

**HISTORIC DISTRICT COMMISSION  
DECEMBER 4, 2013**

Chairman Michael Lane called the regular meeting to order at 4:00 p.m. In attendance were Commission members Rob Busler, Alexa Cawley, Doug Gates, Lucy Maddox and Nancy McGuire, Kees de Mooy, Zoning Administrator, Jennifer Mulligan, Stenographer and guests.

Mr. Lane stated that the Chestertown Historic District Commission takes its authority from Chapter 93 of the Code of the Town of Chestertown and operates under the Historic District Design Guidelines that were adopted by the Mayor and Council of Chestertown on October 7, 2002 and revised March 7, 2012.

Mr. Lane asked if there were any additions or corrections to the minutes of the meeting of November 6, 2013. **Ms. Maddox moved to approve the minutes as submitted, was seconded by Ms. Cawley and carried unanimously.**

The items on the consent calendar were as follows:

- a. BP2013-132 – TL Rentals/Justin Taylor – 538 High Street – ratify roof approval;
- b. BP2013-133 – TL Rentals/Justin Taylor – 538 High Street – window replacement with original windows and exterior maintenance;
- c. BP2013-135 – Will and Taylor Porter – 234 N. Kent Street – storm door; and
- d. BP2013-136 – Nancy McGuire – 306 Cannon Street –sign.

Mr. Lane asked to remove BP2013-133 from the consent calendar for clarification.

**Mr. Busler moved to approve the following application as they were in accordance with the Design Guidelines:**

- a. BP2013-132 – TL Rentals/Justin Taylor – 538 High Street – ratify roof approval;
- c. BP2013-135 – Will and Taylor Porter – 234 N. Kent Street – storm door; and
- d. BP2013-136 – Nancy McGuire – 306 Cannon Street –sign.

**The motion was seconded by Ms. Maddox and carried unanimously.**

The next item on the agenda was BP2013-133 from TL Rentals/Justin Taylor at 538 High Street for window replacement with the original windows and exterior maintenance. Mr. Lane asked what exactly was going to be done at the property.

Mr. de Mooy stated that Mr. Taylor bought the property in foreclosure after the original windows had been removed from the first floor and sides of the house. He recovered the original windows from the garage and was proposing to remove the vinyl replacement windows and reinstall the original wood sash windows. Mr. de Mooy stated that Mr. Taylor would concentrate on the front and side (College Avenue) facades so the original appearance is restored. The original windows were 2-over-2.

**Mr. Busler moved to approve the application based on the documentation of photographs in the file of the 2-over-2 original windows, was seconded by Mr. Gates and carried unanimously.**

Ms. McGuire arrived to the meeting.

The next item on the agenda was BP2013-127 from Wolfe/Andres Construction for siding and windows at 105-107 College Avenue. Mr. de Mooy stated that at the request of the Commission he visited the property and took photos of the corner of the house exposed by the contractor.

Mr. de Mooy stated that this was a roughly constructed vernacular house. It was listed as contributing, noting that he would put it on the low end of that scale. Mr. de Mooy stated that the house was in terrible shape and the insurance company is forcing the owner to make improvements or they would discontinue the policy.

Mr. de Mooy stated that none of the windows in the house were original and some had missing panes. He said that the tracks in the windows were metal and mid-twentieth century at best. He said that because of the age of the house, he did think that the original windows would have been 6-over-6.

Mr. de Mooy stated that there were a couple houses on the block that have been rebuilt. This house was purchased by the current owner in 1996 for \$42,000.00. He said that was a good indication of the condition of the house. The addition was at-grade with a roof that was bulging. Mr. de Mooy stated that this owner would not pull the vinyl and asbestos off to restore the house to its original condition. Mr. de Mooy recommended that the applicant be permitted to replace the vinyl siding, and leave the wood siding in place for a subsequent owner. Mr. de Mooy stated that the owner did not have the resources for a restoration.

Mr. de Mooy stated that the original application was to replace the vinyl and to install vinyl windows. He said that the owner was willing to upgrade the windows in the original portion of the house to a 6-over-6 Anderson Woodwright Window.

Mr. de Mooy stated that there was flexibility in the enabling legislation to enforce a greater or lesser extent of work based on the importance of the structure. Mr. Gates asked if there was any way to protect the integrity of the house for the future. Mr. de Mooy stated that the wood was in place and would be there for a future owner should they choose to restore it.

Mr. Lane stated that the Guidelines on page 35, Section 3.5.3 read, "When previously applied inappropriate materials reach the end of their useful life they should be replaced with materials more appropriate to the original character and structure".

Mr. Lane stated that the original material was preferred on the front façade of houses, whereas there was leniency on the side and back. Mr. Lane suggested a compromise

where the front be taken to the clapboard and to allow vinyl replacement on the sides and rear.

Mr. Busler asked the size of the clapboard siding. Mr. de Mooy stated that he thought it was 5" exposure. Mr. Busler suggested siding that was similar in size. Mr. Lane stated that the applicant was suggesting a double 4" siding. Mr. Busler stated that the Commission would have to decide what they would require.

Mr. Busler stated that it seemed to him that if they were lenient in their decision, it was strictly for financial reasons. He also said that this could possibly be the oldest house on the block.

Ms. McGuire stated that she really did not see too much of the original house intact. Mr. Busler stated that the trim around the door was original.

Mr. Lane stated that the Commission could do one of three things:

1. Deny the application and not allow vinyl;
2. Restore the clapboard on the front and allow vinyl siding on the sides and rear;  
and
3. Accept the applicant's proposal for vinyl on all sides of the house.

**Mr. Gates moved to approve the application based upon Section 3.5.3 of the Guidelines with the understanding that the front façade would be restored to the clapboard siding and that Anderson Woodwright windows be used on the main portion of the house. The sides and rear may be covered in vinyl and the vinyl windows proposed may be used on the addition. The motion was seconded by Ms. McGuire and carried with four (4) in favor, Mr. Busler opposed.**

Mr. Lane stated that the both items under new business had pulled their applications.

Mr. Lane stated that the next meeting would fall on New Year's Day and asked if the Commission could meet on January 8<sup>th</sup>. The Commission agreed to the change.

Mr. de Mooy stated that the Commission should have a meeting to be trained on the Ethics Ordinance and Open Meetings Act. Ms. Mulligan stated that she thought a meeting was going to take place once the new Council was sworn in and suggested including all the commissions at that meeting. Mr. Lane stated that he was mostly concerned over ex-parte communications.

Mr. Busler asked about the Sign Ordinance. Mr. de Mooy stated that once the new administration was in place he thought there would be an assigned Committee to review the Sign Ordinance in its entirety.

Mr. Busler asked if the Commission was required to review applications when they were just for preliminary information and feedback. Mr. de Mooy stated that it was a courtesy. Mr. Busler stated that he thought it would be better if an applicant spoke with staff first.

Mr. de Mooy stated that frequently happens, but there were occasions when a large project was in the works where the applicant wanted to get preliminary feedback from the Commission. Mr. Lane stated that it was important to remember that there was no clock ticking when an applicant came in for advice, and noted that the advice should reference the Guidelines.

There being no further business, **Ms. McGuire moved to adjourn the meeting at 4:56 p.m., was seconded by Ms. Maddox and carried unanimously.**

Submitted by:

  
Jennifer Mulligan  
Stenographer

Approved by:

Michael Lane  
Chairman