

**HISTORIC DISTRICT COMMISSION
MAY 1, 2013**

The Commission met at 3:30 p.m. at the site of the proposed Sultana Building at 200-204 S. Cross Street. In attendance were Chairman Michael Lane, Rob Busler, Douglass Gates, Lucy Maddox, Nancy McGuire, Meghan Habas Siudzinski and Robert Yeager, Kees de Mooy, Zoning Administrator, Jennifer Mulligan, Stenographer and guests.

Mr. Drew McMullen of Sultana, Inc. stated that he wanted the Commission members to be cognizant of the building limitations of the site. He showed the setback that was proposed as well as the parking lot area that they had to work with. They were working with the neighbors on an easement agreement for the alley. There was discussion of architectural features of the building at 200 S. Cross Street that the Commission wanted to preserve.

The Commission then moved the meeting to the Chesapeake Bank and Trust at the corner of High Street and Cross Street to show where an ATM was proposed for the Cross Street side of the building.

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, Meghan Habas Siudzinski and Robert Yeager, 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 April 3, 2013. Mr. Lane stated that he had a correction to the first page of the minutes where the proposed 7-Eleven building height was 19'. **Mr. Yeager moved to approve the minutes as corrected, was seconded by Mr. Busler and carried unanimously.**

The items on the consent calendar were as follows:

- a. BP2013-35 - Joseph Holt - 215 Philosopher's Terrace – Fence
- b. BP2013-39 – Owl Pen Fine Art – 200 High Street – Sign
- c. BP2013-40 – Curiosity - 113 S. Cross Street – Sign
- d. BP2013-42 – Morgan Stanley - 203 S. Cross Street – Sign
- e. BP2013-46 – Ben Gerrard/Joey Brady - 527 High Street – Roof

Mr. Yeager moved to approve BP2013-42 from Morgan Stanley at 203 S. Cross Street for a sign as submitted, was seconded by Ms. McGuire and carried unanimously.

The Commission decided to handle the other consent calendar items separately.

The next item on the agenda was BP2013-35 from Joseph Holt at 215 Philosopher's Terrace for a fence. Mr. Holt was present for the application. Ms. Maddox questioned the applicants wish to not paint or stain the fence. Mr. de Mooy stated that a cedar fence should be allowed to weather.

Mr. Yeager moved to approve the application with the proviso that all exposed wood should be painted or stained within a year to conform to the Chestertown Historic District Guidelines Article 3.3.3, which required that the wood be painted, clear-coated or stained. Ms. Siudzinski stated that she would second for discussion purposes.

Ms. McGuire stated that most raw wood should be stained or finished in some way, but in the case of cedar it was meant to weather. Mr. de Mooy stated that cedar did not have to be stained because it had self-preserving qualities and finishing it simply created a maintenance requirement.

The motion failed with one (1) in favor, Mr. Busler, Mr. Gates, Ms. Maddox, Ms. McGuire and Ms. Siudzinski opposed.

Mr. Busler moved to approve the application for a cedar fence without a sealer or stain, as submitted, was seconded by Mr. Gates and carried with five (5) in favor, Mr. Yeager opposed.

The next item on the agenda was BP2013-39 from Owl Pen Fine Art for a sign at 200 High Street. Ms. Laura Drons was present for the application. She showed a sample of what the sign would look like and said that the vinyl sign would be applied to the window of 200 High Street. **Mr. Busler moved to approve the sign for Owl Pen Fine Art as submitted, was seconded by Ms. Maddox and carried unanimously.**

The next item on the agenda was from Curiosity at 113 S. Cross Street for a sign. Ms. Alyse Colen was present for the application. She explained that this would be a projecting sign. Ms. Colen explained how the green striping would show on the background of the sign. **Mr. Busler moved to approve the application for a sign for Curiosity as submitted, was seconded by Mr. Yeager and carried unanimously.**

The next item on the agenda was BP2013-46 from Ben Gerrard and Joey Brady at 527 High Street for a roof. Mr. Jay Yerkes of Yerkes Construction was present for the application. He explained that this house was in foreclosure and the gentlemen purchasing it did not want to wait an additional month for approval to replace the roof as there was a major leak. Ms. McGuire stated that she would recuse herself from the application as she was the real estate broker for the sale of the property. **Mr. Busler moved to approve the application as submitted, contingent upon settlement taking place, was seconded by Mr. Yeager and carried unanimously.**

The next item on the agenda was BP2013-14 from Richard Wasserbly at 107 S. Water Street for clarifications on an approval. Mr. Yerkes stated that the applicant's sent their regrets and would try to make the June meeting to discuss the approvals given for their application.

The next item on the agenda was BP2013-38 from Peter Heller at 212 N. Queen Street for shutters. There was nobody present for the application. **Mr. Yeager moved to deny the application with an invitation to reapply, noting that he would like to see if there was any indication of whether or not shutters ever existed, was seconded by Mr. Busler and carried unanimously.**

The next item on the agenda was BP2013-43 from Chesapeake Bank and Trust at 245 High Street for an ATM machine and new stairs. Mr. James Anthony of Chesapeake Bank and Trust was present for the application.

Ms. McGuire recused herself from the application as Mr. Anthony is her son.

Mr. Anthony explained the application in detail showing options "A" and "B". He said that the bank preferred Option B, but he would like approvals for both A and B as there were many design constraints and technical issues to be dealt with. Mr. Anthony explained that the bank would like to have the ATM installed in time for Tea Party weekend.

Mr. Gates thought that standing right on the sidewalk to use the ATM made it too public. Mr. Anthony stated that the face of the ATM machine on Option B was recessed and tilted to insure privacy for the user. He also said that PNC's ATM was right on the sidewalk. Mr. Gates stated that the ATM at PNC was attached right to the wall. Mr. Busler stated that PNC also had the benefit of a very wide sidewalk.

Ms. Siudzinski asked if there was lighting in the canopy. Mr. Anthony stated that the canopy would be lit for security purposes.

Ms. Siudzinski asked why the turn in the staircase was added. Mr. Anthony stated that the current staircase is functional but not gracious and thought the turn in the stairs would add that. Mr. Yeager asked if the doorway was an employee entrance. Mr. Anthony stated that it was both for the employees and the public. Mr. Yeager stated that the winder was a mistake in that type of use for liability reasons. He said that he also objected to the canopy as it would harm the appearance of the building and not provide much cover. Mr. Yeager stated that a better solution would be to turn the ATM machine 90°, which would provide a place next to the building to use the machine. Ms. Maddox stated that she would like a canopy over the ATM machine.

Mr. Yeager moved to approve the location of the ATM machine (Plan B) as it was consistent with the Guidelines under Article 3.12.5, was seconded by Ms. Siudzinski and carried with three in favor, Mr. Busler and Mr. Gates opposed.

Ms. Maddox moved to approve the landing as proposed in Option B as submitted, was seconded by Ms. Siudzinski and failed with two in favor, Mr. Busler, Mr. Gates and Mr. Yeager opposed.

Mr. Yeager stated that he thought the stairs were dangerous and thought that it would not meet building code. He said that winders were dangerous and people fell on them, noting that there was room for straight steps to the alley.

Mr. Anthony asked what the purview of the Historic District Commission was, as he was not sure that it was code or security. Mr. Anthony stated that he did not think it was safe to have stairs run to an alley. Mr. de Mooy stated that the perceived safety of the stairs was not a valid reason for a denial and neither are building code matters in general. There should be a finding of fact for denial.

Mr. Lane agreed, stating that the denial had to be based on the architectural drawing that was presented. The Commission members agreed that their decision was based on the drawing. Mr. Gates stated that he liked proposal A.

Mr. Lane stated that the next item for approval was the canopy. Ms. Siudzinski asked if the canopy should be discussed since the staircase was disapproved.

Mr. Anthony stated that separating the votes did not work at all. He said that he would like to withdraw the application entirely.

Mr. Anthony asked for a consensus of the idea of a canopy. The consensus of the Commission was that a canopy was a good idea.

The last item on the agenda was BP2013-29 from Sultana Projects, Inc. at 200-204 S. Cross Street. Mr. Drew McMullen, Mr. Alex Castro and Mr. Joe Domcheck (architects), Ms. Patty Hegland and Mr. Matthew Tobriner were present for the application.

Mr. McMullen stated that Sultana, Inc. would like to receive approvals for the massing and setback for the proposed building. He said that they would attend a future meeting for other approvals, but would appreciate feedback that would be useful as they move forward to the next phase. Mr. McMullen stated that they were looking for final approval by August 2013.

Mr. McMullen gave a PowerPoint presentation regarding the proposed site. The classroom would accommodate thirty-two (32) students. He said that the class could provide seating for seventy (70) to eighty (80) people for a special event or class. There would be space for ten (10) employees. A project shop would be used for rigging and other light boat projects. Support facilities such as bathrooms and a kitchen area were also included.

Mr. McMullen explained how Sultana came to the conclusion of space required for employees and students. He said that the massing was different than other buildings in

Chestertown in order to reflect that there was something unique taking place inside. The connection between the two buildings is essential to the success of the project.

Mr. Castro stated that the drawings were essentially what was seen at the last meeting. He said that he was waiting on a decision for the massing before they worked decided on the fenestration.

Mr. McMullen showed the proposed interior for the building. Mr. Castro stated that the staircase (shown in red) would be used if Sultana Projects ever decided to deck over the classroom space. Mr. Castro stated that the proposed Nana walls would open the classroom and project shop to the street.

Mr. McMullen stated that due to the proposed slanted roof design much of the corner building would be exposed and preserved. He showed several view points from across the street and how the corner of 200 S. Cross Street building would show. He said that the historic hardware sign on the 210 S. Cross Street building would be preserved as well.

Mr. Lane stated that he did not think the corner of the 200 S. Cross Street would be very visible at the bend in Cross Street. He said that was his concern from the streetscape going both ways. Mr. McMullen stated that he appreciated the concern but was tight on space, so the setback issue was significant in terms of the economic viability of the project. Mr. Gates stated that it appeared there was a setback because of the slant in the roof.

Mr. Castro stated that the transition of Cross Street was a major factor. He said that they were trying to soften the street.

Mr. Lane asked the square footage of the building. Mr. Tobriner stated that the proposed building was 4,236 sq.ft. The existing corner building was 3,856 sq.ft. Mr. Busler asked if the project shop, classroom and wet lab had to be on the ground floor. Mr. McMullen stated that was a preference as there were children with physical disabilities that attend the program.

Mr. Yeager asked if the doorway at the link in the building was necessary. Mr. Castro stated that it was not a necessary entry as there was ADA entry on the other side. Mr. Yeager asked what would be lost if the plan was flipped side to side with the project shop next to the existing brick building. Mr. McMullen stated that it would be like putting a garage between the kitchen and dining room as the project shop was a dirty area that is best on its own, off to the side as shown in the drawings.

Ms. Siudzinski stated that the larger slope might benefit the corner building more so than the other side. Mr. Castro stated that the program was driving the design. Mr. McMullen stated that the project shop would almost run independently of the rest of the building.

Ms. McGuire asked if the building height was the same as the corner building. Mr. Castro stated that the roof was a little lower than the corner building. Ms. McGuire stated

that she disagreed with Mr. Yeager and thought the design of the building was a good one, although she believed that relief between buildings was necessary.

Ms. McGuire moved to approve the massing and setbacks as proposed as she was familiar with the property in question and it met with the Design Guidelines, with the request that the hyphen wall be moved slightly back, was seconded by Mr. Gates and carried with three (3) in favor, Mr. Yeager and Mr. Lane opposed.

Mr. McMullen stated that Sultana would return at the July meeting for further approvals.

There being no further business, **Mr. Yeager moved to adjourn the meeting at 5:55 p.m., was seconded by Mr. Gates and carried unanimously.**

Submitted by:


Jennifer Mulligan
Stenographer

Approved by:

Michael Lane
Chairman