



10.3.03
23/US=

096

HAMP

205 MARKET ST
BROOKLINE



HISTORIC PRESERVATION COMMISSION

Isiah Leggett
County Executive

David Rotenstein
Chairperson

Date: October 8, 2009

MEMORANDUM

TO: Carla Reid Joyner, Director
Department of Permitting Services

FROM: Scott Whipple, Supervisor *SW*
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #520353, side addition

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was Approved at the October 7, 2009 Historic Preservation Commission meeting.

The HPC staff has reviewed and stamped the attached construction drawings.

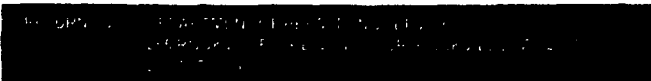
THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

Applicant: Duane & Sandra Heiler

Address: 205 Market Street, Brookeville

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made.





DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: SANDRA HEILER
Daytime Phone No.: 301-570-0837

Tax Account No.: 025-30-0482
Name of Property Owner: DUANE & SANDRA HEILER
Address: 205 MARKET STREET BROOKVILLE MD 20833
Contractor: OAK GROVE RESTORATION
Contractor Registration No.: MD CLASS A LIC. 15306756

LOCATION OF BUILDING/PREMISE

House Number: 205 Street: MARKET
Town/City: BROOKVILLE Nearest Cross Street: NORTH
Liber: 5581 Folio: 860 Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:
1B. Construction cost estimate: \$ 41,000
1C. If this is a revision of a previously approved active permit, see Permit #

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 [X] WSSC 02 [] Septic 03 [] Other:
2B. Type of water supply: 01 [X] WSSC 02 [] Well 03 [] Other:

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
[] On party line/property line [] Entirely on land of owner [] On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Signature of owner or authorized agent: Sandra Heiler Date: 9/2/09

Approved: [Signature]
Disapproved: _____ Signature: _____ Date: 11.17.09
Application/Permit No.: 520 353 Date Filed: 9/2/09 Date Issued: _____

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. WRITTEN DESCRIPTION OF PROJECT

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:

SEE ATTACHMENT A

- b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

SEE ATTACHMENT A

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. *Schematic construction plans*, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. TREE SURVEY

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For All projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301/279-1355).

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

MICHE BOOZ

ARCHITECT

208 Market St
Brookville
Maryland 20833
301/774 8911
fax: 774 1908

CS

Project:

BENTLEY HOUSE

205 MARKET STREET
BROOKVILLE, MD 20833

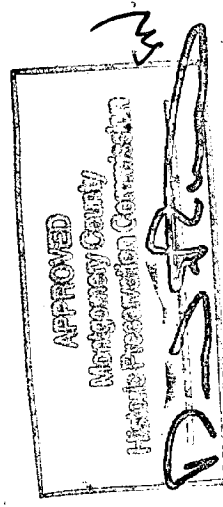
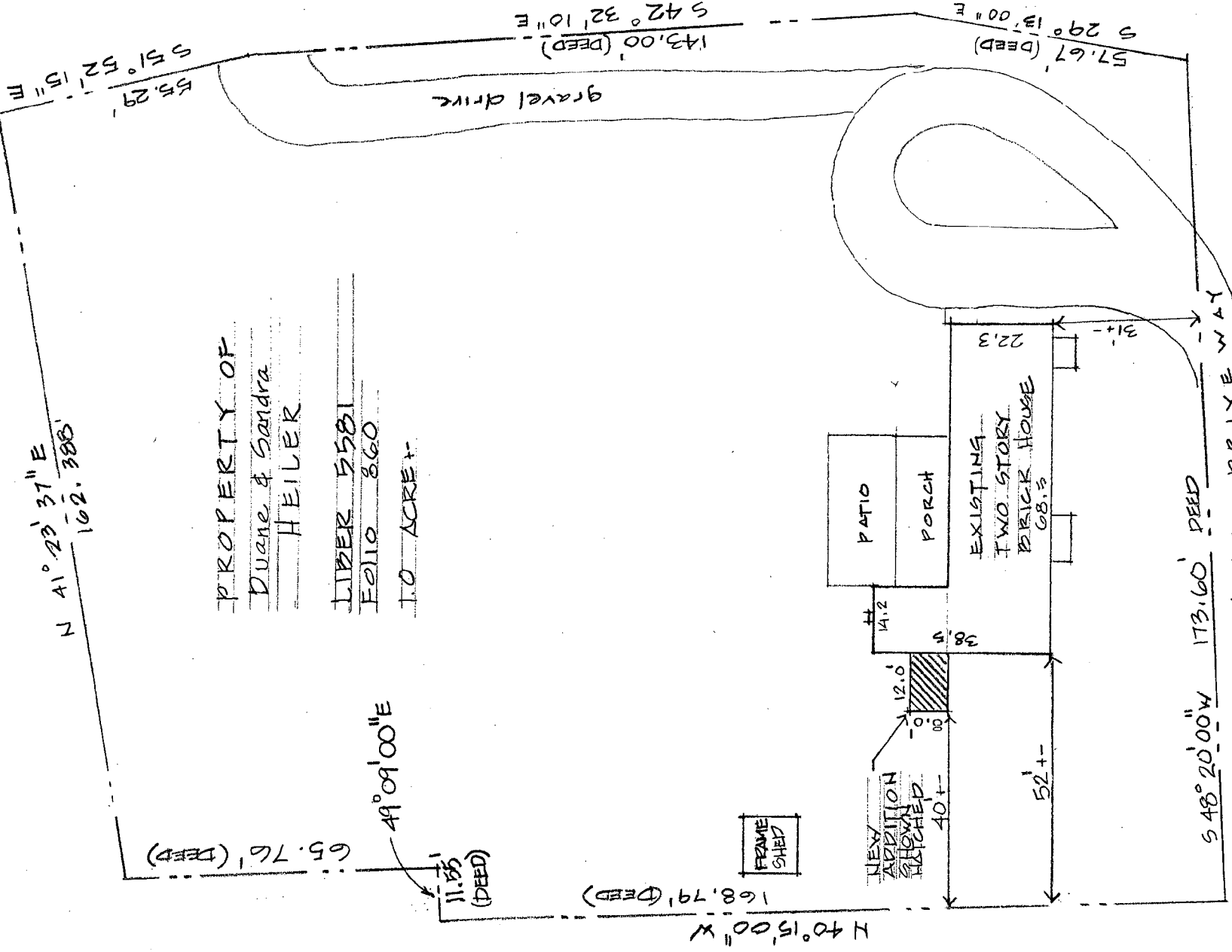
Montgomery County

Drawings:

site

Dates:

11.12.09



1. must be constructed as shown in these approved plans. Any changes require approval in writing by the Montgomery County Historic Preservation Commission.

BENTLEY HOUSE

205 MARKET STREET, BROOKVILLE, MD 20833

MARKET STREET

MICHE BOOZ

ARCHITECT

208/Market St
Brookville
Maryland 20833
(301)774 6911
fax: 774 1908

Project:

BENTLEY HOUSE

205 MARKET STREET
BROOKVILLE, MD 20833

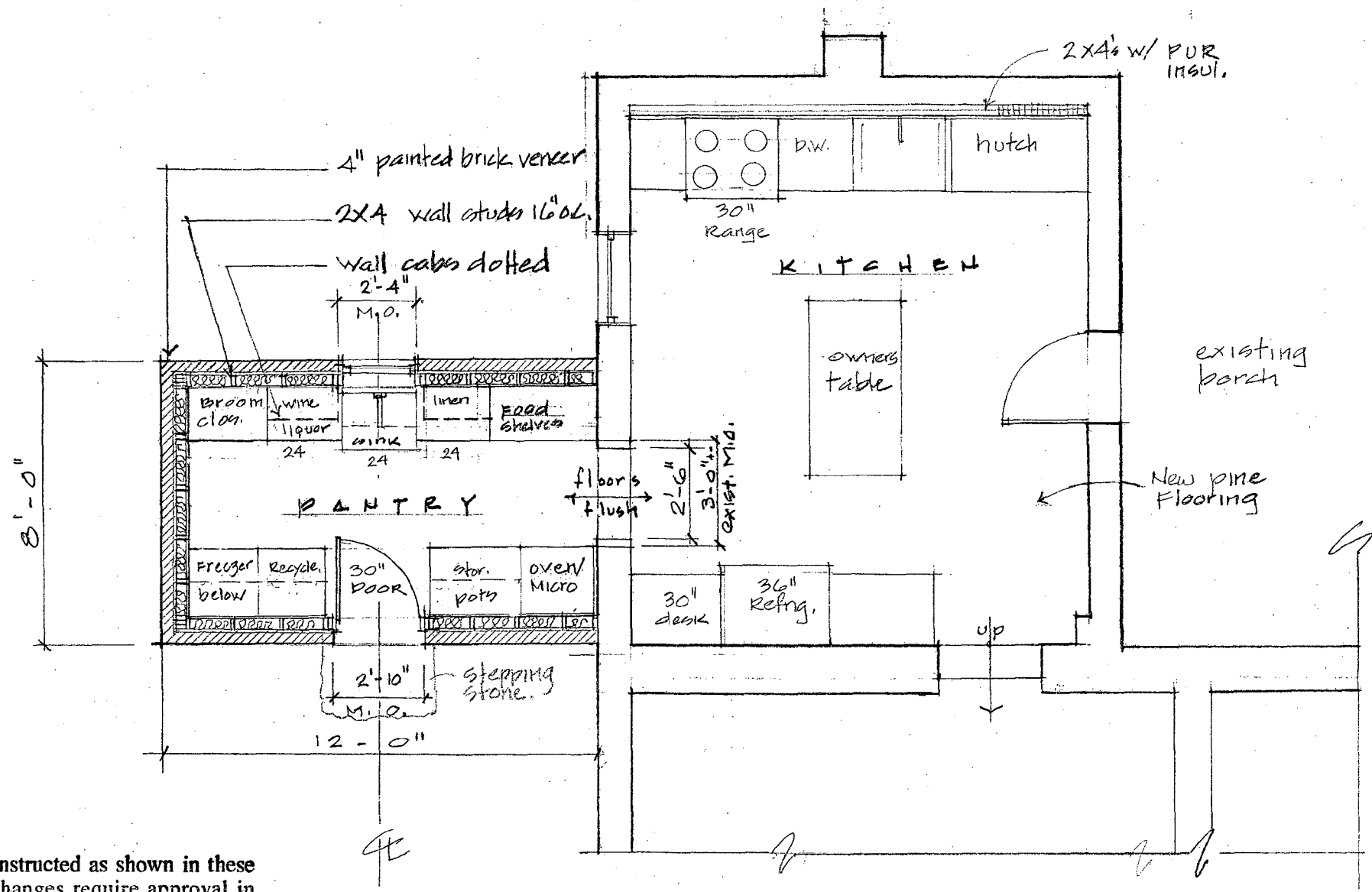
Montgomery County

Drawings:

kt. plan

Date:

11.12.09



This project must be constructed as shown in these approved plans. Any changes require approval in writing by the Montgomery County Historic Preservation Commission.



PANTRY KITCHEN PLAN
1/4" = 1'-0"

MICHE BOOZ

ARCHITECT
208 Market St
Brookville
Maryland 20833
(301) 774 6911
fax: 774 1908

Project:

BENTLEY
HOUSE

205 MARKET STREET
BROOKVILLE, MD 20833

Montgomery County

Drawings:

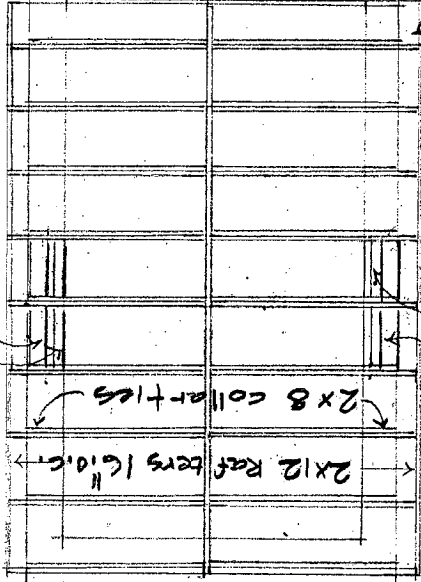
Plans

Date:

11.12.09

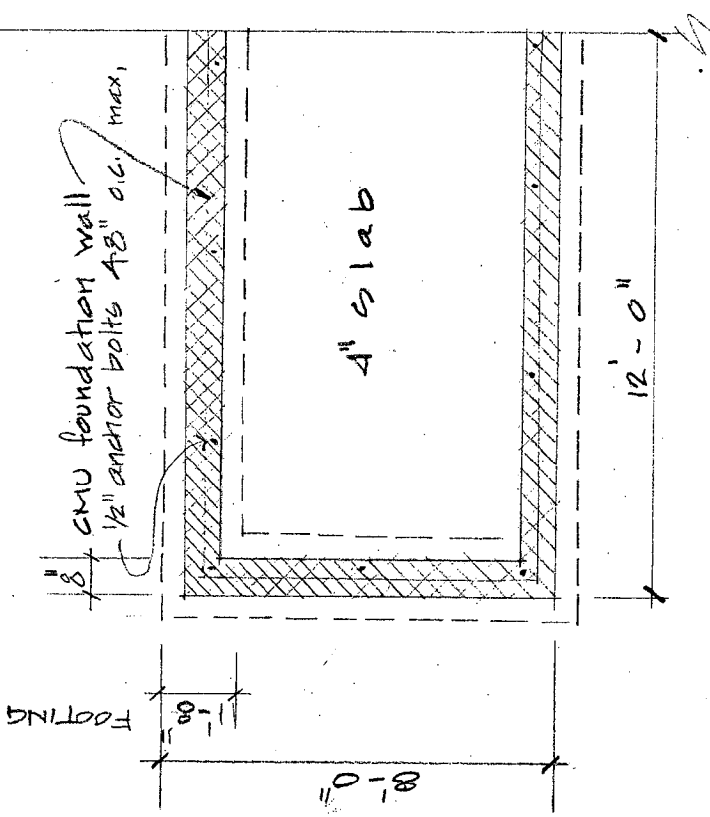
EXISTING
HOUSE

(2) 2x6 Header below
3/2 x 3/2" stl.
lintel below



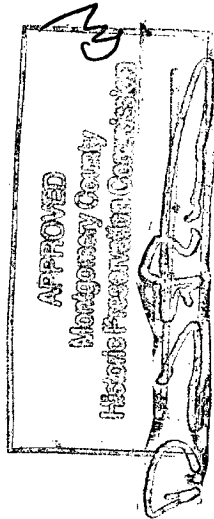
3/2 x 3/2" stl. lintel below
(2) 2x6 Header below

ROOF FRAMING PLAN
1/4" = 1'-0"



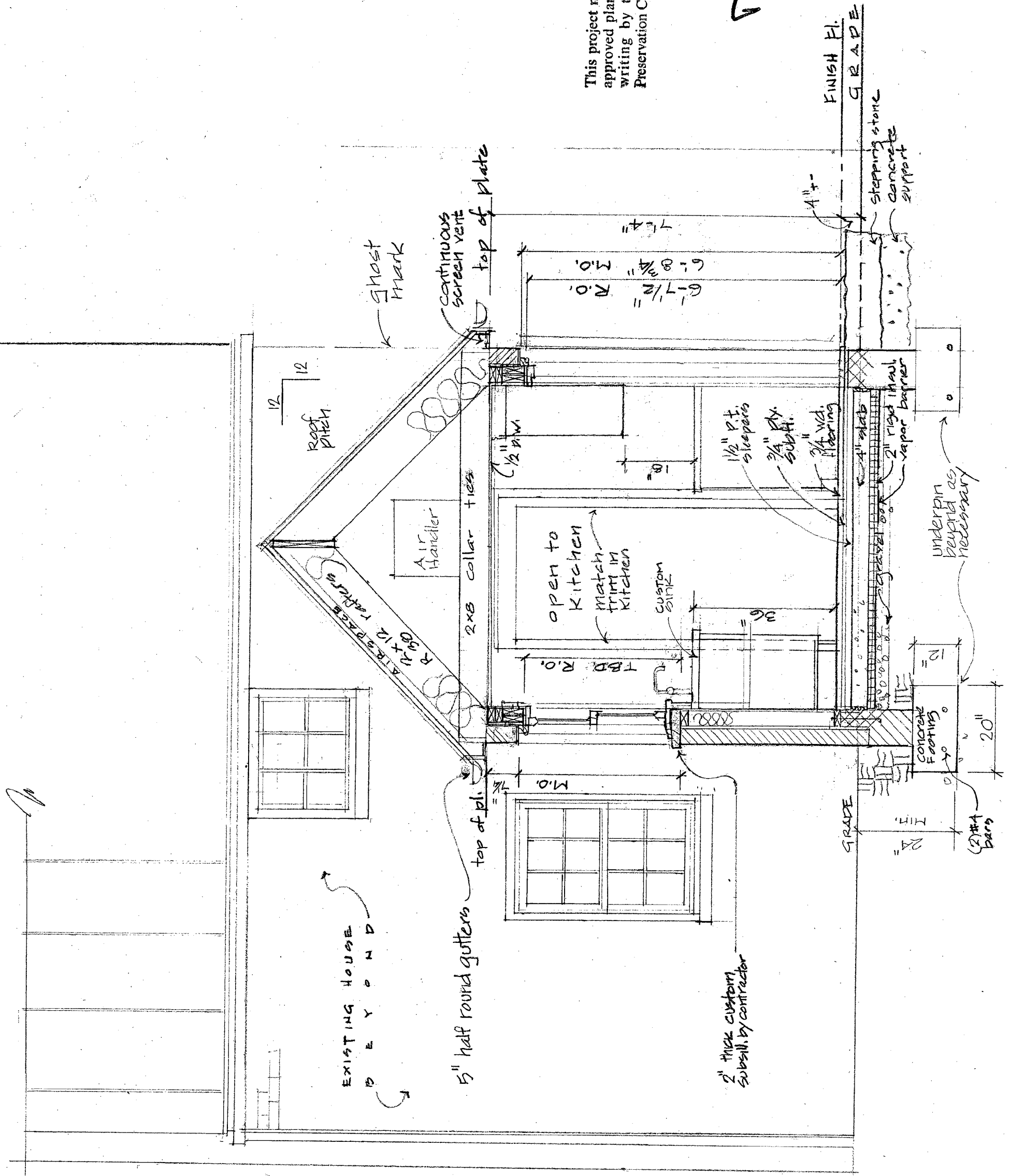
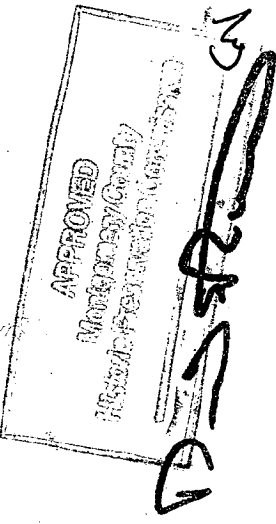
FOUNDATION PLAN
1/4" = 1'-0"

This project must be constructed as shown in these approved plans. Any changes require approval in writing by the Montgomery County Historic Preservation Commission.



MICHE BOOZ	ARCHITECT
	208 Market St Brydewille Maryland 20833 (301)774 6911 fax: 774 1908
Project:	
BENTLEY HOUSE	
205 MARKET STREET BROOKVILLE, MD 20833	
Montgomery County	
Drawings:	Section
Date:	11.12.09

This project must be constructed as shown in these approved plans. Any changes require approval in writing by the Montgomery County Historic Preservation Commission.



FINISH FLOOR GRADE

stepping stone concrete support

underpin beyond as necessary

concrete footing

(2) #4 bars

2" thick custom subsl. by contractor

5" half round gutters

EXISTING HOUSE B E Y O N D

ghost mark

CONTINUOUS screen vent

top of plate

Roof pitch

Air Handler

2x8 collar ties

open to kitchen

match trim in kitchen

custom sink

1/2" p.t. sleepers

3/4" ply. subsl.

3/4" w.d. flooring

4" slab

2" rigid haul vapor barrier

GRADE

12"

20"

6'-7 1/2" R.O.

6'-8 3/4" R.O.

TBD R.O.

M.O.

1/2" p.w.

36"

4"±

7'±

12"

12"

7/8"

12"

20"

MICHE BOOZ

ARCHITECT

208 Market St
Brookville
Maryland 20833
(301) 774-6911
fax: 774-1908

Project:

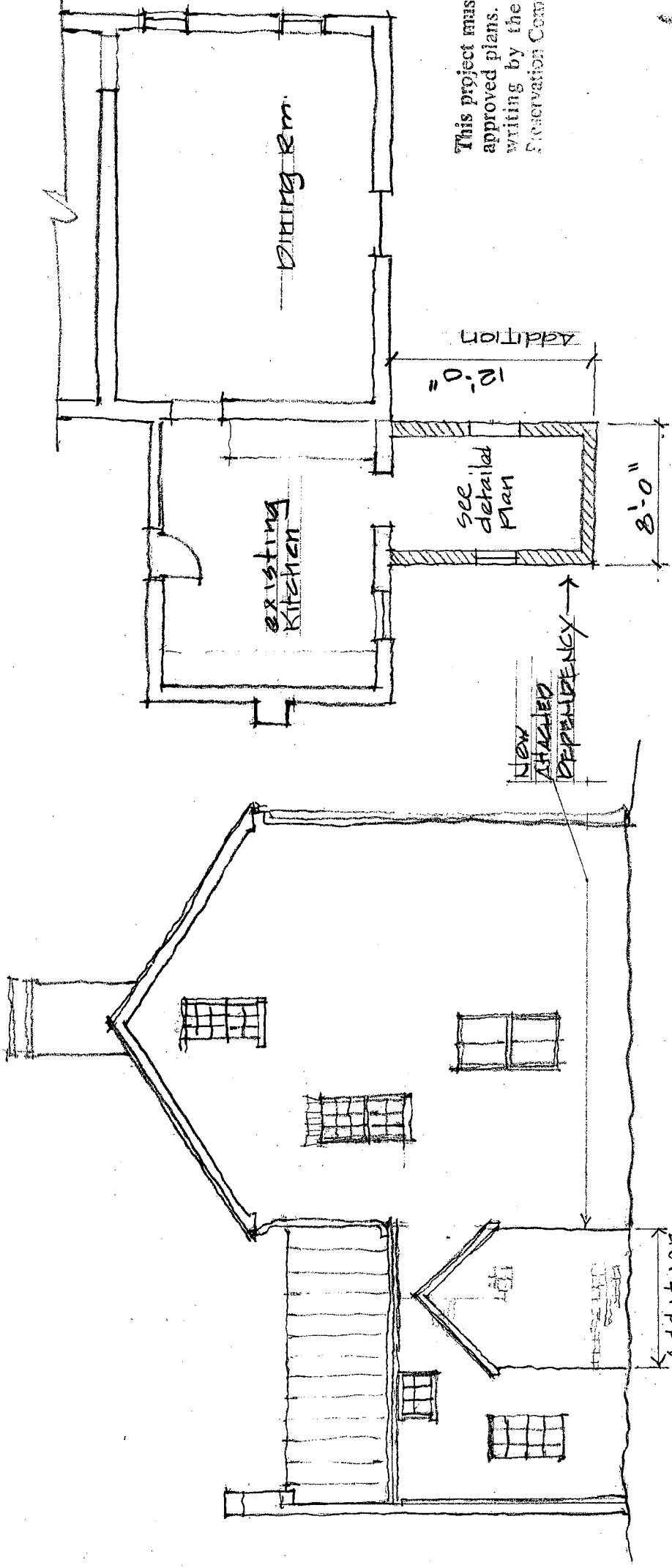
BENTLEY
HOUSE

205 MARKET STREET
BROOKVILLE, MD 20833

Montgomery County

Drawings:

Dates:



MICHE BOOZ

A R C H I T E C T
209 Market St
Brykewille
Maryland 20833
(301)774 6911
fax: 774 1908

Project:

BENTLEY
HOUSE

205 MARKET STREET
BROOKVILLE, MD 20833

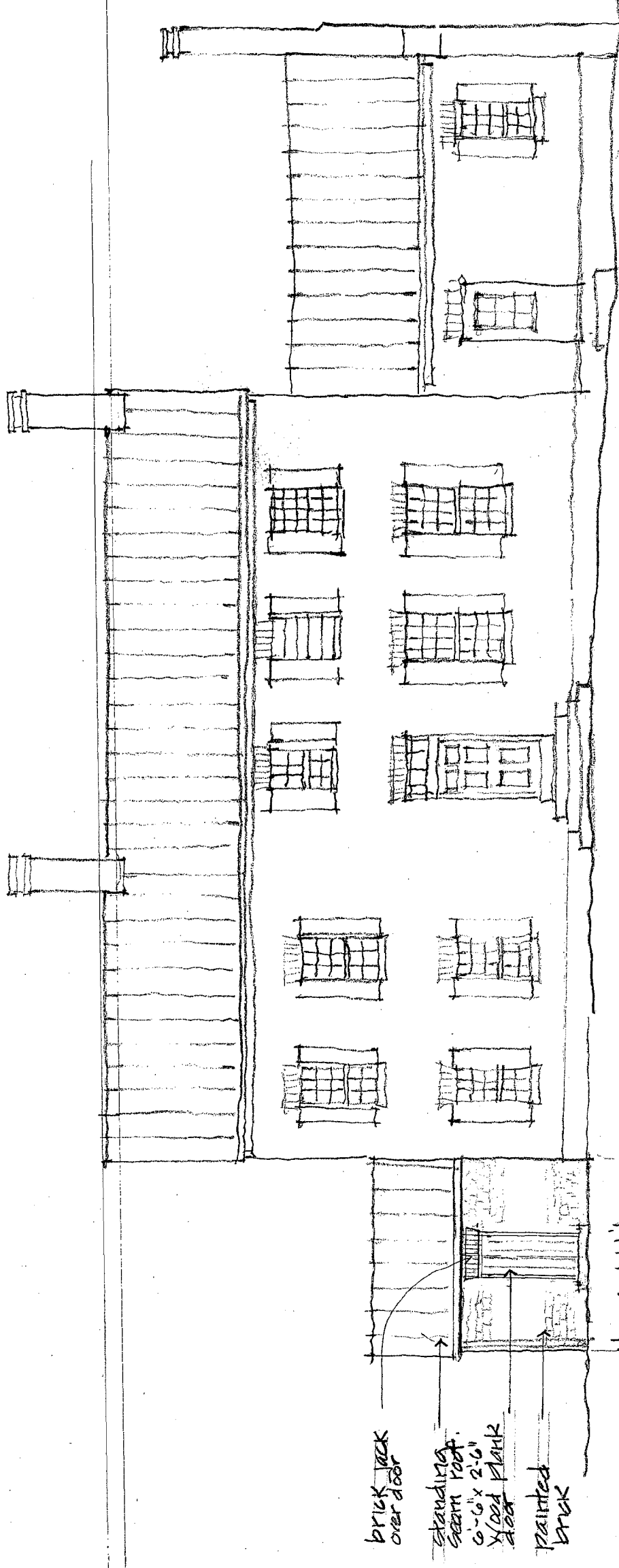
Montgomery County

Drawings:

ELEY.

Date:

11.12.09



SOUTH ELEVATION

1/8" = 1'-0" +/-

brick work
over door

standing
seam roof.

6'-6" x 2'-6"

wood plank
door

Painted
brick

New Addition

APPROVED
Montgomery County
Historic Preservation Commission

[Signature]

This project must be constructed as shown in these approved plans. Any changes require approval in writing by the Montgomery County Historic Preservation Commission.

MICHE BOOZ

ARCHITECT

208 Market St
Brookville
Maryland 20833
301)774-6911
fax: 774-1908

Project:

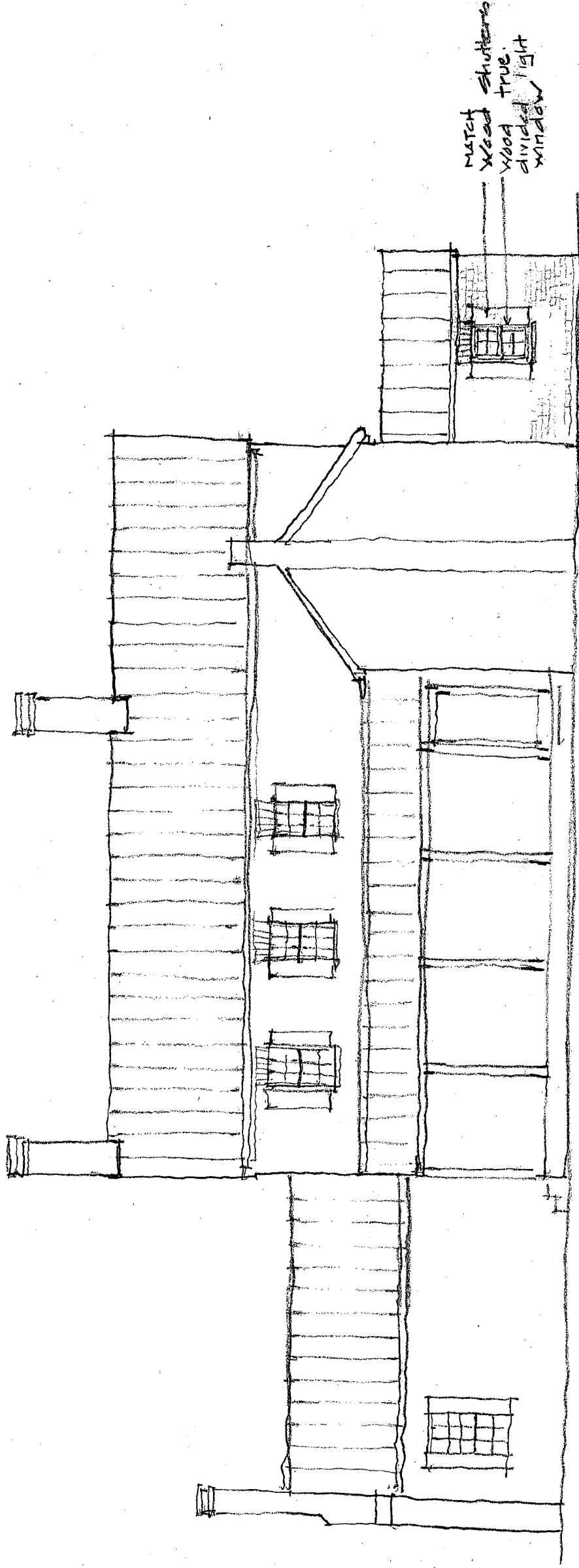
BENTLEY
HOUSE

205 MARKET STREET
BROOKVILLE, MD 20833

Montgomery County

Drawings:

Date:



New Addition

NORTH ELEVATION

This project must be constructed as shown in these approved plans. Any changes require approval in writing by the Montgomery County Historic Preservation Commission.

APPROVED
Montgomery County
Historic Preservation Commission
[Signature]

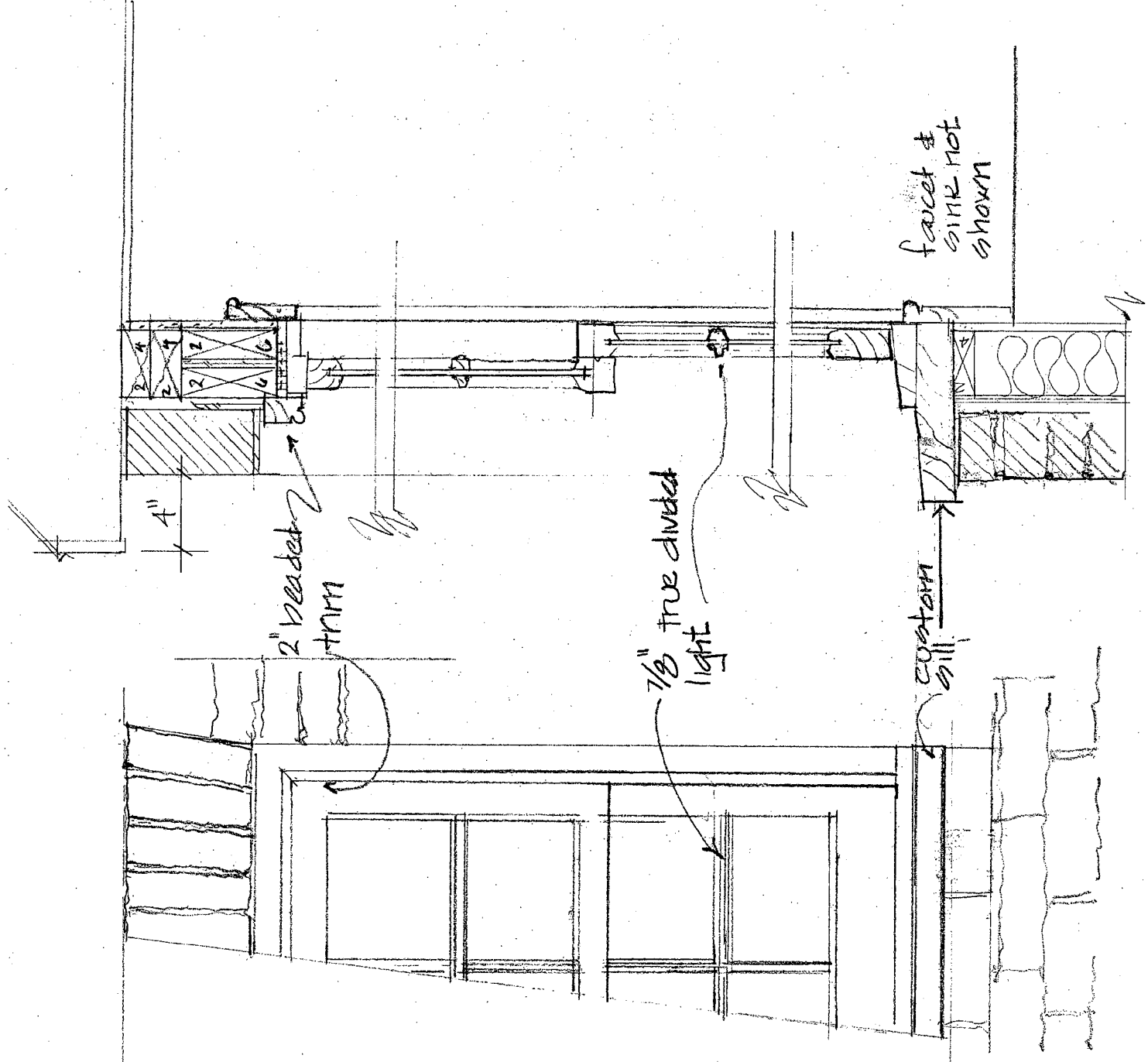
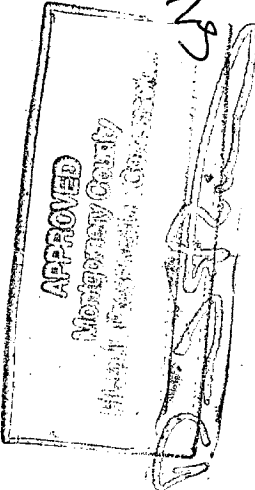
MICHE BOOZ
 ARCHITECT
 205 Market St
 Brookeville
 Maryland 20833
 (301)774 6911
 fax: 774 1908

Project:
BENTLEY HOUSE
 205 MARKET STREET
 BROOKEVILLE, MD 20833
 Montgomery County

Drawings:
Details

Date:
11.12.09

This project has been reviewed and approved in writing by the Montgomery County Historic Preservation Commission.



DETAIL ELEV.
 1/2" = 1'-0"
 SECTION
 1/2" = 1'-0"

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	205 Market Street, Brookeville	Meeting Date:	10/7/09
Applicant:	Duane and Sandra Heiler (Miche Booz, Architect)	Report Date:	9/30/09
Resource:	Outstanding Resource Brookeville Historic District	Public Notice:	9/23/09
Review:	HAWP	Tax Credit:	None
Case Number:	23/65-09G	Staff:	Scott Whipple
PROPOSAL:	Side addition		

STAFF RECOMMENDATION

Staff recommends that the HPC approve the HAWP application, with the following condition:

1. the dimensions of the addition will be reduced to 8' by 8'.

PROPERTY DESCRIPTION

SIGNIFICANCE: Outstanding Resource within the Brookeville Historic District
STYLE: Federal
DATE: c. 1780

Excerpt from Places in the Past:

The *Bentley House* at 205 Market Street is best known as a refuge for President Madison and his staff during the War of 1812. For two days while the British invaded and occupied Washington, in 1814, President Madison conducted the business of the Federal government from the Bentley residence. Thereafter, Brookeville was remembered as the nation's capital for a day.

BACKGROUND

The applicants came to the HPC in August and September 2009 for two Preliminary Consultations, seeking input on the appropriateness of a proposal for a small side addition to the subject resource. At the 1st Preliminary Consultation, the HPC encouraged the applicants to conduct further research and return to the commission with additional materials to explain the morphology of the resource, to document what could be determined about the size, construction materials, and dates of a no longer extant dependency, and to document dependencies to resources of similar design and construction dates as the subject resource. The applicants returned for a 2nd Preliminary Consultation, having conducted a limited archaeological investigation and prepared materials in response to questions raised at the 1st Preliminary Consultation. At the time of the 2nd preliminary the archeological investigation had been conducted but the related report had not been completed. The Commission was divided on the question of a side addition and was unable to reach a consensus on the appropriateness of such a project. The draft transcript of the 2nd Preliminary Consultation is in Circles 32 - 53.

PROPOSAL

The applicants are proposing to construct an addition to the west (left) elevation, extending laterally from an existing, historic kitchen ell at the rear of the house. This addition will be located where physical evidence and oral tradition indicates an earlier dependency formerly stood, near where the kitchen ell and main massing of the structure connect. The addition will project laterally 12' from the kitchen ell and be 8' wide. The addition will have a gable form, and be one story in height. The application does not stipulate the absolute height of the roof peak, but the application stipulates that the addition's form will match the visible ghost of the earlier dependency. The addition will have a painted brick veneer, over frame construction, with a standing seam metal roof, a door centered on the front (south) elevation and a window on the rear (north) elevation, and sit on a concrete slab. The addition is intended to replicate the form, style, and materials of the kitchen ell, with brick of similar size and texture to that found in the ell, but with coursing differentiated from the Flemish bond used in the principle (south) elevation of the main mass and the common bond used in the side (west) elevation. The door would have wood plank construction and the window would be wood with simulated divided lights and wooden shutters. See proposed plans in Circles 22-26.

The applicants have provided a rendering of the morphology of the house (see Circle 27), information regarding the history of the house and the attached service building that is no longer extant, and examples of other historic houses with side dependencies (see Attachments A, B, C, and D in Circles 10-21). Plans and photos of existing conditions are in Circles 22-31.

APPLICABLE GUIDELINES

When reviewing alterations and new construction within the Brookeville Historic District, two documents are to be used as guidelines to assist the Commission in developing their decision. As established by §1.5 of the Historic Preservation Commission Rules, Guidelines, and Procedures (Regulation No. 27-97) ("Regulations"), these documents, incorporated in their entirety by reference herein, include the *Montgomery County Historic Preservation Ordinance*, County Code Chapter 24A ("Chapter 24A") and the *Secretary of the Interior's Standards and Guidelines for Rehabilitation* ("Standards"). The pertinent information in these documents is outline below.

Montgomery County Code; Chapter 24A-8:

- (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.
- (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:
 - (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
 - (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district

in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or

- (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
 - (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any one period or architectural style.
 - (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

Secretary of the Interior's Standards for Rehabilitation:

Standard #2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

Standard #9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard # 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The Design Guidelines for Historic Sites and Districts in Montgomery County, Maryland state:

Basic Principles for an Addition

The overall design of an addition should be in keeping with the design of the primary structure. Design elements should take their cue from the primary structure, but this does not preclude contemporary interpretations, nor discourage differentiating the addition from the historic building. Keeping the size of the addition small, in relation to the main structure, also will help minimize its visual impacts. It is also important that an addition not obscure any significant features of a building. If the addition is placed to the rear of the existing structure, it is less likely to affect such features. Side additions are generally discouraged.

18.0 DESIGN OF NEW ADDITIONS

Design a new addition to be compatible with the primary structure.

18.1 Place an addition at the rear of a building to minimize its visual impacts.

18.2 Do not obscure, damage, destroy or remove original architectural details and materials of the primary structure.

18.3 An addition should be compatible in scale with the primary structure.

- 18.4 Use building materials that are compatible with those of the primary structure.
- 18.5 An addition should be compatible in character with the primary structure.
- 18.7 The roof form and slope of a new addition should be in character with and subordinate to that of the primary building.

The development of a staff recommendation for this application was particularly challenging. Guidance the HPC provides through the Preliminary Consultation process assists applicants in the preparation of their project scope and guides staff in the evaluation of applications. In this case, the HPC review criteria could reasonably be interpreted to formulate a basis for recommending in favor of approval or for the application's denial; the HPC was divided and did not reach consensus as a result of the Preliminary Consultations. Staff weighed the HPC's input provided during the Preliminary Consultations, gave significant consideration to the nature of the resource and the characteristics of the proposed addition as well as to the review criteria, and had a difficult time reconciling the potentially conflicting interests of maintaining in its current configuration the existing significant architectural character of this Outstanding Resource and recommending approval for the proposed addition. Staff concluded that the proposal was, in balance, largely consistent with the HPC's review criteria as established in the Regulations and therefore was appropriate for the historic resource.

In interpreting its review criteria as established in the HPC's Regulations, the HPC has regularly found that rear additions can be designed such that they are consistent with the standards for approval, and the HPC's design guidelines provide the general recommendation that additions be placed to the rear of historic resources. However, nothing in the HPC's review criteria prohibits side additions when the HPC determines that a side addition is consistent with review criteria, and the HPC has approved side additions in certain, limited circumstances.

Responding to input from the HPC, the applicant considered a rear addition. The applicant has concluded that a rear addition is infeasible (see Attachment C, Circle _____), and has elected to continue to pursue a side addition. Staff finds that the proposed addition is subordinate to the primary building and compatible in character, materials, roof form, and for the most part, scale, consistent with §18.3-7 of the design guidelines. Staff recommends reducing from 12' to 8' the length of the addition to reduce the size of the addition and its impact on the historic massing. While the addition would obscure historic fabric that, according to the applicant, dates to the resource's second building phase, staff notes that the applicants have provided testimony that this material was constructed as an interior wall never intended to be exposed. Therefore, staff does not find the obscuring of this fabric to be inconsistent with §18.2 of the guidelines.

Staff notes that during the Preliminary Consultations, references were made to the reconstruction of a dependency. However, the HPC's Regulations specifically charge the HPC with using the *Secretary of the Interior's Standards and Guidelines for Rehabilitation*; no provision is made providing for the HPC's use of the other treatment standards (*Preservation, Restoration, or Reconstruction*).

In reviewing the application for consistency with the Secretary's Standards, staff took direction provided in the Rehabilitation Guidelines. The Rehabilitation treatment allows for additions to be realized so long as the portions or features that convey the historical, cultural, or architectural values of the resource are preserved. Taking into consideration the Secretary's Guidelines for Rehabilitation, staff finds the proposal appropriate and consistent with Standards #2, 9, and 10. The reduction of the length of the addition from 12' to 8', as noted above, may improve consistency with Standard #9 by mitigating any effect the addition would have on the spatial relationships that characterize the resource as well as the size and massing issues that Standard #9 address. Although staff has reservations that the vocabulary and expression of the addition may not go far enough to clearly differentiate this addition from the historic resource (#9), staff does not find that the proposal would be inconsistent with Standard #3 ("Each property will be recognized as a physical record of its time, place, and use. *Changes that create a false sense of historical*

development, such as adding conjectural features or elements from other historic properties, will not be undertaken [emphasis added]").

In reviewing the application for consistency with Chapter 24A, staff finds that, for the reasons cited above, the proposal is appropriate under Chapter 24A-8(b)(1)-(3) and 24A-8(c). Staff finds further that Chapter 24A(b)(4)-(6) and 24A-8(d) do not pertain to this application. As staff finds that the application does not meet the criteria for denial of an application established in 24A8-(a), staff recommends that the HPC approve the application, having found it consistent with the criteria for approval established in §1.5 of the Regulations.

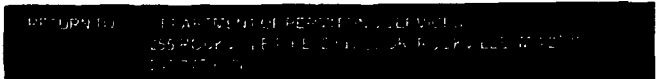
STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application as being consistent, as outlined above, with the Chapter 24A-8(a) and (b), and with the *Secretary of the Interior's Standards for Rehabilitation*, with the following condition:

1. the dimensions of the addition will be reduced to 8' by 8';

and with the general condition that the applicant shall present the **3 permit sets of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or scott.whipple@mncppc-mc.org to schedule a follow-up site visit.



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: SANDRA HEILER

Daytime Phone No.: 301-570-0837

Tax Account No.: 025-30-0482

Name of Property Owner: DUANE & SANDRA HEILER Daytime Phone No.: 301-570-0837

Address: 205 MARKET STREET BROOKVILLE MD 20833
Street Number City Street Zip Code

Contractor: OAK GROVE RESTORATION Phone No.: 301-948-6412

Contractor Registration No.: MD CLASS A LIC. 15306756

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 205 Street: MARKET

Town/City: BROOKVILLE Nearest Cross Street: NORTH

Lot: _____ Block: _____ Subdivision: _____

Liber: 5581 Folio: 860 Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Renovate
- Move
- Install
- Wreck/Raze
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

- A/C
- Slab
- Room Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Wall (complete Section 4)
- Other: _____

1B. Construction cost estimate: \$ 41,000

1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: _____

2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ inches

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On party line/property line
- Entirely on land of owner
- On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Sandra J. Heiler
Signature of owner or authorized agent

9/2/09
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 520 353 Date Filed: 9/2/09 Date Issued: _____

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. WRITTEN DESCRIPTION OF PROJECT

- a. Description of existing structure(s) and environmental setting, including their historical features and significance:

SEE ATTACHMENT A

- b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

SEE ATTACHMENT A

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. *Schematic construction plans*, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. *Elevations (facades)*, with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. TREE SURVEY

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For **ALL** projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301)279-1355).

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

Addresses of abutting properties:

Merrill and Susan Johnson
202 Market Street
Brookeville, MD 20833

Chris and Andrea Scanlon
203 Market Street
Brookeville, MD 20833

Warren Ferris and
Renee Moneyhun
207 Market Street
Brookeville, MD 20833

205 Market Street
Brookeville, Maryland 20833

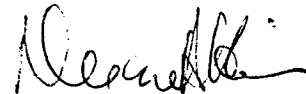
September 18, 2009

Ms Anne Fothergill
Montgomery County Historic Preservation Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Ms Fothergill:

Please accept the amended version of our application for a Historic Area Work Permit, HPC Case No. 23/65-09G (Application No. 520 353), and postpone consideration, which is currently on the agenda of the September 23, 2009, meeting.

Very truly yours,



Duane A. Heiler



Sandra I. Heiler

Attachment A

1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

The house is a south-facing, painted brick structure with a two-story main block, a one-story east wing, and a two and a half-story west wing (sited lower than the main block so the roof line is continuous), with a one and a half-story kitchen ell at the rear of the west wing. It sits on a one acre lot uphill from Market Street. The acre directly behind it is owned by M-NCPPC.

The house was built about 1780 by Richard Thomas, founder of the town of Brookeville, and is the oldest structure in the town. The west wing was originally a one-story service building with a side entrance near the rear and a kitchen with a fireplace on the exterior wall. About 1820 the original service wing was converted into a large dining room with an exterior doorway on the west side and an ell that housed the new kitchen was added to the rear. About 1840 one and a half stories were added to the west wing, creating two additional bedrooms, one in the garret. The morphology of the west wing is shown in Attachment B, along with the evidence we used to determine the details and dates of the stages of the morphology.

The historical significance of the house is based primarily on the visit on August 26 and 27, 1814, of President Madison, who conducted the business of the federal government there after the British occupied the city of Washington and burned the White House. Although those two days were the high point of its history, the significance of the house extends from the time of its construction through the 19th century and into the early 20th. The builder, Richard Thomas, was one of the most influential of the late 18th and early 19th centuries in eastern Montgomery County. He built many of the important houses in the area, including Locust Grove and Woodlawn Manor, as well as three other houses and a mill in Brookeville. He also laid out the town's street plan and 56 lots on land that he owned or that his wife, Deborah Brooke, received from her father, Roger Brooke, the largest landowner in eastern Montgomery County at the time.

Thomas sold the house in the 1790s to his brother-in-law, Caleb Bentley, a gold- and silver-smith and clockmaker, who used the east wing as a shop. He was named Brookeville Postmaster by Thomas Jefferson in 1802. It was Caleb Bentley and his second wife, Henrietta Thomas, an acquaintance of Dolley Madison, who hosted the President's visit in 1814. Bentley, and two other of his brothers-in-law founded the mill town of Triadelphia. Another 19th century resident was Roger Brooke V, who was instrumental in introducing progressive farming methods to Montgomery County. In the early 20th century baseball hall-of-famer Jack Bentley lived in the house.

Attachment A

1. WRITTEN DESCRIPTION OF THE PROJECT

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

The project would add a small pantry to the west side of the rear kitchen ell. The addition will be located at the same place on the outside wall as an earlier attached dependency that was part of the kitchen ell when it was built. The ghost of the earlier dependency is visible on the wall. The addition will have a painted brick veneer exterior with a standing seam metal roof, a plank door in the center of the front, and a window at the back. It will be framed and insulated and built on a concrete slab. The gable end will follow the outline of the earlier attached dependency and the form, style, and materials will match those of the kitchen ell. The brick will be similar in size and texture to that of the ell, but the bond will differ from the common bond of the side and the Flemish bond of the front to distinguish the addition from the historic structure

The result will provide additional space and storage for the small kitchen (as well as a simple way to heat and air condition the kitchen and the bathroom above it by including a mini-air handler in the gable). The proposal is *not* to reproduce the earlier dependency. Instead, it is to use the outline of the earlier building, the evidence for its construction material and the location of its exterior door, and pictures of typical period side-dependencies to build a pantry addition that is in keeping with the character of the historic building.

Attachment C contains the results of an informal survey of houses from this region with small (one-story) side dependencies that were built in roughly the same period as the kitchen ell was built, including pictures of several of the houses. Attachment C also lists some of the practical problems that would be created by a rear addition.

Attachment B

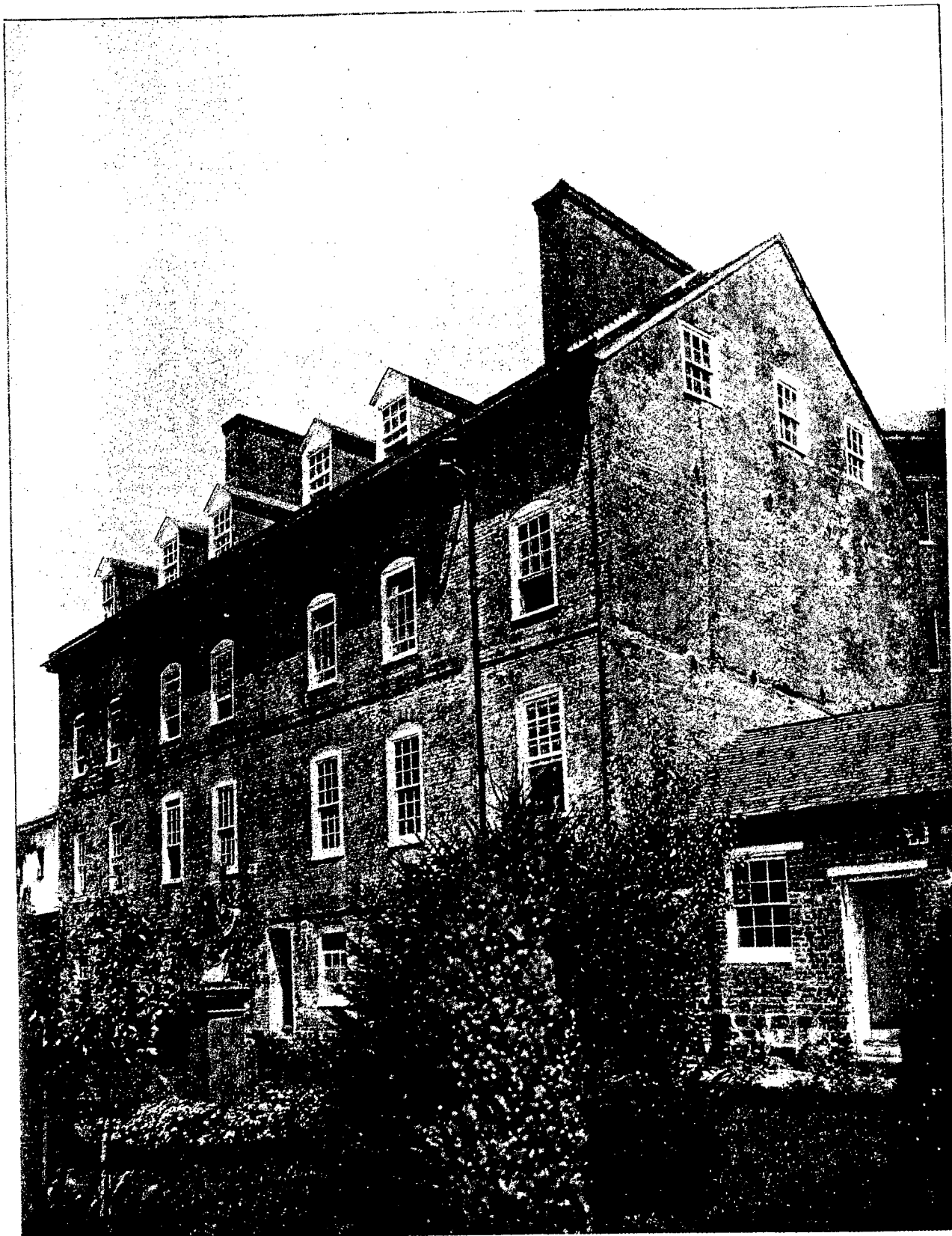
The details of the morphology of the west wing and the attached dependency are based mainly on physical evidence found at the site, especially seams and changes of bond in the brick. They are also based on evidence from some earlier residents of the house, including Calvin Musgrove, who lived there as a child and young adult in the 1930s and '40s, Alice Musgrove, who moved there in the 1940s, Janet Taylor, who spent summers there in the 1940s and '50s, and John Archer, whose mother was responsible for restoring the house and adding running water, central heat, and indoor plumbing during the 1960s and '70s. Conversations with local mason David Yinger, who has repaired and restored the masonry at various times since 1958, also helped to determine the likely sequence of changes, based on a careful reading of the brick walls. The probable dates for the phases shown in the morphology are based on substantial increases in the taxes (likely due to improvements in the house) in 1820 and 1840.

The ghost of the gable end of a missing building on the exterior brick wall of the kitchen ell shows that the space was originally constructed as an interior wall and, thus, that the missing building was probably attached to the ell when it was constructed, about 1820. The outline of the ghost shows the height, width and slope of the roof of the original building. It is marked on an attached photo. Stepping stones run along the side of the house leading to a location on the front wall of the missing building about six feet from the ell wall (indicating the probable location of an exterior door on the front wall).

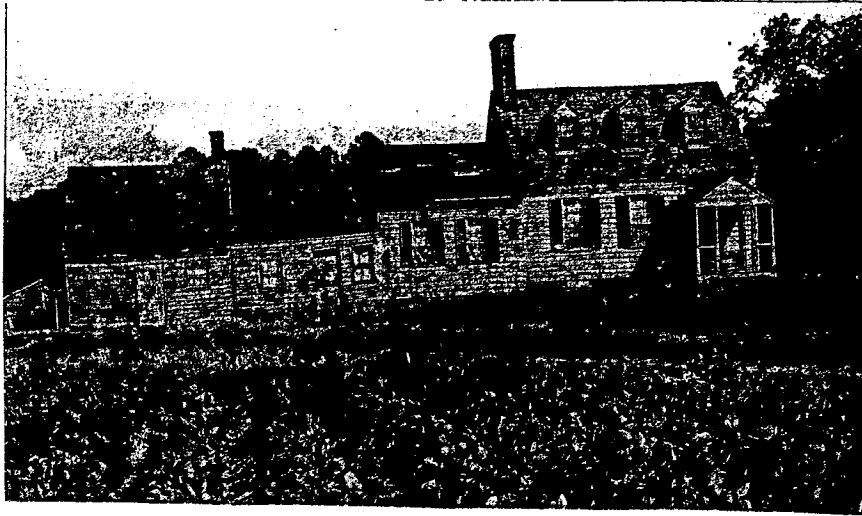
According to earlier residents of the house, in the 1930s a brick dependency that was used to store wood existed at the location indicated by the ghost. The building collapsed or was demolished sometime before 1945. By that time, an exterior door had been installed in the opening to the ell. About 1960, the doorway was closed off with a window and a brick wall and a crude cupboard that had been salvaged from the original dependency was removed from the kitchen and stored in the cellar, where it remains. There is no evidence of any significant changes to the back of the house since the ell was added (except that the wooden porch behind the main block was replaced by a brick one with the same dimensions).

Attachment C

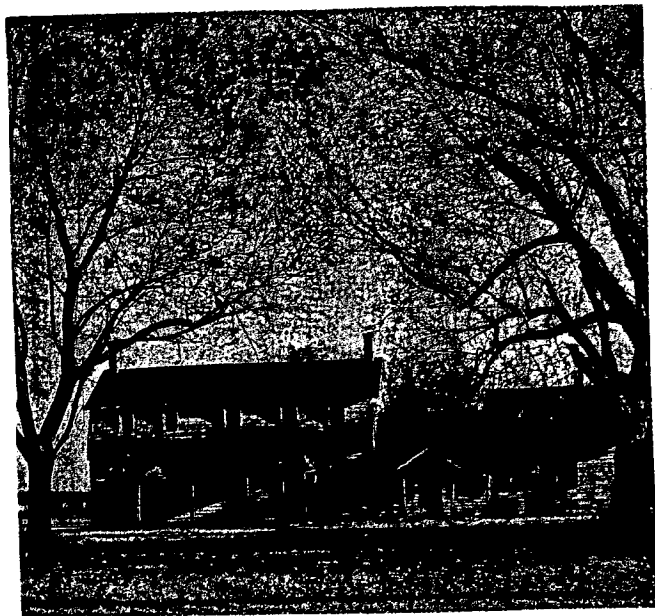
This attachment includes photos and drawings of houses from the mid-Atlantic that have side dependencies from the period when the kitchen ell was added. In *Everyday Architecture of the Mid-Atlantic*, Gabrielle Lanier and Bernard Herman also note that it was common in Maryland to attach service buildings to the kitchen ell. While such attached dependencies were frequently found in the area, they varied widely in length, from about 8ft to more than 16ft. Both side and end entrances were common. The materials used in the dependencies often matched the material of the buildings they were attached to, as in the Carroll House in Annapolis, where a small brick dependency is attached to the side of a larger brick house; however, sometimes slightly less formal and durable materials were used for the dependency. Although the dependencies were more often attached to the gable side of a building, it was not unusual to attach the dependency to the eave side, as is visible on the right side of the picture of Fair Hill and the drawing of Friendship, the Moxley Farm, where the dependency is attached to the eave side of a rear ell with a centered front doorway (like the proposed addition), although it has a shed, rather than gable, roof.



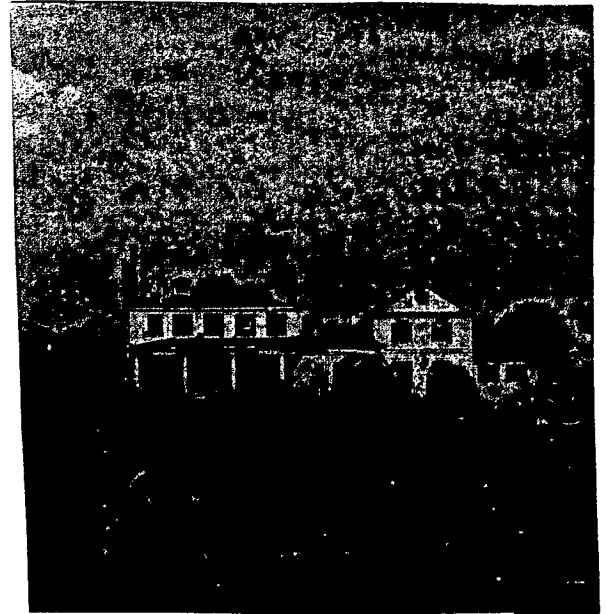
CARROLL HOUSE, SPA CREEK, ANNAPOLIS, MARYLAND



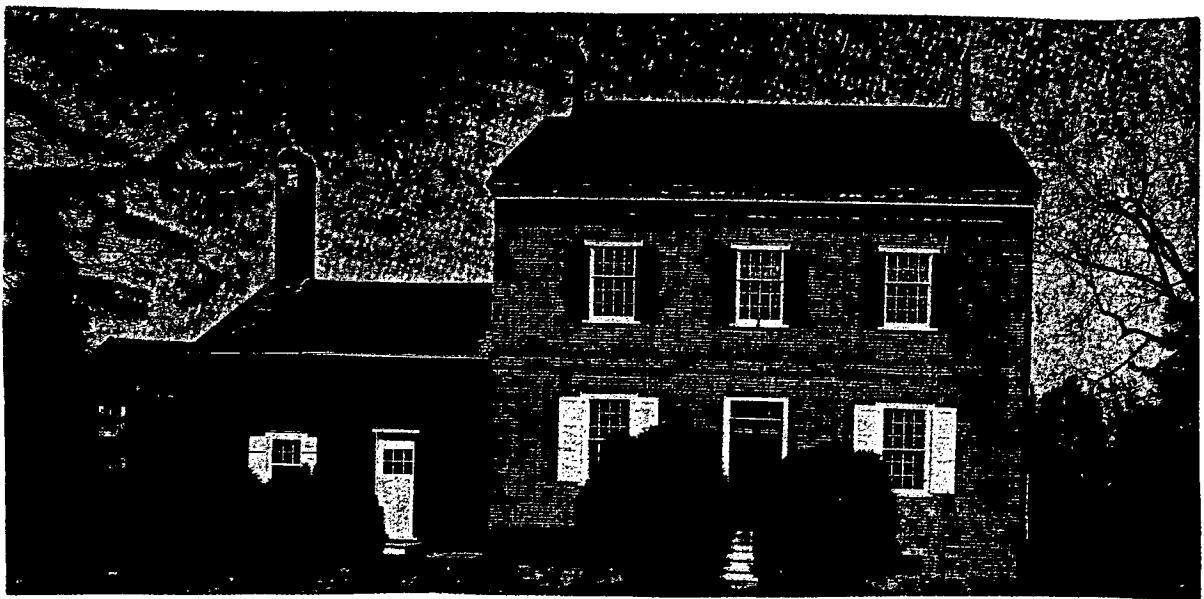
Eastern Shore of Virginia



Willowdale, Accomack, Virginia



Fair Hill, Olney, Maryland



Aspendale, Kent County, Delaware



Montanverde c. 1812 Major George Peter was host to Lincoln in 1848 here. (Seneca region)



Mount Carmel - c. 1800



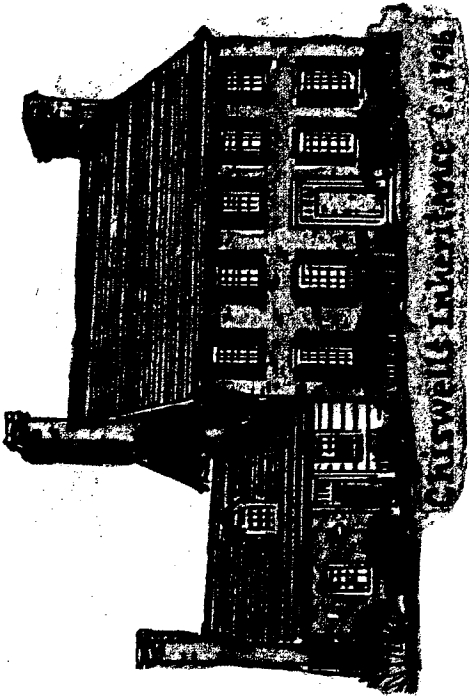
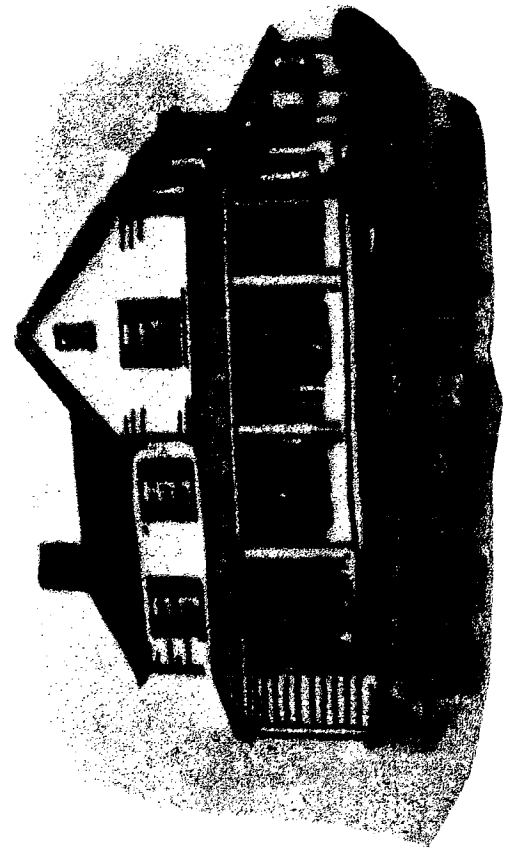
Aix La Chapelle before additions c. 1812



Home of Samuel Wade Magruder - 1732-1792

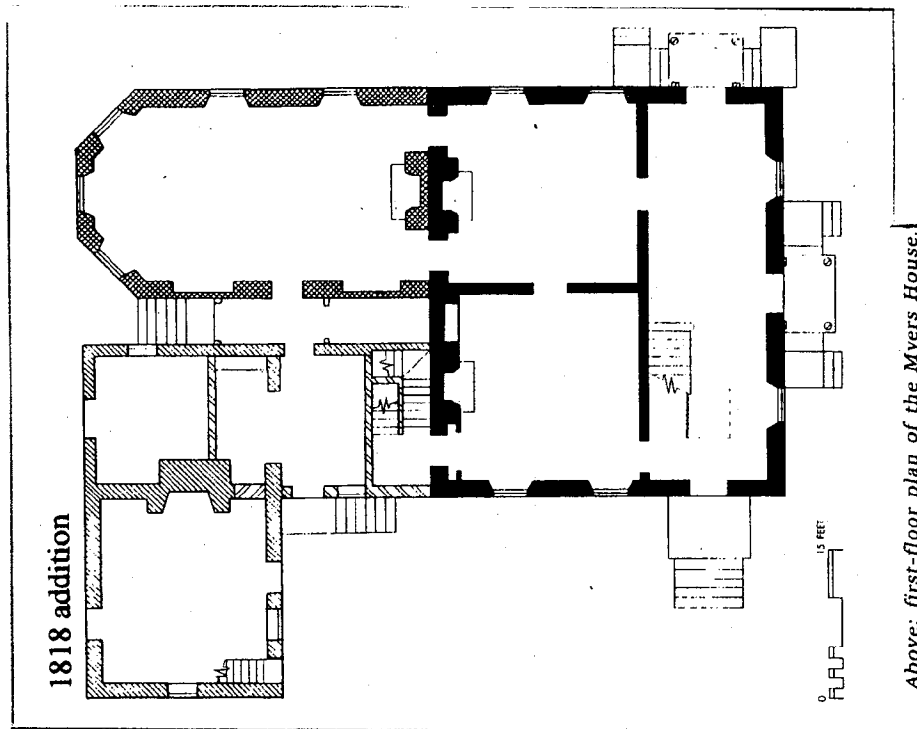


4515 Sundown Road, Laytonsville
c. 1820



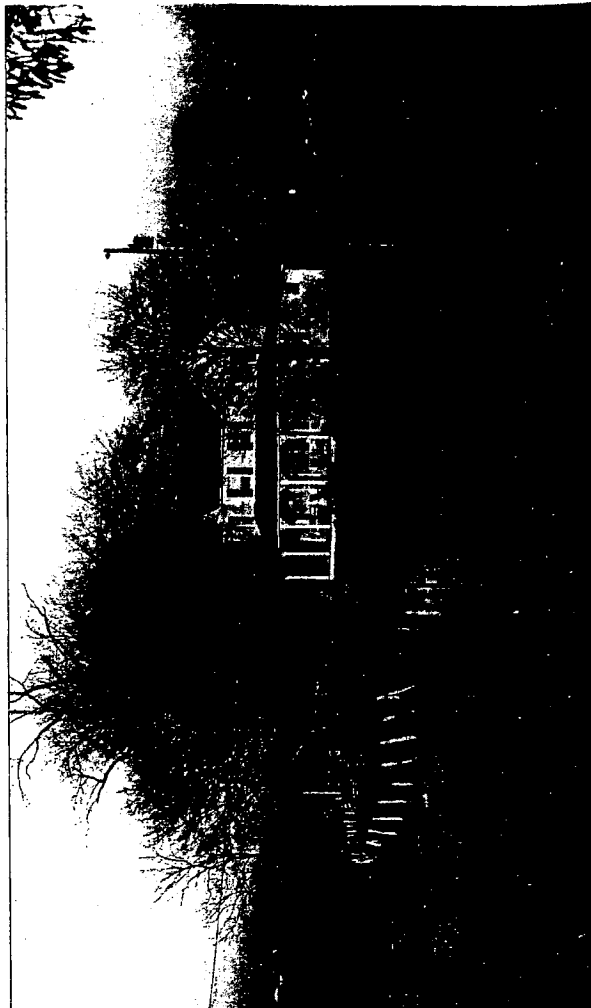
Locust Grove, Brookeville Road
Brookeville

Northern Virginia



Above: first-floor plan of the Myers House.

Norfolk, VA

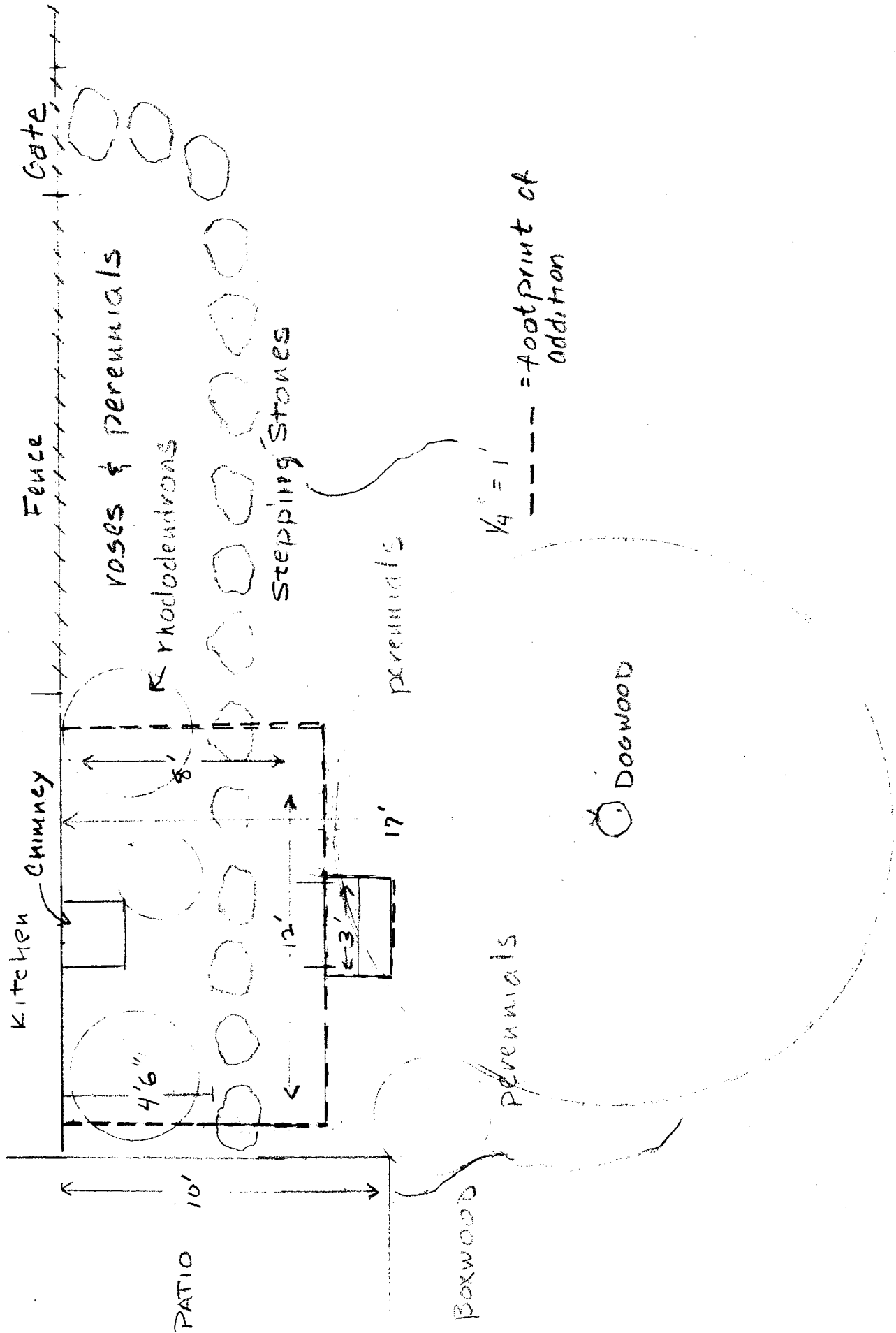


WILSON/LINK FARM, BROWNS BRIDGE, EDNOR.

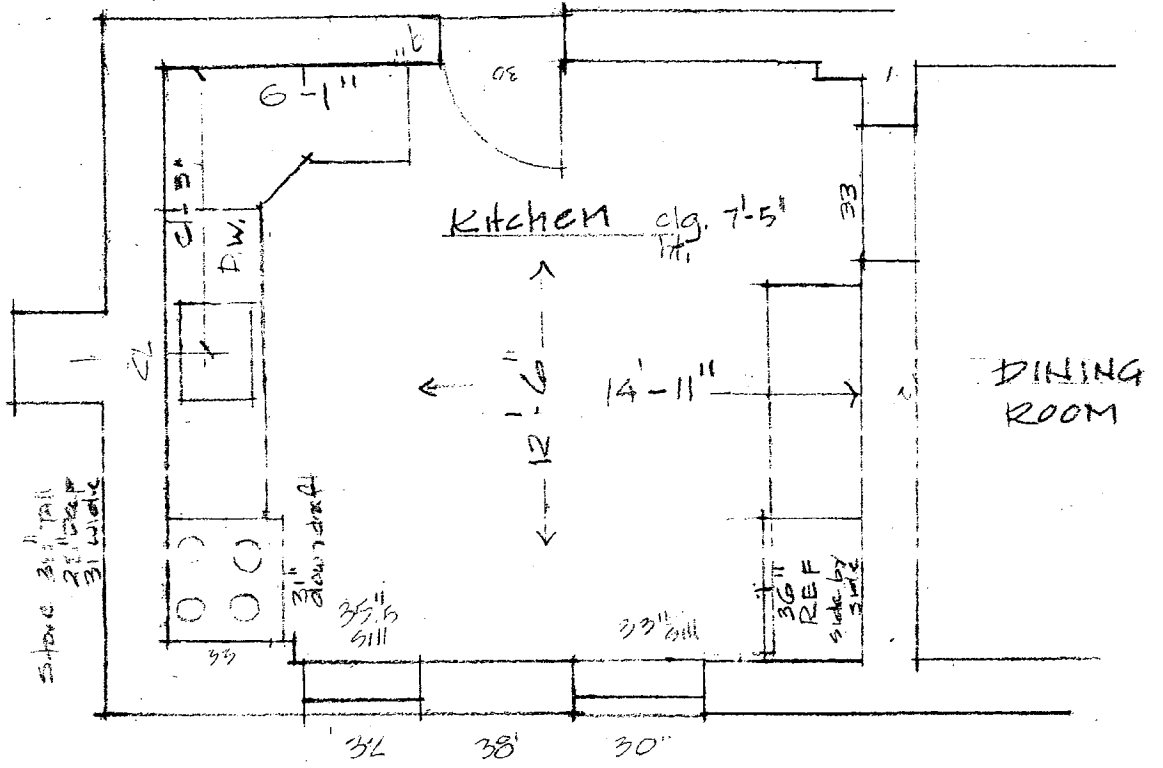
Attachment C

Problems created by a rear-addition:

- Would require removing or endangering mature plantings, including a 17ft high dogwood tree with an 8in diameter trunk and 17ft canopy; large bushes and perennial beds.
- Would require removing an old stepping stone walkway behind the ell.
- Would destroy the continuity of the patio, yard, walk, screened porch and garden area.
- Would require temporary removal of the wood picket fence (and gate), rosebushes and perennial bed between the ell and the smoke house for construction equipment.
- The base of the rear wall is 21in below the kitchen floor, which is at grade level on the west side. Thus, a rear addition would either need to be sited below the kitchen and accessed via a stairway or it would have to be raised to the level of the kitchen, requiring a much larger structure.
- Access would require cutting a doorway through the rear wall of the kitchen, which contains plumbing and wiring for the kitchen and bathroom above. The doorway must be located to the side of the ell chimney, requiring removing cabinets and possibly rearranging the dishwasher and sink.
- Would block the stove vent, requiring relocating the stove and wiring to the other exterior wall (in turn, introducing the complication of dealing with windows that extend below standard cabinet height).
- Would greatly complicate heating and cooling the bathroom and kitchen. Plumbing, bathroom fixtures, and partitions, as well as the chimney, partially block the abutting bathroom wall; appliances and cabinets block the abutting kitchen wall.



porch



BENTLY HOUSE KITCHEN
1/4" = 1'-0"

L. 33349 F. 010

PARK TAKING
(PER SURVEY PERFORMED 8-15-06)

Site Plan

N 41°23'37"E 160.34'(COMP)
N 36°54'22"E 162.388'
(PER SURVEY PERFORMED 8-15-06)

S 51°52'15"E
55.29'(DEED)

REMAINDER
PROPERTY OF
R.S. & D.V. ALLAN

L.5581 F.860
1.0 AC.± (COMP)

N/F
C. & A. SCA
L.29911 F.

49°09'00"E
1.55'(DEED)

S 42°32'10"E 143.00'(DEED)

MANOR
COCK A
18393

GRAVEL DRIVEWAY

N 40°51'00"W 168.79'(DEED)

FRAME SHED

STONE PATIO

BRICK PORCH

2 STORY
BRICK
#205

PROPOSED

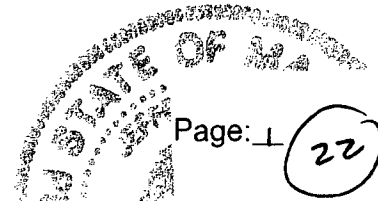
S 57°07'(DEED)
S 29°18'00"E
S 29°18'00"E
S 29°18'00"E

ASPHALT DRIVEWAY

Applicant: ~~WILLIAM A. HEILER~~
SANDRA T. HEILER

S 48°20'00"W 173.60'(DEED)

MARKET STREET



Page: L

22

Materials Specifications

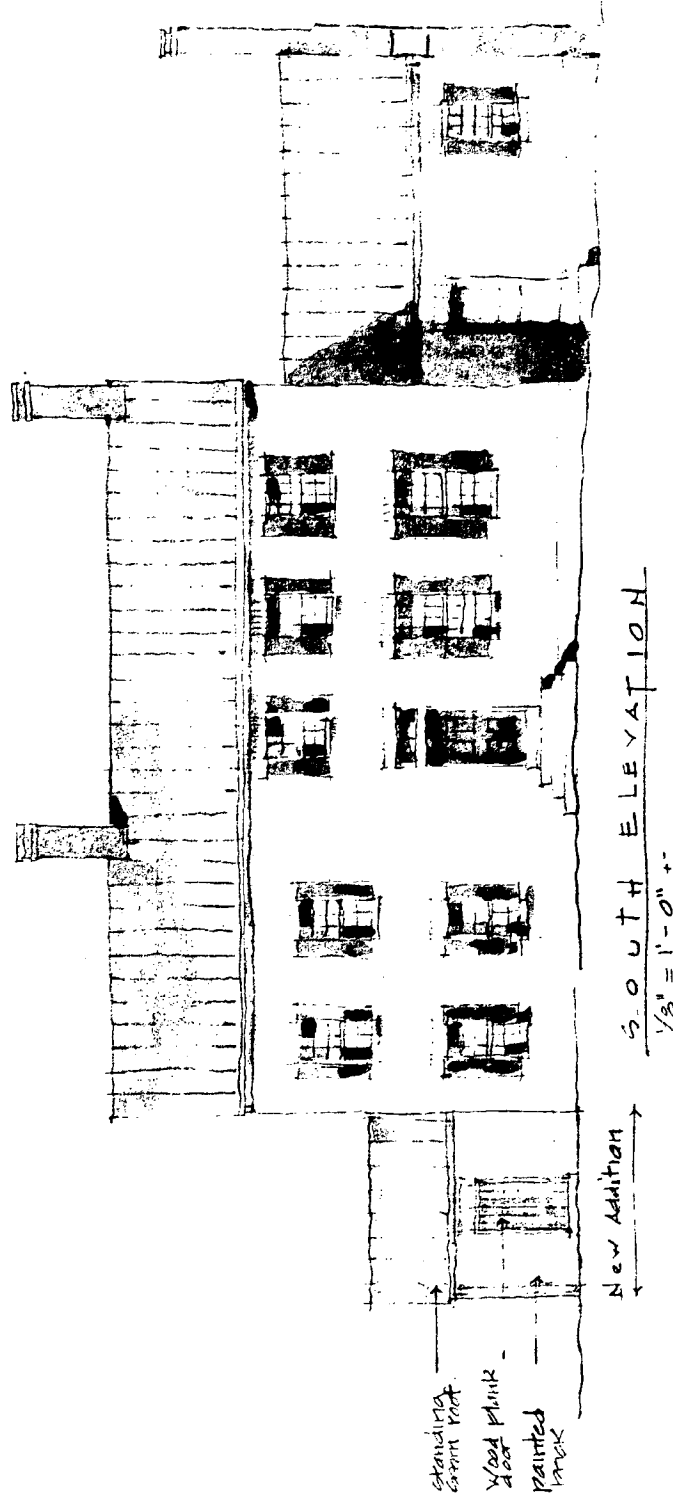
Brick to match kitchen ell with standing seam metal roof.

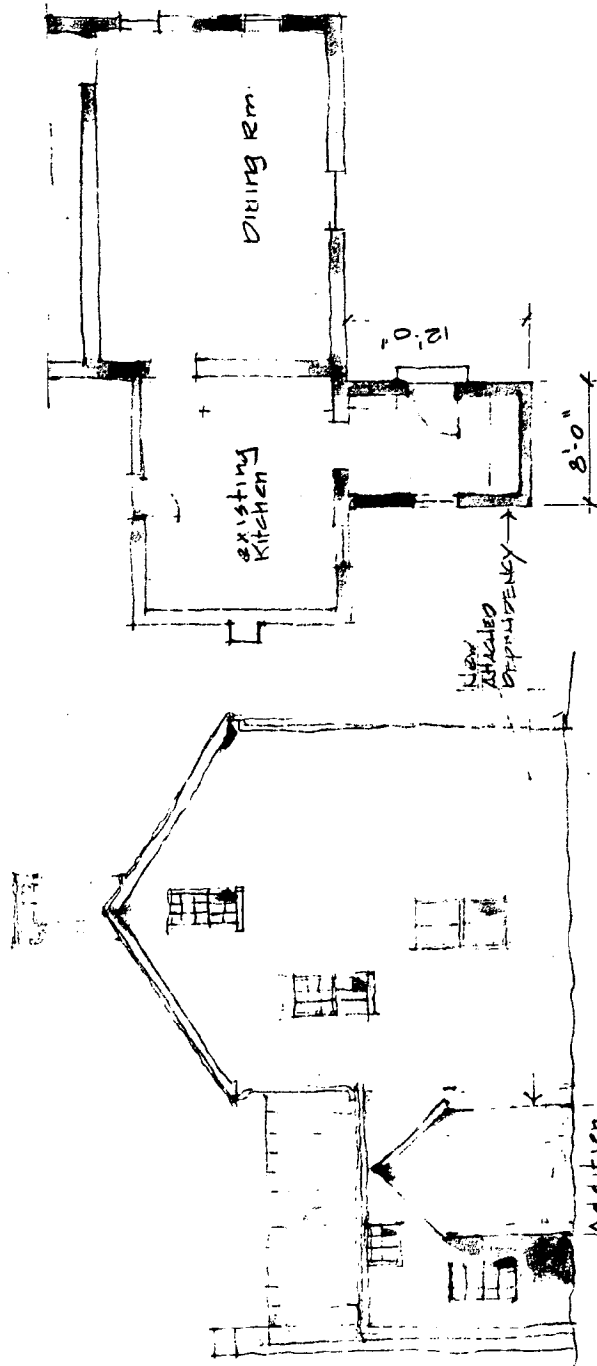
Wood rake board and fascia to match kitchen ell.

True divided light, wood, double-hung window reused from door opening to kitchen ell.

Wood plank door similar to door on front façade of east wing.

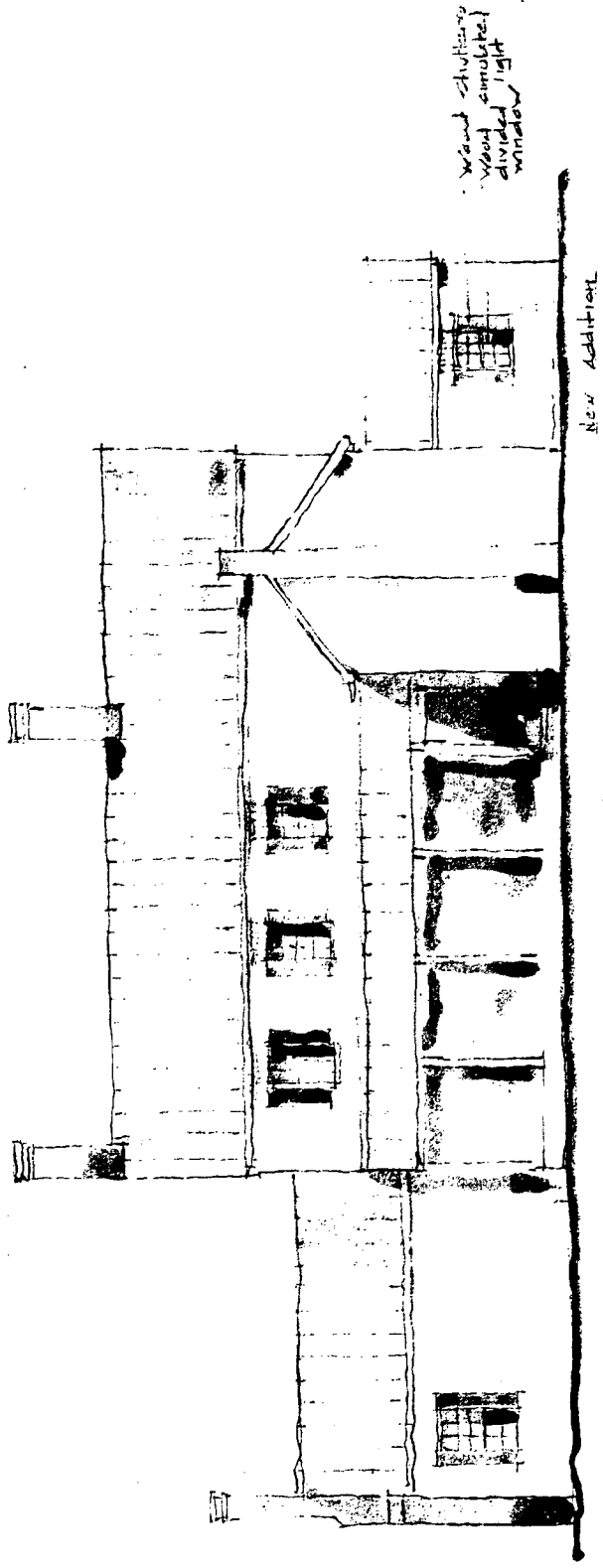
Copper gutters and downspouts to match kitchen ell.





PARTIAL FIRST FLOOR PLAN

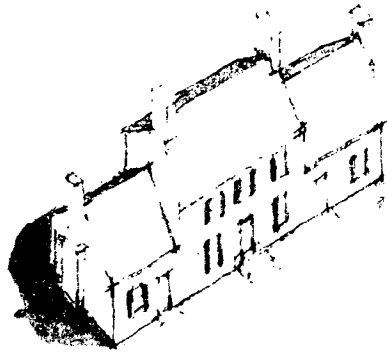
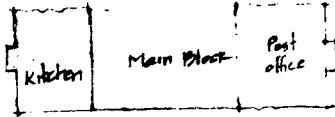
WEST ELEVATION
 1/8" = 1'-0"



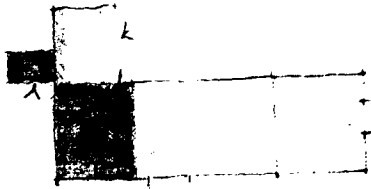
NORTH ELEVATION

Madison House Morphology

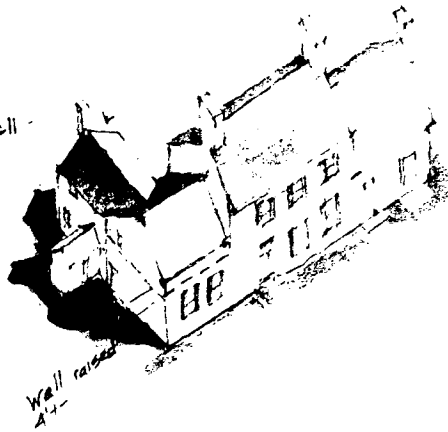
1780



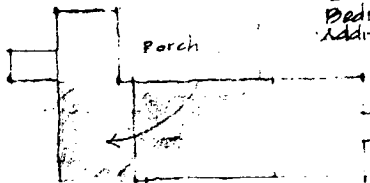
1820



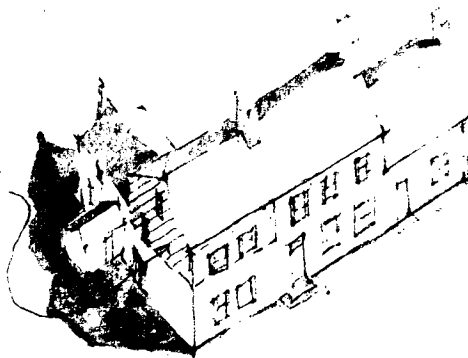
Kitchen ell-
addition



1840



2nd Floor
Bedroom
Addition

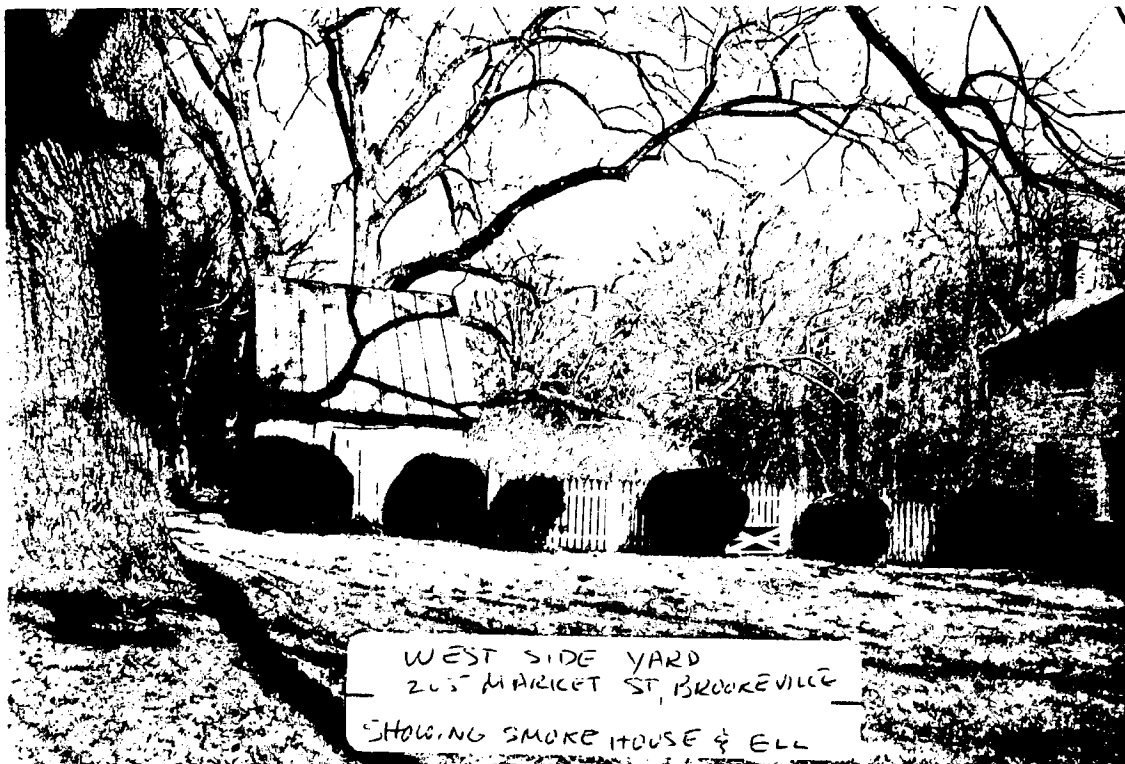


MICHE BOOZ

Existing Property Condition Photographs (duplicate as needed)



Detail: VIEW OF 205 MARKET ST. FROM PUBLIC RIGHT-OF-WAY

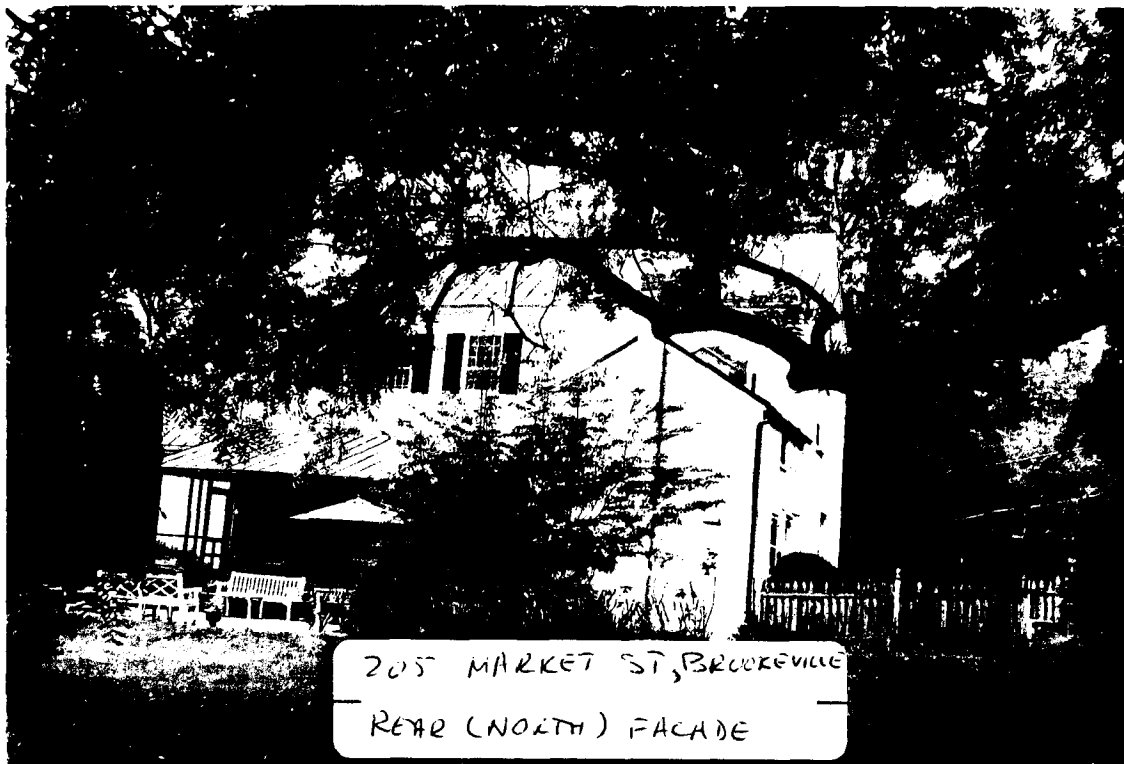


Detail: 205 MARKET ST BROOKVILLE, WEST SIDE YARD SMOKEHOUSE & ELL

Existing Property Condition Photographs (duplicate as needed)



Detail: 205 MARKET ST, BROOKVILLE, FRONT (SOUTH) FACADE

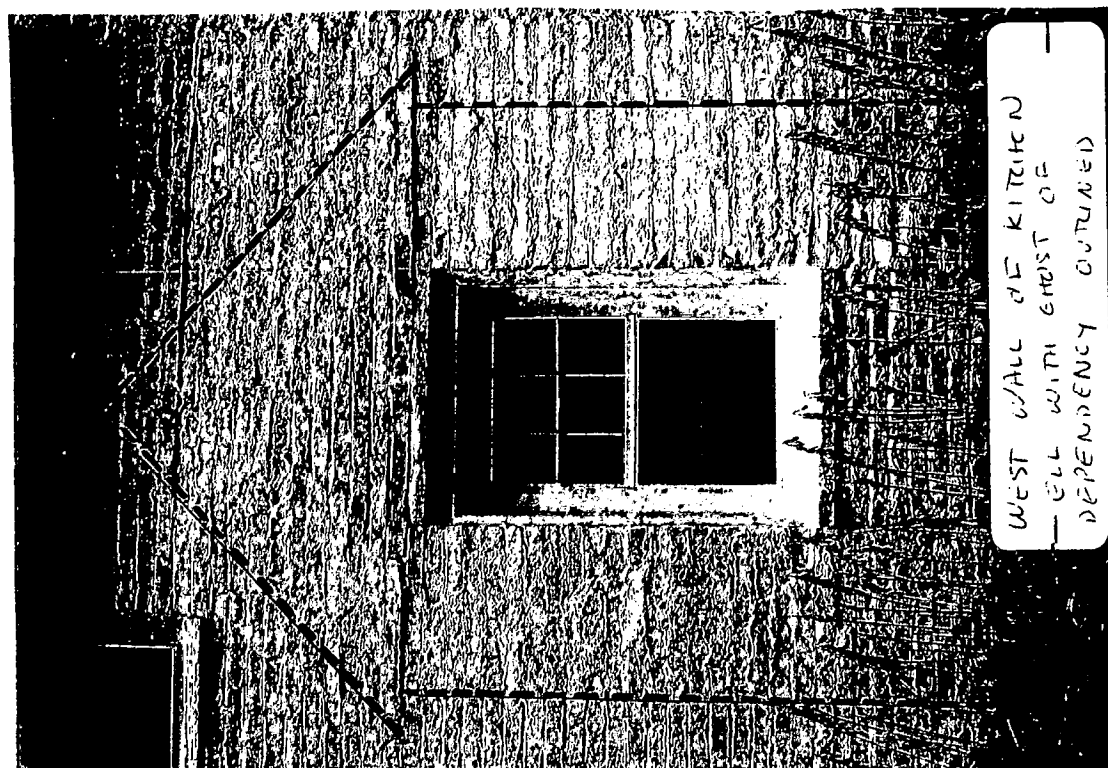


Detail: 205 MARKET ST, BROOKVILLE, REAR (NORTH) FACADE

Existing Property Condition Photographs (duplicate as needed)



Detail: 205 MARKET ST, BROOKVILLE, WEST FACADE; KITCHEN ELL



Detail: 205 MARKET, BROOKVILLE, KITCHEN ELL WITH GHOST OF EARLIER DEPENDENCY - DOTTED LINE

205 market



(31)

~~(26)~~

~~(18)~~

September 9, 2009 MPC meeting
DRAFT transcript

CHAIR ROTENSTEIN: Next item on the agenda is a preliminary consultation at 205 Market Street in Brookeville and Commissioner Heiler will be leaving the dais because this is her case. And do we have the staff report?

MS. FOTHERGILL: Yes, the applicant submitted it for the August meeting, and those of you who were at that meeting will remember that Brookeville -- this is the Madison House which is an outstanding resource from the Brookeville Historic District. It's at 205 Market Street.

And at the first preliminary consultation, the Commission and the applicant discussed this proposed left side addition and that is based on evidence of an earlier side addition or some sort of service way into the house.

So at the first preliminary consultation, the Commission requested that the applicant provide more information. It was difficult to understand the different sections of the house and the construction dates. And they wanted a more graphic representation of that morphology. And they also encouraged to applicants to do more research to try to deed the attached service building and determine its dimensions and materials, if possible.

The applicant since then has provided the Commission with more information. The applicant has hired an architect. You all were provided with the Madison House morphology which is in Circle 16 in your packet that clearly shows the evolution of this house, when the different sections were built and when evidence suggests this side attached dependency was constructed.

The applicant also provided plans of what they are proposing which is again based on this earlier section of house. And the applicant also provided photos of other houses with small side attached sections of the house that are of similar vintage and so those are to show that there are other examples of this type of addition to a house in this time frame.

So the applicants are back. They are proposing to construct this rear west side addition of the house attached to an existing kitchen and they are proposing that the 8 feet wide, 12 feet long and approximately 14 feet tall and at this point the proposed materials for the addition are painted brick to match the house, a wood window with simulated divided lights that would be used from the existing wall, wood shutters and trim, one wood plank door, a stainless and metal roof and copper gutters and you have the plans in Circle 17 through 20.

And I think the applicant also has some additional information ready to provide you tonight in terms of the aerial photographs and the archeology work that has been done.

And I think staff would ask that if the applicant is going to move forward that the Commission provide feedback on whether you can support the side addition to this house, in general, to propose dimensions of the portion of the addition, the materials of the addition, and the location and treatment of the window, the proposed window.

I will show you some photos, although I do think most of you are familiar with this.

So that kitchen now you can see on the left side of this photo and that is where the proposed addition would go. This is the rear elevation and the close up of where the addition would attach.

COMMISSIONER RODRIGUEZ: Can you show --

MS. FOTHERGILL: This one? Okay, the applicant and the architect.

CHAIR ROTENSTEIN: Thank you. Are there any questions for staff, other than Commissioner Rodriguez'?

Before the applicant introduces herself and the architect, I feel that I need to disclose that as part of the information-seeking process I went out to visit the property and conduct an archeological test excavation adjacent to the kitchen L and I did so because the County does have limited resources and

the archeology staff wasn't able to visit and this is a house of extraordinary significance, so I conducted the test excavation and am prepared to answer questions. And I did so in an uncompensated manner.

So if the applicant would like to introduce herself?

MRS. HEILER: I'm Sandra Heiler and this is a proposal for me and my husband, Duane.

And this is our architect, Miche Booz.

MR. BOOZ: It's actually Miche Booz, but that's okay.

CHAIR ROTENSTEIN: So do you have a presentation or comments about the staff report?

MRS. HEILER: Yes, I would like to just comment on some of the research we've done since the previous meeting. Commissioner Alderson had suggested just doing a brief survey of other buildings from the same period that had side additions mainly to see how common they were, generally what the proportions were, and how much depended on the function of the particular addition. And so I did include several drawings and photographs, a lot of them from books. One set I found just around Brookeville.

The other thing and I think this may be a better photograph, I think you can probably see the ghost of the earlier building that I had mentioned. I think what we should do is since several Commissioners had mentioned that they'd like to see a graphic representation of the morphology for Miche to walk the Commission through that and then to talk about how the proposal is related to that. And then I can answer questions about the evidence that we have for what was there, why we think it was there, and for the proposal, the dimensions, the materials, that kind of thing.

MR. BOOZ: I can talk a little bit about the morphology that essentially follows, I think, a fairly logical analysis of what happened in two stages. And the only reason we know it happened in two

stages is the tax increases that happened in approximately 1820 and 1840 were two changes apparently happened to this building, that originally the building was an almost symmetrical Federal-style house, and then at one point the kitchen which would have been on the left addition was moved to the rear L. And we believe that this happened either with -- by raising the roof slightly and then putting on the L because the L would not have worked on the previous roof.

It's quite possible that what we're showing -- what happened in 1840 may, in fact, have happened in 1820 and something else made the taxes go up, but whatever it would have been in 1840 is in evidence, there is no evidence as to what it was. So thinking that there were two stages. This is sort of the best guess we have, but I think what's more important is that the ghost mark on the building shows what would have been an interior wall. This is why I think that the side addition actually came with the L.

After talking it over with David Yinger who is our local brick mason who has worked on all these houses, concluded that the ghost mark on the wall that would have been on the interior of the addition was never built as an exterior wall. It was never meant to be seen. So that, in fact, they came at the same time.

So that's our analysis. Unfortunately, we don't really know -- we do know how tall and wide the building was. We don't really know how far projected because I gather that the archeological examination and investigation was not conclusive about how far it went out.

CHAIR ROTENSTEIN: There's some evidence of that after you finish, I can summarize that.

MR. BOOZ: And also, we did get the aerial photo from 1937 which I looked at pretty carefully and all I can say is it looks like there's something there, but it is not conclusive, unfortunately. It is a fascinating photograph, however, because for someone like myself who has lived in Brookeville for a while and an interesting history and you all should be interested in it too. It shows buildings that we've been

trying to figure out where they were for a long time and it's fantastic.

But essentially, this is what we're proposing. We're relying on some oral history here that Calvin Musgrove remembers, a brick building.

COMMISSIONER JESTER: The photograph we see on the screen shows -- appears to show a ghost pattern in the main block and if I'm reading this correctly, the proposal is for the dependency of the added -- in what was the kitchen.

MR. BOOZ: And your question what was that other mark?

COMMISSIONER JESTER: Yes, maybe the archeology will help answer that. Do you have any sense from the aerial photograph, whether the dependency that was there in '37 was -- where it was along that wall? Is it possible what we saw in that aerial photograph is what we're seeing?

MR. BOOZ: No, it's really clear there wasn't anything to right hand ghost mark. In fact, what's very interesting about the right-hand ghost mark is that the sort of upper, I guess around, left -- upper left-hand side is the remnant of a jack arch there which although we wonder if maybe there was a fireplace there that fell off or something. But it looks actually as if there was an opening there that was built as part of that original L because there's the remnant of a jack arch there, just the corner of it.

So it tells us that there was an opening there, whether it was a door or a window, I think that we believe that it was a door at one point and then got filled in. I don't know -- in filling it in they did a horrible job and it collapsed at the same time. Believe me, we stood there for a while and scratched our heads with Hank Handler and with Dave Yinger and couldn't exactly figure out what happened there.

I think it was a door. What's odd though is it's very close to the back wall and there would be barely room for trim on the inside, but the jack arch is there.

COMMISSIONER JESTER: So there are no clues on the interior?

MR. BOOZ: If we wanted to tear out the wall, I suppose we could find some things.

MRS. HEILER: I think what there is, this is the only clue, under this dining room there's this supporting wall that just about -- it runs perpendicular to this west side, so it runs west to east. It's under the joists and it's located just about where the right-hand side of what looks like a filled-in opening is.

MR. BOOZ: I'm not sure what that means, but what it does mean is that the joists are actually -- the span is too long to actually have joists go from one end of the building to the other and not sag. So there was an intermediate wall that was never an exterior wall. It was always meant to support the joists at some point.

Why they didn't put it in the middle, I conclude maybe there was an interior wall that sat on that wall and maybe that was the division between what might have been an eat-in area in the kitchen. But other than that, again, I don't know.

CHAIR ROTENSTEIN: Thank you. I guess I'd like to probably do things a little out of order here.

First, I want to thank Miche for these wonderful drawings. I want to put these on my wall, they're so good. They're amazing.

MRS. HEILER: You should have these available in Brookeville as educational material in the library. I'm thinking of hanging them in the house.

CHAIR ROTENSTEIN: I think to help clarify what I found, when I did the archeology, would it be appropriate for me to use the laser pointer and demonstrate.

MRS. HEILER: That would be great.

CHAIR ROTENSTEIN: Can the reporter catch me okay? Are you picking me up? Okay.

A couple of points about this area, you notice this little dot there. That appears to be

either a septic tank vent or a well vent.

Right here there appears to be a capped well. There's a large rock where I'm pointing and then a poured concrete cap and beneath that there is a void that goes down at least 20 feet. I couldn't see the bottom, couldn't detect the bottom with anything that we had.

What I did is laid out five by five test unit that began at the base of that window and went five feet that way and five feet out into the yard. I excavated the furthest two and a half feet from the house, so I was out two and a half feet from the edge of the wall.

I discovered a coarse rubble feature that appeared to be a foundation that matched the log smokehouse which is not illustrated in this photo. There was a void in this direction away from the wall. The matrix that the foundation feature appeared to be located in was all fill. There were construction debris, brick, cut nails, wire nails, and a number of artifacts that were heavily abraded, eroded, but archaeologists would call residual, broken red wares, white wares. There was some ball clay pipe fragments. All of the artifacts appeared to be early to mid-19th century and would generally conform to the morphology shown in the drawings that we have.

I didn't dig farther out from the house for a couple of reasons. First off, the potential for hitting sewer features was a big disincentive, so I did take a tape measure, extended it from the edge of the test unit and at one foot intervals used an iron probe to test resistivity from the surface and at three feet out from the test unit or eight feet out from the house, the wall of the house, I detected subsurface resistance consistent with what I found in the test unit beyond the eight feet from the house. There was no subsurface resistance at generally the levels where I exposed the foundation, suggesting that what was there probably terminated about eight feet out from the kitchen L. I'll be able to provide an illustrated summary report in advance of the next hearing.

Those are my comments from my findings out there this past Labor Day Sunday.

MRS. HEILER: Thanks.

CHAIR ROTENSTEIN: I guess since we did this out of order, we should probably get back into order and go on down the line to Commissioner Duffy to begin.

COMMISSIONER DUFFY: Since you're testifying about archeological work, can the Commission ask a question?

CHAIR ROTENSTEIN: Yes.

COMMISSIONER DUFFY: What conclusion -- what does that add to the applicant's conclusions about what may have been there and what's appropriate, in your view?

CHAIR ROTENSTEIN: There was something there, the ghost or raise marks on the kitchen L are consistent with an addition that had been there at some point. The archeology suggests that there was something there. There is a foundation that's consistent with a 19th century log smokehouse.

COMMISSIONER DUFFY: Does your investigation help any more for us to understand how far it might have projected from the house?

CHAIR ROTENSTEIN: My opinion is it went out eight feet from the existing L wall and probably terminated at the eight feet based on the resistivity that I found in the soil. That would be consistent with what I found.

COMMISSIONER DUFFY: What about the location and depth of the well? How does that affect what the applicant is proposing?

CHAIR ROTENSTEIN: The capped well?

COMMISSIONER DUFFY: Yes.

CHAIR ROTENSTEIN: That I couldn't speak to. There's no way to date the well feature

because it was capped. There's no way to actually see into it.

COMMISSIONER DUFFY: Okay, so --

MR. BOOZ: I think there is a photo -- there's a photo that was taken when?

MRS. HEILER: About 1945.

MR. BOOZ: About 1945, the stone and the concrete cap were not in that photo.

MRS. HEILER: So it was capped some time after 1945. In fact, it may have been dug fairly late because some -- either someone put a well or someone put a septic system on that side after 1958.

COMMISSIONER ALDERSON: We don't know which it was.

CHAIR ROTENSTEIN: There is a lot of evidence of a lot of activity in the yard here. The vent there, the yard -- this photo doesn't illustrate it very well, but the yard does undulate very markedly in this area and of course, you do have a very visible well feature there. So there has been a lot of activity in this yard which is not unexpected in a house that's been occupied for over 200 years. But generally what I found does conform except for the 12-foot length to what the applicant is proposing.

COMMISSIONER DUFFY: So what we refer to --

CHAIR ROTENSTEIN: Let's go back to frame.

COMMISSIONER DUFFY: Well, I think there are some unknowns that we all would like to have more information about, but I think that the applicant has done as good a job as could be hoped for, a commendable job in terms of the analysis and documentation and so in short, I think that there's some danger of the Commission approving an application that might not be historically appropriate, but we just don't have enough information to make that judgment and it seems that what the applicant is proposing is reasonable. And to me, that it would be unreasonable to deny allowing this project to proceed

as proposed, considering the information we don't have available. So I'm generally supportive with all of the information the applicant has put together.

CHAIR ROTENSTEIN: Commissioner Miles?

COMMISSIONER MILES: I'll begin by saying that I was not present at the August hearing. I'm going to sound a little overly lawyerly, but I have some concerns about the way this has proceeded, just in that we've now heard testimony from a Member of the Commission about a fellow Commissioner's proposal. And it's just giving me some pause. I would just like for all of us to reflect upon that.

I agree it's a beautiful morphology and absolutely a very complete presentation. We generally do not approve side additions and I don't know that we would approve one that -- in the ordinary course of things that does not resemble what the original side addition looked like. If we were trying to restore it, my understanding is it would have been a wooden smokehouse, is that correct, Mr. Chairman?

CHAIR ROTENSTEIN: No, it would have been what would be called in the vernacular a wood house, but it most likely would have been of brick and perhaps wood construction with a coarse, rubble foundation.

COMMISSIONER MILES: Then what we're looking at would not replicate what you would expect was there, brick and possibly wood, is that correct?

CHAIR ROTENSTEIN: I can't speculate on the actual structure itself, other than there was brick in the archeological tests. The nails appeared to have been deposited in place. In other words, they weren't clinched nails, so they weren't pulled at some point. So whatever fell there, ultimately was deposited there. So aside from the evidence that there was something brick, something wood with a coarse, rubble foundation, that's all that I can say at that point.

COMMISSIONER MILES: I guess the first I heard about this was when I received it in the

mail. So I would just like to -- I would really like to think about this more. I realize that's not very helpful as far as guidance goes, but I would like to see the 1937 photograph. I would like to study it more. I didn't know we were going to have testimony from you this evening, Mr. Chairman. I just think it poses a lot of questions.

CHAIR ROTENSTEIN: It does and I have the likely position of recusing myself from any vote based on the degree of comments that I've heard this evening.

COMMISSIONER ALDERSON: If I may be permitted to respond to what may be a misconception?

CHAIR ROTENSTEIN: Sure.

COMMISSIONER ALDERSON: You had mentioned the smokehouse. I think that was just a little bit of a mixup. Closer to us from this is an actual smokehouse. It's completely separate from this. So what we're talking about on the side of the house and this is purely based on an oral history from one of the people who lived there when the building existed, was that it was a building for storing wood made of brick. So the confusion about calling it a wood house, it was a house made of brick for storing wood, attached to this and the smokehouse is in a different structure.

COMMISSIONER MILES: Thank you.

COMMISSIONER RODRIGUEZ: Well, when I look at what you're proposing I have to go back to this picture. I have similar questions as Commissioner Miles, but the biggest question for me is what we are trying to do here, what is the importance of adding something to a building when I look at this picture tells me so much of the simplicity of what makes the building be valuable, not only from the point of view of the history related to it, but the architecture preservation over time.

I have really a very hard time when I look at this picture, looking at the addition, and I

think there's some reasons in terms of yes, there is -- something was there in the past, but do we really need that to be back and how will that affect the value of the house? Is that really coincidental to the house for the next generation? I don't know. I have those questions and I just cannot answer.

MR. BOOZ: Well, if you're asking for a reason to put it back, there are functional reasons to put it back. There is a planned kitchen remodeling that is difficult in that space and just purely functional reasons the pantry addition would be useful.

On more existential grounds, I can't answer that.

COMMISSIONER ALDERSON: My understanding was that this addition which is based on some corroborating evidence allows functionality that eliminates the need for a more substantial alteration of the house that's not consistent with any particular historic development. So certainly my view is there's been a tremendous effort to look at following history as closely as evidence allows us, rather than a more radical alteration is rare that someone would make this kind of effort.

I may differ with the two previous opinions in two respects in having been very involved and offered advice. My credentials are a master's in architectural conservation. I'm delighted and impressed with the amount of effort that you are willing to go to. I don't know that we've ever gotten this kind of effort, other than museum properties or county properties that are being redeveloped as museums. To look at every piece of physical evidence, oral evidence, photographic evidence, to provide some corroboration that there's a historic basis for putting the addition here in approximately -- actually closely to this configuration all the way down to images that show that this is a very highly plausible kind of structure and that many houses had small dependencies like this.

So I think given that we have that evidence, we don't really need to question why it's useful to you to have this pantry or why -- this supports the idea of having it on the side rather than

intersecting the house where it wouldn't be visible from the street, because there had been something here and it dates to a period of significance to the house. And I think it gives us an unusual opportunity to create a feature that doesn't very often survive. We could also say gee, now that the porch is gone, should we maintain the simplicity? We never have told people that they can't reconstruct their porch because the house is so simple now. I think that's kind of putting a judgment call on history that we've never asked anybody else. People reconstruct porches and side features all the time.

This is so minor, such a small addition that I don't see it compromising the house in a major way and I think also with regard to the investigative work which I think is very generous, that the Chairman was willing to donate his time to provide further evidence that's helpful to us, because what the applicant is seeking is a very, very minor scaled addition and just wanted to get as close to the honest truth as is possible.

I think it's perfectly appropriate to do a site visit using his expertise to corroborate that. We're not I think seeing someone acting for someone that's highly unusual or out of proportion here. So it's not -- I don't think there's an unseemly motivation in the investigative work that was done. It's very valuable and it was very helpful to me.

I'm very supportive and I think the work you've done is just stupendous. And this is a valuable resource to us in the county to have information on what has existed at other houses, what was common at the time. It's something we don't often see.

CHAIR ROTENSTEIN: Thank you

Commission Jester?

COMMISSIONER JESTER: First, let me thank you for preparing the document in a way

that makes it much easier to understand how a property evolved and for digging deeper and trying to find documentation. I think that's really important and it's the basis of how preservation works. So I applaud that.

I guess -- I had some of the same concerns that I raised at the last preliminary and I'm going to respectfully disagree with Commissioner Alderson on the appropriateness of either the change as minor as a small little dependency. I think your documentation has demonstrated that there was something there. I don't think there's -- I'm not disputing that.

But I don't think there's enough physical evidence to propose a design that is essentially creating an appearance that we don't really know whether it existed or not. It's an attempt to restore or reconstruct an element based on what might have been there in that time period.

And Commissioner Alderson made reference to bring back porches and so on, well, sometimes we do that with -- if there's a photograph that gives us some sense and we know what the details were from that period, that might be enough, but I'm just not persuaded there's enough evidence to proceed with this. I guess at the last preliminary I was kind of wondering whether some sort of a modern, a differentiated addition would be the better approach and I think I'm kind of coming around to be concerned about putting an addition on the side of an outstanding resource. And this is really a significant resource.

I guess I'm sharing some of the concerns that were raised by the Commissioners about the true need to do this. And I guess there may well be a functional need, but that may not be the only solution to accommodate to your functional requirements.

I guess at the moment I'm not sure I'm supportive of the proposal in its current form.

MR. BOOZ: Can I ask a question?

CHAIR ROTENSTEIN: Sure.

MR. BOOZ: Is it because it's not clear what it would have been made of or is that you're not convinced there was something, in fact, there, I guess. I'd just like some clarification on that.

COMMISSIONER JESTER: I think there's additional archeology that would need to be done to kind of confirm the actual footprint, but I think it's pretty obvious there was something there. It's not so much you're not capable of coming up with the right material palette for that time period, but we don't know maybe exactly what the roof form was or where the openings were and I think it will potentially create an appearance that may never have existed.

CHAIR ROTENSTEIN: Commissioner Jester, and I'm just chiming in as someone who was consulted at this point, not as a Commissioner, but I think there is very clear evidence that it had a gable roof and it was a gable roof turned perpendicular to the orientation of the rear L. This photo doesn't do justice to the raising scar that is evident on the rear L. I mean it is a very clear gable roof form.

COMMISSIONER JESTER: I don't dispute that, but the footprint, the documentation of the footprint -- it may give some indication of the roof form. It doesn't indicate where the openings were, where the doors were. I'll just reference what I stated at the last preliminary where in Philadelphia they tried desperately in 1950s to find adequate documentation for Ben Franklin's house and when they couldn't come up with enough information, they elected to not reconstruct the house and that's when the ghost house was created as an abstraction of that property.

COMMISSIONER ALDERSON: And there was less information than this. There was less information than this and a singularly significant individual in American history. I feel like we're putting this to a test. It's the test of Lincoln or George Washington. Yes, it is a significant property, but I personally feel it's a little out of proportion for the scale of the addition proposed and for the kind of property it is.

I think the visual evidence from actual houses in the county and in Maryland gives us a

pretty good indication of the kind of materials and roof shape we could expect, particularly because we have a level foundation. We know it's a stone foundation, so we would expect -- but I'd say if we're going to debate that detail, if we have a reasonable hypothetical, I'm comfortable with that for something of this scale and it has utility, just as a reason to support a very minor side addition. We can debate where those openings are, but I think this evidence is reasonable.

COMMISSIONER DUFFY: I agree. As Commissioner Alderson said before, I think she put it well. From the information you've given us, it seems highly plausible that something very similar to what's proposed existed there during the period of significance and you know, regarding this is not an entire house, it's not Benjamin Franklin's entire house, it's a small addition and we have pretty good reason to believe that something very much like what's proposed existed in the period of significance.

It's relatively small, so we have pretty good reason to believe the external material was brick, that it had a gabled roof. Beyond that, unlike Franklin's house, for example, we don't have to speculate about the fenestration and the detail and all that kind of stuff. It's a simple, small addition. So I am in agreement with Commissioner Alderson. Ordinarily, we would not be positive towards a side addition, but there was a side addition there once, during the period of significance. And it is a small addition that we're talking about and frankly, I think it would improve the appearance of the structure and it certainly wouldn't dominate it or distract in any significant way from the primary structure. So I'm comfortable with what is being proposed.

I would like to say one other thing. I'm sensitive also to the fact that this is being proposed by a Commissioner and to the fact that our Chairman did some archeological research on it. One, I was mindful of the fact that this was being proposed by a Commissioner at our first preliminary consultation and because of that I looked at this at least as stringently as I would have looked at a proposal

from anyone else and was very concerned to have more and better information.

The applicant came back with much more, much better information that we had the last time. Some of that more and better information came from the Chairman. It does cause me some pause that it was our Chairman who did that work. At the same time, the work he provided us has helped answer some of the questions that we had the last time. So I think the balance is towards the positive. But there's reason for pause, and there's reason for diligence because we're dealing with two Commissioners here.

MR. WHIPPLE: Mr. Chairman? The potential applicant who is coming in with a proposal for an addition, a small addition, it's something that the Commission deals with all the time. At the bottom of Circle 3, staff has put together four bullets of questions that staff had and we turn to you for answers. So I'd like to remind the Commission of those bullets and suggest that perhaps if there's some disagreement on the part of the Commission based on the first bullet, you could start with something to move forward, a straw poll or something to decide among the members present tonight whether a side addition is appropriate or not. And if it is, then perhaps you can start moving through the following three bullets and try to frame your thinking on this to help the applicant and staff move this forward.

COMMISSIONER MILES: Can I ask a question first, please? Excuse me. Am I missing something in the packet? I do not see elevations for the proposed addition.

CHAIR ROTENSTEIN: I think Scott has made an excellent suggestion. I think obliquely these bullet points were addressed, but should probably be more fully discussed. I think given Commissioner Miles' statement, I'm going to remove myself from any substantive discussion. I think I'll pass this on to the Vice Chair to manage the remainder of this, simply because of the concern that Commissioner Miles raised.

COMMISSIONER ALDERSON: Should we just go on and hit the four bullets?

CHAIR ROTENSTEIN: Sure, why don't we just go around individually and address each of the four. We'll start with Commissioner Duffy.

COMMISSIONER DUFFY: Regarding the first, size addition to this house in general, I'm supportive. The second bullet, the dimensions --

MR. WHIPPLE: Excuse me, Commissioner Duffy, since there was disagreement over whether a side addition is appropriate, perhaps we can address the first line -- perhaps it's premature to move on to the second and subsequent bullets.

CHAIR ROTENSTEIN: Let's cover topic 1 starting with Commissioner Duffy.

COMMISSIONER DUFFY: Okay, support.

COMMISSIONER MILES: I'm really -- I'm really on the fence. I just have not decided and I would say that ordinarily I am just almost reflexively opposed to side additions. I do, as I said, I think that you've made a very strong case that there was such a thing before and certainly you've presented more evidence. I agree with Commissioner Alderson, but what's the answer? I'm sorry, I just cannot answer at this moment yes or no.

COMMISSIONER RODRIGUEZ: I want to state that my question it was a little existential because the question for me is in that regard when I had to look at the house, and I think it's wonderful work in terms of putting together the recommendation. I have to really appreciate that. But again, I agree usually these side additions are reserved position and in this case when I keep looking at what I have in front of me, I just feel I am in opposition to support an addition on the side of the house.

COMMISSIONER ALDERSON: I think the documented evidence supports a side addition at the location, scale and shape shown on the drawings.

COMMISSIONER JESTER: I guess I've stated my concern about the documentation. There was something there. It's no longer there and I think we should treat the resources such, so I'm not supportive of the side addition.

Do we want to cover the dimensions or materials, how the addition would be handled?

COMMISSIONER DUFFY: Let's see.

MR. WHIPPLE: Mr. Chairman, if this were a motion, it would fail, but because there are one, two, three, four, five of you who are participating in this and two members absent, perhaps it would make sense to go through the remainder of the bullets, just to get some feedback. We would find it useful.

COMMISSIONER ALDERSON: And it's preliminary. We don't have to reach a conclusion.

MR. WHIPPLE: There's no conclusion being made tonight.

COMMISSIONER JESTER: We have one Commissioner who is undecided at the moment who needs some additional time to think about. We have two Commissioners who aren't here tonight, so obviously we're not going to know whether we have a -- leaning towards whether or not. But I think just for the record since two of the Commissioners weren't here and for the benefit of the applicant, I think we need to go through the other points.

If you could address here, your thoughts, especially if you're supportive of putting the addition on, just let us know how you feel about the dimension, proportion and materials that are in the proposal and the treatment of the windows and doors.

COMMISSIONER DUFFY: I think the dimensions and proportion of what's proposed are appropriate. I think the materials proposed are appropriate and -- the bullet point I have, the least comfort level is the location and treatment of window and door openings, but I think it's reasonable as a basis to move on to the HAWP. I think in the HAWP we would want to discuss further if there's any newer

information what the basis for the location and treatment of window and doors are, but at this point I think it's appropriate to move forward as is.

COMMISSIONER MILES: If it is the determination of the Commission that there will be a side addition, I would say this is the right scale. I don't have an issue with the dimensions and the materials. I would like to know more about how such dependencies were ordinarily fenestrated and entered to make a better judgment call about whether or not the placement of the shed door and window is appropriate.

COMMISSIONER JESTER: Commissioner Alderson? I'm sorry, Commissioner Rodriguez?

COMMISSIONER RODRIGUEZ: I think the research is fundamentally what was there is more or less found, so in that sense I think following what it was there seems you have -- in terms of what is proposed it matches the intention of our Code 24-80 and the guidelines. So in that sense I don't have any concern about the materials.

I think in cases like this where there is so much research about historical evidence of what was there, I think what you're proposing in terms of dimension, materials. Placement of the windows? I don't know. It's a little more centralized plan what you're showing in a house that is less formalized, but I think as it goes to a more detailed phase, we will have to see how that evolves.

COMMISSIONER ALDERSON: I'm comfortable with the materials based on the physical evidence at the house and the other documentary evidence you provided of comparable houses in Maryland and the County. And I am also comfortable with the location and the treatment of the window openings and that is principally because the location and the way in which they are treated here and the very simple understated treatment from the front to side is the reason I believe it works because a dependency is always very simple and functional. And we can see that from the photographs.

I think given that very functional, plain treatment, so that we do not see bold window in

the front and the side entry is very plain. I think that, in general, is quite consistent with what we're seeing in the other buildings and I'll just say with regard to evidence it's my experience it would be unreasonable for us to require the highest level of evidence which would be both archeology, building physical documentation and require elevation drawings at every facade to corroborate, to support what is just the basis of a replication for museum or interpretation purposes, but to support the reasonableness of a small side addition that's recessed from the front to side on an addition that we know had an addition of this size and scale.

So in this regard, I would urge that we look at this not as how appropriate this is as an interpretation, I guess, to the property, but as a basis for putting a small side addition on a rear side portion of a house. I think the evidence is quite strong and you have strong comparables of what we can expect for service treatment.

COMMISSIONER JESTER: Well, I guess I'm not supportive of the addition. I think my comments aren't going to be very helpful about the other three points, but I think just in terms of what we do know, I think the evidence does show that there was an appendage there, and what the massing was like, so I think they're on the right tack with that.

I think, as I stated before, I think the materials are probably in the range of what would have been done at the time. I find it appropriate. I think my biggest concern is the treatment of the windows and the doors and that's partly the basis for my concern for approving the current proposal.

So just to recap, I think what you've heard is there's kind of mixed feelings about whether there should be an addition based on the Commissioners. We have two that are not here and one is undecided at the moment. So that could swing things in either direction.

As far as the dimension of the porch, I think you heard that everyone who is supportive

of the addition thinks the dimension portions are appropriate and supportable. Same holds true for the materials of the addition. I think you heard that a number of the Commissioners, if there are any concerns about the fenestration and the doors, we want to make sure that that's pursued and maybe a little more thought give to that. But on one stated that they're completely uncomfortable with it or weren't supportive of it.

I hope that's giving you enough guidance to move forward to the HAWP where you made design revisions.

MRS. HEILER: I'd like to make one comment because I think it may be lost in the documentation, but this is admitted weak evidence. But I do have stepping stones that run from the clearly closed in doorway on the side of the west wing to the place where we propose the door, so that -- we don't have evidence of a door, but we do have evidence of essentially a stepping stone walkway from that location in the middle of this addition to the side door.

MR. BOOZ: It's located at the door, actually.

CHAIR ROTENSTEIN: I guess if Vice Chair wants to turn things over and have we reached a conclusion for the preliminary conclusion?

COMMISSIONER ALDERSON: We don't need a conclusion.

CHAIR ROTENSTEIN: We need to --

COMMISSIONER ALDERSON: We need to give them a reading. They've heard.

CHAIR ROTENSTEIN: Thank you, Commissioner Jester. And thank you for this very odd preliminary consultation.

MR. BOOZ: Thank you.