1. Historic District Commission July 1, 2020 Agenda

   Documents:

   HDC AGENDA 2020-7-1.PDF

2. HDC Meeting Summary 05 06 2020

   Documents:

   HDC MEETING SUMMARY 05 06 2020.PDF

3. Item A – Rules Of Order And Procedure For The Westminster Historic District Commission

   Documents:

   ITEM A RULES OF ORDER AND PROCEDURE FOR THE HDC.PDF

4. Item B - Staff Item - 2020 Commission Membership To The Maryland Association Of...

   Documents:

   ITEM B STAFF ITEM 2020 COMMISSION MEMBERSHIP TO THE MARYLAND ASSOCIATION OF....PDF

CITY OF WESTMINSTER
HISTORIC DISTRICT COMMISSION
AGENDA

Wednesday, July 1, 2020, at 7 PM
Virtual Meeting
www.facebook.com/WestminsterMD
www.WestminsterMD.gov

I. Call to Order

Statement of Authority — The Westminster Historic District Commission derives its authority from Chapter 164, Article 9A of the City Code, which is authorized by Maryland Code Annotated, Land Use Article, Division 1, Single Jurisdiction Planning and Zoning, Title 8, Historic Preservation. The qualifications of the Westminster Historic District Commission are on file at the City Administration Building, 56 West Main Street; the file is open to the public – Chair

II. Approval of Minutes

A. June 3, 2020

III. Old Business

None

IV. New Business

A. Historic District Commission Rules of Order and Procedure *(Mr. Gray)*
B. Staff Item - 2020 Commission Membership to the Maryland Association of Historic District Commissions *(Mr. Gray)*

V. Historic District Commission and Public Comments

VI. Adjournment

Posted June 26, 2020

CITY OF WESTMINSTER
HISTORIC DISTRICT COMMISSION
SPECIAL MEETING SUMMARY

Wednesday, May 6, 2020, 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 May 6, 2020, at 7:00 PM.

I. Call to Order

Chair McMasters read the statement of authority into the record.

Chair Kristen McMasters, Vice-Chair Dean Camlin, Commissioner Josh Ambrose, and Commissioner Steve Colella were present. City staff Sandy Anderson, Mark Depo, Andrea Gerhard, and Andrew Gray were also present.

II. Approval of Minutes

Commissioner Ambrose requested a motion to revise the meeting summary of March 4, 2020 to reflect a more accurate statement he made regarding the Durbin House at the former Wakefield Valley Golf Course. He clarified that his question was if the $50,000 grant would be used only for property analysis or if it could also be used toward renovations. He encouraged the City to find a way to repurpose the building.

Commissioner Colella moved to approve the revised meeting summary for March 4, 2020. Vice-Chair Camlin seconded the motion. The motion passed unanimously.

III. New Business

A. Historic Rehabilitation Property Tax Credit Application #20-04 for 1-4 Schoolhouse Avenue

Ms. Anderson provided background information on an Historic Rehabilitation Property Tax Credit application for 1-4 Schoolhouse Avenue, in the amount of $1,900.

Chair McMasters requested more information as to whether any work had already been completed and what the tax credit application specifically requested be approved.

Ms. Anderson stated that the majority of the work was complete, but the applicant stopped work in February when the application was submitted.

Commissioner Ambrose asked about the delay in the Commission receiving the application. Ms. Anderson explained that the application was received too late to be included on the March Commission agenda, and there was a lack of quorum for the April Commission meeting. Ms. Gerhard added that this was the first meeting the Commission was holding virtually due to the COVID-19 crisis.

Chair McMasters asked if, in the future, staff could poll the Commission members to hold a special meeting so that applicants were not waiting too long for a decision.

Commissioner Colella motioned for staff to provide the additional information requested so that the Commission could review and make a decision at either a special meeting or their regular June meeting. Commissioner Ambrose seconded the motion. The motion passed unanimously.

IV. Historic District Commission and Public Comments

Commissioner Ambrose expressed his appreciation for City boards and commissions meetings being held virtually to better engage the community for input.

Chair McMasters stated that the National History Day event was well-attended, although there were no competitors in the Westminster category. She suggested brainstorming a more interesting topic or providing better incentives to attract applicants next year. She reminded the Commission that the Flower and Jazz Festival was cancelled due to COVID-19 and there would be no Commission information booth. With the continued uncertainty surrounding large-scale events, she was unclear on how the June Corbit's Charge re-enactment would be handled.

Mr. Gray stated that the draft Rules of Order and Procedure for both the Historic District Commission and Tax Credit Applications were ready for review by the Commission. Chair McMasters requested both documents be provided via email for the Commission to review prior to its June meeting.

V. Adjournment

Chair McMasters made a motion to adjourn. The Commission adjourned at 7:43 PM.

_____

Dean Camlin, Vice-Chair
Westminster Historic District Commission

Item A

To: Westminster Historic District Commission

From: Andrew R. Gray, Comprehensive Planner

Cc: Mark A. Depo, Director of Community Planning and Development
Andrea Gerhard, Comprehensive Planner
Sandy Anderson, Main Street Manager

Date: June 26, 2020

Subject: Rules of Order and Procedure for the Westminster Historic District Commission

BACKGROUND:

On April 3, 2019, the Historic District Commission ("Commission") held an informal discussion on the proposed draft Rules of Procedure for Historic Restorations and Rehabilitation Tax Credits. After Community Planning and Development (CDP) staff review and discussion, it was determined that the rules should apply only to the Commission and not include specific information related to City staff process in order to provide a less mundane set of rules for the Commission and public.

On June 3, 2020, CPD staff presented the Commission with the draft Rules of Order and Procedure. CPD staff requested that the Commission review the draft Rules of Order and Procedure and provide any feedback they may have.

The feedback received by members of the Commission included: 1) indicating the official name of the Maryland Historical Trust in the draft Rules of Order and Procedure, and 2) requiring multiple cost estimates from contactors for proposed eligible work related to façade improvement grant and tax credit applications and not allowing estimates from one's own construction company.

The rules have been updated to add "Maryland Historical Trust". To address the comments relating to cost estimates for Façade improvement Grants and Historic Tax Credits, CPD staff, recommends that such information be included in policy documents as opposed to Rules of Order and Procedure. CPD staff intends to create step-by-step documents for anyone interested in reviewing the process for Façade improvement Grants and Historic Tax Credit applications, of which cost estimate guidelines could be provided.

Staff forwarded the draft Rules of Order and Procedure to the City Attorney. The City Attorney reviewed and made minor edits, which are incorporated into the document provided with this report.

Please be advised that in Section 2.A, the draft Rules of Order and Procedure reflect five regular members and one alternate, as opposed to the current practice of seven regular members and one alternate. An Ordinance amending the City Code will be forthcoming from CPD staff for the Mayor and Common

Council's review and approval. Additionally, CPD staff has drafted a proposed Resolution, that has been reviewed by the City Attorney and updated accordingly, that will be presented to the Mayor and Common Council officially adopting the Standards for Renovation Westminster, as approved by the HDC.

REVIEW:

For the creation of these rules, staff took into consideration information contained in the Charter and Code of the City of Westminster, Maryland State Law, current Commission practice, and information from other historic district commissions in Maryland.

RECOMMENDATION:

CPD Staff recommends approval of the Rules of Order and Procedure for the Westminster Historic District Commission.

ATTACHMENTS:

- Rules of Order and Procedure for the Westminster Historic District Commission

DRAFT

RULES OF ORDER AND PROCEDURE
FOR
THE WESTMINSTER
HISTORIC DISTRICT COMMISSION

CITY OF WESTMINSTER, MARYLAND

DRAFT

Historic District Commission
Ms. Kristen L. McMasters, Chair
Mr. Dean R. Camlin, AIA, LEED, AP BD+C, Vice-Chair
Mr. Joshua Ambrose, Commissioner
Mr. Aaron Burroughs, Commissioner
Mr. Steven J. Colella, Commissioner
Mr. L. Kevin Wagman, Commissioner

Department of Community Planning and Development
Mark A. Depo, Director of Community Planning and Development
Sandy Anderson, Main Street Manager
Andrea Gerhard, Comprehensive Planner
Andrew R. Gray, Comprehensive Planner

City Attorney
Elissa Levan

Effective Date: _____

DRAFT

Contents

Section 1. Authorization 3

Section 2. Commissioners and Officers 3

Section 3. Meetings 4

Section 4. Proceedings 5

Section 5. Application Procedures 5

Section 6. Order of Presentation 6

Section 7. Who May Be Heard 6

Section 8. Decisions 7

Section 9. Design Guidelines 7

Section 10. Special Meeting 8

Section 11. Custody of Records 8

Section 12. Appeals 8

DRAFT

DRAFT

Section 1. Authorization

A. The Westminster Historic District Commission (Commission) is established by Chapter 164, Article 9A of the City Zoning Ordinance, as authorized by Maryland Code Annotated, Land Use Article, Division 1, Single Jurisdiction Planning and Zoning, Title 8, Historic Preservation.

B. The Commission has the authority to act on applications for the construction, alteration, reconstruction, moving or demolition of any site or structure within an historic district pursuant to Section 164-51.4 of the City Zoning Ordinance and Section 56-5 of the City Code.

C. The Commission has the authority to act on applications for the City's Historic Tax Credit program pursuant to Section 143-5 of the City Code and Maryland Code Annotated, Tax-Property Article, Title 9, Property Tax Credits and Property Tax Relief.

D. These Rules of Order and Procedure are adopted pursuant to Section 164-51.6. A. of the Charter and Code of the City of Westminster. This document comprises the Rules so adopted. The current version of this document supersedes all others.

Section 2. Commissioners and Officers

A. The City Zoning Ordinance provides for five regular members and one alternate.

B. At its regularly scheduled meeting in the month of May, the Commission will elect from among its members a Chair and Vice-Chair to serve for the term of one year each. A majority vote of the members present is required to elect members as officers. In the event of a resignation of the Chair or Vice-Chair, the remaining members will elect another member to complete the term in question.

C. The Chair will preside over all meetings of the Commission; call all regular and special meetings as needed (Section 164-51.6 A.); interpret these Rules and Procedures; and, in general preside over meetings of the Commission while it is in session. The Chair may also represent the Commission at other meetings upon the affirmative majority vote of the members present at a given meeting.

D. The Chair and Vice-Chair may make motions and vote on any item before the Commission.

E. The Vice-Chair will have all of the powers, duties and responsibilities of the Chair in the Chair's absence (Section 164-51.6 A.).

F. A temporary Chair may be elected by the affirmative majority vote of the members present at the meeting of the Commission to serve for a single meeting or as may be necessary during any absence of both the Chair and Vice-Chair.

G. The Director of Community Planning and Development or the Director's designee will act as the Secretary to the Commission. The Secretary will notify Commission members of meetings, both regularly scheduled and special; prepare any required notice; and, maintain the required records of meetings for the Commission.

H. The Legal Advisor will be the City Attorney and/or another legal professional as designated by the City Attorney. The Legal Advisor may attend and participate in the meetings of the Commission, as may be deemed necessary by the City Attorney or upon the request of the City Administrator or the Director of Community Planning and Development.

I. No member of the Commission with a personal, financial or equity interest in the outcome of a decision on an application may speak or vote on the matter during the Commission's deliberations. Members absent from meetings due to recusal will be considered as excused.

J. Except as may otherwise be provided by law or these Rules, a member of the Commission may not engage in ex-parte communications with any party with respect to the subject of any pending or potential application.

K. Commissioners shall conduct themselves in a fair, understanding, kind, and gracious manner. Commissioners shall seek to be considerate of all persons, attitudes, and differences of opinion involved in all Commission business.

Section 3. Meetings

A. The Commission meets the first Wednesday of each month unless the date of the meeting is altered by the affirmative majority vote of the Commission or, in an emergency by the Chair, or unless the meeting is canceled pursuant to subsection B of this Section.

B. If there are no items on the agenda, the Chair will determine whether to hold the regularly scheduled monthly meeting (Section 164-51.6.A.).

C. No vote shall occur without a quorum. A quorum shall be three voting members (Section 164-51.3.A.). If it is determined by staff that a quorum will not be available for a scheduled Commission meeting, the Chair may cancel the meeting and any applicants will be notified as soon as possible. No applications may be reviewed in the absence of a quorum.

Link to the Agenda Center - http://westminstermd.gov/agendacenter

DRAFT

Section 4. Proceedings

A. The following configuration shall be the normal order of the Commission Agenda:

1. Call to Order
2. Approval of Minutes
3. Old Business
4. New Business
5. Historic District Commission Comments
6. Staff Comments
7. Public Comments
8. Adjournment

Section 5. Application Procedures

A. Any applications to be reviewed by the Historic District Commission must be submitted to staff, with all required information, no less than fifteen days prior to a regularly scheduled monthly Commission meeting.

B. An application is deemed to be complete when it has been accepted as such by the Commission at a meeting (Section 164-51.7).

C. The Commission will review all materials in the application and all materials presented before and during the meeting before it makes any decision.

D. The applicant or the applicant's authorized agent must appear at all meetings at which the application is scheduled to be considered. In the absence of any personal appearance on behalf of the applicant, the Commission will either continue the application until the next regularly scheduled meeting or deny the application. Any continuance required by the absence of the applicant or the applicant's representative will not count towards the time stipulated in Section 164-51.7 of the City Zoning Ordinance.

E. If the applicant or the applicant's authorized agent is absent for two consecutive meetings, the application will be considered withdrawn and another application, together with any applicable review fee, will be required for consideration of the matter.

Section 6. Order of Presentation

A. The following is the order for the presentation of an item before the Commission:

1. Government officials and agency representatives
2. Applicant or petitioners
3. Other supporting testimony
4. Organizations or groups opposing the application
5. Individuals opposing the application
6. Rebuttal
7. Sub-rebuttal
8. Closing statements by applicant or petitioners
9. Closing statements by Government officials and agency representatives

B. Members of the Commission may ask questions of any person speaking on a current agenda item at any time during the presentation of said item is before the Commission.

C. The Commission may require witnesses to testify under oath or affirmation. The Chair shall administer any oath or affirmation.

"Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Westminster Historic District Commission will be the whole truth and nothing but the truth? If so, answer, I do".

Section 7. Who May Be Heard

A. Any interested person may be heard by the Commission before it reaches any decision on any matter (Section 164-51.6 B.)

B. Any person wishing to be heard before the Commission shall clearly state the following:

1. His or her full legal name
2. His or her full legal address

C. The Chair shall enforce time limits for all persons wishing to speak at any meeting.

1.	Applicant initial presentation	15 minutes
2.	Applicant rebuttal presentation	10 minutes
3.	Individual public testimony	5 minutes
4.	Group public testimony	10 minutes

Section 8. Decisions

A. After the conclusion of the meeting, the Historic District Commission shall file with the Zoning Administrator a written decision indicating its approval, modification or rejection of the applications and plans submitted to it for review (Section 164-51.7). The decision shall include findings of fact and conclusions of law. No work shall commence on any project until after the Zoning Administrator has received confirmation from the Commission that the application was approved.

B. The Commission shall advise the applicant of any proposed modifications that should be considered for later approval. The applicant can make these modifications and resubmit to the Commission for approval (Section 164-51.7).

C. The failure of the Commission to act upon a completed application within 45 days shall be deemed to constitute automatic approval unless an extension of this forty-five-day period is agreed upon mutually by the applicant and the Commission or the application has been withdrawn (Section 164-51.7).

Section 9. Design Guidelines

A. The Historic District Commission shall adopt rehabilitation and new construction or design guidelines for designated sites, structures and districts that are consistent with those generally recognized by the Maryland Historical Trust, which may include design characteristics intended to meet the needs of particular types of sites, structures and districts. These design guidelines are subject to the review and approval by resolution of the Mayor and Common Council of Westminster (Section 164-51.5).

B. 1. The Commission shall use the Standards for Renovation Westminster to review applications. Adopted by Resolution No. _____

Link to the Standards for Renovation Westminster:
http://www.westminstermd.gov/documentcenter/view/34

C. The Commission shall use the Commission Design Guidelines to review applications. Adopted by Resolution No. 94-4

Link to the Commission Design Guidelines:
http://westminstermd.gov/DocumentCenter/View/3346/Westminster-Historic-District-Commission-Design-Guidelines-Standards

D. The Commission shall use the Adopted 2016 Development Design Preferences manual to review applications. Adopted by Resolution No. 16-08

Link to the Adopted 2016 Development Design Preferences:
https://www.westminstermd.gov/DocumentCenter/View/28

Section 10. Special Meeting

A. Under unusual circumstances, the Chair may call a special meeting of the Commission for it to discharge its responsibilities under Article IXA and Section 143-5 of the City Code (Section 164-51.6.A).

B. For special meetings, an agenda will be posted on the City webpage at least twenty-four hours prior to the meeting. The agenda will include the date, time, place of the meeting, a list of items to be reviewed, and the date the agenda was posted.

Section 11. Custody of Records

The Department of Community Planning and Development shall maintain the records of the Commission pursuant to Section 164-51.6. B. of the City Zoning Ordinance.

Section 12. Appeals

An appeal from the Commission's decision may be taken to the Circuit Court for Carroll County and shall be in accordance with the Maryland Rules of Procedure as set forth in Chapter 200 of Title 7 (Section 164-51.10)

These Rules of Procedure relating to The Historic District Commission have been adopted this _____ day of _____, 2020, by the Historic District Commission of the City of Westminster.

_____

Kristen L. McMasters, Chair
Historic District Commission of the City of Westminster

Item B - Staff Item

To: Westminster Historic District Commission

From: Andrew R. Gray, Comprehensive Planner

Cc: Mark A. Depo, Director of Community Planning and Development
Andrea Gerhard, Comprehensive Planner
Sandy Anderson, Main Street Manager

Date: June 26, 2020

Subject: 2020 Commission Membership to the Maryland Association of Historic District Commissions

BACKGROUND:

The City of Westminster is renewing the Historic District Commission ("Commission") membership to the Maryland Association of Historic District Commissions (MAHDC). Staff recommends that Commission members review the MAHDC website and familiarize themselves with the services available to them as a member of the Westminster Historic District Commission.

Please see the MAHDC website for more information https://mahdc.org/

Total Commission membership cost for the City of Westminster is $150.00.