity with tearing down the two houses and replacing them with similar looking rowhomes to others in the area. Mr. Reich explained that if the two historic houses were to be torn down the Applicant would incur other costly measures with storm water management, sediment and erosion control, tree preservation, work in the street, sidewalks, lighting and other items associated with site development. Restoring and selling the two historic houses while developing the other 10 townhouses and pulling details from the architecture of the two historic houses on the townhouses could save the Applicant money and Mr. Fraser could come up with a much better architectural plan.

Ms. Tennor said most of the issues with the two historic houses are cosmetic and could be fixed. The roofs may need to be replaced, but the interior of the houses did not appear to be in bad shape as seen in the photographs. She said that the details of the banisters, woodwork, windows and the carpentry on the entrances could not be easily replicated.

Mr. Shad said that he would hate to see the demolition of the historic homes when the homes could be saved and maintained. Mr. Shad went on to say that the corner lot of the existing conditions site plan should be maintained, a house could be added in between the renovated historic homes and then additionally two more houses added on the remaining south parcels to 6925 Linden Avenue.

Mr. Fraser said he understood where the Commission was coming from with a historic preservation point of view and Mr. Fraser does see value of historic structures when they add value.

The Commission had no further comments.

**Motion:** There was no motion as the case was for Advisory Comments.

**HPC-20-82 – 8385 Main Street, Ellicott City**

**Applicant:** Jane Johnson

**Request:** The Applicant, Jane Johnson, requests a Certificate of Approval to make exterior alterations at 8385 Main Street, Ellicott City.



**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1920.

In September 2020 in case HPC-20-66, the Applicant was approved to rebuild the retaining wall along the side of the building two feet out, in order to create a larger patio area under the side awning.

**Scope of Work:** The Applicant proposes to replace the side awning and supports to a larger size in order to fully cover the larger side patio area, due to the work that was approved in September 2020 (HPC-20-66). The front awning would remain as-is.

The application states the side awning would be replaced to exactly match the existing in style, material and color, but would be about 2 feet larger. The Applicant has since amended the application to propose the use of a shed style awning. The awning will be a burgundy color, in a vinyl laminated fabric (matching the color and material on the front of the building).



**Figure 9 - Existing conditions. Awning on right side to be replaced. Front awning to remain.**



Figure 10 - Example of properly scaled awning.



Figure 11 - Awning example.

#### HPC Review Criteria and Recommendations:

##### **Chapter 6.L: Rehabilitation and Maintenance of Existing Buildings; Awnings and Canopies**

- 1) Chapter 6.L recommends, “when installing awnings or canopies, use shed-style awnings that are scaled appropriately for the building size and window spacing. Awnings should be made of nonreflective canvas or another strong fabric, in a color compatible with the building façade.”
- 2) Chapter 6.L recommends against, “awnings made of aluminum, plastic or vinyl.”

The proposed awning material, a vinyl laminated fabric, does not comply with the guidelines as it is a reflective canvas. A more appropriate material would be a Sunbrella fabric, found on many awnings along Main Street.

The proposed burgundy color complies with the Guidelines as will be compatible with the building façade since it will match the building trim and existing front awning color.

- 3) Chapter 6.L recommends, “for first floor awnings adjacent to a public way, provide a minimum clearance of eight feet above the sidewalk.”
- 4) Chapter 6.L recommends against, “awnings on the upper floors of a building, or first floor awnings that are placed high enough to abut the second-floor window sills.”

The exact clearance of the existing side awning is unknown, but a rough measurement shows the front of the side awning to be 6’4” above the sidewalk (sidewalk to the bottom of the valance). The front awning hangs over the first-floor storefront windows and has a rough measurement that varies from 7’4” to 6’10” above the sidewalk (sidewalk to the bottom of the valance). The awning on the front of the building directly abuts the second-floor windows sills. While the front awning is not yet proposed for replacement, the side awning currently proposed to be replaced, matches the placement of the front awning and sits high up on the buildings, as well as hanging low. Overall the scale of the awning is too large for the building façade, and this new side awning presents an opportunity to begin replacement with an awning that complies with the Guidelines and is in scale with the building.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve a shed style awning and work with the Applicant to determine if an appropriate canvas fabric can be identified, and if the overall vertical scale of the awning can be reduced so that the awning sits lower below the second story windows but is higher off the sidewalk to allow more pedestrian clearance.

**Testimony:** Mr. Shad swore in Jane Johnson and asked if Ms. Johnson had any comments to add to the staff report. Ms. Johnson said she had a couple of corrections; the staff report included a statement that the front awning of the building directly abuts second story window sills but the front awning actually sits a range of 5-9 inches below the second story windows as the building itself is crooked all over, the awning is parallel to the sidewalk.

Ms. Johnson explained that the proposed awning replacement material was a matte, linen like finish, that the material was flame retardant and water proof, which was necessary for her business.

The Commission said they did not approve vinyl laminated fabrics, but had approved Sunbrella or comparable materials. If the Applicant wanted to continue with the application for a vinyl laminated fabric the Commission suggested that the Applicant provide a swatch of the material to Staff for Staff approval.

The Commission agreed with Staff that the awning is larger than it should be, due to the slope of the awning. The Commission suggested the Applicant use a shallower slope for the awning, referencing Su Casa. The shallower slope will allow more light on the patio. The Commission explained that awnings are supposed to be a less dominate feature on the building, but was very dominant on this building. Ms. Zoren suggested the Applicant use a straight edge, rather that match the existing scalloped edges on the awning.

Ms. Johnson and Ms. Zoren discussed how the reduction of the slope of the awning would affect coverage to the enlarged patio and protect patrons with weather conditions. Ms. Zoren suggested a lower slope such as a 4: 12 or 5:12 slope.

Ms. Johnson was unsure how to align the new side awning with the front awning. Mr. Reich said it would not matter how it was aligned as long as the awnings were the same color and in the same area visually. Mr. Reich suggested raising the bottom of the awning to allow for a higher head height and more lighting in the seating area.

Mr. Roth agreed with Ms. Zoren and Mr. Reich.

Ms. Tennor suggested the Applicant treat the awning replacement as a phased replacement and eventually reduce the pitch of the front awning as well, as it will take some emphasis off the awnings and place the emphasis back on the building.

Mr. Shad he agreed with the other Commissioners comments.

Ms. Johnson discussed her concern with the cost of a fabric for the awning that would be both flame retardant and waterproof that was not vinyl laminated. She explained that she was still waiting to hear back from her contractor for suggestions on other materials. Ms. Johnson said the current awnings are vinyl and one of the pictures in the application show the front awning in the sunlight and the awning is not reflective.

The Commission, Staff and the Applicant discussed possible options for this case as far as continuing the case until the following month or leaving the awning material selection for Staff approval.

**Motion:** Ms. Zoren moved to approve the replacement and extension of the side awning with the awning to be approved with a straight edge instead of scalloped edge, a lower slope such as a 4:12 or 5:12 slope, the awning should be hung a little higher than it is currently, for the fabric to be approved by Staff and the color to match the existing front awning. Ms. Tennor seconded. The motion was unanimously approved.

**HPC-20-83 – 8049, 8055, 8059, 8061 (Tiber Park) and 8069 Main Street; Vicinity of Maryland Avenue and Main Street; Vicinity of 3711 Maryland Avenue along Patapsco River, Ellicott City**

Applicant: Robert Z. Hollenbeck, Howard County Department of Public Works

**Request:** The Applicant, Robert Z. Hollenbeck on behalf of the Howard County Department of Public Works, requests a Certificate of Approval for the demolition of buildings at 8049, 8055, 8059, and 8069 Main Street, the demolition of a bridge at 8061 Main Street (Tiber Park); and alterations in the Vicinity of Maryland Avenue and Main Street, Vicinity of 3711 Maryland Avenue along Patapsco River, Ellicott City for construction of an enhanced floodplain and culvert.

This report is divided into in six sections:

- 1) HPC-20-83a – 8049 Main Street, Ellicott City (Phoenix building)
- 2) HPC-20-83b – 8055 Main Street, Ellicott City (Discoveries building)
- 3) HPC-20-83c – 8059 Main Street, Ellicott City (Easton and Sons/Bean Hollow Building)
- 4) HPC-20-83d – 8061 Main Street, Ellicott City (Tiber Park bridge)
- 5) HPC-20-83e – 8069 Main Street, Ellicott City (Great Panes building)
- 6) HPC-20-83f – Vicinity of Maryland Avenue and Main Street, Vicinity of 3711 Maryland Avenue along Patapsco River, Ellicott City for the construction of expanded terraced floodplain/culvert and associated components.

**Background and Site Description:**

This report will reference various Addendums to the Staff Report. A full list of the Addendums will include:

- Addendum 1 – 8049 Main Street 2020 Updated Historical Information
- Addendum 2 – 8049 Main Street Inventory
- Addendum 3 – 8049 Main Street Photos
- Addendum 4 – 8055 Main Street Historical Information
- Addendum 5 – 8055 Main Street Photos
- Addendum 6 – 8059 Main Street Historical Information
- Addendum 7 – 8059 Main Street Photos
- Addendum 8 – 8061 Main Street (Tiber Park bridge) Photos
- Addendum 9 – 8069 Main Street Historical Information
- Addendum 10 – 8069 Main Street Photos
- Addendum 11 – 3711 Maryland Avenue Inventory
- Addendum 12 – Minutes HPC-18-46, September 2018 Meeting
- Addendum 13 – Minutes HPC-19-48, October 2019 Meeting
- Addendum 14 – Minutes HPC-20-74, October 2020 Meeting

These properties are all located in the Ellicott City Historic District. The buildings have the following dates of construction:

- 1) 8049 Main Street (Phoenix) – Brick building circa 1851, frame building circa 1870s.
  - a. Listed as HO-330 in the Howard County Inventory and the Maryland Inventory of Historic Properties.
  - b. Updated 2020 Historical Information in Addendum 1 and Inventory in Addendum 2.
  - c. Photos in Addendum 3.
- 2) 8055 Main Street (Discoveries) – Block building circa 1920s-30s.
  - a. Listed as HO-78-4, Valmas Restaurant, in the Maryland Inventory of Historic Properties
  - b. Additional historical information in Addendum 4.
  - c. Photos in Addendum 5.
- 3) 8059 Main Street (Easton and Sons/Bean Hollow) – Stone and frame building circa 1930s.
  - a. Additional historical information in Addendum 6.
  - b. Photos in Addendum 7.
- 4) 8061 Main Street (Tiber Park bridge) – Previously existing historic building burned down in 1941, was demolished and converted to Tiber Park.
  - a. Photos in Addendum 8.
- 5) 8069 Main Street (Great Panes) – Stone building circa 1841, brick rebuilding potentially circa 1885-1910.
  - a. Listed as HO-78-2, Young-Buzby-Jones Store and Dwelling, in the Maryland Inventory of Historic Properties.
  - b. Additional historical information in Addendum 9
  - c. Photos in Addendum 10.
- 6) 3711 Maryland Avenue (B&O Railroad Station) – Stone building circa 1830.
  - a. Listed on the Howard County Historic Sites Inventory and the Maryland Inventory of Historic Properties as HO-71, Ellicott City B&O Railroad Station, Freight Building and Turntable.
  - b. Individually listed as National Historic Landmark, November 1968.
  - c. Contains a Maryland Historical Trust Easement.
  - d. Inventory form in Addendum 11.

The application provides a brief history of Ellicott City flooding and explains:

“Throughout its history, Main Street and the Ellicott City Historic District have seen at least 15 significant flood events dating back to the 1700’s. Most recently, the community has seen two major flash floods within the last four years. The most recent flash flood events have been referred to as “top-down” flood events, whereas storm water runs from adjacent topography through the Main Street area. “Top-down” flooding has occurred in Ellicott City throughout history. These flood events cause significant damage, as the flood waters travel at a high velocity, collecting anything in its path.”

**Scope of Work:** The Department of Public Works is requesting a Certificate of Approval for demolition and other work related to the planned construction of the Maryland Avenue Culvert Project, to expand the Tiber River channel and install an underground culvert in the vicinity of Main Street and Maryland Avenue to increase capacity for stormwater flow to the Patapsco River.

The application is for demolition and subsequent construction. The Applicant requests approval to demolish four buildings and a bridge located at:

- 1) 8049 Main Street, Ellicott City (HPC-20-83a) – Phoenix building
- 2) 8055 Main Street, Ellicott City (HPC-20-83b) – Discoveries building

- 3) 8059 Main Street, Ellicott City (HPC-20-83c) – Easton and Son/Bean Hollow building
- 4) 8061 Main Street, Ellicott City (HPC-20-83d) – Tiber Park bridge
- 5) 8069 Main Street, Ellicott City (HPC-20-83e) – Great Panes building

The Applicant also requests approval for the construction of the expanded terraced floodplain/culvert and associated components after the buildings are removed (HPC-20-83f), to include:

- 6) Construct the expanded terraced floodplain/culvert. The expanded terraced floodplain/culvert will utilize the stone from the existing stream walls and stone salvaged from the building demolition. The weir wall will be constructed using salvaged stone from Ellicott City. The imbricated stone spillway will also be constructed with stone.
- 7) Install black metal fencing and black metal bollards along the expanded terraced floodplain/culvert.

The application contains the following information:

“In order to facilitate the conveyance of water from the existing stream channel into the new culvert, modifications to the stream channel walls and conveyance network are required, referred to as the Terraced Floodplain. These modifications, along with the construction of the culvert, necessitate the removal of four buildings. The removal of these four buildings will have a significant positive impact on Lower Main Street. The remaining buildings along Main Street will realize a significant impact in reduction of the risk of damage from flash floods. However, the viewshed and streetscape at Lower Main Street will be altered from the way that most living currently have experienced it. The decision to pursue demolition of these buildings was not reached lightly. It is only through analysis of many projects and multiple plan iterations that the request to remove these buildings is made.”

A Certificate of Approval for any future streetscape work that is not part of Items 6 and 7 above will be required separate from this application.

The application provides background information on the lower Main Street plan from the previous administration, which proposed the demolition of ten buildings along lower Main Street. The HPC provided Advisory Comments on this proposal in September 2018 in case HPC-18-46, found in Addendum 12.

The application also explains that when County Executive Ball took office in late 2018, he announced the “EC Safe and Sound Plan” and by May 2019 selected the Option 3G7.0 to proceed with. This plan includes the preservation of six buildings previously proposed for demolition, the creation of the North Tunnel (not part of this application), the demolition of four buildings and the Maryland Avenue Culvert project. The application also contains information explaining how the flood mitigation projects work together to mitigate flash flooding. The application states that the Maryland Avenue Culvert project will provide significant additional storm water conveyance from the Tiber/Hudson Branch to the Patapsco River, while mitigating a significant constriction to flow. On October 3, 2019 the Applicant received Advisory Comments on the EC Safe and Sound Plan in case HPC-19-48. The minutes from this case are incorporated by reference and found in Addendum 13.

On October 1, 2020, the Applicant received Advisory Comments on the Maryland Avenue Culvert Project and the demolition of the four lower Main Buildings at 8049, 8055, 8059 and 8069 Main Street in case HPC-20-74. The minutes from this case are incorporated by reference and found in Addendum 14.

The application states that the Maryland Avenue Culvert project will provide significant additional storm water conveyance from the Tiber/Hudson Branch to the Patapsco River, while mitigating a significant constriction to flow. The application contains the following explanation:

“The Maryland Avenue Culvert project works by increasing the conveyance capacity for storm water from the existing stream channel network out to the Patapsco River. Currently, the capacity for storm water to drain from Main Street is limited by the capacity of the *Oliver Culvert*, which parallels Main Street adjacent to its crossing underneath the railroad bridge. The new culvert will consist of a reinforced concrete box culvert that will extend from the approximate location of 8049 Main Street, below grade under Maryland Avenue, below the turn table adjacent to the B&O Railroad Station and CSX Rail line, and out to the Patapsco River.”

The application also addresses how impacts to the B&O Station and Turntable will be monitored:

“To avoid impact to the B&O, turn table, or rail line, the section of culvert under this area will be constructed using a ‘jack and bore’ construction technique. This is a process in which a jacking pit will be excavated in Maryland Avenue, and the concrete structure will be hydraulically jacked from the pit, below grade, out towards the river. To ensure the B&O, turn table, and rail line are not impacted by this construction process, the design team has gathered subterranean data and prescribed a series of engineering controls, including sensors, which will be monitored in real time throughout the project.”

Slide 16 from Attachment A in the Applicant’s submission shows the existing stream channel with the location of the proposed culvert:

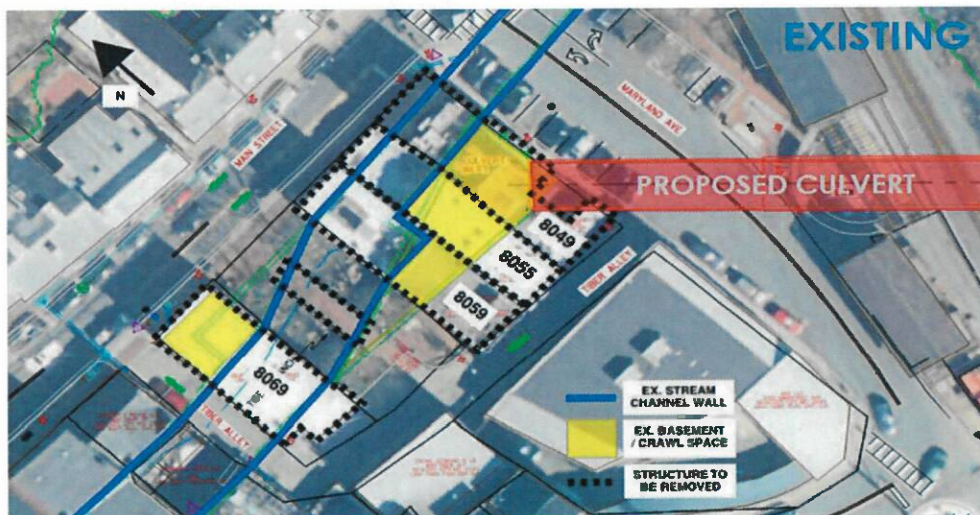


Figure 12 - Existing conditions and proposed culvert.

Slide 17 below from Attachment A in the Applicant’s submission shows the proposed stream channel with the proposed culvert and new terraced floodplain/new stream channel. The Applicant seeks approval for the construction of the expanded terraced floodplain/culvert/new stream channel as outlined in Items 6 and 7.

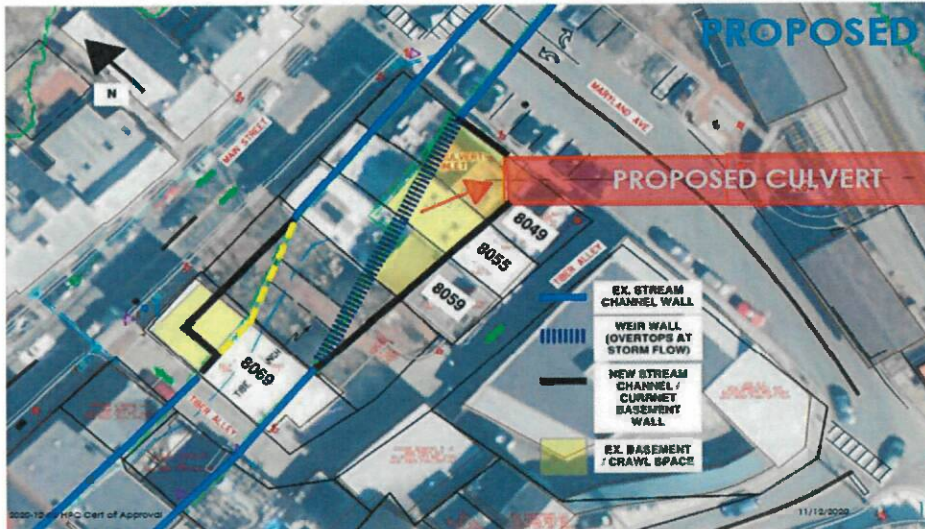


Figure 13 - Proposed terraced floodplain/culvert/expanded stream channel.

**HPC Review Criteria and Recommendations:**

The following Guidelines, Code provisions, and Rules of Procedure references below are excerpts, and are included for the Commission’s consideration in reviewing the application. Please refer to the actual documents for the full text.

***Ellicott City Historic District Design Guidelines; Chapter 12: Demolition and Relocation***

- 1) Chapter 12 states, “Demolition and relocation of any structure requires a Certificate of Approval from the Historic Preservation Commission. This requirement applies to structures such as retaining walls, sheds and garages as well as houses. Historic buildings are irreplaceable resources. Because their demolition will have a permanent detrimental effect on the historic district, the Commission will consider approving demolition only after all possible alternatives to preserve the structure are exhausted.”
- 2) Chapter 12 states, “For any demolition or relocation, the treatment of the site after the removal of the structure and the new location and site design for a relocated building (if the location is within the historic district must also be approved by the Commission).”

***Rules of Procedure, Section 300, Demolition and Relocation of Structures in Historic Districts; General Section 300*** states, “Demolition or relocation of any structure in an historic district requires a Certificate of Approval. The Certificate of Approval must include a plan for treatment of the site after the structure is removed. The Certificate of Approval must also include the new location for a relocated building if the location is within an historic district in Howard County.”

Section 300 of the Commission’s Rules of Procedure provide information on the process for reviewing applications for demolitions in the historic district. The entire section is relevant to this Advisory application, and is incorporated by reference, rather than copying and pasting three pages of procedures. Please refer to the Rules of Procedure for full text.

***Rules of Procedure, Section 301, Demolition and Relocation of Structures in Historic Districts; Contents of Application***

Section 301 of the Rules of Procedure outlines the process and information needed in an application for demolition. Section 301 explains that documentary evidence must be submitted to support the



demolition request and outlines the information that should be provided in an application. The Rules of Procedure also state that before the Commission acts on an application for demolition, they shall determine whether the building is a Structure of Unusual Importance, which is defined by Section 302.

**Rules of Procedure, Section 302, Demolition and Relocation of Structures in Historic Districts;  
Classification of Structure**

*Section 302 states, "Before acting on an application for demolition or relocation, the Commission shall determine whether the structure is a Structure of Unusual Importance."*

- A. Structures of Unusual Importance are structures deemed by the Commission to be of unusual importance to the Nation, State or County, whose loss would cause great damage to the character and integrity of the historic district.*
- B. Determination that a structure is a Structure of Unusual Importance shall be based on criteria in its adopted guidelines, the testimony of expert witnesses or other documentary evidence presented to the Commission.*

If the Commission determines the structure is a Structure of Unusual Importance, the process to be followed is described in Section 303 of the Rules, *Demolition of Structures of Unusual Importance*.

**Rules of Procedure, Section 303, Demolition and Relocation of Structures in Historic Districts;  
Demolition of Structures of Unusual Importance [EXCERPT]**

...

*B. If the Commission determines the structure is a Structure of Unusual Importance, the following applies:*

- 1. The Commission may deny the application unless:
  - a. The structure is a deterrent to a major improvement program which will be of substantial benefit to the County; or*
  - b. Retention of the structure would cause undue financial hardship to the owner; or*
  - c. Retention of the structure would not be in the interest of a majority of the persons in the community.**
- 2. The burden of proof is on the applicant to establish that one of the conditions cited in Rule 303.B.1 applies.*
- 3. If the applicant relies on Rule 303.B.1.b in order to meet the burden of establishing the need for demolition, the applicant must present documentary evidence of the cost of maintaining or relocating the structure, the estimated cost of the demolition, the estimated cost of restoring or stabilizing the building, all other financial information on which the applicant relies to establish financial hardship, and, if the applicant relies on evidence of the lack of structural integrity of the structure, a report on the structural integrity prepared by an engineer licensed in the State of Maryland, based on the engineer's in person observations of the interior and exterior of the structure.
  - a. Costs that are estimated must be supported by written estimates by persons qualified to provide such estimates and in sufficient detail to permit the Commission to verify the reasonableness of the estimate.**

- b. *The Commission may find that retention of the structure would cause the applicant financial hardship if it determines that the building has been demolished by neglect or natural disaster and there is no feasible way to restore the building short of rebuilding.*

If the Commission determines the structure is not of Unusual Importance, the process to be followed is described in Section 304 of the Rules of Procedure, under *Demolition of Other Structures*. Section 304.A states that if the Commission determines the structure is not a Structure of Unusual Importance, they shall vote to approve or deny the application based on the standards in Section 16.607 of the Howard County Code and its adopted Guidelines. An excerpt from Section 16.607 is provided below.

**Section 16.607 – Standards for Review.**

*(a) Elements for Consideration. In reviewing an application for a certificate of approval, the Commission shall give consideration to:*

- (1) The historic, architectural, or archeological value or significance of the structure and its relationship to historic value of the surrounding area.*
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area.*
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used.*
- (4) Whether the requested action is necessary to protect against threats to public safety.*
- (5) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.*

Section 16.608 of the County Code contains information on Structures of Unusual Importance. An excerpt is provided below.

**Section 16.608(d), Structures of Unusual Importance**

- (a) Structure of Unusual Importance. In the case of an application for alteration affecting the exterior appearance of a structure or for the moving or demolition of a structure the preservation of which the Commission deems of unusual importance to the County, State or nation, the Commission shall endeavor to work out with the owner an economically feasible plan for the preservation of such structure.*
- (b) Deny Application. Unless the Commission is satisfied that proposed construction, alteration, or reconstruction will not materially impair the historic value of the structure, the Commission shall deny the application.*
- (c) Negotiation. If an application is submitted for alteration, moving or demolition of a structure that the Commission deems of unusual importance and no economically feasible plan can be formulated, the Commission shall have 90 days from the time it concludes that no economically feasible plan can be formulated to negotiate with the owner and other parties in an effort to find a means of preserving the building.*
- (d) Special Circumstances. The Commission may approve the proposed alteration, moving or demolition of a structure of unusual importance despite the fact that the changes come within the provisions of subsections (a) through (c) of this section, if:*
  - (1) The structure is a deterrent to a major improvement program which will be of substantial benefit to the County;*
  - (2) Retention of the structure would be a threat to public safety;*
  - (3) Retention of the structure would cause undue financial hardship to the owner; or*
  - (4) Retention of the structure would not be in the interest of a majority of the persons in the community.*

The following Chapter 9 Guidelines are relevant to the proposal to construct the expanded stream channel/culvert.

**Chapter 9.A: Landscape and Site Elements; Topography and Water Courses**

1) Chapter 9.A recommends:

- a. *“Preserve the relationship of historic buildings to their sites.”*
- b. *“Minimize grading by siting new structure and other improvements to make use of the land’s natural contours. When necessary, use appropriately designed retaining walls or building walls to create the minimum level area needed for a new use in accordance with historic development patterns.”*
- c. *“Maintain and reinforce natural landscape elements, such as rock outcroppings, water courses and tree lines. Make views of natural elements, especially the Patapsco River and its tributaries, available to the public where possible. Provide walkways, sitting areas and casual spots in parks, plazas, and other areas open to the public.”*

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

1) Chapter 9.D recommends:

- a. *“Identify and retain site features that are important to the historic character of a site.”*
- b. *“Preserve historic features, such as retaining walls, freestanding walls, fences, terraces, walkways, driveways and steps. When possible, reuse the historic building materials to repair or restore these structures.”*
- c. *“Construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.”*
- d. *“Install open fencing, generally not more than five feet high, of wood or dark metal.”*
- e. *“Construct new terraces or patios visible from a public way from brick, stone or concrete pavers designed to look like indigenous stone.”*

2) Chapter 9.D recommends against:

- a. *“New driveways, parking areas, walkways, terraces or other features that substantially alter the setting of a historic building.”*
- b. *“Poured concrete or concrete block walls in locations visible from a public way or neighboring property.”*

**Staff Recommendation to the HPC:**

Staff recommends the HPC determine the following:

- 1) For HPC-20-83a, Staff recommends the HPC determine if the structure located at 8049 Main Street is of Unusual Importance.
  - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
  - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission’s Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and s §16.607 and §16.608 of the County Code.
  - c. If the Commission approves the application for demolition, Staff recommends the HPC confirm if the list of materials proposed to be salvaged is acceptable.

- 2) For HPC-20-83b, Staff recommends the HPC determine if the structure located at 8055 Main Street is of Unusual Importance.
  - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
  - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.
  - c. If the Commission approves the application for demolition, Staff recommends the HPC confirm if the list of materials proposed to be salvaged is acceptable.
  
- 3) For HPC-20-83c, Staff recommends the HPC determine if the structure located at 8059 Main Street is of Unusual Importance.
  - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
  - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.
  - c. If the Commission approves the application for demolition, Staff recommends the HPC confirm if the list of materials proposed to be salvaged is acceptable.
  
- 4) HPC-20-83d, Staff recommends the HPC determine if the Tiber Park bridge structure located at 8061 Main Street is of Unusual Importance.
  - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
  - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.
  - c. If the Commission approves the application for demolition, Staff recommends the HPC indicate if there are any elements within the bridge and park that should be salvaged.
  
- 5) HPC-20-83e, Staff recommends the HPC determine if the structure located at 8069 Main Street is of Unusual Importance.
  - a. If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.
  - b. If the Commission determines that the structure is a Structure of Unusual Importance, it should follow the procedure laid out in Rule 303.B in the Commission's Rules of Procedures and determine whether proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.
  - c. If the Commission approves the application for demolition, Staff recommends the HPC confirm if the list of materials proposed to be salvaged is acceptable.

- 6) For HPC-20-83f, the construction of expanded terraced floodplain/culvert and associated components:
  - a. Staff recommends the Commission determine if there is sufficient detail to approve at this time, and whether or not the application complies with the Guidelines and §16.607 approve, deny or continue accordingly. Staff recommends that the Commission determine whether the proposed demolition and new construction comply with the Guidelines and §16.607 and §16.608 of the County Code.

**Testimony:** Mr. Shad swore in Robert Z. Hollenbeck from the Department of Public Works, Shaina Hernandez for the County Executive's Office and Melissa Goldmeier from the Office of Law. Mr. Shad explained how the contested case proceedings would be handled, as it is different than meetings typically run.

Ms. Goldmeier said that the Applicants received written testimony in opposition to the application, noted as Exhibit 9 from Preservation Howard County, of which Commissioner Shad is a member. Ms. Goldmeier asked about the testimony and Mr. Shad's involvement. Mr. Shad said he did not participate in the creation or submission of the testimony.

Ms. Hernandez gave the Commission background on the Ellicott City Safe and Sound program and flooding events that have occurred since the 1700s. Ms. Hernandez provided a detailed overview of the previous administration's efforts to mitigate flooding events in Ellicott City and background on the McCormick Taylor study. Ms. Hernandez explained it was the County's goal to reduce flooding depths to 3 feet or less wherever possible and water velocities to 5 feet per second and these goals have been reviewed by the Army Corps who agreed these goals were most ideal when trying to reduce flooding in Ellicott City.

Ms. Hernandez noted the County considered not removing the four proposed buildings for demolition, but said the Maryland Avenue culvert could not be constructed if the four buildings were kept.

Mr. Hollenbeck gave a presentation that showed the advantages of the Maryland Avenue Culvert with reducing the flood depth and velocities as part of the goals sought by the County, how the weir wall would help with flood mitigation, simulations of flooding events of option 3G7.0 without the culvert, plans and renderings of the area once the four buildings are removed, flooding conditions if 8069 Main Street had portions of the building remain, and the timeline of getting the flood mitigation of the culvert in place. The presentation was geared towards addressing the Commission's concerns voiced during Advisory Case HPC-20-74 from the October 1, 2020 Commission meeting.

#### Cross Examination

Tara Simpson, Steven McKenna, Gayle Killen, Joel Hurewitz, and Liz Walsh were in opposition to the application.

Mr. Shad swore in Tara Simpson. Ms. Simpson asked the Applicants how it would be possible for the Commission to give approval for the plan now, that front loads demolition and biases future streetscape plans as it seems the two would go hand in hand. Mr. Hollenbeck explained that DPW is trying to progress as many flood mitigation processes as quickly as possible. The geometry has been measured to get as much water out of channel as possible. DPW has the funding now to work on the flood mitigation and is working to have the funding for the streetscape. Mr. Hollenbeck said the streetscape design will be harmonious with the Master Plan and the Commission's Design Guidelines.

Ms. Simpson asked if the County had a timeline on the Section 106 process as well as CSX signing off on the project. Mr. Hollenbeck explained that the County has an agreement with CSX to work through engineering designs and CSX has been reviewing the designs. The County's consulting parties have experience working with CSX and has engaged them from the earliest idea of the flood mitigation plans up until now. As for the Section 106 process, the project is ongoing. The Consulting parties had time to comment until November 23, 2020 and afterward a programmatic agreement will be drafted. There is the possibility of another Consulting parties meeting. While there is no end date to the Section 106 process, DPW is working to progress the project as expeditiously as possible.

Mr. Shad swore in Steve McKenna, representing Preservation Howard County. Mr. McKenna asked if the presentation Mr. Hollenbeck gave was available publicly. Ms. Holmes explained the presentation had been posted on both the Commission's website as well as the Historic Preservation website when the agenda for this meeting was posted before Thanksgiving. The presentation had since been updated, with the most recent version posted to the websites on Tuesday, December 1.

Mr. McKenna asked about views of the culvert and one view that had an uphill appearance and how the viewshed of Lower Main Street will be impacted. Mr. Hollenbeck said that the presentation showed the geometry that is required to construct the culvert.

Ms. Gayle Killen had no questions.

Mr. Shad swore in Mr. Joel Hurewitz. Mr. Hurewitz asked questions clarifying the Rules and Procedures, when the presentation was uploaded to the website, views of the culvert, public safety aspects to the plan, possible uses in and around the culvert, techniques for how debris would be caught, and how the culvert would function if big pieces of debris would get into it. Mr. Hollenbeck and Ms. Hernandez answered Mr. Hurewitz's questions citing the presentation, and noted that the culvert would be closed off with 42 inches of estate fencing and there would be no access into the culvert or pedestrian access and bollards would be used for debris catchment at this particular location of flood mitigation.

Mr. Hurewitz asked about the possibility of removing only a portion of 8049 Main Street and why the portion of the building not over the Tiber was to be removed. Mr. Hollenbeck said the front portion of 8049 Main Street is a constriction to the channel.

Mr. Hurewitz asked for an image from the second page of his written testimony (Hurewitz Exhibit 6). Mr. Hurewitz asked about possible structures being built where the Phoenix is currently in place and asked why these future structures could be in place but the Phoenix in some fashion could not stay in place. Mr. Hollenbeck said that the picture is not part of their application and no streetscape plans have been designed at this time, all images were purely conceptual.

Mr. Hurewitz asked what modeling was done to make sure water would not flow into the B&O after the proposed buildings are removed. Mr. Hollenbeck explained the water depth and velocity will be reduced when all flood mitigation is in effect.

Mr. Hurewitz was asked by the Applicants if he could hold further questions to a future meeting to allow other people in attendance to provide testimony since they had been waiting for several hours. Mr. Hurewitz agreed to defer the rest of his questions to the continued meeting date in January.

### Testimony

Mr. Shad swore in Angela Tersiguel, who was in support of the application. Ms. Tersiguel spoke about the difficulty change produces but said the lack of change has caused the flooding issues twice. Ms. Tersiguel urged the Commission to protect those that have a direct financial impact in the flooding area.

Mr. Shad swore in Nicholas Johnson who was in support of the application. Mr. Johnson described the difficulty of conducting business on Main Street, especially when there is the threat of rain. Retailers cannot attract customers to an unsafe area. Mr. Johnson said it regrettable some buildings have to come down, but loss of life is unacceptable.

Mr. Shad swore in Ron Peters, who was in support of the application. Mr. Peters referenced a Baltimore Sun article titled "Rebuilding Ellicott City would be a costly mistake" by Dean Randall, that came out after the 2016 flood. Mr. Peters said moving homes and businesses will be expensive but reoccurring flooding is more expensive. Mr. Peters discussed the processes of setting up stormwater retention ponds. Retention ponds can help with curbing flooding but in the acreage of storage needed in the retention ponds proposed is not enough based on the McCormick Taylor study. The 2018 flood hit and the Army Corps explained how retention ponds will help with short term flooding but not long-term flooding. Mr. Peters said there have been two close calls in the last two years with rain events and when he reread the article after the 2018 flood, it rang true to him. Mr. Peters said the channel needs to be bigger and a culvert needs to be installed.

Mr. Hurewitz asked Mr. Peters if the flooding of New Cut and Upper Main at the bend would have been prevented if the proposed application before the Commission was approved for Lower Main Street. Mr. Peters explained that when water comes down the culvert the water depth and velocity will be reduced. The North Tunnel and retention ponds will help but flood mitigation needs to start from the bottom up.

Mr. Shad swore in Pam Long, who was in support of the application. Ms. Long has had a business located on Main Street since 2012. While she is not excited to have the buildings removed, the need for public safety is more important. If there is a forecast of rain, shopping halts on Main Street since the two flooding events. Ms. Long said the Commission must embrace change and look to the future where Historic Ellicott City can thrive even during the rain.

Mr. Shad swore in Julia Sanger who was in support of the application. Ms. Sanger has been a property and business owner in the district since May 2016. While no one wants the buildings to come down, it is the only way for the future of Main Street. Ms. Sanger asked the Commission to consider the financial strain from the floods and public safety concerns.

Mr. Shad swore in Victor Thomas who was in support of the application. Mr. Thomas strongly supported the demolition of buildings and Tiber Park and new construction of the culvert for the reduction of water velocity and depth.

Mr. Shad swore in Donald Reuwer, who was in support of the application. Mr. Reuwer said that a few buildings need to be taken down in order to save many of the historic buildings.

Mr. Shad swore in Lori Lilly, who was in support of the application. Ms. Lori worked on a number of committees for the County including the Ellicott City Flood Work Group and the Master Plan Committee. Ms. Lilly is a watershed planner and said the plan is sound and encouraged the Commission to approve the application. She said it was an extreme action to remove the buildings, but it is crucial as storm events are getting more extreme with climate change.

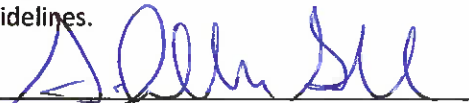
Mr. Shad swore in Bert Wilson, who was in support of the application. Mr. Wilson has been an owner of a building on Main Street since 2008, has participated in countless workshops since 2011 and he approves of the County's plan.

Mr. Shad swore in Barry Gibson, who was in support of the application. Mr. Gibson had to move out of Ellicott City because of the floods. Mr. Gibson was an eyewitness to both floods. Mr. Gibson said water could not get under buildings so it tore the walls off of buildings and he expressed concern for the potential of flood waters to create electrical fires. Mr. Gibson asked if the Commission wants to save a few buildings or if they want to save lives. Mr. Gibson relayed the history of the old auto dealership in Tiber Alley that collapsed in 1952 due to a flood and then backed up Main Street. He said this could happen again if a building falls and creates a dam on Main Street; it could destroy properties on both sides of Main Street.

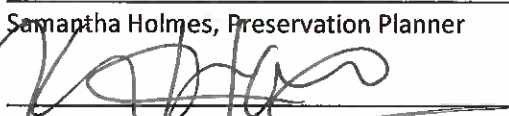
**Motion:** Mr. Roth moved to continue the application to Thursday January 14, 2021 at 7:00 pm. Ms. Tennor seconded. The motion was unanimously approved.

Mr. Roth moved to adjourn the meeting at 10:47 pm. Ms. Tennor seconded. The motion was unanimously approved.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

  
Allan Shad, Chair

  
Beth Burgess, Executive Secretary

  
Kaitlyn Harvey, Recording Secretary