



## Historic District Commission

Hybrid (In-Person / Virtual)  
www.gaithersburgmd.gov/meetings  
City Hall 31 South Summit Avenue  
Gaithersburg, MD 20877

### MINUTES Regular Session

Wednesday, August 24, 2022, 7:30 PM

#### 1. CALL TO ORDER

The Regular Session of the Historic District Commission was called to order at 7:30 PM with Chair Dean Ventola presiding.

Attendee Name	Title	Status	Arrived
Dean Ventola	Chair	Absent	
John Roddy	Vice Chair	Present	
Marc Feinstein	Commissioner	Present	
Mary Jo LaFrance	Commissioner	Present	
J. Rudolph Morgan	Commissioner	Present	
Kathlyne Ramirez	Alternate Commissioner	Present	

Staff present: Deputy City Attorney Johnson, Community Planning Lead Mann, and Planner Berger.

#### 2. APPROVAL OF MINUTES

##### A. Regular Session held July 27, 2022

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Mary Jo LaFrance, Commissioner
<b>SECONDER:</b>	J. Rudolph Morgan, Commissioner
<b>FOR:</b>	John Roddy, Mary Jo LaFrance, J. Rudolph Morgan, Kathlyne Ramirez
<b>ABSTAIN:</b>	Marc Feinstein

#### 3. DEMOLITION PERMIT APPLICATION REVIEWS

##### A. DEMO-28359-2022: Demolition of all buildings 50 years or older at 770 Muddy Branch Road (Nike Missile Site) in the MXD (Mixed Use Development) Zone

Planner Berger provided an introduction and showed drone footage of the property.

The subject property measured 13.71 acres and was zoned MXD (Mixed Use Development). The application came before the HDC in accordance with Sec. 24-231 of the City Code, which required HDC review of nondesignated buildings or structures 50 years or older that are proposed for demolition for potential historic or architectural significance under the criteria specified in section 24-226 .

Eleven of the 13 buildings on the property were built more than 50 years ago and date to the property's use as a Nike missile launch site from 1956 to 1974. The other two (2) buildings dated to the property's use by NIST from 1975 to 2012, and were not subject to the HDC's

demolition review.

The HDC had two (2) options: Instruct the city manager to issue the demolition permit for the property, or if the HDC found there was reasonable probability of designation then it could have petitioned the Mayor and Council by a resolution drafted by Staff to begin the designation process.

Planner Berger noted that since the packet was posted six (6) additional exhibits had been received.

Attorney Philip Hummel and Ross Ostrander of Pleasants Development provided a presentation. Mr. Hummel said the demolition of the property should proceed because it lacked architectural and historical significance; it lacked reasonable probability for historic designation; and it would cause undue economic hardship for the property owner. He summarized the history of the property, which included its use by the Army followed by NIST as an annex testing facility near its main campus.

Mr. Ostrander showed a map and photos of each of the buildings and explained how each was altered over time.

Mr. Hummel said the Maryland Historical Trust evaluated the property for National Register of Historic Places listing in 1998 and did not find the buildings to be eligible for listing. He noted that one (1) of the Nike missile site Maryland has been determined eligible for listing. He explained in detail why the property did not meet each of the ten criteria for historic designation listed under Sec. 24-226.

Mr. Ostrander said discussions were ongoing on commemoration of the site and included ideas such as repurposing salvaged materials in public art.

Commissioner Morgan said he worked for the government and was biased against military architecture and recused himself.

*Michael Denis of Timberbrook.* He said he was president of the condominium association and had no objection to the demolitions but was concerned about the traffic, noise, storm water, and hazardous materials to be removed from the property. He also was interested on what would be built there.

*David Batlan of 2010 Shadow Glen Court.* He said was a member of the Lakelands Ridge property and supported demolition. He shared Mr. Denis' concerns.

*David Wooster of Timberbrook.* He echoed concerns about the demolition process and the contamination.

Mr. Hummel noted the redevelopment would go through multiple public reviews.

Mr. Ostrander said Pleasants would attempt to take appropriate measures to limit the effects of demolition.

Commissioner LaFrance was appreciative of the presentation and opportunity to tour the property. She hoped reusable materials could be salvaged and trees could be retained.

Alternate Commissioner Ramirez appreciated the thoroughness of the report and noted that no significant event had occurred at the location. She supported demolition.

Commissioner Feinstein said of Mr. Hummel's three points, the reasonable probability of historic designation by the City Council and undue economic hardship arguments were not

relevant. He said the only argument that mattered to the HDC was whether the site had architectural or historic significance. He said architectural significance was lacking, but he was torn whether or not the site had historic significance. He said based on the alterations, contamination, and the number of other Nike missile sites, he concluded the site did not possess historic significance, but he found it very interesting when he toured it.

Vice Chair Roddy said he agreed that the buildings did not meet the designation criteria and cited the alterations, deterioration, lack of maintenance, and simple architecture. He was fearful that a trespasser could be injured on the property and wanted the property brought into a safe condition. He suggested that one of the missile pit walls be adapted into a feature wall.

*Motion was made that the HDC finds that the buildings over 50 years old, located at 770 Muddy Branch Road, do not meet the criteria for historic or architectural significance, as specified in § 24-226 of the City Code, and does not direct the city manager to withhold issuance of DEMO-28359-2022 with the recommendations that the site’s history is commemorated, public art is installed, a pictorial inventory of salvageable materials is produced; and all appropriate measures are undertaken to limit the effects of demolition on the neighboring communities.*

<b>RESULT:</b>	<b>PASSED [4 TO 0]</b>
<b>MOVER:</b>	Mary Jo LaFrance, Commissioner
<b>SECONDER:</b>	Marc Feinstein, Commissioner
<b>FOR:</b>	John Roddy, Marc Feinstein, Mary Jo LaFrance, Kathlyne Ramirez
<b>RECUSED:</b>	J. Rudolph Morgan

**4. HISTORIC AREA WORK PERMIT REVIEWS**

**A. HIST-9379-2022: Replacing roofing at 8 Walker Avenue in the R-90 (Medium Density Residential) Zone**

Planner Berger provided a presentation. The subject building was a 2.5 story Foursquare-style residence with Craftsman-style details that was built circa 1920. The application came before the HDC in accordance with Sec. 24-227(a). The Historic District Guidelines for Brookes, Russell, and Walker Historic District and Individually Designated Sites applied.

The applicant sought to replace the existing zinc metal shingles with Permalock aluminum shingles. The existing metal shingles measured 10.75-by-8.25 inches. They were in poor condition because of the presence of a modern epoxy that prevented the shingles from being recoated. The new shingles were to measure 9.25-by-6 inches and were to be smooth and have an embossed finish. Snow guards were to be installed at the roof edge.

The applicant also sought to replace the existing tin standing seam roof on the second floor rear addition with an aluminum standing seam roof. The existing space between seams was 17 inches, and the replacement roof was to have a 16-inch space.

As part of the project, the applicant was to coat the tin porch roofing on the front and back elevations with a waterborne acrylic tin roof coating and repair and replace the half-round gutters accordingly. This work was considered maintenance and repair and not subject to HDC review.

The applicant provided estimates of upward of \$100,000 to replace the metal shingles with Berridge metal shingles, which is a shingle the HDC has approved for replacement metal roofs in the past.

Applicant Loire Przygodzki said she was aware the roof in poor condition when she purchased the home with her husband the year before.

Commissioner LaFrance expressed concern about the durability of the metal roof. Ms. Przygodzki said the Permalock shingles had a lifetime warranty. Vice Chair Roddy noted his neighbor replaced his metal shingles with aluminum 25 years prior and they were in good condition.

Commissioners Morgan and Feinstein asked how the finish was applied to the roofs. Ms. Przygodzki said it was sprayed on in a factory and had a 40-year warranty.

Commissioner Feinstein asked the proposed material color and asked if color was in the HDC's purview if the material was not coated. Ms. Przygodzki said the existing shingle was coated, and she intended to select charcoal colored shingles.

*Susan Searles of 10 Walker Avenue.* She said the previous owners of 8 Walker did not maintain the home, and she was strongly in support of the proposed roof replacement.

Alternate Commissioner Ramirez noted she lived on Walker Avenue but would not be biased in her decision.

Commissioner Morgan said he appreciated Ms. Przygodzki's effort. He favored a silver-colored roof.

None of the other commissioners had concerns.

*Motion was made that that the HDC grant HIST-9379-2022, replacing roofing at 8 Walker Avenue, finding it to be in compliance with § 24-227.2 of the City Code.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Marc Feinstein, Commissioner
<b>SECONDER:</b>	Mary Jo LaFrance, Commissioner
<b>FOR:</b>	Roddy, Feinstein, LaFrance, Morgan, Ramirez

**5. RESOLUTION**

**1. Petitions to the Mayor and City Council to designate 9, 11, 13, and 15 Park Avenue and 201 Brookes Avenue as an historic district or in the alternative 9 and 15 Park Avenue and 201 Brookes Avenue as individual sites**

Planner Berger said if the HDC approved the resolution, the Mayor and Council was tentatively scheduled to review it at its September 19 meeting.

If the petition was accepted, a triple public hearing would be scheduled among the HDC, Planning Commission, and Mayor and Council, followed by recommendations to the Mayor and Council by the HDC and Planning Commission. The Mayor and Council would then take final action on the designation proposal.

*Motion was made that the HDC approve the resolution titled "HDC Resolution Petitioning Historic Designation of 9, 11, 13, And 15 Park Avenue and 201 Brookes Avenue as an Historic District or in the Alternative 9 and 15 Park Avenue and 201 Brookes Avenue as Individually Designated Sites."*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	J. Rudolph Morgan, Commissioner
<b>SECONDER:</b>	Marc Feinstein, Commissioner
<b>FOR:</b>	Roddy, Feinstein, LaFrance, Morgan, Ramirez

**6. FROM STAFF**

Deputy City Attorney Johnson noted he was filling in for Assistant City Attorney Perla, who was ill.

**7. FROM COMMISSION**

No commissioners had comments.

**8. ADJOURNMENT**

There being no further business, the session was adjourned at 9:03 PM

Respectfully submitted,

Chris Berger