

HISTORIC DISTRICT COMMISSION
JUNE 5, 2013

Chairman Michael Lane called the regular meeting to order at 4:00 p.m. In attendance were Commission members Rob Busler, Douglass Gates, Lucy Maddox, Nancy McGuire and Meghan Habas Siudzinski, 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 May 1, 2013. **Mr. Busler moved to approve the minutes as submitted, was seconded by Ms. Siudzinski and carried unanimously.**

The items on the consent calendar were as follows:

- a. BP2013-51 – Ann McColl, 105 S. Queen Street – fence
- b. BP2013-52 – Houck’s Menswear, LLC, 200 High Street – sign
- c. BP2013-55 – Historical Society of Kent County, 301 High Street – sign
- d. BP2013-56 – Bill Arrowood, 349-351 High Street – railings

Ms. McGuire stated that she would like to remove BP2013-52 and BP2013-56 from the consent calendar.

Mr. Busler moved to approve the following application as submitted,

- a. **BP2013-51 – Ann McColl, 105 S. Queen Street – fence;**
- c. **BP2013-55 – Historical Society of Kent County, 301 High Street – sign.**

The motion was seconded by Mr. Gates and carried unanimously.

The next item on the agenda was BP2013-52 from Houck’s Menswear, LLC at 200 High Street for a sign. There was discussion concerning the size of the sign and materials that would be used for the sign. Mr. Larry Houck was present for the application. Mr. Houck stated that the sign would hang perpendicular from the building on a metal bracket. After discussion, **Mr. Busler moved to approve BP2013-52 from Houck’s Menswear, LLC at 200 High Street for a wooden sign with a border, noting that the Commissioners have expressed concern about the overall size of the sign proposed, stipulating that after review by Mr. de Mooy, the sign should project no more than 36” including the dimension of the back edge of the sign and the bracket face. The motion was seconded by Ms. McGuire and carried unanimously.**

The next item on the agenda was BP2013-56 from Bill Arrowood at 349-351 High Street for railings. There was nobody present for the application and the matter was tabled.

The next item on the agenda was BP2012-89(b) from the GAR Post 25, Inc. at 206 S. Queen Street for exterior renovations. Mr. Bob Ingersoll was present for the application. Mr. Lane read the application into the record, noting that this was for conceptual approval.

Mr. Ingersoll stated that if the lift was moved to the rear of the building, the ADA requirements could be met by a ramp at ground level up the left side and underneath the stairway as shown in the drawing. He said that the external lift would be created in the back, and a single level 6' wide and 4' deep deck would be built off the rear entrance door. Mr. Ingersoll stated that a steel emergency exit staircase would have the structural integrity required in a narrow space and was less bulky looking than a wood staircase.

Mr. Ingersoll stated that with the proposed changes, all of the ADA requirements were met and they also did not have to cut a hole in the left side of the building, which would please the Maryland Historical Trust.

Ms. Siudzinski asked if the rear deck would be built to match the front steps or the side stairway. Mr. Ingersoll stated that he had no opinion on that. Ms. Siudzinski asked if the rear railing would be visible from the front as was shown on the drawings. Mr. Ingersoll stated that about 2' of the stair rail would be visible.

Mr. Ingersoll stated that he thought if there was a staircase to the second floor at the time the building was built, it would have likely been cast iron. He added that he did speak with the architect who did not see a problem with the design as he presented.

Ms. McGuire stated that the HVAC units were located under the stairway and asked if the risers would be enclosed so they did not show. Mr. Ingersoll stated that he thought open risers would make the stairway "disappear". He said that there would be pervious brick 4' from the building, leaving 2' for plantings to soften the site line and the HVAC units would be hidden.

Ms. Siudzinski stated that she would like to know the ultimate decision on materials for the rear decking. Mr. Ingersoll stated that he thought it would be more cost effective if it was a wood deck.

Mr. Ingersoll stated that he intended to break the project up into two phases, the first phase of which should be completed before there was a general contractor for the building. The first phase included the steel stairway, connection of utilities to the street, and installation of the sprinkler system inside the building. He asked if he could have an approval on the steel staircase so work could begin immediately.

Ms. McGuire asked how large the posts would be on the steel staircase. Mr. Ingersoll stated that he would like to spec out 2" x 5" box beams. He said that it would attach with lag bolts to the building at the sill plate under the second floor emergency exit door.

Mr. Ingersoll stated that the preference was not to extend the existing roof over the rear entrance to include the handicap lift, but he said that it might be required by code. Mr. Lane stated that this would be discussed at a later date if it was required.

Ms. McGuire moved to approve the relocation of the stair lift to the back of the building, was seconded by Mr. Busler and carried unanimously.

Mr. Busler stated that he was familiar with the building and moved to approve the brick walkway to the rear lift, was seconded by Ms. Maddox and carried unanimously.

Mr. Busler stated that he was familiar with the property, and although there were concerns over the ultimate design of the steel stair, based on the request of the applicant, he moved to approve it, with the understanding that when shop drawings were finished they would go to Mr. de Mooy for review and comment before construction, was seconded by Ms. Siudzinski and carried unanimously.

Ms. McGuire moved to approve the installation of the HVAC units under the stairs with the understanding that there would be plantings on the street side for screening, was seconded by Ms. Siudzinski and carried unanimously.

The next item on the agenda was BP2013-14 from Richard Wasserbly at 107 S. Water Street for clarification and modifications to the approved permit. Mr. Jay Yerkes of Yerkes Construction and Ms. Stephanie Wasserbly, owner, were present for the application.

Mr. Yerkes stated that there were three (3) modifications based on saving as much of the existing structure as possible. He said that the foundation would be rebuilt to support the addition, replace six (6) windows to replicate what exists. The hip roof will be left in place and the flat roof for the sleeping porch will “dive” into it. Mr. Yerkes showed material samples of Marvin true-divided lights wood windows, Marvin wood patio doors, southern yellow pine siding, mahogany and cedar for the decking, Dura-deck flooring for the sleeping porch, and a light fixture for both the rear and the front entrance, and a standing seam metal roof.

Ms. McGuire stated that Mr. Yerkes should have submitted verbiage outlining the modifications. Mr. Yerkes stated that he would submit something in writing.

Ms. McGuire stated that pertaining to BP2013-14 at 107 S. Water Street, she was familiar with the application and the property and moved to approve the modifications to the design that was approved on February 25, 2013 as follows:

- 1. The applicant will not tear down the existing wing in the rear, rather they will retain it;**
- 2. Add Marvin double hung divided light wood windows to be painted to match existing;**

3. **The roofline is modified to keep the existing hip roof, with a new standing seam metal roof over the new sleeping porch to tie into the hip roof;**
4. **Six windows in the original section and doors in the left side of the original house to be replaced with Marvin double hung divided light wooden windows;**
5. **Rebuild the foundation with a CMU (cement block) foundation with cement parging as a finish, including an entrance to the garage;**
6. **Balustrades to be constructed of cedar, porch posts, 6" x 6" cedar, and mahogany railings;**
7. **Light fixtures as submitted;**
8. **Dura-deck flooring for the sleeping porch, noting that the sleeping porch will be screened.**

The motion was seconded by Mr. Busler and carried unanimously.

The next item on the agenda was BP2013-38 from Peter Heller at 212 N. Queen Street for shutters on the front façade of the property. Mr. Peter Heller was present for the application. Mr. Lane stated that Mr. Heller had provided photographic evidence that shutters did, at one time, exist on the property, noting that the original shutters and hardware disappeared when aluminum siding was installed in the past. Mr. Heller stated that the shutters would be made of western red cedar and would be fully functional. **Mr. Busler stated that he was familiar with the application and moved for the installation of operable wooden shutters, manufactured by Timberlane, with the second floor having open louvers and the ground floor solid panels, was seconded by Ms. Maddox and carried unanimously.**

The next item on the agenda was BP2013-54 from William Creager at 199 N. Queen Street for exterior renovations and a porch addition. Mr. Max Ruehrmund of Chesapeake Architects and Mr. William Creager were present for the application. Mr. Lane read the application into the record.

Mr. Lane stated that this building was non-contributing, although it did have an impact on the surrounding neighborhood. Ms. Maddox asked when the building was built. Mr. Lane stated that according to the paperwork he had it was 1974. Mr. de Mooy stated that he thought that was likely the last substantial renovation but not when it was actually built.

Mr. de Mooy stated that this application was also going to the Zoning Board of Appeals. He said that in 1981 this building was the accessory building to the property located at South Queen and Maple Avenue. The owners at the time requested to split off the properties which resulted in the odd shaped lot.

Mr. Busler stated that he was familiar with BP2013-54 for 199 N. Queen Street, which is a non-contributing structure, and moved to approve the relocation of the building per the dimensions showed on the drawings to allow for a proper foundation, was seconded by Ms. Maddox and carried unanimously.

Mr. Busler stated that he was familiar with the application and moved to approve a 10' x 20' porch to the south side of the building as shown in the plans (page DD), was seconded by Ms. Siudzinski and carried unanimously.

Mr. Busler moved to approve the installation of new windows on the building, and the addition of dormers (as per the drawings) on the east and west side of the building, was seconded by Ms. McGuire and carried unanimously.

Mr. Busler moved to approve the asphalt roof with a steel or aluminum standing seam roof, and a roof to match for the new porch, was seconded by Ms. McGuire and carried unanimously.

Mr. Busler moved to approve the cedar privacy fence as submitted and as shown on the drawings provided on DDSI, was seconded by Ms. Siudzinski and carried unanimously.

Mr. Busler moved to approve the landscape design as proposed in drawing DDS1, in concept, was seconded by Mr. Gates and carried unanimously.

The next item on the agenda was BP2013-53 from Mr. Leo Dulin for exterior renovations at 511 High Street. Mr. Dulin was present for the application. Mr. Lane read the application into the record. Mr. Lane stated that most of this application was for repair, but there was a request for a replacement roof. Mr. Dulin stated that the existing roof was a pressed tin roof, although there was a roof in the back that was corrugated and not in good shape.

Ms. McGuire stated that the Town was beginning to lose pressed tin roofs. She said that if they were kept well, they could remain forever. Mr. Dulin stated that the only place there was a visible leak was around the chimney, and rain was coming through the corrugated roof. He said that he just took ownership of the house and there has not been any substantial rain since settlement to know if the pressed tin roof was an issue.

Mr. Lane stated that he just had the metal roof on his house resurfaced and he went through the same issue of whether or not to save it. He said that he decided to maintain the existing roof.

Ms. McGuire stated that the preference would be to keep the pressed tin on the main roof because of the integrity of the architecture. Mr. Dulin stated that he would try to save it. He said that he was trying to do the right thing with the house and would return if he uncovered any problems.

Ms. McGuire moved to approve the application as submitted, with the exception of replacing the tin roof with asphalt shingles. Rather, the applicant will try to restore the pressed tin roof and return if any problems are uncovered. The motion was seconded by Mr. Busler and carried unanimously.

The next item on the agenda was BP2013-57 from John and Jane Richman at 109-111 S. Mill Street for a porch extension. Mr. Jay Yerkes of Yerkes Construction was present for the application. Mr. Lane read the application into the record. There were questions about the design of the porch. Mr. Yerkes stated that there were already two (2) covered entries at the property. He said they were just making one porch wider for a more comfortable entrance. The Commission discussed lengthening the porch across another window or mimicking the other front entrance. Mr. Yerkes stated that he would bring those ideas to Mr. and Mrs. Richman, but this was the application that was presented and thought the design should be voted on one way or the other. Mr. de Mooy stated that he thought enlarging the porch to make it look like a third of a full porch would be a mistake. Ms. McGuire stated that this house was built as a duplex and should appear that way from the exterior. Mr. Yerkes stated that the porch was only 36" deep and would appear strange if it was made longer.

Mr. Gates moved to approve the application as submitted, was seconded by Ms. Maddox and carried with three in favor, Mr. Busler opposed and Ms. McGuire abstained.

The next item on the agenda was BP2012-110 from Rob Busler at 209 Mount Vernon Avenue for a solar array. Mr. de Mooy stated that Mr. Busler's house has been substantially altered over time and said that, in his opinion, this might not be a contributing structure any longer. Mr. de Mooy stated that this application was to put solar on the front façade (roof) of the building.

Mr. de Mooy stated that there were earlier discussions regarding solar arrays and it was decided that if a house was a contributing structure, solar would not be approved on the front façade, as the roof is a contributing element to the front façade. If it is a non-contributing building, the streetscape still needs to be considered.

Mr. Busler stated that 80% of the houses along Mount Vernon Avenue were contributing structures. Mr. Busler stated that because his property was a non-contributing structure he thought he should be able to make changes to the roofline of the structure.

Mr. Gates stated that he thought the Commission had to be careful about deciding whether a house was contributing or non-contributing based on changes that have been made in general. Mr. de Mooy stated that if the Commission wanted to change any designations there should be a process for it.

Ms. McGuire stated that the Commission had to be careful when they said a property was non-contributing. She said that she had a hard time calling a building non-contributing because there were some changes to a house. She said that she was not sure that this house has changed to the point of non-contributing.

Mr. de Mooy stated that there should not be an arbitrary decision on contributing versus non-contributing. It should be based on the facts of the house and the context was important.

Ms. Siudzinski asked if there were solar panels anywhere in the Historic District currently. Mr. de Mooy stated that there were several locations, but none were visible from the street.

Mr. Busler stated that he made quite a lengthy packet, partly because this was a discussion that the Commission should have regarding solar.

Mr. Busler stated that if the house was declared as non-contributing there would have to be a finding of fact that would stand up to scrutiny. He suggested the Commission take time to review the packet and look at the pros and cons and then make a decision.

The Commission would study the application and discuss it at next month's meeting.

Ms. Siudzinski stated that she thought this was a primary façade issue regardless of contributing or non-contributing.

Mr. Busler stated that the Community Solar Bill would allow the Town to install a solar system in Town and sell subscriptions to residents so they did not have to install solar on their buildings. He said that it has not passed twice and thought this issue would come before the Commission at some point, so this was a good example to discuss.

Ms. McGuire moved to table BP2012-110 for further review, was seconded by Ms. Siudzinski and carried unanimously.

Mr. de Mooy suggested that he thought it might be a better idea to not break up the applications into pieces. He said that it was frustrating for those waiting for an application. He also the breaking up of applications encouraged in-meeting design. He said that if there was a question on a part of the application, just separate out that part.

The Commission decided to move the July 3rd meeting to Wednesday, July 10th.

There being no further business, **Mr. Gates moved to adjourn the meeting at 6:20 p.m., was seconded by Ms. McGuire and carried unanimously.**

Submitted by: 
Jennifer Mulligan
Stenographer

Approved by:
Michael Lane
Chairman