

Easton Historic District Commission
Easton, Maryland
November 8, 2010

Members Present: Roger Bollman, Chairman, Kurt Herrmann, John Sener, Mark Beck, Mac Brittingham, Lena Gill, Joyce DeLaurentis.

Absent:

Mr. Bollman called the meeting to order at 6:00 p.m.

The minutes of the previous meeting were approved.

Opening statement given by the Chairman.

The Commission operates under the authority granted to it by section 701 of the Town of Easton Zoning Ordinance. And, I hereby open the record of the public hearing on cases heard this evening and, in accordance with our legal responsibilities, I enter into the record the following items: notice of the public hearing, adopted design guidelines, resumes of commission members and any consultants used by the Commission, records of any previous meetings, and any letters to the Commission on a case.

The decisions of the HDC may be appealed within 30 days of approval.

General Order of the hearing of Applications

- *Introduction of the application by the presiding officer*
- *Presentation by the applicant or his agent*
- *Questions by members of the Commission*
- *Public comment*
- *Petitioner rebuttal*
- *Discussion and consideration by the Commission*
- *Decision motion and statement of Basis for Decision*
- *The applicant may withdraw the application at any time up to when the vote is taken*

A Certificate of Appropriateness shall lapse upon the expiration of the corresponding Building Permit. For applications that require a building permit but for which none is issued, this Certificate of Appropriateness shall lapse six (6) months after its issuance. In the event a building permit is not required, the Certificate of Appropriateness shall lapse six (6) months from its issuance if substantial work is not underway. For good cause shown, this period may be extended by the Commission.

I will now entertain a motion to accept the agenda for this evening.

The revised agenda for the evening was accepted 6-0.

Consent Docket Approvals

None

Staff Approvals

- 71-2010 - 220 S. Hanson St. – Re-roof like and same
- 79-2010 – 121 S. Harrison St. – Re-roof like and same

Business:

72-2010 43 S. Washington St. Neoma Leslie.

This application covers permanent removal of a porch railing at this address, also known as 41 & 43. It is the result of a TOE Historic District Notice dated 9/27/10. The applicant did not appear and the application was judged on its own merits and the information at hand. The 2004 Survey photo clearly shows the railing in place. Four recent photos, dated 9/17/10, show the porch with the railing recently removed (without approval). The photo, dated 11/2/10, shows the removed railings leaning against the south side of the building.

The railing is clearly part of the historic fabric of the building and *must be restored immediately*. The application is in violation of the Guidelines on pg 58 R1 and 59 NR1 specifying that character defining elements be maintained and not removed. It is denied.

Denied – Motion by Sener, passed 7-0.

73-2010 300 S. Aurora St. Douglas Hjemuik, Owner.

This application covers replacing 16 original distinctive 4 over 1 window with vinyl replacement windows. The house is a “contributing” property and was built in 1920 according to Real Property. There are presently storm windows on each window. The existing windows are part of the historic fabric of the house. The reasons given for replacement were: ease of cleaning, better appearance, ease of operation, and perceived energy efficiency. Repair of the existing windows was not considered.

“Replacement” windows (as compared to “builder’s” windows) would reduce the glass area of the and thereby alters the appearance of the house.

This application is in clear violation of the Guidelines pg 51 R1 that call for repair of existing windows on contributing buildings, pg 53 NR2 recommending against replacing original windows that can be repaired, and NR4 recommending against using replacement windows that do not match the originals in shape or light (e.g. glass area) configuration.

Denied – Motion by Sener, passed 7-0.

75-2010 9 N. Aurora St. Linda Haschen, Agent.

This application covers replacement of the existing wood front porch deck (flooring) with a brick deck. It was pointed out that this house was built in the 19th century, is part of Easton’s “silk stocking row” and is obviously historic. The present wood deck is part of the fabric of this house and is typical of historic houses built in the 19th century. On the other hand a brick deck is 20th century and would be inappropriate for this house.

Ms. Haschen asked that the application be tabled so that she could contact the owner regarding a wood deck.

Tabled – Motion by Gill, passed 7-0.

76-2010 215 S. Hanson St. Pete Leshner, Owner.

This application covers re-roofing the two story portion of the house with cedar shingles and the one story portion with architectural shingles.

The application is consistent with pg 55 R1.

Approved as Submitted – Motion by Herrmann, passed 7-0.

77-2010 508 Goldsborough St. Steve Hershey, Owner.

This application covers two unapproved handicapped ramps that have already been installed at this address. Lena Gill recused herself from this application.

Some of the facts regarding this application are:

- There are two recently constructed, unapproved ramps.
- Construction is of unpainted, pressure treated wood railings on a synthetic wood deck.
- The rear ramp, going off the rear deck, was constructed first.
- The front ramp, going off the east side of the front porch to the Goldsborough St sidewalk, was constructed second.
- While the latter construction was going on, some neighbors complained to the Town. A town inspector was sent to the site. He found that construction was taking place without permits or Historic District approval. He issued a “stop work order”, 10/25/10. Mr. Hershey disregarded the order and finished the ramp, stating something to the effect that he would apply for the necessary approvals after the fact.
- Staff placed this matter on the agenda for 11/8/10 (agenda sent to the HDC on Friday 10/29/10 but with no application). It should be noted that the 11/8 agenda closed on Monday, 10/25/10 but can be flexible for good cause shown. Mr. Hershey filed his application on Thursday, 11/4/10, which was then scanned and emailed to the HDC.
- An application contains a checklist to help an applicant file a complete application. An element of this checklist is dimensioned drawings or sketches of the proposal (ramps and handrails in this proposal). The sketch for the front ramp was inadequately dimensioned; there was no sketch for the rear ramp. The footprint sketch does not show the rear ramp. The application is therefore incomplete.
- There are no other front ramps in the 500 block of Goldsborough Street.
- Photos of the front ramp are included in the application; additional photos are in the file.
- Real Property shows Mr. Hershey owning the property as of 10/6/10.
- The property was posted as of Sunday, 11/7/10, and possibly as early as 11/4/10. This does not allow the public ample time to question a controversial application.
- The house was built in 2007 as a duplicate of a historic house that was demolished in 2004 before the Historic District was expanded.

While ramps are not specifically addressed in the Guidelines or the Secretary of the Interior’s Standards, the applicable portions are Guidelines pg 35 NR4, Guidelines pg 81, and Secretary of the Interior’s Standard #9 on Guidelines pg 16.

During the discussion Mr. Hershey stated the following points:

- He had not sought permits or HDC approval for his ramps because he had to act quickly.
 - There was a fire in the facility in New Jersey where his disabled sister was and therefore he had to move her to Easton quickly.
 - He owns 30 rental properties in Easton and this one was the only one suitable for his sister.
 - He offered no mention that he had considered any temporary care options while going through the necessary approval process for ramps.

- His case for putting in two ramps was that:
 - ADA calls for it. When challenged on this (by noting that ADA rules are likely silent on ramps required at single family residences) and being asked to provide documentation that this was indeed the case, he felt this was unnecessary.
 - He needs two means of egress for his sister in case of fire. When challenged on this to furnish documentation of this requirement, he felt this was unnecessary.
- He characterized the neighborhood of 508 is one of a questionable neighborhood in that it has many examples of poor construction details (he had furnished photos that he felt proved his point) and crime activity. Members of the HDC challenged this characterization of the neighborhood and noted that his opinion of the neighborhood is not relevant to the approval process.
- He stated that rear egress is dangerous due to illegal activity in the alley. Therefore a front egress is desirable.
- The lateness of his application was due to the staff putting him on the agenda; there is no urgency as far as he is concerned.
- Dimensioned sketches are not needed with his application as the HDC can come out and see/measure the as-built ramps.
- He has no intention of not having the two ramps.
- When the HDC suggested that there might be ways to achieve a second egress such as a ramp running along the east side of the building toward the alley rather than the present front ramp, he gave various reasons for no interest.
- He insisted that a 4' square landing is needed at every turn/landing. He ran the ramp toward Goldsborough Street because there was not enough room for a ramp and a sidewalk between the buildings without intruding on the neighbor's property.
- He has not discussed his need for handicapped egress with his neighbor to the east.
- A member of the HDC inquired if he had considered constructing a temporary ramp while pursuing the appropriate approval process. He replied that he would have considered it unsafe to do so.

The HDC is sensitive to his concern for his sister so it was agreed by the applicant and the HDC that a site visit would be made on Tuesday, 11/16/10, at 8:30.

The application is tabled.

Tabled – Motion by DeLaurentis, passed 6-0.

78-2010 402 S. Harrison St. Blair Alley, Owner.

This application covers construction of a small storage shed on the property. Details of the shed's construction and location are given in the application.

The application is consistent with the Guidelines on pg 34 R2, R4, and R5.

Approved as Submitted – Motion by Herrmann, passed 7-0.

80-2010 214 S. Hanson St. Peter Griffin, Owner.

This application covers aluminum clad wood "replacement" windows for 14 windows in the old portion of the house which was built in 1935 and rated "contributing". The principal reason given for replacement was that the existing windows are loose and

therefore not energy efficient. Storm windows exist on all windows. Repair had not been considered. Questions arose as to whether the windows are original or not. After discussion, it was decided to table the application for lack of information so that a site visit could be made on Tuesday, 11/16/10, at 9:30.

Tabled – Motion by Herrmann, passed 7-0.

Items from the Commission

- None.

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Roger A. Bollman, Chairman
Historic District Commission

cc: Zach Smith