



CITY OF WESTMINSTER HISTORIC DISTRICT COMMISSION MEETING SUMMARY

Wednesday, October 6, 2021, at 7:00 PM

Virtual meeting via Zoom and broadcasted live on the City Facebook page

A meeting of the City of Westminster Historic District Commission was held virtually via Zoom and broadcasted live on the City Facebook page on October 6, 2021, at 7:00 PM.

Call to Order

Chair McMasters read the statement of authority into the record.

Chair Kristen McMasters, Vice-Chair Aaron Burroughs, Commissioner Josh Ambrose, Commissioner Christine Ameduri, and Commissioner Kevin Wagman were present. City staff members Mark Depo, Andrea Gerhard, and Andrew Gray were also present.

The following members of the public were present: Jordan Knox, Jennifer Yang, Dean Camlin, and Greg Brock.

Approval of Minutes

Commissioner Wagman moved to approve the meeting summary for September 1, 2021. Vice-Chair Burroughs seconded the motion, and the motion passed unanimously.

Old Business

Chair McMasters opened Old Business Item A – Tax Credit Application Requirement Discussion. The Commission considered the requirements of an applicant to obtain multiple bids, as well as the requirement of licensure for any bidder or contractor for a project. Mr. Gray stated that the three places in which the Commission could include additional requirements were 1) on the Historic Tax Credit application; 2) in the Rules of Order and Procedure; or, 3) via an Ordinance to amend the City Code.

Vice-Chair Burroughs clarified that the purpose of requiring multiple bids and contractor licensure is for the Commission to confirm the cost is reasonable and that the applicant is not working in collusion to inflate costs.

Commissioner Ambrose added that the Commission has repeatedly asked for these requirements in recent years and needs to have a consistent policy to evaluate the scope of work.

Commissioner Ameduri stated that asking for additional bids would also increase transparency.

Chair McMasters clarified that neither the state nor federal tax credit applications require multiple bids.

Commissioner Wagman raised the issue of licensure to help the applicant know that all contractors are proven entities and trustworthy.

Vice-Chair Burroughs motioned to add into the Rules of Order and Procedure that if a project cost total is above \$15,000, a second quote is required. However, if a second quote cannot be provided, the applicant should note why on the application. In addition, any bidding entity should not have any ownership, stake, or connection to the property. Commissioner Wagman seconded the motion; the motion passed unanimously.

Mr. Gray stated that City staff will provide proposed language at the next meeting for review and approval.

Vice-Chair Burroughs amended his motion to state that the Commission will work with City staff to clarify the language to include in the Rules of Order and Procedure and vote on such language at the Commission's next meeting. Commissioner Wagman seconded the amended motion, and the motion passed unanimously.

Chair McMasters asked if contractor licensure was a requirement. Mr. Depo responded that it was a City Code standard to require tax credits be paid to a licensed contractor. Chair McMasters stated that it might create a hardship due to the nature of the work not requiring licensure. Mr. Depo stated that he would confirm with the City attorney since the tax credit was paid directly to the homeowner as reimbursement.

Chair McMasters opened Old Business Item B – Pre-Construction Application for Historic Rehabilitation Property Tax Credits TC #21-01. Chair McMasters stated that she will have to withdraw her Application.

New Business

Chair McMasters opened New Business Item C – Pre-Construction Application for Historic Rehabilitation Property Tax Credits TC #21-02. Mr. Gray provided background information, stating that the property owner of 116-118-120 East Main Street had provided cost estimates for exterior painting, exterior wall repair, and door replacement, as well as interior improvements for the tasting room and distillery. Staff provided a list of interior improvements that were not recommended as eligible work as defined in City Code Section 143-5, Historic Tax Credit.

The Property Owner is requesting City Historic Tax Credit Program funding, in the amount of \$199,389.00. However, if it is determined that the interior improvements are not considered eligible work then the Commission may only grant a tax credit of \$52,662.00 for exterior work. City staff recommends that the Commission review the provided Application and attachments to determine whether: 1) what proposed work as outlined above qualifies as "Eligible Work" under Section 143-5.B.; 2) the estimated project cost of \$352,660.00 is accurate and acceptable; 3) the Property is an eligible property; 4) the quotes submitted are sufficient for receiving two quotes for the work; and, 5) to approve and grant the Certificate of Eligibility for a Historic Tax Credit in the amount of up to \$5,266.20, consistent with City Code Section 143-5.B.(a),(b), and (c).

Commissioner Wagman recused himself from voting and discussion on the item due to a personal conflict.

The applicant, Jennifer Yang, was present for questions. Chair McMasters asked if Ms. Yang had applied for any state or federal funding. Ms. Yang replied that she had applied through the state's new funding program, but not the tax credit program that was similar to the City's. Chair McMasters stated that the Maryland Historic Trust offers a state rehabilitation tax credit that works with the federal program specifically for commercial properties.

Vice-Chair Burroughs asked if the applicant could provide an itemized quote for only the eligible work. He also inquired about defining the safe functioning of an eligible property and how certain work related to that. Commissioner Ambrose added the example of ADA requirements for bathrooms in public spaces; it should be considered eligible work to make the property safe and functioning.

Commissioner Ameduri asked how the non-eligible work was determined. Mr. Gray stated that City staff reviewed the City Code and recommended which items were ineligible. Mr. Depo added that Section 143-5.B.(e) stated eligible work must maintain the historic integrity; therefore, staff was requesting the Commission to make the final decision. Staff questioned whether improving the building for commercial use maintained or restored the historic integrity.

Vice-Chair Burroughs motioned to approve the entire application amount of \$352,660.00 on the condition that the steel table be removed. Commissioner Ambrose seconded the motion. The motion passed 4-0 with Commissioner Wagman recusing himself.

Mr. Gray asked Ms. Yang to provide an updated quote that did not include the table installation. Chair McMasters stated that any substantial change orders would be required to come before the Commission for consideration.

Ms. Gerhard noted that the state's new funding program was Project Restore, and further information was available on the City's website.

Chair McMasters opened New Business Item D – Façade Improvement Program (FIP) Application 121 East Main Street. Mr. Gray provided background on the application, stating that the applicant was requesting façade improvement funding in the amount of \$13,100. He advised the Commission that the applicant was not present, which did not meet the requirements of the Rules of Order and Procedure.

Chair McMasters opened New Business Item E – Façade Improvement Program (FIP) Application 116-118-120 East Main Street. Mr. Gray provided background on the item, stating that the applicant is requesting façade improvement grant funding in the amount of \$26,330. City staff recommended that the Commission review the façade improvement application, City of Westminster Façade Improvement Program Overview, and attached estimates, and grant the appropriate funding for the project.

The applicant, Ms. Yang was present for questions.

Commissioner Wagman recused himself from voting and discussion on the item due to a personal conflict.

Chair McMasters noted the pressure washing of brick damages the mortar and brick; she recommended hand scraping. Ms. Yang responded that she will get an updated quote from the painter to do all hand

scraping. Chair McMasters also asked about the mortar type. Ms. Yang replied that the structural engineering report provided specific details about what would be repaired and how.

Chair McMasters noted that any woodwork should be replaced with in kind materials.

Vice-Chair Burroughs asked if it was typical of an FIP to include “bricked in” windows. Ms. Yang stated that the window was currently a wood plank and by placing bricks in its place they were able to restore the window in the future if warranted. Commissioner Ambrose noted that the bricked in window would improve the façade and historic quality.

Commissioner Ambrose motioned to approve the Façade Improvement Application as presented, conditioned upon following the recommendations outlined in the structural engineering report. Commissioner Ameduri seconded the motion. The motion passed 4-0 with Commissioner Wagman recusing himself.

Chair McMasters opened New Business Item F – Demolition Permit 288 East Main Street. Ms. Gerhard provided background information on the item, stating that Mr. Jordan Knox contacted the Department of Community Planning and Development (DCPD) regarding the demolition of the main building located at 288 East Main Street, Westminster, MD. DCPD has had several discussions with Mr. Knox regarding the demolition of the building and potential use of the property. Pursuant to City Code Section 56-6.C.(1)(d), the Historic District Commission (Commission) should review the demolition permit and accompanying information and provide the Zoning Administrator with its recommendation.

DCPD staff recommends that any approval of the demolition permit be subject to the completion of an historical and architectural archiving report. In addition, any new development of the property should make every effort to re-use the logs of the log cabin incorporated into the existing main building and shall meet the requirements of the City of Westminster 2016 Development Design Preferences and Westminster Historic District Commission Design Guidelines and incorporate elements of the Standards for Renovation Westminster.

Mr. Knox was present and described the deterioration of the building and the reasoning behind the demolition request. Chair McMasters asked if he was aware that the property was within the Historic District; Mr. Knox stated he was not aware.

Mr. Camlin was present and reviewed his provided assessment, including his professional review of the deterioration, stating that it was beyond repair.

Mr. Knox confirmed that he had begun demolition prior to obtaining the demolition permit in an attempt to begin repairs, which were unsuccessful. Mr. Camlin added that the existing holes in the roof were causing weather damage, as well as the existing chimney that was deteriorating and causing additional damage.

The Commission questioned Mr. Camlin about the interior damage to the structure and asked him to differentiate between what was salvageable and what was completely destroyed. Chair McMasters added that the property is specifically called out in the National Historic District with the Maryland Historic Trust (MHT) and is an integral part of the historic district.

Mr. Gray read one public comment received from Nick Wagman, into the record, who stated his opposition to the building’s demolition.

Commissioner Ambrose asked if MHT had been contacted regarding the demolition request. Ms. Gerhard replied that MHT is contacted only if there is an easement on the property; in this case, it is just part of the inventory.

Commissioner Ameduri asked what entity monitors demolition permits and the associated work. Mr. Depo replied that currently no City entity monitors demolition permits. He stated that staff began working with the applicant as soon as the demolition permit was received. Staff coordinated with the applicant to provide referral information. The Code provides for the Zoning Administrator to notify the Mayor and Common Council and Historic District Commission of a demolition permit. Furthermore, if such permit is determined to have an adverse effect on the historical integrity of the City, the permit is referred to the Commission for a recommendation.

Ms. Gerhard clarified that the property is not within the Historic District Zoning category, therefore it has different policies on how to handle permits for its zoning designation.

Commissioner Ambrose asked that future requests be cross-referenced with the MHT database to bring before the Commission in the future.

Mr. Depo stated that the Zoning Code does not call out ramifications for doing work without a permit. The Historic District includes multiple properties, and the City Zoning Ordinance created the Historic District Commission and the Historic District Zone. If a property is located in this Historic Register District, but not Zoned Historic District, the Commission does not have the same authority over activities related to that property.

Commissioner Ameduri asked how the illegal demolition would be addressed. Mr. Depo stated that City staff will work with the County to discuss the ramifications.

Commissioner Wagman motioned to instruct City staff to issue a stop work order and follow up with the County as to what violations existed for doing work without a proper permit. Commissioner Ameduri seconded the motion, and the motion passed unanimously.

Commissioner Ameduri motioned to require the owner of 288 East Main Street to obtain an historic structure report which meets the requirements of the Department of Interior Standards for Historic Preservation documentation prior to any additional work being complete. Commissioner Wagman seconded the motion, and the motion passed unanimously.

Chair McMasters continued discussion of New Business Item D – Façade Improvement Program (FIP) Application 121 East Main Street. She stated that the applicant should attempt to repair damage prior to replacement; if replacement was necessary, it should be with in kind materials and design.

Chair McMasters opened New Business Item G – Sustainable Communities Renewal Application Discussion. Mr. Gray provided background on the item detailing information on ways the Commission supports the Sustainable Communities Application. He requested a signed letter from the Chair supporting the City's application to the Department of Housing and Community Development. Commissioner Wagman motioned to approve the written letter of support. Commissioner Ambrose seconded the motion. The motion passed unanimously.

Adjournment

Chair McMasters motioned to Adjourn. The Commission adjourned at 10:11 PM.