



City of Annapolis

Department of Planning & Zoning
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Historic Preservation Commission

January 8, 2013

The Historic Preservation Commission of the City of Annapolis held its regular on January 8, 2013 in the City Council Chambers. **Chair** Kennedy called the meeting to order at 7:30p.m.

Commissioners Present: **Chair** Kennedy, **Vice Chair** Leahy, Finch, Jones, Kabriel, Toews, Zeno

Staff Present: Craig-Historic Preservation Officer

Chair Kennedy introduced the commissioners and staff. She stated the Commission's purpose pursuant to the Authority of Article 66B, Section 8.01-8.17 of the Annotated Code of Maryland and administered the oath en mass to all persons intending to testify at the hearing.

C. APPROVAL OF MINUTES

Ms. Jones moved approval of November 13, 2012 meeting minutes as written. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 7-0.

D. ANNOUNCEMENTS

There was none.

E. VIOLATIONS

Vice Chair Leahy requested that staff provide a status of the Bank of America lighting specifically whether there was a time limit on mitigation. Ms. Craig responded that there was not a time limit on the mitigation requirement. She believes that it is appropriate to send notification inquiring about the status and to require that they start the work within six months.

F. CONSENT DOCKET

There was none.

G. NEW BUSINESS

1. Church Circle – St. Anne's Episcopal Church/William Wilbert – Exterior lighting.

Mr. William Wilbert, Junior Warden, had no new information but briefly discussed some foot-candle floodlights dimensions taken just prior to the meeting. He noted that there are currently floodlights that are 90-watt halogen bulb shining from the ground up onto the west façade and the reflection illumination from these are 8.7-foot candles. The reflection from the sign is 5-foot candles and the general illumination about 2-feet from the edge of the driveway is .18-foot candle. The south street light is .7-foot candle and the reading below one of the street light is 7-foot candle. The Bank of America is 51-foot candle.

Staff: Ms. Craig restated her written comments and recommends conditional approval as detailed in the staff report dated December 26, 2012. The applicant agreed to the three conditions placed on the application by staff.

Public: Public testimony opened at 7:57pm and no one spoke in favor or against the application so **Chair** Kennedy closed the public testimony at 7:58pm.

Commissioners: Mr. Kabriel believes that a dimmer light for the building would be in keeping with the history of the town and the applicant should not over do the lighting. Ms. Finch asked about the number of foot-candles proposed for the new lighting. Mr. Wilbert responded that the in ground light proposed is equivalent to a 40-watt light bulb and would cast 5-foot candle illumination. Ms. Finch expressed concerns regarding the consistency of the lighting so was looking for the applicant to highlight those historic items of importance specifically a theatrical lighting system. **Chair** Kennedy had concerns regarding adding two more post lights indicating that it would contribute to the street clutter.

Vice Chair Leahy noted whereas the application for Church Circle complies with HPC guidelines A.1, A.3., C.7, D.30, D.31 and E.1, moved approval of the application subject to the following:

- 1) The LED flood lighting and strip lighting fixtures are finished to blend with the building;
- 2) The method of attachment for all lighting be reversible and cause minimal damage to historic fabric;
- 3) The applicant employs a qualified archaeologist to monitor excavation work during any ground disturbance, to consult the staff upon any inadvertent discovery and at a minimum provide a one-page summary report as well as a map if no discovery is made;
- 4) The lighting is no greater than 20 candles power at 6-feet and two candles power at 20-feet.

Ms. Zeno seconded the motion. The motion passed unanimously in a vote of 6-0 with one abstention. (Finch)

The following Commissioners made a site visit on this application.

Name
Kennedy, Leahy, Zeno, Toews, Finch, Jones, Kabriel

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	Application Packet dated December 11, 2012
B	Staff Memorandum dated December 26, 2012

2. 11 Acton Place – T. Averill Architect, LLC. – Construct new 2 ½-story addition and in-ground pool.

The applicant is seeking to construct a 2 ½ story addition with a connecting glass corridor topped by a green roof and deck. Landscape alterations include addition of an in-ground pool, removal of two trees for construction and replanting of ten trees. In response to whether the Commission would like the technical plans submitted, **Chair** Kennedy responded that the Commission will hear the application and deliberate on it but will not make a final decision at this meeting since additional material is outstanding.

Mr. Averill explained that the additional packet of information includes information on the landscape and the site. It addresses the elevation of the basement and landscaping plan specifically the health of the trees. He noted that other major concerns include the use of the existing building with two rental licenses. Those licenses will be given up if the project moves forward to a single family. He did not include the storage in the attic noted as Exhibit "F"-Summary of the square footage. This would increase the existing square footage to 4,800-feet instead of 4,406-feet as originally stated. He also noted that the 250-300 square feet of enclosed space is used for the connector.

Chair Kennedy disclosed that Ms. Deborah Schwab has been in her employment but is not currently in her employment so therefore does not believe this will create a conflict or affect her decision.

Staff: Ms. Craig restated her written comments and recommended continuing the application as noted in the staff report dated December 26, 2012. Mr. Michael Dowling restated his analysis of the project as discussed in the January 3, 2012 letter. He suggested taking the large mass (that appears larger than it is because of the horizontality of the flat roof) and breaking it into elements to reduce the overall visual aspect of the mass to subordinate it to the main house. Ms. Craig added that P&Z has commented that

there should not be construction under 9-feet. Mr. Averill clarified that his discussions with DPW were that it was 8-feet. Ms. Craig noted that the applicant should address the final height of the building with DPW. Mr. Averill briefly addressed some of the comments made by Mr. Dowling.

Public: Public testimony opened at 8:55pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition
Edgar Paglee	4 Southgate Avenue		X

No one else from the public spoke in favor or in opposition to the application so **Chair** Kennedy declared the public testimony closed at 9:02pm.

Chair Kennedy noted that Mr. Dodson’s letter brings to the Commission’s attention certain deed restrictions and covenants. She reminded the public that this Commission is not the body that can adjudicate these types of issues but agreed to forward it to the City Attorney for review.

Commissioners: **Chair** Kennedy stated that the HPC “central dilemma” is whether the application complies with the HPC guidelines B.1 and B.6. She indicated that she does not believe that the application complies with these two guidelines. The remaining commissioners agreed that the project does not meet at a minimum guidelines B.6. **Vice Chair** Leahy added that SOI #9 is also a concern. Ms. Finch indicated that the location of the FEMA line is a concern. Mr. Kabriel had concern regarding the water problem around the site. Mr. Averill described the proposed location of the bio retention area in order to catch the water and divert it around the building. He addressed the Commission comments stating that the plans were not changed and that he has received encouragement to move forward with a full application. **Chair** Kennedy responded that the Commission repeatedly raised concern regarding subordination and compliance with guidelines B.6 and D.9 at the pre-application meetings.

The applicant and the Commission had further discussions regarding the possibility of reducing the square footage as well as other concerns regarding the design of the project. The applicant agreed to study the possibility of reducing the square footage so agreed to continue the application and waive the 45-day rule.

The following Commissioners made a site visit on this application.

Name
Kennedy, Leahy, Zeno, Finch, Kabriel, Toews

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	Application Packet time and date stamped December 13, 2012, 1:39pm
B1 – B3	Basement/Lower Floor Plan, Existing Condition Plan, Tree Preservation Plan
C	Staff Report dated December 26, 2012
D	M. Dowling Draft Memo to Lisa Craig dated January 3, 2012
E	Email from Tom Smith in response to email from Mr. Lewis dated 1/7/2013
F	Summary Square Footage 21-28-2012 dated January 8, 2013
G	James Dodson Letter time date stamped January 3, 2013, 2:11pm
H	Edgar H. Paglee Letter dated January 8, 2013, 1:03pm
I	James Dodson Letter dated January 7, 2013
J	Averill Architect, LLC. Letter dated January 8, 2013 Response to Staff Report

3. City of Annapolis – Jan van Zutphen/City Environmentalist – Historic District Tree Removal and Replacement Plan (WITHDRAWN)

I. PRE APPLICATION

Chair Kennedy reminded those present that this is an informal discussion and held as a courtesy to the applicants to determine feasibility as well as to address any other issues of concern that may arise at the hearing. This review does not constitute an approval and nothing discussed in this session will be binding on the commissioners or applicants.

1. 82 Conduit Street – Alison Whitacre/Cornerstone Builders, Inc. – Rear second story addition.

Ms. Whitacre, President, explained that the owners approached Cornerstone Builders immediately following the fire that occurred in August to restore the property back to its current condition. The owners decided to move forward with the modifications and renovations to the building. The owners decided against moving forward with the original plans that included a large two-story addition and altering the footprint so the builder developed a design that will not impair the neighboring view or alter the footprint. She met with staff to discuss the guidelines and believe that Mr. Richards had addressed the differentiation criteria as well as the massing issues.

Mr. Bill Richards briefly addressed the differentiation and massing issues. He explained that the property has an existing one and half story addition. The fire damaged the upstairs bathroom, porch and the back bedroom. He described the proposal for a two-story addition on the rear of the house, three bedrooms and a bathroom for the upstairs as well as a covered porch. He responded to a question regarding the square footage of the property noting that the footprint would not change but the volume would.

Chair Kennedy explained that it would be helpful to have a site plan to see what if any alternative exists to locate the addition. It would help to determine the context and if the addition is appropriate, subordinate or differentiated. Ms. Jones added that a site plan, showing subordination to include setbacks and roof form would be helpful. Ms. Finch agreed that additional information on the neighborhood and the subordination would help the Commission make a decision. In response to a question regarding the roof form, **Chair** Kennedy explained that the applicant could make the case for either a gable or hip roof on the addition. **Vice Chair** Leahy requested information on the subordination and differentiation in window styles as well as in detail on the same.

Chair Kennedy **summarized** that the Commission has reviewed the preliminary plans and requested additional information to include the site plans, perspectives, context regarding roof form, and detailing within half block on either side of the building. The applicant is encouraged through programmatic work to look at either a gable or hip roof and provide documentation to justify its decision based on the guidelines. The view shed from the waterfront needs to be presented as well. There was discussion regarding subordination through use of setbacks, differentiation through the detailing on the windows and the window forms, the detailing on the infill of the rear porch needs to read as an infill porch. Majority of the commissioners present believe an addition may be a feasible project but there is insufficient information provided to evaluate if this particular design is compliant. The applicant was encouraged to bring a full application with the necessary information for evaluation.

With there being no further business, **Vice Chair** Leahy moved to adjourn the meeting at 11:15pm. Ms. Finch seconded the motion. The motion passed unanimously in a vote of 7-0.

Tami Hook, Recorder