

**Town of Elkton  
Elkton Historic District Commission  
July 27, 2022**

**PRESENT:** Paula Newton, Chair; Mickey Thompson; Christine Hurschman; Jeanne D. Minner, Director of Planning; Nicholas Cannistraci, Planner I; David Beste, Esq., Legal Counsel

**ABSENT:** None

Ms. Newton called the meeting to order at approximately 6:10 p.m. and stated that this is a meeting of the Historic District Commission and that a quorum was present. She stated that the Commission operates under the authority granted to it by the Town of Elkton. She further stated that the qualifications of the Commission members are on file with the Town of Elkton. The basis of the decisions of the Commission to be consistent with the Town's Ordinances, they are on file with the Town of Elkton and are hereby made a part of the record of each and every action of the Commission at today's meeting. Each application heard today is considered on its own merits and is not to be considered as establishing a precedent for any other application.

Ms. Newton stated the first item on the agenda was approval of the minutes from the June 22, 2022 meeting. She stated that she had one correction. Ms. Newton asked if the commission had any other corrections. There were no other corrections.

**MOTION: Mr. Thompson made a motion to approve the minutes of June 22, 2022 subject to corrections. Ms. Hurschman seconded the motion and the motion passed unanimously.**

Ms. Newton introduced the second item on the agenda, which was the request of Mr. Jobeth Bowers for work proposed at 229 E. Main Street.

**Request by Mr. Jobeth Bowers, to remove existing wrought iron railing, repatch concrete area, remove and replace damaged or broken bricks on stairs, grind out and repoint damaged mortar, and install vinyl railing and posts to match existing configuration at 229 East Main Street, Elkton MD, 21921.**

Present at the meeting to represent this request was Mr. Jobeth Bowers. He introduced himself to the Commission. He informed the members that in early May there was an accident involving a high speed chase which ended on his property. This resulted in significant damage done to the property at 229 E. Main Street. He stated that he obtained quotes for removal and repair. He further stated that the old wrought iron railing needs to be replaced, however that material is not available. The photos provided showed a similar style railing. Mr. Bowers stated that he has been in discussions with the Zoning Inspector Chip Bromwell about repairing the property as well.

Ms. Newton noted that the look of the building would be unchanged except for the proposed vinyl railing. She noted that most of the proposed work is essentially maintenance. Mr. Bowers stated that is correct. Ms. Newton asked if there were any other comments.

Mr. Thompson stated that he had no comments.

Ms. Hurschman also stated that she had no other comments.

**MOTION: A motion was made by Mr. Thompson to approve the request of Mr. Jobeth Bowers, to remove existing wrought iron railing, patch concrete area, remove and replace damaged or broken bricks on stairs, grind out and repoint damaged mortar, and install vinyl railing and posts to match existing configuration at 229 East Main Street, Elkton MD, 21921. Ms. Hurschman seconded the motion. The motion passed unanimously.**

Since no one was yet present to represent the next request Ms. Newton opened discussion for the next item on the agenda, which was old business.

**Old Business** –Mr. Beste began discussion of old business. He stated that there was an issue raised by the Teal Antler. Emails had been exchanged between Mr. Bromwell the Building and Zoning Director and Mr. Beste. Mr. Beste explained that the Teal Antler had painted a portion of their building with a range of colors and artistic expression. Mr. Beste further explained that per the ordinance and Historic District guidelines, the Commission does have the authority to construct and enforce a pallet of colors but the Commission chooses not to dictate color. However, if someone was to paint a structure an outrageous or inappropriate scheme, would there be a requirement by Commission?

Ms. Newton stated that the scheme the Teal Antler has used is less of a sign and more akin to a mural. Mr. Beste agreed and continued to discuss his response to Mr. Bromwell. He stated that because the Historic District Commission has chosen not to enforce certain paint colors, those circumstances do not present a need for the Teal Antler to come before the Commission for approval. However, there is a broad catch all at the end of the language in Section 6 that could still merit an appearance before the Commission. Mr. Beste quoted Section 6 Item 1 of the guidelines which states the Commission still has the ability to review anything that strongly impacts the nature of the building, district, or historical resource. Mr. Beste concluded that this poses a question to the Commission and where does the Commission wish to draw the line, where does the Commission want to have input and where does the Commission wish to refrain.

Ms. Newton gave further context and background to how the Commission has approached paint color in the past. Ms. Minner also stated that this is a complex issue because there have been issues in the past. Especially instances where there have been

cases of individuals deciding to paint over brick facades—which is something the Commission does not approve.

Ms. Newton gave further context, and discussed when the Teal Antler had been before the Commission in the past—and there was a question then about some of the painting and artwork used. Mr. Bromwell had maintained it was a sign due to the depiction of the antlers. Ms. Newton stated that those who wish to paint murals are required to come before the Commission and that work done by the Teal Antler most closely resembles a mural. However, it does enter a gray area for what should also be considered a sign. Discussion ensued. Discussion continued over pallet and color scheme as well and what category the case of the Teal Antler falls under.

At the conclusion of discussion, Ms. Newton asked if anyone else had anything to add. Mr. Thompson stated that he desires consistency from the Commission. Whichever way the Commission decides to move forward it has to be consistent. Ms. Newton agreed and stated that the Teal Antler should come before the Commission and follow the guidelines as closely as possible. Ms. Newton asked if there was any other old business.

Ms. Minner stated she was recently posed with a question from the Mayor regarding individuals who wish to opt out of the Historic District. There is a procedure that one can follow. Ms. Minner pointed out where that was in the ordinance. However, Ms. Minner also expressed concern over the potential of having holes or islands created as a result.

Ms. Newton asked, what if someone wanted to opt out of the district and had a significantly historic building? Mr. Beste stated that is precisely the concern he feels over the way the ordinance is currently written. He stated his main concern is that there currently are no criterion given in the ordinance regarding opt outs from the Historic District. Discussion ensued over the challenges opt outs pose.

Mr. Beste warned of spot zoning and further pointed out in Section 5 of the guidelines that there are criteria for designation but not removal. The Mayor and Commissioners would also need to give it a unanimous vote.

Ms. Newton posed another question. What if a property that was previously opted out comes under new ownership and that owner wishes to bring the property back in? Mr. Beste stated that in such a case the new owner would have to petition for designation, however there would likely be more difficulty proving to the Mayor and Commissioners that the case should be overturned and be voted back into the Historic District. Ms. Minner stated that this is an area that should be looked at much more closely when the ordinance is updated.

Mr. Beste further described the way the ordinance is currently written, and even if the Historic District Commission denied a request for removal, the individual could go on to the Mayor and Commissioner Board and receive approval—essentially vetoing the

Historic District Commission's vote. Mr. Beste stated that he believes that there should be some kind of criteria given within the ordinance to constitute potential grounds for removal.

Ms. Newton asked if there were any new potential members for the board. Ms. Minner stated there was no one she knew of. She also stated that the board currently needs two more in-town residents. Ms. Newton indicated that there are new people in town that may want to volunteer. Ms. Newton asked if there was any new business.

**New Business**—Ms. Minner stated that the Town of Elkton is looking to make some improvements subject to the easement committee of Maryland Historic Trust to the inside of the Armory building, so that they can accommodate groups in the building. Issues of concern are peeling lead paint inside the gymnasium and bathrooms are not ADA compliant. She also stated that Elk Landing received two grants. One grant was for restoring the slaves quarters and the other was to restore the crumbling fire place in the Stone House.

Ms. Newton introduced the item on the agenda, which was the request of West Main Holdings, LLC.

**Request by West Main Holdings, LLC, owner of 136-138 West Main Street, Elkton MD, to replace existing wooden railings with aluminum railings.**

Present to represent the request was Mr. Evan Rollins. He introduced himself to the Commission and apologized for being late. He explained to the Commission that the request is for railings at 136 West Main Street and that these railings would be on the second level of the building. The current railings are only slightly above knee level and are not up to current building code. He explained that they are looking to replace them with aluminum railings that would be up to code.

Ms. Newton asked if the color of the railings would be white. Mr. Rollins stated that the current railings are white with green on the top and that the plan is to make the railings match the rest of the building.

Mr. Thompson asked if there was any reason in particular for the aluminum as opposed to any other possible material for the railings. Mr. Rollins stated that there was no particular reason and the aluminum was what was recommended. Ms. Newton asked if the proposed aluminum railings would be the same design as the current railings with greater height. Mr. Rollins confirmed it would be the same design. Mr. Thompson asked if the top railing would be aluminum. Mr. Rollins confirmed that he believed it would be a completely aluminum railing.

Ms. Newton stated that she doesn't have any issue with the aluminum railing as long as it is of similar design and is white or whatever color best matches the building.

Mr. Thompson mentioned that the top railing could potentially also be green as that could match the existing trim. Discussion continued and the Commission was in agreement.

**MOTION: A motion was made by Ms. Hurschman to approve the request of West Main Holdings, to remove and replace existing wooden railings with aluminum railings at 136-138 West Main Street, Elkton MD, 21921. Thompson seconded the motion. The motion passed unanimously.**

Ms. Newton asked the Commission if there were any other items to discuss. Seeing none Mr. Thompson made a motion to adjourn the meeting. Ms. Hurschman seconded. The meeting adjourned at approximately 7:20 PM.

Respectfully submitted,

Nicholas Cannistraci