

LAYTONSVILLE HISTORIC DISTRICT COMMISSION
Videoconference Meeting Minutes
Monday, May 18, 2020

Present:

Charles Hendricks, Chair
Susan Phillips
Jill Ruspi

Absent:

Andy Drouliskos
Lisa Simonetti
Michele Shortley, Alternate

Attendees:

Jennifer Sizemore, Secretary
Jim Ruspi
Caroline and Mike Maurer

Opening:

Chair Hendricks called the meeting to order at 7:33 p.m. He noted that a quorum was present. Member Ruspi made a motion to approve the February minutes as amended, Member Phillips seconded, and all approved. Chair Hendricks noted that the Historic District Commission (HDC) did not meet in March or April, so there were no minutes to consider.

New Business:

7115 Brink Road, Mike and Caroline Maurer residence: Mrs. Maurer asked whether a historic district work permit application is required to stain rather than paint the new picket fences at the front and sides of her house and the deck of her front porch. She had previously spoken with Chair Hendricks about whether an application would be needed to repair or replace the existing white picket fence, which was about 16 years old and had rotted boards. Chair Hendricks said an application was not needed if the fence height remains the same and it's a replacement in kind. Now that the fence has been replaced, the Maurers like the natural wood look and want to know if an application is needed to stain it rather than paint it white. Chair Hendricks said he had looked at the town zoning ordinance, which does not use the term "replacement in kind" though it does discuss "routine maintenance," which is similar. Replacing deteriorating fence boards could be considered maintenance. However, the ordinance does say a permit must be issued for "constructing, reconstructing, moving, relocating, demolishing or in any manner modifying, changing or altering the exterior features of any designated historic site or historic resource located within the town." So Chair Hendricks said he may have not given appropriate advice. Mrs. Maurer thought most of the fence could be refinished, but when the contractor washed it with a high-pressure hose, much of the fence fell apart. The contractor tried sanding the boards, but it was very time-consuming just for the posts. Chair Hendricks asked how much of the fence was replaced and how much was retained, and Mrs. Maurer said just the supports were retained and those had to be reinforced.

Chair Hendricks asked the other HDC members for their input. Member Ruspi gave the historical perspective. When the guidelines were written, most houses had white picket fences, so the HDC viewed them as historic features. But, over time, new homes went in and others removed their fences, so it didn't have the same continuity. Member Phillips said quite a few houses near her have new fences, but if the ordinance doesn't specify that fences have to be white, it's not a key feature. Member Ruspi agreed and added that fences are somewhat temporary structures, so should not be subject a lot of restrictions. Chair Hendricks asked if neighbors should be given an opportunity to weigh in through a public hearing, or if the HDC can act on its own. Member Ruspi said new fences would need an application. Chair Hendricks felt that neighbors should be able to provide input, but that it's difficult to have a consistent aesthetic based on people's opinions. Member Ruspi said there are two issues: whether this is a replacement in kind and whether the HDC can or should require a specific paint or stain. Member Phillips said she wasn't sure white paint was part of Laytonsville's "historic nature," and Member Ruspi said the issue has kind of been resolved as a replacement in kind. The HDC members continued to discuss what should and should not be considered "replacement in kind" given that the ordinance doesn't use the term. They also discussed the work needed for the Maurers' porch and what would and would not be considered replacement in kind. Member Ruspi made a motion to approve the fence as a replacement in kind with the issue of staining or painting to be left up to the residents, and Member Phillips seconded. The motion was approved with Members Ruspi and Phillips voting in favor and Chair Hendricks abstaining. It was determined that an application would be required for the porch, detailing the work that needed to be done.

Old Business:

21416 Laytonsville Rd.: Chair Hendricks noted that the fence replacement for this property had been approved by the HDC with the homeowners agreeing that it would be painted white, but it has not yet been painted and the property has been sold. The HDC members discussed ways to determine whether certain things are new or have been grandfathered in. Mayor Ruspi noted that the HDC had paid to have all houses in the historic district photographed about 5 years ago and suggested adding the photos to an e-folder that the HDC could access during meetings for such questions.

Brochure for Town Residents: Mayor Ruspi said he needs to find the paperwork he got from Staples. They could do the design work and print 100 copies for about \$150, but the map hasn't been finalized yet.

Report by the commission members who attended the March 4 Montgomery County Historic Preservation Commission information session held in Silver Spring: Chair Hendricks and Member Ruspi attended the meeting. Member Ruspi reported that there was a discussion related to solar panels in historic districts, though it wasn't clear how Montgomery County could differ from the Federal regulations that property owners can't be forbidden from having them. Chair Hendricks talked about a proposal at the county level to allow certain applications to be approved by staff rather than having to go to the HPC. The issue will be added to a future Montgomery County Council meeting agenda for a public hearing. The members discussed some specific examples of things that may be able to have an expedited approval process in

Laytonsville without a public hearing. They also discussed awareness of the HDC guidelines and property owners who do not comply.

Miscellaneous: Chair Hendricks stated that the next HDC meeting is June 15, 2020.

Member Ruspi moved to adjourn the meeting at 9:31 p.m., Member Phillips seconded, and all approved.

Respectfully submitted,

Jennifer Sizemore