**LAYTONSVILLE HISTORIC DISTRICT COMMISSION**

**Meeting Minutes**

**Monday, December 16, 2019**

**Present:**

Charles Hendricks, Chair

Andy Drouliskos

Susan Phillips

Jill Ruspi

**Absent:**

Lisa Simonetti

Michele Shortley, Alternate

**Attendees:**

Jennifer Sizemore, Secretary

Jim Ruspi, Mayor

Cedric McNeal

Eric Wenger, chair of the Laytonsville Planning Commission

**Opening:**

Chair Hendricks called the meeting to order at 7:04 p.m. He noted that a quorum was present.

**Minutes:**

The Historic District Commission (HDC) members discussed the issue of “temporary” structures related to an edit Chair Hendricks had proposed to the draft minutes and decided the edit was appropriate. The issue of temporary structures should be clarified in the new guidelines. Member Ruspi made a motion to approve the November 2019 meeting minutes as amended, Member Drouliskos seconded, all approved.

**New Business:**

7116 Brink Rd. (Cedric and Carla McNeal), Patio: Chair Hendricks shared the application by the McNeals, which had been forwarded to the commission that day. Mr. McNeal said his family appreciates that the town has welcomed them with open arms, and they thoroughly enjoy living here. He is interested in installing a patio and back steps but is unsure of the process; he does have approval from his Homeowner’s Association. The patio will be 16’ x 12’ in the rear of the home and, he said, will neither be very exposed from the front nor out of character for a historic district. The work will take 2 to 3 days, and they would like to do the installation soon because it’s a down season. Member Drouliskos asked about a railing for the steps, and the HDC members discussed whether it would be necessary given the county guideline requiring railings for steps rising more than 3’ off the ground. They also discussed the visibility of the improvements from White House Lane and Brink Road. Mr. McNeal will need to get clarity from the county regarding the railing.

Chair Hendricks asked that the placement of the patio be indicated clearly on the plat of the property in the final application. Although the HDC members appreciated Mr. McNeal wanting to be able to pay the workers before the holidays, they explained that the commission’s process needs to be followed, with the announcement of a public hearing and a letter sent to neighbors. They further discussed what would be needed in the final application package and the checks for the application fee and sign deposit. The HDC members agreed that the application should be added to the agenda for the January 20, 2020, meeting.

Discussion with Eric Wenger, chair of the Laytonsville Planning Commission: Chair Hendricks said he invited Mr. Wenger to attend in response to questions at the November meeting about lots split between the historic district and the agricultural zone. Mr. Wenger said the drawing of lines happened before Laytonsville had a planning/zoning commission. This type of split zoning has complications, particularly related to property taxes, which are lower in the agricultural zone. Mr. Wenger said the permitted uses in the agricultural zone are fairly clear. A property owner can’t, for example, build a second house in the agricultural zone unless they own 25 or more acres. But many other uses are permitted, e.g., accessory apartment, sheds of all types, etc. Member Ruspi asked what an accessory apartment is, and Mr. Wenger said it’s like another home. In the R3 zone in Laytonsville Grove, a special request was submitted for an accessory apartment that would be attached to the main home through a breezeway. Chair Hendricks asked who approved the request, and Mr. Wenger said he thought it was the Laytonsville Town Council. He added that he didn’t think an accessory apartment would be approved that needs its own septic. There are a lot of unknowns with split zones.

Member Ruspi suggested HDC approval would be needed even for structures in the agricultural zone if they can be seen from the historic district and may affect its character. Member Drouliskos asked if he would need HDC approval to build a shed in the agricultural zone. Member Ruspi thought he would, but Mr. Wenger said Member Drouliskos retains the right to build according to permitted use guidelines. Chair Hendricks said the HDC doesn’t exercise purview over lots abutting the historic district but does have to provide input for the three lots in Rolling Ridge closest to the historic house there. He suggested Member Drouliskos had the right to build a shed and didn’t think it would be a good idea to ask the town council to intervene. Mr. Wenger read the list of allowable structures.

Member Phillips asked whether a property owner could request the county make their lot completely one zone or the other, and Mr. Wenger said it’s not for the county to say. The owner might be able to come to the Town Council and see if they could be swayed, or perhaps go to court. Member Ruspi asked if something like a nursery that affected the septic would be a problem, and Mr. Wenger said the septic is considered only in relation to the number of bedrooms in the home. Member Ruspi asked about structures in proximity to the second reserved area for septic, and Mr. Wenger said they wouldn’t be allowed. The Seneca watershed is on the west side of Route 108, and in this watershed a 10,000-square-foot area is required for a septic field and an additional 10,000 square feet must be available as a reserve. Together this comes to just under ½ acre. In the Patuxent watershed to the east of Route 108, the requirement is 17,000 square feet for the septic field and an additional 17,000 square feet of reserve. Together this comes to approximately ¾ acre. Mr. Wenger added that a driveway can’t be put over the septic nor can trees be planted. Member Ruspi asked about livestock, and he said there are nutrient management plans that have to be followed. He reiterated that property owners wishing to change the zoning would need to have public hearings with the Town Council; the next revision to the comprehensive plan will take place in about 5 years.

Chair Hendricks suggested the owner of the historic Rolling Ridge house may have enough property with 5 acres to put up a guest house, subject to HDC approval. Mr. Wenger said that house is an exception and may have other easements. Historically, guest houses were common so it wouldn’t necessarily be out of character. At one point, there was talk of filing for demolition by neglect, which the town has the authority to do, but the situation has stabilized. Chair Hendricks asked if someone with 2 or 3 acres completely within the historic district could put up a guest house. Member Ruspi thought it would be a case-by-case basis, and Mr. Wenger said accessory apartments are allowed on properties zoned residential historic, along with a number of other structures. However, a guest house would have to have running water and septic, so would have to be approved by the county, which might prove difficult. There are properties in town with multiple houses on a single lot sharing septic, but they are grandfathered and can’t be changed significantly; changes to more than 25% of the structure would remove the grandfathered status. The HDC members and Mr. Wenger further discussed several unusual properties, and Chair Hendricks thanked Mr. Wenger for his time.

7011 Brink Rd. (Charles Hendricks) Basement Window: Chair Hendricks said he has a basement window that needs to be repaired or replaced, and he has not found a reasonably priced solution because it’s a non-standard size. He said he is looking at vinyl sliding windows. Member Drouliskos said he might be able to help if Chair Hendricks provides the dimensions.

**Old Business:**

Brochure for Town Residents: Chair Hendricks said the brochure Member Ruspi put together will be very helpful to town residents, particularly the map with the historic district. Member Ruspi said the town clerk, Charlene Dillingham, and the assistant town clerk, Joy Jackson, would be helping with formatting and copyediting. The next draft will include information about the benefits of living within a historic district. Chair Hendricks suggested putting the list of properties in numerical order based on the lot number. Member Phillips suggested including a screenshot of the website with an arrow to show where HDC information can be found and justifying the paragraphs on both margins. Member Ruspi said they should make a recommendation to the mayor related to distribution, so the right people get it and it’s useful. Chair Hendricks suggested mailing using the official town stationary. Other suggestions included adding information about the differences between the Town Council, HDC, and Board of Appeals. Chair Hendricks thanked Member Ruspi for her work.

HDC Guidelines: Postponed until January.

Miscellaneous: Chair Hendricks stated that the next HDC meeting is January 20, 2020.

Member Phillips moved to adjourn the meeting at 8:58 p.m., Member Ruspi seconded, all approved.

Respectfully submitted,

Jennifer Sizemore