



HOWARD COUNTY HISTORIC DISTRICT COMMISSION
ELLCOTT CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT
3430 Courthouse Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

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October Minutes

The tenth regular meeting for the year 2009 of the Historic District Commission was held on Thursday, October 1, 2009 in the Ellicott Room II located at 8930 Stanford Boulevard in Columbia, Maryland.

Members present: Joseph Hauser, Chairman; Samuel Crozier, Vice Chairman; Eileen Tennor, Secretary and Lisa Badart

Staff present: Samantha Stoney, Mina Hilsenrath, Dan Bennett, Lisa O'Brien, and Virginia Vargo

Chairman Joseph Hauser opened the meeting at 7:00 p.m. and asked the Commission members if there were any changes to the September 3, 2009 minutes. Eileen Tennor made a motion to approve the minutes as written; Joseph Hauser seconded the motion. The motion passed unanimously.

PLANS FOR APPROVAL

- 1) #09-29 – 8086 Main Street, Ellicott City
- 2) #09-30 – 3772 College Avenue, Ellicott City
- 3) #09-31 – 8290 Main Street, Ellicott City
- 4) #09-32 – 3877 College Avenue, Ellicott City
- 5) #09-33 – 6086 Old Lawyers Hill Road, Elkridge
- 6) #09-34 – 8497 Hill Street, Ellicott City
- 7) #09-35 – 3746 Mulligans Hill Lane, Ellicott City

#09-29 – 8086 Main Street, Ellicott City

Paint exterior of building.

Applicant: Tamara Beideman and Libby Kahat

Background and Scope of Work: According to MDAT, the structure dates to 1890. The Applicant proposes to paint the exterior of the building. The proposed color for the siding is a light green (Sage Sweater), light pink (Venetian) for the exterior doors and Eggshell Cream for the trim.

Staff Comments: The Application complies with Chapter 6.N (page 50) “use colors that are generally compatible with (and do not clash with) the colors used in the district, particularly on neighboring buildings” and “in general, use calm or subdued colors.” The proposed colors are similar to others along Main Street. The doors, which will be painted light pink, are recessed and not highly visible.

Staff Recommendations: Staff recommends Approval.

Testimony: Chairman Joseph Hauser swore in the Applicant, Tamara Beideman. Lisa Badart and Eileen Tennor stated they like the colors which were chosen. Ms. Beideman replied that the colors blend in with others on Main Street. Mr. Hauser asked what the finish on the paint would be, and Ms. Beideman said it would probably be a satin finish.

Motion: Ms. Badart made a motion to approve the application as submitted, and Ms. Tennor seconded. The vote was unanimous to approve the application as submitted.

#09-30 – 3772 College Avenue, Ellicott City

Install hot tub.

Applicant: John Ferrara

Background and Scope of Work: According to MDAT, the house was built in 1994. It is located in a new subdivision within the historic district and is not a contributing structure. The Applicant proposes to install a hot tub under the existing deck on the rear of the home. The hot tub will be placed on a 6' x 6' poured concrete pad. The pad will be framed by pressure treated 4' x 4' pieces of wood, which will match the existing deck. The pad will be built at grade with the backyard. The area around the hot tub under the deck will be covered with river washed stones and framed with 4' x 4' pieces of wood.

Staff Comments: The hot tub will be located in the backyard, which faces College Avenue. When driving up College Avenue away from Main Street the backyard is slightly visible; however, part of the view is blocked by a hill, and the area beneath the deck is not visible when the trees are in leaf; it is unlikely to be very visible even in winter. The back decks of the homes are visible from the street, as well as other items in the yards, such as outdoor furniture and storage areas, not under HDC jurisdiction. The hot tub should not be considered a permanent structure because it can be removed.

Staff Recommendations: Staff recommends Approval.

Testimony: The Applicant was not present to testify. Ms. Badart said that she did not find any problems with the application as the area was hidden behind trees and the townhouses were new construction.

Mr. Hauser stated that it is a non-contributing structure, but expressed concern over setting a precedent. Mr. Hauser suggested screening the hot tub with materials such as lattice or landscaping. Mr. Crozier said that the selection of screening material should take into account the height of the hot tub and the need for privacy. The Commission discussed making screening a condition of approval with staff approval for the final screening material. Mr. Crozier suggested asking the Applicant to come to the November meeting to further discuss the type of screening. Mr. Hauser agreed that he would like to see the Applicant return in November with samples of different types of screening.

Mr. Hauser swore in Mike Smith of 3877 College Avenue. Mr. Smith stated he lives across the street from the Applicant's residence. He said it would be a good idea to propose screening so that it would not be visible to people walking or driving up College Avenue.

Motion: Mr. Hauser made a motion to continue the Application until the November meeting to discuss screening with the Applicant. Mr. Crozier seconded the motion. The vote was unanimous to approve.

#09-31 – 3877 College Avenue, Ellicott City

Install new door and windows, tax credit pre-approval.

Applicant: Michael J. Smith

Background and Scope of Work: According to MDAT, the structure dates to 1937. The Applicant proposes to replace a rear exterior door and two windows. The current door is a 6-lite, 2-panel white wooden door, which will be replaced with a custom built 15-lite French wood door by Marvin.

The current window on the side of the house is a 6-lite wood window. On the rear of the house is a set of three 6-lite white wooden windows. The windows will be replaced with custom built wood windows by Marvin, which will resemble the existing windows. The Applicant seeks tax credit pre-approval for all work.

Staff Comments: The proposal is consistent with Chapter 6.H (page 40) recommendations, “replace original windows, frames, and related details with features that fit the original openings and are of the same style, material, finish, and window pane configuration.”

Staff Recommendations: Staff recommends Approval of work and tax credit pre-approval.

Testimony: Mr. Hauser had the Applicant, Michael Smith, restate his name and address for the record as he was already sworn in. Mr. Smith explained the windows will be replaced with custom built wood windows by Marvin. The windows will be painted the same color as the exterior of the house, Sherwin Williams Duration Colonial White. If siding needs to be replaced, it will be replaced in kind with wood.

Motion: Ms. Tennor made a motion to approve the application as recommended by staff, for the work and the tax credit, and Ms. Badart seconded. The vote was unanimous to approve.

#09-32 – 8290 Main Street, Ellicott City

Install new windows, repairs to exterior, tax credit pre-approval.

Applicant: Mojan Bagha

Background & Scope of Work: According to MDAT, the structure dates to 1920. The Applicant proposes to replace the existing wooden windows on the front, back, and side of the building with vinyl or vinyl clad wood windows. The building has nine visible windows on the front of the building and two windows on the side that are visible from the sidewalk. The back of the structure is not visible from the street.

The concrete lintels and sills on the windows are crumbling and need repair. The Applicant proposes to remove and rebuild the concrete lintels and sills, as needed.

The Applicant seeks tax credit pre-approval for all work.

Staff Comments: The Application is not consistent with Chapter 6.H recommendations for windows. The Guidelines (page 41) recommend against “replacing wood windows with metal or vinyl” or “using metal or vinyl windows on historic buildings or in highly visible locations.” Staff finds the use of vinyl or vinyl clad wood windows would be most appropriate installed on the rear and side of the building not visible from the street. The ground floor window is larger than a standard window and Staff has concern that a replacement window would not appropriately fit the window opening.

The Applicant submitted a statement from a neighbor who received permission to use vinyl windows in 2002 at 8321 Main Street. However, during the past several years the Commission has been stricter about enforcing the continued use of wooden windows along Main Street, such as case HDC-09-19, 8391 Main Street and HDC-09-20, 8060 Main Street.

The concrete lintels are crumbling and in need of repair and/or replacement, which is consistent with Chapter 6.C (page 27) recommendations, "If a masonry wall or feature must be replaced, use materials as similar to the original as possible, particularly if the materials are visible from a public road or are key elements of the building's style or character."

Staff Recommendations: Staff recommends Approval of:

- 1) Use of wooden windows, to fit existing openings, for all windows on the front of the building and the two visible windows on the side of the building.
- 2) Use of vinyl or vinyl clad wood windows, to fit existing openings, on the side of building not visible from the street and the rear of the building.
- 3) Repair/replacement of concrete lintels.
- 4) Staff recommends tax credit pre-approval for Items 1-3.

Testimony: Mr. Hauser swore in the Applicant, Mojan Bagha. Mr. Bagha thanked Samantha Stoney and Staff for their assistance with the application. Mr. Bagha would like to install vinyl clad wood windows, similar to the Copy Center across Main Street which has vinyl windows. The concrete will be replaced in kind and he will try to have the color match the existing, which has been bleached by the sun.

Ms. Tennor stated that the Guidelines stipulate wood windows and she agrees that is what should be installed. Mr. Hauser asked if a window has been selected, and Mr. Bagha said he has looked at different options, but has not made any decisions yet.

Mr. Hauser asked how the Applicant planned on replacing the masonry lintels and sills. Mr. Bagha explained the process involves building a mold; pouring concrete; smoothing it over with Portland cement; then washing it with a chemical to give it an aged look.

Lisa Badart asked if the existing windows could be repaired. Mr. Bagha replied that the windows could be repaired. Ms. Badart asked if he would object to re-using the windows if they were repaired and Mr. Bagha stated would object to that because he is losing a lot of heat because the windows are old and have gaps. Ms. Badart asked if he would consider using storm windows and he replied that the storm windows cost as much as replacement windows. Mr. Bagha explained there are gaps in the windows allowing air into the building. Samantha Stoney explained that wooden windows are just as energy efficient when repaired correctly because all gaps are fixed so air is not flowing through. Ms. Stoney added the tax credit would be eligible for wooden windows on the front of the building, but if vinyl windows were allowed the tax credit would not be approved. HDC members made various suggestions such as sash packs and installing gaskets. With a sash pack the frame stays intact and the parts of the window that move are replaced.

Mr. Hauser explained the various options that had been discussed that night. The first option was to repair the existing windows. Mr. Bagha replied that he could repair the windows, but that by the time he repairs them and uses storm windows, it will cost as much as replacing the window. Mr. Hauser replied that the job of the Commission is to maintain the integrity of the historic district, stating the second

option was to find new wooden windows. Mr. Hauser said the HDC would probably not approve vinyl windows on Main Street.

Mr. Bagha asked if vinyl windows could be approved on the rear and side of the building. Mr. Bagha explained there are twenty-two windows on the building, including thirteen on the front façade. Mr. Bagha stated that he was approved several years ago to install an Anderson 400 series vinyl clad front door. The Commission indicated they might consider a clad finish for the front windows as a third option.

After extensive discussion, Mr. Bagha asked for clarification on the several different options:

- 1) Replacing the side and rear windows with vinyl windows.
- 2) Installing sash pack for the front windows.
- 3) Repairing the existing windows.
- 4) Using vinyl clad wooden windows on the front.

Mr. Bagha offered catalogs for samples, but Samantha Stoney said that an actual sample from the manufacturer is preferable.

Mr. Hauser suggested moving to amend the petition to give approval on rear and side vinyl windows and have the Applicant bring in a new application for front windows. Mr. Bagha is to bring in a sample of windows for the front.

Motion: Mr. Hauser moved to amend the petition to:

- 1) Approve rear and side windows in vinyl.
- 2) Repair the lintels and sills on the front windows and allow tax credit on the installation of sills and lintels;
- 3) Disallow tax credits for vinyl windows;
- 4) Allow tax credit for wood windows on the front if the the Applicant proposes them at the November meeting.

Ms. Tennor seconded the motion. The vote to approve was unanimous.

#09-33 – 6086 Old Lawyers Hill Road, Elkridge

Install new windows.

Applicant: Bruce Voris and Wendy Ng

Background & Scope of Work: According to MDAT, the house dates to 1958 and as such, is not historic, making it a non-contributing structure in the historic district. The house is located along Old Lawyers Hill Road (which is a dead-end road), is set back from the street, and shaded by large trees. The Applicants propose to replace all of the windows on the house with double-hung Duracast® windows, which is a fiberglass product. The color will remain white, and the new windows will all be 1:1. Currently the windows are a mixture of styles and materials, such as 1:1, 6:6, vinyl and wooden.

Staff Comments: The proposal will bring some consistency to mix of styles and materials on the house. Chapter 6.I of the Lawyers Hill Guidelines contains a picture showing the most common windows and depicts 1:1 windows common for a 20th century house.

Staff Recommendations: Staff recommends Approval.

Testimony: Mr. Hauser swore in the Applicants, Wendy Ng and Bruce Voris. The Applicants explained that they would like to replace all of the windows on their house, which are original single-pane glass from 1958. The storm windows are custom built for the house, but the screens are separate and difficult to install in the summer. However, all of the storm windows are deteriorating and they no longer have a complete set. The Applicant's property is very close to Interstate 95, and for better insulation and maintenance, the Applicants would like to replace all windows with Andersen or Pella double-pane, tilt-out windows. The Applicants are looking at Duracast windows by Pella® or Fibrex windows by Andersen®. The new windows will not have muntins.

Mr. Hauser asked if the present windows are 6:1, and the Applicants replied that the windows, storm windows, and screens are a variety of sizes. Mr. Crozier confirmed the house is not historic, so tax credits are not eligible.

Motion: Mr. Hauser made a motion to approve as submitted, and Mr. Crozier seconded. The vote was unanimous to approve.

#09-35 – 3746 Mulligans Hill Lane, Ellicott City – Emergency Addition

Emergency addition to repair yard drainage and exterior damage; exterior repairs and alterations to house and yard, install new windows, replace siding, pave driveway, reface retaining wall and add patio.
Applicant: Benjamin Daniels

Background & Scope of Work: The application was added to the agenda for emergency work resulting from drainage issues. It also seeks approval for other anticipated work and retroactive approval for work performed without approval from the HDC.

According to MDAT, the structure dates to 1920. The property is quite large for the historic district and forms a bowl that drains downhill toward the house. The emergency repair work includes grading around the inlets located throughout the property to improve drainage. Some emergency work included closing off a hole behind the house where water was seeping into the structure. The adjacent area was also paved in concrete to improve grading and drainage. This work was allowed to resolve the immediate problem until HDC approval could be attained for future work.

However, the Applicant did not seek HDC approval for the additional work that is underway and now seeks retroactive approval for the following items:

- 1) Three wooden windows on the rear addition have been replaced with Andersen® vinyl clad wood windows. It appears the replacement windows do not fit the original openings, however, once the siding is replaced this may not be visible and will no longer be an issue. The Applicant has indicated the windows were replaced because the original ones were rotting.
- 2) A new vinyl clad wood window and a new door have been installed on the back of the existing addition.
- 3) The driveway has been partially paved in concrete. The Applicant seeks approval to pave the remainder of the driveway once issues regarding the driveway apron are resolved.
- 4) An existing low wall has been covered with grey concrete pavers.

- 5) A concrete rear and side patio have been added, along with new concrete sidewalks leading to the front porch and back patio. The patio is supported by a retaining wall faced with grey concrete pavers (there will be a railing as described in Item 7).

The Applicant seeks approval for the following proposed items:

- 6) The small slope directly next to the driveway will be lined with large rocks found on the property.
- 7) The patio above the driveway will have a railing made out of treated 2"x4"s.
- 8) The front porch step railing will be replaced with treated 2"x4"s.
- 9) The Applicant proposes to remove the existing wood siding on the entire house and replace it with HardiePlank™ lap siding, to have the same width exposure. The Applicant does not intend to paint the HardiePlank™, but keep the stock light green/beige color.

Staff Comments: The windows on the side of the house were replaced with 1:1 vinyl clad wood. The windows on the rest of the house appear to be 6:6, but it is possible the windows on the rear addition were originally 1:1 – the second floor window has not been replaced and is 1:1. As mentioned above, the replacement windows do not appear to fit the openings of the original windows. However, once new siding is installed on the building, the difference should not be visible since all three windows are the same length. The replacement on the side and rear is consistent with Chapter 6.H (page 41) recommendations “vinyl windows may be acceptable for modern additions to historic buildings if the addition is to the rear of the building with little visibility from public ways or neighboring property.” The use of the modern door on the rear of the house is consistent with Chapter 6.G (page 38) possible exceptions “many historic buildings have secondary entrances not visible from street or other properties. Where these entrances already have a modern replacement door, a new door does not necessarily need to be of a historic appropriate style.” While it is unknown what the previous door material was, the rear addition is not visible from the street and staff has no objection to the replacement door.

The paving of the dirt driveway is consistent with Chapter 9.D (page 70) recommendations “where needed, install new residential driveways that are narrow (one lane) and follow the contours of the site to minimize the need for clearing and grading.”

The concrete pavers on the walls are compatible with the stone retaining wall along the front of the property. While the color is lighter and the pavers smaller, the wall is set back significantly from the street and should not be highly visible. The treatment of the wall and proposed railing are consistent with Chapter 9.D (page 70) recommendations “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.” The small slope next to the driveway will be retained with large rocks found on the property.

The proposal to replace the wood siding with HardiePlank™ is generally consistent with the Guidelines. Chapter 6.D of the Guidelines (page 29) recommends “when necessary, replace deteriorated wood siding or shingles with wood siding or shingles that match the original as closely as possible in width, shape, and profile.” However, Chapter 6.D (page 30) also states a possible exception to the recommendation is that “composite siding may be considered, if wood is not a viable option” but that the composite siding must convey “the appearance of the historic material, and application of the substitute material does not damage or obscure historic features. The texture, width, shape, profile, and finish of the substitute siding material should be similar to the wood siding it replaces.” Due to the

drainage issues and intensive rot that was found on the structure, HardiePlank™ would appear to be an acceptable material.

Staff Recommendations: Staff recommends Approval of all work.

Testimony: Mr. Hauser swore in Benjamin Daniels, the Applicant, and Carlton Brown of Landover, MD his concrete/masonry contractor. Mr. Daniels explained that over the years erosion from the backyard has made the ground level four feet higher than the foundation. After clearing away the dirt they discovered concrete that sloped towards the house. The Applicant threw away 1.4 tons of concrete. He decided to salvage the remaining concrete to construct a new patio. Mr. Hauser asked if excavation in the back of the property has been finished. Mr. Daniels confirmed that it has and said that new concrete has been poured. He also found the sill plates on the rear of the house had rotted, which he replaced. There was also mold in the drywall, which was also replaced.

Mr. Hauser asked if the house was covered with asbestos siding, and Mr. Daniels said it was and has been disposed of safely. Wood lap siding is now exposed, which they propose to cover with wood texture HardiPlank™ without beading. Mr. Hauser inquired about the condition of the wood siding, which is currently visible because the asbestos siding that was covering it has been removed. Mr. Daniels explained the wood siding is very brittle and not in good condition. Mr. Hauser asked why staff recommended approval of the HardiPlank™, which is not frequently approved in the historic district. Ms. Stoney explained staff felt the HardiPlank™ was an acceptable material due to the extensive rot issues found on the house, which may be an on-going problem. Additionally, the house had been covered with asbestos siding and was not exposed wood lap siding. The house is simply being recovered with a more durable, weather-proof material. Mr. Hauser asked what kind of siding covers the porch rails, and Mr. Daniels said it is probably wood or wood paper material. Dan Bennett explained how the Applicant will install the new siding over the existing wood lap siding.

The Commission went through the list of approval items to thoroughly address the application. The Commission saw no problems with Items 1 and 2. The Commission expressed concern over the width of the driveway, but Staff explained the driveway previously existed; nothing is changing except it will be paved instead of dirt. The Commission agreed with the staff recommendations for the low wall covered with pavers. Mr. Crozier explained the wall railing may need to have 4-inch spacing for safety purposes. The Commission had no objection to Items 5 and 6. For Item 7, Mr. Hauser requested a handrail design for the patio above the driveway and the staircase railings. Mr. Brown explained they plan to install wrought iron between the wooden posts.

Mr. Hauser swore in Nancy Briguglio, Mr. Daniels wife. Ms. Briguglio requested the Commission allow them to get staff approval for the railings to avoid delays in construction.

The Commission continued its deliberations and suggested Item 9 be amended to read: The Applicant proposes to cover the existing wood siding on the entire house and replace it with HardiePlank™ lap siding, to have the same width exposure. The Applicant proposes to paint the HardiePlank™ the same color as the primer. The Commission requested a color sample be provided for Staff approval.

The Commission discussed the approval of HardiePlank™ material and the chance it would create a precedent. Ms. Stoney explained that because the house was already covered with a non-historic material that it is not setting a precedent. Ms. Hilsenrath explained the Decision and Order will be explicit regarding justification for the case.

Motion: Mr. Hauser made a motion to:

- 1) Approve Items 1-6.
- 2) Items 7 and 8, tentative approval of Staff recommendation, final approval of design and materials by staff based on Commission discussion.
- 3) Item 9, approve HardiPlank™ siding with reveal matching that of the house which is 4 – 4-1/2”, paint color to be approved by Staff.
- 4) For windows and door that will have to be retrimmed, present detail and sample of trim color to staff for approval.
- 5) Because of the location of the house and the conditions HardiPlank™ is allowed to be installed on the house .

Eileen Tennor seconded the motion. The motion passed unanimously.

#09-34 – 8497 Hill Street, Ellicott City

Exterior repairs, minor alterations and paint; rescreen porch; replace exterior stairs; tax credit pre-approval.

Applicant: Timothy and Laura Janiszewski

Background & Scope of Work: According to MDAT the structure dates to 1900. The Applicants propose to:

- 1) Paint the trim on the house white (which is the current color).
- 2) Paint basement hatch doors brown (which is the current color).
- 3) Paint front porch floor grey (which is the current color).
- 4) Replace screen on existing screened front porch.
- 5) Replace front green wooden stairs with new wooden stairs (tread to be grey, risers to be white).
- 6) Install new railings and railing posts on new front stairs (to be white).

Staff Comments: Staff conducted site visits on September 21 and found work taking place at the house. As a result the application is no longer eligible for tax credits, which, according to County Code, must be pre-approved by the HDC. Items 1 -4, painting the trim, basement hatch doors, porch floor and replacing the screen on the porch are considered routine maintenance and are consistent with Chapter 6 recommendations. Because these items are routine maintenance, they do not require a Certificate of Approval, except when seeking tax credit pre-approval.

The proposed replacement for the front stairs and railings are architecturally more appropriate for the style of the house and as the main entryway to the house. The stairs shown in the application are most likely not original to the house. The new design is consistent with Chapter 6.F (page 34) recommendations to “replace missing features, such as missing supports or railings, with materials that are appropriate in scale, proportion, and style.”

Staff Recommendations: Staff recommends Approval of work and Denial of tax credit pre-approval.

Testimony: The Applicant was not present.

Motion: Ms. Badart made a motion to accept the proposal per Staff recommendation. Mr. Hauser seconded and the motion passed unanimously.

The meeting was adjourned at 9:06 p.m.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

Elmina J. Hilsenrath, ASLA
Executive Secretary

Joseph Hauser, Chairperson

Virginia L. Vargo, Recording Secretary

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